

108TH CONGRESS
1ST SESSION

S. 1256

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

IN THE SENATE OF THE UNITED STATES

JUNE 12, 2003

Mr. HARKIN (for himself and Mr. LUGAR) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To protect the critical aquifers and watersheds that serve as a principal water supply for Puerto Rico, to protect the tropical forests of the Karst Region, 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 of 2003”.

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

7 (a) FINDINGS.—Congress finds that—

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; and

3 (5) coordinated efforts at land protection by the
 4 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 in and adjacent to the Karst Region and
 22 in implementing related natural resource conservation
 23 strategies, the Secretary may—

24 (1) make grants to and enter into contracts and
 25 cooperative agreements with the Commonwealth,

1 other Federal agencies, organizations, corporations,
2 and individuals; and

3 (2) use all authorities available to the Sec-
4 retary, including—

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

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

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

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

16 (1) amounts in the Fund;

17 (2) amounts in the fund established by section
18 4(b) of the Forest and Rangeland Renewable Re-
19 sources Research Act of 1978 (16 U.S.C. 1643(b));

20 (3) funds appropriated from the Land and
21 Water Conservation Fund;

22 (4) funds appropriated for the Forest Legacy
23 Program; and

24 (5) any other funds made available for those ac-
25 tivities.

1 (c) MANAGEMENT.—

2 (1) IN GENERAL.—Land acquired under this
3 Act shall be managed, in accordance with the Forest
4 and Rangeland Renewable Resources Research Act
5 of 1978 (16 U.S.C. 1641 et seq.), in a manner to
6 protect and conserve the water quality and aquifers
7 and the geological, ecological, fish and wildlife, and
8 other natural values of the Karst Region.

9 (2) FAILURE TO MANAGE AS REQUIRED.—In
10 any deed, grant, contract, or cooperative agreement
11 implementing this Act and the Forest Legacy Pro-
12 gram in the Commonwealth, the Secretary may re-
13 quire that, if land acquired by the Commonwealth or
14 other cooperating entity under this Act is sold or
15 conveyed in whole or part, or is not managed in con-
16 formity with paragraph (1), title to the land shall,
17 at the discretion of the Secretary, vest in the United
18 States.

19 (d) WILLING SELLERS.—Any land acquired by the
20 Secretary in the Karst Region shall be acquired only from
21 a willing seller.

22 (e) RELATION TO OTHER AUTHORITIES.—Nothing in
23 this Act—

- 1 (1) diminishes any other authority that the Sec-
 2 retary may have to acquire, protect, and manage
 3 land and natural resources in the Commonwealth; or
 4 (2) exempts the Federal Government from
 5 Commonwealth water laws.

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

7 (a) ESTABLISHMENT.—There is established in the
 8 Treasury an interest bearing account to be known as the
 9 “Puerto Rico Karst Conservation Fund”.

10 (b) CREDITS TO FUNDS.—There shall be credited to
 11 the Fund—

- 12 (1) amounts appropriated to the Fund;
 13 (2) all amounts donated to the Fund;
 14 (3) all amounts generated from the Caribbean
 15 National Forest that would, but for this paragraph,
 16 be deposited as miscellaneous receipts in the Treas-
 17 ury of the United States, but not including amounts
 18 authorized by law for payments to the Common-
 19 wealth or authorized by law for retention by the Sec-
 20 retary for any purpose;
 21 (4) all amounts received by the Administrator
 22 of General Services from the disposal of surplus real
 23 property in the Commonwealth under subtitle I of
 24 title 40, United States Code; and
 25 (5) interest derived from amounts in the Fund.

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

4 **SEC. 6. MISCELLANEOUS PROVISIONS.**

5 (a) DONATIONS.—

6 (1) IN GENERAL.—The Secretary may accept
7 donations, including land and money, made by pub-
8 lic and private agencies, corporations, organizations,
9 and individuals in furtherance of the purposes of
10 this Act.

11 (2) CONFLICTS OF INTEREST.—The Secretary
12 may accept donations even if the donor conducts
13 business with or is regulated by the Department of
14 Agriculture or any other Federal agency.

15 (3) APPLICABLE LAW.—Public Law 95–442 (7
16 U.S.C. 2269) shall apply to donations accepted by
17 the Secretary under this subsection.

18 (b) RELATION TO FOREST LEGACY PROGRAM.—

19 (1) IN GENERAL.—All land in the Karst Region
20 shall be eligible for inclusion in the Forest Legacy
21 Program.

22 (2) COST SHARING.—The Secretary may credit
23 donations made under subsection (a) to satisfy any
24 cost-sharing requirements of the Forest Legacy Pro-
25 gram.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this Act.

○