GOVERNMENT OF THE VIRGIN ISLANDS
Ministry of Environment, Natural Resources and Climate Change

The Virgin Islands Environment Policy

DISCUSSION DRAFT FOR PUBLIC CONSULTATION



Prepared by:
Ministry of Environment, Natural Resources and Climate Change

Consultation Draft, November 2026

This is a consultation draft, not Government policy. The Ministry has published this draft to invite public comment. It has not been approved by Cabinet, and its contents may change in light of the comments received. Please submit comments by 15th November, 2026 to menrcc@gov.vg with subject title – The Virgin Islands Environment Policy, 2026

"We are dedicated to effectively managing and administering the natural resources of The Virgin Islands in a manner that ensures long-term sustainability."

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1 MINISTERIAL FOREWORD

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2 EXECUTIVE SUMMARY

This Policy establishes a comprehensive framework for environmental protection, natural resource management, and climate change adaptation in The Virgin Islands. It addresses the Territory's fragmented governance structure and urgent threats to unique ecosystems, including mass *Sargassum* landings, coral disease, endemic species loss, and climate impacts. The Policy creates an Environment and Climate Change Unit/Department within the Ministry of Environment, Natural Resources and Climate Change with authority over terrestrial, coastal, and marine environments, and establishes a multi-sectoral Climate Change Committee to coordinate national climate response. It mandates development of biodiversity action plans, marine spatial plans, and climate strategies. A tiered biodiversity protection system designates all ghuts, salt ponds, beaches, mangroves, seagrass beds and coral reefs as environmentally sensitive areas requiring special management. A comprehensive permitting system which includes certificates of environmental clearance for major developments, Natural Resources Use Permits for extraction, and specific permits for beach use and research, ensures environmental scrutiny of activities affecting the Territory. The Policy empowers Government to regulate greenhouse gas emissions, establish carbon markets, and implement coastal setbacks for climate resilience. A graduated compliance and enforcement framework with administrative penalties, consent agreements, and tribunal enforcement ensures accountability. Regular monitoring through a State of the Environment Report tracks progress against policy objectives. Implementation of the Policy fulfils The Virgin Islands' international environmental obligations while safeguarding its natural heritage and tourism-dependent economy for future generations.

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3 ACRONYMS AND ABBREVIATIONS

Acronym	Full Term
CBD	Convention on Biological Diversity
CCC	Climate Change Committee
CEC	Certificate of Environmental Clearance
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species
DDM	Department of Disaster Management
DWM	Department of Waste Management
DECC	Department of Environment and Climate Change
EEZ	Exclusive Economic Zone
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EPF	Environmental Protection Fund
FAD	Fish Aggregating Device
FAO	Food and Agriculture Organisation of the United Nations
FMU	Fisheries Management Unit
GIS	Geographic Information System
HVA	Hazard Vulnerability Assessment
ICCAT	International Commission for the Conservation of Atlantic Tunas
IUCN	International Union for Conservation of Nature
JNCC	Joint Nature Conservation Committee
LEIA	Limited Environmental Impact Assessment
MARPOL	International Convention for the Prevention of Pollution from Ships
MENRCC	Ministry of Environment, Natural Resources and Climate Change
MRV	Monitoring, Reporting and Verification

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NBSAP	National Biodiversity Strategy and Action Plan
NEAP	National Environment Action Plan
NGIS	National Geographic Information System
NPDP	National Physical Development Plan
NPT	National Parks Trust of The Virgin Islands
OECS	Organisation of Eastern Caribbean States
PA	Planning Authority
RAMSAR	Convention on Wetlands (Ramsar Convention)
RDA	Recovery and Development Agency
RFMO	Regional Fisheries Management Organisation
RVIPF	Royal Virgin Islands Police Force
SCUBA	Self-Contained Underwater Breathing Apparatus
SDG	Sustainable Development Goal
TAC	Technical Advisory Committee
TRC	Technical Review Committee
UK	United Kingdom
UNCLOS	United Nations Convention on the Law of the Sea
UNFSA	United Nations Fish Stocks Agreement
VIDA	Virgin Islands Development Agency
VISMA	Virgin Islands Shipping and Maritime Authority

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4 DEFINITIONS

Term	Definition
animal	means any kind of vertebrate or invertebrate animal and includes the eggs or young thereof, whether live or dead, and any of their derivatives
applicant	means any legal or natural person, whether in The Virgin Islands or any other State, who applies for any permit or approval under this Policy
authorised officer	means a police officer or customs officer and any other person designated by the Minister for this purpose at his discretion, or on the recommendation of the Director of Environment.
beach	means the zone where the accumulation of unconsolidated material (muds, sands, stones, gravels, shingles, coral fragments or boulders) extends seaward to the 20m (65 feet) bathymetric depth (unless depth of closure exceeds 20m (65 feet)) and landward to the place where there is a marked change in material, physiographic form, or to the line of permanent vegetation (usually the effective limit of storm waves), whichever is furthest landward.
biodiversity prospecting	the systematic search for, collection of, and screening of natural compounds from plants, animals, and microorganisms to develop commercially valuable products
biological diversity or biodiversity	means the variability among living organisms from all sources including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part and also includes diversity within species, between species, and of ecosystems
biological resource	means a genetic resource or organism or a part of such a resource or organism, a population, or any other biotic component of an ecosystem with actual or potential use or value for humanity
blue carbon ecosystem	means a coastal and marine habitat, such as mangroves, seagrass beds, and salt ponds, that absorbs and stores carbon dioxide from the atmosphere
breakwater	means a barrier built out into the sea to protect a coast or harbour from the force of waves

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buffer zone	means a designated area of land surrounding an area that mitigates negative impacts from human activity and land disturbance
carbon credit	means a tradable unit representing the avoidance, reduction, or removal of one metric ton of carbon dioxide equivalent (tCO2e) from the atmosphere (or the current meaning as provided under the United Nations Framework Convention on Climate Change)
carbon market	means a system for trading greenhouse gas credits, where one credit represents one tonne of CO2 equivalent reduced or removed from the atmosphere (or the current meaning as provided under the United Nations Framework Convention on Climate Change)
carbon sinks	means carbon reservoirs such as forests and oceans, natural processes or conditions that take in and store more carbon than they release and serve to partially offset greenhouse gas emissions
carrying capacity	means (a) for flora and fauna, the maximum number of flora and fauna, or a particular species of flora or fauna, that a given part of the environment can maintain indefinitely; or (b) the greatest sustainable quantity of any non-living natural resource that can be maintained in its natural environment for an indefinite period; or (c) in general, the number of individuals or level of activity that can be supported in a given area within natural resource limits, and without degrading the natural, social, cultural and economic environment for present and future generations
Certificate	means a Certificate of Environmental Clearance established under this Policy.
climate change	means a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere, and which is in addition to natural climate variability observed over comparable time periods
climate change adaptation	means any adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities, and includes various types of adaptation,

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	including anticipatory and reactive adaptation, private and public adaptation, autonomous and planned adaptation, and disaster risk reduction measures
Climate Change Convention	means the United Nations Framework Convention on Climate Change concluded on the ninth day of May 1992
climate change mitigation	means any anthropogenic intervention that can either reduce the sources of greenhouse gas (GHG) emissions or enhance carbon sinks
climate change resilience	means the capacity for a socio-ecological system to: (a) absorb stresses and maintain function in the face of external stresses imposed upon it by climate change; (b) adapt, reorganise, and evolve into more desirable configurations that improve the sustainability of the system, leaving it better prepared for future climate change impacts
coastal resources	means the land, water and living resources associated with the shoreline and marine areas of The Virgin Islands, including beaches, shore cliffs, coral reefs, coral rubble, algal beds, seagrass beds, sand dunes, wetlands and other ecosystems found along the shore together with the flora and fauna found in these areas
coastal setback zones	means buffer areas along a shoreline where development is restricted or prohibited to protect against hazards like erosion, storm surges, and sea level rise.
coastal zone	means all waters (and lands under such water) contained within the area bounded by the outer limit of the territorial sea and by the landward limit of the adjoining land as marked by the mean highwater mark, and includes all coastal waters
coastline	means a line that forms the boundary between the land and the ocean
commercial beach use	means use of the beach for business activity including paid event entertainment and beach vending.
conservation	means the protection and wise use of natural resources to provide a sustainable social and economic value and includes preservation, management, rehabilitation and restoration

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Continental Shelf	means the seabed and subsoil of the submarine areas extending beyond the territorial sea to the outer edge of the continental margin.
court	means a Magistrate's Court
critically endangered	means a species that is facing an extremely high risk of extinction in the wild, according to the International Union for Conservation of Nature (IUCN) Red List, and includes any part of such species, or any derivative from such species or a part of such species
derivative	means any part, tissue or extract of an animal, plant or other organism, whether fresh, preserved or processed, and includes any chemical compound derived from such part, tissue or extract
development	means development as defined in the Physical Planning Act of 2004, and any subsequent amendments
Director	means the Director of Environment
discharge	means; (a) a release from a ship, petroleum exploration facility or other source, whether accidental or otherwise, or (b) release of a harmful substance or effluent, or (c) spillage, leakage, pumping, pouring, emission, emptying or dumping, whether accidental or otherwise.
dumping	means any deliberate disposal at sea from a vessel, aircraft, platform or other structure, of waste or other matter, but does not include; (i) disposal at sea of waste or other matter incidental to, or derived from, the normal operations of a vessel, aircraft, platform or other structure, unless the waste or matter is transported to the vessel, aircraft, platform or other structure for the purpose of disposal or treatment of the waste or matter; and (ii) placement of matter for a purpose other than its disposal; or means to deposit or dispose of (rubbish, waste, or unwanted material), typically in a careless or hurried way or outside of designated areas.

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earth change	means excavation, grading, filling, mechanised land clearing, removal of topsoil, or any action that alters or disturbs the natural contour, elevation, or drainage of land.
earth change plan	means a plan required to obtain a permit required for any activity that involves mechanised land clearing, removal of top spoil, or any action that alters or disturbs the natural contour, elevation, or drainage of land
easement	means; (a) a right of way over another's property; (b) the right attached to a parcel of land which allows the proprietor of the parcel either to use the land of another in a particular manner or to restrict its use to a particular extent, but does not include a profit (the right to enter the land of another and take a particular substance from that land, including the soil or products of the soil)
ecosystems	means a dynamic complex of plant, animal and micro-organism communities and their non-living environment, interacting as a functional unit
endangered species	means a species that is considered to be facing a very high risk of extinction in the wild, according to the IUCN Red List, and includes any part of such species, or any derivative from such species or a part of such species
environment	means (a) the components of the earth and includes air, land and water; (b) all layers of the atmosphere; (c) all organic and inorganic matter and living organisms; and (d) the interacting natural or human systems that include components referred to in (a) to (c);
Environmental Registry	means the publicly accessible database established to lodge all public assessments, policies, plans, and reports required by this Policy.
environmental impact assessment	means (a) the process of collection, analysis, evaluation and review of information on the likely (i) effects of a proposed development on the environment and the means to overcome adverse effects;

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	(ii) climate change and other natural hazard risks to a proposed development and the means to manage or adapt to such risks; (iii) effects of a proposed development on the integrity of any carbon sink and the means to overcome adverse effects; (iv) greenhouse gasses emitted from a proposed development activity and the means to mitigate such emissions; and (b) the document or series of documents which contain the information on (i) the likely effects of the proposed development on the environment and the means to overcome adverse effects; (ii) climate change and other natural hazard risks to a proposed development and the means to manage or adapt to such risks; (iii) effects of a proposed development on the integrity of any carbon sink and the means to overcome adverse effects; (iv) greenhouse gasses emitted from a proposed development activity and the means to mitigate such emissions
environmental impact statement	means a document or series of documents which contains all findings and recommendations of an Environmental Impact Assessment
inspector	means a person designated as such by this Policy
environmental protection fund	means a special fund to finance environmental conservation, restoration, and protection initiatives established under Section 11 of The Virgin Islands Public Finance Management Act, 2004.
Environmental Sensitivity Index	means a systematic assessment and mapping tool that identifies, ranks, and classifies geographical areas according to their ecological value and vulnerability based on species rarity, habitat rarity, biodiversity levels, and sensitivity to environmental disturbance or damage, for the purpose of informing environmental protection, development planning, and resource management decisions

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environmentally sensitive area	means any area within The Virgin Islands that contains one or more of the following features requiring special protection due to their ecological, cultural, aesthetic or resource value: • Marine and coastal habitats, including coral reefs, mangroves, seagrass beds, beaches, salt ponds, and wetlands; • Terrestrial areas supporting native forests, endangered or endemic species, critical wildlife habitat, steep slopes over 40%, or serving watershed protection functions; • Cultural resources, including archaeological sites, traditional use areas, and historic landscape • Landscapes, coastal areas and seascapes with exceptional and unique aesthetic value and (a) allows for environmentally sustainable use for an area and enforcement of appropriate management measures, (b) triggers additional controls, permit conditions, and mitigation measures for development and other uses, as set out in regulations, to ensure environmental sustainability and safeguard the integrity of the area, and (c) triggers the need for environmental impact assessments for any proposed development or extractive use activity within the boundaries of the Area
environmentally sensitive species	means plant or animal species that, due to their rarity, ecological importance, restricted distribution, or vulnerability to disturbance, require special consideration and protection in order to maintain biodiversity and ecosystem integrity and shall include the following; (a) threatened, endangered, or vulnerable species (as listed under the IUCN Red List); (b) keystone or indicator species whose presence or absence significantly affects ecosystem structure or function; (c) species with restricted habitats (e.g., Virgin Islands / Puerto Rican Bank endemics);

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	(d) culturally or economically important species recognised by local or indigenous communities.
export	means to take out or transfer, or attempt to take out or transfer, from a place within The Virgin Islands to another country or to international waters;
foreshore	means the area between the mean high and low water mark. The foreshore is owned by the Crown and forms part of the Crown Estate.
forest	means a class of vegetation characterised by a closed tree canopy with interlocking crowns generally providing 60 – 100% cover and where canopy height is above 4.5 metres.
functions	means powers and duties
ghut	means any stream with a reasonably well-defined channel that drains the land, and includes streams which have a perennial, intermittent or ephemeral flow as well as those which result from the accumulation of water.
governmental entity	means any (a) Ministry, department, Unit or unit of government; (b) statutory boards, bodies; and (c) other enterprise or institution which, in whole or in part, is publicly funded or owned by the government;
greenhouse gas	means atmospheric gases responsible for causing climate change, such as carbon dioxide (CO2), methane (CH4); nitrous oxide (N2O); hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF6);
grey water	water coming from sinks, showers, bathtubs, and washing machines
handling	means the manufacture, import, export, sale, purchase, processing, treatment, packaging, storage, transportation, use, collection, disposal, or other related activities
harass	means an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behaviour patterns which include, but are not limited to breeding, feeding or sheltering.
hazardous substance	means any substance which, by reason of its chemical, biological or physical properties, and based on technical, scientific and medical evidence is determined to cause through handling, inhalation, ingestion, absorption or from

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	release, harm to or deleterious effects on human health or the environment
introduction from the sea	means transportation into The Virgin Islands of any specimens of species which were taken from the marine environment which is not under the jurisdiction of any State, including the air space above the sea, and the seabed and sub-soil beneath the sea
invasive non-native species	means species introduced deliberately or unintentionally outside their natural habitats where they have the ability to establish themselves, invade, outcompete natives and take over the new environments
issuance	means the completion of all procedures involved in preparing, validating and delivering a permit or certificate to an applicant
jetty	means a landing stage or small pier at which boats can dock or be moored
land	includes land covered with water, all things growing on land and buildings and other things permanently affixed to land or means any corporeal hereditament including a building and other things permanently affixed to land and includes the foreshore, sea-bed and land covered by water within the boundaries of the territorial waters
land based source	means any place on dry land, or on any reef, or any place connected with dry land or a reef and which serves as a source, release point or non-specific discharge area of actual or potential polluting materials to the marine environment
lease	means the grant, with or without consideration, by the proprietor of land of the right to the exclusive possession of this land, and includes the right so granted and the instruments granting it, and also includes a sublease, but does not include an agreement for lease
licence	means a permission given by the proprietor of land or a lease which allows the licensee to do some act in relation to the land or the land comprised in the lease which would otherwise be a trespass, but does not include an easement or a profit
light pollution	means artificial light that, by reason of its intensity, direction, duration or spectral character, is emitted, directed or reflected so as to harm the natural environment or wildlife,

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	disturb ecological processes, diminish the quality of the night sky, or impair human health, amenity or the enjoyment of property.
low-water line/mark	means the low-water line of the coast of The Virgin Islands at the lowest astronomical tide
marine area	means open water, water column, and the seabed
Marine Estate	comprises the seabed, the Territorial Waters vested in the Crown and the Exclusive Fisheries Zone and is regarded as a public asset
scientific research	means any study and related experimental work designed to increase scientific knowledge of the terrestrial and marine environment, including biological, chemical, physical, and geological processes and phenomena.
Minister	means the minister responsible for the environment, natural resources, and climate change.
Ministry	means the Ministry responsible for environment, natural resources and climate change
mooring	means (a) a place where a boat, ship or buoy is moored including the ropes, chains, or anchors by or to which a boat, ship or buoy is moored; (b) a position identifying a location for repeated use by vessels which is marked with a device on the seabed
natural resources	means the living plants, animals, organisms and other biological factors within the marine and terrestrial environment, and the geological formations, mineral deposits, renewable and non-renewable assets, and the habitat of the living plants, animals, organisms and other biological factors
natural heritage	means the sum total of the elements of biodiversity, including flora, fauna, ecosystems and geological structures that are of outstanding universal value from the point of view of science, conservation and natural beauty.
non-commercial beach use	means use of the beach for organised private or public group activities that do not involve the sale of goods and/or services. Non-commercial activities may include picnics/beach barbecues, camping, sporting activities, entertainment events and the like.

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offering for sale	means offering for sale or any action that may reasonably be interpreted as such, including advertising or causing to be advertised for sale and invitation to negotiate
outline development permission	means a type of development permission granted by the Planning Authority as defined by Section 21 (1-3) of the Physical Planning Act and any updates to it.
person	includes any individual or any firm, business, company, enterprise, body corporate, trust, un-incorporated association, partnership, or governmental entity, however constituted
Planning Authority	means the Authority established under Section 6 of the Physical Planning Act, No. 15 of 2004.
pollution	means the creation or existence of any deviation from natural conditions within the environment, which based on technical, scientific or medical evidence is determined to cause or to be likely to cause harm to human health or the environment, resulting from (a) the presence or release of any substance, including sediment or sewage; or (b) any other type of disturbance, whether by energy, radiation, temperature variation, noise, light or objectionable odours; and "pollutant" shall have the corresponding meaning
population	means a group of people, animals or plants belonging to the same species or sub-species which is geographically separate from other groups belonging to the same species or sub-species
premises	means any location within the environment, and any facility, building, equipment, development, or natural or man-made structure at such location, from or on which pollutants may be released or hazardous substances may be handled
prescribed	means prescribed by regulation
process	means any activity associated with any premises or vehicle which is capable of releasing a pollutant or hazardous substances into the environment
programme	includes (a) the particular objective to be achieved by a course of action;

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	(b) the policies to be developed or implemented, and the procedures to be followed, in achieving that objective; and (c) the allocation of resources and personnel directed towards giving effect to that course of action
protected species	means a species that is formally listed as protected by the Minister by Notice published in the Gazette for which it is unlawful to harm, harass, trade, disturb or possess the species without explicit authorisation from the Ministry of Environment, Natural Resources and Climate Change.
reclamation	means the act of creating new land from the sea, or wetlands, or other water bodies, such as ponds, through infilling
release	includes any disposing, spilling, emitting, leaking, or other incidence of discharge into the environment of hazardous substances or pollutants
renewable energy	means energy that is produced from natural sources or processes that are constantly replenished
research vessel	means any vessel engaged in marine scientific research activities, whether foreign or domestic.
restoration	means measures taken to return a site to pre-violation conditions
sale	means any form of sale and includes hire, barter or exchange and related expressions such as, but not limited to, “purchase” shall be construed accordingly.
seabed	means the floor and subsoil of the sea between mean low watermark and the seaward limits of the territorial waters of the Territory
ship	means a vessel, boat or sea-craft of any kind and includes a submarine
species	means species, subspecies, or geographically separate population thereof
specimen	means any part or derivative which appears from an accompanying document, the packaging or a mark or label or from any other circumstances to be a part or derivative of an animal or plant
strategic environmental assessment	a tool for including environmental considerations into policies, plans, and programmes at the earliest stages of decision making.

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Territorial Sea	means the coastal waters extending 12 nautical miles from the baseline of The Virgin Islands
Territorial Waters	means the sea or other waters within the seaward limits of the territorial sea of The Virgin Islands, and waters landward of the baselines for measuring the breadth of its territorial sea
trade	means any export, re-export, import and introduction from the sea
Virgin Islands Climate Change Trust Fund	means the Trust Fund established under section 4 of The Virgin Islands Climate Change Trust Fund Act
vulnerable species	means a species that is considered to be at high risk of extinction in the wild in the medium-term future according to the IUCN Red List and includes any part of such species, or any derivative from such species or a part of such species.
waste	includes any material discarded or intended to be discarded which (a) constitutes garbage, refuse, sludge, or other solid, liquid, semisolid or gaseous material resulting from any residential, community, commercial, industrial, manufacturing, mining, petroleum or natural gas exploration, extraction or processing, agricultural, health care, or scientific research activities; or (b) is otherwise identified by the Ministry
woodland	means vegetation characterised by an open canopy with tree crowns constituting 20 – 60% cover, where canopy height is above 4.5 metres.

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5 INTRODUCTION

The Virgin Islands Environment Policy establishes a structured and comprehensive framework for environmental protection, natural resource management, and climate change adaptation and mitigation in The Virgin Islands. It applies to all persons, entities, and activities that may impact the environment, natural resources, or contribute to or be affected by climate change within the terrestrial and marine areas of The Virgin Islands. The Policy addresses the urgent need to protect the Territory's unique ecosystems, biodiversity, and natural heritage while building resilience against climate change impacts and ensuring sustainable development for present and future generations.

6 SITUATION ANALYSIS

6.1 The Virgin Islands

The Virgin Islands comprise a group of small islands, rocks and cays in the northeastern Caribbean, situated between Puerto Rico and the United States Virgin Islands to the west, and the Lesser Antilles to the east and south. It is an overseas territory of the United Kingdom.

The Virgin Islands encompass 59.2 square miles (153.2 square kilometres) of land and 33,938 square miles (87,899 square kilometres) of ocean space. Its population is concentrated primarily on the four largest islands: Tortola, Anegada, Virgin Gorda, and Jost Van Dyke.

Most islands are of volcanic origin with hilly terrain; Anegada is the exception, being a flat limestone (coral) island. The Territory's diverse ecosystems include dry tropical and upland evergreen forests, scrubland, ghuts, salt ponds and salt flats, beaches, mangrove forests and lagoons, seagrass beds, coral reefs, and pelagic (offshore) zones.

The Virgin Islands support remarkable biodiversity across its terrestrial and marine environments. The Territory is home to; 777 known native plant species, 14 of which are endemic, and an estimated 24 reptile and amphibian species, 7 of which are endemic. Most notably, Anegada hosts the last natural and most genetically diverse population of the critically endangered *Cyclura pinguis* (Anegada Rock Iguana), although some individuals have been translocated to privately owned islands within the Territory. The Virgin Islands also support one endemic butterfly found only on Anegada and over 200 recorded bird species which is a mix of small local breeding populations and migratory species that breed during winter and summer months. The Virgin Islands is also frequented by and support various species of marine mammals, sharks and turtles, as well as a diverse population of reef and pelagic species of fish, some of which are commercially harvested, including the Spiny lobster (*Panulirus argus*) and Queen Conch (*Aliger gigas*).

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Despite this rich biodiversity, formal protection of its habitats and species is limited. Terrestrial protected areas cover just 1.58 square miles (4.1 square kilometres), representing 2.7% of the total land area. Marine protected space extends to 20.08 square miles (52 square kilometres), accounting for approximately 0.1% of The Virgin Islands' waters or 1% of The Virgin Islands' Territorial Sea. The Territory has designated 16 Tropical Important Plant Areas and one RAMSAR site (a wetland of international importance), which is on Anegada; however, the RAMSAR site has no local protected status.

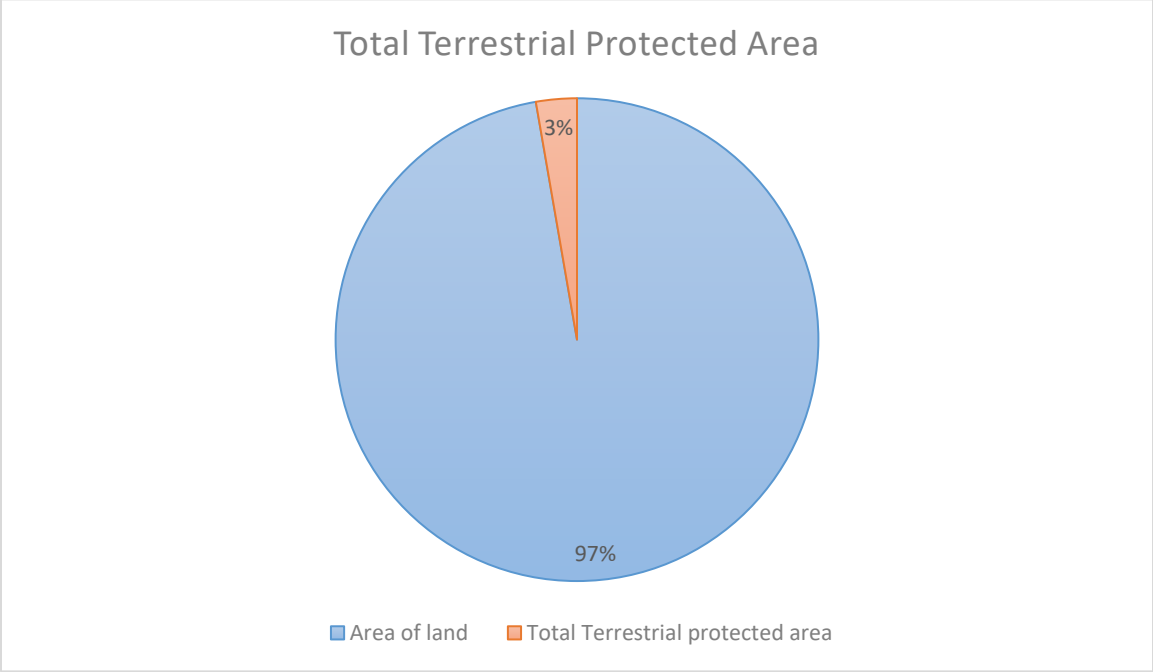


Figure 1: *Percentage of Terrestrial Land Designated as Protected Areas in The Virgin Islands as of January 2026. Source: JNCC (2025)*

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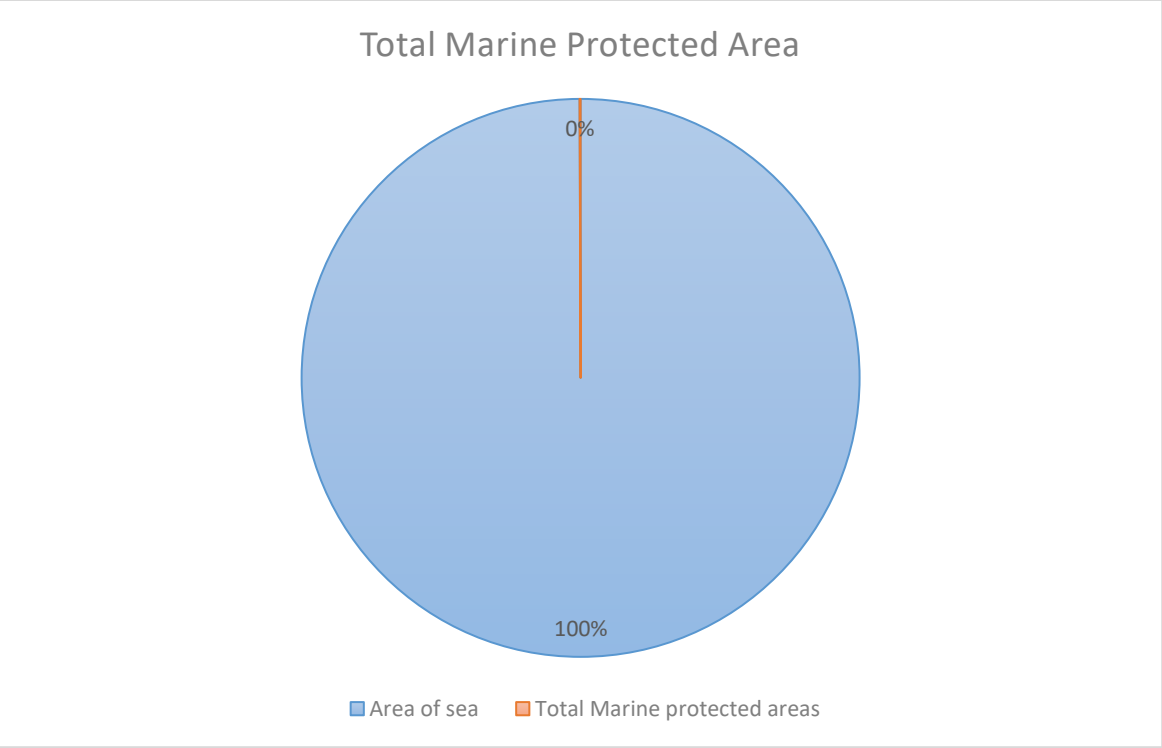


Figure 2: *Percentage of marine area designated as Protected Areas in The Virgin Islands as of January 2026. Source: JNCC (2025)*

6.1.1 The Virgin Islands Economy

The Virgin Islands' economy is driven primarily by financial services and tourism, particularly marine-based tourism. The construction industry also contributes significantly to economic activity. The fisheries and agricultural sectors currently operate on a small scale, but they hold considerable potential to support economic diversification, strengthen food security, and improve population health outcomes.

6.1.2 Environmental Challenges

As a small territory, The Virgin Islands face significant vulnerability to extreme weather events, coastal erosion, coral reef degradation, invasive non-native species and pollution. Historical patterns of resource use and waste management have contributed to environmental degradation and ongoing threats to biodiversity through habitat loss and fragmentation. These environmental challenges threaten the natural systems upon which The Virgin Islands' economy and quality of life depend.

6.2 Policy Context

The Ministry of Environment, Natural Resources and Climate Change is responsible for environmental oversight; however, the absence of a centralised and comprehensive, environmental legislative framework limits its ability to lead coordinated action on environmental management. Additionally, the outdated and fragmented nature of

environmental legislation creates an urgent need for a cohesive policy framework to guide implementation, coordinate Government action, and effectively engage stakeholders in achieving environmental sustainability.

The Virgin Islands must also fulfil its local, regional, and international environmental and climate change obligations, which require comprehensive action to protect natural resources, build climate resilience, and safeguard the islands' ecosystems and unique biodiversity.

6.2.1 Purpose of this Policy

The purpose of this Policy is to establish clear principles and mechanisms for coordinated environmental protection and climate action to guide the drafting of the Environment and Climate Change Bill, 2026. It recognises that a healthy environment is fundamental to economic prosperity, public health, food security, and the preservation of The Virgin Islands' natural heritage for future generations.

6.2.2 Policy Development Process

The Virgin Islands Environment Policy was developed through a structured, evidence-based process encompassing stakeholder engagement, review of existing literature, institutional assessment, and regional comparison.

The Ministry determined that the development of a Policy framework was a necessary preliminary step (one that had been absent from earlier processes) to enable meaningful stakeholder review and to guide the redevelopment of a draft Bill that addresses;

(i) the critical pressure points for environmental management in The Virgin Islands within a coherent framework, and
(ii) climate change response.

1) Evidence and Analysis

This Policy draws on the Green Paper on Environmental Management, Climate Adaptation and Sustainable Development for The Virgin Islands (2018) and a subsequent draft Environment, Marine Estate and Coastal Zone Management Bill, which proposed the following measures:

(i) creation of new oversight bodies, including a Council on Sustainable Development and an Environment Authority;

(ii) mandatory environmental impact assessments;

(iii) stricter regulation of marine and land-based pollution;

(iv) protection of environmentally sensitive species and areas;

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(v) formalised management of the Marine Estate; and

(vi) enhanced enforcement through a specialised Environmental Tribunal and a dedicated class of enforcement officers.

The key recommendations of the Green Paper and draft Bill were reviewed in 2025 and updated on the basis of stakeholder consultations, feedback received on the draft Bill, and an assessment of existing policies and legislation.

Recommended Changes

The review resulted in the following substantive changes to the proposed framework:

(i) The proposed Council on Sustainable Development and Environment Authority were removed in favour of optimising the functions of existing institutional bodies.

(ii) Provisions relating to the formalised management of the Marine Estate were omitted, as this matter is now addressed by the Crown Lands Management Act, 2024.

(iii) Climate change provisions have been incorporated, including the establishment of a Climate Change Committee, a requirement for a Climate Change Adaptation and Mitigation Policy, and a regulatory framework for participation in carbon markets and related activities.

(iv) The draft Bill did not identify or propose protections and management measures for the Territory's major ecosystems and species that remain unprotected under existing legislation. This Policy addresses that gap by identifying critical ecosystems and species and setting out both prohibited and permitted activities together with corresponding management measures for each.

(v) The draft Bill did not adequately address biosecurity, which currently has a fragmented framework and no lead authority to address the issue of invasive species. This Policy includes provisions for the development of a separate Biosecurity Policy and Biosecurity Bill.

2) Stakeholder Consultations

Consultations were held with relevant Government agencies and private stakeholders. Feedback is ongoing and will be collated in a stakeholder consultation report.

3) Public Survey

To gauge public sentiment, a survey (Desire for Better Protection of the Environment) was conducted to assess priorities for environmental protection (https://www.surveymonkey.com/r/QQQ28FN). While data collection is ongoing,

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preliminary findings ***(Appendix L)*** reveal substantial support for strengthened environmental safeguards.

4) Legislative Review

Existing local policy and legislation were assessed to determine national priorities and the current state of environmental management in The Virgin Islands, alongside a review of the Territory's regional and international obligations. This assessment revealed significant fragmentation in environmental management, with responsibilities scattered across multiple agencies and overlapping jurisdictions in some instances. Protection and enforcement efforts are often disjointed and poorly coordinated, resulting in gaps and inefficiencies. The existing framework is summarised in Appendices A, B, and C.

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6.3 Current Issues

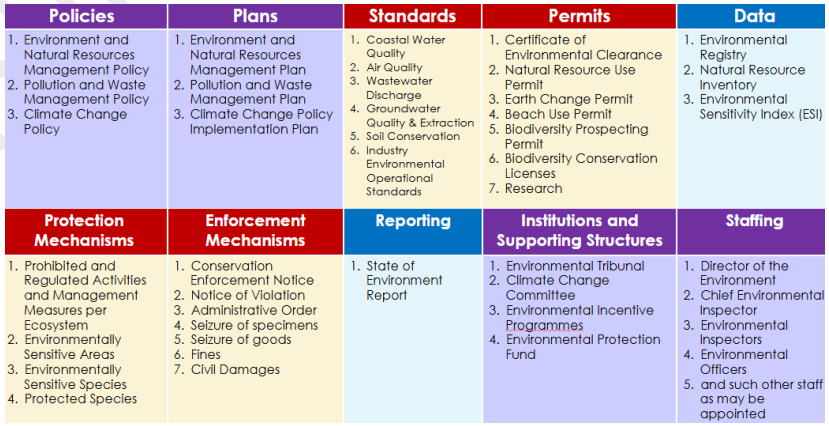
The table below details the issues this Policy seeks to address. These issues were first identified in the *Green Paper on Environmental Management, Climate Adaptation and Sustainable Development for The Virgin Islands* and subsequently revisited through stakeholder consultations conducted in 2025. The table includes the original recommendations from the Green Paper alongside revised recommendations developed in 2025.

Key Issue	2018 Recommendations	2025 Recommendations
The absence of a mechanism for inter-agency collaboration, consultation, and coordination which results in conflict between Government agencies that operate in "silos".	Establishment of: • Council on Sustainable Development and Climate Adaptation; • Sustainable Development and Climate Adaptation Committee; • Environment Authority. These entities are multi-agency and provide an integrated decision-making space for environmental matters.	Use existing structures (Committees, Authorities) and streamline processes to eliminate silos, such as through the use of interagency databases. Appendix K lists and analyses the Committees and Authorities in which the Ministry participates.
No Government agency is legally empowered to address environmental degradation in air, water, terrestrial and marine areas	Establishment of the Department of Environment, Conservation and Climate Adaptation within the Ministry of Natural Resources and Labour, with the responsibility for the implementation and coordination of the Government's policies and programmes with respect to – • environmental management; • biodiversity conservation; • waste management; • pollution and hazardous substances; climate change risk management and adaptation.	The Ministry responsible for environment, natural resources, and climate change should be empowered in legislation through the Environment and Climate Change Unit initially, which may then transition to a Department of Environment and Climate Change within a 5 year time frame. The Unit/Department shall; • address environmental degradation in air, water, and terrestrial and marine areas. • to effectively manage the coastal zone and terrestrial areas outside of protected areas, the seabed and waters up to the 200 nautical mile zone • address climate change • use a mechanism for monitoring, reporting and verification (MRV) to ensure that government budget allocations implement environmental policies.
Lack of a legal framework that empowers the Ministry of Natural Resources and Labour to effectively manage the coastal zone, terrestrial areas outside of	Legal establishment of the ability by the Ministry of Natural Resources and Labour to regulate: the seabed and the coastal zone; terrestrial areas beyond protected area boundaries; and the full extent of Territorial waters up to the 200 nautical mile zone beyond fisheries	

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<tr>
<td>protected areas, the seabed and Territorial waters up to the 200 nautical mile zone.</td>
<td></td>
<td rowspan="3">Climate Change provisions should be included in the Act and should stipulate that a Climate Change Committee be established, and a Climate Change Policy be developed. The Policy should be accompanied by an Implementation Plan with a mechanism for monitoring, reporting and verification (MRV), and a regulatory framework should be established to govern participation in carbon markets and other relevant activities related to climate change adaptation and mitigation.

To provide an effective legal framework that empowers the Environment and Climate Change Unit / Department to effectively manage the coastal zone and terrestrial areas outside of protected areas, the seabed, and waters up to the 200 nautical mile zone, the Act should include:


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<td>Lack of a legal framework for addressing climate change.</td>
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<tr>
<td>Absence of legally established mechanism for monitoring, reporting and verification (MRV) to ensure that government budget allocations implement environmental policies.</td>
<td>Legal establishment of Policy Oversight and MRV Unit in the Ministry of Natural Resources and Labour.</td>
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<td>Lack of sound environmental information for informed decision making.</td>
<td>Requirement for the development of –
• Land Information System;
• Environmental Registry;
• Natural Resource Inventory;
• State of the Environment Reports;
• Environmental Sensitivity Index,
which will be made available to the public and Government agencies.</td>
<td>Recommendation unchanged.

Establish shared data and information management systems; some should be shared (i.e, inter-agency database), for instance, through the National Geographic Information System (NGIS).</td>
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<td>Ongoing environmental degradation and</td>
<td>New processes to be established under Bill, including</td>
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pollution and suboptimal consideration of the environment in the development process.	• Certificate of Environmental Clearance (CEC) coordinated with the Environmental Impact Assessment (EIA) process; • Designation of Environmentally Sensitive Areas (ESAs) + Environmentally Sensitive Species (ESSs) which ensure development is more carefully managed to protect the same; • Establishment of procedures to manage hazardous substances and marine pollution from vessels and land-based sources; • Improved/coordinated enforcement ability by Inspectors from various line agencies; • Penalty and enforcement provisions for environmental degradation and pollution.	Limit the Certificate of Environmental Clearance (CEC) to new developments, triggered by the need for an Environmental Impact Assessment and high-risk businesses. The process should be clear, practical, transparent, and not burdensome to the public or to those implementing the CEC. Establish criteria for issuing a CEC and establish grounds on which a CEC would be refused, based on the provisions of the Act To regulate ongoing operations that may impact the environment, the Act or subsequent regulations should set environmental industry standards and make it an offence if the standards are not met. Standards for existing developments/operations would be enforced through inspections, environmental audits, and spot checks. Fines and other penalties, as appropriate, should be instituted for failure to meet standards. Regarding marine pollution, the Act should include provisions to cover vessels below the size that are not covered by MARPOL.
The lack of financial resources for the environment. The Environment and Tourism Improvement Levy does not fund programmes and projects of the Ministry of Environment, Natural Resources, and Climate Change.	Not addressed	Create an Environmental Protection Fund in the Act to finance environmental management programmes and projects. The Environmental Protection Fund may be established specifically for environmental programmes and projects.
The need for environmental education	Not addressed	Include an environmental education programme within the Unit / Department..

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7 EXISTING ORGANISATIONAL FRAMEWORK

The Ministry of Environment, Natural Resources and Climate Change is responsible for protecting and managing the environment and natural resources, and coordinating climate change response within The Virgin Islands.

This section details the organisational framework of the Ministry, including its departments and associated statutory agencies. It also identifies other government agencies with environmental management responsibilities under the legislation they administer.

As of January 2026, the Ministry has the following portfolio assignments;

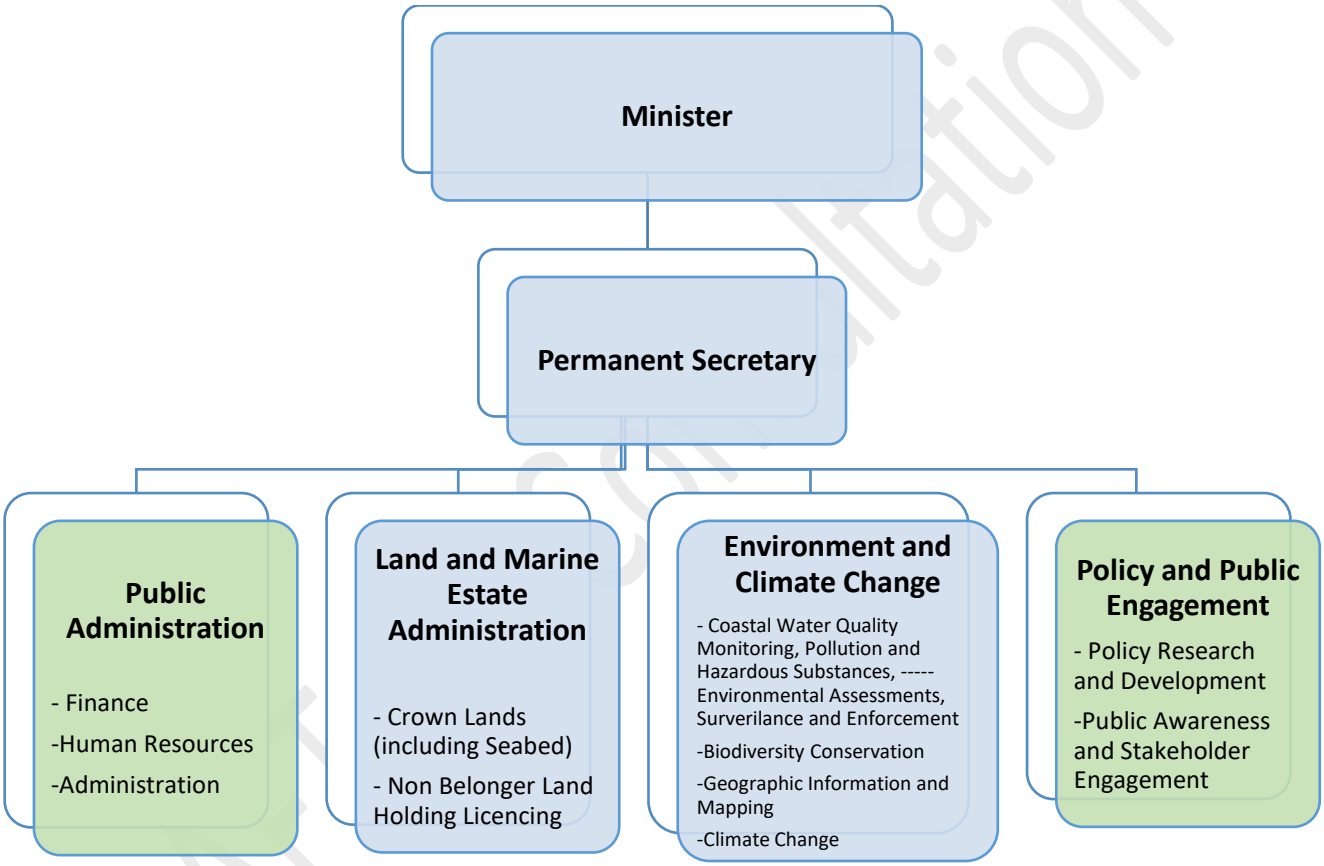
i) Administration of Crown Lands (except Wickham's Cay, including the seabed)
ii) Building Inspection and Standards
iii) Climate Change
iv) Coastal Zone Management
v) Electrical Inspection
vi) Environment
vii) Forestry
viii) Geology
ix) Housing
x) Land Policy
xi) Land Reclamation
xii) Land Registration
xiii) Minerals and Mining
xiv) National Parks and Marine Parks
xv) Nature Conservation Programme
xvi) Survey
xvii) Town and Country Planning

Vision
A resilient, integrated, and future-ready Ministry that safeguards the environment and natural resources, leads climate action, and enables sustainable development for present and future generations.

