

109TH CONGRESS
1ST SESSION

H. R. 1644

To protect the critical aquifers and watersheds that serve as a principal water source for the Commonwealth of Puerto Rico, to protect the tropical forests of the Karst Region of the Commonwealth, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2005

Mr. FORTUÑO introduced the following bill; which was referred to the
Committee on Resources

A BILL

To protect the critical aquifers and watersheds that serve as a principal water source for the Commonwealth of Puerto Rico, to protect the tropical forests of the Karst Region of the Commonwealth, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Puerto Rico Karst
5 Conservation Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) In the Karst Region of the Commonwealth
2 of Puerto Rico there are—

3 (A) some of the largest areas of tropical
4 forests in Puerto Rico, with a higher density of
5 tree species than any other area in the Com-
6 monwealth; and

7 (B) unique geological formations that are
8 critical to the maintenance of aquifers and wa-
9 tersheds that constitute a principal water sup-
10 ply for much of the Commonwealth.

11 (2) The Karst Region is threatened by develop-
12 ment that, if unchecked, could permanently damage
13 the aquifers and cause irreparable damage to nat-
14 ural and environmental assets that are unique to the
15 United States.

16 (3) The Commonwealth has 1 of the highest
17 population densities in the United States, which
18 makes the protection of the Karst Region imperative
19 for the maintenance of the public health and welfare
20 of the citizens of the Commonwealth.

21 (4) The Karst Region—

22 (A) possesses extraordinary ecological di-
23 versity, including the habitats of several endan-
24 gered and threatened species and tropical mi-
25 grants; and

1 (B) is an area of critical value to research
2 in tropical forest management.

3 (5) Coordinated efforts at land protection by
4 the Federal Government and the Commonwealth are
5 necessary to conserve the environmentally critical
6 Karst Region.

7 (b) PURPOSES.—The purposes of this Act are—

8 (1) to authorize and support conservation ef-
9 forts to acquire, manage, and protect the tropical
10 forest areas of the Karst Region, with particular em-
11 phasis on water quality and the protection of the
12 aquifers that are vital to the health and wellbeing of
13 the citizens of the Commonwealth; and

14 (2) to promote cooperation among the Common-
15 wealth, Federal agencies, corporations, organiza-
16 tions, and individuals in those conservation efforts.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19 (1) COMMONWEALTH.—The term “Common-
20 wealth” means the Commonwealth of Puerto Rico.

21 (2) FOREST LEGACY PROGRAM.—The term
22 “Forest Legacy Program” means the program es-
23 tablished under section 7 of the Cooperative For-
24 estry Assistance Act of 1978 (16 U.S.C. 2103c).

1 (3) FUND.—The term “Fund” means the Puer-
2 to Rico Karst Conservation Fund established by sec-
3 tion 5.

4 (4) KARST REGION.—The term “Karst Region”
5 means the areas in the Commonwealth generally de-
6 picted on the map entitled “Karst Region Conserva-
7 tion Area” and dated March 2001, which shall be on
8 file and available for public inspection in—

9 (A) the Office of the Secretary, Puerto
10 Rico Department of Natural and Environ-
11 mental Resources; and

12 (B) the Office of the Chief of the Forest
13 Service.

14 (5) LAND.—The term “land” includes land,
15 water, and an interest in land or water.

16 (6) SECRETARY.—The term “Secretary” means
17 the Secretary of Agriculture.

18 **SEC. 4. CONSERVATION OF THE KARST REGION.**

19 (a) FEDERAL COOPERATION AND ASSISTANCE.—In
20 furtherance of the acquisition, protection, and manage-
21 ment of land and forest resources in and adjacent to the
22 Karst Region, and in furtherance of the implementation
23 of related natural resource conservation strategies, the
24 Secretary may—

1 (1) make grants to and enter into contracts and
2 cooperative agreements with the Commonwealth,
3 other Federal agencies, organizations, corporations,
4 and individuals; and

5 (2) use all authorities available to the Sec-
6 retary, including—

7 (A) the Forest and Rangeland Renewable
8 Resources Research Act of 1978 (16 U.S.C.
9 1641 et seq.);

10 (B) section 1472 of the National Agricul-
11 tural Research, Extension, and Teaching Policy
12 Act of 1977 (7 U.S.C. 3318);

13 (C) section 12 of the Stevenson-Wydler
14 Technology Innovation Act of 1980 (15 U.S.C.
15 3710a); and

16 (D) the Cooperative Forestry Assistance
17 Act of 1978 (16 U.S.C. 2101 et seq.).

