



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

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Office of the Commissioner

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Monday, September 16, 2024

PUBLIC NOTICE

I. Notice of the Department of Planning and Natural Resources' (DPNR) intent to establish an Intended Use Plan (IUP) for the Fiscal Year (FY) 2023 Bipartisan Infrastructure Law appropriations to the US Virgin Islands for the implementation of the Clean Water and Drinking Water State Revolving Funds (SRF).

II. **DATE OF NOTICE:** [September 16, 2024](#)

III. **BIPATISIAN INFRASTRUCTURE LAW**

On November 15, 2021, President Biden signed into law the Infrastructure Investment and Jobs Act of 2021 (IIJA) (P.L. 117-58), commonly referred to as the Bipartisan Infrastructure Law (BIL). The BIL appropriates more than \$43 billion to be administered through the existing Clean Water and Drinking Water State Revolving Fund programs over five years, starting in Fiscal Year 2022, with over \$173 million set-aside and dedicated to water projects in DC and the Territories to strengthen the drinking water and wastewater systems.

Under the FY2023 BIL SRF funding **\$51,168,000.00** has been allotted as grants to the US Virgin Islands for both Drinking Water and Clean Water initiatives. The funding allows the Territory to improve compliance with the Safe Drinking Water Act (SDWA) and Clean Water Act (CWA), provide safe drinking water, and protect the environment. Specifically, the funds can be used for drinking water and wastewater infrastructure improvement projects, addressing "Emerging Contaminants" and implementing "Lead Service Line Replacement".

The Omnibus Territories Act allows the Territory to apply for all or a subset of grants they are seeking from the US Environmental Protection Agency by filing a single application and work plan. Subject to federal law, the Territory may use any or all the funds in a consolidated grant award for clean water or drinking water projects. The funds must be expended in furtherance of the programs and purposes that are being consolidated. The Territory determines the proportion of the funds allocated to the consolidated grant programs and purposes. The USVI has decided to apply for the CWA and SDWA BIL SRF funding as a single consolidated grant. A consolidated grant program can provide considerable benefits for the Territory. Consolidation can support the Territory's efforts to develop an overall approach to public health protection, water quality planning, and to develop a big picture plan for water pollution control.

The FY2023 BIL SRF IUP describes the use of the consolidated grant monies by the Virgin Islands Capital Improvements Grant program to meet the objectives of the CWA & SDWA

and further the goal of protecting public health. Specifically, the IUP establishes program goals, administrative procedures, the Project Priority System (PPS) and Project Priority Lists (PPL). DPNR may amend the IUP with other ready projects as needed to protect public health, or to meet emergency needs in the U.S. Virgin Islands. DPNR and its partners developed the proposed IUP for the fiscal year 2023 BIL SRF funds allotted to the U.S. Virgin Islands pursuant to the Bipartisan Infrastructure Law and hereby solicits public comments on this document.

IV. HOW TO OBTAIN A COPY OF THE PROPOSED 2022 BIL IUP OR REVIEW THE ADMINISTRATIVE RECORDS

The proposed FY2023 BIL SRF Intended Use Plan is available for public inspection by appointment at the DPNR's Division of Environmental Protection (DEP) offices on St. Thomas and St. Croix. To request a copy of the document or to submit comments please contact Mr. Harold Mark, Environmental Program Manager at 773-1082 ext. 2237 or harold.mark@dpnr.vi.gov. Correspondences can also be sent to the following addresses:

Department of Planning & Natural Resources Division of Environmental Protection
45 Mars Hill Frederiksted, VI 00840
4611 Tutu Park Mall Suite 300, 2nd Floor St. Thomas, VI 00802

A Copy of the FY2023 BIL SRF IUP will be available at the DPNR offices on St. Thomas and St. Croix (see addresses listed on the above table). Copies of the IUP can also be viewed or downloaded at the following web address:

<https://dpnr.vi.gov/environmental-protection/capital-improvement-grants/>

The administrative records containing background technical information are on file and may be inspected at the Division of Environmental Protection office between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays. Arrangements to examine the administrative record may be made at the addresses in the above table.

V. REQUEST FOR PUBLIC COMMENT

This notice announces the availability of the proposed 2023 BIL IUP for a thirty (30) day public comment period. The thirty days will begin on September 16, 2024, and end on October 15, 2024. No comments will be accepted after 5:00pm on October 15, 2024.

The public is asked to provide comments on the intended use of the monies as detailed in the IUP. Comments can be sent via email to harold.mark@dpnr.vi.gov or to the addresses above. Your comments will be taken into consideration for the finalization of the IUP.

VI. DPNR'S RESPONSE TO COMMENTS

Following the close of the 30-day comment period, a written response to comments and petitions will be developed as soon as possible. All petitions and comments received during the public notice period will be considered. DPNR's response to comments and petitions will be available to the public in the same manner as this notice.