Mission
To provide strategic leadership and coordinated action in environmental protection, natural resource management, and climate change by aligning policy, planning, people, systems, and partnerships; strengthening institutional capacity; modernising legal and technological frameworks; and proactively anticipating and responding to emerging environmental and sustainability challenges.

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7.1 Framework of the Ministry



7.2 Departments

7.2.1 Town and Country Planning Department

The Town and Country Planning Department is responsible for ensuring the orderly and sustainable use and development of land throughout The Virgin Islands to support the national sustainable development agenda by;

(a) preparing development plans, which will guide the development process throughout the Territory.

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(b) functioning as the secretariat for the Planning Authority which is responsible for reviewing and approving applications for development; and

(c) monitoring and enforcing against illegal development activity

7.2.2 Lands and Survey Department

The Lands and Survey Department is the legal registry and repository for all land registration information, and geographic data, including the Registry Maps (the Cadastral Data and Index Sheets). The Department is regulated primarily by the Registered Land Act and Land Surveyors' Ordinance.

7.3 Statutory Bodies

7.3.1 National Parks Trust of The Virgin Islands

The National Parks Trust of The Virgin Islands (NPT) is established under the National Parks Ordinance of 1961 and continued under the National Parks Act, 2006 as a statutory body, responsible for parks and protected areas. It is overseen by a Board of Directors appointed by the Government of The Virgin Islands.

7.3.1.1 National Parks Trust Board

The Board of the National Parks Trust of The Virgin Islands is responsible for administering the National Parks Trust.

7.3.2 Virgin Islands Climate Change Trust Fund

The Trust Fund is an independent entity dedicated to raising, managing and disbursing funds to qualified applicants to build resilience to climate change impacts and transition to clean, renewable energy. The Trust Fund is part of a wider framework for climate change response in The Virgin Islands which also includes a comprehensive Climate Change Policy and a multisector Climate Change Committee.

7.3.2.1 Climate Change Trust Fund Board

The Climate Change Trust Fund Board is responsible for administering the Climate Change Trust Fund.

7.4 Other Statutory Boards

7.4.1 Building Authority

The Building Authority is responsible for overseeing the planning, design, construction, and maintenance of buildings and infrastructure throughout the territory.

7.4.2 Crown Lands Advisory Board

The Crown Lands Advisory Board is established by Section 5 of the Crown Lands Management Act, 2024 to make recommendations to Cabinet on the grant and disposition of available Crown Lands, including the seabed, to eligible persons.

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7.4.3 Crown Lands Appeals Tribunal

The Crown Lands Appeals Tribunal is established by Section 43 of the Crown Lands Management Act, 2024 to hear appeals of persons aggrieved from any decision made pursuant to the Crown Lands Management Act, 2024.

7.4.4 Planning Authority

The Planning Authority is established by Section 6 of the Physical Planning Act, 2004 to oversee sustainable land development in The Virgin Islands, ensuring projects align with safety, environmental, and community standards while protecting the natural and cultural heritage of The Virgin Islands.

7.4.5 Planning Appeals Tribunal

The Appeals Tribunal is established by Section 65 of the Physical Planning Act, 2004 to examine issues between the Planning Authority and applicants to determine the merit of appeals to ensure consistency in the execution of policy and any approved development plan relevant to the issues.

7.4.6 Surveyors Board

The Land Surveyors Board is the regulatory authority responsible for overseeing land surveying practices in The Virgin Islands. The Board ensures that all land surveyors operating in The Virgin Islands adhere to the laws and regulations governing land use, boundary demarcation, and property ownership.

7.5 Committees

7.5.1 Climate Change Committee

The Climate Change Committee is a Cabinet approved Committee, responsible for monitoring the impacts of climate change, developing and keeping up to date The Virgin Islands Climate Change Policy, and coordinating its implementation.

7.5.2 Technical Review Committee

The Technical Review Committee is a Cabinet-approved Committee, responsible for providing technical and policy advice on the sustainable use and development of the seabed and Crown land adjacent to the coast and beaches. It is also established to advise on sustainable use of the Fisheries Zone, in keeping with applicable legislation, policies, and principles of sound environmental management and sustainable development.

7.6 Other Government and Statutory agencies

Agency	Responsibility
Premier's Office	Coordinating and monitoring the development and implementation of the Government's legislative agenda across Ministries and Statutory Boards. The Premier's

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	Office is also the Ministry currently responsible for fisheries, agriculture, maritime, shipping and safety.
Ministry of Tourism, Culture and Sustainable Development	Strategically formulating and administering activities and national policies in the areas of tourism, culture, and mainstreaming sustainable development in accordance with the Government's national agenda. The Ministry provides oversight of the implementation, monitoring, and evaluation of all Government policies. It manages policy and planning as integral processes that transform successive Governments' visions into policy objectives through actionable tasks and programmes.
Department of Agriculture and Fisheries	Ensuring food is safe, nutritionally sound, produced and harvested in an environmentally sustainable manner that builds resilience to internal and external shocks, including climate change, while contributing to the economic growth, social well-being and protection of the natural environment.
Ministry of Health and Social Development, Environmental Health Division	Safeguarding and promoting the health and social wellbeing of the people of The Virgin Islands. The Ministry is responsible for waste management and environmental health.
Department of Disaster Management	Coordination and integration of comprehensive disaster management into sustainable development policies, planning and programming with a special emphasis on disaster prevention, mitigation, preparedness, response and recovery.
Department of Waste Management	The Department of Waste Management is primarily responsible for the collection and disposal of solid waste, while protecting human health and the environment by minimising adverse impacts on all residents and visitors of The Virgin Islands. This is done through the development and implementation of effective and efficient waste management programmes.

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Royal Virgin Islands Police Force	The Royal Virgin Islands Police Force (RVIPF) is the primary law enforcement agency in The Virgin Islands, responsible for enforcing all laws, tasked with maintaining law and order, preventing crime, and protecting the safety and security of residents and visitors throughout the Territory.
Recovery and Development Agency (RDA)	The RDA delivers the programmes and projects set out in the revised Recovery to Development Plan
H Lavity Stoutt Community College	The College's Centre for Applied Marine Studies (CAMS) embraces a Blue Economy approach to marine education. Through its Mangrove Nursery & Coastal Resilience Laboratory, the Centre offers community outreach activities and supports research, education, and practical applications related to coastal and marine environmental conservation, restoration and management.
Virgin Islands Shipping and Maritime Authority	The role of The Virgin Islands Shipping and Maritime Authority (VISMA) is to implement the Maritime policies of the Government covering shipping operations, safety of life at sea, security and the prevention of, and response to pollution from ships. The VISMA also enforces the regulations applicable to Virgin Islands vessels wherever they may be, and for all vessels navigating in the territorial waters of The Virgin Islands.

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8 PRINCIPLES TO BE APPLIED

The implementation of this Policy shall be underpinned by the following guiding principles, which shall be enshrined in law;

1. **Integration Principle** – Environmental protection and climate resilience should be integrated across all sectors of Government, including planning, land use, building construction, infrastructure, tourism, and finance.

2. **Prevention Principle** – Government policy should aim to prevent environmental harm before it occurs, avoiding damage such as CO_2 emissions, pollution, and biodiversity loss, and containing and reversing damage where it has already occurred through active management and ecosystem restoration and/or rehabilitation.

3. **Rectification at Source Principle** – Environmental damage should, as a priority, be addressed at its origin to avoid the need to remedy its effects later.

4. **Polluter Pays Principle** – The costs of pollution and environmental damage should be borne by those causing it, rather than by those who suffer its effects or the wider community. Environmental and social costs should be internalised in economic activities.

5. **Precautionary Principle** – Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation. Science should be used responsibly to inform decision-making and mitigate risks.

6. **Planetary Limits Principle** – Ensure that we respect the Earth's environmental limits, conserve biodiversity, and use natural resources sustainably to ensure their availability for future generations.

7. **Social Justice Principle** – Create equal opportunities for all, promote personal well-being and social cohesion, and meet the diverse needs of current and future communities.

8. **Sustainable Economy Principle** – Build a strong, stable, and prosperous economy that provides opportunities for all while incentivising efficient resource use.

9. **Good Governance Principle** – Ensure open, accountable, responsive, inclusive, and effective governance in guiding decisions for present and future generations.

These principles shall be incorporated into primary legislation to ensure:

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a) Strategic legal accountability;
b) Judicially enforceable environmental protections; and
c) Stronger grounds to challenge environmentally harmful decisions.

9 POLICY OBJECTIVES

The objectives of The Virgin Islands Environment Policy are to provide a framework for development of The Virgin Islands Environment and Climate Change Bill which seeks to;

(a) foster the transformation to low carbon climate-resilient sustainable development in The Virgin Islands by establishing the legal and institutional framework to manage the causes of and impacts from climate change while ensuring that terrestrial, aquatic, coastal and marine resource uses in the Territory are sustainable, thereby allowing for the maintenance of productive systems that assure ecosystem productivity and ecological functions within the carrying capacity of the natural resource while contributing directly to the environmental, economic and social well-being of the people of the Territory;

(b) promote and facilitate stewardship of the environment that is founded on Ecosystem-Based Management Approaches and strengthened through community participation, environmental educational and public awareness, supporting the transition towards low carbon climate-resilient and sustainable development within The Virgin Islands;

(c) establish the institutional framework for integrated ecosystem management to facilitate the transition from a sector-by-sector management approach to integrated ecosystem management, while also fostering and providing for sustainable land management principles and environmental standards for natural resource use and management of lands and the coastal and marine zones;

(d) establish the institutional and legal framework for biodiversity conservation, the sound management of ecosystems and natural resources, including promoting rehabilitation and restoration of degraded ecosystems, and the regulation and control of pollution, waste and hazardous substances;

(e) implement international and regional environmental treaties and agreements extended to The Virgin Islands;

(f) rationalise and standardise the allocation of the seabed for various uses within the context of the overarching sustainable development goals of The Virgin Islands;

(g) ensure that the people of The Virgin Islands have access and may benefit from recreational opportunities and other types of activities afforded within the Marine Estate;

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(h) include disaster risk reduction and climate change considerations into the decision-making framework related to the use of the marine estate and management of the environment; and

(i) establish the core duties of Government ministries and agencies to conserve, restore, and enhance biodiversity and the wider natural environment, and the corresponding obligations of private individuals and entities to avoid activities that result in significant harm to biodiversity and the wider environment.

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10 POLICY DIRECTIVES

Policy directives are structured into seven (7) sections as follows;

(1) Administration

This section establishes the institutional framework for environmental governance, including the Environment and Climate Change Unit / Department, the Director of Environment and supporting staff, authorised enforcement officers, the Climate Change Committee, Environmental Protection Fund and the Environmental Tribunal. It sets out the functions, powers, and accountability mechanisms of each body, and provides for inter-agency arrangements and a periodic State of the Environment Report.

(2) Environmental Management

This section establishes the tools and frameworks for evidence-based environmental management, including the Natural Resources Inventory, Environmental Sensitivity Index, environment and climate change policies and plans, the Environmental Registry, environmental standards and monitoring programmes, environmental incentive schemes

(3) Climate Change

This section sets out the Government's framework for climate change action, covering establishment of the Climate Change Committee as an inter-agency body to coordinate the Territory's response to climate change, development and maintenance of a Climate Change Policy, greenhouse gas emission reduction targets, carbon market participation, climate finance, research coordination, and coastal setback requirements to manage sea level rise and protect both public and private coastal lands.

(4) Biodiversity Conservation

This section establishes the framework for biodiversity conservation across terrestrial and marine ecosystems, setting out designation and management regimes for environmentally sensitive areas and species, protected areas and species, and specific ecosystems including forests, ghuts, salt ponds, beaches, mangroves, seagrass, coral reefs, and offshore habitats. This section also includes fisheries governance measures establishing the division of roles between the Ministry of Environment and the fisheries authority.

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(5) Environmental Impact Assessments and Environmental Permits

This section establishes the assessment and permitting framework through which the Policy's environmental plans, policies and standards are applied in practice, ensuring that no significant development, resource use, or commercial activity affecting the Territory's natural environment may proceed without prior scrutiny, appropriate approvals and conditions, and ongoing accountability.

(6) Pollution and Hazardous Substances

This section establishes the regulatory framework for waste, pollution, and hazardous substance management, covering solid, liquid and hazardous waste and litter control, land-based and marine pollution prevention, wastewater and agricultural runoff standards, air quality management, and light pollution controls to protect coastal wildlife and ecosystems.

(7) Compliance and Enforcement

This section establishes the framework through which the provisions of this Policy and its associated legislation, regulations, and permit conditions are monitored and upheld, providing authorised officers with clear powers of inspection and enforcement, a graduated response to non-compliance, and mechanisms to ensure that those responsible for environmental harm bear the cost of remediation.

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10.1 ADMINISTRATION

The Virgin Islands faces pressures on its natural resources from habitat loss, sedimentation and other impacts related to development, pollution, invasive non-native species, fisheries, tourism activity and climate change, demanding a coordinated and authoritative Government response. There is a need for a dedicated lead authority with the legal mandate, institutional capacity, and resources to coordinate action and respond strategically. This section establishes the institutional framework to meet that need, providing for centralised oversight and management, professional enforcement capacity, cross-sectoral coordination on climate change, and regular public reporting.

10.1.1 Environment and Climate Change Unit (Department of Environment and Climate Change)

To create a single authority for regulating and managing the environment, ensuring sustainable use of natural resources and coordinating climate change adaptation and mitigation, the Government shall;

1) Establish an Environment and Climate Change Unit, which may transition to the Department of Environment and Climate Change within five years of approval of the Policy, headed by the Director of Environment within the Ministry responsible for environment, natural resources, and climate change, with responsibility for implementing laws and Government policies, plans and programmes relating to:

    a) integrated ecosystem conservation, management, and restoration
    b) biodiversity conservation and endangered species protection
    c) regulation and management of extractable natural resources, including forestry resources
    d) regulation and control of waste and pollution
    e) regulation and control of hazardous substances and hazardous wastes
    f) environmental education and awareness programmes
    g) enforcement
    h) implementation of multilateral environmental agreements extended to The Virgin Islands,
    i) regulation and control of greenhouse gases and ozone-depleting substances, and
    j) climate change programme implementation

10.1.2 Director of Environment and other Staff

To implement the diverse and specialised functions of the Environment and Climate Change Unit (Department of Environment and Climate Change), the Government shall;

1) Appoint appropriately qualified persons for the following positions;

    a) a Director of Environment to;

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i) direct and coordinate the work of the Environment and Climate Change Unit / Department as guided by this Policy

ii) order any environmental assessment, inspection, report, audit, or monitoring activity required for environmental management in The Virgin Islands

iii) develop and implement annual work plans and budgets, in accordance with this Policy and any policies made thereunder, to guide the activities of the Environment and Climate Change Unit / Department

iv) report on workplan implementation and budget expenditure, including monies from the Environmental Protection Fund

v) prepare the State of the Environment Report at least every three years

vi) develop and maintain a comprehensive Natural Resources Inventory of the Territory's natural and biological resources

vii) develop and maintain the Environmental Sensitivity Index (ESI)

viii) develop criteria for licensing of environmental practitioners, environmental laboratories, or analytical facilities

ix) oversee development of guidelines, codes of environmental practice, environmental standards, and any plans required by this Policy

x) develop and maintain the Environmental Registry

xi) serve as the principal technical adviser to the Minister on matters covered under this Policy, and

xii) perform any other duties identified in this Policy

b) a Chief Inspector with responsibility to plan, organise, and direct inspections and enforcement actions as outlined under the Compliance and Enforcement section of this Policy to ensure compliance with;

i) conditions outlined in any Certificate of Environmental Clearance and any other permit issued by the Minister

ii) environmental standards required for ongoing operations

iii) all provisions of existing or new environmental laws and regulations

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c) Inspectors to assist the Chief Inspector in carrying out inspections and enforcement activities under this Policy

d) Such other staff as may be required for implementation of this Policy, with training and expertise in, but not limited to, environmental science, environmental engineering, terrestrial, coastal and marine ecology and biology (with particular focus on Caribbean/tropical ecosystems), biosecurity/invasive non native species, climate science and adaptation planning, environmental impact assessment and monitoring, strategic planning and project management, with the capabilities to effectively implement environmental governance, management and climate action across The Virgin Islands.

2) Ensure that the Director of Environment, and any officer serving as deputy to the Director of Environment, the Chief Inspector, and Inspectors shall have all the powers and protections of an authorised officer as set out in 10.1.3 and as granted by the Minister.

10.1.3 Authorised Officers

To augment frontline enforcement capacity, for conducting inspections and investigations to ensure compliance with environmental legislation, the Government shall;

1) Empower the Minister to designate, by Order published in the Gazette, public officers with the required training and certification as authorised officers, empowered to undertake any assessment, inspection, audit, monitoring, or enforcement activity required to enforce any law enacted pursuant to this Policy, including;

a) investigating, issuing spot fines, or initiating prosecution for any offence

b) entering any premises to investigate any offence

c) carrying out examinations, inquiries, inspections, audits, or monitoring, including examination of machinery, equipment, substances, or documents to determine compliance

d) taking or removing specimens (living or otherwise), samples, documents, or records required to prove or investigate violations

e) detaining, seizing, quarantining, treating, or destroying or ordering the destruction of any species, organism, material, or product reasonably suspected to pose a biosecurity risk, invasive non-native species threat, or danger to agricultural, ecological, or human health.

f) transporting and analysing samples acquired in the course of investigating violations or suspected violations;

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g) taking photographs or measurements, or making sketches or notes

h) requiring the production of any material, document, or record

i) directing that any part of a facility, premises or land or marine area remain undisturbed pending further examination, including sealing off or restricting entry to such areas

j) interviewing any person in the course of examinations, inquiries, inspections, or audits

k) requiring any person to provide proof of identity

l) requiring any person subject to an investigation to render assistance to an authorised officer in the performance of appointed duties

m) requiring any person to produce information relevant to the investigation of violations

n) preparing case files to facilitate prosecutions by the Director of Public Prosecutions

o) stopping and inspecting any vehicle, vessel, or craft where there are reasonable grounds to suspect a violation of any law enacted pursuant to this Policy, and

p) directing any person to immediately cease an activity where there are reasonable grounds to believe that the activity is causing or is likely to cause harm to the environment or constitutes a violation of any law enacted pursuant to this Policy, pending further investigation or enforcement action; and

q) exercising such other powers as may be prescribed by law

2) Require that;

a) authorised officers undergo standardised training and certification in environmental enforcement, as developed or endorsed by the Ministry in collaboration with other relevant agencies,

b) such certification be kept current,

c) the Ministry maintain an up-to-date register of all persons holding the designation of authorised officer, which shall be available for public inspection upon request, and

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d) Memoranda of Understanding be developed between agencies whose authorised officers are appointed under the legislation arising from this Policy and under other legislation, to set out how their respective duties are to be performed during an investigation and to avoid conflict or duplication in the exercise of enforcement powers.

3) Empower the Minister to;

a) designate by Order published in the Gazette, other appropriately qualified persons, at the Minister's discretion or on the recommendation of the Director of Environment, to serve as authorised officers,

b) issue identification badges to all authorised officers, which shall be produced as evidence of lawful appointment when questioning any person or conducting any inspection, investigation or enforcement activity; and

c) revoke, by written instrument published by Notice in the Gazette, the designation of any person appointed as an authorised officer under sub-clause a), where the Minister is satisfied that the person is no longer fit to hold the designation or that it is otherwise in the public interest to do so

4) Provide that any person who;

a) hinders, impedes, or obstructs an authorised officer in the performance of prescribed duties or functions,

b) being the subject of an investigation, fails to render assistance to an authorised officer,

c) fails to comply with any direction or order reasonably issued by an authorised officer, or

d) tampers with or breaks any seal placed by an authorised officer

shall be liable on summary conviction to a fine not exceeding ten thousand dollars or imprisonment for a term not exceeding six months, or both, and in the case of a repeat offence, to a fine not exceeding twenty thousand dollars or imprisonment for a term not exceeding twelve months, or both

5) Protect authorised officers against personal liability in criminal or civil proceedings for anything done in good faith in the performance of lawful duties or functions under this Policy

10.1.4 Climate Change Committee

To align and integrate climate action across all sectors and ensure that climate change adaptation and mitigation measures are mainstreamed into national planning, policy

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development and implementation across environment, finance and financial services, tourism, infrastructure, health, agriculture and fisheries, energy, and other critical areas, the Government shall;

1) Legally establish The Virgin Islands Climate Change Committee[1], consisting of;

    a) Director of Environment as Chair of the Committee

    b) Permanent Secretaries and Heads of identified Government and statutory bodies representing affected sectors, as recommended by the Director of Environment, or senior officers appointed as their designates, and

    c) representatives of non-governmental organisations with related mandates, as recommended by the Director of Environment, at the discretion of the Minister,

with membership appointed by the Minister with Cabinet approval, and with the Minister empowered to prescribe a minimum and maximum number of members to ensure the Committee remains functional and effective

2) Mandate that The Virgin Islands Climate Change Committee serve as the principal body coordinating The Virgin Islands' response to climate change

3) Empower the Climate Change Committee to;

    a) establish technical subcommittees to support its work, with the provision that members of any subcommittee who are not members of the Committee shall serve in an advisory capacity only, and

    b) co-opt experts or key stakeholders to support its work as necessary

4) Provide for a Secretariat to support the administration and coordination of the Committee's work, to be housed within the Ministry and staffed as the Minister may determine

5) Assign the following specific functions to the Climate Change Committee;

    a) guide the development, regular review, and formal updating of The Virgin Islands Climate Change Policy at least every five (5) years, to guide Government investment in climate change adaptation and mitigation and inform the funding priorities of The Virgin Islands Climate Change Trust Fund.

    b) guide and develop a three to five-year Strategy and Implementation Plan to accompany The Virgin Islands Climate Change Policy, outlining priority projects and programmes to implement the Policy to further guide Government investment

[1] See Appendix K for the composition of the existing Climate Change Committee

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in climate change adaptation and mitigation and inform the funding priorities of The Virgin Islands Climate Change Trust Fund

c) coordinate implementation of the Climate Change Policy and supporting Strategy and Implementation Plan, including by;

   i) ensuring all relevant legislation and policies are revised to align with and give effect to the Policy

   ii) identifying projects and programmes for funding through the Government's annual budget and The Virgin Islands Climate Change Trust Fund, and other sources

   iii) ensuring that all initiatives and capital investments of Government are aligned with the Policy, including by integration of climate change considerations into all Territorial policies, the annual budget process and the Medium-term Fiscal plan

d) identify and define baselines and indicators for measuring the effectiveness of adaptation and mitigation measures, and provide these to The Virgin Islands Climate Change Trust Fund help to inform measurement of the Fund's achievements

e) monitor implementation of the directives of the Climate Change Policy and the effectiveness of the Trust Fund in facilitating timely Policy implementation

f) submit a report on Policy implementation at least every five years to the Minister, for the approval of Cabinet and subsequent tabling in the House of Assembly, such report being distinct from and in addition to the annual report required under sub-clause g)

g) produce an annual report on the activities of the Committee, which shall be submitted to the Minister and published on the Ministry's website

h) develop a Territorial public education and outreach programmes on climate change

i) lead efforts to mainstream climate change adaptation into national development planning and budgeting for The Virgin Islands

j) promote inter-sectoral collaboration on climate change adaptation and mitigation planning, including engagement with non-governmental organisations, the private sector, academia, registered associations and vulnerable communities, and

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k) oversee and coordinate The Virgin Islands' participation in regional climate change projects in collaboration with sponsoring agencies, in accordance with procedures that may be prescribed by the Minister under clause 6)

6) Empower the Minister to institute operational guidelines for the Committee by way of regulations, which may include provisions for;

   a) meeting frequency, quorum requirements and other meeting rules

   b) decision-making procedures

   c) management of conflicts of interest, and

   d) procedures for The Virgin Islands' participation in regional climate change projects, including coordination with sponsoring agencies, reporting requirements, and management of project-provided equipment and material

10.1.5 Environmental Tribunal

To ensure that environmental disputes and appeals can be settled fairly, quickly and at lower cost than in the court, the Government shall;

1) Establish an Environmental Tribunal that is independent

2) Ensure the Tribunal is led by a Chairperson and a Deputy Chairperson, each an attorney-at-law with at least ten years' experience, and supported by a panel of members with expertise in fields such as environmental science, planning, engineering, climate change, marine affairs, fisheries, biosecurity, agriculture, animal health, plant health, land, public administration, economics or another field relevant to the functions of the Tribunal.

3) Provide that all members are appointed for up to three years, may be reappointed, and may be removed early only for misconduct or because they are unable to do the job

4) Allow the Tribunal to hear appeals against;

   a) decisions that the law makes open to appeal

   b) enforcement action by the Ministry, such as notices of violation, fines, orders, the suspension or cancellation of permits, and the seizure of property, and

   c) a decision to publish information that a business says is confidential

5) Allow the Tribunal to hear applications to;

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a) stop activities that break environmental law and cause or threaten harm

b) require those responsible for environmental damage to repair it and pay the costs, and

c) settle who is responsible for preventing or cleaning up environmental harm

6) Allow members of the public who have reported a breach to apply to the Tribunal, with its permission, if the Ministry has not taken action within sixty days

7) Make clear that the Tribunal will not hear criminal cases, decide who owns land, or deal with private claims for compensation, which remain matters for the courts

8) Provide that cases are normally heard by the Chairperson or Deputy Chairperson sitting with two members who have the right expertise

9) Give the Tribunal the power to call witnesses, require documents, hear expert evidence, visit sites, pause a decision while an appeal is heard, and order clean-up, restoration and the repayment of costs

10) Require appeals to be filed within twenty-eight days of receiving written notice of a decision, and provide that a decision remains in effect during an appeal unless the Tribunal orders otherwise

11) Provide that Tribunal orders are binding and can be enforced in the same way as orders of the High Court

12) Allow a party to appeal a Tribunal decision to the High Court only on a point of law

13) Allow the Tribunal to set its own procedures, and empower the Minister to make regulations on which decisions can be appealed, who may appeal, and the procedure to be followed.

10.1.6 Arrangements with Government Entities and Civil Society

To build technical capacity locally, encourage scientific exchange, formalise coordination, and ensure integrated and efficient implementation of environmental programmes between the Ministry, other government agencies, non-governmental organisations, and educational and research institutions locally, regionally, and internationally that are involved in environmental management and research, the Ministry shall;

1) Initiate consultations with relevant entities to identify where objectives overlap or are complementary and can support the mandate of the Department of Environment and

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Climate Change, with such consultations to be initiated within twelve months of the coming into force of this Policy and reviewed at least every three years thereafter

2) Formalise relationships with such entities through;

a) Memoranda of Understanding setting out the terms of cooperation, respective responsibilities, and expected outcomes

b) service agreements for the provision of specific technical services or expertise

c) joint work programmes outlining shared priorities and collaborative activities

d) secondment arrangements for the exchange of technical staff, and

e) such other arrangements as the Director of Environment considers appropriate to support the mandate of the Environment and Climate Change Unit / Department

3) Provide that all arrangements entered into under clause 2) shall;

a) be reviewed and renewed at intervals not exceeding five years to ensure they remain current, relevant, and effective

b) be registered and lodged in the Environmental Registry upon execution, and

c) include provisions for monitoring and evaluation and reporting on outcomes and deliverables, with such reports to be submitted to the Director of Environment and summarised in the annual work plan report

4) Provide that the Director of Environment shall, in identifying entities for consultation and partnership under this section, give consideration to;

a) Local non-governmental organisations and community groups with environmental mandates;

b) regional environmental bodies and programmes

c) international agencies with relevant technical expertise and mandates

d) local, regional and international educational and research institutions with capacity to support environmental monitoring, research, and public education in The Virgin Islands.

5) Empower the Minister to prescribe by regulations any additional requirements for the formation, format, management, reporting, and termination of arrangements entered into under this section

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10.1.7 State of the Environment Report

To provide an evidence-based synopsis of natural resource quality, pollution, climate risks, and the effectiveness of management efforts, and to inform Government decision-making and public awareness on the state of the environment in The Virgin Islands, the Government shall;

1) Direct the Director of Environment to prepare a State of the Environment Report at least every three years, which shall include:

a) an assessment of the quality, status, extent, and distribution of aquatic, marine, and terrestrial natural resources (including coastal and freshwater resources), critical ecosystems, and biodiversity

b) a review of current use and exploitation of aquatic, marine, and terrestrial natural resources and ecosystems

c) identification of pollutants and other effects from natural or man-made disasters

d) an assessment of the development impacts on the environment

e) an assessment of climate change impacts, risks, and exposure, and natural disaster threats to the environment

f) a review of natural resource and environmental management activities and their effectiveness

g) a summary of Government and private sector policies, programmes, and initiatives addressing environmental and natural resource management issues and the scale of investment during the reporting period;

h) an assessment of progress against policy targets and commitments under this Policy and any multilateral environmental agreements extended to The Virgin Islands, and

i) recommendations for priority actions to address identified gaps, risks, or emerging environmental concerns

2) Provide that in preparing the State of the Environment Report, the Director of Environment shall;

a) consult with relevant government agencies, statutory bodies, non-governmental organisations, and members of the public to inform the Report's findings, and

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b) draw on the most current available data from the Natural Resources Inventory, the Environmental Sensitivity Index, Environmental Registry and any other relevant national or regional databases

3) Provide that upon completion, the State of the Environment Report shall;

a) be submitted to the Minister for approval and presented to Cabinet within thirty days of completion

b) be tabled in the House of Assembly within sixty days of Cabinet receipt

c) be published in the Gazette and on the Ministry's website within thirty days of tabling in the House of Assembly, and

d) be lodged in the Environmental Registry upon publication

4) Empower the Minister to prescribe by regulations any additional requirements for the preparation, consultation, and publication of the State of the Environment Report.

10.1.8 Environmental Protection Fund

Government funding for environmental management has historically been limited. To provide steady, long-term funding for protecting the Territory's ecosystems, species and natural resources, the Government shall;

1) Establish the Virgin Islands Environmental Protection Fund as a special Government fund, managed under Section 11 of The Virgin Islands Public Finance Management Act, 2004

2) Keep the Environmental Protection Fund separate from the Virgin Islands Climate Change Trust Fund, which will keep its own legal status, property and governance

3) Use the Fund only for;

a) buying, protecting and managing environmentally sensitive areas and species

b) biodiversity conservation, research, monitoring, and the restoration of species and habitats

c) climate change adaptation and mitigation that is directly linked to environmental protection

d) environmental education and community engagement

e) responding to environmental emergencies

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f) monitoring programmes, laboratories, equipment and environmental databases

g) managing and restoring ecosystems

h) environmental enforcement and clean-up, where no other source of funding is available, and

i) other purposes set out in regulations that support the aims of this Policy.

4) Allow the Fund to receive;
   a) money approved by the House of Assembly

   b) fees and fines collected under this Policy, where allowed

   c) a set share of the Environment and Tourism Improvement Levy, or of any other levy

   d) international grants and conservation funding

   e) private donations

   f) royalties, compensation, forfeited bonds and recovered costs, where the law assigns them to the Fund, and

   g) any other money the law allows to be paid into the Fund

5) Set up a clear and open process for choosing, approving and monitoring the projects the Fund supports, and require anyone involved in funding decisions to declare and manage any conflict of interest

6) Make the Permanent Secretary, or another officer named under public finance law, responsible for the Fund's accounts, and require all spending, procurement and investment to follow public finance and procurement law

7) Have the Fund's accounts audited every year by the Auditor General, and present an annual financial and results report to the Minister of Finance, the Minister and Cabinet, and table it in the House of Assembly

8) Publish each year what the Fund received and spent, who benefited, which projects were funded, and what they achieved, and place the annual report and audited accounts in the Environmental Registry

9) Assess in each State of the Environment Report how well the Fund is improving environmental outcomes

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10) Empower the Minister to make regulations on an advisory body for the Fund, project criteria, how to apply, safeguards, monitoring, and the recovery of money that is misused

10.1.9 Environmental Monitoring Programmes

To provide reliable evidence on the condition of the Territory's natural resources, detect emerging threats and measure the effectiveness of management measures, the Government shall;

1) Direct the Director of Environment to establish and maintain programmes to monitor environmental conditions to support ongoing environmental management and the preparation of the State of the Environment Report, including monitoring of:

   a) watersheds, including metrics such as forest cover, habitat fragmentation, land use changes, impervious ground cover and sediment runoff rates;

   b) soil quality;

   c) ghuts, springs, and aquifers, where ghuts are the seasonal watercourses characteristic of The Virgin Islands landscape;

   d) groundwater quality;

   e) wetlands, including salt ponds and mangroves;

   f) beaches, including beach profile surveys, post-storm surveys, and sand budgets

   g) seagrass beds;

   h) coral reefs;

   i) coastal water quality;

   j) marine water quality, including offshore and pelagic waters;

   k) commercially and ecologically important fish stocks;

   l) indicator, keystone, endemic, endangered, and invasive marine and terrestrial species; and

   m) air quality.

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2) Ensure that monitoring programmes are coordinated with and complement the specific monitoring requirements established for designated Environmentally Sensitive Areas, Conservation Zones, and protected and environmentally sensitive species under section 10.4 of this Policy, to avoid duplication and ensure coherence across the environmental monitoring framework.

3) Require that monitoring data collected under clause 1) be:

   a) recorded and lodged in the Environmental Registry on a regular basis as determined by the Director of Environment;

   b) used to inform the preparation of the State of the Environment Report; and

   c) made available to the public through the Ministry's website in detailed or summary form, with the exclusion of data that may be deemed sensitive, and for such fees as may be prescribed by regulations;

10.2 ENVIRONMENTAL MANAGEMENT

Effective stewardship of The Virgin Islands' natural resources requires a structured framework of data and data tools, together with plans, standards, and incentives to guide decision-making, ensure accountability, and drive measurable improvements in environmental outcomes. This section establishes that framework, providing the tools and mechanisms necessary for evidence-based, coordinated environmental management across the Territory.

10.2.1 Natural Resources Inventory

Sound environmental management depends on knowing what resources exist, where they are, and what condition they are in. Without a comprehensive, regularly updated inventory of the Territory's natural and biological resources, informed decisions on, conservation, environmental management, and climate change adaptation and balanced development cannot be made.

To provide the foundational data needed for evidence-based environmental management, sustainable resource planning, informed development decisions, and effective climate change adaptation strategies across all sectors, the Government shall;

1) Develop and maintain a comprehensive Natural Resources Inventory (NRI) of the natural and biological resources of The Virgin Islands

2) Conduct comprehensive ecosystem, flora and fauna surveys at least every ten years to help keep the NRI updated

3) Keep the NRI under review and routinely update the Inventory based on ongoing monitoring and assessments and the comprehensive ecosystem flora and fauna surveys

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4) Ensure the Inventory exists in a geographic information system and includes geographically referenced documentation of:

    a) geographic and topographic features

    b) geological resources, such as
        i) soil types,
        ii) geological formations, and
        iii) known mineral and rock deposits

    c) ecological systems, such as
        i) ecological classifications
        ii) threatened ecological habitats
        iii) ecosystem restoration areas

    d) Extent and quality of terrestrial, coastal and marine resources, including at minimum;
        i) forest resources, including forest types and densities
        ii) freshwater resources such as; surface water catchment areas, surface and subsurface water reserves, including ghuts, aquifers and springs
        iii) coastal waters within the limits of the Territorial waters
        iv) coral reefs
        v) mangrove and other wetland areas
        vi) salt ponds
        vii) seagrass beds
        viii) beaches, coastal dunes and inland sand deposits
        ix) fish breeding and spawning areas
        x) fishing banks
        xi) aquaculture areas
        xii) blue carbon ecosystems
        xiii) marine reserves and other protected areas

    e) biodiversity:
        i) catalogue and status assessment of endemic and native wild flora and fauna, including abundance, distribution and health indicators
        ii) locations of significant flora and fauna areas, such as identified Tropical Important Plant Areas (TIPAs), breeding grounds and nurseries
        iii) locations of endangered species
        iv) locations of endemic, native held in controlled environments or private collections, including for conservation purposes, such as zoos, aquariums, wildlife sanctuaries and head start facilities
        v) locations of invasive non-native species and diseases that pose a threat to biodiversity

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vi) species threatened by climate change or other risks

f) agricultural lands and type of production

g) climate vulnerability assessment:
   i) ecosystems and biodiversity areas vulnerable to sea-level rise, storm surge, flooding, landslides, erosion, soil loss, pollution land degradation, ecosystem degradation, and other climate change risks

10.2.2 Environmental Sensitivity Index

Not all areas of The Virgin Islands carry the same ecological value or fragility, and development decisions made without reference to underlying environmental sensitivity risk causing irreversible harm. The Environmental Sensitivity Index provides a systematic, evidence-based tool for identifying and prioritising the most vulnerable and ecologically significant areas for protection and informed planning.

To establish the relative fragility and importance of sites which may contain species, habitats or ecosystems of importance to The Virgin Islands to enable prioritised protection and guide development away from sensitive areas or ensure appropriate types and scales of development in sensitive areas, integrate environmental considerations into planning decisions, and allocate resources efficiently to areas most at risk from environmental damage or climate impacts, the Government shall;

1) Direct the Director of Environment to develop an Environmental Sensitivity Index (ESI) for the Territory

2) Use the ESI to systematically identify, rank and map areas based on;
   a) rarity of species
   b) rarity of habitat
   c) ecosystem and species richness and abundance
   d) species and ecosystem sensitivity to environmental damage or disturbance
   e) species and ecosystem sensitivity to climate change impacts

3) Use the ESI to guide decisions in environmental protection, development planning, and resource management, especially for the following applications:

   a) Identification of priority areas for protection and conservation
   b) Development of planning and zoning guidelines, including appropriate types and densities of development based on underlying environmental sensitivity; and
   c) Review of environmental impact assessments to inform determinations of applications for Certificate of Environmental Clearance

4) Ensure the ESI is represented through:
   a) Spatial maps, numerical scoring systems, classification systems
   b) Visual formats including charts, graphs, and interactive digital platforms

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c) Technical documentation, including scoring criteria, sensitivity levels, data sources, uncertainty levels and relevant metadata.

10.2.3 Environment and Climate Change Policies

Effective environmental governance requires policies that are evidence-based, regularly reviewed, and developed with meaningful stakeholder input. This section establishes the framework for developing and maintaining the core policies that will guide environmental and climate change management across the Territory.

To ensure that environmental governance is strategic, evidence-based, inclusive of stakeholder input, coordinated across agencies, and periodically reviewed to remain effective and responsive to changing conditions and priorities, the Government shall;

1) Develop comprehensive policies and strategies, supported by robust scientific research, to guide and ensure environmentally sound and sustainable use, management, and development of the Territory's natural resources, while facilitating the Territory's transition to low-carbon, climate-resilient development

2) Formulate and update these policies at intervals not exceeding five years;

    a) an Environment and Natural Resources Management Policy establishing comprehensive frameworks for the sustainable use, conservation, and protection of natural resources, balancing economic development with environmental stewardship and climate resilience, which shall include the following specific sub-policies among others as may be required over time;

        i) The Virgin Islands Ocean Policy establishing strategic frameworks for integrated marine planning and management of the Territory's marine space and activities, and

        ii) The Virgin Islands Beach Policy establishing frameworks for the classification, protection, and sustainable management of the Territory's beaches

    b) any other policy, plan, or strategy as directed by the Minister or required by statute

3) Require that each policy developed under this section include;

    a) a comprehensive evaluation of current conditions and issues addressed by the policy

    b) an assessment of climate change risks and vulnerabilities of relevance to the policy

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c) an evaluation of relevant social, human health, economic, and ecological considerations

d) a definition of Territorial priorities, policy objectives, and related targets

e) specific actions, initiatives, and activities required to achieve objectives and targets

f) a monitoring and evaluation framework with defined indicators for measuring policy effectiveness, and

g) an implementation plan outlining institutional arrangements, timelines, resource requirements, and coordination mechanisms to give effect to the policy;

4) Establish the following policy development process;

a) provide advance public notice of policy development intentions

b) develop an Issues Paper outlined and analysing the issues to be addressed by the policy and presenting options for solutions for discussion;

c) conduct comprehensive public consultation for all policy development, with at minimum, consultation on the Issues Paper, a Draft Policy and Revised Draft Policy with comments open on each document for at least four weeks and with at least one public meeting held in relation to each at the outset of the comment period.

d) ensure meaningful stakeholder input opportunities within the consultation and comment period, and demonstrate how stakeholder input has been considered in the Draft Policy and Revised Draft Policy

e) submit the Revised Draft Policy for approval by Cabinet on the recommendation of the Minister,

f) lodge all Cabinet-approved policies in the Environmental Registry upon approval to ensure public accessibility and transparency

5) Require that policy implementation be coordinated across all relevant agencies of the Government of The Virgin Islands

6) Require that each policy be reviewed at intervals not exceeding five years, and provide that;

a) where a review identifies the need for significant revision, the full policy development process prescribed under clause 4) shall apply, and

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b) where a review identifies only minor amendments, the Minister may approve such amendments by way of an expedited process as may be prescribed by regulations, provided that any such amendments are filed in the Environmental Registry and published on the Ministry's website within thirty days of approval; and

7) Empower the Minister to prescribe by regulations any additional requirements for the development, consultation, approval, implementation, and review of policies under this section.

10.2.4 Environment and Natural Resources Management Plan

Policy commitments must be translated into concrete actions with clear timelines, resources, and coordination mechanisms to be effective. This section provides for the development of an implementation plan and subject-specific sub-plans to ensure the Environment and Natural Resources Management Policy delivers measurable results.

