

110TH CONGRESS
1ST SESSION

H. R. 672

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

JANUARY 24, 2007

Mr. FORTUÑO introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Puerto Rico Karst Conservation Act”.

1 (b) TABLE OF CONTENTS.—The table of contents of
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.
- Sec. 4. Conservation of the Karst Region.
- Sec. 5. Puerto Rico Karst Conservation Fund.
- Sec. 6. Miscellaneous provisions.

3 **SEC. 2. FINDINGS AND PURPOSES.**

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

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

7 (A) some of the largest areas of tropical
8 forests in Puerto Rico, with a higher density of
9 tree species than any other area in the Com-
10 monwealth; and

11 (B) unique geological formations that are
12 critical to the maintenance of aquifers and wa-
13 tersheds that constitute a principal water sup-
14 ply for much of the Commonwealth.

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

20 (3) The Commonwealth has one of the highest
21 population densities in the United States, which
22 makes the protection of the Karst Region imperative

1 for the maintenance of the public health and welfare
2 of the citizens of the Commonwealth.

3 (4) The Karst Region—

4 (A) possesses extraordinary ecological di-
5 versity, including the habitats of several endan-
6 gered and threatened species and tropical mi-
7 grants; and

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

10 (5) Coordinated efforts at land protection by
11 the Federal Government and the Commonwealth are
12 necessary to conserve the environmentally critical
13 Karst Region.

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

15 (1) to authorize and support conservation ef-
16 forts to acquire, manage, and protect the tropical
17 forest areas of the Karst Region, with particular em-
18 phasis on water quality and the protection of the
19 aquifers that are vital to the health and well-being
20 of the citizens of the Commonwealth; and

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

24 **SEC. 3. DEFINITIONS.**

25 In this Act:

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

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

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

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

15 (A) the Office of the Secretary, Puerto
16 Rico Department of Natural and Environ-
17 mental Resources; and

18 (B) the Office of the Chief of the Forest
19 Service.

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

22 (6) SECRETARY.—The term “Secretary” means
23 the Secretary of Agriculture.

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

2 (a) FEDERAL COOPERATION AND ASSISTANCE.—In
3 furtherance of the acquisition, protection, and manage-
4 ment of land and forest resources in and adjacent to the
5 Karst Region, and in furtherance of the implementation
6 of related natural resource conservation strategies, the
7 Secretary may—

8 (1) make grants to and enter into contracts and
9 cooperative agreements with the Commonwealth,
10 other Federal agencies, organizations, corporations,
11 and individuals; and

12 (2) use all authorities available to the Sec-
13 retary, including—

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

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

20 (C) section 12 of the Stevenson-Wydler
21 Technology Innovation Act of 1980 (15 U.S.C.
22 3710a); and

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

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

1 (1) amounts in the Fund;

2 (2) amounts in the fund established by section
3 4(b) of the Forest and Rangeland Renewable Re-
4 sources Research Act of 1978 (16 U.S.C. 1643(b));

5 (3) funds appropriated from the Land and
6 Water Conservation Fund;

7 (4) funds appropriated for the Forest Legacy
8 Program; and

9 (5) any other funds made available for those ac-
10 tivities.

11 (c) MANAGEMENT.—

12 (1) PRINCIPAL MANAGEMENT OBJECTIVES.—

13 Land acquired under the authority of this section or
14 using funds made available under this section shall
15 be managed in a manner to protect and conserve the
16 water quality and aquifers and the geological, eco-
17 logical, fish and wildlife, and other natural values of
18 the Karst Region.

19 (2) OTHER USES.—The resulting owner of land
20 acquired under the authority of this section or using
21 funds made available under this section may permit
22 public recreation and other uses of the acquired land
23 to the extent that the owner determines that the
24 recreation or other use is compatible with and does
25 not impair the principal management objectives

1 specified in paragraph (1). The owner shall make a
2 determination under this subsection in consultation
3 with the Department of Natural Resources of the
4 Commonwealth and the Secretary.

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

15 (4) FEDERALLY OWNED LAND.—Any federally
16 owned land acquired by the Secretary in the Karst
17 Region shall be managed by the Secretary in accord-
18 ance with paragraphs (1) and (2) and the Forest
19 and Rangeland Renewable Resources Research Act
20 of 1978 (16 U.S.C. 1641 et seq.).

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

24 (e) RELATION TO OTHER AUTHORITIES.—Nothing in
25 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 (f) LAND VALUATION.—Notwithstanding any land
7 valuation provision of the Uniform Relocation Assistance
8 and Real Property Acquisition Policies Act of 1970 (42
9 U.S.C. 4601 et seq.), or regulations issued thereunder,
10 land acquired by the Secretary, or by a non-Federal entity
11 using amounts from the Fund or appropriated for the pur-
12 poses of this Act, shall be valued—

13 (1) in accordance with appraisals prepared in
14 conformity with the Uniform Appraisal Standards
15 for Federal Land Acquisitions; or

16 (2) in accordance with market surveys approved
17 by the Chief Appraiser of the Forest Service, for
18 areas of land where elements of value, such as phys-
19 ical characteristics and other amenities, are readily
20 apparent and substantially similar.

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

22 (a) ESTABLISHMENT.—There is established in the
23 Treasury an interest bearing account to be known as the
24 “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; and
- 5 (3) interest derived from amounts in the Fund.

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

9 **SEC. 6. MISCELLANEOUS PROVISIONS.**

10 (a) DONATIONS.—

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

16 (2) TREATMENT OF DONORS.—The Secretary
17 may accept donations even if the donor conducts
18 business with or is regulated by the Department of
19 Agriculture or any other Federal agency.

20 (3) TREATMENT OF DONATIONS.—A donation
21 of land, property and money accepted by the Sec-
22 retary under the authority of this Act shall be con-
23 sidered as a gift, bequest, or devise to the United
24 States in the same manner as provided in Public
25 Law 95–442 (7 U.S.C. 2269).

1 (b) RELATION TO FOREST LEGACY PROGRAM.—

2 (1) IN GENERAL.—All land in the Karst Region
3 shall be eligible for inclusion in the Forest Legacy
4 Program.

5 (2) COST SHARING.—The Secretary may credit
6 donations made under subsection (a) to satisfy any
7 cost-sharing requirements of the Forest Legacy Pro-
8 gram.

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