

BILL NO. 35-0188

Thirty-Fifth Legislature of the Virgin Islands

October 27, 2023

An Act appropriating funds to the Virgin Islands Water and Power Authority to install hydrants within the landfills of the Virgin Islands to proactively mitigate future fires in the landfills

PROPOSED BY: Senator Angel L. Bolques, Jr.

1 **WHEREAS**, the Virgin Islands was under a state of emergency due to the prolonged fire
2 at the Bovoni Landfill on St. Thomas, as noted by Governor Albert Bryan Jr.;

3 **WHEREAS**, the fire at the Bovoni Landfill was burning since September 14, resulting
4 in poor air quality, school and business closures, and a need for external assistance to extinguish
5 the flames below the surface of the green waste area;

6 **WHEREAS**, combined action was required to secure the necessary support to extinguish
7 the fire, including coordination of fire-fighting assistance through the Emergency Management
8 Assistance Compact;

9 **WHEREAS**, Governor Bryan designated Fire EMS Executive Director Daryl George as
10 the incident commander to direct the territorial response and execute directives for
11 enforcement, designating the Virgin Islands Fire and Emergency Medical Services as the lead

agency to coordinate emergency response activities in conjunction with the Virgin Islands Territorial Emergency Management Agency (VITEMA);

WHEREAS, the Incident Commander and Director of VITEMA's duty is advise the Office of the Governor on the implementation of emergency response activities;

WHEREAS, it is essential to involve environmental experts and stakeholders in the planning and execution of the landfill infrastructure improvements; Now, Therefore,

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Authorization for ARPA Funds

The Governor may allocate a sum of up to \$10,000,000 from the American Rescue Plan Act (ARPA) funds and transfer it to the Water and Power Authority for the specific purpose of extending water line extensions and installing appropriately placed fire hydrants within the landfills of the Virgin Islands on the islands of St. John, St. Thomas, and St. Croix.

SECTION 2. (a) The sum of \$10,000,000, or so much thereof as is needed, is appropriated in the fiscal year ending September 30, 2024 from the American Rescue Plan Act (ARPA) funds to the Virgin Islands Water and Power Authority to install fire hydrants within the landfills in St. Thomas, St. Croix and St. John to proactively mitigate future fires in the landfills.

(b) The funds appropriated under this section must be used exclusively for the infrastructure improvements outlined in subsection (a) and any associated costs related to the installation of water lines and fire hydrants in the landfills.

(c) The Commissioner of the Department of Planning and Natural Resources must conduct an environmental impact assessment before the commencement of infrastructure improvements to ensure the protection of natural resources and ecosystems in the landfill areas.

SECTION 3. Reporting Requirements

The Virgin Islands Water and Power Authority shall submit regular reports to the Governor, the Legislature and the appropriate environmental agencies detailing the progress, expenditures, and environmental impact of the ARPA funds allocated for the infrastructure improvements authorized in this act.

5 SECTION 4. Community Engagement

6 Prior to initiating infrastructure improvements, the Governor shall organize public
7 hearings and engage with local communities, environmental organizations, and concerned
8 citizens to gather input and address their concerns regarding the landfill improvements.

9 BILL SUMMARY

10 This bill appropriates funds to the Virgin Islands Water and Power Authority to install
11 hydrants within the landfills of the Virgin Islands to proactively mitigate future fires in the
12 landfills.

13 BR23-0760/October 25, 2023/AA