To ensure effective implementation of the Environment and Natural Resources Management Policy, the Government shall;

1) Direct the Director of Environment to develop an Environment and Natural Resources Management Plan through a consultative process consistent with the public consultation requirements established in section 10.2.3 of this Policy. The Plan shall include;

a) legal, financial, and institutional arrangements and provisions necessary for implementation of the Policy

b) necessary implementation mechanisms, timelines, and resources

c) measures to ensure cross-sector coordination across agriculture, fisheries, water, energy, infrastructure, tourism, waste, health and other relevant sectors

d) systems for periodic policy review to ensure the Plan remains current, relevant, and responsive to changing conditions

2) Require that the Plan be submitted to the Minister for approval upon completion, and filed in the Environmental Registry upon approval

3) Require that the Plan be reviewed by the Director of Environment at intervals not exceeding five years, and that;

a) where a review identifies the need for significant revision, the full consultative process prescribed under clause 1) shall apply, and

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b) where a review identifies only minor amendments, the Minister may approve such amendments through an expedited process as may be prescribed by regulations, provided that any amendments are filed in the Environmental Registry and published on the Ministry's website within thirty days of approval

4) Direct the Director of Environment to develop subject matter-specific sub-plans, which shall form independently updated chapters of the Environment and Natural Resources Management Plan, including;

a) a National Biodiversity Strategy and Action Plan, as detailed in section 10.2.5 of this Policy

b) a Marine Spatial Plan, as detailed in section 10.2.6 of this Policy, and

c) Beach Management Plans, as detailed in section 10.2.7 of this Policy

5) Provide that each sub-plan referred to in clause 4);

a) shall be developed, maintained, and reviewed by the Director of Environment in accordance with the requirements set out in the relevant section of this Policy;

b) may be updated independently without requiring revision of the Environment and Natural Resources Management Plan as a whole, and

c) shall be filed in the Environmental Registry upon approval by the Minister and published on the Ministry's website

10.2.5 National Biodiversity Strategy and Action Plan

To ensure the development of a comprehensive biodiversity strategy grounded in current ecological conditions, threat assessment, and ecosystem service valuation, and to fulfil the obligations under the Convention on Biological Diversity which is extended to The Virgin Islands, the Government shall;

1) Direct the Director of Environment to develop a National Biodiversity Strategy and Action Plan through a consultative process consistent with the public consultation requirements established in section 10.2.3 of this Policy. The Plan shall include;

a) an assessment of the current location, extent and state of biological diversity and ecosystems in The Virgin Islands

b) identification and provisions for monitoring of biological diversity components important for conservation and sustainable use

c) an assessment of the main threats to biodiversity and their underlying causes

d) an assessment of ecosystem services and their values

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e) documentation of the knowledge, innovations, and practices of local and traditional communities and practitioners relevant to the conservation and sustainable use of biological diversity

f) measures required to conserve, protect, and manage the Territory's biodiversity and biological resources while addressing climate change risks in order to meet the Territorial priorities, policy objectives and related targets for biodiversity established in the Environment and Natural Resources Management Policy;

g) priority activities and projects for implementation to achieve the goals and objectives of the Plan;

h) an assessment of the resources required for Plan implementation, including financial, technical, and institutional requirements; and

i) a Monitoring Framework setting out;

i) mechanisms to assess the effectiveness of the Plan; and

ii) adaptive management strategies for incorporating new information.

2) Require that the National Biodiversity Strategy and Action Plan be;

a) submitted to the Minister for approval upon completion

b) filed in the Environmental Registry upon approval, and

c) published on the Ministry's website upon approval

3) Require that the National Biodiversity Strategy and Action Plan be reviewed by the Director of Environment at intervals not exceeding five years, and that;

a) where a review identifies the need for significant revision, the full consultative process prescribed under clause 1) shall apply, and

b) where a review identifies only minor amendments, the Minister may approve such amendments through an expedited process as may be prescribed by regulations, provided that any amendments are filed in the Environmental Registry and published on the Ministry's website within thirty days of approval

4) Mainstream measures required to address biodiversity concerns identified in the National Biodiversity Strategy and Action Plan into the National Sustainable Development Plan and other national strategies

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5) Require that the biodiversity conservation measures and objectives and targets of the National Biodiversity Strategy and Action Plan guide the issuance and terms and conditions of certificates, permits, and licences issued under this Policy; and

6) Empower the Minister to prescribe by regulations any additional requirements for the development, consultation, approval, implementation, and review of the National Biodiversity Strategy and Action Plan

10.2.6 Marine Spatial Plan

To systematically allocate marine space for different uses, balancing environmental protection, economic development, and social needs, the Government shall;

1) Direct the Director of Environment to develop, maintain, and periodically review a comprehensive, science-based Marine Spatial Plan, based on the Natural Resources Inventory and Environmental Sensitivity Index, which shall;

a) guide the sustainable use and development of the Territory's entire Marine Estate, prioritising protection of the natural resource base while balancing economic and social considerations, and

b) ensure sustainability while minimising use conflicts

2) Require that the Marine Spatial Plan comprise written statements and visual materials including maps, plans, drawings, diagrams, and graphics illustrating aspects of the Marine Estate with appropriate detail, and include the following;

a) Strategic Framework setting out the principal aims and objectives for Marine Estate management, use, and development, consistent with The Virgin Islands Ocean Policy

b) a Baseline Assessment of current Marine Estate condition and activities, including;

i) marine ecosystem locations, extent, health, and species distribution

ii) coastal water quality status

iii) marine protected areas, marine parks, conservation zones and environmentally sensitive areas

iv) environmental restoration sites, including coral nurseries and mangrove restoration areas

v) recreational marine sites (e.g. dive sites) and usage patterns

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vi) fish stocks, fisheries areas including priority and protected areas and marine reserves, fishing grounds and banks, fish aggregating devices (FADs) and fish landing sites

vii) historic and culturally significant coastal and marine areas

viii) ports, harbours, anchorages, mooring fields, and marine infrastructure

ix) yachting and marine industry facilities

x) commercial shipping lanes and marine traffic patterns

xi) submarine cables and seabed infrastructure

xii) breakwaters, artificial reefs, and seabed installations

xiii) reclaimed lands and approved and proposed coastal and marine developments

xiv) spatial conflicts and compatibilities, and

xv) any other factors affecting management of the Marine Estate

c) a Zoning Map showing Marine Estate allocation and Plan proposals, including:

i) zone boundaries, restrictions, and regulations for areas suitable for various uses, including recreational uses of different types, fishing, fish landing sites, boat launching, anchorages and mooring fields, marinas, ports and depots to support industrial activity, navigational lanes, jetty installations, renewable energy installations, desalination plant intakes, sewage plant outfalls, etc.;

ii) protected area, conservation zone and environmentally sensitive area categories, including no anchorage areas and applicable restrictions

iii) areas unsuitable for development due to environmental, historic, or cultural significance

iv) suitable reclamation areas based on minimal environmental impact criteria

v) public coastal access provisions, and

vi) Plan proposals to support implementation of the zones and Marine Estate allocations

d) an Implementation Plan and Schedule setting;

i) required resources and implementation feasibility; and

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ii) a phased implementation timeline for Plan proposals

e) a Justification and Analysis section setting out;

i) alignment with The Virgin Islands Ocean Policy, where one exists, and other relevant Government policies

ii) environmental impact analysis including cumulative effects

iii) Blue Economy development considerations; and

iv) relationship with existing development plans.

f) a Monitoring Framework setting out;

i) mechanisms to assess the effectiveness of the Plan, and

ii) adaptive management strategies for incorporating new information

3) Establish the following process for the preparation of the Marine Spatial Plan;

a) provide advance public notice of the intention to develop or review the Plan;

b) consult with all affected Government agencies, statutory bodies, non-governmental organisations, private sector entities, civil society partners and the public during the preparation of the Plan

c) publish the draft Plan on the Ministry's website and advertise its publication on the website and through a notice in the Gazette and in at least one newspaper circulating in the Territory and one radio station broadcasting in the Territory;

d) present the draft Plan through at least one public meeting held on Tortola, Virgin Gorda, Anegada and Jost Van Dyke and provide an eight-week representation period for public discussion and representations;

e) record and publish all representations received on the Ministry's website

f) consider necessary Plan revisions based on public inquiry, discussions, and representations, and

g) revise and re-present the Plan to the public where revisions are necessary before submission to the Minister for approval.

4) Establish the following process for final approval of the Marine Spatial Plan;

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a) empower the Minister, after considering the draft Plan and all representations, to;

i) adopt the Plan giving it immediate force and effect;

ii) require further work or revision, or

iii) require additional consultations

b) the Plan is adopted by publication of a Notice in the Gazette. Where the Minister does not, within 60 days of receipt of the draft Plan, require further work or revisions or require additional consultations, the Plan shall be deemed to have been endorsed by the Minister;

c) where the Minister requires further work, revision, or additional consultations, direct the Director of Environment to undertake the necessary actions with appropriate publicity and resources and resubmit the Plan to the Minister upon completion;

d) upon approval;

i) file the Marine Spatial Plan in the Environmental Registry
ii) publish the Plan on the Ministry's website, and
iii) ensure the Plan remains in force until a revocation notice is published in the Gazette

5) Provide that where a Marine Spatial Plan has been approved by the Minister;

a) all public officers shall have due regard to and be guided by the Plan in formulating public investment and development projects in the Marine Estate

b) the Technical Advisory Committee for mooring applications; the Crown Lands Advisory Board, the Planning Authority, and the Ministry shall ensure conformity with and be guided by the Plan when considering seabed use or development permission applications, and

c) the Plan shall provide the basis for evaluating applications for a Certificate of Environmental Clearance

6) Require that any person or authority conducting activities affecting coastal and marine resource conservation and management shall have regard to and be guided by the approved Marine Spatial Plan

7) Provide that the Marine Spatial Plan shall not authorise development that is not permitted under the Physical Planning Act 2004 or any other enactment

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8) Require that the Director of Environment conduct a full review of the Marine Spatial Plan at least once every five years after the last approval, and that in carrying out the review the Director be guided by the preparation and consultation process prescribed under clause 3) of this section.

10.2.7 Beach Management Plans

To ensure effective implementation of The Virgin Islands Beach Policy, the Government shall:

1) Direct the Director of Environment to establish a series of Beach Management Plans that together shall comprise a comprehensive beach management framework for The Virgin Islands, consisting of;

   a) a Territory-level Beach Management Plan providing high-level spatial planning to guide the rational use and development of all beaches in The Virgin Islands based on beach classification, which shall indicate;
      i) whether temporary and long-term commercial activity is permitted on beaches and, if so, the type and scale of activity allowed, and ii) the types of non-commercial activities permitted on beaches

   b) beach class-specific management plans for beaches with similar characteristics and management needs, and

   c) individual beach management plans for beaches with unique requirements, high conservation value or significant commercial use, each of which shall include;

      i) an assessment of existing conditions

      ii) a description of the planning process, plan components, and geographic scope

      iii) an assessment of current threats and issues

      iv) a carrying capacity assessment

      v) a Plan comprising a vision, spatial plan, facilities plan, and environmental restoration and protection plan

      vi) a monitoring plan that includes profiles, erosion rates and sediment supply

      vii) general management measures and rules

      viii) an implementation plan, and

      ix) a process for updating the Plan

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2) Require that in developing Beach Management Plans, the Director of Environment shall have regard to the following;

   a) a Beach Classification System based on physical, ecological, and socioeconomic characteristics, including;

      i) physical characteristics, including planform, sediment type, and coastal dynamics

      ii) ecological characteristics, including the health of associated habitats important to physical and ecological integrity such as sand dunes, coral reefs, seagrass beds, mangroves, and turtle nesting areas

      iii) socioeconomic characteristics, including historic and current usage patterns in residential, tourism, mixed-use, and national park contexts and neighbouring land ownership and use

   b) threat assessment, identifying principal threats and sources of stress that may hinder ecological or socioeconomic functions, including sea level rise, and

   c) safety considerations, including wave conditions, currents, and hazard assessment

   d) stakeholder and public concerns, recommendations and feedback.

3) Require that Beach Management Plans be developed through a consultative process consistent with the public consultation requirements established in section 10.2.3 of this Policy

4) Require that each Beach Management Plan be;

   a) submitted to the Minister for approval upon completion

   b) filed in the Environmental Registry upon approval, and

   c) published on the Ministry's website upon approval

5) Require that the Director of Environment review each Beach Management Plan at intervals not exceeding five years, and that;

   a) where a review identifies the need for significant revision, the full consultative process prescribed under clause 3) shall apply, and

   b) where a review identifies only minor amendments, the Minister may approve such amendments through an expedited process as may be prescribed by regulations,

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provided that any amendments are filed in the Environmental Registry and published on the Ministry's website within thirty days of approval

6) Empower the Minister to prescribe by regulations any additional requirements for the development, consultation, approval, implementation, and review of Beach Management Plans

10.2.8 Environmental Registry

To create a centralised and comprehensive repository of environmental information as a permanent, accessible record of historic and current environmental policies, plans, assessments, reports and geographically referenced environmental data to enable transparency, accountability, and informed decision-making, the Government shall;

1) Direct the Director of Environment to establish and maintain an Environmental Registry to record and preserve all documentation and data relating to the environment, its management, and related matters in The Virgin Islands

2) Require that the Environmental Registry be;

   a) maintained in a digital format accessible to the public through the Ministry's website, with the exception of classes of documents or data which the Minister may prescribe with reasonable justification and which may be accessed via written request at the discretion of the Minister and by payment of such fees as may be prescribed in regulations;

   b) kept current, with documents lodged within thirty days of approval, issuance, or publication as the case may be,

   c) available for inspection at the offices of the Ministry during normal working hours

3) Require that the Environmental Registry include;

   a) environmental assessments and approvals, including;

      i) Environmental Impact Statements

      ii) all licences, certificates, and permits issued under this Policy or any other environmental policy or legislation; and

      iii) all applications for licences, certificates, and permits submitted under this Policy, and

      iv) decisions on such applications with reasons

   b) historic and current regulatory, policy and planning documents, including;

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i) regulations, standards, guidelines, and codes of environmental practice

ii) policies and implementation plans developed under this Policy, and

iii) Cabinet decisions relating to environmental matters under this Policy

iv) records of hazardous materials and organisms subject to regulation, including; import, export, transportation, and storage records of hazardous substances, hazardous waste, and organisms subject to regulation under this Policy

c) environmental reports and research reports, including;

i) State of the Environment Reports

ii) technical reports produced under this Policy

iii) reports produced to comply with scientific research permits issued under this Policy;

iv) published scientific research papers relevant to environmental management in The Virgin Islands, and

v) monitoring data, survey results and any other environmental data produced under this Policy or otherwise generated by the Ministry, and

d) such additional matters as the Director of Environment may determine to be necessary for the purposes of the Registry

4) Require that documents lodged in the Environmental Registry be retained indefinitely or for the minimum period as may be prescribed by regulations, and that no document be removed from the Registry except in accordance with such regulations

5) Provide that any member of the public may inspect and obtain copies of documents held in the Environmental Registry, subject to any restrictions prescribed by regulations in respect of;

a) documents containing confidential business information or trade secrets

b) documents the disclosure of which would prejudice ongoing investigations or enforcement proceedings, and

c) any other category of document or data prescribed by the Minister as restricted on the basis of sensitivity or other reasonable justifications

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6) Empower the Minister to prescribe by regulations any additional requirements for the establishment, maintenance, public access, retention, and management of the Environmental Registry.

10.2.9 Environmental Standards, Guidelines and Operational Procedures

To establish enforceable measures that protect ecosystem health while providing regulated entities with clear compliance expectations, the Government shall;

1) Direct the Director of Environment to develop, and the Minister to approve, standards, guidelines, and operational procedures for;

   a) environmental quality, including standards for;

      i) coastal water quality

      ii) marine water quality, including waters beyond the limits of the Territorial Sea

      iii) air quality

      iv) soil quality

      v) wastewater discharge

      vi) groundwater extraction

      vii) waste collection treatment and disposal

      viii) artificial light emissions in areas affecting turtle nesting, hatching, and marine wildlife behaviour, and

      ix) noise levels in environments affecting marine mammals, turtle nesting, and other sensitive species and habitats

   b) industry environmental operational standards where industries may have environmental impacts of concern as determined by the Director of Environment to ensure compliance with environmental quality standards

   c) environmental management requirements for Certificates of Environmental Clearance, permits, and licences, including:

      i) environmental management systems

      ii) operational plans

      iii) monitoring programmes

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iv) environmental protection plans

v) remediation plans, and

vi) mitigation measures

d) Environmental Impact Assessments and Statements, including requirements for;

i) the scope and content of assessments

ii) qualifications of environmental practitioners authorised to conduct assessments and prepare statements and requirements regarding conflicts of interest, and

iii) procedures for submission, review, and determination of assessments

e) environmental laboratory and analytical facilities, including;

i) accreditation requirements for laboratories and analytical facilities used for environmental monitoring and compliance testing

ii) acceptable analytical methods and protocols, and

iii) quality assurance and quality control requirements

f) conduct of environmental monitoring or research activities

g) conduct of environmental restoration, remediation or cleanup activities

h) collection, treatment and commercial use of sargassum and other algae, seaweed and non-fishery marine products;

i) installation of booms, swim zone markers, bouys and similar installations in the marine environment; and

j) such other standards, guidelines or operational procedures as may be required by statute or directed by the Minister

2) Require that standards, guidelines, and operational procedures developed under clause 1);

a) be developed through a consultative process consistent with the public consultation requirements established in section 10.2.3 of this Policy

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b) be developed based on the best available data and international best practice, and specific processes and clearly defined procedures for the development be outlined in legislation developed from this Policy.

c) be approved by the Minister prior to coming into effect

d) be filed in the Environmental Registry and published on the Ministry's website upon approval, and

e) be reviewed by the Director of Environment at intervals not exceeding five years to ensure they remain current, relevant, and consistent with best practice

3) Give the Director of Environment power, with approval of the Minister to implement the following remedial actions when environmental standards are exceeded, to minimise impacts and encourage restoration of environmental quality within the shortest feasible timeframe;

a) public health protection measures, including:

i) closing beaches or affected coastal and marine areas to swimming, bathing, and recreational activities or restricting such activities until standards are met

ii) issuing advisories and warnings through media, signage, and official channels

iii) prohibiting the use of contaminated groundwater or surface water for drinking, irrigation, or domestic purposes

iv) prohibiting agricultural activities or livestock grazing on contaminated land

v) prohibiting or restricting the harvesting, collection, or consumption of seafood, shellfish, or marine plants from affected areas, and

b) pollution incident response measures, including;

i) in coordination with the Department of Disaster Management and the Governor, and where appropriate, declare a State of Emergency and activate the National Emergency Operations Centre and regional response mechanisms;

ii) securing pollution incident sites and restricting access to authorised personnel only, and

iii) using best practice methods by trained personnel with appropriate equipment to contain and clean up pollutants in the shortest feasible timeframe, and

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iv) temporarily suspending the operations of a business or activity causing the pollution until corrective measures are put in place to ensure that environmental standards are met

c) coral reef emergency response measures, including;

i) immediately restricting access to and activities within affected reef areas upon identification of a coral bleaching event, coral disease outbreak, introduction of an invasive non-native species, or other significant coral mortality event

ii) notifying relevant agencies and mobilising emergency response resources within the shortest feasible timeframe, and

iii) implementing emergency restoration measures, such as the activation of coral nursery programmes, where feasible and in accordance with best available scientific guidance

d) harmful algal bloom response measures, including;

i) immediately closing affected coastal and marine areas to swimming, bathing, fishing, and harvesting of seafood until water quality meets the required standards

ii) issuing public advisories through media, signage, and official channels, and

iii) investigating and addressing the sources of nutrient enrichment or other conditions contributing to the bloom

e) *Sargassum* mass landing response measures, including;

i) activating removal operations in accordance with the standards established under sections 10.2.9 1) (h) and 10.4.9 of this Policy within the shortest feasible timeframe

ii) coordinating removal operations across relevant agencies and beach management authorities,

iii) installing booms or other appropriate barriers on an emergency basis to protect areas from further landings; and

iv) monitoring affected marine areas for secondary ecological impacts following mass landings

f) any other emergency environmental response measures the Director of Environment considers necessary to protect public health, environmental quality,

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and the integrity of sensitive ecosystems, having regard to the nature and severity of the event

4) Require that remedial actions be coordinated with relevant Ministries, including the ministries responsible for health, agriculture and fisheries and where an emergency measure must be taken without prior consultation, those Ministries are notified and engaged as soon as practicable after.

5) Provide that environmental standards established under clause 1) of this section shall be applied at an elevated level when within or affecting;

   a) areas designated as Environmentally Sensitive Areas under section 10.4.1 of this Policy

   b) areas designated as Conservation Zones under section 10.4.2 of this Policy

   c) areas containing species designated as environmentally sensitive species under section 10.4.3 of this Policy, or

   d) areas containing species designated as protected species under section 10.4.4 of this Policy, and

6) Require that the Director of Environment; develop specific environmental standards for each category of designated area or species listed in sub-clauses a) to d), having regard to the particular sensitivity and conservation objectives of the area or species concerned. In the absence of such specific environmental standards, the standards established under clause 1 shall apply.

7) Empower the Minister to prescribe by regulations any additional requirements for the development, approval, implementation, review, and enforcement of environmental standards, guidelines, and operational procedures under this section

10.2.10 Environmental Incentive Programmes

To encourage businesses and individuals to voluntarily adopt better environmental practices without relying solely on legal requirements and penalties, fostering market-driven environmental improvement and rewarding proactive environmental stewardship, the Government may;

1) Empower the Director of Environment to develop, promote, and implement incentive programmes to encourage the voluntary adoption of effective environmental and natural resources management systems, including;

   a) environmental certification and labelling programmes recognising persons, activities, businesses or products demonstrating exceptional environmental management practices or standards

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b) recognition and awards programmes celebrating outstanding environmental stewardship by businesses, communities, groups and individuals

c) import duty reduction schemes in collaboration with the Commissioner of Customs, and

d) such other programmes as the Director of Environment considers likely to further the purposes of this Policy

2) Require that incentive programmes developed under clause 1);

a) be developed through a stakeholder consultative process

b) be approved by the Minister prior to implementation

c) be publicised through the Ministry's website and other appropriate channels, and

d) be reviewed by the Director of Environment at intervals not exceeding five years to assess their effectiveness and identify opportunities for improvement

3) Empower the Minister to impose environmental charges and user fees by regulations to incentivise environmental protection, conservation, management, and restoration, and require that;

a) all charges and fees be prescribed by regulations following public consultation consistent with the requirements established in section 10.2.3 of this Policy

b) the basis and rationale for all charges and fees be published on the Ministry's website, and

c) charges and fees be reviewed at intervals not exceeding three years to ensure they remain appropriate and effective

4) Direct that all environmental charges and user fees collected under clause 3) be credited directly to the Environmental Protection Fund

5) Empower the Minister to prescribe by regulations any additional requirements for the development, implementation, review, and administration of incentive programmes under this section

10.2.11 Environmental Justice

To ensure that the benefits and burdens of environmental protection and development are shared fairly, and that all communities can take a real part in environmental decisions, the Government shall;

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Fair Distribution of Environmental Benefits and Burdens

1) Apply environmental justice as a guiding principle in all decisions taken under the legislation arising from this Policy

2) Require every high-risk industrial, power generation or waste management project, and any other project prescribed by regulations, to include an environmental justice screening as part of its environmental assessment. Where the screening shows it is needed, the project must also include a social equity impact assessment. Together, these shall identify;

   a) the communities likely to be affected, particularly vulnerable communities

   b) the environmental burdens those communities already carry

   c) any unfair or disproportionate impact the project would add, and

   d) the measures needed to avoid or reduce those impacts

3) Require that environmental justice is considered when deciding whether a project needs an environmental impact assessment, when setting the scope of that assessment, and when deciding whether to grant a Certificate of Environmental Clearance

4) Ensure that no community bears an unfair share of pollution or environmental harm because of race, national origin, income or background, and empower the Minister to make regulations setting siting restrictions, consultation requirements, assessment content and decision criteria for environmental justice

Meaningful Public Participation

5) Give the public adequate notice and a fair opportunity to comment in writing on environmental decisions, and hold public meetings or targeted consultations where appropriate

6) Allow at least four weeks for public comment on new environmental policies, plans and standards, and publish a summary of the main issues raised and how the Ministry has responded

7) Give the public a fair opportunity to comment on every Environmental Impact Statement, and require that the main comments, and the applicant's responses, are summarised in the recommendation to the Minister

8) Require public notice of permit applications where regulations so provide

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Access to Environmental Information and Remedies

9) Make environmental information, including policies, plans, assessments, permits, decisions, enforcement actions and monitoring data, available to the public through the Environmental Registry. Information may be withheld only where it is commercially confidential, personal, security-sensitive, would put protected species at risk, or would prejudice an investigation

10) Allow any person to report a suspected breach of environmental law to the Director of Environment, and require the Director to acknowledge the report and explain what action will be taken or why none will be taken

11) Allow a person who has reported a breach to apply to the Environmental Tribunal, with its permission, if the Ministry has not taken action within sixty days, and empower the Minister to make regulations that keep the cost of such applications reasonable

12) Protect people who report breaches in good faith from dismissal, harassment or other retaliation, keep their identity confidential, and protect them from legal action arising from their report

10.2.12 Strategic Environmental Assessment

Environmental impact assessment looks at individual projects, often after the key decisions about where and how development should happen have already been made. Strategic environmental assessment considers environmental effects earlier, when Government policies, plans and programmes are being prepared. At that stage, alternatives can still be weighed and the combined effects of many projects can be addressed together. To make sure that environmental, climate change and social considerations shape Government decisions from the outset, the Government shall;

1) Empower the Minister to require a strategic environmental assessment for any policy, plan, programme or class of activities that is likely to have significant environmental, climate change, biodiversity, social or cumulative impacts

2) Require that a strategic environmental assessment is carried out while the policy, plan or programme is still being developed, so that its findings can influence the final decision

3) Ensure that a strategic environmental assessment, at a minimum;

   a) describes the current state of the environment likely to be affected

   b) identifies the likely environmental, climate change, biodiversity, social and cumulative effects

   c) considers reasonable alternatives, including the option of not proceeding

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d) recommends measures to avoid, reduce or offset negative effects, and

e) proposes how those effects will be monitored

4) Give relevant public authorities, stakeholders and the public a fair opportunity to comment on a strategic environmental assessment before the policy, plan or programme is finalised

5) Require the body responsible for the policy, plan or programme to take the findings of the assessment and the comments received into account, and to explain how it has done so

6) Lodge completed strategic environmental assessments in the Environmental Registry so that they are available to the public

7) Empower the Minister to make regulations setting out the content, procedure, consultation, review and legal effect of strategic environmental assessments

10.3 CLIMATE CHANGE

The Virgin Islands faces acute and growing risks from climate change, including warmer air and sea surface temperatures, sea level rise, increasingly severe weather events including stronger hurricanes, and more frequent and severe floods and droughts, which threaten the Territory's economy, natural environment, and the wellbeing of its people. Demonstrating serious and structured commitment to climate action is critical to ensure the Territory's resilience to the myriad of resulting impacts and is also essential for accessing the international climate finance and technical assistance the Territory needs to build resilience.

To ensure that the Territory adapts to climate change to protect current and future generations from climate change risks and impacts that disproportionately threaten small islands and to ensure the Territory's managed transition to renewable energy, the Government shall;

1) Establish the Climate Change Committee as detailed in section 10.1.4 of this Policy

2) Formulate a Climate Change Policy and corresponding Implementation Plan at least every five years as detailed in sections 10.3.1 and 10.3.2 of this Policy

3) Ensure that all relevant legislation and policies are revised to align with and give effect to the Climate Change Policy within the lifespan of each Policy cycle

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4) Ensure, through processes established by the Ministry of Finance in consultation with the Ministry, that all projects and initiatives funded through the annual Government budget are consistent with the Climate Change Policy, and

5) Develop projects and programmes for funding through the Government's annual budget and The Virgin Islands Climate Change Trust Fund to implement the Climate Change Policy

10.3.1 Climate Change Policy

To ensure a coordinated response to climate change, the Government shall:

1) Direct the Climate Change Committee, chaired by the Director of Environment, to develop and keep updated a Climate Change Policy establishing comprehensive frameworks for climate change adaptation and mitigation, including climate resilience measures, strategies for protecting vulnerable ecosystems and communities, greenhouse gas reduction targets, and renewable energy transition strategies;

2) Require that the Climate Change Policy, at minimum, include:

   a) a comprehensive evaluation of historic and current climate as well as climate change projections, using best available science, including local and regional data to the extent that it is available, and community-based knowledge;

   b) an assessment of anticipated climate change impacts, risks and vulnerabilities in the following sectors and any other sectors agreed by the Climate Change Committee: Environment; Food Security, including Agriculture and Fisheries; Tourism; Human Health; Critical Infrastructure and Human Settlements; Water Resources; Financial Services; and Energy;

   c) an assessment of climate change impacts, risks and vulnerabilities relevant to cross cutting thematic areas such as: education; disaster risk management; youth; gender; and vulnerable communities and populations;

   d) policy goals, objectives, targets, priorities and guiding principles in relation to climate change adaptation and mitigation;

   e) application of the Policy;

   f) directives for each sector covered under the Policy, including specific adaptation and mitigation measures, initiatives, and activities required to achieve objectives and targets;

   g) an evaluation of any social, economic, and environmental considerations related to proposed adaptation and mitigation measures;

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h) an assessment of barriers to climate change adaptation and mitigation, including access to finance, human and institutional capacity, and enabling policies or legislation;

i) a monitoring and evaluation framework with defined indicators for measuring Policy effectiveness;

j) means of implementation, including:

i. capacity building, including through technical exchange programmes;

ii. technical support and technology transfer;

iii. financing for implementation of the Policy, including through annual Government budgetary provisions, external grants, loans, sustainable financial mechanisms developed by Government, and resources through The Virgin Islands Climate Change Trust Fund, legally established as the official organisation designated on behalf of the Territory under the Convention to receive direct financing from any external source in order to carry out climate change adaptation and climate change mitigation projects and programmes in The Virgin Islands;

k) a Strategy and Implementation Plan outlining institutional arrangements, timelines, resource requirements, and coordination mechanisms to give effect to the Policy;

3) Follow the process established at Section 10.2.3 clause 4 to develop the Policy;

4) Require that Policy implementation be coordinated across all relevant agencies of the Government of The Virgin Islands and other relevant actors through the Climate Change Committee;

5) Require that all physical planning decisions, decisions related to the use of Crown land, including the seabed, and Government investments in infrastructure, projects and programmes be consistent with the approved Policy;

6) Require that relevant legislation be updated, revised or created to support implementation of the Policy;

7) Require that the Policy be reviewed at intervals not exceeding five years, and provide that:

a) where a review identifies the need for significant revision, the full policy development process prescribed under clause 3) shall apply; and

b) where a review identifies only minor amendments, the Minister may approve such amendments by way of an expedited process as may be prescribed by

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regulations, provided that any such amendments are filed in the Environmental Registry and published on the Ministry's website within thirty days of approval; and

8) Empower the Minister to prescribe by regulations any additional requirements for the development, consultation, approval, implementation, and review of the Climate Change Policy.

10.3.2 Climate Change Strategy and Implementation Plan

To operationalise priority climate change adaptation and mitigation measures, through a structured implementation plan to ensure accountability, coordination across government, and measurable progress, the Government shall;

1) Mandate The Virgin Islands Climate Change Committee to develop a Climate Change Strategy and Implementation Plan to outline the implementation strategy for the Climate Change Policy, with the first Plan to be completed within twelve months of the coming into force of this Policy

2) Require that the Climate Change Strategy and Implementation Plan include;

a) an Adaptation and Mitigation Priorities section setting out;

i) a pipeline of priority adaptation and mitigation programmes and projects over the next three to five years to give effect to the directives of the Climate Change Policy, and

ii) clear targets, milestones, and performance indicators for the implementation of each project

b) an Implementation Structure section setting out;
i) institutional arrangements with defined roles, responsibilities, and coordination mechanisms

ii) estimated budgets, funding sources, and resource mobilisation strategies, and

iii) other resource requirements including technical capacity needs and capacity building plans

c) a Management Systems section setting out;

i) risk management and contingency planning procedures

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ii) monitoring, evaluation, and reporting frameworks

iii) stakeholder engagement and communication strategies, and

iv) adaptive management and review processes

3) Require that the Climate Change Strategy and Implementation Plan be developed through a consultative process consistent with the public consultation requirements established in section 10.2.3 of this Policy

4) Require that the Climate Change Strategy and Implementation Plan be;

a) submitted to the Minister for Cabinet approval upon completion

b) filed in the Environmental Registry upon Cabinet approval, and

c) published on the Ministry's website upon Cabinet approval

5) Require that The Virgin Islands Climate Change Committee review and renew the Climate Change Strategy and Implementation Plan at intervals not exceeding five years, with each successive Plan covering the following three to five-year period, and that;

a) where a review identifies the need for significant revision of an existing Plan prior to the end of its five-year period, the full consultative process prescribed under clause 3) shall apply, and

b) where a review identifies only minor amendments, the Minister may approve such amendments through an expedited process as may be prescribed by regulations, provided that any amendments are filed in the Environmental Registry and published on the Ministry's website within thirty days of approval

6) Empower the Minister to prescribe by regulations any additional requirements for the development, consultation, approval, implementation, and review of the Climate Change Policy Implementation Plan

10.3.3 Greenhouse Gas Emissions

To ensure a comprehensive, accountable, and forward-thinking approach to reducing the Territory's carbon footprint, the Government shall;

1) Empower the Minister to establish by regulations;

a) a carbon budget for the Territory, and

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b) emission reduction targets for the following sectors

   i) energy production and distribution
   ii) transportation
   iii) buildings and construction
   iv) waste management
   v) agriculture and land use,and
   vi) marine and aviation activities

2) Empower the Minister to amend emission reduction targets established under clause 1) as appropriate, based on;

   a) advances in climate science

   b) changes in international commitment

   c) technological developments, and

   d) economic or social circumstances, provided that any amendment shall maintain or increase the level of ambition of the existing targets

3) Require that all Government decisions, policies, and investments be consistent with the emission reduction targets and carbon budgets established under clause 1)

4) Empower the Minister to establish by regulations;

   a) reporting requirements for greenhouse gas producers, that is, entities involved in retailing fossil fuels or generating fossil fuel based energy, and

   b) requirements for the maintenance of a Greenhouse Gas Inventory by the Ministry to record emissions reported under this clause

5) Empower the Minister to establish by regulations standards for energy efficiency for all buildings owned by Government and statutory bodies, including schools and medical facilities, and establish by regulations standards for energy efficiency for vehicles and major appliances imported into the Territory

6) Direct the Ministry to develop and implement programmes to incentivise the use of appropriate technologies and other means to support the reduction of greenhouse gas emissions across all sectors

10.3.4 Carbon Markets

To facilitate the Territory's participation in carbon markets in a manner that protects the Territory's natural resources and ensures public benefit, the Government shall;

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1) Empower the Minister to establish by regulations a framework to govern the Territory's participation in carbon markets, including regulations relating to;

   a) the permitting of participants in carbon markets based on the Territory's natural resources

   b) the detailed rules, standards, and procedures for the generation, issuance, transfer, use, and cancellation of carbon credits or the creation and management of carbon markets registered in the Territory

   c) the adoption, adaptation, or incorporation by reference of internationally recognised methodologies, standards, or guidance, as amended from time to time

   d) institutional arrangements, decision-making procedures, and administrative processes required for efficient participation in carbon markets

   e) monitoring, reporting, and verification requirements and related technical guidance

   f) safeguards, benefit-sharing arrangements, and grievance mechanisms, and

   g) any other matters necessary or convenient for facilitating the Territory's participation in carbon markets

2) Require that any party seeking to generate and trade carbon credits based on the Territory's natural resources obtain a permit from the Ministry in accordance with regulations made under clause 1), and

3) Prohibit the sale of carbon credits generated based on the Territory's natural resources prior to the coming into force of regulations made under clause 1)

10.3.5 Climate Finance

To create reliable, long-term funding streams for climate adaptation and mitigation programmes and projects, and to track Government investment in climate change adaptation and mitigation in a transparent manner, the Government shall:

1) Empower the Minister, in consultation with the Minister of Finance to develop financing mechanisms to generate sustainable climate finance for the Territory, to be received, tracked, managed and disbursed through The Virgin Islands Climate Change Trust Fund established under the Virgin Islands Climate Change Trust Fund Act, 2015.

2) Require the Minister, in consultation with the Minister of Finance, within one year of this Policy being approved, to develop and implement a mechanism by which all direct and indirect Government investments in climate change adaptation and mitigation through the annual budget cycle, external grants, loans, sustainable financing mechanisms developed by Government and resources of The Virgin Islands Climate

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Change Trust Fund disbursed to Government and statutory bodies are tracked, accounted for and publicly reported.

10.3.6 Climate Change Research

To ensure that climate change research conducted within the Territory is coordinated, transparent, and serves the public interest, the Government shall;

1) Require that any entity seeking to engage in research related to climate change in The Virgin Islands obtain permission from the Minister, in consultation with the Director of Environment and share the results of their findings in accordance with the scientific research permit framework established under section 10.5.6 of this Policy

2) Require that research results be lodged in the Environmental Registry.

10.3.7 Coastal Setbacks

Recognising that global sea level is rising and will result in the loss of coastal lands, including the gradual loss of beaches and privately owned lands along the coast, the Government shall;

1) Develop and implement Regulations to the Physical Planning Act, 2004 that include increased construction setback requirements and minimum elevation requirements for permanent structures, commensurate with international best practice based on projected sea level rise, storm surge, the likelihood of extreme weather events, and erosion over the design life of the structure, and local sea level rise and storm surge modeling applicable to;

   a) residential buildings

   b) commercial or industrial buildings and facilities, and

   c) critical infrastructure and facilities

2) Require that the Regulations to the Physical Planning Act, 2004, be updated over time to account for changes in projected sea level rise, storm surge, and erosion

3) Empower the Minister to establish by regulations enhanced setback requirements for lands adjacent to beaches, binding on all development activity, sufficient to allow beaches to naturally migrate inland without obstruction and to survive projected sea level rise, based on best practice established by local, regional, or international assessments or practice

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4) Provide that exceptions to setback and elevation requirements established under clauses 1) and 3) shall only be granted where;

a) there is an overriding public interest, and

b) the proposed structure incorporates engineering or nature-based solutions designed to withstand projected climate impacts and allow beach migration and the applicant demonstrates that;

i) nature-based coastal protection measures would be maximised, and

ii) no reasonable alternative location exists

5) Require that existing structures within setback zones established by regulation that are destroyed or substantially damaged by storm surge, sea level rise, or coastal erosion shall not be expanded or substantially renovated without bringing the entire structure into compliance with the established regulations

6) Require that no new critical facilities, including schools, hospitals, emergency services facilities, emergency shelters, power generation plants, water treatment facilities, or government emergency operations centres, shall be constructed in areas designated as high-risk coastal zones or flood plains

7) Require that the Department of Disaster Management prepare maps identifying high-risk coastal zones and flood plains based on;

a) local sea level rise modelling based on projected sea-level rise of at least one metre by 2100 or based on the latest science;

b) storm surge modelling for Category 5 hurricanes

c) coastal erosion projections

d) geological and hydrological assessments,

e) hydrologic and hydraulic assessments of watersheds to determine flood risk; and

f) any other relevant factors

8) Direct that the maps prepared under clause 7) be;

a) lodged in the Environmental Registry

b) integrated into Hazard Vulnerability Assessments, and

c) kept under regular review and updated as new data becomes available, and

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9) Prioritise nature-based solutions, including mangrove restoration and coral reef protection and restoration for coastal protection.

10) Allow hard engineering solutions as an approach for coastal protection only where a coastal study shows that nature-based solutions will not work, including on its effects on neighbouring beaches and coastlines

10.4 BIODIVERSITY CONSERVATION

This section establishes a comprehensive and enforceable framework for biodiversity conservation, providing for the protection and sustainable management of environmentally sensitive areas and species, and fisheries, and strengthened biosecurity, consistent with the Territory's obligations under the Convention on Biological Diversity and its commitments under the National Sustainable Development Plan, the St George's Declaration of Principles for Environmental Sustainability in the OECS and other relevant regional and international frameworks.

10.4.1 Environmentally Sensitive Areas

The Virgin Islands contains ecosystems and habitats of exceptional ecological significance that are vulnerable to degradation from development and other human activities and climate change impacts. Formal designation of Environmentally Sensitive Areas provides the legal basis for targeted protection and management of these critical areas while allowing sustainable use where appropriate.

To create legally enforceable protection status for critical ecosystems, biodiversity hotspots, and vulnerable resources while allowing sustainable use where appropriate, the Government shall;

1) Empower the Minister, on the recommendation of the Director of Environment or at the Minister's discretion and with the approval of Cabinet, to designate by Notice published in the Gazette any area as an Environmentally Sensitive Area for special protection to implement the Environment and Natural Resources Management Plan or fulfil other objectives of this Policy

2) Require that the Notice published in the Gazette to designate an Environmentally Sensitive Area include;

   a) a comprehensive description of the area to be designated

   b) the reasons for such designation, and

   c) specific limitations on use or activities within the area

3) Provide that the designation of an Environmentally Sensitive Area shall;

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a) require that all use of the area be environmentally sustainable and subject to appropriate management measures

b) trigger additional controls, permit conditions, and mitigation measures for development and other uses within the area, as prescribed by regulations, to ensure environmental sustainability and safeguard the integrity of the area, and

c) require an environmental impact assessment for any proposed development or extractive use activity within the boundaries of the area

4) Immediately designate the areas listed in Appendix D as Environmentally Sensitive Areas upon the coming into force of legislation arising from this Policy

5) Require that additional Environmentally Sensitive Areas be designated following;

a) determination of sensitive areas through the Environmental Sensitivity Index

b) consultation with relevant Government agencies, and

c) public consultation consistent with the requirements established in section 10.2.3 of this Policy

6) Require that the Director of Environment develop a management plan for each designated Environmentally Sensitive Area or class of Environmentally Sensitive Areas where areas are sufficiently similar within twenty four months of designation, which shall;

a) set out the management objectives for the area

b) identify permitted and prohibited activities and the conditions applicable to each

c) establish a monitoring programme to assess the health of the area to determine the effectiveness of management measures, and

d) be reviewed at intervals not exceeding five years and updated as necessary based on new information

7) Empower the Minister in consultation with the Director of Environment and, with the approval of Cabinet, to amend or revoke the designation of an Environmentally Sensitive Area by Notice published in the Gazette, where;

a) the ecological conditions that gave rise to the designation have materially changed; or

b) the area no longer meets the criteria for designation.

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and require that any proposed amendment or revocation be subject to public consultation consistent with the requirements established in section 10.2.3 of this Policy prior to the Minister seeking Cabinet approval.

8) Require that the Director of Environment;

   a) clearly demarcate the boundaries of all designated Environmentally Sensitive Areas in maps with clearly documented geographic coordinates and using physical markers as may be practical and appropriate

   b) lodge all such maps in the Environmental Registry, and

   c) make such maps publicly available on the Ministry's website to support compliance with applicable controls and conditions

9) Empower the Minister to prescribe by regulations any additional requirements for the designation, management, amendment, revocation, and public consultation processes for Environmentally Sensitive Areas under this section.

