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Lawmakers Take Aim at FEMA After Learning 80 Percent of Hurricane-Damaged Roads Was Deemed Ineligible for Funding

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Roadway in St. Thomas flooded with water from Hurricane Irma in 2017. By. REEMY-REEMZ PHOTOGRAPHY/VICONSORTIUM

Lawmakers who make up the Committee on Disaster Recovery and Infrastructure took aim at the Federal Emergency Management Agency during a Wednesday hearing, after learning that FEMA has refused to fund 80 percent of the territory's roads deemed by the V.I. government to be damaged by Hurricanes Irma and Maria.

In her testimony to the committee, Office of Disaster Recovery Director Adrienne Williams-Octalien said FEMA has declared that 80 percent of the roads in the St. Croix district as well as in

St. Thomas-St John district have been determined to be ineligible for FEMA grants.

“In the view of FEMA, they were pre-existing damages, and these roads are not eligible for the [Bipartisan Budget Act Policy of 2018]” or BBA grants. “There is a lack of maintenance records, so these roads have been rendered ineligible,” Mrs. Williams-Octalien made known.

“We are in dispute and we have appealed this decision because this process has undergone several steps where the roads were approved then they were denied, then they were approved again, so we have put together with the assistance of Witt O’Brien’s the appeals that are currently under review,” she told the committee whose members were receiving an update on all capital projects in the territory, their respective contracts inclusive of professional services and task order contracts both anticipated and underway.

Brad Gair, senior managing director at Witt O’Brien’s, explained that the request from FEMA is highly unusual. “I have never seen this before. They are asking for specific maintenance records on individual pieces of the roadway and this is very uncharacteristic of them,” he said while informing the committee that FEMA was shown video evidence of the destruction.

“We showed them videos of water coming down the hills and they are saying if the roads were properly maintained they could not have suffered damage, and that is ridiculous,” he said.

“They are unconscionable to even say that because they were not here during the storms. They were not here to see the level of devastation that we were subjected to and we continue as a people to suffer,” said Sen. Carla Joseph.

“It has to be escalated...if you have worked for over 30 years with FEMA and they are segregating and looking at certain items and really being scrutinized, then that in itself is a disservice and can even look as discriminatory to the people of the Virgin Islands,” she added.

Senate President Donna Frett-Gregory asked whether FEMA could be sued for this behavior.

In her general update, Mrs. Williams-Octalien told the committee that as of January 31, 80 percent or \$6.4 billion of the anticipated \$8 billion funds have been secured, obligating \$5.3 billion to specific projects and paying out \$2.5 billion to complete this critical work.

She said her staff is very confident in saying that they have been hard at work in 2021 and offered proof through the increase of expenditures by 98.9 percent to \$787 million, up by almost \$400 million.

“These funds have been expended across the FEMA Public Assistance and the Hazard Mitigation Programs as well as the CDBG-DR, Federal Highway, and other federal programs. Like the rest of the nation, the U.S. Virgin Islands continues to struggle with a wide variety of impacts related to the Covid-10 crisis,” Mrs. Williams-Octalien said while explaining that despite the setbacks associated with the pandemic, the territory continues to make progress with the assistance of Witt O’Brien’s.

The O.D.R. has secured nearly \$2 billion of new federal funding in the past year, including the hard-fought approval for [replacing the wastewater system on St. Croix](#). Major healthcare replacements were also approved.

O.D.R., in concert with local agencies, has invested countless hours of arduous work in advancing recovery projects, according to Mrs. Williams-Octalien. “The fruits of our labor can be seen in the

territory's current portfolio of active projects. The territory manages over 1,500 projects, of which 1,325 have been obligated for a total amount of \$3.3 billion. Procuring contracts, obtaining permits, synchronizing timelines, and drawing funds are critical steps to successfully launching these projects,” she said.

There are five priority areas and projects critical to the territory's recovery, Mrs. Williams-Octalien said. The priorities were established based on the projects that affected the largest percentage of the community and the criticality of the services in the areas of health and hospitals, schools, housing, utilities and roads.

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