

BILL NO. 35-0431**Thirty-Fifth Legislature of the Virgin Islands****December 18, 2024**

An Act adopting the 2024 Comprehensive Land and Water Use Plan submitted by the Department of Planning and Natural Resources to the 35th Legislature of the Virgin Islands on December 10, 2024, as the Official Virgin Islands Comprehensive Land and Water Use Plan, and establishing legislative oversight on the plan's policy, direction, and goals

PROPOSED BY: Senators Donna A. Frett-Gregory, Novelle E. Francis, Jr.,
Marvin A. Blyden, Kenneth L. Gittens, Marise C. James,
Angel L. Bolques, Jr., Diane T. Capehart, Ray Fonseca and
Milton E. Potter

1 **WHEREAS**, the Virgin Islands has a rich and diverse natural environment, including
2 land and water resources that are critical to the economic, cultural, and environmental well-
3 being of the Territory; and

4 **WHEREAS**, the Comprehensive Land & Water Use Plan ("CLWUP") is designed to
5 provide a framework for sustainable development, resource conservation, and equitable land
6 and water use within the Virgin Islands; and

7 **WHEREAS**, the CLWUP was developed through extensive research, analysis, and
8 public engagement to address the present and future needs of the Territory and its residents;
9 and

10 **WHEREAS**, the overarching goals and policy direction of the CLWUP are intended to
11 promote balanced growth, protect natural resources, and enhance the quality of life for current
12 and future generations; and

1 **WHEREAS**, the Department of Planning and Natural Resources ("DPNR") is tasked
2 with overseeing the implementation of the CLWUP but must do so within the bounds of the
3 goals and policies established by this Legislature; and

4 **WHEREAS**, the Legislature of the Virgin Islands, as the representative body of the
5 people, reserves the authority to amend or modify the overarching goals or policy direction of
6 the CLWUP; and

7 **WHEREAS**, legislative oversight ensures transparency, accountability, and public
8 participation in decisions that affect the Territory's land and water resources; Now Therefore,

9 *Be it enacted by the Legislature of the Virgin Islands:*

10 **SECTION 1. APPROVAL AND ADOPTION OF THE COMPREHENSIVE LAND**
11 **AND WATER USE PLAN**

12 (a) The Comprehensive Land and Water Use Plan prepared by the Department of
13 Planning and Natural Resources and submitted to the Legislature of the Virgin Islands on
14 December 11, 2024, is hereby approved, and adopted as the Official Territorial Comprehensive
15 Land and Water Use Plan ("CLWUP"), for the territory of the Virgin Islands as developed to
16 ensure the orderly, sustainable, and equitable use of land and water resources throughout the
17 Virgin Islands.

18 (b) The overarching goals and policy directions articulated in the Comprehensive Land
19 and Water Use Plan shall serve as the guiding framework for all land and water use decisions
20 within the Territory.

21 **SECTION 2. IMPLEMENTATION AND STEWARDSHIP**

22 (a) The Department of Planning and Natural Resources ("DPNR") shall serve as the
23 principal steward of the Comprehensive Land and Water Use Plan's implementation
24 framework, charged with overseeing the execution of its objectives, strategies, and programs in
25 accordance with the adopted goals and policy directions.

(b) Notwithstanding its role as the steward of the implementation framework, DPNR shall not have the authority to alter, amend, or modify the overarching goals or policy directions of the Comprehensive Land and Water Use Plan.

SECTION 3. LEGISLATIVE AUTHORITY OVER POLICY AMENDMENTS

(a) The power to modify, amend, or repeal any overarching goals or policy direction set forth in the Comprehensive Land and Water Use Plan is reserved exclusively to the Legislature of the Virgin Islands.

(b) Any proposed amendment to the Comprehensive Land and Water Use Plan that affects its overarching goals or policy direction must be submitted to the Legislature for formal consideration and approval by legislative act.

(c) Any such amendment shall require public notice, public hearings, and a majority vote of the members of the Legislature.

(d) Upon submission to the Legislature of the Virgin Islands, the Legislature shall act on the proposed changes no later than 180-day after receipt. Failure to act within the 180-day time-period or to otherwise vote on the recommendations shall constitute approval.

(e) The Commissioner of the Department of Planning and Natural Resources shall review the comprehensive land and water use plan and submit any recommendations to the Governor and the Legislature every five years beginning from the date on which the comprehensive land and water use plan was adopted by the Legislature of the Virgin Islands.

SECTION 4. REPORTING REQUIREMENTS

(a) The Department of Planning and Natural Resources shall submit an annual report to the Legislature of the Virgin Islands detailing the progress, challenges, and achievements in implementing the Comprehensive Land and Water Use Plan.

(b) Such report shall include a summary of all major land and water use decisions made in furtherance of the CLWUP and any recommendations for adjustments to implementation strategies, consistent with the overarching goals and policy direction of the Plan.

SECTION 5. EFFECTIVE DATE

This Act shall take effect immediately upon its enactment.

BILL SUMMARY

This bill adopts the Comprehensive Land and Water Use Plan prepared by the Virgin Islands Department of Planning and Natural Resources as the Official Comprehensive Land and Water Use Plan for the Territory of the Virgin Islands and makes clear the Legislature of the Virgin Islands is solely responsible for policy amendments.

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