10) Provide for protections of ecologically important habitats outside formally designated Environmentally Sensitive Areas, including

   a) Habitat corridors;
   b) Coastal and riparian buffers; and
   c) Priority ecosystems identified in the Environmental Sensitivity Index (ESI) or National Biodiversity Strategy and Action Plan.

10.4.2 Conservation Zones

Some ecosystems and habitats need the highest level of protection from human interference. That protection allows natural regeneration, supports long-term ecological monitoring, and produces the scientific data needed to guide conservation across the Territory. Conservation Zones provide it by restricting activity in designated areas to legitimate scientific research and essential management. Together with Environmentally Sensitive Areas, national parks and other protected areas, Conservation Zones will also help the Territory contribute to the global "30 by 30" target under the Kunming-Montreal Global Biodiversity Framework, which seeks effective protection of at least 30 per cent of land and sea by 2030.

To safeguard sensitive species and habitats from human interference beyond controlled scientific study, to allow long-term monitoring of ecological processes that other activities would disrupt, to produce the robust data needed for effective conservation both within

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Conservation Zones and across the wider landscape, and to contribute to the 30 by 30 target, the Government shall;

1) Empower the Minister, by recommendation of the Director of Environment, or at the Minister's discretion, and with the approval of Cabinet, to designate by Notice published in the Gazette any area of The Virgin Islands as a Conservation Zone where the Minister is advised or considers that special protection and monitoring measures are necessary;

    a) for terrestrial and marine areas containing ecologically important species, habitats, or ecosystems requiring the highest level of protection

    b) to afford special protection to the living resources of the area

    c) to protect and preserve natural breeding grounds and habitats of terrestrial and aquatic life

    d) to allow for the natural regeneration of terrestrial and aquatic life in areas where such life has been depleted

    e) to promote scientific study and research in respect of the area

    f) to preserve and enhance the natural beauty of the area, or

    g) to protect areas of particular importance for climate change resilience, including areas critical for the recovery of climate-stressed ecosystems

2) Require that any proposed designation of a Conservation Zone be subject to an assessment demonstrating how the proposed areas meet the criteria for declaration and public consultation consistent with the requirements established in section 10.2.3 of this Policy prior to the Minister seeking Cabinet approval

3) Provide that upon designation of a Conservation Zone;

    a) all activities within the zone shall be restricted to legitimate scientific research, routine monitoring and educational activities conducted under a permit issued by the Minister in consultation with the Director of Environment

    b) commercial exploitation, commercial or impactful recreational use, and all other extractive or disruptive activities shall be prohibited, and

    c) the following activities shall be permitted without a permit

        i) small-scale, no to low impact non-commercial recreational activities as updated from time to time and defined in the management plan for each Conservation Zone; and

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ii) access to and through the zone in the event of a maritime emergency

4) Direct the Director of Environment to;

   a) clearly demarcate the boundaries of all designated Conservation Zones in maps with clearly documented geographic coordinates;

   b) lodge all such maps in the Environmental Registry upon designation, and

   c) make such maps publicly available on the Ministry's website to support compliance with applicable restrictions

5) Require that the Director of Environment develop a comprehensive management plan for each designated Conservation Zone within twelve months of designation, which shall;

   a) set out the conservation objectives for the zone

   b) identify all permitted activities and the conditions applicable to each

   c) establish a monitoring programme to assess the ecological condition of the zone and the effectiveness of management measures

   d) identify indicators and targets for measuring the achievement of conservation objectives, and

   e) be reviewed at intervals not exceeding five years and updated as necessary based on new scientific information

6) Empower the Minister, in consultation with or on the recommendation of the Director of Environment, and with the approval of Cabinet, to amend or revoke the designation of a Conservation Zone by Notice published in the Gazette, where;

   a) the ecological conditions that gave rise to the designation have materially changed or

   b) the area no longer meets the criteria for designation.

7) Require that any proposed amendment or revocation be subject to public consultation consistent with the requirements established in section 10.2.3 of this Policy prior to the Minister seeking Cabinet approval

8) Note that the function currently performed by section 35 of the Fisheries Act (Marine Reserves) is materially replaced by this section, and direct that the repeal of that

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provision be addressed in the transitional provisions of the legislation arising from this Policy, and

9) Empower the Minister to prescribe by regulations any additional requirements for the designation, management, amendment, revocation, and public consultation processes for Conservation Zones under this section.

10.4.3 Environmentally Sensitive Species

To provide legal mechanisms to safeguard ecologically important and vulnerable species from harm while allowing sustainable use where appropriate, the Government shall;

1) Empower the Minister by recommendation of the Director of Environment, or at the Minister's discretion and, with the approval of Cabinet, to designate by Notice published in the Gazette any ecologically important or vulnerable species of plant, animal, fungi or protist as an environmentally sensitive species, based on the best available scientific evidence and informed by the Environmental Sensitivity Index, where the designation;

    a) triggers additional assessments, permit conditions, and mitigation measures in relation to development, other projects, activities, and policies that affect the species or its habitat to safeguard the integrity of the species, and

    b) may permit sustainable use of the species and provide for appropriate management measures

2) Require that the Notice published in the Gazette to designate an environmentally sensitive species include;

    a) a comprehensive description of the species to be designated

    b) the scientific basis and reasons for the designation, and

    c) specific limitations on use or activities concerning the species and its habitat

3) Require that any proposed designation of an environmentally sensitive species be subject to;

    a) consultation and collaboration with relevant Government agencies and other stakeholders, and

    b) public consultation consistent with the requirements established in section 10.2.3 of this Policy,

prior to the Minister seeking Cabinet approval

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4) Immediately designate the species listed in Appendix E as environmentally sensitive species upon the coming into force of legislation arising from this Policy

5) Direct the Director of Environment to;

   a) establish and maintain regular monitoring programmes for all designated environmentally sensitive species and any invasive non-native species that may threaten them

   b) develop and implement species recovery plans for environmentally sensitive species where the evidence indicates the need for active intervention to support the species' survival or recovery, and

   c) publish and keep current on the Ministry's website a register of all species designated as environmentally sensitive, including the applicable limitations on use and activities

6) Empower the Minister in consultation with or on the recommendation of the Director of Environment, and with the approval of Cabinet, to amend or revoke the designation of an environmentally sensitive species by Notice published in the Gazette, where;

   a) new scientific evidence indicates that the species no longer meets the criteria for designation, or

   b) the conservation status of the species has materially improved such that listing is no longer required.

7) require that any proposed amendment or revocation be subject to public consultation consistent with the requirements established in section 10.2.3 of this Policy prior to the Minister seeking Cabinet approval.

8) Empower the Minister to prescribe by regulations any additional requirements for the designation, monitoring, recovery planning, amendment, revocation, and public consultation processes for environmentally sensitive species under this section.

10.4.4 Protected Species

To give critically endangered,endangered species and species of national significance in The Virgin Islands maximum legal protection while allowing narrow, regulated exceptions where demonstrable need or conservation safeguards exist, the Government shall;

1) Empower the Minister, acting on the recommendation of the Director of Environment or otherwise at the Minister's discretion, and with the approval of Cabinet, to designate by Notice published in the Gazette any critically endangered, endangered, or nationally significant species as a protected species, having regard to the best

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available scientific evidence, including the IUCN Red List of Threatened Species and any relevant national or regional assessments.

2) Require that the Notice published in the Gazette to designate a protected species include;

   a) a comprehensive description of the species to be designated

   b) the scientific basis and reasons for the designation, and

   c) the specific protections and limitations on use or activities applicable to the species and its habitat

3) Require that any proposed designation of a protected species be subject to;

   a) consultation with relevant Government agencies, scientific bodies, and other stakeholders, and

   b) public consultation consistent with the requirements established in section 10.2.3 of this Policy,

prior to the Minister seeking Cabinet approval

4) Provide that upon designation of a protected species it shall be unlawful to;

   a) harm, harass, trade, translocate between or within islands of The Virgin Islands, feed, domesticate, disturb, or possess the species without explicit authorisation from the Minister in the form of a permit, in consultation with the Director of Environment, and

   b) deny access to authorised officers to any private property, including private islands, where access is required for monitoring and enforcement purposes related to the species, including the taking of individuals or biological samples; or

   c) disturb or destroy the known habitat of a protected species through land clearing, development, introduction of harmful species or any other activity that may adversely affect the habitat without a permit from the Minister issued in consultation with the Director of Environment. Such permit may provide for conditions to be observed by the applicant and required habitat restoration measures in the same or a different area to compensate for the impact;

5) Require that any person or organisation in possession of a protected species at the time of designation obtain a permit regulating species handling within six months of the designation coming into force

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6) Provide that authorisation to handle or possess a protected species may be granted by permit issued by the Minister in consultation with the Director of Environment, but only where;

   a) such handling or possession is demonstrated to be in the interest of the species or the public good and

   b) feasible alternatives do not exist and it can be demonstrated that;

      i) handling will not jeopardise the species' survival or recovery, and

      ii) activities are carried out by qualified persons under strict permit conditions

7) Provide that permits issued under clause 6) shall be for the following purposes only;

   a) scientific research and monitoring, including

      i) studies of the species' biology, ecology, or behaviour, and

      ii) population surveys or monitoring for conservation purposes

   b) conservation and management, including;

      i) relocation of individuals from areas under immediate threat

      ii) rehabilitation of injured or stranded animals, and

      iii) implementation of species recovery or breeding programmes

   c) education and awareness, where handling is for controlled educational purposes under strict supervision

   d) public health and safety, where a protected species poses a demonstrable and immediate threat to public health or safety

   e) unavoidable national development projects, subject to strict mitigation and compensation measures as prescribed by regulations, which may include habitat restoration, species relocation, and biodiversity offsets, and

   f) development or use of private lands where the presence or distribution of a protected species would entirely preclude any reasonable development or use, subject to strict mitigation and compensation measures as prescribed by regulations, which may include habitat restoration, species relocation, and biodiversity offsets, except where the survival of the species is at risk. In such cases, the Government of the Virgin Islands shall offer;

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i) a conservation agreement
ii) outright purchase of the property with funds through the Environmental Protection Fund, or a
iii) land swap

8) Allow protected species to be handled in emergencies, such as strandings and entanglements, by persons authorised in advance or by organisations designated as responders under a memorandum of understanding, in accordance with regulations setting out protocols for rescue, data collection, necropsy, carcass disposal and any other procedures that may be required.

9) Provide that the traditional or subsistence harvest of sea turtles shall be permitted only where:
   a) the harvest is restricted to the green turtle (*Chelonia mydas*);
   b) the Director in consultation with the Department of Agriculture and Fisheries is satisfied, on the basis of the best available scientific evidence, that the harvest will not be detrimental to the survival or recovery of the species; and
   c) the harvest is carried out in accordance with conditions prescribed by regulations, which shall specify:
      i) the open and closed seasons for harvest;
      ii) the qualifications, licensing or registration of persons permitted to harvest;
      iii) the minimum and maximum size limits;
      iv) daily and seasonal catch limits;
      v) the requirement to submit landing reports, including their form, content and timing;
      vi) the registration and marking of turtle nets; an
      vii) such other matters as the Director considers necessary for the conservation of the species.

10) Immediately designate the species listed in Appendix F as protected species upon the coming into force of legislation arising from this Policy, such species having been identified as nationally and globally significant based on the best available evidence

11) Empower the Minister, on the recommendation of the Director of Environment or at the Minister's discretion, and with the approval of Cabinet, to amend or revoke the designation of a protected species by Notice published in the Gazette, where;

   a) new scientific evidence indicates that the species no longer meets the criteria for designation, or

   b) the conservation status of the species has materially improved.

12) Require that any proposed amendment or revocation be subject to public consultation consistent with the requirements established in section 10.2.3 of this Policy prior to the Minister seeking Cabinet approval

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13) Direct the Director of Environment to;

a) establish and maintain regular monitoring programmes for all designated protected species and any invasive non-native species that may threaten them

b) develop and implement species recovery or conservation plans for all protected species within two years of designation, which shall set out the actions, resources, and timelines necessary to support the species' survival and recovery

c) review each species recovery or conservation plan at intervals not exceeding five years and update as necessary based on new scientific information, and

d) publish and keep current on the Ministry's website a register of all species designated as protected, including the applicable protections and limitations on use and activities

14) Empower the Minister to prescribe by regulations any additional requirements for the designation, permitting, monitoring, recovery planning, amendment, revocation, and public consultation processes for protected species under this section.

Technical Schedule of Harassment

To set clear, measurable standards for the interactions between people and wildlife that are prohibited, the Government shall;

1) Empower the Minister to establish by regulations a Technical Schedule of Harassment that sets technical thresholds for prohibited interactions between people and wildlife

2) Provide that the Schedule may include thresholds for marine mammals, turtle nesting sites, seabirds, noise, lighting, how close vessels may come to wildlife, and other interactions specific to particular species

3) Provide that breaching a threshold set by regulations is evidence of harassment unless the person can show a lawful excuse

No anchoring and mooring regime

1) Establish a mooring and no-anchoring regime in the coastal waters of the Territory, in the areas identified in the Marine Spatial Plan, to protect coral reefs, seagrass beds and other sensitive marine habitats from anchor damage

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10.4.5 Watersheds

To protect soil health, groundwater, and biodiversity, and to ensure that forests and natural vegetation continue to support ecosystem functions while development proceeds with appropriate environmental safeguards, the Government shall:

Watershed Management

1) Manage land use to conserve soil integrity, including minimising erosion support biodiversity, recharge groundwater reserves, and protect ground and coastal water quality.

2) Include watersheds in the Environment and Natural Resources Management Policy and the Environment and Natural Resources Management Plan, incorporating species recovery plans where flora or fauna have been identified as requiring special management.

3) Develop incentive schemes for reforestation and afforestation projects and programmes using native species.

4) Monitor forested areas and support scientific research into native vegetation.

5) Identify and map protected trees, and

6) Conduct research, and environmental restoration in priority areas.

Prohibited Activities

7) Prohibit the following activities in relation to watersheds:

    a) setting fire to any standing vegetation;

    b) importing, cultivating, rearing, caretaking or harbouring, selling, exposing for sale, transporting, distributing, or taking any action that may introduce or cause the proliferation in the natural environment of invasive plant, animal, or fungal or protist species which may be harmful to the environment, wildlife, people, crops or livestock.

    c) cultivating, selling, transporting, or distributing diseased or pest-infected plants;

    d) felling, cutting, or girdling large trees,over a certain diameter or breast height to be prescribed by regulations, except by permit in exceptional circumstances where the tree is:
        i) diseased;
        ii) posing a hazard to life or property; or
        iii) required to be removed to accommodate a development approved by the Planning Authority;

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e) felling, cutting, or girdling protected trees, except by permit in exceptional circumstances; and

f) clearing vegetation with the aid of heavy equipment, except as provided under directive 8 below.

Permitted Activities / Permitting Regime

8) Control the clearing of vegetation with heavy equipment through a permitting system, permitting such clearing only for new development or new agricultural development where the following criteria are met:

a) in the case of a new development, submission of a development application and an Earth Change Plan to the Planning Authority demonstrating that the following criteria are met and approval of the same;

i) clearing does not exceed the structure's footprint, ancillary works, and required construction working space;

ii) any clearing beyond the building and construction working space will be immediately re-landscaped with native and/or non-invasive vegetation;

iii) there will be no net earth removal from the site, or a proper use and disposal plan for removed earth has been approved;

iv) measures to prevent soil erosion and runoff will be in place throughout construction;

v) Environmentally Sensitive Species and Protected Species will be protected, transplanted, translocated or replaced on a fivefold basis; and

vi) where necessary, retaining walls to prevent soil erosion will be erected as part of construction and prior to the issuance of a certificate of occupancy;

b) in the case of a new agricultural development, submission of an Earth Change Plan to the Director of Agriculture and Fisheries demonstrating that:

i) clearing will not remove all vegetation or expose bare earth for a prolonged period of time;

ii) the area to be cleared does not exceed the required purpose footprint;

iii) an approved soil conservation plan ensuring soil regeneration and that measures to control soil erosion and runoff will be in place;

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iv) there will be no net earth removal from the site, or a proper use plan for removed earth has been approved; and

v) Environmentally Sensitive Species and Protected Species will be protected, transplanted, translocated or replaced on a fivefold basis.

10.4.6 Ghuts

To preserve the hydrological function of ghuts for stormwater drainage, flood mitigation, and the support of riparian biodiversity, while minimising flood risk to nearby development, the Government shall:

Management Requirements

1) Include ghuts in the Environment and Natural Resources Management Policy and the Environment and Natural Resources Management Plan, including guidance on the maintenance of ghuts for flood control.

2) Conduct regular ghut monitoring guided by the management plan, and report on the status of ghuts in the State of the Environment Report.

3) Encourage and support scientific research in ghuts and their associated flora and fauna, and

4) Designate all ghuts as Environmentally Sensitive Areas.

5) Maintain a buffer of at least 30 feet from the edge of ghut banks within which no development or tree cutting is permitted, except to remove:

    a) trees or vegetation posing a risk of blocking ghuts, or damaging neighbouring properties or utility infrastructure; or

    b) invasive trees.

Prohibited Activities

6) Prohibit the following activities in relation to ghuts:

    a) blocking or restricting the flow of any ghut by:
        i) development activity;
        ii) introducing litter or debris;
        iii) dumping sediment or fill material; or
        iv) any other activity that may block or impede flow;

    b) dumping solid, liquid, or hazardous waste in any ghut or in any location from which it may flow into a ghut;

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c) removing rocks, boulders, native vegetation, or natural features from the bed or banks of a ghut, except where there is an imminent hazard to life or property and a permit for removal has been granted;

d) paving or concrete lining of the bed of any ghut;

e) reclamation, filling, or draining of any ghut;

f) redirecting ghut flow, except to mitigate flooding during a disaster emergency declared under section 2 of the Emergency Powers (Disasters) Ordinance or section 2 of The Virgin Islands (Emergency Powers) Order, 1967;

g) introduction of invasive non-native species into any ghut; and

h) harvesting or removing native aquatic species from any ghut, except for approved scientific research.

Permitted Activities / Permitting Regime

7) Control the following activities through a permit system issued by the Minister in collaboration with the Director of Environment, permitting the following activities only where the listed criteria are met:

a) development within the floodplain of a ghut, where at minimum all of the following apply:

i) a Limited Environmental Impact Assessment (LEIA) is conducted;

ii) a Hazard Vulnerability Assessment (HVA) is conducted;

iii) floor elevation and foundation design are sufficient to protect the property and prevent environmental damage;

iv) the development is set back a minimum of 30 feet from the edge of the ghut bank, or such greater distance as the Planning Authority may require;

v) the Minister issues a Certificate of Environmental Clearance, in consultation with the Director of Environment; and

vi) development permission is granted by the Planning Authority;

b) civil engineering, ecological engineering or bioengineering, or similar methods for ghut bank stabilisation or flood control, where at minimum all of the following apply:

i) a Limited Environmental Impact Assessment (LEIA) is conducted;

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ii) engineered design is informed by a hydrology study or other legitimate assessment of rainfall patterns and flood risk; and

iii) the Minister issues a Certificate of Environmental Clearance in consultation with the Director of Environment.

10.4.7 Salt Ponds

To preserve salt pond ecosystems, including their connection to the ocean for their ecological, flood mitigation, educational, and ecotourism value, the Government shall:

Protection and Management

1) Include salt ponds in the Environment and Natural Resources Management Policy and the Environment and Natural Resources Management Plan, including restoration plans for salt ponds as necessary.

2) Manage the permitting of land activities affecting salt ponds.

3) Establish a permanent monitoring programme for salt ponds and report on the status of ponds in the State of the Environment Report.

4) Include education on salt ponds in the Unit's/Department's annual communications plan.

5) Include salt ponds in natural capital accounting to support decision-making for compensatory mitigation through restoration or monetary contributions to the Environmental Protection Fund, and

6) Designate all salt ponds as Environmentally Sensitive Areas.

Prohibited Activities

7) Prohibit the following activities in relation to salt ponds:

   a) development in salt ponds for residential or commercial purposes, except those activities regulated by permit;

   b) draining or reclamation of salt ponds, including infilling for development, or the dumping of sewage, wastewater, bulky waste, or other garbage inside ponds or along pond fringes; and

   c) dredging of salt ponds.

Permitted Activities

8) Control the following activities through a permit system issued by the Minister in consultation with the Director of Environment, permitting the following activities only where the listed criteria are met:

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a) development of a minimal footprint and environmental impact, such as small trails, boardwalks, lookout decks, or interpretive signage, for outdoor education, research, or ecotourism activities;

b) deliberate introduction or re-introduction of native species for conservation or restoration purposes deemed to be appropriate;

c) scientific research deemed to be of value to the Territory or science; and

d) wetland restoration deemed to be appropriate and required.

10.4.8 Beaches

To balance economic and recreational use with environmental protection, public safety, and coastal resilience, the Government shall:

1) Affirm that the shores and beaches of The Virgin Islands are essential natural resources of profound importance to the people of the Territory, providing cultural, recreational, and spiritual value to the community.

2) Recognise the historical use of beaches by the public, acknowledge that private ownership and commercialisation threaten to limit or eliminate traditional access, and commit to protecting public access rights against such encroachment.

3) Reaffirm that all shores and beaches are vested in the Crown, that the public has the right to free access from the water, and that reasonable access from land, including motorable access, shall be maintained and improved where feasible, consistent with established legal principles, such as in the Physical Planning Act, 2004.

4) Acknowledge that beaches and shorelines are ecologically sensitive habitats that must be sustainably used and developed, and ensure that all coastal management decisions and regulatory processes prioritise their natural characteristics, ecological importance as habitats for diverse species, and critical role in coastal protection and climate resilience.

Management Activities

5) Include beaches in the Environment and Natural Resources Management Policy and the Environment and Natural Resources Management Plan, and develop the various beach management plans required by The Virgin Islands Beach Policy.

6) Establish a permanent monitoring programme for beaches and report on the status of beaches in the State of the Environment Report.

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7) Declare certain beaches no anchorage beaches where justified to protect water quality, sensitive environmental features such as seagrass beds and coral reefs, aesthetic value or to ensure safety;

8) Empower the Minister, acting through the Director of Environment, to remove, confiscate and discard any structure, fixture or equipment placed on the beach that is prohibited, installed without the requisite permit or breaches permit conditions, after 7 days following the issuance of a Notice of Violation affixed to the structure, fixture or equipment or served on the owner of the same or their employee;

9) Designate all beaches as Environmentally Sensitive Areas

Prohibited Activities

10) Prohibit the following activities at beaches:

a) discharge from vessels of any kind;

b) littering or dumping of any materials;

c) sand mining, extraction of sand, sediment or rocks from any coastline or beach, including the primary dune system;

d) cutting or removal of vegetation, with the exception of invasive or harmful species or vegetation in the footprint of an approved development;

e) burning of vegetation, whether alive or dead;

f) introduction of invasive non-native species that may be harmful into the beach environment, including the sand dune;

g) restricting public access to beaches;

h) driving or parking on dunes outside designated areas or in no-parking zones;

i) peddling to beach users;

j) setting out beach chairs or other equipment and supporting structures for commercial rental or use by guests of an establishment without a permit;

k) leaving beach chairs or other rental equipment and supporting structures set out in advance of rental, overnight or on a permanent basis;

l) installing any permanent fixtures or support structures in the sand along the beachfront, including posts for beach umbrellas or support structures for other rental equipment;

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m) storage of watersport craft, vessels, or equipment along the shore or beachfront without a permit;

n) fishing with lines and hooks in designated swimming areas;

o) anchoring vessels for more than 24 hours;

p) beaching of dinghies, boats or other vessels or watercraft, except for the temporary purpose of loading/unloading passengers and within designated areas, using established beach landing protocols as published by the Ministry;

q) permanent anchorage of vessels for residential or commercial purposes; and

r) use of loudspeakers, including in vehicles, exceeding permitted decibel levels.

Permitted Activities

11) Control the following activities through a permit issued by the Minister in consultation with the Director of Environment and Chief Lands Officer:

a) non-commercial use of beaches where one or more of the following criteria are met:

i) use by an organisation or large group exceeding 50 persons;

ii) use of loudspeakers or any device that amplifies music or sound;

iii) use of a barbeque grill, fire pit, bonfire, or open flame; or

iv) overnight use by groups;

b) short-term commercial use of beaches, defined as use of the beach for business activity that is event-driven - typically for up to two (2) days, limited to the location specified by geographic coordinates on a map, area specified in standard dimensions and conditions as set out in the permit;

c) long-term commercial use of beaches, defined as use of the beach for business activity that is not event-driven and is beyond the short-term commercial use period which is typically two days, limited to the location specified by geographic coordinates on a map, area specified in standard dimensions and conditions as set out in the permit;

d) pruning or trimming of trees where they pose safety hazards or obstruct critical viewpoints;

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e) emergency vegetation removal following storms or natural disasters;

f) mechanised removal or harvesting of Sargassum;

g) erection and placement of structures and equipment, including shade structures, stages, waste receptacles, picnic tables, signage, flagpoles, customer amenities and recreational structures and equipment, where it can be demonstrated that such placement would not have an adverse impact on the beach environment or traditional use of the beach;

h) placement of beach chairs for commercial rental, with permits specifying maximum numbers, conditions, and specific locations for rental and storage;

i) watercraft operations where no adverse environmental or social impact is demonstrated;

j) structures fixed or anchored to the seabed for watersports or recreation;

k) installation of commercial moorings;

l) fireworks displays; and

m) watersports competitions, boat races and marine displays.

12) Require a Certificate of Environmental Clearance for the following activities on any beach by entities other than the Ministry:

a) soft protection measures, including:

i) beach nourishment, where long-term beach erosion is documented and intervention is necessary;

ii) dune restoration using native vegetation and natural materials; and

iii) living shoreline techniques;

b) hard protection structures, including:

i) revetments, groins or sandbags where imminent erosion risk is demonstrated or there is unacceptable shoreline impact; and

ii) breakwaters, artificial reefs or other wave energy reduction structures where active long-term erosion is documented, natural

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barrier restoration is unfeasible, and artificial beach protection is needed.

13) Use soft engineering solutions as the preferred method for beach protection, and consider hard engineering only where soft engineering solutions are not feasible.

General Requirements

14) Establish that the following general requirements apply when considering any application for a Certificate of Environmental Clearance or a use permit for a beach:

a) buildings must be set back behind the vegetation line to a minimum of 50 metres or a greater distance established by regulations made by the Minister;

b) buildings must not impede the free movement of sand;

c) no glass materials may be used in buildings erected on beaches where shattering could create dangerous debris;

d) no commercial development or activity along or within the vegetation line, or in turtle nesting areas;

e) no concrete building structures on beach dunes;

f) no light pollution that may interfere with turtle nesting and hatching;

g) vessel anchoring is permitted only at designated anchorages for a maximum of 24 hours and at a minimum of 50 metres from shore and away from sensitive ecosystems such as seagrass beds and coral reefs;

h) beaching of dinghies is permitted only at designated beaches in accordance with the Territory-level Beach Management Plan and proper beach landing protocols;

i) beaching of vessels is permitted for emergency purposes, with the requirement for immediate reporting to the Ministry;

j) traditional boat launching is permitted at customary locations;

k) shore fishing by traditional means is permitted in accordance with Fisheries legislation;

l) educational and research activities of minimal environmental impact are permitted;

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m) cooking activities are permitted only at designated areas in accordance with Beach Management Plans;

n) all rental equipment must be removed immediately after use;

o) no disposal of coal, charcoal, or ash in the beach environment;

p) fire containment and safety equipment are mandatory when open flames are in use;

q) event organisers are responsible for comprehensive cleanup, and fines shall be levied for non-compliance;

r) waste receptacles must be provided and maintained during events; and

s) deposit or bond requirements apply to large events to ensure proper cleanup.

Noise Control and Nuisance Prevention

15) Grant the Minister powers by way of regulations to require that beach users comply with defined decibel limits and other general noise and nuisance prevention controls at beaches.

10.4.9 *Sargassum* Management

To manage Sargassum impacts on beaches, other shorelines and coastal areas while minimising environmental damage, taking advantage of Blue Economy opportunities related to Sargassum and adapting standards as research evolves, the Government shall:

1) Develop and keep updated a Sargassum Adaptive Management Strategy to guide and manage the Territory's response to mass Sargassum landings;

2) Establish a Sargassum Management Committee as a Sub-Committee of the Climate Change Committee to keep the Sargassum Adaptive Management Strategy updated and to coordinate its implementation, including identifying viable sources of funds; advising on procurement of and procuring specialised equipment required to implement the Strategy; developing effective procurement systems to hire cleanup crews, equipment and services in keeping with the Strategy and The Virgin Islands Public Procurement Act; monitoring sargassum influxes and ensuring appropriate deployment of resources to respond; monitoring environmental, health, economic and other impacts associated with *Sargassum* mass landings; updating standards and protocols to govern *Sargassum* collection, diversion, treatment and use; and any other measures to ensure effective response to Sargassum management;

3) Establish standards, based on regional and international best practice, to guide *Sargassum* removal from beaches and other shoreline and coastal areas,

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nearshore and open-water harvesting, diversion, and disposal, treatment and use of *Sargassum,* which shall at this time include the following:

Removal from beaches and other shoreline and coastal areas:

a) natural accumulations of *Sargassum* under 2 inches may be left for natural decomposition and nutrient cycling;

b) moderate accumulations of between 2 and 9 inches shall be removed manually using hand tools;

c) mechanised removal is permitted only for mass landings where accumulations are over 9 inches and with approved equipment or techniques proven to minimise removal of sand or other environmental impacts in *Sargassum* removal;

d) mechanised removal shall only be undertaken by approved operators trained in best practice standards;

e) where *Sargassum* landings infiltrate salt ponds or block the exchange of water between salt ponds and the ocean, sargassum may be removed using hand tools, mechanical flushing, nets or booms for corralling or other means deemed appropriate by the Director of Environment, and booms or other barriers may be installed where salt ponds connect with the ocean to prevent further infiltration, provided that such barriers do not prevent the free movement of aquatic life between the salt pond and the ocean and are removed at the end of each *Sargassum* season;

f) except where removal is commissioned by the Director of Environment, a permit issued by the Minister in consultation with the Director of Environment shall be required for removal of *Sargassum*;

g) emergency works can be carried out at the direction of the Director of Environment, without following normal permitting processes and using streamlined procurement processes, including direct contracting, where *Sargassum* landings pose an imminent or material threat to ecosystems and wildlife or to coastal water quality in areas significant for recreational use, tourism or potable water production;

Nearshore or open-water harvesting

h) recognising that *Sargassum* mats are a living ecosystem, important for fisheries and migratory species, nearshore or open-water harvesting shall only be permitted where *Sargassum* mats are likely to become stranded along the shoreline or in coastal areas and result in environmental and other impacts;

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i) nearshore or open-water harvesting shall be carried out only with approved equipment or techniques proven to minimise fish by-catch and prevent any physical damage to nearshore ecosystems such as seagrass beds and coral reefs;

j) nearshore or open-water harvesting shall only be undertaken by approved operators trained in best practice standards;

k) except where removal is commissioned by the Director of Environment, a permit issued by the Minister in consultation with the Director of Environment shall be required for nearshore or open-water harvesting of *Sargassum*;

Diversion

l) booms or other similar barriers to divert *Sargassum* landings at particular areas of the coastline may be installed with permission in the form of a permit issued by the Minister in consultation with or on the recommendation of the Director of Environment, provided that it is demonstrated through a limited Environmental Impact Assessment that such barriers:

   i. would not divert *Sargassum* landings into a neighbouring or nearby area of the coast where it would create a nuisance or unacceptable impact but instead, as much as possible, keep *Sargassum* flowing in the open sea;

   ii. are installed in such a manner as to not harm or prevent the normal movement or migration of aquatic life;

   iii. would be securely anchored to the seabed, not posing a risk to nearby ecosystems or navigation in the course of normal wave action; and

   iv. would be removed in the case of a pending storm or wave conditions that would likely dislodge or damage the barrier;

Disposal, Treatment and Use

m) collected *Sargassum* shall be composted or disposed of at approved and appropriately prepared locations to prevent nuisances in communities, contamination of groundwater or other impacts to the environment;

n) treatment of *Sargassum* shall be guided by regional and international best practice and ensure that treated *Sargassum* achieves standards required for end uses, including sufficient removal of heavy metals or other

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contaminants that could pose a risk to the environment, wildlife or human health;

o) to avoid contamination of the soil and groundwater resources, *Sargassum* may only be utilised for agricultural or horticulture applications if it can be demonstrated that heavy metals and any other contaminants of concern have been reduced to safe levels;

p) the Government shall encourage and support the development of commercial uses and applications of *Sargassum* provided that such uses and applications are demonstrated to be safe and environmentally friendly;

4) Keep the standards for *Sargassum* removal under review and revise them from time to time as necessary to reflect the latest research and best practices.

10.4.10 Mangroves

To preserve mangrove ecosystems for their critical roles in coastal resilience, biodiversity support, fisheries productivity, and carbon sequestration, the Government shall:

Protection and Management

1) Designate mangrove species present in The Virgin Islands as Environmentally Sensitive Species.

2) Identify a portfolio of priority mangrove areas as Environmentally Sensitive Areas, based on the Environmental Sensitivity Index, where development and fishing activities are controlled to enhance mangrove conservation and function.

Management Measures

3) Manage the permitting of land activities to limit run-off and pollution affecting mangrove areas.

4) Establish permanent mangrove monitoring sites.

5) Report on the status of mangroves in the State of the Environment Report.

6) Include mangrove management in the Environment and Natural Resources Management Policy and the Environment and Natural Resources Management Plan, which may include mangrove site restoration.

7) Include mangrove education in the Unit's annual communications plan.

8) Include mangroves in natural capital accounting to support decision-making for compensatory mitigation through restoration or monetary contributions to the Environmental Protection Fund.

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Prohibited Activities

9) Prohibit the following activities in relation to mangroves:

   a) defoliation, burning, or girdling of any mangrove;

   b) release of chemical or toxic substances, or dumping of solid (including soil) or liquid waste in mangrove areas;

   c) tying vessels to mangroves;

   d) abandoning vessels in mangrove areas

   e) impeding tidal flow to and from mangrove areas; and

   f) construction within designated mangrove buffer zones.

Permitted Activities

10) Control the following activities through a permit issued by the Minister in consultation with the Director of Environment

   a) pruning of branches or roots to remove dead or unhealthy parts for mangrove health, or to prevent impeding the flow of floodwaters where there is no other viable solution;

   b) trimming of branches or roots for mangrove size management where such trimming would not affect the overall mangrove system health or function;

   c) mangrove planting and restoration activities along coastlines and within salt ponds;

   d) dredging near mangroves where the activity will not negatively impact or destabilise mangroves;

   e) scientific research; and

   f) reclamation or removal of mangroves (including seedlings), but only in exceptional circumstances where all of the following apply:

      i) reclamation or removal is unavoidable and is required in the public interest or to facilitate a development of national significance;

      ii) the area affected does not exceed a defined percentage of the total mangrove area under consideration, as determined by regulations; and

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iii) compensatory mitigation measures are implemented to either restore a mangrove area of equal or greater size, or to pay a prescribed fee to the Environmental Protection Fund of not less than the value of the area of mangrove reclaimed or removed as determined by established ecosystem valuation and accounting methods.

10.4.11 Seagrass

To preserve seagrass ecosystems for their critical roles in supporting fisheries, storing carbon, stabilising sediments, and providing marine biodiversity habitat, the Government shall:

Protection and Management

1) Establish seagrass areas as environmentally sensitive areas.

2) Manage the permitting of land activities to limit run-off and pollution affecting seagrass beds.

3) Establish permanent seagrass monitoring sites for regular monitoring of size (acreage), species composition, algae cover, density, marine species, sediment composition and chemistry, physical shoreline change, and coastal water quality.

4) Report on seagrass status in the State of the Environment Report.

5) Include seagrass management in the Environment and Natural Resources Management Policy and the Environment and Natural Resources Management Plan, which may include seagrass site restoration.

6) Include seagrass education in the Unit's annual communications plan.

7) Include seagrasses in natural capital accounting to support decision-making for compensatory mitigation through restoration or monetary contributions to the Environmental Protection Fund.

Permitted Activities

8) Control the following activities through a permit issued by the Minister in consultation with the Director of Environment:

    a) seagrass planting and restoration activities, including removal of invasive seagrass species;

    b) dredging near seagrass beds where the activity will not negatively impact or destabilise seagrass beds;

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c) scientific research; and

d) reclamation or removal of seagrass, but only in exceptional circumstances where all of the following apply:

i) reclamation or removal is unavoidable and is required in the public interest or to facilitate a development of national significance;

ii) the area affected does not exceed a defined percentage of the total seagrass area under consideration, as determined by regulations; and

iii) compensatory mitigation measures are implemented to either restore a seagrass area of equal or greater size, or to pay a prescribed fee to the Environmental Protection Fund of not less than the value of the area of seagrass reclaimed or removed as determined by established ecosystem valuation and accounting methods.

Prohibited Activities

9) Prohibit the following activities in seagrass beds:

a) abandoning vessels in seagrass beds; and

b) anchoring in seagrass, except in designated areas or in maritime emergencies.

10.4.12 Coral Reefs

To maximise coral reef protection as critical marine ecosystems supporting fisheries and biodiversity and shoreline protection, the Government shall:

Protection and Management

1) Designate all coral reefs as environmentally sensitive areas

2) Designate all coral species as environmentally sensitive species.

3) Direct the Director of Environment to coordinate and regulate the establishment of permanent coral reef monitoring sites to monitor reef health, species diversity, and abundance.

4) Carry out regular surveillance of coral reefs to detect existing and emerging coral diseases early, and respond promptly to any outbreak in the Territory.

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5) Include coral reef management in the Environment and Natural Resources Management Policy and the Environment and Natural Resources Management Plan, which may include:
    a) restoration of coral reefs

    b) integration of local coral reef users and stakeholders, including fishers and dive operators, into management actions; and

    c) reports on the status of coral reefs in the State of the Environment Report;

6) Include coral reef education in the Unit's / Department's annual communications plan.

7) Include coral reefs in natural capital accounting to support decision-making for compensatory mitigation through restoration or monetary contributions to the Environmental Protection Fund

Prohibited Activities

8) Prohibit the following activities in relation to coral reefs:
    a) removal of coral, including breaking coral from reefs, taking, collecting, or possessing coral without permission;

    b) development that requires the destruction or removal of coral reefs or colonies;

    c) smothering, covering, or impairing coral growth;

    d) importing or exporting live coral or coral-incorporated products without permission;

    e) willfully, negligently, or accidentally causing coral damage, including by polluting, anchoring, standing on, touching, vessel grounding, or using fishing methods harmful to reefs in the water column above reefs;

    f) importation or use of sunscreen or any other chemical defined by regulations found to be harmful to reefs and other marine life; and

    g) setting fish pots on coral reefs.

Permitted Activities

9) Control the following activities through a permit issued by the Minister in consultation with the Director of Environment;

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a) coral removal for scientific purposes;

b) creation of coral nurseries and artificial reefs;

c) marine scientific research; and

d) import and export of coral (live or dead) or coral-incorporated products for trade, restoration, or scientific purposes.

10.4.13 Pelagic and Offshore Habitats and Species

To encourage qualified scientific research on deepwater ecosystems and enable The Virgin Islands to protect valuable offshore resources, sustain marine-dependent livelihoods and take advantage of Blue Economy opportunities, and fulfil its conservation obligations for ecosystems that extend into the 200 nautical mile zone, the Government shall:

1) Encourage, facilitate, and support the scientific study of the pelagic and offshore habitats and species of The Virgin Islands, including migratory species by qualified institutions and individuals, in order to:

    a) improve understanding of the ecological and economic importance of offshore and pelagic ecosystems;

    b) identify sensitive areas, critical habitats, and migratory pathways requiring conservation or special management measures; and

    c) assess the impacts of human activities, including fishing, shipping, tourism, and climate change, on offshore habitats and species.

2) Prioritise research in the following areas:

    a) baseline ecological surveys and long-term monitoring of biodiversity and ecosystem health;

    b) studies on pelagic species distribution, abundance, and behaviour;

    c) climate change impacts, including ocean acidification, temperature rise, and storm intensity; and

    d) socioeconomic studies to understand the current and potential role of offshore habitats and species in sustaining livelihoods.

3) Require that research findings be lodged in the Environmental Registry and made accessible to government agencies.

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4) Use research findings to inform marine spatial planning, fisheries management, biodiversity conservation, and climate adaptation strategies within The Virgin Islands.

10.4.14 Invasive Non-native species

To protect The Virgin Islands from the introduction, establishment, and spread of invasive non-native species and to mitigate their impact on local marine and terrestrial biodiversity, the Government shall:

1) Develop a Biosecurity Policy to establish a unified legal and institutional framework to address biosecurity as a whole-of-government function, integrating environmental and invasive management, agricultural and plant biosecurity, marine and port biosecurity, and trade, customs, and international and inter-island transport systems

2) Strengthen The Virgin Islands' early detection and rapid response capacity for invasive non-native species

3) Develop a national digital biosecurity system, that is shared between Government and statutory agencies identified in the Biosecurity Policy.

4) Improve public awareness, education, and sectoral compliance to prevent the introduction and spread of invasive non-native species

5) Harmonise this Policy with The Virgin Islands Biosecurity Policy and legislation, ensuring, at minimum
    a) alignment of definitions and classifications for invasive non-native species;
    b) formal mechanisms for data-sharing and risk communication across government agencies;
    c) Coordinated prevention, early detection, rapid response, and control measures within designated sites and priority habitats; and
    d) Integration of relevant enforcement powers for effective containment and eradication of biosecurity threats.

10.4.15 Fisheries and Marine Conservation

The sustainability of fisheries is a management outcome, dependent on the integrity of marine habitats, coastal water quality, and broader ecosystem processes including food web dynamics and the condition of nursery habitats such as mangroves, seagrass beds, and coral reefs, that cannot be adequately protected and managed through fisheries management alone. Historically, conservation measures in fisheries legislation functioned effectively when fisheries and environment shared an institutional mandate, but the progressive drift of fisheries responsibility away from the Ministry responsible for environmental and natural resource management has created a structural disconnect between the conservation of marine ecosystems and the authority responsible for

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fisheries management. This Policy seeks to remedy that disconnect by anchoring fisheries conservation measures within the overarching environmental management framework where they properly belong, establishing an environmental floor to which all fisheries management decisions must conform, consistent with the ecosystem approach to fisheries endorsed by the United Nations Food and Agriculture Organisation, the precautionary principle, and the Territory's obligations under the Convention on Biological Diversity and Sustainable Development Goal 14.

To prevent overexploitation of the fishery resource, preserve biodiversity, and build resilience against climate stressors, the Government shall;

1) Manage fisheries on the basis of the best available scientific evidence, in accordance with the precautionary principle, and with due regard to ecosystem integrity.

2) Promote and maintain the productive capacity of fisheries for the long-term benefit of the people of The Virgin Islands, having regard to the principles of maximum sustainable yield and ecosystem-based fisheries management.

3) Protect the marine environment required to support fisheries, including coral reefs, seagrass beds, mangroves, and other fish habitats, from degradation caused by fishing activities or associated operations.

4) Exercise the conservation functions of the Ministry responsible for environmental management and the fisheries administration function of any Ministry, Department or Authority responsible for fisheries development and management in a manner that is complementary and mutually reinforcing, in accordance with the division of roles set out in Clause 8 of this section, and each party shall act without undue delay when any function is to be exercised jointly.

