

The Virgin Islands Consortium

Bill to Fast-Track Building Permits Approved as Lawmakers Seek Balance Between Efficiency and Fair Access

Senator Kenneth Gittens's bill to create an expedited permitting process at DPNR has advanced, as lawmakers and officials weigh how to ensure faster reviews without disadvantaging smaller contractors or residents.

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Nelcia Charlemagne **October 17, 2025**



Senator Kenneth Gittens. By. V.I. LEGISLATURE.

Legislation to create an expedited permitting process for developers was approved Thursday by the Committee on Disaster Recovery, Infrastructure and Planning, marking

a significant step toward addressing long-standing delays in the Virgin Islands' construction approval system.

The measure, Bill 36-0135, was introduced by Senator Kenneth Gittens, who said the proposal "stems from the concerns and experiences of several developers and business owners who have faced serious and unjustified delays in the permitting process."

As written, the bill authorizes the Department of Planning and Natural Resources (DPNR) to "offer developers an expedited permitting process for a fee to be determined by the commissioner based on project complexity, scope, the size and the urgency of the project." All fees collected would be used solely for "improving the efficiency of the permitting process and related services" within the department.

While DPNR Commissioner Jean Pierre Oriol did not oppose the bill outright, he said the legislation as written is "incomplete." He noted that it does not specify how long the expedited process should take or what the exact fee structure would be. "Rather, the bill basically says, DPNR, you go and figure it out," Mr. Oriol remarked.

He also expressed concern over a requirement that the full expedited processing fee be paid up front. Since permit fees are calculated based on estimated construction costs that must later be verified by staff, collecting full payment at the start could make it impossible to recover unpaid balances on undervalued projects.

Mr. Oriol suggested a more flexible arrangement: "Applicants must first pay 75% of the estimated permit fee with the balance due upon receipt of the permit."

Despite these reservations, lawmakers including Senator Kurt Vialet supported the intent of the bill. He explained that the lack of specific provisions is deliberate, leaving DPNR room to define operational details. "The Senate really isn't the expert in these areas," Senator Vialet said. "It would be best for you to provide us with the recommendation as to what is really doable."

He added that if properly implemented, the new system "could be a generator of additional revenues to the government."

Committee Chair Senator Marise James cautioned that the creation of an expedited permitting option must not disadvantage small builders or residents. She urged that "equity in processing" be maintained, ensuring that developers who can afford higher fees do not receive preferential treatment over smaller contractors.

Carlton Dowe, Executive Director of the Virgin Islands Port Authority (VIPA), offered a potential model for balancing efficiency and fairness. He explained that the U.S. Army Corps of Engineers, which reviews VIPA's permits, maintains a pool of consultants paid directly by developers to expedite reviews. "We pay that person, and that person works solely on our permits until the project comes to an end," Mr. Dowe said.

Lawmakers appeared open to exploring this approach. Mr. Oriol confirmed that DPNR already has the authority to contract consultants for similar purposes if necessary.

Beyond the bill's language, Mr. Oriol warned of a serious staffing and funding shortfall that could hinder DPNR's ability to process applications, even under an expedited

framework. The commissioner reminded lawmakers that much of his permitting staff is currently funded through federal dollars that will expire at the end of the first quarter of 2026.

A request for \$600,000 in supplemental funding to sustain those positions was submitted but not approved. "When the final budget bill was submitted to the governor for approval, no additional funding had been provided," Mr. Oriol said. Without that money, the department will be unable to maintain sufficient personnel to "keep pace with the amount of activity now being submitted for review."

Senator Novelle Francis, chair of the Committee on Budget, Appropriations, and Finance, pledged to revisit the funding issue. "That matter will be taken into serious consideration," he assured Mr. Oriol. "Our attempt was to ensure that we're moving a balanced budget, and now we have done that, there are certainly some additional tweaks that will be done."

Senator Violet also promised to support the department's request. "The committee is committed to making sure that you receive this money," he said, though he noted the amount may need adjustment if DPNR continues to operate with half its ideal staff complement by early 2026.

DPNR is also pursuing technology upgrades to help streamline its operations. Mr. Oriol said the department plans to purchase artificial intelligence software to assist in permit reviews. "AI will review and then say what percentage complete they are for the plan reviewer," he explained.

The software, estimated to cost between \$40,000 and \$45,000 annually, is expected to significantly enhance processing speeds. "It would significantly improve our turnaround time as well," the commissioner added.

Despite lingering concerns over funding and implementation details, the committee voted to advance the measure. Senator Gittens said he remains confident that Bill 36-0135 will help ease delays that have frustrated developers and investors alike.

"This legislation stems from the concerns and experiences of several developers and business owners who have faced serious and unjustified delays in the permitting process," he said.