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DEPARTMENT OF PLANNING AND NATURAL RESOURCES**

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**Written Testimony
Telecommunications Update**

to the Committee on Housing, Transportation, and Telecommunications
36th Legislature of the Virgin Islands
by Jozette J. Walker, Assistant Commissioner
Department of Planning and Natural Resources
on behalf of Commissioner Jean-Pierre L. Oriol

Good afternoon, Honorable Senator Marvin Blyden, Chair of the Committee on Housing, Transportation, and Telecommunications, committee members and non-committee members present, legislative staff, fellow testifiers, and the viewing and listening audience.

My name is Jozette J. Walker, Assistant Commissioner of the Department of Planning and Natural Resources (DPNR), and I appear before you today on behalf of Commissioner Jean-Pierre L. Oriol, to provide an update on telecommunications-related matters currently tracked through the Department's land use, coastal zone management, and permitting review processes.

DPNR's role in this area is tied to the review of land use compatibility, zoning, coastal permitting, and building permit approvals associated with telecommunications infrastructure. Depending upon the location and scope of a proposed project, applications may be reviewed by the Division of Comprehensive and Coastal Zone Planning, the Coastal Zone Management Program, and the Division of Permits. As a result, a single telecommunications project may move through different stages across multiple divisions at the same time. To assist the Committee, DPNR has organized its update based on the telecommunications matters currently tracked by the Department, noting approvals, matters in progress, and applications that remain incomplete or subject to appeal.

Liberty currently has the largest number of telecommunications applications reflected in DPNR's telecommunications project tracker, including permanent and temporary facilities across St. Croix, St. John, and St. Thomas, as well as a territory-wide fiber project. At 1 and 6 Estate Little Profit, St. Croix, Liberty's Green Cay permanent site application was received on November 16, 2022, with permits approved on April 19, 2023, and issued on September 5, 2023. The temporary site at that same location, received on November 10, 2022, was combined with the permanent file. At 3 Estate Oxford, St. Croix, the West End permanent site application was received on March 11, 2022. A public hearing was held on July 27, 2022, and the CCZP report recommended approval with conditions. The permit was later issued on December 23, 2022. The internal tracker also notes that implementation remained contingent upon receipt of a land use restriction waiver from the land developer and that an alternate location was being explored.



At 6 Estate Petronella, St. Croix, Liberty's Sally's Fancy permanent site proceeded through public hearing on June 12, 2023. The CCZP report recommended approval with conditions and forwarded the matter to the Division of Permits on June 23, 2023. Permits were approved on June 30, 2023, and issued on September 5, 2023. The temporary site at that same location, received on August 28, 2022, was combined with the permanent application. At 93-D Estate Diamond, St. Croix, Liberty's Sion Farm permanent site application was received on February 17, 2023, with approvals issued on August 25, 2023, and permits issued on August 31, 2023. The related temporary site at 93-C Estate Diamond, St. Croix was received on September 8, 2022, approved on August 25, 2023, and issued on August 31, 2023.

On St. John, Liberty's Coral Bay permanent site at 6-4-1 Estate Carolina, was processed under CZMJL0005-23. The application was received on July 6, 2023, and required a Major CZM permit, which was issued on November 14, 2024. The site is currently under construction. The temporary Coral Bay site at that same address was received on September 8, 2022, with its permit issued on February 28, 2023. An informational meeting was held on August 11, 2023, and the CCZP report was completed and forwarded to the Division of Permits on September 13, 2023. On St. Thomas, Liberty's collocation application at 11-A Estate Raphune, was received on June 22, 2023, and approved on September 6, 2023, and is awaiting issuance. DPNR's tracker further notes that the Board of Land Use Appeals hearing was continued.

DPNR's telecommunications tracker also reflects a Liberty-related Major CZM matter WF0006-24, associated with 3 Estate Long Point, St. Croix which remains in progress. In addition, Liberty's territory-wide Fiber to Home Network project, under Application Nos. CZX-14-23L, CZT-11-23L, and CZJ-16-23L, was received on December 21, 2022, with permits issued on December 28, 2022, and March 23, 2023.

T-Mobile's application reflected in DPNR's tracker involves a permanent collocation at 16 Estate Thomas. The application was received on August 25, 2023, and approved on September 18, 2023, but awaits permit issuance. Additionally, an appeal was filed with the Board of Land Use Appeals, which affects the project's current status.

With respect to One Communications, formerly Viya, DPNR's tracker reflects a permanent site at 9 Remainder Estate Bellevue, St. John. The application was received on August 24, 2023, and remains incomplete. An application package was resubmitted on September 7, 2023, but did not include new information, and a further resubmission on January 19, 2024, failed to cure the deficiencies.

For SBA Towers USVI, DPNR's tracker reflects a permanent site at 1-A Estate Hermitage, St. Croix. An application package was received on February 9, 2023, but remains incomplete. Our internal review indicates that a commercial bond is needed and that the proposed tower does not meet required fall-zone standards on three sides. As a result,



the tower would either need to be relocated to satisfy the fall-zone requirement, or the applicant would need to secure fall-zone easements from the adjacent affected properties before the application can proceed.

In summary, DPNR's telecommunications update reflects that a number of Liberty matters have advanced to approval, permit issuance, or construction, particularly on St. Croix and St. John, while a smaller number of projects remain in progress, incomplete, or subject to appeal. Public hearing activity is reflected for Liberty's West End and Sally's Fancy sites, an informational meeting was held for the Coral Bay temporary site, while appeals are noted in the T-Mobile Estate Thomas project and the Liberty Estate Raphune project. The One Communications, application at Remainder Bellevue and the SBA Towers application at Hermitage remain incomplete, while the St. Croix East End FirstNet matter remains in progress.

From DPNR's perspective, telecommunications infrastructure is a critical component of resilience and emergency preparedness in the Territory. Permanent sites, temporary facilities, collocations, and fiber network expansion each play an important role in strengthening redundancy, improving service continuity, and supporting public safety communications during routine operations and after storms or other emergencies. At the same time, telecommunications expansion must proceed in a manner consistent with zoning, land use compatibility, environmental safeguards, coastal management requirements, and public hearing obligations. DPNR's review function helps maintain that balance while supporting infrastructure deployment across the Territory.

Separate and apart from telecommunications siting and infrastructure review, the Committee has also requested testimony regarding ADA-related digital accessibility requirements applicable to DPNR's public-facing website at dprn.vi.gov and online services.

DPNR recognizes the importance of digital accessibility and the obligation of public entities to ensure that online information and services are accessible to all individuals. As such, DPNR will seek to assess and improve the accessibility of its website, public-facing content, forms, notices, and service pathways as part of our hosting and maintenance contract currently in the execution phase. This includes ongoing attention to usability, navigation, and access to information for individuals relying on assistive technologies.

DPNR remains committed to supporting lawful, orderly, and resilient telecommunications deployment throughout the Virgin Islands while ensuring compliance with applicable planning, coastal, and permitting requirements.

Thank you for the opportunity to provide this testimony. I am available to answer any questions the Committee may have.