5) Account for the impacts of climate change on marine ecosystems, including ocean warming, ocean acidification, sea level rise, and shifts in species distribution in fisheries management and ensure that management measures are reviewed and adapted accordingly.

6) Establish and maintain environmental standards applicable to all fishing activities in the fishery waters of The Virgin Islands, including;

    a) standards for the protection of fish habitats, including coral reefs, seagrass beds, mangroves, salt ponds, and ghuts that discharge into coastal waters;

    b) water quality standards for fishery waters;

    i) standards governing the introduction of alien or invasive aquatic species;

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ii) standards for monitoring water quality and pollution levels in fishery waters, and for co-ordinating with relevant Government departments on the management of land-based and vessel-sourced pollution affecting fish habitats;

iii) environmental standards for aquaculture operations, including effluent discharge, species selection, and biosecurity requirements;

iv) standards for assessing the impact of fishing gear on marine habitats, including the effects of gear contact on corals, sponges, reef structures and other seabed habitats;

v) standards for the retrieval of lost or abandoned fishing gear, including a requirement for fishers to report any gear they lose; and

vi) such other environmental standards as the Minister in consultation with the Director of Environment considers necessary for the protection of the marine environment and the marine habitats and species within them.

7) Amend the relevant fisheries legislation to align with the provisions of this Policy

8) Establish the following division of roles for fisheries and marine conservation;

Division of Roles – Fisheries and Marine Conservation

Function	Ministry of Environment - Department of Environment and Climate Change	Ministry of Fisheries - Agriculture and Fisheries Management Unit (AFMU)	Agriculture and Fisheries Authority (AFA)
Policy & Standards	• Sets binding environmental floor/standards in conjunction with the AFMU	• Sets binding standards in collaboration with the DECC • Provides technical advice & data	• Administers fisheries within those standards • Provides technical advice & data
Fisheries Management Plan	• Reviews Plan for environmental compliance • Minister concurs before Plan takes effect • Collaborates on stock assessments with the AFMU and AFA	• Collaborates on stock assessments with the DECC and AFA	• Develops, implements and monitors Plan (ss.112–114 Food Security and Sustainability Act, 2022 (FSSA) • Collaborates on stock assessments with

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			the DECC and AFMU • Minister concurs before Plan takes effect
Protected Areas & Species	• Minister with Cabinet approval designates ESAs, Conservation Zones & Protected Species by Order	• Designs fisheries management strategies to implement use of ESAs in collaboration with the AFA • Manages Fisheries Protected Areas and Fisheries Priority Areas	• Designs fisheries management strategies to implement use of ESAs • Recommends areas; monitors compliance • Provides stock data and ecological information → Environmental Registry • Manages Fisheries Protected Areas and Fisheries Priority Areas
Fishing Licences	• Sets Environmental standards in collaboration with the AFMU • Concurs on new methods/gear/large scale increases requiring an EIA before coming into use	• Sets standards in collaboration with the DECC • Collaborates with DECC on new methods/gear/large scale increases requiring an EIA before coming into use	• Issues and enforces local and foreign vessel licences (ss.120, 126 FSSA) • Attaches conditions; suspends/revokes; inspects vessels (s.118)
Prohibited Methods & Gear	• Sets gear/method standards in collaboration with the AFMU • Concurs on exemptions; seizes prohibited gear	• Sets gear/method standards in collaboration with DECC • Concurs on exemptions; seizes prohibited gear in collaboration with DECC	• Enforces offences (ss.154, 161 FSSA); prosecutes • Inspects and seizes prohibited gear

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Closed Seasons & Catch Limits	• Sets seasons, size limits and catch limits for species of conservation concern by Order in collaboration with AFMU	• Sets seasons, size limits and catch limits for species of conservation concern in collaboration with the DECC	• Administers and enforces limits; issues authorisations • Monitors landings; provides catch data
Bycatch	• Sets bycatch standards and mitigation requirements in collaboration with the AFMU	• Sets bycatch standards and mitigation requirements in collaboration with the DECC	• Spearheads the Enforcement of requirements administers gear conditions • Monitors and reports bycatch data
Fish Aggregating Devices (FADs)	• Designates FAD exclusion zones; approves FADs in ESAs in collaboration with the AFMU • Sets maximum FAD numbers in collaboration with the AFMU	• Designates FAD exclusion zones; approves FADs in ESAs in collaboration with the DECC • Sets maximum FAD numbers in collaboration with the DECC	• Maintains FAD Register; issues authorisations • Enforces retrieval obligations; monitors impacts • Management Plans for FADS in collaboration with AFMU and DECC
Aquaculture	• Issues mandatory Certificate of Environmental Clearance (CEC) in consultation with the AFMU • Sets effluent, species & biosecurity standards in collaboration with AFMU		• Issues aquaculture licences post-environmental clearance (s.137 FSSA) • Operates/monitors facilities; provides technical advice • Aquaculture management plan (in collaboration with FMU and DECC)
Marine Scientific Research & Data	• Co-ordinates marine scientific research	• ICCAT Reporting	• Collects and maintains fisheries data in the Environmental Registry; • Reports Protected Species bycatch in

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			Environmental Registry
Climate Change Adaptation	• Issues climate adaptation standards for fisheries in collaboration with AFMU and the AFA	• Issues climate adaptation standards for fisheries in collaboration with the Ministry of Environment and the Authority	• Incorporates climate vulnerability assessments (s.50 FSSA) into planning • Monitors climate-related shifts; provides data to the Environmental Registry
International Arrangements	• Provides environmental policy input • Advises on conservation treaty obligations	• Enters regional / access agreements • Manages relationship with RFMOs in collaboration with the AFA	• Enters regional/access agreements (ss.131–132 FSSA)
Fisheries Advisory Committee	• Nominates one representative; provides conservation priorities		• Administers Committee (ss.106–111 FSSA) • Provides technical and secretariat support
Enforcement	• Inspectors enforce conservation provisions in collaboration with AFA		• Full enforcement powers under Part XI FSSA — search, seizure, arrest • Vessel inspections & dockside monitoring

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10.5 ENVIRONMENTAL IMPACT ASSESSMENTS AND ENVIRONMENTAL PERMITS

This section converts the Policy's environmental policy commitments into enforceable mechanisms, ensuring that development, resource extraction, research, and commercial activities cannot proceed without proper environmental scrutiny, conditions, and accountability.

10.5.1 Certificate of Environmental Clearance

To ensure all developments requiring environmental impact assessments and all high-risk businesses are properly vetted and held accountable to minimise environmental impact at the point of development and ongoing operations respectively, the Government shall:

1) Require that all persons obtain a Certificate of Environmental Clearance (CEC) from the Ministry of Environment, Natural Resources and Climate Change:
    a) prior to commencing any activity that:
        i) is listed in Appendix G of this Policy; or
        ii) requires an Environmental Impact Assessment (EIA) under the Physical Planning Act, 2004; and
    b) on an annual basis for any activity so indicated in Appendix G of this Policy.

Developments requiring Environmental Impact Assessment

2) Encourage persons proposing to undertake a development activity likely to require an Environmental Impact Assessment (EIA) to submit a development concept to the Ministry of Environment, Natural Resources and Climate Change in advance of their planning application for environmental pre-screening.
3) Require that all applications submitted to the Planning Authority for new developments undergo a screening exercise, in consultation with the Director of Environment as necessary to determine whether an Environmental Impact Assessment is required, and if so, the appropriate level of assessment.
4) Require that the Director of Environment, in consultation with the Planning Authority, conduct a scoping exercise and define the boundaries and requirements of the environmental impact assessment and identify environmental concerns for assessment, which shall be presented to the applicant as Terms of Reference for the Environmental Impact Statement.
5) Require that the Terms of Reference for an Environmental Impact Statement:
    a) be based on the outcomes of the scoping exercise; and
    b) set out detailed requirements, including:
        i) the purpose and scope of the assessment;
        ii) issues and potential impacts to be studied, including at minimum:
            (a) direct, indirect, and cumulative environmental impacts, including associated social and economic effects;
            (b) climate change risks relevant to the proposed activity and its location;
            (c) pollutant and greenhouse gas emissions associated with the proposed development;
            (d) impacts on carbon sinks;

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(e) potential impacts / side effects of proposed mitigation measures;

iii) minimum baseline data to be collected;

iv) requirements for alternatives to be considered, including cost-benefit analysis;

v) requirements for measures to mitigate identified impacts;

vi) requirements for a monitoring and reporting framework for mitigative measures;

vii) time to conduct the EIA;

viii) reporting formats and structure, including requirements for data, graphics, dimensions, a non-technical executive summary, and maximum length; and

ix) the range of technical competencies required of consultants selected to carry out the EIA.

6) Require that Terms of Reference be issued in writing to the applicant within 30 days of receiving an application for development permission.

7) Mandate that the Environment and Climate Change Unit/Department review the Environmental Impact Statement (EIS) within 30 days of receipt. If the EIS does not meet the requirements of the Terms of Reference, or if additional information is needed, the Unit may request further details from the applicant via the Planning Authority, and shall have a further 30 days to complete the final review once the requested information has been submitted.

8) Ensure transparency in the EIA process by requiring that each Environmental Impact Statement be published on the Environmental Registry for the duration of its review period, and that proposals for major developments be presented at public meetings held in accordance with standards prescribed by regulations.

9) Prior to making a final determination on a CEC, the Unit/Department consult with relevant entities as necessary.

Ongoing Operations

10) Mandate that Inspectors or other authorised officers conduct annual environmental compliance audits of all high-risk businesses specified in Appendix G using one or more of the following methodologies:

a) on-site inspections: physical inspections of business facilities, operations, pollution control equipment, monitoring systems, and record-keeping practices;

b) desk-based audits: review of compliance documentation, monitoring reports, laboratory results, incident reports, and other records submitted by businesses; or

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c) hybrid audits: combination of desk-based review with targeted on-site verification, focusing on areas of concern, high-risk operations, or previous non-compliance.

11) Require that the Director of Environment determine the appropriate audit methodology for each business based on compliance history, environmental risk level, operational complexity, and available resources, provided that each business receives at least one on-site inspection every three years.

12) Require that audits be based on the Industry Environmental Operational Standards as required in Section 10.2.9 of this Policy.

13) Require that all audited businesses demonstrate full compliance with applicable Industry Environmental Operational Standards as a condition for continued operation.

14) Provide that where non-compliance is identified, an Inspector shall:

a) issue a Notice of Violation specifying the deficiencies;

b) allow a grace period of 30 days for the operation to come into compliance; or

c) where there are special circumstances that may require a longer corrective period, operations are essential and environmental impacts are not yet severe, invite the owner or their assigned representative to make representations to the Director of Environment or their designate, with a view to executing a Consent Agreement establishing compliance timelines, corrective actions, and any additional requirements necessary to achieve compliance.

15) Require that operations be suspended if compliance is not achieved within 30 days or within the timeframe set out in the Consent Agreement.

16) Require that the Director of Environment make a recommendation to the Minister on the issuance Certificates of Environmental Clearance, indicating clearly the reasons for the recommendation.

Approval Criteria for CECs

17) Require that the Minister, in consultation with the Director of Environment, issue Certificates of Environmental Clearance only where:

a) Environmental Impact Statements demonstrate that proposed developments:

i) comply with all provisions of this Policy, subsequent legislation and regulations, and other applicable legislation;

ii) conform to the Marine Spatial Plan and any other policies and plans made under this Policy;

iii) will not be located in areas identified as highly vulnerable to climate change impacts, meet applicable standards or demonstrate appropriate adaptive measures to reduce associated risks; and

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iv) will not result in significant adverse environmental, biodiversity, or ecological impacts; and

b) ongoing operations comply with Industry Environmental Operational Standards established by this Policy, subsequent legislation and regulations.

Transparency Requirements

18) Establish that no permission, licence, lease, or other authorisation for any activity listed in Appendix G; including development permission under the Physical Planning Act, 2004, Crown land leases and licences shall be granted by any entity until a Certificate of Environmental Clearance has been approved. Any permission, licence, or authorisation granted in contravention of this requirement shall be of no effect.

19) Establish that:

a) the following must be publicly available through the Environmental Registry:

i) Environmental Impact Statements, in protected formats;

ii) CEC issuance requirements; and

iii) CEC approvals;

b) where a developer is non-compliant with the conditions of a CEC:

i) the Planning Authority shall issue a Compliance Notice, a Stop Order, or both, in accordance with the Physical Planning Act, 2004 or subsequent planning legislation; or

ii) Inspectors shall issue a Notice of Violation;

c) penalties shall apply for CEC violations and non-compliance with CEC terms and conditions;

d) CEC issuance does not eliminate requirements for other governmental approvals under applicable laws;

e) CECs shall clearly articulate the components of the development approved, which may be the whole or part of the proposed scope of development;

f) in keeping with the Physical Planning Act, 2004, a CEC may not be granted for applications for outline planning permission;

g) CECs may include conditions requiring appropriate management measures as determined by the Ministry, and shall remain valid for a maximum of three years from the grant of detailed development permission, or a shorter period where development is on Crown land including the seabed;

h) Inspectors and officers of the Town and Country Planning Department shall monitor development performance to ensure compliance with CEC terms and conditions, and shall immediately report any infractions in writing to the Planning Authority and the Director of Environment.

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Operator Responsibilities

20) Require that CEC holders implement and fund all measures required to mitigate environmental impacts, and fulfil all monitoring and reporting obligations outlined in the CEC terms and conditions.

21) Require every holder of a Certificate of Environmental Clearance to submit, for approval, an environmental management and monitoring plan (EMMP) setting out the measures, frequency and reporting arrangements by which compliance with the conditions of the certificate and applicable environmental standards will be demonstrated throughout the life of the project.

22) Provide that CECs may be renewed upon application to and review by the Ministry, which shall determine whether additional environmental assessments are required prior to renewal.

Exemptions

23) Establish that CEC requirements do not apply to activities where all necessary final approvals were obtained before the requirement for CECs became effective.

Alignment with the Physical Planning Act, 2004

24) Require that changes to the Physical Planning Act, 2004 be made to align with this Policy, including to empower Inspectors or authorised officers to serve Compliance Notices and Stop Orders under that Act in relation to breaches of the terms and conditions of a CEC.

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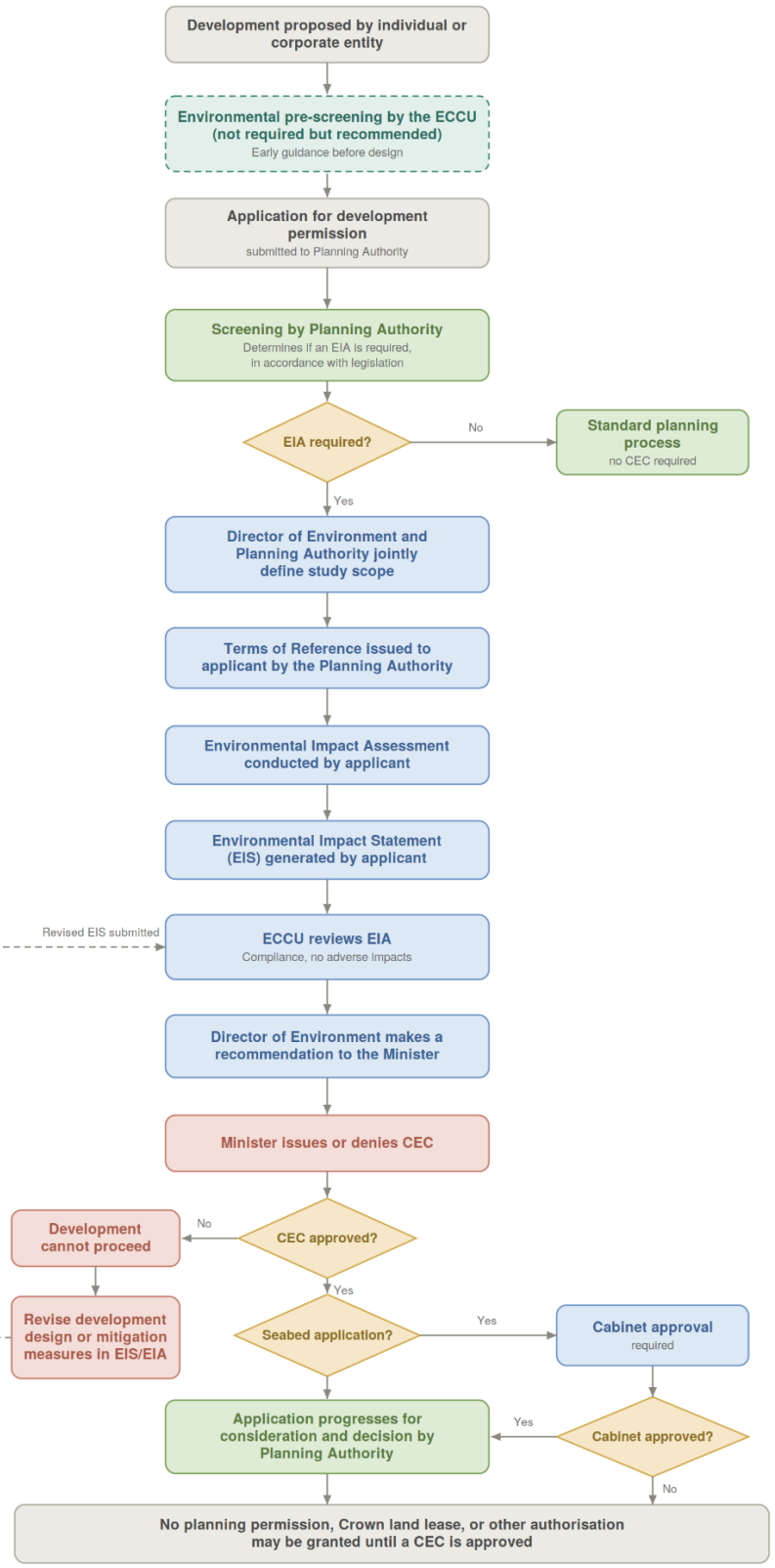


Figure 3: Indicative Flow Chart for Developments requiring a Certificate of Environmental Clearance

10.5.2 Natural Resources Use Permit

To create a systematic and enforceable mechanism to prevent unregulated exploitation of natural resources while ensuring environmental protection, accountability, and sustainable use, the Government shall:

1) Establish that no person or entity shall extract, harvest, collect, or otherwise use the natural resources listed in Appendix I for commercial purposes without obtaining a Natural Resources Use Permit issued by the Minister in consultation with the Director of Environment.

Exemptions

2) Provide that exemptions may be granted for:
    a) subsistence use by residents, as prescribed by regulation;
    b) fisheries activities where these are covered under the Fisheries Act, 1997 and its regulations or any subsequent legislation and regulations governing fisheries; or
    c) emergency response and disaster management activities

Application Requirements

3) Require that applicants submit a completed application form in the format prescribed by the Ministry or subsequent regulations, together with:
    a) a detailed description of the proposed activity, including the type, quantity, and purpose of resource use;
    b) geographic coordinates and maps indicating the proposed area of operation;
    c) duration and schedule of the intended activity;
    d) description of methods, machinery, equipment, and personnel to be employed and how operations would comply with any industry environmental operational standards or operational guidelines established for the industry under which the resource use falls;
    e) assessment of potential environmental and social impacts and proposed mitigation measures;
    f) an Environmental Impact Assessment where required as determined by the Director of Environment or subsequent regulations;
    g) evidence of technical and financial capacity to undertake the activity;
    h) a business plan developed to standard industry practice, including among other things projected costs, revenues and profits, demonstrating the financial viability and sustainability of the intended activity and plans for fair and equitable benefit sharing where required;
    i) proof of a valid trade licence for existing operations;
    j) certificate of incorporation where the application is made and the permit is to be issued in the name of a company;
    k) proof of valid insurance coverage where applicable; and

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l) payment of the application fee prescribed by the Ministry or subsequent regulations.

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4) Mandate the Director of Environment to make a recommendation to approve, approve with conditions, or refuse each application within 30 days of receipt of a complete application and all supporting documents required, having regard to:
    a) the sustainability of the proposed resource use;
    b) the environmental sensitivity of the location;
    c) cumulative environmental and social impacts of existing and proposed activities;
    d) the socio-economic benefits to the Territory, taking into consideration any requirements for fair and equitable benefit sharing and policies promoting the growth and development of new and innovative industries, including in the Blue Economy;
    e) alignment with the Environment and Natural Resources Management Plan and national development policies; and
    f) compliance with any industry environmental operational standards established for the industry under which the resource use falls.

For transparency, where an application is refused, the basis for refusal must be given, together with, at the discretion of the Director of Environment, any recommendations for changes to the proposed resource use to ensure sustainability to inform a revised application.

Permit Conditions

5) Require that issued permits specify:
    a) the name and contact details of the permit holder;
    b) the name and contact details of major shareholders or the person authorised to represent the company where a permit is issued in the name of an incorporated company;
    c) the type and quantity of resources authorised, specifying particular species where extraction of biodiversity is involved;
    d) the geographic boundaries of the permitted area specified with geographic coordinates on a map;
    e) the duration and validity period of the permit and requirements for renewal;
    f) authorised extraction or collection methods, equipment and personnel;
    g) required environmental protection and restoration measures during and at the end of the extractive period;
    h) requirement for compliance with any industry environmental operational standards or operational guidelines established for the industry under which the resource use falls and reference to these;
    i) monitoring and reporting obligations;

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j) requirements to ensure compliance with any fair and equitable benefit-sharing obligations established by local legislation or regulations or by international treaties extended to the Territory;

k) any other conditions deemed fit by the Director of Environment as indicated at Clause 6;

l) applicable fees, royalties, bonds, or other financial obligations.

6) Establish that the Director of Environment may impose additional conditions for permits as necessary to:

a) safeguard public health and safety;

b) preserve cultural, historical, or archaeological resources;

c) preserve the aesthetics of landscapes; or

d) advance national policy objectives.

7) Mandate that:

a) permits be valid for a period not exceeding five years unless otherwise specified, and may be renewed at the discretion of the Minister on recommendation of the Director of Environment; and

b) renewals shall not be automatic and shall require reassessment, having regard to the matters set out at Clause 4 and the permit holder's performance record.

Fees and Financial Obligations

8) Require that permit holders pay:

a) application and processing fees as prescribed;

b) annual permit maintenance fees;

c) royalties based on the nature, finiteness, quantity or market value of resources extracted, where required by regulations; and

d) environmental bonds or other financial securities where required as a condition of the permit before the commencement of operations to ensure mitigation of unexpected environmental impacts or other impacts resulting from the operations.

Compliance Obligations

9) Require permit holders to:

a) comply with any industry environmental operational standards established for the industry under which the resource use falls;

b) maintain accurate records of resource extraction and related activities and impacts, and report the same to the Ministry in keeping with the monitoring and reporting obligations of their permit;

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c) submit annual operational and environmental monitoring reports to the Ministry;

d) permit authorised officers to inspect sites, records, and equipment used for extraction at any time;

e) report immediately any environmental incidents or breaches of permit conditions; and

f) comply fully with monitoring and enforcement provisions of the permit and relevant legislation.

Suspension and Revocation

10) Provide that a permit may be suspended or revoked where the holder:

a) fails to comply with permit conditions;

b) fails to pay prescribed fees, royalties, or penalties;

c) provides false or misleading information;

d) causes significant environmental harm;

e) becomes insolvent or bankrupt; or

f) fails to comply with lawful directives or orders of the Ministry.

11) Require that a permit holder be given written notice of an alleged breach and an opportunity to respond within 14 days before any suspension or revocation takes effect.

12) Provide that a permit may be suspended immediately without notice in circumstances presenting an imminent risk to the environment or public safety, pending investigation.

Transfer of Permits

13) Establish that:

a) permits shall not be transferred or assigned without the prior written approval of the Minister on recommendation of the Director of Environment; and

b) applications for transfer shall meet the same requirements and undergo the same evaluation process as new applications.

Penalties

14) Establish that violations may result in:

a) administrative penalties;

b) criminal prosecution;

c) suspension or revocation of permits; and

d) liability for the costs of environmental loss and damage, restoration and remediation.

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Transitional Provisions

15) Require that all persons or entities engaged in natural resource use at the time this Policy comes into effect shall apply for a permit within 90 days of commencement, and that existing authorisations remain valid until a permit is issued under this Policy. Additionally, where a permit issued requires changes to existing operations to comply with any industry environmental operational standards established for the industry under which the resource use falls or other permit conditions, the permit holder shall be given a grace period to come into compliance as specified in the permit based on the nature of operations and being not less than one (1) year from the issuance of the permit.

10.5.3 Earth Change Permit

To prevent uncontrolled land and seabed alteration that may cause environmental damage, including soil erosion, sedimentation of water bodies, loss of critical vegetation and wildlife habitat, reduced groundwater recharge, disrupted natural drainage leading to increased flood risk, and degradation of Environmentally Sensitive Areas, the Government shall:

1) Require that no person or entity undertake any earth change activity, including cutting of private roads, clearing of land involving earth moving, cutting of foundations, reclamation of areas, dredging, or any works involving changing the natural contour or extent of the land or seabed, without a valid Earth Change Permit issued by the Planning Authority (or Department of Agriculture and Fisheries/Agriculture and Fisheries Authority) as the case may be.

   This requirement does not apply to existing changes for agricultural cultivation, cutting of public roads or to emergency works authorised in writing by the Planning Authority for purposes of stabilising or otherwise safeguarding existing properties or to emergency works carried out by a Government agency or statutory body in response to a disaster or imminent threat. In all cases, emergency works must be reported to the Ministry immediately after execution and must be carried out in such a manner to take all reasonable measures to reduce any environmental impacts, including following established protocols once these would not jeopardise the emergency works.

2) Require the following criteria to be met before an Earth Change Permit may be granted:

   a) in the case of a new development or expansion or renovation works triggering planning approval, submission of a development application and an Earth Change Plan to the Planning Authority, including:

      i) a site plan showing existing and proposed contours;

      ii) the volume of material to be moved;

      iii) the plan for onsite reuse and re-stabilisation of all material, or where this is not feasible, the plan for offsite use and disposal of removed earth;

   and demonstrating that:

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iv) there will be no net earth removal from the site, or that the plan for offsite use and disposal of removed earth is acceptable, including that it will not result in unacceptable environmental impact, will not be dumped in unauthorised areas such as ghuts or mangrove areas and will not be incorporated into unauthorised developments or reclamations;

v) appropriate drainage and erosion controls are in place to ensure re-stabilisation of the land;

vi) the clearing area does not exceed the road cut, structure footprint, ancillary works, and required construction working space;

vii) any clearing beyond the building and construction working space will be immediately re-landscaped with native and/or non-invasive vegetation; and

viii) Environmentally Sensitive Species, Protected Trees, and mature trees will be protected, transplanted, or replaced on a fivefold basis;

b) in the case of an agricultural development, submission of an Earth Change Plan to the Department of Agriculture and Fisheries demonstrating that:

i) clearing will not remove all vegetation or expose bare earth for a prolonged period of time;

ii) the area to be cleared does not exceed the required purpose footprint;

iii) a soil conservation plan ensuring regeneration and erosion prevention is in place;

iv) there will be no net earth removal from the site, or a proper use or disposal plan for removed earth is in place, including ensuring that it will not result in unacceptable environmental impact, will not be dumped in unauthorised areas such as ghuts or mangrove areas and will not be incorporated into authorised developments or reclamations; and

v) Environmentally Sensitive Species, Protected Trees, and mature trees will be protected, transplanted, or replaced on a fivefold basis.

3) Evaluate applications for an Earth Change Permit based on environmental impact, erosion and sedimentation risk, effects on drainage, the expected efficacy of proposed mitigations, proximity to water bodies and Environmentally Sensitive Areas and Species, compliance with land use plans and the Marine Spatial Plan, and approval by Cabinet in the case of applications in relation to the seabed.

4) Approve, approve with conditions, or refuse applications for Earth Change Permits through the Planning Authority within 30 days of receipt of a complete submission and within 90 days for an application involving the seabed. Permits shall at minimum specify:

a) the permit holder;

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b) the authorised area and scope of work;
c) required erosion and sediment controls;
d) the timeframe for commencement and completion;
e) restoration requirements; and
f) environmental protection and monitoring obligations.

5) Require that work commence within 3 years of issuance or the time specified in the permit and be completed within the specified timeframe. Permit holders shall implement and maintain approved erosion and sediment controls throughout the project. Authorised officers may inspect works, suspend or revoke permits for non-compliance, and require restoration of damaged areas. Unauthorised earth change activities shall be subject to enforcement, including administrative penalties, prosecution, and restoration orders.

6) Amend the Physical Planning Act, 2004 to include the requirements for an Earth Change Permit.

10.5.4 Beach Use Permit

To regulate commercial and non-commercial activities on beaches in order to protect beach environments, ensure public access, appropriately balance ecosystem protection and recreational and commercial uses, to reduce conflict among uses and users and maintain the natural character of coastal areas, the Government shall:

1) Empower the Minister to issue Beach Use Permits in consultation with the Chief Lands Officer, and the Director of Environment, for activities listed in Appendix H, where:
    a) all required conditions are satisfied, including compliance with applicable beach management plans; and
    b) payment of applicable fees has been made.
2) Require that Beach Use Permits specify:
    a) the name and contact details of the permit holder;
    b) the name and contact details of major shareholders or the person authorised to represent the company where a permit is issued in the name of an incorporated company;
    c) the authorised use/activity in sufficient detail to facilitate enforcement of the permit, including details such as:
        i) the nature and description of authorised activities
        ii) the authorised scale of activities and other imposed controls, such as but not limited to:
            (a) the maximum number of patrons at businesses or events to ensure that the established carrying capacity of beaches is not exceeded;
            (b) the number and type of beach chairs, beach umbrellas and other beach equipment allowed for rent or use by patrons, where applicable;

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(c) the number of watercraft, watersport equipment or other recreational equipment allowed;

iii) authorised physical accommodations for activities such as the number and size of temporary or permanent structures or other facilities allowed to facilitate activities, subject to planning or other permissions where applicable;

d) specific location, geographic boundaries and size of the area permitted for the use/activity, specified by geographic coordinates and standard area dimensions on a map;
e) the permitted operational period and daily operation times;
f) conditions regarding environmental protection, waste management, emergency/disaster management, social responsibility, maintenance of public access, avoidance of public nuisance and assurance of public safety;
g) monitoring and reporting obligations, where necessary;
h) applicable application and use fees, bonds, or other financial obligations;
i) any other appropriate conditions as determined by the Chief Lands Officer, in consultation with the Director of Environment;
j) the validity period of the Permit and renewal conditions, where applicable, in keeping with maximum periods specified by regulations.

3) Apply conditions to Beach Use Permits, which may include:

a) duration limitations and specific time restrictions;

b) cleanup and environmental restoration requirements;

c) environmental protection measures; waste reduction and management measures; emergency/disaster response and management measures; noise pollution controls; and social safeguards to ensure that beaches remain a family-friendly environment during normal public use hours;

d) public safety and crowd management controls;

e) any other conditions deemed fit to safeguard public health and safety; preserve cultural, historical, or archaeological resources; preserve the aesthetics of landscapes; or advance national policy objectives;

4) Require that applications include;

For all applications:

a) the applicant, including a standard identification card, and their contact details;

b) the beach, specific location and area to be used;

c) requested dates and hours of operation, including the proposed start date;

d) an indication of the type of event or activities proposed and a description of the same in sufficient detail for assessment of merits and potential impacts;

e) the expected number of participants or customers;

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f) a description and quantification of equipment, structures or other facilities or infrastructure existing or to be placed on the beach to facilitate recreational activities, events or commercial operations; and

Additionally, for short-term commercial use applications:

g) expected number of event staff onsite at a time;

h) details of vendor/business operators required to support/facilitate the event;

i) an Event Operational and Emergency/Disaster Management Plan;

j) a description of expected event benefits, including its contribution to the beach experience, tourism product or surrounding communities;

k) an indication of activities with potential environmental impact and an Environmental Management Plan addressing how potential impacts would be avoided or minimised;

l) a Waste Management Plan summarising the plan for management of all waste generated by the event; and

m) an indication of activities with potential social impact and a Social Responsibility Plan addressing how potential impacts would be avoided or minimised;

Additionally, for long-term commercial use applications:

n) business name / proposed business name;

o) name, location and description of existing beach operations by the same business or owner, where applicable;

p) a listing and description of all products, services or experiences to be offered;

q) a listing, description (including sample photos) and quantification of all equipment proposed for rental or for free usage by patrons of the operation;

r) an Operational Plan briefly describing how products, services or experiences would be provided;

s) an indication of any special events that would be part of the business model and the nature and expected frequency of such events;

t) a Provisioning Plan describing how the business would be supplied with required goods and other inputs, including an indication of expected delivery schedules and types of delivery vehicles;

u) a full list of all outdoor furnishings, fixtures and equipment that would be required for the proposed business operation with a description and quantity of each;

v) expected economic benefit of the commercial use, including how it would contribute to the beach experience and a local, cultural and authentic tourism product;

w) a discussion of potential impacts on neighbouring businesses, including positive or negative impacts;

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5) Assess applications based on:
    a) impact on public access and enjoyment;
    b) environmental sensitivity and beach carrying capacity;
    c) anticipated environmental, waste and social impacts as well as disaster risks and the efficacy of respective proposed management plans;
    d) conformity with beach management plans; and
    e) public safety considerations.
6) Approve, approve with conditions, or refuse applications within 14 days of receipt of a complete application;
7) Require that permits for long-term commercial use be issued for the maximum period specified by regulations and are renewed on an annual basis to ensure compliance with conditions and payment of any required use fees;
8) Prohibit the removal of sand from the beachfront or dune and require that all equipment and temporary structures be removed daily unless otherwise expressly authorised in the Beach Use Permit. Permits shall be displayed visibly on site, and holders shall comply with all directions issued by authorised officers.
9) Determine Beach Use Permit fees for commercial uses, including application and use fees, based on the type of activity, area used, and duration, as prescribed in a published fee schedule. Application fees are payable upon application and event or annual use fees are payable upon application approval and the annual anniversary of the issue of the permit where applicable;
10) Suspend or revoke permits for violations, including obstruction of public access, environmental damage, failure to maintain cleanliness, or unauthorised activities. Unauthorised commercial use of public beaches is subject to enforcement actions following issue of a Notice of Violation, including removal orders, demolition of structures without liability to Government, fines, and confiscation of equipment.

10.5.5 Biodiversity Prospecting Permit

To regulate the collection and use of biological resources for bioprospecting and related research while ensuring benefit-sharing, protecting biodiversity, and preventing biopiracy, the Government shall:

1) Establish that no person or entity shall collect, access, or use any biological or genetic resource from The Virgin Islands for bioprospecting and related research without first obtaining a Biodiversity Prospecting Permit issued by the Minister in consultation with the Director of Environment;

Application Requirements

2) Require that applicants for a Biodiversity Prospecting Permit submit a completed application form detailing:
    a) the applicant, including a standard identification card, and their contact details;

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b) the identification of all persons, academic or research institutions, laboratories, commercial entities, Governments, non-governmental organisations or other entities involved in or associated with the bioprospecting and related research for which the collection, access or use of biological and genetic resources is requested, including by way of receiving anticipated benefits or providing funding, technical support or other forms of support;

c) the species or biological material desired to be collected, accessed or used, collection/access/use locations and methods, and quantities to be collected, accessed or used;

d) relevant details of the laboratories or other facilities where collected species, samples or their biological and genetic resources would be processed, assessed or otherwise used for the purposes of bioprospecting and related research;

e) the purpose and description of bioprospecting activities and related research for which the collection, access or use of biological and genetic resources is requested, in sufficient detail for assessment of merits and potential impacts, including expected commercial products or solutions to ultimately be developed, their applications and benefits/effects;

f) credentials of researchers and proof of relevant scientific or other qualifications relevant to the permission sought;

g) a benefit-sharing agreement proposal to ensure fair sharing of benefits arising from the utilisation of biological and genetic resources and related traditional knowledge;

h) commitments for technology transfer or capacity building related to the area of bioprospecting and related research;

i) payment of the prescribed fee.

3) Require that the Director of Environment consults with relevant agencies, local communities, and associated traditional knowledge holders, as necessary, before making a recommendation to the Minister on the issue of a Biodiversity Prospecting Permit.

4) Require that the Director assess applications having regard to:

a) the conservation status of target species;

b) potential impacts to the target species and wider environmental impact;

c) the adequacy of benefit-sharing arrangements;

d) the reputation and track record of the applicant;

e) the expected contribution of bioprospecting and related research findings and potential products or commercial solutions developed to the resolution of issues or improvement of quality of life in The Virgin Islands, the region and the global community, including through advancements in medicine;

f) protection of associated traditional knowledge; and

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g) alignment with national biodiversity strategies.

5) Provide that applications for Biodiversity Prospecting Permits may be approved, approved with conditions, or refused and should be processed within 60 days of receipt, unless further information is required to make an informed determination.

Permit Conditions

6) Require that permits specify:

a) the name and contact details of the permit holder;

b) the name and contact details of major shareholders or the person authorised to represent the company where a permit is issued in the name of an incorporated company;

c) authorised species for collection, access and/or use and limits for the same;

d) authorised collection, access and/or use methods;

e) authorised geographic areas and collection sites, specified by geographic coordinates and standard area measurements on a map;

f) relevant details of authorised laboratories or other processing facilities to which species, samples taken from species or biological and genetic resources may be exported for approved bioprospecting activities and related research;

g) duration of permit validity and the process for any revisions to the particulars or conditions of the permit;

h) benefit-sharing obligations based on the benefit-sharing agreement, including royalties or profit-sharing arrangements and the cycle for mandatory review of the benefit-sharing agreement;

i) requirements for involving local researchers and institutions;

j) requirements for technology transfer or capacity building where applicable;

k) restrictions or conditions on export of species, samples from species or biological and genetic resources, and prohibitions on transfer of the same to third parties without permission;

l) provisions for protecting the intellectual property rights of The Virgin Islands; and

m) reporting obligations.

Benefit-Sharing

7) Establish that all bioprospecting activities and related research findings and commercial products or solutions derived from collected materials are subject to benefit-sharing agreements;

8) Require that benefit-sharing arrangements include both monetary and non-monetary benefits, which may consist of:

a) payments, royalties, or licence fees arising from commercial use;

b) joint research, co-authorship, or technology transfer;

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c) employment, training, or capacity-building opportunities for local persons;

d) access to research results, data, and samples; and

e) community development contributions or conservation funding.

9) Require that all benefit-sharing agreements be documented in writing, approved by the Minister, and form an enforceable condition of the permit.

10) Require that a percentage of profits from commercial products or solutions derived from the bioprospecting or related research be paid to The Virgin Islands as specified in the permit and benefit-sharing agreement.

11) Require that benefit-sharing agreements be reviewed on the cycle set out in the permit and prior to any agreed end date, and fairly revised, using accepted principles, to account for any new commercial product or solution, revenue stream or other benefits derived from the bioprospecting or related research not covered by the original permit and benefit-sharing agreement or any previous revisions to it; and require that permit holders have a binding duty to immediately disclose such additional commercial products, solutions, revenue streams or other benefits;

12) Require that any dispute arising in the process of reviewing, revising or implementing a benefit-sharing agreement be first settled by arbitration under the BVI Arbitration Act, 2013 and, if the matter cannot be settled by arbitration, be heard and determined by the Environmental Tribunal;

Compliance and Enforcement

13) Require that permit holders:

a) maintain detailed collection records regarding species collected, locations, methods used and any other material or pertinent details;

b) seek approval for any desired deviations from approved collection species, locations and methods before implementation;

c) immediately report any unexpected, unavoidable or accidental deviations from approved collection species, locations and methods and the reasons for this;

d) submit samples of specimens collected to designated repositories in The Virgin Islands as specified in the permit;

e) beyond designated repositories in The Virgin Islands, only submit species, samples of species or any biological or genetic derivatives to laboratories or other processing facilities approved in the permit,

f) acknowledge The Virgin Islands in publications related to the bioprospecting activities and related research;

g) maintain a list of any publications related to the bioprospecting and related research conducted under the permit;

h) maintain detailed records of any commercial products, solutions or other developments and associated profits derived from biodiversity prospecting and related research;

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i) make an annual report to the Ministry, filed in the Environmental Registry, including:

   i. detailed collection records;
   ii. any unexpected, unavoidable or accidental deviations from approved collection species, locations or methods and any future desired changes to these;
   iii. a summary of bioprospecting activities and related research findings and/or the status of commercial development, including details of any commercial products, solutions or other developments and associated profits derived from bioprospecting activities and related research, substantiated by an audited financial statement;
   iv. details of fulfillment of any benefit-sharing obligations, including but not limited to the status of any required payments, royalties, or licence fees in connection with the permit;
   v. any desired deviations from the purpose or material details of bioprospecting activities and related research, including intended commercial products/solutions to be developed; and
   vi. a list of any publications related to biodiversity prospecting activities and related research conducted under the permit;

14) Provide that Biodiversity Prospecting Permits are non-transferable, requiring a new application and permit if there is a change in permit holder or a substantial change in researchers or in persons, academic or research institutions, laboratories, commercial entities, Governments, non-governmental organisations or other entities involved in or associated with the bioprospecting and related research;

15) Provide that any species, biological sample from species, biological or genetic resource or data derived under a Biodiversity Prospecting Permit shall not be transferred to or shared with a third party not explicitly named in the permit for any reason;

16) Provide that separate permission in the form of a Natural Resources Use Permit is required for any local or external commercial cultivation or rearing of species subject to a Biodiversity Prospecting Permit or for any commercial harvesting or collection of such species within The Virgin Islands;

17) Provide that, on the request of a permit holder and at the discretion of the Minister in consultation with the Director of Environment, the particulars and conditions of a Biodiversity Prospecting Permit may be revised, provided that there are no substantial changes to the purpose or material details of bioprospecting activities and related research;

18) Provide that any substantial change to the purpose or material details of bioprospecting activities and related research, as determined by the Minister on recommendation of the Director of Environment, shall invalidate a permit and require a new application and permit;

19) Provide that permits may be immediately suspended, revoked, their conditions and validity period or any other particulars changed at the discretion of the Minister in consultation with the Director of Environment in response to unexpected

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environmental or social impacts that arise, non-compliance with permit or benefit-sharing agreement conditions or requirements, the permit holder not acting in good faith, evidence that false or misleading information was provided in the permit application or required reports, or evidence that the permit holder is bankrupted or otherwise incapable of fulfilling the obligations or requirements of the permit or benefit-sharing agreement;

20) Provide that the Director of Environment may require progress reports outside of required annual reports and shall monitor compliance with benefit-sharing agreements; and

21) Establish that unauthorised collection or export of biological resources shall be subject to criminal penalties, confiscation of materials, claims for compensation, and / or denial of future permits.

10.5.6 Scientific Research Permit

To promote and regulate scientific research in The Virgin Islands while protecting ecosystems and biodiversity and ensuring compliance with international conventions, the Government shall:

1) Establish that no person or organisation shall conduct scientific research on land, in internal waters (including ghuts, aquifers, springs, groundwater reservoirs, salt ponds or other water bodies or wetlands), coastal waters or systems, territorial seas, waters of the economic fisheries zone or waters declared to be within the exclusive economic zone of The Virgin Islands without first:
    a) registering as a researcher with the Ministry by the administrative process determined and published by the Ministry; and
    b) obtaining a Scientific Research Permit from the Minister in consultation with the Director of Environment.

2) Establish the Scientific Research Permits shall be granted for non-commercial research purposes only and that any scientific research or exploration for species and ecosystem functions or for natural compounds, genes, or microorganisms in plants, animals or marine life that can be developed into valuable commercial products or solutions be required to obtain a Biodiversity Prospecting Permit.

