

U.S. VIRGIN ISLANDS

How Does U.S. Virgin Islands Define Environmental Justice and Environmental Justice Communities?

Environmental Justice Definitions:

N/A.

Environmental Justice Mapping Tools:

N/A.

How Does U.S. Virgin Islands Consider Environmental Justice in its Substantive Actions¹?

Environmental Justice as a Policy of the Environmental Agency or Across All Agencies:

N/A.

Consideration of Environmental Justice in Permitting:

N/A.

Consideration of Environmental Justice in Enforcement:

N/A.

Consideration of Environmental Justice in Land Use:

N/A.

State Environmental Policy Act “Mini-NEPA”:

N/A.

Dedicated Funding to Environmental Justice Communities:

N/A.

Consideration of Cumulative Impacts:

N/A.

Prohibitions on Disparate Impact Discrimination:

N/A.

¹ Substantive is defined as governing the original rights and obligations of individuals. Cornell L. Sch., LII, *Wex Legal Encyclopedia*, https://www.law.cornell.edu/wex/substantive_law (last visited July 6, 2022).

Established Environmental Rights:

N/A.

How Does U.S. Virgin Islands Address Environmental Justice in its Procedures²?

Environmental Justice as Part of Environmental Agency's Mission:

N/A.

Environmental Justice as Part of Other Agency's Mission:

N/A.

Processes and Procedures (including Title VI):

- Non-Discrimination Policy:

N/A.

- Grievance Procedures:

N/A.

- Enhanced Public Participation and Information Access:

N/A.

- Language Access:

N/A.

- Consultation with Indigenous Communities and Tribal Nations:

N/A.

Governmental Environmental Justice Structures, Positions, and Funding Streams:

- Environmental Justice Coordinating Agency:

N/A.

- Environmental Justice Coordinator:

N/A.

- Environmental Justice Advisory Board:

² Procedural is defined as rules and the methods used to ensure the rights of individuals. Cornell L. Sch., LII, *Wex Legal Encyclopedia*, https://www.law.cornell.edu/wex/procedural_law (last visited July 6, 2022).

N/A.

- Funding for Environmental Justice:

N/A.

Additional U.S. Virgin Islands Environmental Justice Provisions?

Executive Order 474-2015 was issued by Governor Kenneth Mapp in 2015. The EO is to prepare USVI for the impacts of climate change, recognizing that USVI has environmental, public health, and economic vulnerabilities to these impacts.³ The EO establishes a Climate Change Council with requirements for public participation to the "greatest extent practicable" and the development of a public participation strategy to "inform the public about climate change issues, enhance the public's understanding of possible actions at personal and societal levels, and encourage full community participation in climate change adaptation initiatives."⁴

Additionally, the Government of USVI entered into a memorandum of understanding with Puerto Rico and the U.S. Environmental Protection Agency to develop, implement, promote, and carry out cooperative activities to promote climate change resilience and reduce carbon emissions with a major activity with a requirement for robust stakeholder engagement in the process of these activities.⁵

Further, USVI enacted a revised constitution in 2007.⁶ Under Chapter 2. Fundamental Rights and Freedoms of the Individual, Clause 29. Protection of the environment the constitution states that:

“Every person has the right to an environment that is generally not harmful to his or her health or well-being and to have the environment protected, for the benefit of present and future generations, through such laws as may be enacted by the Legislature including laws to—

(a) prevent pollution and ecological degradation;

(b) promote conservation; and

(c) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.”⁷

³ V.I. Exec. Order No. 474-2015 (Oct. 15, 2015), *available at* <https://www.doi.gov/sites/doi.gov/files/uploads/USVI%20EO.pdf>.

⁴ *Id.*

⁵ Memorandum of Understanding to Reduce the Risks of Climate Change Between the Governments of the Territory of the U.S. V.I. and the Commonwealth of P.R., and the U.S. EPA (Nov. 2015), *available at* http://ess-caribbean.com/wp-content/uploads/2018/06/Memorandum-of-Understanding-on-Climate-Change_USVI-P R-EPA_2015-November.pdf.

⁶ The Virgin Islands Constitution, V.I. Stat. Instrument 2007 No. 1678.

⁷ *Id.*

U.S. Virgin Islands Environmental Justice Contacts?

N/A.

Where to Find U.S. Virgin Islands Environmental Justice Laws, Policies, and Tools?

Constitutional Provisions:

- The Virgin Islands Constitution, V.I. Stat. Instrument 2007 No. 1678.

Executive Orders:

- V.I. Exec. Order No. 474-2015 (Oct. 15, 2015),
<https://www.doi.gov/sites/doi.gov/files/uploads/USVI%20EO.pdf>.

Legislation and Statutes:

N/A.

Regulations:

N/A.

Policies/Guidance:

N/A.

Mapping Tools:

N/A.

Other:

N/A.