18 (b) FUNDING SOURCES.—The activities authorized
19 by this section may be carried out using—

20 (1) amounts in the Fund;

21 (2) amounts in the fund established by section
22 4(b) of the Forest and Rangeland Renewable Re-
23 sources Research Act of 1978 (16 U.S.C. 1643(b));

24 (3) funds appropriated from the Land and
25 Water Conservation Fund;

1 (4) funds appropriated for the Forest Legacy
2 Program; and

3 (5) any other funds made available for those ac-
4 tivities.

5 (c) MANAGEMENT.—

6 (1) PRINCIPAL MANAGEMENT OBJECTIVES.—

7 Land acquired under the authority of this section or
8 using funds made available under this section shall
9 be managed in a manner to protect and conserve the
10 water quality and aquifers and the geological, eco-
11 logical, fish and wildlife, and other natural values of
12 the Karst Region.

13 (2) OTHER USES.—The resulting owner of land
14 acquired under the authority of this section or using
15 funds made available under this section shall permit
16 public recreation and other uses of the acquired land
17 to the extent that the owner determines that the
18 recreation or other use is compatible with the prin-
19 cipal management objectives specified in paragraph
20 (1).

21 (3) FAILURE TO MANAGE AS REQUIRED.—In
22 any deed, grant, contract, or cooperative agreement
23 implementing this Act and the Forest Legacy Pro-
24 gram in the Commonwealth, the Secretary may re-
25 quire that, if land acquired by the Commonwealth or

1 other cooperating entity under this Act is sold or
2 conveyed in whole or part, or is not managed in con-
3 formity with paragraph (1), title to the land shall,
4 at the discretion of the Secretary, vest in the United
5 States.

6 (4) **FEDERALLY OWNED LAND.**—Any federally
7 owned land acquired by the Secretary in the Karst
8 Region shall be managed by the Secretary in accord-
9 ance with paragraphs (1) and (2) and the Forest
10 and Rangeland Renewable Resources Research Act
11 of 1978 (16 U.S.C. 1641 et seq.).

12 (d) **WILLING SELLERS.**—Any land acquired by the
13 Secretary in the Karst Region shall be acquired only from
14 a willing seller.

15 (e) **RELATION TO OTHER AUTHORITIES.**—Nothing in
16 this Act—

17 (1) diminishes any other authority that the Sec-
18 retary may have to acquire, protect, and manage
19 land and natural resources in the Commonwealth; or

20 (2) exempts the Federal Government from
21 Commonwealth water laws.

22 **SEC. 5. PUERTO RICO KARST CONSERVATION FUND.**

23 (a) **ESTABLISHMENT.**—There is established in the
24 Treasury an interest bearing account to be known as the
25 “Puerto Rico Karst Conservation Fund”.

1 (b) CREDITS TO FUNDS.—There shall be credited to
2 the Fund—

3 (1) amounts appropriated to the Fund;

4 (2) amounts donated to the Fund;

5 (3) amounts received by the Administrator of
6 General Services from the disposal of surplus real
7 property in the Commonwealth under subtitle I of
8 title 40, United States Code; and

9 (4) interest derived from amounts in the Fund.

10 (c) USE OF FUND.—Amounts in the Fund shall be
11 available to the Secretary until expended, without further
12 appropriation, to carry out section 4.

13 **SEC. 6. MISCELLANEOUS PROVISIONS.**

14 (a) DONATIONS.—

15 (1) AUTHORITY TO ACCEPT.—The Secretary
16 may accept donations, including land and money,
17 made by public and private agencies, corporations,
18 organizations, and individuals in furtherance of the
19 purposes of this Act.

20 (2) TREATMENT OF DONORS.—The Secretary
21 may accept donations even if the donor conducts
22 business with or is regulated by the Department of
23 Agriculture or any other Federal agency.

24 (3) TREATMENT OF DONATIONS.—A donation
25 of land, property and money accepted by the Sec-

1 retary under the authority of this Act shall be con-
2 sidered as a gift, bequest, or devise to the United
3 States in the same manner as provided in Public
4 Law 95–442 (7 U.S.C. 2269).

5 (b) RELATION TO FOREST LEGACY PROGRAM.—

6 (1) IN GENERAL.—All land in the Karst Region
7 shall be eligible for inclusion in the Forest Legacy
8 Program.

9 (2) COST SHARING.—The Secretary may credit
10 donations made under subsection (a) to satisfy any
11 cost-sharing requirements of the Forest Legacy Pro-
12 gram.

13 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated such sums
15 as are necessary to carry out this Act.

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