3) Establish that streamlined procedures, as approved by the Minister in consultation with the Director of Environment, may be followed for Scientific Research Permits where research is required on an emergency or urgent basis to support response to an ecological or biological threat such as a disease or invasive non-native species, recovery from a disaster event, or to advance urgent policy priorities established by the Government of The Virgin Islands.

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Application Requirements

4) Require submission of an application for scientific research in the format prescribed by the Ministry, together with a detailed research proposal. The research proposal shall include:
    a) the nature and objectives of the research;
    b) methods and equipment to be used, including vessel details for marine research;
    c) precise locations and coordinates of proposed research activities;
    d) research dates and duration;
    e) names and qualifications of principal researchers and crew;
    f) sponsoring institutions or organisations;
    g) intended use of research data and results;
    h) plans for in-situ testing, observations and specimen or sample collection and export, if applicable; and
    i) any other details that may be subsequently required by the Ministry.
5) Require that international applications outside the Territorial waters of the Virgin Islands be processed in accordance with those set out by the Ocean Policy Unit of the United Kingdom
6) Require payment of an application fee for each application.
7) Require that all scientific research permit applicants certify that research data and results are not intended to be used for any commercial purpose, including developing commercial products or solutions, and will not be used for such purposes without prior approval in the form of a Biodiversity Prospecting Permit;
8) Require that permit holders make immediate disclosure to the Ministry regarding any commercially viable products or solutions discovered in the course of their scientific research;
9) Require that marine research applicants certify that activities are exclusively peaceful and will not interfere with other legitimate uses of the sea.
10) Require that applicants and permit holders:
    a) ensure the right of The Virgin Islands to participate or be represented in research activities through the Ministry or another suitable Government agency, academic institution, non-governmental organisation or researcher;
    b) provide preliminary and final reports on research conducted;
    c) provide a presentation to the Ministry and any another suitable Government agency, academic institution or non-governmental organisation as well as a public lecture on research findings to contribute to capacity building and public knowledge;
    d) submit all data derived from research (in raw and analysed forms in digital formats) to the Ministry;

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e) grant access to any specimen or sample collected and, where required, deposit such at designated repositories in The Virgin Islands; and

f) make research results internationally available.

11) Require that foreign vessels comply with all applicable safety and navigation regulations.

12) Require that the Ministry consult relevant agencies and may seek technical review of research proposals before making a determination on an application.

Grounds for Refusal

13) Provide that permits may be refused for research involving:

a) drilling into the continental shelf;

b) use of explosives, harmful substances or harmful methods;

c) experimental treatments, materials, equipment or methods that may be harmful to the environment;

d) introduction or spread of non-native species or biological and genetic materials that may pose a risk;

e) construction or operation of artificial islands or installations;

f) research in Environmentally Sensitive Areas, and Conservation Zones or security areas;

g) research involving Environmentally Sensitive Species, Protected Species or endemic species that may not be listed as sensitive or protected;

h) duplication of previous research efforts or outcomes that would not add any value to The Virgin Islands, the region and the global scientific community;

i) activities or potential outcomes not considered to be in the public interest or good;

j) in the case of an international application for a marine scientific research permit outside of the Territorial waters of the Virgin Islands, where the application is received by the Ministry less than six months prior to the date on which the research is proposed to commence; and

k) in the case of an application for terrestrial research, where the application is received by the Ministry less than two months prior to the date on which the research is proposed to commence

Determination

14) Provide that the Minister, in consultation with the Director of Environment, may approve, approve with conditions, or refuse applications within four months, but no less than two months before the marine research is proposed to commence, and within 30 days for terrestrial research.

Permit Conditions

15) Require that permits specify:

a) the name and contact details of the permit holder;

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b) the name and contact details of the authorised representative when the permit is issued in the name of an organisation or institution;

c) research locations and boundaries as specified by geographic coordinates and standard measurements on a map;

d) the approved research scope and purposes;

e) approved principal researchers and crew;

f) approved research methods and equipment, including vessels in the case of marine research;

g) duration and schedule of research activities;

h) validity period for the permit and procedures to extend, renew or vary the permit;

i) specimen and sample collection limits;

j) restrictions or conditions on export of species, samples from species or biological and genetic resources, and prohibitions on transfer of the same to third parties without permission;

k) participation requirements for local researchers;

l) data-sharing obligations;

m) obligations for co-authorship and attributions where appropriate to recognise contributions from local researchers or associated traditional knowledge;

n) provisions for protecting the intellectual property rights of The Virgin Islands; and

o) reporting requirements.

16) Require that marine scientific research permits include vessel identification, communication protocols, and notice requirements before commencing research, and that advance approval is obtained for any major changes to the approved research programme.

Reporting and Monitoring

17) Require that permit holders provide to the Ministry:

a) progress reports during research on the cycle indicated in the permit;

b) copies of all data collected within the Territory's jurisdiction in raw and analysed forms in digital formats;

c) final research reports within 12 months of completion of permitted research activities; and

d) copies of any resulting scientific or other publications.

18) Require that preliminary reports for marine scientific research be submitted immediately upon completion of each research cruise.

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19) Require that all specimens and samples be properly documented and catalogued, and provide that the Ministry may require representative species and samples to be deposited in local collections or designated repositories.

20) Provide that the Ministry may assign observers to research activities, including aboard research vessels, to monitor compliance.

21) Require that permit holders cooperate with authorised officers and provide access to research activities, vessels, equipment, data and records.

Suspension and Revocation

22) Provide that permits may be immediately suspended or revoked at the discretion of the Minister or on the recommendation of the Director of Environment in response to violations of permit conditions, failure to comply with UNCLOS obligations, interference with other legitimate activities, unexpected environmental or social impacts that arise, the permit holder not acting in good faith, evidence that false or misleading information was provided in the permit application or research proposal, or evidence that the permit holder is engaged in bioprospecting or commercial exploitation of the permit otherwise.

23) Establish that unauthorised research activities shall be subject to enforcement, including criminal penalties, confiscation of equipment and specimens or samples, claims for compensation and denial of future permits.

Note on Relationship with the Fisheries Act and the Food Security and Sustainability Act, 2022

The provisions of this section apply to all scientific research, including marine scientific research, within the jurisdiction of The Virgin Islands. The marine scientific research permit provisions in the Fisheries Act 1997 and The Virgin Islands Food Security and Sustainability Act, 2022 shall be repealed subject to transitional provisions.

10.5.7 Biodiversity Conservation Licences

To create a legal pathway for beneficial biodiversity activities while maintaining regulatory oversight and preventing abuse, the Government shall:

1) Empower the Minister, in consultation with the Director of Environment to grant licences to persons or entities to engage in biodiversity conservation activities, after application, in accordance with the National Biodiversity Strategy and Action Plan, for the following purposes:
    a) scientific research relevant to the conservation and survival of any protected species or species of interest;
    b) establishing or maintaining a population of protected species or species of interest for exhibition to the public at a recognised institution, museum, protected area or managed private area;
    c) establishing a rehabilitation programme for injured protected species or species of interest;

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d) establishing a captive breeding or rearing programme to recover the populations of and introduce or re-introduce protected species or species of interest into the wild;

e) ecosystem restoration or rehabilitation;

f) ecotourism activities that facilitate public observation, photography, or non-extractive interaction with protected or environmentally sensitive species in their natural habitat or in environmentally sensitive areas, conducted in a manner that:

   i) minimises disturbance to wildlife and their habitats;

   ii) promotes biodiversity conservation awareness and education;

   iii) contributes to local conservation efforts through fees, revenue sharing, or direct conservation actions; and

   iv) adheres to approved codes of conduct and carrying capacity limits; and

g) citizen science programmes that engage members of the public in systematic data collection, monitoring, or observation activities contributing to biodiversity conservation knowledge and management, including species surveys, population counts, phenological observations, and habitat assessments.

2) Specify the terms and conditions on Biodiversity Conservation Licences to ensure compliance with biodiversity conservation measures and objectives as identified in The Virgin Islands National Biodiversity Strategy and Action Plan required under Section 10.2.5 of this Policy. Terms and conditions may include standard operating procedures, guidelines or other provisions for:

   a) the relocation, including intra and inter-island movement, of a protected species or species of interest to assist with propagation or safeguarding anywhere within the Territory;

   b) the restoration or maintenance of any ecosystem;

   c) the destruction of individuals of a protected species or species of interest for the overall benefit of the population or to protect human health and safety;

   d) where necessary to manage natural hazards or for some other compelling reason, the installation of utilities or the erection of fences, walls, or other structures where protected species or species of interest or their habitat would be affected;

   e) the development or maintenance of land where protected species or species of interest or their habitat would be affected; and

   f) mitigation action to be taken where a protected species or species of interest or its habitat would be negatively impacted by the issuing of a licence or permit.

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3) Require holders of a Biodiversity Conservation Licence to seek additional permission from the Minister, in consultation with the Director of Environment, for the following activities in connection with their Licence, or any other activities defined by the Ministry in administering Licences:

    a) import, cultivation, rearing, caretaking or internal translocation of exotic species, on the basis of an environmental impact assessment demonstrating that such species or translocations would not pose a physical or biological risk to native species, including endemic and protected species;

    b) implementation of new or experimental treatments, restoration techniques or conservation methods;

    c) implementation of biological control techniques, cross breeding or any related activity;

    d) research connected with conservation activities in the form of a Scientific Research Permit; and

    e) any new activity not explicitly covered in their Biodiversity Conservation Licence.

10.6 WASTE, POLLUTION AND HAZARDOUS SUBSTANCES

To protect The Virgin Islands' limited land, water, and coastal ecosystems from contamination by waste, pollution or hazardous substances that threaten biodiversity, public health, exceed the islands' disposal capacity, and to promote the 7R's principle of waste management and a circular economy, the Government shall:

1) Empower the Minister, with the approval of Cabinet, to control or prohibit the importation of any material, product, or substance found to cause environmental degradation or pose risks to ecosystems, and wildlife in consultation with the Director of Environment, after consideration has been given to the availability of alternatives, economic impacts, environmental impacts and stakeholder consultations are conducted where appropriate.

2) Empower the Director of Environment to investigate, compile and keep under review a Register of Controlled Substances, forming part of the Environmental Registry and consisting of such materials, products, or substances that are controlled, prohibited or regulated on any of the bases set out above, categorised according to the type of the materials, products or substances affected, the nature of impacts, the nature of the restriction, any exemptions or conditions, the effective date, and penalties for non-compliance;

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3) Conduct research to identify materials, products and substances that should be immediately prohibited, controlled or restricted and added to the Register of Controlled Substances when legislation arising from this Policy is enacted;

4) Ensure that new import controls and prohibitions on materials identified on the Register of Controlled Substances are reflected through immediate amendments to the Customs Management and Duties Act (No. 6 of 2010):

5) Establish a phase-out schedule as necessary, when new controls or prohibitions are put in place.

10.6.1 Land-Based Sources of Pollution

To protect water resources, ecosystems and public health in The Virgin Islands from contamination while addressing the full spectrum of land-based pollution sources, from sewage and agricultural runoff to industrial wastewater and stormwater, the Government shall:

1) Mandate that no person shall discharge, release, or cause any pollutant to enter marine areas, coastal waters, watersheds, ghuts, groundwater, or the terrestrial environment in quantities or concentrations that cause or may cause pollution, environmental harm as determined by regulations;

2) Empower the Minister, through regulations, and in consultation with the Director of Environment, to establish standards for wastewater discharge into the environment, including for brine, and require that:
    a) all discharges comply with the standards established; and
    b) all discharges be made under the authorisation of a valid permit or licence.

3) Empower the Minister, through regulations, in consultation with the Director of Environment to establish strict controls for priority pollutants, determined based on their toxicity, persistence, bioaccumulation potential, and environmental risks. Priority pollutants may include all or specified substances in, at minimum, the following categories:
    a) sewage and wastewater;
    b) oils and greases;
    c) heavy metals;
    d) persistent organic pollutants;
    e) nutrients (nitrogen and phosphorus);
    f) air pollutants;
    g) sediments and suspended solids;
    h) pesticides and herbicides;
    i) pharmaceuticals and personal care products;
    j) microplastics; and
    k) hazardous substances;

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Wastewater and Sewage Treatment

4) Require that all wastewater and sewage be treated to established standards before discharge to the environment;

Agricultural Pollution Control

5) Require that agricultural operations implement best management practices or follow any established environmental industry standards to minimise sediment, nutrient, fertiliser and pesticide runoff and contamination of groundwater by these;

6) Require the Ministry to maintain a list of prohibited and controlled pesticides and herbicides;

7) Make it an offence to use prohibited pesticides and herbicides;

8) Require that application of fertilisers and pesticides follow guidelines that prevent environmental contamination; and

9) Require that livestock operations manage animal waste to prevent pollution of groundwater and coastal water resources.

Stormwater Management

10) Require that development projects minimise impervious surfaces, incorporate stormwater management systems designed to adequately capture, treat and filter runoff, and prevent pollutant discharge to coastal waters;

11) Prioritise green infrastructure and nature-based solutions for stormwater management wherever feasible, including vegetated swales, retention ponds, and permeable surfaces;

12) Require that construction sites implement erosion and sediment control measures to prevent soil loss and water pollution during and after development activities.

10.6.2 Marine and Coastal Pollution

To ensure the protection of marine and coastal resources against pollution, the Government shall:

1) Require that activities within coastal setback zones or within a prescribed proximity to wetlands or coastal or marine-based environmentally sensitive areas and conservation zones shall be subject to enhanced pollution controls;

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2) Require that discharges near coral reefs, seagrass beds, mangroves, and other sensitive habitats receive special consideration, requiring elevated standards and emissions limits, and are prohibited where risks cannot be adequately mitigated;

3) Ensure that beach and coastal area users do not discharge pollutants, including sewage, greywater, oils, or solid or hazardous waste into the waters of The Virgin Islands;

4) Require that no yacht or other vessel discharge its wastewater, bilge water, galley and shower water, or ballast water in the Territorial waters of The Virgin Islands, unless the same is first treated to standards, as determined by regulations;

5) Require that marinas and commercial jetties install pump out stations and other waste management facilities in proportion to the size of the facility, as determined by regulations, to facilitate the yachting and boating sector in The Virgin Islands;

6) Allow for a 2-year period for existing yachts, commercial vessels, marinas and jetties that are not compliant with these requirements at the commencement of any legislation arising from this Policy to become compliant;

Oil Spill Preparedness and Response

7) Develop a National Oil Spill Contingency Plan, jointly with the Department of Disaster Management and other relevant agencies, which shall include a Wildlife Response Annex for the rescue and care of oiled seabirds, sea turtles and other wildlife

8) Review the Plan at least every three years, and after any major spill

Environmental Damage Assessment

9) Require the Director of Environment to carry out an environmental damage assessment promptly after any significant oil spill, pollution incident, grounding or other event that harms sensitive habitats or protected species, to determine the extent of the damage and the restoration and compensation required

10) Require the person responsible for the damage to pay for restoration, compensation and the costs of the response

11) Empower the Minister to develop regulations to:

    a) Prevent, reduce and control marine pollution from shipping and yachting; including but not limited to;
        i) powers to remove derelict vessels that are not claimed and salvaged within 6 months

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ii) powers to immediately remove vessels that pose an environmental risk / hazard at the owner's ultimate expense

b) Strengthen marine casualty response, wreck management, and the monitoring and enforcement of pollution prevention measures in coordination with the Virgin Islands Shipping and Maritime Authority and the Marine Safety Investigation and Reporting Authority, to minimise environmental damage; and

c) Require that, where environmental damage occurs, the Director of Environment shall assess the damage and the Ministry responsible for the environment shall recover compensation for the loss or degradation of natural resources.

10.6.3 Air Pollution

To establish a comprehensive framework for the prevention, control, and management of air pollution and the protection of air quality within The Virgin Islands, the Government shall;

1) Develop and enforce regulations to prevent and control air pollution to ensure that established ambient air quality standards are met. Such regulations may include:

    a) controls on emissions, including emission limits, for marine vessels operating in ports;
    b) emission limits and performance standards for stationary and mobile sources of air pollution, including vehicles, industrial plants, energy generation plants, construction and demolition activities, agricultural activities, burning of vegetation, wood or coal, and odorous activities;
    c) controls on toxic air pollutants, also known as hazardous air pollutants
    d) a permitting system for industries, facilities or activities, prescribed by regulations, that have the potential to exceed established emission limits; and
    e) requirements for monitoring, reporting, and record-keeping of air emissions.

2) Designate air quality management zones where enhanced controls apply, and require the installation and operation of approved air pollution control technologies in such zones;

3) Restrict or prohibit activities that contribute to air pollution, such as open burning and the use of high-emission fuels or equipment;

4) Prescribe procedures for air quality monitoring and assessment, as well as fees to support air quality monitoring and enforcement;

5) Establish penalties and enforcement mechanisms to address violations of air quality control measures and emission standards.

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10.6.4 Light Pollution

To protect sea turtles, seabirds, bats and other light-sensitive wildlife, while balancing public safety, economic development and tourism interests, the Government shall establish comprehensive controls on artificial lighting in coastal and other sensitive areas of the Virgin Islands, including beachfronts, ghuts, forest edges and seabird roosting and nesting sites, and shall:

1) Require the Director of Environment to develop standards based on best practices for lighting to:
    a) minimise disorientation and mortality of nesting female sea turtles and hatchlings;
    b) protect other nocturnal wildlife, including bats, seabirds, migratory shorebirds, and marine invertebrates;
    c) preserve natural darkness as an environmental resource;
    d) support sustainable tourism through ecologically responsible coastal development;
    e) reduce energy consumption and associated costs

2) The standards shall be in accordance with regional best practice and shall include, but not be limited to:
    a) Maximum mounting height of light fixtures
    b) Minimum distance from the beachfront
    c) Wavelength ranges
    d) Maximum intensity
    e) Permitted and prohibited colours

3) Ensure that lights along a beachfront or ocean are installed only where and when needed, and shall be in accordance with the established standards

4) These standards shall be applicable to:
    a) all documented sea turtle nesting beaches;
    b) properties within 500 metres of the mean high water line and any light visible from a nesting beach, whatever the distance;
    c) public and private coastal developments, including hotels, restaurants, residences, and commercial facilities;
    d) public infrastructure (streetlights, park lighting, parking areas)

5) Allow for exceptions for navigation, port and safety lights required by maritime law

6) Require that, where properties for which the standards are applicable are not in compliance at the time of institution of the standards, such properties be given a grace period of 6 months to come into compliance.

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10.7 COMPLIANCE AND ENFORCEMENT

To protect the natural resources and ecosystems of The Virgin Islands through a clear, fair and enforceable compliance framework that holds people accountable, deters environmental harm, and provides a step-by-step path from correction to prosecution, the Government shall;

1) Establish a graduated system of obligations, enforcement tools and remedies that is proportionate, transparent and fair, and that applies to all persons, including the Crown

Compliance Obligations

2) Require every person carrying out an activity regulated under the legislation arising from this Policy to;

    a) comply with the law, regulations, standards, permits, notices and orders

    b) take all reasonable care to prevent environmental harm

    c) keep records of monitoring, incidents, waste, emissions and compliance

    d) notify the Director of Environment promptly of any incident, threatened harm or significant breach

    e) give authorised officers access, information and reasonable assistance, and

    f) take immediate, reasonable steps to contain, reduce and remedy any harm caused

3) Provide that no person may gain a financial benefit from failing to comply, and that these duties apply in addition to duties under other laws

Offences

4) Make it an offence, without lawful authority or reasonable excuse, to;

    a) carry out an activity without a Certificate of Environmental Clearance, permit or licence required by law

    b) knowingly or recklessly breach a material permit condition, or a stop, prohibition or restoration order

    c) knowingly give false or misleading information

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d) intentionally or recklessly cause serious environmental harm

e) unlawfully take, kill, trade in or destroy a protected species or its critical habitat

f) cause pollution or environmental harm by discharging any pollutant, waste or contaminant

g) obstruct, threaten, impersonate or mislead an authorised officer, or fail without reasonable excuse to comply with a requirement of the Environmental Tribunal, and

h) commit any other breach listed as an offence in the schedule of offences and penalties

Coordination between Agencies

5) Require the Ministry and other enforcement bodies to agree Memoranda of Understanding setting out who leads, how cases are referred, how joint operations are run, how evidence is handled and shared, and how agencies assist one another

Notice of Violation

6) Allow the Director of Environment or an authorised officer to serve a Notice of Violation on any person reasonably believed to have broken the law. The Notice shall state;

    a) the facts and the provision breached

    b) the corrective action required and the time allowed

    c) any proposed administrative penalty, and

    d) the person's right to respond and right of appeal

7) Give the person at least fourteen days to respond in writing, unless a shorter period is needed to deal with a serious or immediate environmental risk

8) Ensure fairness by providing that the officer who investigated or issued the Notice does not decide the response or the penalty. That decision shall be made by the Director, or by a senior officer not involved in the case, who may withdraw, confirm or change the Notice and must give written reasons

9) Allow a Notice of Violation to be accompanied or followed by an order to improve, stop, prohibit, restore or monitor

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Administrative Penalties

10) Allow the Director, once the Notice process is complete, to impose an administrative penalty for any breach listed in the schedule of offences and penalties, up to the maximum set in that schedule

11) Require the amount of a penalty to reflect;

    a) how serious the breach was and how long it lasted

    b) the degree of fault

    c) the harm to the environment and public health

    d) the sensitivity of the area or species affected

    e) the level of cooperation and any previous breaches, and

    f) any financial benefit gained and the cost of restoration

12) Provide that higher penalties for corporations, continuing breaches and repeat offenders apply only as set out in the schedule of offences and penalties

13) Provide that an unpaid penalty is a debt owed to the Crown and can be recovered through the courts, and that paying a penalty does not remove the duty to restore the environment or pay clean-up costs

Consent Agreements

14) Allow the Director to resolve a breach by agreement with the person responsible. The agreement may set timelines for compliance, payment, remedial work, restoration, monitoring, training, mitigation and reporting

15) Provide that if a Consent Agreement is not honoured, the Director may issue an administrative order, refer the matter to the Environmental Tribunal, or recommend prosecution

Administrative Orders

16) Allow the Director to issue an administrative order requiring a person to stop an activity, comply with the law, remediate or restore damage, monitor, report or keep records

17) Provide that an administrative order is binding unless the Environmental Tribunal or a court suspends, changes or cancels it

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Stop Orders and Emergency Orders

18) Allow the Director or an authorised officer to issue a stop order or emergency order, without prior notice, where an activity is causing or threatens serious environmental harm, a risk to public health, or irreversible damage to a sensitive area or species

19) Provide that an emergency order takes effect immediately, may be given verbally in an emergency, and must be confirmed in writing as soon as practicable

20) Allow the Ministry to take emergency action itself where the responsible person cannot be found, cannot act or refuses to act, and to recover the costs from that person

21) Require emergency action to be coordinated with disaster management, police, fire, public health and maritime authorities, and provide that an appeal does not suspend an emergency order unless the Tribunal so directs

Seizure and Forfeiture

22) Allow authorised officers to seize or detain equipment, vehicles, vessels, specimens, materials or documents connected with a suspected offence, and allow a court or the Tribunal to order that they be forfeited

Restoration and Cost Recovery

23) Apply the polluter pays principle, so that any person who causes environmental harm bears the full cost of preventing, reducing, remedying and monitoring it

24) Allow the Director, the Environmental Tribunal or a court to require the person responsible to restore the environment to its original condition, carry out remediation or mitigation, pay compensation, cover investigation and enforcement costs, and fund long-term monitoring

25) Allow the Ministry to carry out the necessary works itself where the person fails to act, and to recover the cost as a debt

Continuing Breaches

26) Provide that where a breach continues after a Notice has been served or a deadline has passed, each further day may be treated as a separate breach and attract a daily penalty, as set out in the schedule of offences and penalties

Liability of Companies and their Officers

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27) Provide that where a company commits an offence, any director, manager or officer who agreed to it, allowed it, facilitated it or whose neglect contributed to it is also liable, unless they can show they took all reasonable steps to prevent it

28) Ensure that penalties are high enough to remove any financial benefit gained from breaking the law

Criminal Prosecution

29) Require the Director to refer cases to the Director of Public Prosecutions where criminal prosecution may be appropriate

30) Allow administrative, civil and criminal proceedings to run at the same time where the law permits, while ensuring no person is punished twice for the same offence

31) Allow a court, in addition to a fine or imprisonment, to order forfeiture, restoration, remediation, compensation, the recovery of costs, publication of the conviction or disqualification

Fixed Penalty Notices

32) Allow authorised officers to issue fixed penalty notices for minor offences listed in the schedule of offences and penalties, so that the person can pay a set amount instead of being prosecuted, without affecting any duty to restore or pay clean-up costs

Appeals

33) Allow any person affected by a Notice of Violation, administrative penalty, administrative order, suspension, revocation, seizure or other enforcement decision to appeal to the Environmental Tribunal, and provide that an appeal does not suspend the decision unless the Tribunal so orders

Liability Despite a Permit

34) Provide that holding a permit does not authorise harm beyond its conditions, and does not protect the holder from liability for negligence, nuisance, pollution, damage to property or other harm

Transparency and Reporting

35) Require the Director to keep a public register of enforcement actions, including violations, notices, orders, penalties, consent agreements, Tribunal referrals, prosecutions and outcomes, available in summary form through the Environmental Registry

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36) Require an annual enforcement report covering complaints, inspections, violations, notices, orders, penalties, consent agreements, Tribunal referrals, prosecutions, restoration outcomes, and any gaps identified with the action taken to address them. The report is to be submitted to the Minister and Cabinet and lodged in the Environmental Registry

Citizen Complaints and Enforcement

37) Allow any person to report a suspected breach to the Director, and require the Director to acknowledge and assess the report and tell the person what action will be taken, or why none will be taken

38) Allow the person, with the permission of the Environmental Tribunal, to apply for an order to require compliance, stop the activity, restore the environment or declare the legal position, where the Ministry has not taken significant action within sixty days of receiving a sufficiently detailed complaint

Whistleblower Protection

39) Protect any person who reports a breach in good faith from dismissal, discipline, harassment or other retaliation, keep their identity confidential unless fairness or the law requires otherwise, and protect them from legal action arising from the report. This protection does not cover anyone who knowingly makes a false or malicious report

40) Allow the Minister to make regulations creating a reward scheme for information that leads to successful enforcement, subject to funding and safeguards against abuse

Schedule of Offences and Penalties

41) Set out in a schedule to the legislation the offences, the breaches subject to administrative and fixed penalties, the daily penalties for continuing breaches, the maximum fines and terms of imprisonment, and the adjustments for corporations and repeat offenders, informed by the indicative penalties in Appendix J.

11 MONITORING AND EVALUATION

11.1 Monitoring, Evaluation, Accountability and Learning (MEAL) Framework

To ensure transparency, accountability, and the achievement of The Virgin Islands' environmental and climate goals and to track the effectiveness of policy interventions and fulfil international reporting obligations, the Ministry shall implement a robust Monitoring, Evaluation, Accountability and Learning (MEAL) framework as presented below.

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MEAL Pillars	Key Function	Specific Requirements / Actions
Monitoring	The continuous tracking of activities and outputs required under the Policy to ensure that daily implementation aligns with planned Policy objectives	Develop indicators to track whether the activities or outputs required by the Policy have been implemented or achieved.
Evaluation	The systematic and periodic assessment of the Policy's overall effectiveness, relevance, and impact	Develop indicators to assess the overall effectiveness, relevance and impact of the activities implemented or outputs achieved under the Policy. Collect baseline data on these indicators on the approval of the Policy to form the basis for evaluation Prepare and publish the State of the Environment Report at least every three years as the main systematic, periodic mechanism for evaluation Facilitate third-party verification of data used as the basis of evaluation as appropriate
Accountability	Mechanisms for specific stakeholders and the public to provide feedback, raise concerns, and participate in decision-making processes regarding the Policy.	Develop mechanisms for specific stakeholders and the public to provide feedback and raise concerns in relation to all matters covered by the Policy, including the: - functioning and effectiveness of governance mechanisms, including the Environment and Climate Change Unit, Climate Change Committee and Environmental Tribunal - management of the Environmental Protection Fund

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		- quality and completeness of the State of the Environment Report - quality and completeness of requirements for environmental and climate change management, including the Natural Resources Inventory, Environmental Sensitivity Index, Environmental Registry, environmental and climate change policies and plans - appropriateness of environmental standards, guidelines and operational procedures - design of environmental incentive programmes - implementation of environmental justice principles - mechanisms for climate change adaptation and mitigation, including establishment of a Greenhouse Gas Inventory, regulation of participation in carbon markets and conduct of climate-based research, development of climate finance options and establishment of coastal setbacks to safeguard against sea level rise - mechanisms to conserve biodiversity, including establishment of Environmentally Sensitive Areas, Conservation Zones, Environmentally Sensitive Species and Protected Species, and implementation of management measures for identified ecosystems, invasive non-native species and fisheries resources - issuance of Certificates of Environmental Clearance and all other environmental permits and licences - regulation of waste, pollution and hazardous substances

		- effectiveness of compliance and enforcement mechanisms Ensure opportunities for specific stakeholder and public consultations during processes to evaluate the Policy/Bill, including the preparation of the State of the Environment Report Ensure opportunities for specific stakeholder and public consultations during the process to review and update the Policy/Bill.
Learning	Processes that capture insights, successes, and failures from data to inform adaptive management and improve future policy design.	Develop systematic mechanisms for lessons to be derived from monitoring, evaluation and accountability data in relation to any matter covered by the Policy.

11.2 Key Monitoring and Evaluation Performance Indicators

Progress will be measured against key Monitoring and Evaluation performance indicators developed across the areas covered by the Policy/Bill, including Administration; Environmental Management; Climate Change; Biodiversity Conservation; Environmental Impact Assessments and Environmental Permits; Regulation of Waste, Pollution and Hazardous Substances; and Compliance and Enforcement.

For each area, Monitoring level indicators will track whether the activities or outputs required by the Policy/Bill have been implemented or achieved and Evaluation level indicators will assess the overall effectiveness, relevance, and impact of the activities implemented or outputs achieved under the Policy/Bill. The latter is measured in overall changes in the State of the Environment. As such, preparation of the State of the Environment Report doubles as the primary mechanism for systematic, periodic evaluation of the Policy/Bill.

Area	Monitoring Indicators	Evaluation Indicators
Administration	Has the Environment and Climate Change Act been enacted and commenced?	Does the Environment and Climate Change Act reflect the key principles of this Policy and

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Area	Monitoring Indicators	Evaluation Indicators
		include the core requirements to achieve the Policy objectives?
	Has the Environment and Climate Change Unit been staffed as required by the Policy/Bill?	Is the staffing structure and complement outlined in the Policy/Bill appropriate to effectively implement the Policy/Bill?
	How many Authorised Officers have been appointed, trained and certified in enforcement procedures?	Is the system of Authorised Officers appropriate to effectively carry out the compliance and enforcement function of the Policy/Bill?
	Is the Climate Change Committee constituted and functioning?	Are the composition and operational rules of the Committee appropriate to ensure that the Committee is effective in its mandate?
	Is the Environmental Tribunal constituted and functioning?	Are the composition and operational rules of the Environmental Tribunal appropriate to ensure that the Tribunal is effective in its mandate?
	Is the Environmental Protection Fund established and operational?	Is the Environmental Protection Fund well managed, ensuring both effective and transparent collection and utilisation of funds?
	Has the State of the Environment Report been published within the required timeline? Is the State of the Environment Report complete, containing the required content; accurate, being based on reliable data;	Is the required content of State of the Environment Report fit for purpose? Does the Report serve its intended purpose effectively?

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Area	Monitoring Indicators	Evaluation Indicators
	and consultation-based, receiving inputs from stakeholders and the public as required under the Policy/Bill?	
Environmental Management	Has the Natural Resources Inventory been developed?	Is the required content of the Natural Resources Inventory fit for purpose and does it serve its intended purpose effectively?
	Has the Environmental Sensitivity Index been development?	Is the design of the Environmental Sensitivity Index fit for purpose and does it serve its intended purpose effectively?
	Have the required environmental policies and associated plans been drafted and approved?	Are the environmental policies and associated plans approved effective, addressing the relevant issues and having a positive impact on the state of the environment?
	Have the required environmental standards, guidelines, operational procedures and regulations been drafted and approved?	Are the approved environmental standards, guidelines, operational procedures and regulations being adhered to? Are they effective - addressing the relevant issues and having a positive impact on the state of the environment?
	Has the Environmental Registry been established?	Is the Environmental Registry well managed, ensuring timely, efficient, orderly and safe storage of environmental data and files, efficient retrieval and appropriate sharing of the same?

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Area	Monitoring Indicators	Evaluation Indicators
	Are there any active environmental incentive programmes?	Do environmental incentive programmes achieve their desired outcomes and contribute positively to the state of the environment?
	Have mechanisms been established to give effect to environmental justice principles established under the Policy/Bill?	Are the mechanisms established to give effect to environmental justice principles established under the Policy/Bill appropriate and effective?
Climate Change	Has baseline data been collected on greenhouse gas emissions? Has a Greenhouse Gas Inventory been established?	Are systems for measuring or estimating greenhouse gas emissions appropriate and accurate? Is the Greenhouse Gas Inventory well managed and kept up to date?
	Have targets been set for reduction of greenhouse gas emissions? Have greenhouse gas emissions been reduced, and if so, by how much?	Are greenhouse gas emission reduction targets practical and ambitious enough?
	Has a regulatory framework for participation in carbon markets been established?	Is the regulatory framework for participation in carbon markets effective? Does the framework encourage engagement in carbon markets while safeguarding local carbon sequestration assets and ensuring fair treatment of resources users?
	Have new climate finance mechanisms been developed?	Are new climate finance mechanisms fit for purpose and serve their intended purpose effectively?

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Area	Monitoring Indicators	Evaluation Indicators
	Has a mechanism to track, account for and publically report all direct and indirect Government investments in climate change adaptation and mitigation been developed?	Is the mechanism for tracking, accounting for and publically reporting all direct and indirect Government investments in climate change adaptation and mitigation fit for purpose and serves its intended purpose effectively?
	Has a permitting system for climate change-related research in The Virgin Islands been established?	Is the permitting system for climate change-related research in The Virgin Islands effective and well managed?
	Have the Planning Regulations been updated to include increased coastal setbacks for construction in consideration of sea level rise?	Are new coastal setbacks for construction effective in mitigating against sea level rise risks?
	What percentage of coastline is protected from sea level rise by nature-based solutions vs. hard engineering?	Have nature-based or hard-engineering solutions been more effective in protecting the coastline from sea level rise?
Biodiversity Conservation	How many Environmentally Sensitive Areas and Conservation Zones have been declared? What is the change in acreage of Environmentally Sensitive Areas and Conservation Zones? Have management plans been developed for declared Environmentally Sensitive Areas and Conservation Zones?	Have declared Environmentally Sensitive Areas and Conservation Zones been strategically selected? Have management plans been effective? Has declaration of these areas resulted in a positive change in the state of the environment?

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Area	Monitoring Indicators	Evaluation Indicators
	Have Environmentally Sensitive Species and Protected Species been declared? Have management plans been developed for these species?	Have declared Environmentally Sensitive Species and Protected Species been strategically selected? Have management plans been effective? Has declaration of these species resulted in a positive change in the state of the environment?
	Have ecosystem conservation targets been set (e.g. live coral cover, mangrove extent and seagrass area)?	Have ecosystem conservation targets been met? Are there positive or negative trends in the extent and health of ecosystems?
	Have prohibited activities in relation to ecosystems and species been enforced?	Has prohibition of activities led to positive conservation outcomes? Does the list of prohibited activities remain relevant?
	Have systems to manage/control permitted activities in relation to ecosystems and species been developed?	Have permitting systems been well managed and led to positive conservation outcomes? Does the list of permitted activities remain relevant?
	Are monitoring programmes in place for Environmentally Sensitive Areas, Conservation Zones, Environmentally Sensitive Species, Protected Species and all ecosystems covered under the Policy/Bill?	Are environmental monitoring programmes fit for purpose and the local context and result in data that is accurate, relevant, lodged in the Environmental Registry and appropriately shared in reports and other formats?

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Area	Monitoring Indicators	Evaluation Indicators
		Do monitoring programmes show an improvement in the state of the environment?
Environmental Impact Assessments and Environmental Permits	Is a system in place for reviewing environmental impact assessments and making a determination on the issuance of Certificates of Environmental Clearance (CECs) and other environmental permits established by the Policy/Bill? Is a system in place for the issuance of Certificates of Environmental Clearance and other environmental permits? How many CECs and environmental permits are issued annually in each category? Is a monitoring and enforcement system in place to ensure compliance with Certificates of Environmental Clearance and other environmental permits? What is the compliance rate?	Is the system in place for reviewing environmental impact assessments and making a determination on the issuance of CECs and other environmental permits fit for purpose, being efficient, inclusive, evidence-based and unbiased? Is the system in place for the issuance of Certificates of Environmental Clearance and other environmental permits well managed, fair and transparent? Is the monitoring and enforcement system in place to ensure compliance with Certificates of Environmental Clearance and other environmental permits fit for purpose and resulting in high levels of compliance?
Regulation of Waste, Pollution and Hazardous Substances	Has the Register of Controlled Substancess been developed?	Is the Register of Controlled Substancess well managed and kept up to date, including all relevant and important substances? Is the permitting system in place for the importation or use of any

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Area	Monitoring Indicators	Evaluation Indicators
	Has a permitting system for the importation or use of any controlled or regulated substance on the Register of Controlled Substancess been implemented? Is a monitoring and enforcement system in place to ensure compliance with the permitting system for the importation or use of any controlled or regulated substance on the Register of Controlled Substancess? Have regulations been developed to give effect to the guiding principles for managing solid waste, wastewater, hazardous waste and litter established in the Policy/Bill? Have regulations been developed to give effect to the specific requirements established in the Policy/Bill for: - Waste collection vehicles and haulage systems; - Communal waste collection points; - Waste management facilities; - Design and operating standards for landfills, incineration facilities and	controlled or regulated substance on the Register of Controlled Substancess well managed? Is the monitoring and enforcement system in place to ensure compliance with permitting system fit for purpose and resulting in high levels of compliance? Are the regulations developed to give effect to the guiding principles for managing solid waste, wastewater, hazardous waste and litter established in the Policy/Bill fit for purpose and serve their intended purpose effectively? Are regulations developed to give effect to the specific requirements for managing solid waste, wastewater, hazardous waste and litter established in the Policy/Act fit for purpose and serve their intended purpose effectively? How is the number of pollution incidents reported and resolved by category changing as a result of the regulations? How is environmental quality (soil quality, groundwater quality, coastal water quality,

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Area	Monitoring Indicators	Evaluation Indicators
	facilities for hazardous waste; - Additional requirements for hazardous substances; - Standards for a mass debris event - Compliance; - Standards for wastewater discharge into the environment, strict controls for priority pollutants, wastewater and sewage treatment standards, agricultural pollution control and stormwater management; - Management of marine and coastal pollution; - Management of air pollution; - Management of light pollution	marine water quality, and air quality) changing as a result of regulations?
	Is a monitoring and enforcement system in place to ensure compliance with regulations for waste, pollution and hazardous substances?	Is the monitoring and enforcement system in place to ensure compliance with regulations for waste, pollution and hazardous substances fit for purpose and resulting in high levels of compliance?
Compliance and Enforcement	Has an administrative system been developed for issuing Notices of Violation and Administrative Orders? How many Notices of Violation and Administrative Orders are issued on an annual basis?	Is the administrative system developed for issuing Notices of Violation and Administrative Orders well managed?

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Area	Monitoring Indicators	Evaluation Indicators
	Is a monitoring and enforcement system in place to ensure compliance with Notices of Violation and Administrative Orders? What is the compliance rate?	Is the monitoring and enforcement system in place to ensure compliance with Notices of Violation and Administrative Orders fit for purpose and resulting in high levels of compliance?
	Has an administrative system been developed for entering into Consent Agreements?	Is the administrative system for entering into Consent Agreements fit for purpose and well managed?
	Is a monitoring and enforcement system in place to ensure compliance with Consent Agreements? What is the compliance rate?	Is the monitoring and enforcement system in place to ensure compliance with Consent Agreements fit for purpose and resulting in high levels of compliance? Are Consent Agreements an effective enforcement mechanism?
	Have regulations been developed to give effect to the Administrative Penalties established in the Policy? How many cases are there where administrative penalties are imposed annually?	Are the Administrative Penalties fit for purpose and administered well, serving as a deterrent and resulting in lower levels of offences?
	Is there an administrative system in place for escalating matters to the Environmental Tribunal for enforcement? How many cases are escalated to the	Is the administrative system in place for escalating matters to the Environmental Tribunal for enforcement efficient and well managed? Is the number of cases requiring escalation annually decreasing?

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Area	Monitoring Indicators	Evaluation Indicators
	Environmental Tribunal for enforcement annually? Is there a system in place to ensure cost recovery and environmental restoration where appropriate? How many cases are there of successful cost recovery and environmental restoration annually? Is there a regulatory and administrative system in place for exercise of Emergency Enforcement Powers? Has a register of violations and enforcement actions been developed? Has an annual Enforcement Report been published? Is there a regulatory and administrative system in place to give effect to the Citizen Enforcement Mechanism established in the Policy? Is there a regulatory and administrative system in place to give effect to the Whistleblower Protection	Is the system in place to ensure cost recovery and environmental restoration fit for purpose, including being fair, transparent and effective, serving as a deterrent? Is the share of successful cost recovery and environmental restoration cases increasing? Is the regulatory and administrative system in place for exercise of Emergency Enforcement Powers well managed, efficient and effective? Is the register of violations and enforcement actions well managed? Is the annual Enforcement Report fit for purpose and does it serve its intended purpose effectively? Is the regulatory and administrative system in place to give effect to the Citizen Enforcement Mechanism established in the Policy fit for purpose and well managed? Is the regulatory and administrative system in place to give effect to the Whistleblower Protection provisions established in the Policy fit for purpose and well managed?

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Area	Monitoring Indicators	Evaluation Indicators
	provisions established in the Policy?	

11.3 Reporting

Reporting is an ongoing, cross-cutting function within the MEAL framework, sitting within and at the intersection of the Monitoring, Evaluation, Accountability and Learning pillars. Reports convert raw data into actionable insights for the Ministry charged with administering the Policy/Act and the specific stakeholders and general public that it serves. Reports serve different purposes and take different forms within the pillars as follows:

Monitoring (Routine and Progress Reporting) – Incident reports and routine reports (monthly, quarterly or annually) that track the pace of activities, outputs, and budget expenditure. Monitoring reports serve a radar function, telling stakeholders if objectives are being met, helping to flag operational bottlenecks in real-time.

Evaluation (Results and Impact Reporting) - In-depth periodic reports (e.g. mid-term or end-of-life) focusing on outcomes, efficiency, and sustainability. Evaluation reports serve as the microscope, examining whether the activities successfully created the intended change for the beneficiaries.

Accountability (Feedback and Compliance Reporting) - Reports generated from complaint response mechanisms, community consultations and donor compliance audits. Accountability reports close the loop, ensuring transparency by demonstrating to beneficiaries that their voices were heard and demonstrating to funders that resources are being used for the intended purposes.

Learning (Adaptive Management) - Synthesis reports and "lessons learned" document and analyse why certain things worked well or failed. Learning-focused reports act as the driver of change, using data to adjust ongoing interventions, inform future programme designs, and share best practices across the organisation.

