



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 11, 2023

PUBLIC NOTICE

I. Notice of the Department of Planning and Natural Resources' (DPR) intent to establish an Intended Use Plan (IUP) for the consolidated Federal Fiscal Years 2022 and 2023 Drinking Water and Clean Water Capitalization Grants.

II. **DATE OF NOTICE:** [September 11, 2023](#)

III. **DESCRIPTION OF SDWA REQUIREMENTS**

Many public water systems are in need of infrastructure improvements to protect public health and maintain compliance with the Safe Drinking Water Act (SDWA). The SDWA Amendments of 1996 authorized a Drinking Water State Revolving Fund (DWSRF) to help publicly owned and privately owned community public water systems and nonprofit non-community public water systems finance the costs of capital improvements. These capital improvements must be able to achieve and maintain compliance with the SDWA requirements and to further the public health protection objectives of the SDWA.

IV. **DESCRIPTION OF CWA REQUIREMENTS**

The Clean Water State Revolving Fund (CWSRF) was established by the 1987 amendments of the Clean Water Act (CWA) for a wide range of water infrastructure projects under 33 U.S. Code §1383. The Environmental Protection Agency (EPA) is tasked with making capitalization grants to each state and territory to help finance the costs related to the construction of municipal wastewater facilities, control nonpoint sources of pollution, build decentralized wastewater treatment systems and fund other water quality projects.

The Virgin Islands Municipal Project Priority System (PPS) has been developed to set priorities for the management of federal funds for wastewater and stormwater treatment projects which are eligible for federal aid. The proposed projects are first rated, and then ranked by rating to form the Project Priority List (PPL). Only those projects which are ranked according to the criteria of the PPS may receive federal grant assistance. The PPS consists of a variety of criteria and rules for their application. In accordance with the provisions of the Clean Water Act (CWA) as amended in 1987, federal aid will be distributed to proposed projects on the basis of the rules of the PPS, position on the PPL, and the availability of funds.

V. **CONSOLIDATED GRANT**

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.

Through the fiscal years 2022 and 2023 funds provided by the DWSRF and CWSRF, **\$11,186,000.00** will be available to the US Virgin Islands for implementing capital improvement infrastructure projects. The FY2022/2023 DW/CW Capitalization Grant IUP describes the use of the consolidated grant monies by the Virgin Islands Capital Improvements Grant program to meet the objectives of the SDWA and CWA 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 years 2022 & 2023 DW/CW SRF funds allotted to the U.S. Virgin Islands pursuant to SDWA and CWA 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 FY2022/2023 DW/CW Capitalization Grant IUP 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@dpr.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 FY2022/2023 DW/CW Capitalization Grant 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://dpr.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 FY2022/2023 DW/CW Capitalization Grant IUP for a fifteen (15) day public comment period. The fifteen days will begin on September 11, 2023, and end on September 25, 2023. No comments will be accepted after 5:00pm on September 25, 2023.

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@dpr.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 15-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.