The Environment and Climate Change Unit shall ensure comprehensive reporting across the MEAL framework as follows:

Monitoring

1) Prepare incident reports related to enforcement matters, oil spills and other pollution incidents, and environmental emergencies (e.g. whale stranding, turtle entanglement, cleanup of mass sargassum landings, vessel grounding, etc.)
2) Prepare project and programme implementation reports as required

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3) Prepare monthly and quarterly reports on permitting activities, compliance with environmental standards, guidelines and operational procedures, and on enforcement actions

4) Prepare the Environment and Climate Change Unit Annual Report assessing progress achieved during the year on implementing the requirements of the Policy/Bill, including reporting against the Monitoring Indicators outlined above and summarising:
    a) projects, programmes and other initiatives implemented during the year;
    b) participation in Environmental Incentive Programmes;
    c) participation in carbon markets;
    d) advancements in climate finance;
    e) response to oil spills and other pollution incidents, and to environmental emergencies (e.g. whale stranding, turtle entanglement, cleanup of mass sargassum landings, vessel grounding, etc.)
    f) permitting activities;
    g) compliance with environmental standards, guidelines and operational procedures;
    h) enforcement actions;
    i) feedback, complaints and grievances received during the year and how they were handled;
    j) revenue going into the Environmental Protection Fund; and
    k) budget expenditure.

5) Submit the Environment and Climate Change Unit Annual Report to the Minister by 31st March each year and lodge those reports at the Environmental Registry.

Evaluation

6) Prepare the State of the Environment Reports at least every three years, reporting on the Evaluation Indicators outlined above and, based on these, assessing the Policy's/Bill's overall effectiveness, relevance, and impact;

7) Ensure that the State of the Environment Reports are tabled at the House of Assembly to formally communicate environmental performance to the Government and the public; and

8) Prepare and lodge international reports as required under multilateral environmental agreements with the appropriate authority according to the established deadlines (e.g., Convention on International Trade in Endangered Species of Wild Fauna and Flora - CITES, Convention on Biological Diversity - CBD, and Convention on Wetlands - Ramsar).

Accountability

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9) Generate incident reports and quarterly reports of complaints and grievances submitted under the complaint and grievance redress mechanisms established under this Policy/Bill;
10) Generate reports of feedback submitted through public consultations and other feedback mechanisms established under this Policy/Bill and ensure those consulted and relevant stakeholders have access to such reports to demonstrate how their feedback was addressed; and
11) Include a summary of feedback, complaints and grievances submitted and how they were handled in the Environment and Climate Change Unit Annual Report.

Learning

12) Ensure that "lessons learned" are documented and successes and failures analysed in both the Environment and Climate Change Unit Annual Report and the State of the Environment Report with the former focused on operational lessons and the latter focused on technical and policy lessons.

11.4 Policy Review

The Ministry shall:

1) Conduct a mid-term evaluation of this Policy five years after its adoption to assess effectiveness, identify implementation challenges, and recommend adjustments;
2) Undertake a comprehensive Policy review every ten years to examine continued relevance, assess outcomes, and propose revisions as necessary; and
3) Use monitoring data and evaluation findings to support adaptive management, incorporating new scientific knowledge and responding to emerging environmental and climate change challenges.

11.5 Data Management and Capacity

To support effective monitoring and evaluation:

1) The Environmental Registry shall serve as the central repository for environmental data, including baseline data, monitoring records, permit information, and research findings;
2) Data quality standards and internationally recognised monitoring methodologies shall be adopted as appropriate and maintained;
3) Non-sensitive environmental data shall be made publicly accessible through the Environmental Registry and other appropriate platforms;
4) Government shall invest in technical training, monitoring equipment, and information systems to build capacity to implement, monitor and evaluate the effectiveness of this Policy;
5) Partnerships with academic institutions, regional organisations, and international bodies shall be promoted to enhance monitoring expertise.

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11.6 Financing

Monitoring and evaluation activities shall be financed through:

1) Dedicated budget allocations within the Ministry's annual operational budget;
2) The Environmental Protection Fund
3) External funding from climate finance mechanisms, and grant programmes

12 APPENDICES

APPENDIX A LOCAL LEGISLATION

i) The Virgin Islands Constitution Order, 2007

Section 29 of The Virgin Islands Constitution Order provides for the protection of the environment. Specifically, every person has the right to an environment that is generally not harmful to their health or well-being. Additionally, every person has the right to have the environment protected. This protection is for the benefit of present and future generations.

The Constitution Order also mentions that securing ecologically sustainable development and use of natural resources should also promote justifiable economic and social development.

Additionally, in the context of protection from deprivation of property, the Constitution Order notes that laws may allow for compulsory acquisition or taking of possession of property when necessary for the development or use of any property in such manner as to promote the public benefit or for carrying out work relating to the conservation of natural resources.

ii) Beach Protection Ordinance, 1985

This Ordinance details regulations against removing natural barriers or excavating materials, such as sand and stone, from beaches and the foreshore. The ordinance establishes a permit system for such activities, requiring applicants to specify the location, purpose, and quantity. Furthermore, it prohibits digging during certain hours and polluting the foreshore, outlining penalties for offences and the authority to arrest without a warrant.

Responsible Ministry/Department

Ministry of Environment, Natural Resources and Climate Change

iii) Buildings Ordinance, CAP 234

The Building Ordinance (CAP. 234) mandates that all construction, alteration, or removal of any "building", defined broadly as any erection of whatever material, must be regulated by the Building Authority. Crucially, the Ordinance places strict controls on coastal development, specifying that no building shall be erected adjacent to the foreshore

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without the prior approval of the Governor in Council concerning its distance and elevation relative to the landward limits of the foreshore. Additionally, any builder intending to erect storehouses on wharf property, piers, jetties, boathouses, sheds, or latrines or water closets must submit an application and plan to the Authority. For any new construction, applicants are required to disclose key particulars, including the building material to be used, the distance of the structure from the road and adjoining buildings, and, if the building is intended for dwelling, details regarding its sanitary arrangements and water-storage facilities. The Authority may also establish regulations and a building code prescribing the standards of safety in building operations and governing technical matters such as the mode and materials for carrying out any excavation made outside the externals of a building and the installation of water, gas, and electric services.

Responsible Ministry/Department:
Town and Country Planning Department
Ministry of Environment, Natural Resources and Climate Change

iv) Buildings (Amendment) Act, 2024

The Buildings (Amendment) Act, 2024 amended the Buildings Ordinance, CAP 234 by replacing the words Chief Engineer with Chief Physical Planning Officer, and replacing the words “Public Works Department” with “Town and Country Planning Department”.

v) Criminal Code, 1997

The Criminal Code 1997 of The Virgin Islands addresses environmental issues through criminal offences concerning pollution and negligent acts under Part XIX (Nuisances and Other Offences Against the Public in General). Section 292 creates offences for various forms of pollution and nuisances, including,

i. intentionally or negligently corrupting water sources (springs, streams, wells, or reservoirs) rendering them less fit for human or livestock use;
ii. vitiating the atmosphere in any place making it noxious to the health or comfort of neighbouring persons;
iii. making loud noises or offensive smells that interfere with the comfort of persons exercising their common rights; and
iv. depositing offal or refuse in the sea within five hundred yards of the shore.

A person convicted under Section 292 is liable to imprisonment for a term not exceeding six months, a fine not exceeding five hundred dollars, or both.

Responsible Ministry/Department:
Royal Virgin Islands Police Force
Governor’s Office

vi) Crown Lands Management Act, 2024

The Virgin Islands Crown Lands Management Act, 2024, governs the administration and disposition of Crown Lands in The Virgin Islands. The Act establishes a Crown Lands Advisory Board to provide recommendations to Cabinet on land allocation, and a Crown Lands Unit to handle the day-to-day management and processing of applications. It

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outlines the application process for various uses, including residential, commercial, and agricultural, and establishes procedures for compliance, enforcement, and appeals through a dedicated Tribunal. The legislation aims to ensure Crown Lands are managed for the benefit of the people and facilitates a transparent framework for sustainable development.

Responsible Ministry/Department:
Ministry of Environment, Natural Resources and Climate Change

vii) Customs Management and Duties Act, 2010

The Virgin Islands Customs Management and Duties Act, 2010, governs the collection and management of customs revenues in the territory. It establishes detailed legal frameworks for various customs procedures, including exportation, warehousing, and the imposition of duties, drawbacks, prohibitions, and restrictions. Significant portions of the text consist of the Integrated Customs Tariff, which utilises the Harmonised Commodity Description and Coding System to classify goods and determine applicable duty rates. Furthermore, the Act specifies numerous exempt goods and outlines the legal consequences, such as fines and forfeiture, for various customs-related offences and breaches of conditions.

Responsible Ministry/Department:
His Majesty's Customs
Ministry of Finance

viii) Derelict Vehicles (Disposal) Act, 2000

The Derelict Vehicles (Disposal) Act, 2000 details the legal framework for managing abandoned and dilapidated vehicles. The Act establishes a fund for derelict vehicles, grants the Manager of the Solid Waste Department the power to remove and dispose of these vehicles through sale, and specifies the procedures for notifying vehicle owners, handling appeals, and the penalties for non-compliance. Its objectives include identifying and properly disposing of derelict vehicles, promoting a clean and healthy environment, and improving road safety. The Act defines key terms, including "motor vehicle," which is defined as *"any mechanically propelled vehicle intended or adapted for use on roads, excluding a motorcycle, but specifically encompassing any agricultural, earth moving and other similar vehicle, and any boat."*

Responsible Ministry/Department:
Department of Waste Management
Ministry of Health and Social Development

ix) Disaster Management Act, 2003

The Virgin Islands Disaster Management Act, 2003, establishes a comprehensive legal framework for addressing emergencies and disasters within The Virgin Islands. This Act outlines the role of the Governor in declaring disaster areas and coordinating emergency relief efforts, and creates the Department of Disaster Management, headed by a director with broad powers, particularly during emergencies. Key structures mandated by the

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legislation include the National Disaster Management Council, the requirement for a National Disaster Management Plan, and the establishment of Emergency Operations Centres and Shelters. Furthermore, the Act details provisions for hazard management in especially vulnerable areas, implements a National Alert System (including broadcast and siren systems), and establishes an Emergency Disaster Fund for recovery and preventive measures.

Responsible Ministry/Department:

Department of Disaster Management

x) Disaster Management Amendment Act, 2018

The Disaster Management (Amendment) Act, 2018 establishes legal procedures for addressing hazardous vessels and debris within the territorial waters of The Virgin Islands. This legislation empowers authorities, specifically the Receiver of Wrecks and the Ports Authority, to issue formal notices requiring owners to clear away abandoned or sunken objects that obstruct navigation. If owners fail to comply within sixty days, the government is authorised to seize, remove, or sell the property to recover any associated costs. The Act also details the financial responsibilities of insurers and includes provisions for administrative penalties against those who ignore removal orders. Furthermore, it protects officials from legal liability when they perform these duties in good faith to maintain maritime safety.

Responsible Ministry/Department:

Department of Disaster Management

xi) Environmental Protection and Tourism Improvement Fund Act, 2017

The Act establishes a fund to be financed by an environmental and tourism levy of $10.00 imposed on non-resident passengers arriving by air or sea. The monies collected are designated for the protection and improvement of the environment and tourism product, including site maintenance, development, and marketing. Specific exemptions to the levy are outlined, including those for residents, young children, government officials, and individuals in transit. The Act also details the administration of the fund. It empowers the Minister to amend the levy rate and the allocation percentages for various purposes, with regulations to give full effect to the Act.

Responsible Ministry/Department:
Ministry of Finance

xii) Environmental Protection and Tourism Improvement Fund Regulations, 2025

The Environmental Protection and Tourism Improvement Fund Regulations, 2025, for The Virgin Islands, were established under the Environmental Protection and Tourism Improvement Fund Act, 2017. The regulations detail the management, collection, and distribution of funds generated by an environmental and tourism levy. They specify the objects and scope of the regulations and the administration of the Fund, designating recipients like The Virgin Islands Climate Change Trust Fund, the National Parks Trust of

The Virgin Islands, and the British Virgin Islands Tourist Board to receive portions of the levy proceeds for environmental protection and tourism development. The regulations also establish administrative procedures for the Financial Secretary to publish financial statements and for recipients to apply for disbursements, requiring them to account for how the funds are used.

Responsible Ministry/Department:
Ministry of Finance

xiii) Environment Protection (Overseas Territories) Order, 1988

The Environment Protection (Overseas Territories) Order, 1988, is a statutory instrument that extends and applies parts of the Food and Environment Protection Act 1985 to several British Overseas Territories, including The Virgin Islands. This legislation primarily addresses marine pollution by establishing a comprehensive licensing system for the deposit of substances in the sea, under the seabed, and for the incineration or scuttling of vessels at sea. It details the powers of the Governor in the territories to issue, vary, and revoke licences, outlines offences and penalties for non-compliance, and grants specific enforcement powers to authorised officers to protect the marine environment. The Order also explicitly revokes the earlier Dumping at Sea Act 1974 (Overseas Territories) Order 1975 regarding the territories listed.

Responsible Ministry/Department:
Governor's Office

xiv) Fisheries Act, 1997

The Fisheries Act, 1997, establishes a comprehensive legal framework for fisheries management, conservation, and related activities. Key areas covered include the establishment and functions of a Fisheries Advisory Committee, procedures for the registration and licensing of both local and foreign fishing vessels, provisions for regional cooperation and access agreements, and measures for marine conservation, scientific research, and aquaculture development. The Act also details prohibited fishing methods, requirements for fish processing establishments, and the enforcement powers of authorised officers, along with associated penalties for offences.

Responsible Ministry/Department:
Department of Agriculture and Fisheries
Premier's Office

xv) Fisheries Regulations, 2003

Fisheries Regulations, 2003, covers a comprehensive range of topics related to fishing and marine activities. Key areas addressed include the registration and licensing processes for both local and foreign fishing vessels and fishermen, detailing application procedures, licence types, and associated conditions. The regulations also specify various conservation measures for protected species and define prohibited fishing methods. It establishes rules for marine scientific research, aquaculture, and fish processing establishments, and designates specific fishing priority and marine protected

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areas. Finally, it outlines rules for sport and pleasure fishing, procedures for test fishing, and general provisions regarding fish landing, marketing, distribution, and importation, along with outlining offences and penalties.

Responsible Ministry/Department:
Department of Agriculture and Fisheries
Premier's Office

xvi) Food Security and Sustainability Act, 2022 (enacted but not yet in force)

The Virgin Islands Food Security and Sustainability Act, 2022, will repeal the Fisheries Act, 1997 and establish a framework for managing agriculture and fisheries in the Territory. The Act details the creation and responsibilities of the Agriculture and Fisheries Management Unit and The Virgin Islands Agriculture and Fisheries Authority, which are tasked with promoting food security and sustainable development in these sectors. Key areas covered by the legislation include the development of food security management plans and policies, the establishment and enforcement of food safety standards, and other provisions governing everything from licensing of commercial farms and fishing vessels to the control of animal health, pests, and diseases. Furthermore, the Act addresses enforcement matters, including offences and penalties related to cruelty to animals, straying livestock, and prohibited fishing methods, alongside administrative procedures for the Authority's operation.

Responsible Ministry/Department:
Department of Agriculture and Fisheries
Premier's Office

xvii) Litter (Abatement) Act (CAP 182)

The Litter (Abatement) Act establishes regulations and enforcement mechanisms regarding littering. This legislation defines "litter" and outlines several prohibited actions, such as depositing litter in public or unauthorised private places, interfering with receptacles, or transporting litter in a manner that allows it to scatter. The Act establishes the role of a Litter Warden, including police constables and public health inspectors, who are responsible for preventing contraventions and enforcing the rules. Violators can be issued a litter removal order or face offences and penalties, which may include a fine up to $250 or imprisonment, although a fixed penalty of $50.00 may be paid to discharge liability. Finally, the Act includes forms for the Litter Removal Order and the Fixed Penalty Notice, detailing the contraventions and payment procedures.

Responsible Ministry/Department:
Department of Waste Management
Ministry of Health and Social Development

xviii) Merchant Shipping Act, 2001 (and amendments)

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The Act is comprehensive maritime legislation that consolidates all laws related to merchant shipping in the Territory. The Act covers ship registration, making provisions for which vessels can be registered as Virgin Islands ships and the qualifications required for ownership. It regulates critical areas including crew employment and welfare, maritime safety standards, prevention of collisions at sea, cargo handling (especially dangerous goods), wreck and salvage operations, and oil pollution liability and compensation. The Act also establishes enforcement mechanisms, sets out the powers of maritime officials like the Registrar of Shipping and surveyors, and implements various international maritime conventions to ensure VI-registered ships meet global safety and environmental standards.

Responsible Ministry/Department:
Virgin Islands Shipping and Maritime Authority
Premier's Office

Note: A maritime law review is underway, which seeks to prepare a revised, amended, consolidated Virgin Islands Merchant Shipping Act to fully implement all maritime treaties and conventions accompanied by revised and consolidated regulations and Marine Guidance notes.
At the completion of the project, The Virgin Islands should have full up-to-date implementation of the following maritime safety conventions;

1. International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended

2. International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997 (MARPOL

3. International Convention on Load Lines (LL), 1966, and Protocol of 1988

4. International Convention on Tonnage Measurement of Ships 1969

5. Convention on the International Regulations for Preventing Collisions at Sea (COLREG), 1972

6. International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) as amended, including the 1995 and 2010 Manila Amendments

7. International Convention on the Control of Anti-fouling Systems on Ships (AFS), 2001

8. Maritime Labour Convention (MLC) 2006

The Virgin Islands should also be in a position to consider accepting the extension of the following conventions;

- International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC);

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- International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM), 2004

- Nairobi International Convention on the Removal of Wrecks 2007

- The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009

- International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS), 2010

xix) Merchant Shipping (Accident Reporting and Investigation) Regulations, 2020

The Virgin Islands Merchant Shipping (Accident Reporting and Investigation) Regulations, 2020 establish a mandatory legal framework for reporting maritime accidents, preserving voyage evidence, and conducting safety investigations for Virgin Islands vessels worldwide and foreign vessels within Virgin Islands waters. Administered primarily by the Chief Marine Accident Investigator alongside the Director of Shipping, the Ports Authority, and the Governor, the regulations incorporate key international standards from UNCLOS, SOLAS, Load Lines, MARPOL, and the IMO Casualty Investigation Code. Their sole statutory objective is the prevention of future maritime accidents and environmental harm through factual investigation and safety recommendations, explicitly operating without determining legal liability or apportioning blame

xx) Mongoose Prohibition Act (CAP 91)

The Act prohibits the importation of any mongoose into The Virgin Islands, with severe penalties for violations, including fines and imprisonment. Furthermore, the Act grants various officials, such as police and government officers, the authority to enter any premises to search for, seize, and destroy any mongoose found within the territory.

Responsible Ministry/Department:
Ministry of Environment, Natural Resources and Climate Change

xxi) National Parks Act, 2006

The National Parks Act, 2006 of The Virgin Islands, establishes a comprehensive system for national parks and other protected areas. It details the administration of this system by the National Parks Trust of The Virgin Islands, including its functions, board structure, finances, and planning requirements. The Act specifies the procedures for the establishment, classification, and management of protected areas, incorporating various types such as national parks, nature reserves, and historic sites. Furthermore, it addresses the protection of historic shipwrecks, outlines provisions for conservation agreements with private property owners, and defines controlled activities and associated penalties within protected areas. The text also includes sections on enforcement,

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environmental impact assessments, and other miscellaneous provisions to ensure the conservation and preservation of The Virgin Islands' natural and cultural heritage.

Responsible Ministry/Department:
National Parks Trust of The Virgin Islands
Ministry of Environment, Natural Resources and Climate Change

xxii) National Parks Trust Regulations, 2008

The Virgin Islands National Parks Regulations, 2008, is a comprehensive statutory instrument enacted under the National Parks Act, 2006. These regulations establish detailed guidelines for the public use and administration of all national parks, covering general conduct, visitor activities like camping and picnicking, and the use of vehicles and vessels. A significant portion of the Regulations focuses on specific management protocols for historic shipwrecks and marine parks, including licensing requirements for survey, recovery, and excavation activities. Furthermore, the regulations delineate the framework for concession licences to commercial operators providing visitor services and outlines enforcement measures such as fines and penalties for various offences.

Responsible Ministry/Department:
National Parks Trust of The Virgin Islands
Ministry of Environment, Natural Resources and Climate Change

xxiii) National Parks Trust (Amendment) Act, 2024

This amendment outlines significant changes and updates to the existing National Parks Trust Act of 2006. Key amendments focus on strengthening governance and accountability of the Trust, including provisions for sound financial management, enhanced board oversight, and stricter procurement rules. The act also details new requirements for declarations of interest and a code of conduct for board members, emphasising ethical standards and conflict of interest mitigation. Appeals processes for Trust decisions and ministerial oversight responsibilities are also clearly defined, providing a more robust framework for the Trust's operations.

Responsible Ministry/Department:
National Parks Trust of The Virgin Islands
Ministry of Environment, Natural Resources and Climate Change

xxiv) Ports Authority Act, 1990

The British Virgin Islands Ports Authority Act, 1990, establishes the British Virgin Islands Ports Authority and defines its functions, which includes significant responsibilities regarding environmental protection within the territorial waters. The legislation holds the owner or master of a vessel liable to the Authority or the Crown for the cost of clearing pollution from the territorial waters or the foreshore, and specifically for any damage or injury to the marine environment or marine life of the British Virgin Islands arising from or connected with pollution or other damage caused by the vessel. Furthermore, if a vessel remains sunk, stranded, or abandoned and is likely to constitute a risk of pollution or a

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danger to the environment, the Authority may authorise its removal and disposal. The Minister also has the authority, with the approval of the Governor in Council, to order the removal of any foreign vessel from territorial waters if it is urgent and necessary for the protection of the marine environment. To support these protections, the Minister may make regulations providing for the prevention of damage to or pollution of premises of the Authority and the pollution of the water in the harbours, the preservation of the marine environment in a harbour area, and the implementation of relevant international treaties or conventions ratified by the United Kingdom.

Responsible Ministry/Department:
BVI Ports Authority
Ministry of Communications and Works

xxv) Physical Planning Act, 2004

The Planning Act outlines a comprehensive framework for land use and development management in the Territory. It establishes a Planning Authority responsible for creating and implementing a National Physical Development Plan, regulating development permission through detailed procedures and conditions, and addressing compliance issues like unauthorised construction. A significant portion focuses on environmental protection, including the listing and preservation of historic buildings and sites, controlling advertisements, and designating environmental protection areas.

The Act also details provisions for compensation and land acquisition for planning and establishes an Appeals Tribunal to handle disputes related to planning decisions.

Responsible Ministry/Department:
Town and Country Planning Department
Ministry of Environment, Natural Resources and Climate Change

xxvi) Pigeon Ordinance (CAP 92), 1926

The Act specifically prohibits keeping pigeons within a defined area of Road Town unless authorised in writing by the Governor, who has discretion to refuse permission. Violation of the Act or the conditions of an authorisation can result in a penalty not exceeding twenty-four dollars.

Responsible Ministry/Department:
Ministry of Environment, Natural Resources and Climate Change
Governor's Office

xxvii) Protection of Trees and Conservation of Soil and Water, CAP 86 (1954)

This ordinance outlines regulations aimed at preserving these natural resources. It defines key terms like "Crown land," "livestock," "private land," "protected area," and "protected tree." The document establishes the authority of the Governor in Council to designate areas and trees for protection, outlining the criteria and process for doing so. It

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also specifies prohibited activities within protected areas and the penalties for violations, while also detailing the process for obtaining licences and the criteria for compensation in cases of loss due to the ordinance's implementation.

Responsible Ministry/Department:
Ministry of Environment, Natural Resources and Climate Change
Governor's Office

xxviii) Public Health Act, 1977

The Public Health Act 1977 (Chapter 194) is a legislative framework establishing government authority primarily under the Minister responsible for Health, to oversee public health services, control communicable diseases, and enforce sanitation standards across designated health districts. It intersects directly with the environment by using environmental health regulation as a primary tool for public protection, granting regulatory powers to maintain pure water supplies, construct sewers and manage offensive waste disposal, control environmental pollution and radiation hazards, eradicate disease vectors like mosquitoes and rodents, eliminate insanitary property nuisances, and regulate offensive trades and public spaces

xxix) Public Health (Nuisance) Regulations, 1977

The Public Health (Nuisance) Regulations 1977 (Statutory Rules and Orders 1977, No. 23) are subsidiary rules to define, prevent, and abate specific public health hazards. They intersect directly with the environment by establishing strict legal controls over physical premises and land, explicitly prohibiting unsanitary accumulations or deposits of liquid and solid waste, contaminated water supplies, cisterns, tanks, and gutters, overgrown ditches with standing water that shelter or breed pests, improperly constructed or maintained sanitary conveniences, and animals kept in conditions prejudicial to human health. Environmental health enforcement is carried out through statutory abatement notices, magistrate-issued nuisance or premises closing orders, daily non-compliance fines, and powers authorizing the Chief Medical Officer to enter properties to physically abate or remove environmental hazards and recover expenses from responsible parties

xxx) Resolution No. 7 of 1989 of the Legislative Council

This resolution addresses the importance and use of the Territory's shores and beaches. It acknowledges their historical use and the threat posed by private ownership limiting access. The resolution declares that all shores and beaches are vested in the Crown and affirms the right to free access from the water and reasonable access from land. Essentially, it aims to protect public access to these vital resources for both citizens and visitors.

xxxi) Government Salt Ponds Ordinance CAP 240

The Virgin Islands Government Salt Ponds Act, was originally enacted in 1904. The core of the Act is its prohibition on taking or removing salt from any government-owned salt pond without prior written permission from the Governor. Violators of this rule are subject

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to penalties, including a fine not exceeding two hundred and forty dollars or imprisonment for up to six months.

Responsible Ministry/Department:
Ministry of Environment, Natural Resources and Climate Change
Governor's Office

xxxii) Trade in Endangered Species Act, 2020

The Virgin Islands Trade in Endangered Species (CITES) Act, 2020, outlines a comprehensive legal framework for regulating the international trade of endangered wild animals and plants in the Territory, aligning with the CITES Convention. The document covers the administration of the Act, including defining the Management and Scientific Authorities, details the requirements for obtaining permits and certificates for trade, and specifies the conditions for their issuance. Furthermore, it addresses special procedures and exemptions, the registration of traders, financial provisions, enforcement measures, and outlines offences and penalties for violations. The Act also includes schedules listing the CITES-listed species and details related to application forms and fees.

Responsible Ministry/Department:
Ministry of Environment, Natural Resources and Climate Change

xxxiii) Virgin Islands Climate Change Trust Fund Act, 2015

The Virgin Islands Climate Change Trust Fund Act of 2015, outlines the establishment, objectives, and operation of a trust fund aimed at addressing climate change impacts. The Act details the management and administration of the trust, including the establishment and function of a Board of Trustees, the financial matters of the Trust, and various miscellaneous provisions concerning reporting, dissolution, and regulations. It also includes schedules specifying meetings of the board, matters for the operational manual, and persons eligible to be appointed to the review committee, providing a comprehensive framework for the Trust's activities.

Responsible Ministry/Department:
Ministry of Environment, Natural Resources and Climate Change

xxxiv) Wild Birds Protection Ordinance

The Wild Birds Protection Ordinance establishes a legal framework for the conservation of avian species by prohibiting the killing, injuring, or capturing of birds listed in its schedules. This legislation strictly forbids the destruction of nests or eggs and bans the unauthorised possession, sale, or export of bird remains and plumage. Enforcement officers are granted the authority to conduct searches, seize evidence, and arrest suspects without a warrant to ensure compliance. While certain traps and firearms are banned to prevent indiscriminate harm, the Governor maintains the power to grant exceptions for scientific research or the creation of protected bird sanctuaries. Violators face significant fines, imprisonment, and the forfeiture of any equipment used during the

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commission of an offence. Overall, the document serves to protect regional biodiversity through comprehensive regulations on hunting, commerce, and habitat preservation.

Under the Wild Birds Protection Ordinance (CAP. 96), the Governor in Council has established specific bird sanctuaries through the Bird Sanctuaries Order 1959 legal orders that strictly prohibit the wilful killing, injuring, or taking of any wild bird, as well as the destruction or damage of their nests and eggs. The designated bird sanctuaries are Cockroach Island, Cooper Island, Deadman's Chest Island, Fallen Jerusalem Island, George Dog Island, Ginger Island, Great Dog Island, Great Tobago Island, Little Dog Island, Little Tobago Island, Mosquito Island, Necker Island, Peter Island, Prickly Pear Island, Round Rock Island, Saba Island, Salt Island, St. Eustatia, The Seal Dogs Island, and Flamingo Pond (including adjoining land and ponds on the Island of Anegada)

Responsible Ministry/Department:
Governor's Office

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APPENDIX B POLICIES AND PLANS

i) Energy Policy, 2016

The core policy goal of the Energy Policy is environmental stewardship, focused on minimising the environmental footprint on air, water, land, and wildlife by promoting renewable energy and efficiency, and coordinating with the Territory's Climate Change and Adaptation Policy and Disaster Management Policy. Mitigation strategies involve setting a target to supply 30% of energy by renewable means by 2023, diversifying fuel sources to lower emissions and oil spill potential, and leveraging the growing waste stream (currently managed via unlined landfills and open burning) for energy generation while expanding recycling programmes and monitoring air and water pollution. Furthermore, efforts in the transportation sector include encouraging non-fossil charging stations (such as solar) for electric vehicles and establishing emissions requirements to prevent the import of old, high-emitting vehicles. Crucially, the current centralisation of energy assets makes the system vulnerable to catastrophic failure from events like tsunamis or earthquakes. The Policy emphasises that The Virgin Islands must;

a) improve the resilience of its energy infrastructure,
b) prepare feasibility reports to investigate methods for reducing climate change and natural hazard risks,
c) assess the costs and benefits of climate-proofing infrastructure, and
d) encourage distributed energy resources to enhance reliability against disasters.

ii) National Sustainable Development Plan – Vision 2036: Building a Sustainable Virgin Islands

The National Sustainable Development Plan (NSDP) for The Virgin Islands places significant emphasis on the environment and its protection. Environmental sustainability is explicitly designated as *National Goal 6: The Virgin Islands Embraces Environmental Sustainability for Sustainable Islands' Development.* It is a core component of the plan's vision for a well-balanced, people-centred Virgin Islands.

Goal 6 is pursued through two primary National Outcomes:

(a) *National Outcome #16: Environmental Sustainability*

This outcome aims to ensure that by 2036, every citizen and resident has access to a clean and healthy environment. It recognises the natural environment as a vital asset for sustainable economic growth and development. The plan highlights the crucial role of healthy ecosystems like coral reefs, seagrass beds, and mangroves in providing essential services such as protection from storm surge, flood control, and supporting the tourism and fisheries sectors. It acknowledges significant threats to these ecosystems, including natural hazards, climate change, invasive non-native species, pollution (both water and terrestrial, especially land-based sources), land reclamation, and habitat loss.

(b) National Outcome #17: Hazard Risk Reduction and Adaptation to Climate Change

This outcome addresses The Virgin Islands' high vulnerability to climate change, particularly tropical cyclones (hurricanes and storms) and excess rainfall. It recognises that the frequency of extreme weather events is likely to increase due to climate change. The outcome emphasises resilience building as a key development priority and calls for accelerating the implementation of the National Climate Change Adaptation Policy. Developing appropriate legislative and regulatory frameworks for environmental and

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ecosystems management, as well as enhancing institutional systems for responding to and mitigating climate change effects, are also key focuses. The plan stresses the role of ecosystems and ecosystem-based solutions in reducing the vulnerability of the islands.

(c) Integration with Economic Development:

The plan strongly links environmental sustainability to economic development, particularly through *National Outcome #7: Green and Blue Economy.* This involves the sustainable use of ocean resources for economic growth, employment, and improved livelihoods (the Blue Economy), recognising the significant maritime space relative to land area. It also promotes low-carbon and resource-efficient activities across sectors (Green Economy). Strategies include greening existing industries like tourism and fisheries, strengthening legislation for marine environmental protection, and exploring innovative finance like green and blue bonds.

(d) Waste Management and Circular Economy:

A significant focus is placed on improving waste management practices. The plan highlights that waste generation is considered high and aims to move towards a modern, resilient, environmentally sustainable, and economically viable system for waste collection, treatment, and disposal. The plan proposes adopting a Circular Economy Model to substantially reduce waste generation through prevention, reduction, recycling, and reuse. This includes exploring turning waste into resources and creating related industries, improving dumpsite management, and potentially exporting waste for recycling.

(e) Sustainable Infrastructure and Resources:

The plan links infrastructure development to environmental sustainability through *National Outcome #9: Sustainable Energy and Water*. This includes reducing reliance on fossil fuels by promoting renewable energy sources like wind, solar, and biomass. and improving water management through better infrastructure for supply, sanitation, and wastewater treatment/reuse. Transportation strategies also aim to reduce environmental impacts by incentivising renewable energy use in vehicles and vessels. Environmental Impact Assessments are noted as necessary for infrastructure development.

(f) Specific Environmental Strategies and Actions:

The plan outlines various strategies including enhancing environmental governance, laws, and policy frameworks, rehabilitating degraded ecosystems, addressing land-based pollution, supporting natural resource valuation and accounting, advancing environmental education and awareness, promoting sustainable consumption and production, and fostering sustainable communities while considering climate impacts. Actions like preserving seagrass and corals, managing waste dumpsites better, adopting the Sendai Framework for Disaster Risk Reduction, mainstreaming climate change into policies, and developing capacity for climate financing are also noted.

iii) The Virgin Islands Strategic Blue Economy Roadmap (2020 – 2025)

The Blue Economy Roadmap outlines a strategic roadmap for The Virgin Islands to transition towards a sustainable blue economy. Recognising its significant maritime area and dependence on ocean resources, the plan proposes optimising existing marine sectors, such as tourism and fisheries, while developing new opportunities, including aquaculture and potentially ocean-based renewable energy. The roadmap emphasises the importance of an enabling environment with robust governance, sustainable finance,

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capacity building, and public awareness. It outlines specific strategies and activities across key areas, including tourism, fisheries, aquaculture, marine science, and emerging opportunities, with a focus on integrated management and addressing challenges such as climate change and illegal fishing.

iv) The Virgin Islands Climate Change Adaptation Policy, 2012 (under update)

The Virgin Islands Climate Change Adaptation Policy establishes an integrated national process aimed at achieving low-carbon, climate-resilient development. The policy uses consensus-based *"no regrets"* policy interventions to reduce adverse impacts of Climate Change and ensure long-term energy security, organising its goals across seven critical sectors:

i. enhancing the resilience of natural resources and fisheries;
ii. fostering a better managed, more resilient, and environmentally responsible tourism industry;
iii. minimising the vulnerability of insured and mortgaged properties within the insurance and banking sectors;
iv. strengthening food security through expanded and climate-resilient local agricultural production;
v. enhancing the health care sector's capacity to deal with climate-related health impacts;
vi. promoting water conservation and enhancing the resilience of critical infrastructure and human settlements while avoiding construction in hazard-prone areas; and
vii. encouraging energy conservation, efficiency, and the use of renewable energy to increase energy security and reduce costs.

Accountability for implementation is vested in the National Climate Change Committee (NCCC), supported by a dedicated Climate Change Trust Fund.

v) Protected Areas Systems Plan 2007 – 2017

The Protected Areas System Plan 2007–2017, is a comprehensive strategic framework for conservation and sustainable development. It details the establishment and management of protected areas across The Virgin Islands, acknowledging the historical context of previous plans and the legislative basis provided by the National Parks Act, 2006. The Plan outlines the roles and responsibilities of key government agencies, and discusses critical aspects like financing, planning processes, and system vulnerability. Crucially, the plan presents an extensive list of existing and proposed protected sites, complete with their management categories and maps, emphasising the integration of conservation with national development, particularly tourism and land use planning.
The Plan is currently being updated, and is proposed to be completed in 2026.

vi) The Virgin Islands Beach Use Policy, 2020

The Virgin Islands Beach Use Policy details the management framework for the beaches in The Virgin Islands. It emphasises the cultural, economic, and ecological importance of beaches, recognising them as a public trust with guaranteed free access. The Policy addresses historical ad hoc development and the need for a comprehensive management approach to balance various uses with environmental integrity. It details existing

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legislative support, outlines threats to beaches such as pollution and overcrowding, and describes a planned management framework including classification systems, planning processes, and the responsibilities of various government agencies in issuing permits and licences for beach use.

vii) Marine Estate Administration Policy, 2022

The Marine Estate Administration Policy for The Virgin Islands, outlines the governance and sustainable use of its territorial waters and seabed. It addresses the licensing and leasing of the seabed for various structures and activities, while emphasising the importance of environmental protection, climate change considerations, and disaster risk reduction. The policy establishes a Technical Review Committee to administer seabed allocation and management, including the application of development and environmental fees. It also defines different types of agreements (leases, licences, easements) and clarifies public access rights within the marine estate.

viii) UK Overseas Territories Biodiversity Strategy, 2025

This Strategy outlines a joint effort between the UK and its Overseas Territories to protect and restore biodiversity, recognising the global significance and unique endemic species found in Overseas Territories. The Strategy is developed around six core goals, which are,

i. reconnecting people with nature,
ii. developing local conservation skills,
iii. maximising funding and collaboration opportunities,
iv. strengthening regulatory frameworks,
v. enhancing environmental resilience, and
vi. championing nature's benefits.

The Strategy details the context of biodiversity within the UK Overseas Territories, highlights various threats such as climate change and invasive non-native species, and concludes with specific strategic priorities tailored for The Virgin Islands.

ix) National Biodiversity Strategy and Action Plan, 2025 (draft)

This draft National Biodiversity Strategy and Action Plan (NBSAP) for The Virgin Islands was developed through the financial support of the OECS Biospace Programme. It outlines a mission for 2035 to halt and reverse biodiversity loss by restoring ecosystems to strengthen resilience, sustainable development, and community well-being, aligning with the Kunming-Montreal Global Biodiversity Framework. The report identifies significant threats to The Virgin Islands' unique ecosystems, including habitat loss, climate change, and pollution, which are compounded by weak governance and limited funding. To address these issues, the NBSAP details twelve national targets focused on areas such as conservation management, pollution reduction, biosecurity, sustainable fisheries, and the integration of nature-based solutions into infrastructure projects. Finally, the draft Strategy includes a monitoring and evaluation plan and a detailed costing estimate to guide the implementation of these long-term conservation goals.

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x) National Environment Action Plan, 2004

The National Environmental Action Plan (NEAP) for The Virgin Islands, prepared in May 2004 by the Conservation and Fisheries Department and the Ministry of Natural Resources and Labour, established a framework for managing the environment in a responsible and sustainable manner by integrating environmental concerns from the National Integrated Development Strategy (NIDS). Developed through a comprehensive participatory methodology involving document review, sub-committee workshops, surveys, and focus groups across the community, the NEAP addressed the serious threats posed by rapid population growth, urbanisation, and infrastructural development to the Territory's natural resources. Critical issues identified included;

i. inadequate solid and liquid waste disposal systems,
ii. degradation of marine life due to pollution, uncontrolled reclamation, and
iii. fragmented, outdated environmental legislation lacking adequate enforcement mechanisms.

Key strategies proposed to achieve the vision of a well-managed environment included

i. restructuring the government administration to establish a Ministry of Natural Resources, Environment and Planning and an Environmental Protection Board
ii. strengthening the legal framework through a comprehensive Virgin Islands Environment Act, mandating Environmental Impact Assessments (EIAs) for development projects, and
iii. implementing national strategies for waste management, water conservation, and biodiversity preservation.

xi) National Physical Development Plan, 2019

The National Physical Development Plan (NPDP) is a long-range strategy for sustainable land use, development, and climate change resilience across all islands and cays through 2040. It details the plan's background, legal basis under the Physical Planning Act 2004, and the process of its formation, including extensive public consultation and technical analysis. The NPDP is organised into three parts focusing on its origins, policies for land use and development, and strategies for strengthening planning institutions and monitoring progress. It emphasises prioritising resilience to natural hazards, managing development through a settlement area hierarchy, and protecting the natural environment, all while aiming to enhance tourism and infrastructure for the well-being of The Virgin Islands' population.

xii) National Tourism Policy 2025 – 2035 (draft)

The draft Virgin Islands National Tourism Policy 2025–2035, developed through extensive, Territory-wide consultations, provides a comprehensive framework for transforming the tourism sector into a resilient, inclusive, and globally competitive pillar of sustainable development. Aligned with the OECS Common Sustainable Tourism Policy and the National Sustainable Development Plan, the Policy's core objective is to strike a balanced tourism model, harmonising the volume benefits of mass tourism (such as cruise arrivals) with the high-value exclusivity of luxury and boutique tourism. Its strategy is organised around eight strategic pillars that address persistent challenges like fragmented governance and the need for diversification beyond marine-based activities. Critical implementation measures include institutional reform, which mandates the

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Ministry of Tourism, Culture and Sustainable Development to lead on product development, certification, and standards, while the BVI Tourist Board focuses exclusively on destination marketing. These reforms are to be underpinned by the necessary drafting and enactment of a comprehensive Tourism Development Act to legally enforce quality standards, capacity management, and data reporting.

xiii) The Final Strategy Report for Waste Management in The Virgin Islands

The Final Strategy Report for Waste Management in The Virgin Islands, published in December 2019 by Agency RED for the Ministry of Health & Social Development (MHSD) and the Department of Waste Management (DWM), outlines a plan to update the 2013 strategy and increase the resilience of the solid waste management (SWM) system against natural disasters, especially following Hurricane Irma. It outlines that the existing system faces significant issues, including extremely outdated and fragmentary legislation, high waste generation with virtually non-existent prevention schemes, and the complete reliance on saturated open dumpsites, such as Pockwood Pond, because the Tortola incinerator is out of service due to a fire. The strategy proposes a transition from a consumption and disposal approach to an integrated solid waste management system based on the principles of the waste hierarchy and the circular economy. Financing the system is central to the plan, relying on the polluter pays principle and real cost-based pricing to achieve 100% cost coverage within five years through the introduction of user fees, fines, and extended producer responsibility (ERP) mechanisms. Key technical measures include banning specific products (like single-use plastics and pallets), establishing separate wet/dry waste collection, constructing material recovery facilities, and making major investments such as procuring a new, state-of-the-art incinerator with full stack gas treatment and energy recovery (budgeted at 25,000,000) *and constructing a sanitary landfill* (budgeted at 3,700,000). The governance structure is also slated for reform, including setting up the DWM as a statutory body to enhance autonomy and specialised capacity building for staff.

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APPENDIX C INTERNATIONAL OBLIGATIONS

i) Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, with Oil Spill Protocol (only)

This is a regional framework for protecting the Caribbean marine environment from pollution, degradation, and disasters. The Oil Spill Protocol addresses prevention, preparedness, and response to oil spill incidents. The Virgin Islands participates in regional oil spill response mechanisms and coordinates with Caribbean partners on marine pollution prevention and emergency response.

ii) Convention on Biological Diversity (CBD) and Nagoya Protocol on Access and Benefit Sharing

CBD promotes the conservation of biological diversity, sustainable use of its components, and fair sharing of benefits from genetic resources. The Nagoya Protocol ensures that benefits from the use of genetic resources are shared with the countries that provide those resources. It guides biodiversity conservation efforts, protected area management, and the regulation of bioprospecting activities, ensuring that the Territory receives benefits from the commercial use of its genetic resources and associated traditional knowledge.

iii) Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

CITES regulates international trade in specimens of wild animals and plants through a permit system to ensure trade does not threaten species survival based on three appendices for protection levels. It is enforced locally through the Trade in Endangered Species (CITES) Act, 2020.

iv) Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (the London Convention) and London Protocol

This convention controls ocean dumping of wastes and prohibits the dumping of certain hazardous materials. The Protocol adopts a precautionary approach, allowing only approved materials to be disposed of. It controls ocean dumping in The Virgin Islands waters and establishes standards for any permitted disposal at sea, including dredge spoils and vessel waste management.

v) Convention on the Conservation of Migratory Species (CMS)

CMS protects migratory species across their range through international cooperation. It protects migratory bird species and marine species such as whales, dolphins, and sea turtles that transit Virgin Islands' waters

vi) Environment Charter British Virgin Islands

The Environment Charter for the British Virgin Islands outlines ten guiding principles intended to recognise the right of all people to a healthy environment for their well-being, ensure the wise use of natural resources for present and future generations, and balance

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environmental protection with development. Key principles also focus on safeguarding native species, habitats, and landscape features, controlling pollution, and celebrating environmental heritage. The Charter includes mutual commitments from both the UK Government and the Government of The Virgin Islands. In the Charter, the UK commits to;

i. providing assistance,
ii. integrated environmental assessments, and
iii. support for meeting international obligations;

The Virgin Islands Government commits to;

i. protecting and restoring the environment through appropriate legislation,
ii. integrating environmental considerations into policy and production,
iii. ensuring the polluter should pay,
iv. promoting environmental education, and
v. fostering cooperation among government departments

vii) International Commission for the Conservation of Atlantic Tunas (ICCAT)

ICCAT manages conservation of tunas and tuna-like species in the Atlantic Ocean through catch quotas, size limits, and fishing effort restrictions. It regulates commercial fishing for tuna and billfish in VI waters and by VI-flagged vessels, ensuring sustainable harvest and compliance with established quotas.

viii) International Convention for the Prevention of Pollution from Ships (MARPOL)

MARPOL prevents pollution from ships through six annexes covering oil, noxious liquids, harmful packaged substances, sewage, garbage, and air emissions.

ix) Montreal Protocol and Vienna Convention

The Montreal Protocol phases out production and consumption of ozone-depleting substances, including chlorofluorocarbons (CFCs), halons, and hydrochlorofluorocarbons (HCFCs). It controls the import and use of ozone-depleting substances in refrigeration, air conditioning, and fire suppression systems. Promotes transition to environmentally friendly alternatives.

The Vienna Convention is a Framework Convention for international cooperation on protecting the ozone layer through research, monitoring, and measures to control activities that deplete it. Implemented through the Montreal Protocol.

x) Organisation of Eastern Caribbean States St. George's Declaration of Principles for Environmental Sustainability in the OECS, 2001

The St George's Declaration is a regional commitment by OECS member states to environmental sustainability, grounded in principles including the polluter-pays principle, the precautionary approach, public participation, and the integration of environmental considerations into development planning.

As an OECS member, The Virgin Islands implements these principles in environmental policy and decision-making, coordinates with regional partners on environmental issues, and participates in OECS environmental programmes.

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xi) Ramsar Convention on Wetlands

Ramsar promotes the conservation and wise use of wetlands through national action and international cooperation, recognising their ecological functions, economic, cultural, and recreational values.
The Western Salt Ponds of Anegada are a designated Ramsar site. It was designated in 1999.

xii) UN Fish stocks Agreement (UNFSA)

The UNFSA implements provisions of the UN Convention on the Law of the Sea for the conservation and management of straddling and highly migratory fish stocks through regional cooperation and a precautionary approach.

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APPENDIX D ENVIRONMENTALLY SENSITIVE AREAS

Location	Reason for Designation
Ghuts	Critical hydrological function for stormwater drainage, flood mitigation and support for riparian biodiversity High threat levels
Salt Ponds	Critical ecosystem functions including flood mitigation, coastal resilience, water quality, and biodiversity support Educational and ecotourism value High threat levels
Beaches	Critical ecosystem functions including coastal resilience, water quality and biodiversity support Cultural, Economic, and Recreational value High threat levels
Mangroves (portfolio of priority areas to be identified)*	Critical ecosystem functions including coastal resilience, terrestrial and marine biodiversity support Cultural, Economic and Recreational Value, Fisheries Support Carbon Sequestration High threat levels
Seagrasses	Critical ecosystem functions including coastal resilience/seabed stabilisation, marine biodiversity support Carbon sequestration Fisheries Support High threat levels
Coral Reefs	Critical ecosystem functions including coastal protection, shoreline stabilisation and marine biodiversity support Fisheries Support Cultural, Economic and Recreational Value, including dive and snorkel tourism High threat levels
Western Salt Ponds of Anegada	Ramsar Wetland of International Importance
Beef Island and the Channel	Tropical Important Plant Area Significant mangrove area Important salt pond area Fisheries Protected Area
Ginger Island	Tropical Important Plant Area

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Location	Reason for Designation
Northern Great Camanoe	Tropical Important Plant Area
Great Thatch	Tropical Important Plant Area
Great Tobago	Tropical Important Plant Area National Park Significant Bird Nesting Site / Designated Bird Sanctuary
Northeastern Jost Van Dyke	Tropical Important Plant Area
Norman Island	Tropical Important Plant Area
Prickly Pear Island	Tropical Important Plant Area
Eastern Scrub Island	Tropical Important Plant Area
Hawks Nest	Tropical Important Plant Area
Mount Sage	Tropical Important Plant Area Significant Forestry Area National Park
Paraquita Bay and Bar Bay	Tropical Important Plant Area Significant mangrove wetland area
Sabbath Hill	Tropical Important Plant Area
Tortola North Shore	Tropical Important Plant Area
Central Virgin Gorda	Tropical Important Plant Area
Eastern Virgin Gorda	Tropical Important Plant Area
Cockroach Island	Bird Sanctuary

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Location	Reason for Designation
Cooper Island	Bird Sanctuary
Deadman's Chest	Bird Sanctuary
Fallen Jerusalem	Bird Sanctuary
George Dog	Bird Sanctuary
Ginger Island	Bird Sanctuary
Great Dog	Bird Sanctuary
Little Dog	Bird Sanctuary
Mosquito Island	Bird Sanctuary
Necker Island	Bird Sanctuary
Peter Island	Bird Sanctuary
Prickly Pear	Bird Sanctuary
Round Rock	Bird Sanctuary
Saba Rock	Bird Sanctuary
Salt Island	Bird Sanctuary
St Eustatia	Bird Sanctuary
The Seal Dogs	Bird Sanctuary

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APPENDIX E ENVIRONMENTALLY SENSITIVE SPECIES

1. Culturally Significant Flora

Scientific Name	Common Name	Reason for Designation
Myrciaria floribunda	Guavaberry	Cultural significance

2. Vulnerable Flora (IUCN Red List)

Scientific Name	Common Name	Reason for Designation
Ilex urbaniana	Urban's Holly	Vulnerable – IUCN Red List
Sabal causiarum	Puerto Rican Hat Palm	Vulnerable – IUCN Red List
Agave missionum	Century Plant	Vulnerable – IUCN Red List
Tillandsia x lineatispica	Puerto Rican Bank Pinon	Vulnerable – IUCN Red List
Argythamnia stahlii	Stahl's silverbush	Vulnerable – IUCN Red List
Malpighia woodburyana	Mad dog	Vulnerable – IUCN Red List
Cedrela odorata	Spanish Cedar	Vulnerable – IUCN Red List
Zanthoxylum flavum	Satinwood	Vulnerable – IUCN Red List
Picrasma excelsa	Bitter Ash	Vulnerable – IUCN Red List

3. Mammals

Scientific Name	Common Name	Reason for Designation
All native bat species		Important ecological function as pollinators, seed dispersers and natural insect controllers The Territory's only native terrestrial mammals

4. Birds

Scientific Name	Common Name	Reason for Designation
All species of wild resident and migratory birds		Important ecological function as natural pest controllers, pollinators, and seed dispersers

5. Marine Life

Scientific Name	Common Name	Reason for Designation
Aliger gigas	Queen Conch	CITES Appendix II species, regulated under the Fisheries Regulations 2003
Cittarium pica	Whelk	Regulated under the Fisheries Regulations 2003
Haemulon album	Margate Fish	Regulated under the Fisheries Regulations 2003
Epinephelus guttatus	Red Hind	Regulated under the Fisheries Regulations 2003
Panulirus argus	Spiny Lobster	Regulated under the Fisheries Regulations 2003
All native corals, sponges and marine algae		

6. Keystone Marine Species

Scientific Name	Common Name	Reason for Designation
All species	Parrotfish	Low numbers in The Virgin Islands Keystone species

7. Mangroves (Critical Ecological Providers)

Scientific Name	Common Name	Reason for Designation
Rhizophora mangle	Red Mangrove	Critical ecological functions High threat levels
Laguncularia racemosa	White Mangrove	Critical ecological functions High threat levels
Avicennia germinans	Black Mangrove	Critical ecological functions High threat levels

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APPENDIX F PROTECTED SPECIES

1. Reptiles & Amphibians (Fauna)

Scientific Name	Common Name	Reason for Designation	Special Considerations
Cyclura pinguis	Anegada Rock Iguana	Critically endangered - IUCN Red List	None
Chilabothrus granti	Virgin Islands Tree Boa	Endangered – IUCN Red List	None
Eleutherodactylus lentus	Virgin Islands Mute Frog	Endangered – IUCN Red List	None
Eleutherodactylus schwartzi	Virgin Islands Coqui (Bo-Peep)	Endemic to The Virgin Islands, IUCN Red List - Endangered	None
Sphaerodactylus parthenopion	Virgin Gorda Least Gecko	Endemic to The Virgin Islands	None
Amphisbaena fenestrata	Cope's worm lizard	—	None
Spondylurus anegadae	Anegada Skink	Endemic to The Virgin Islands (Anegada)	None

2. Marine Life

Scientific Name	Common Name	Reason for Designation	Special Considerations
All species	Marine Mammals	Regulated under Fisheries Regulations 2003	None
All species	Sharks and rays	Fisheries (Protected Species) Order, 2014	Special considerations according to fisheries regulations
Antipatharians	Black corals		
Acropora cervicornis	Staghorn coral		
Acropora palmata	Elkhorn coral		
Dendrogyra cylindrus	Pillar coral		
Epinephelus itajara	Jewfish (Atlantic Goliath Grouper)	Moratorium in Fisheries Regulations 2003, IUCN Red List Vulnerable, Numbers unknown in The Virgin Islands	None

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Scientific Name	Common Name	Reason for Designation	Special Considerations
Epinephelus striatus	Nassau Grouper	IUCN Red List Critically endangered	None
Dermochelys coriacea	Leatherback (Trunk) turtle	IUCN Red List, Endangered in the North Atlantic, CITES Appendix I	A moratorium shall apply.
Eretmochelys imbricata	Hawksbill Turtle	Critically Endangered, CITES Appendix I	A moratorium shall apply based on evidence of low numbers in the wild in The Virgin Islands.
Caretta caretta	Loggerhead turtle	CITES Appendix I	A moratorium shall apply in accordance with the Fisheries Regulations 2003.
Chelonia mydas	Green Turtle	CITES Appendix I	Traditional harvest allowed with conditions
Lepidochelys kempii	Kemp's Ridley Turtle	CITES Appendix I	
Lepidochelys olivacea	Olive Ridley Turtle	CITES Appendix I	

3. **Flora**

Scientific Name	Common Name	Reason for Designation	Special Considerations
Vachellia anegadensis	Poke-me-boy	Endemic, Endangered – IUCN Red List	None
Metastelma anegadense	Wire wist	Virgin Islands Endemic, Endangered on IUCN Red List	None
Pitcairnia jareckii	—	Endemic, Endangered – IUCN Red List	None
Senna polyphylla var. neglecta	—	Critically endangered – IUCN Red List	None
Calyptranthes kiaerskovii	Kiaerskov's Lidflower	Critically Endangered – IUCN Red List	None
Varonia rupicola	—	Endangered – IUCN Red List	None
Leptocereus quadricostatus	Prickly web	Endangered – IUCN Red List	None
Mitracarpus polycladus	Cana Gorda girdlepod	Endangered – IUCN Red List	None

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Scientific Name	Common Name	Reason for Designation	Special Considerations
Maytenus cymosa	Caribbean mayten	Endangered – IUCN Red List	None
Erythrina eggersii	Puerto Rican Bank cockspur	Endangered – IUCN Red List	None
Bastardiopsis eggersii	Jost Van Dyke's Indian Mallow	Endangered – IUCN Red List	None
Calyptranthes thomasiana	St Thomas Lidflower	Endangered – IUCN Red List	None
Peperomia wheeleri	Wheeler's Peperomia	Endangered – IUCN Red List	None
Zanthoxylum thomasianum	St Thomas Prickly-Ash	Endangered – IUCN Red List	None
Machanania woodburyana	Woodbury's machaonia	Endangered – IUCN Red List	None
Guaiacum officinale	Lignum vitae	Endangered – IUCN Red List	None
Pilea sanctae-crucis	Virgin Islands Clearweed	Endangered – IUCN Red List	None

APPENDIX G ACTIVITIES (New Developments and Ongoing Operations) THAT REQUIRE A CERTIFICATE OF ENVIRONMENTAL CLEARANCE

Activity / Business	Priority Concerns	New Developments	Ongoing Operations
Environmentally Sensitive Areas, Conservation Zones, other classes of Protected Areas and Protected Species			
Any activity proposed in or in close proximity to: **a)** a protected area (under any law), **b)** an Environmentally Sensitive Area, **c)** a Conservation Zone **d)** critical habitat for a Protected Species	Ecosystem degradation, Use conflicts, Protected species impacts, Cumulative ecosystem stress, Water quality impacts, Turtle nesting interference, Nesting deterrence, Hatchling disorientation, Construction disturbance, Storm vulnerability	√	√
	Marine pollution	√	√

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Development within 100m of the coast of a scale or nature that would likely have an impact on the marine environment, or Development in the wider coastal zone of a scale or nature that would likely have an impact on the marine environment, and Development within 100 m of wetlands (including ghuts) of a scale and nature that would likely have an impact on wetland health or function, or Development otherwise neighbouring wetlands of a scale and nature that would likely have an impact on wetland health or function.	Water quality impacts, including from sedimentation Marine pollution Groundwater contamination Storm vulnerability		
Coastal and Marine Development			
Marinas & Marine Facilities for docking vessels (>10 berths)	Marine ecosystem destruction Fuel/chemical spills Sewage discharge Invasive species introduction	√	√
Beach Modification & Coastal Engineering	Turtle nesting disruption Coastal erosion Sediment transport changes Habitat destruction	√	
Dredging Operations	Water quality degradation Seagrass/coral smothering Toxic sediment release Fish spawning disruption	√	
Tourism and Hospitality			
Hotels/Resorts (> 10 rooms)	Habitat conversion in construction High resource consumption Wastewater impacts Light pollution (turtles)	√	√
Cruise Ship Terminals	Habitat conversion in construction Marine mammal disturbance Air/water pollution Reef damage (anchoring) Invasive species vectors	√	√

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Charter Boat Fleets (>5 vessels)	Coral damage Marine mammal harassment Marine pollution Cumulative reef impacts		√
Industrial and Manufacturing			
Fuel Storage & Gas Stations	Spills Groundwater contamination Vapour emissions	√	√
Chemical Storage (>1,000L/kg)	Toxic releases Water contamination Soil contamination	√	√
Concrete/Asphalt Plants	Air pollution (dust) Groundwater contamination Noise impacts Runoff pollution	√	√
Waste Management			
Landfills & Transfer Stations	Groundwater contamination Methane and other emissions Disease vectors Odour nuisance	√	√
Wastewater Treatment Plants (>5,000 gal/day)	Water contamination Public health risks Nutrient pollution (reefs) Odour complaints	√	√
Medical Waste Handling	Groundwater contamination	√	√
Agriculture and Fisheries			
Commercial Nurseries	Pesticide runoff Invasive species introduction Water depletion Soil erosion	√	√
Livestock Operations (>50 animals)	Water pollution (nutrients, pathogens)	√	√

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	Odour complaints Flies/rodents Groundwater contamination		
Fish Farming/Aquaculture	Genetic pollution (escapees) Disease transmission to wild fish Nutrient loading Antibiotic resistance	√	√
New Gear Types / Fishing Methods	Seabed impact — physical disturbance to benthic habitats, coral, and reef structure; Selectivity — capacity to target species and size classes without excessive bycatch; Ghost fishing risk if gear is lost or abandoned; Interaction with protected species; Compatibility with existing spatial designations and closed seasons; Energy and emissions footprint for mechanised or vessel-dependent methods; Cumulative and synergistic effects with existing gear already in use in the same area; Reversibility — whether any damage caused can recover within a reasonable timeframe	√	√
Fish Aggregating Devices	Loss; Abandonment; Entanglement of non-target species, including turtles and cetaceans; Material composition; Aggregation effect on juvenile and non-target species; Fish behaviour; Spatial conflicts with MPAs; Conservation Zones; Sensitive ecosystems, including coral, seagrass, mangroves, turtle nesting beaches	√	√
Infrastructure and Utilities			

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Power Generation Plants	Air pollution Noise impacts Fire/explosion risk Climate impacts/greenhouse gas emissions	√	√
Solar Farms (>1 acre) Wind Turbines or Farms	Panel disposal (toxic materials) Storm resilience Habitat loss Runoff/erosion Visual impacts Bird collisions	√	
Desalination Plants	Hypersaline discharge (reef/seagrass impacts) Marine organism mortality Chemical spills High energy use /greenhouse gas emissions	√	√
Cell Towers	Bird/bat collisions Proliferation of towers Electromagnetic concerns and proximity to communities	√	
Roads and Bridges	Habitat fragmentation Erosion / sedimentation Hydrological impacts	√	

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APPENDIX H ACTIVITIES THAT REQUIRE A BEACH USE PERMIT

1) Non-commercial use of beaches, if one or more of the following criteria are met:
   a) Use by an organisation or large group exceeding 50 persons
   b) Use of loudspeakers (any device that amplifies music or other sound)
   c) Use of a barbecue grill, fire pit, bonfire, or open flame
   d) Overnight use by groups

2) Short-term commercial use of beaches

3) Long-term commercial use of beaches

4) Pruning/trimming trees

5) Emergency vegetation removal following storms or natural disasters.

6) Mechanised removal or harvesting of *Sargassum*

7) Erection and placement of structures and equipment such as shade structures, stages, waste receptacles, picnic tables, signage, flagpoles and customer amenities

8) Placement of beach chairs for commercial rental[2]

9) Watercraft operations where no adverse environmental or social impact is demonstrated

10) Structures fixed/anchored to the seabed for water sports/recreation

11) Fireworks display

12) Water sport competitions, boat races and marine displays

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1) [2] Permits are to specify numbers, conditions, at locations

APPENDIX I NATURAL RESOURCE USE THAT REQUIRES A NATURAL RESOURCES USE PERMIT*

1) Marine resources: sand, stone, shingle, and other marine aggregates on the seabed and in the foreshore

2) Terrestrial resources: timber, plants, soil, sand, and stone;

3) Water resources: groundwater

4) Mineral resources

5) Wildlife and biological specimens.

* Natural Resources Use Permits for sand, stone, or shingle apply exclusively to inland terrestrial quarries and designated offshore dredging sites, and specifically exclude the coastal protection zones.

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APPENDIX J OFFENCES AND PENALTIES

This Appendix sets out the penalty framework proposed in the Virgin Islands Environment Policy, 2026. The monetary figures are provisional. The classification of offences, and the breaches to be dealt with by administrative penalty, fixed penalty or criminal prosecution, will be settled following consultation.

1. Penalty Routes

The Policy proposes three routes for dealing with breaches:

Route	Who decides	Description
Administrative penalty	Director of Environment, or a senior officer not involved in the investigation	A civil penalty imposed after a Notice of Violation and an opportunity to respond. It can be appealed to the Environmental Tribunal.
Fixed penalty notice	Authorised officer	A set amount for minor offences. Paying it avoids prosecution.
Criminal prosecution	Courts, on referral to the Director of Public Prosecutions	Fines and, where provided, imprisonment, together with other court orders.

The costs of restoration, remediation and the Government's reasonable response are recoverable in addition to any penalty under any route.

2. General Maximum Penalties

Offender type	Base rate	Maximum administrative penalty	Maximum criminal fine
Individuals	$500	$25,000	$50,000
Corporate bodies	$5,000	$250,000	$500,000

3. Repeat Offences

Offence history	Adjustment
First offence	Base calculated penalty
Second offence within 5 years	Plus 50% of the total penalty
Third offence within 5 years	Up to plus 100% of the total penalty; forfeiture only by lawful order where authorised

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Fourth or later offence	Up to plus 150% of the total penalty; review of the permit or licence and referral to the Environmental Tribunal where authorised

4. Penalty Factors

In setting an administrative penalty, the decision-maker must consider:

- how serious the breach was and how long it lasted
- the degree of fault
- the harm to the environment and to public health
- the sensitivity of the area or species affected
- the level of cooperation
- any history of non-compliance
- any financial benefit gained
- the cost of restoration

The decision-maker will also use the following scoring matrix:

Penalty factor	Score (0 to 5)
Size of the harm caused	
How deliberate or negligent the act was	
How irreversible the harm is	
Degree of responsibility for the act	
Steps taken to reduce the harm (subtracted from the total)	
Total score	**/20**
Is this a repeat offence? (yes or no)	
Other factors (give details)	

5. Continuing Breaches

Where a breach continues after a Notice of Violation has been served, or after a deadline has passed, each further day may be treated as a separate breach and attract a daily penalty, where the schedule of offences and penalties so provides.

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APPENDIX K ANALYSIS OF EXISTING INTER-AGENCY COMMITTEES AND AUTHORITIES

The analysis of interagency committees reveals a fragmented structure for development control, environmental protection, and disaster management, marked by significant overlaps in both function and membership, particularly involving the Town and Country Planning Department (TCP), the Ministry of Environment, Natural Resources and Climate Change (MENRCC), and the Department of Disaster Management (DDM).

Functional overlaps exist between the Pre-Planning Authority (Pre PA) and the Pre-Technical Review Committee (Pre TRC), both of which conduct preliminary technical reviews for land and marine applications, respectively, before they reach the Planning Authority (PA) and Technical Review Committee (TRC).

Potential combinations for efficiency include merging the Pre PA and Pre TRC into a single technical review body, and integrating the marine advisory functions of the Technical Advisory Committee (TAC) into the comprehensive mandate of the TRC.

Authority/ Committee	***Lead Agency***	***Membership***	***Role***	***Legislative Authority***	***Processes***
Pre Planning Authority[1]	Town and Country Planning Department (TCPD)	Department of Agriculture & Fisheries, Director of Disaster Management *(ex-officio),* Environmental Health Unit, Fire and Rescue Service, Ministry of Environment, Natural Resources and Climate Change *(ex-officio),* National Parks Trust, Director of Public Works Department *(ex-officio),* Chief Planner *(ex-officio),* Water	Reviews development applications prior to Planning Authority meetings. Functions as the executive arm of the Planning Authority, providing preliminary technical and policy recommendations.	Administrative; guided by Physical Planning Act, 2004.	Prepares recommendations on applications; critiques plans, summarises findings for approval, refusal, or deferral.

Authority/ Committee	***Lead Agency***	***Membership***	***Role***	***Legislative Authority***	***Processes***
		& Sewerage Department			
Planning Authority	Town and Country Planning Department or Premier's Office	Director of Disaster Management *(ex-officio),* Ministry of Environment, Natural Resources and Climate Change *(ex-officio),* Director of Public Works Department *(ex-officio),* Chief Planner *(ex-officio),* Six (6) non-public officers with expertise in land development, environment, agriculture, commerce, finance, Crown lands, housing or infrastructure.	Regulates development to ensure compliance with the Physical Planning Act and principles of sustainable development.	Physical Planning Act, 2004	Reviews applications; deliberates and issues approvals, refusals, or conditions.
Pre Technical Review Committee	Ministry of Environment, Natural Resources and Climate Change	Internal units: Seabed, Environment, Crown lands	Convenes prior to the Technical Review Committee to ensure a unified technical stance on proposed coastal and	Administrative; based on TRC policies.	Internal review of proposals; consolidates comments into a single position.

Authority/ Committee	*Lead Agency*	*Membership*	*Role*	*Legislative Authority*	*Processes*
			seabed developments.		
Technical Review Committee	Ministry of Environment, Natural Resources and Climate Change	MENRCC, Land and Survey Department, Department of Agriculture and Fisheries, Department of Disaster Management, Shipping Registry, Ports Authority, Environmental Health, National Parks Trust, Fire and Rescue, Trade, Investment Promotions and Consumer Affairs, RVIPF, TCP	Cabinet - advisory; provides technical and policy guidance on sustainable utilisation of the seabed, coastal areas, and Exclusive Fisheries Zone.	*Virgin Islands Beach Policy, Marine Estate Administration Policy, Virgin Islands Fisheries Act, Virgin Islands Planning Act, Virgin Islands Fire & Rescue Service Act, Public Health (Food Hygiene) Regulations, Disaster Management Act, BVI Ports Authority (Amendment) Act, Merchant Shipping (Amendment) Act, Climate Change Policy, Beach*	Evaluates environmental impact assessments and applications for coastal and seabed development; reviews beach-use permits; formulates policy recommendations for seabed and Crown land usage.

Authority/ Committee	***Lead Agency***	***Membership***	***Role***	***Legislative Authority***	***Processes***
				Protection Ordinance, Crown Lands Management Act	
NGIS (National Geographic Information Systems) Authority	Town and Country Planning Department	Representatives from GIS units across Government	Consolidates fragmented GIS resources across government agencies and coordinates national GIS development.	Administrative	Facilitates data sharing
Technical Advisory Committee	National Parks Trust of The Virgin Islands	Ports Authority, Shipping Registry, Land and Survey Department, Town and Country Planning, Agriculture and Fisheries, MENRCC	Advises on mooring installations and marine spatial planning.	Established by a Cabinet decision; guided by Mooring Policy and Seabed Policy.	Reviews applications for moorings; recommends spatial mapping; advises Cabinet on marine development and reclamation.
Climate Change Committee	Ministry of Environment, Natural Resources and Climate Change	Ministry of Environment, Natural Resources and Climate Change, Premier's Office, Ministry of Finance,	Ensures that development planning decisions consider climate change impacts; serves as a	Appointed by Cabinet; guided by The Virgin Islands Climate Change	Monitors the impacts of climate change, develops adaptation policies and strategies, and supports

Authority/ Committee	*Lead Agency*	*Membership*	*Role*	*Legislative Authority*	*Processes*
		Ministry of Communications and Works, Public Works Department, Water and Sewerage Department, Department of Disaster Management, Agriculture and Fisheries Department, Central Statistics Office, Town and Country Planning Department, Environmental Health Unit, National Parks Trust, BVI Tourist Board, BVI Electricity Corporation, Ministry of Tourism, Culture and Sustainable Development*, Ministry of Health*	subcommittee of the Technical Review Committee and the Planning Authority.	Adaptation Policy.	national development planning.
National Disaster	Department of Disaster Management	Governor (*ex officio*), Premier, Financial	Oversees disaster risk reduction and emergency	Disaster Management Act 2003,	Policies, funding, legal

Authority/ Committee	*Lead Agency*	*Membership*	*Role*	*Legislative Authority*	*Processes*
Management Council		Secretary (*ex officio*), Commissioner of Police (*ex officio*), Chief Fire Officer (*ex officio*), Director of Health Services (*ex officio*), Chief Planner (*ex officio*), Chief Environmental Health Officer (*ex officio*), Director of Public Works Department (*ex officio*), Director of Marine Services (*ex officio*) (Secretary), etc. MOUs between DDM and ISPs Apart of hydrographic subcommittee, Caribbean Disaster Management Agency, subregional focal point	preparedness at national level. Hazard management (infrastructure, building codes, communications)	reports to Cabinet	

Authority/ Committee	*Lead Agency*	*Membership*	*Role*	*Legislative Authority*	*Processes*
Climate Adaptation and Hazard Mitigation Committee	Department of Disaster Management	MENRCC, Town and Country Planning Department, Public Works, National Parks Trust, Department of Waste Management, Lands & Survey Department, Environmental Health Unit, Agriculture and Fisheries Department, NGOs	Building codes, infrastructure, renewable energy, tourism protection, NGO volunteerism	Terms of Reference	Operations (National Emergency Operation Centre) Resilience in comprehensive disaster management

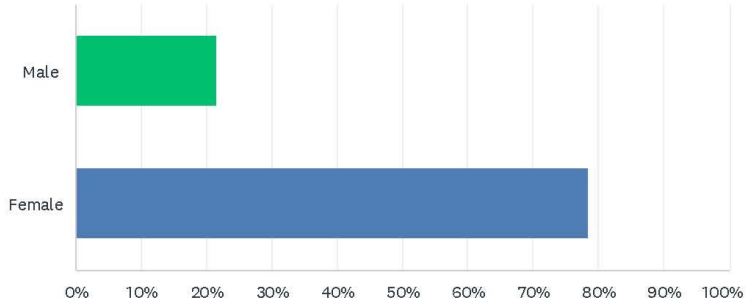
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APPENDIX L DESIRE FOR BETTER PROTECTION OF THE ENVIRONMENT - PRELIMINARY SURVEY RESULTS

Desire for Better Protection of the Environment

Q1 Gender

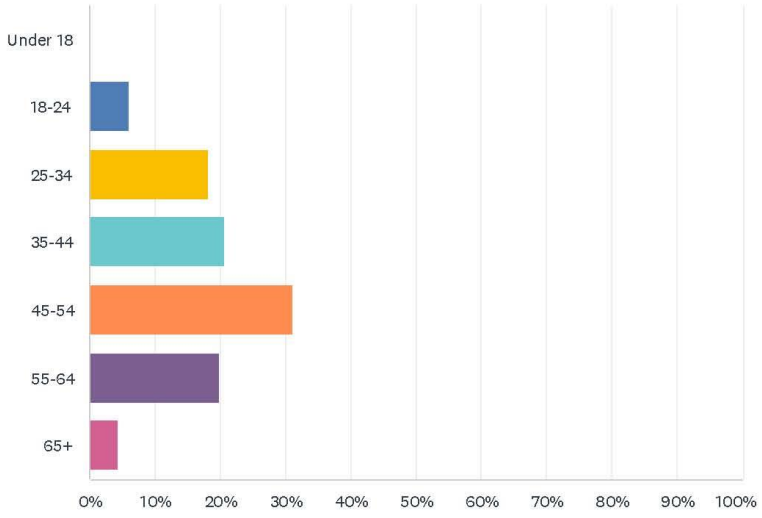
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Desire for Better Protection of the Environment

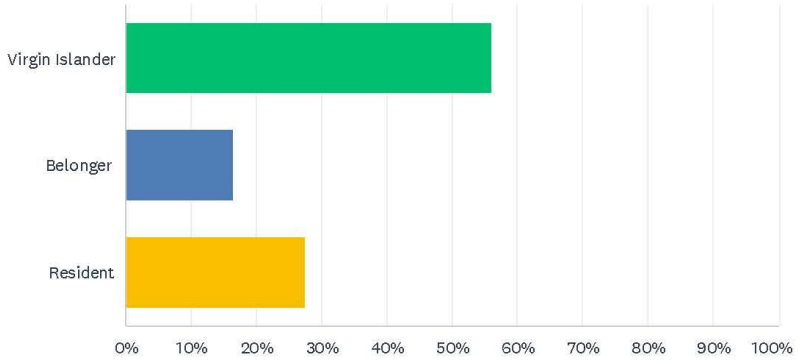
Q2 Age

Answered: 116 Skipped: 0



Q3 Status

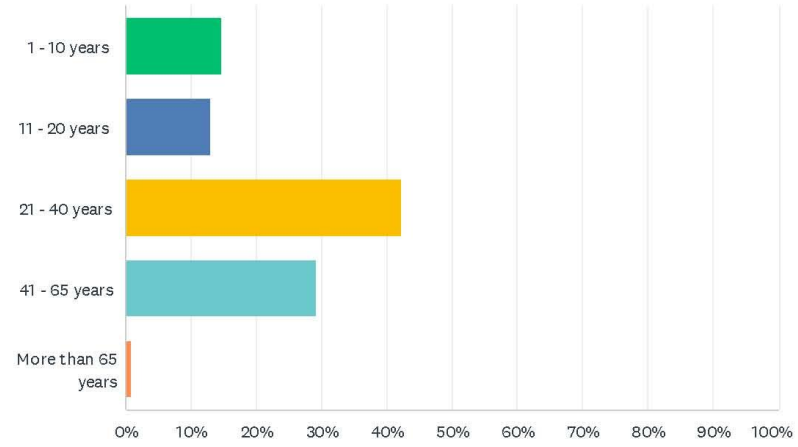
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Desire for Better Protection of the Environment

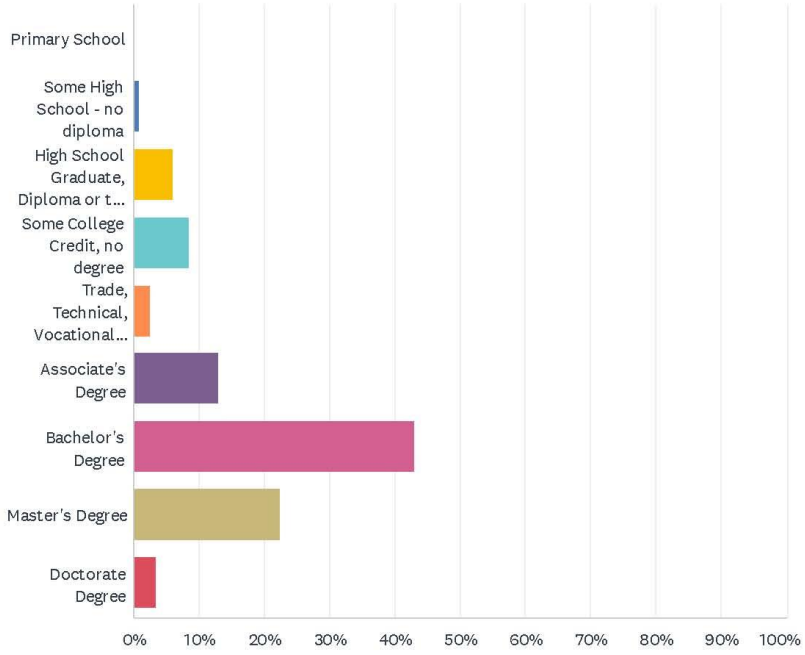
Q4 How long have you lived in the Virgin Islands?

Answered: 116 Skipped: 0



Q5 Highest Level of Education Obtained

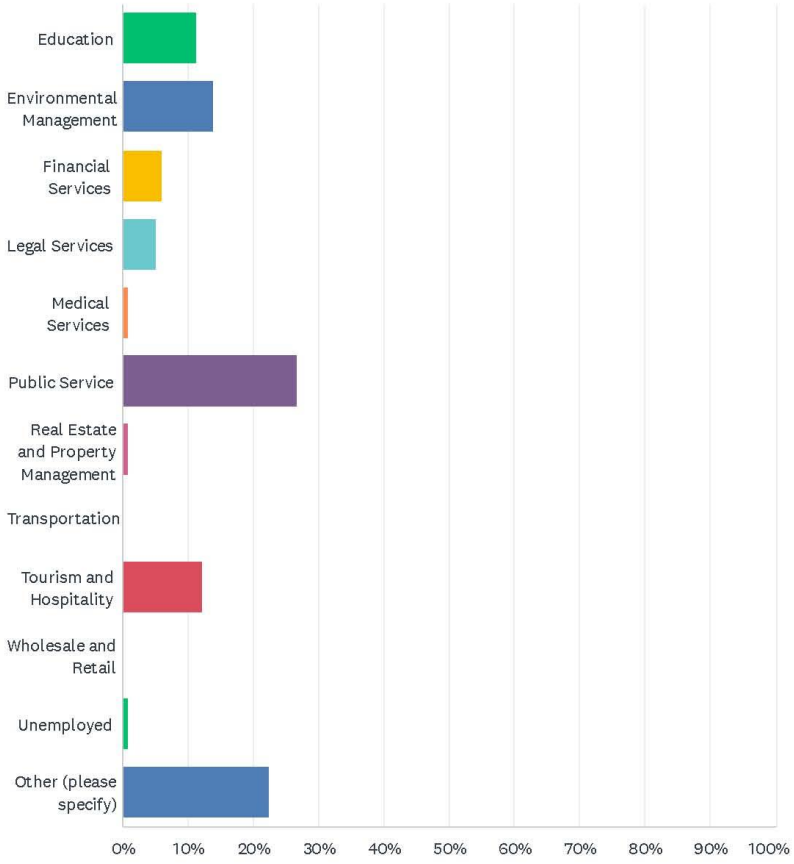
Answered: 116 Skipped: 0



DRAFT for

Q6 What is your field of work?

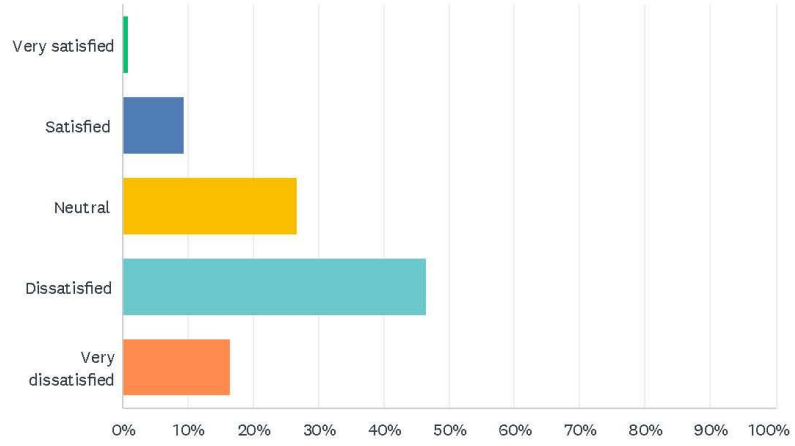
Answered: 116 Skipped: 0



DRAFT

Q7 How satisfied are you with the current state of our natural environment?

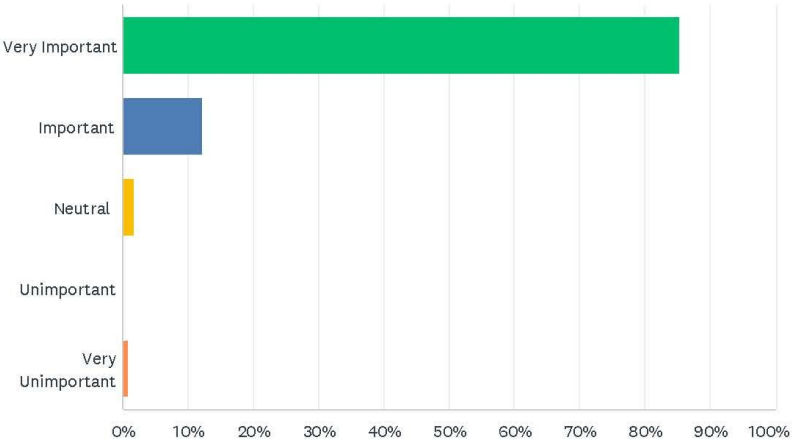
Answered: 116 Skipped: 0



Desire for Better Protection of the Environment

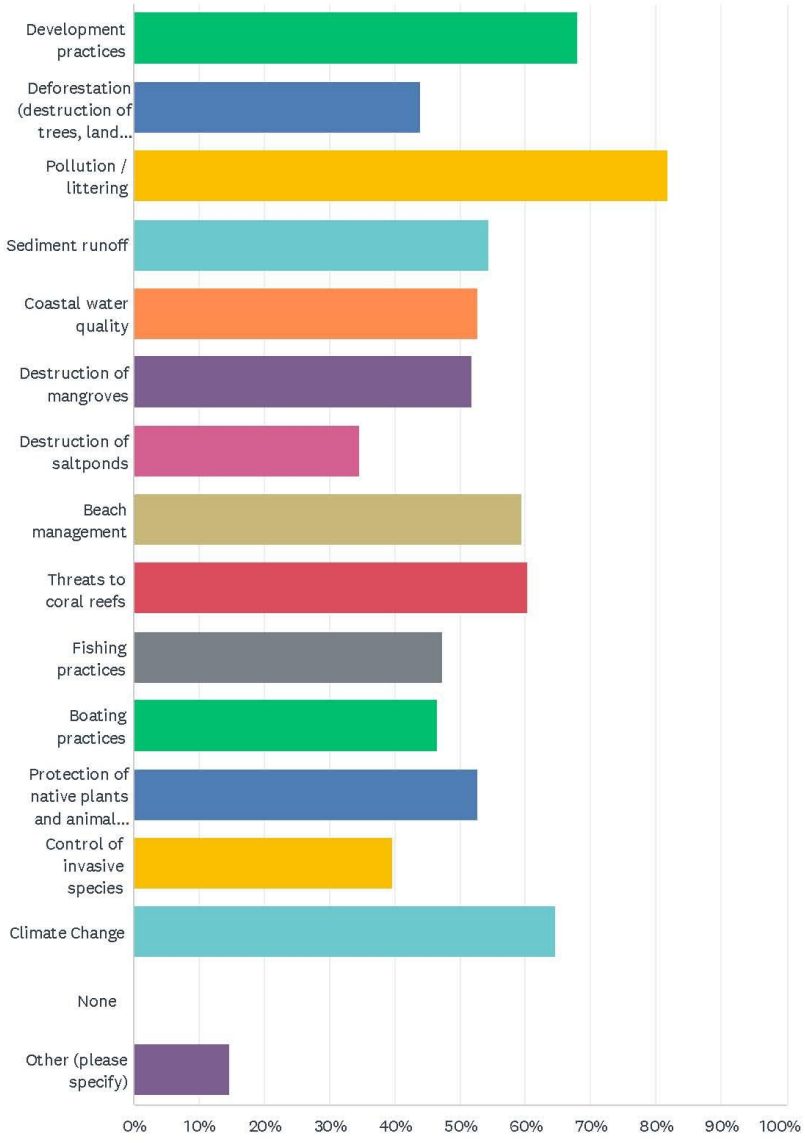
Q8 How important is better protection of the natural environment to you?

Answered: 116 Skipped: 0



Q9 What are the main environmental issues or concerns you would like to see addressed?

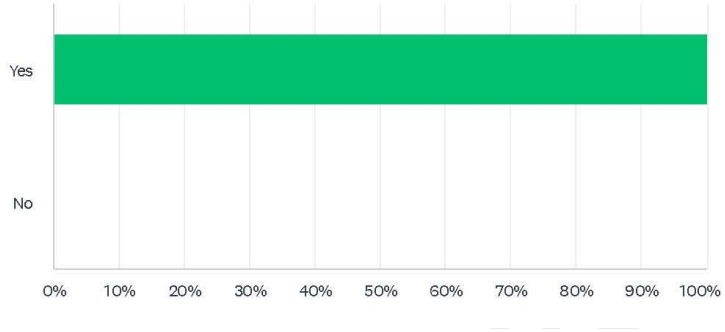
Answered: 116 Skipped: 0



Desire for Better Protection of the Environment

Q10 Is it important to you that the next generation inherit a healthy natural environment?

Answered: 116 Skipped: 0



Desire for Better Protection of the Environment

Q11 Does the Virgin Islands need stronger legislation in place to better protect the environment?

Answered: 116 Skipped: 0

