

107TH CONGRESS
2D SESSION

H. R. 3954

IN THE SENATE OF THE UNITED STATES

MAY 8, 2002

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Caribbean National
3 Forest Wild and Scenic Rivers Act of 2002”.

4 **SEC. 2. WILD AND SCENIC RIVER DESIGNATIONS, CARIB-**
5 **BEAN NATIONAL FOREST, PUERTO RICO.**

6 (a) FINDINGS.—The Congress finds the following:

7 (1) In the revised land and resource manage-
8 ment plan for the Caribbean National Forest/
9 Luquillo Experimental Forest, approved April 17,
10 1997, and the environmental impact statement pre-
11 pared as part of the plan, the Secretary of Agri-
12 culture examined the suitability of rivers within the
13 Caribbean National Forest/Luquillo Experimental
14 Forest for inclusion in the National Wild and Scenic
15 Rivers System.

16 (2) Based on such examination, the Rio Icacos,
17 Rio Mameyes, and Rio de La Mina were found to be
18 free flowing waterways and to possess outstandingly
19 remarkable scenic, recreational, geological,
20 hydrological, biological, historical, and cultural val-
21 ues, and, therefore, to qualify for addition to the
22 National Wild and Scenic Rivers System.

23 (b) DESIGNATIONS.—Section 3(a) of the Wild and
24 Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by add-
25 ing at the end the following new paragraph:

1 “(____) RIVERS OF CARIBBEAN NATIONAL FOREST,
2 PUERTO RICO.—

3 “(A) RIO MAMEYES.—The segment of approxi-
4 mately 4.5 miles from its headwaters in the Baño de
5 Oro Research Natural Area to the boundary of the
6 Caribbean National Forest, to be administered by
7 the Secretary of Agriculture as follows:

8 “(i) As a wild river from its headwaters in
9 the Baño de Oro Research Natural Area to the
10 crossing point of Trail No. 24/11 (approx-
11 imately 500 feet upstream from the confluence
12 with the Rio de La Mina), a total of approxi-
13 mately 2.1 miles.

14 “(ii) As a scenic river from the crossing
15 point of Trail No. 24/11 to the access point of
16 Trail No. 7, a total of approximately 1.4 miles.

17 “(iii) As a recreational river from the ac-
18 cess point of Trail No. 7 to the national forest
19 boundary, a total of approximately 1.0 miles.

20 “(B) RIO DE LA MINA.—The segment of ap-
21 proximately 2.1 miles from its headwaters to its con-
22 fluence with the Rio Mameyes, to be administered by
23 the Secretary of Agriculture as follows:

24 “(i) As a recreational river from its head-
25 waters in the El Yunque Recreation Area down-

stream to La Mina Falls, a total of approximately 0.9 miles.

“(ii) As a scenic river from La Mina falls downstream to its confluence with the Rio Mameyes, a total of approximately 1.2 miles.

“(C) RIO ICACOS.—The segment of approximately 2.3 miles from its headwaters to the boundary of the Caribbean National Forest, to be administered by the Secretary of Agriculture as a scenic river.”.

(c) SPECIAL MANAGEMENT CONSIDERATIONS.—

(1) CERTAIN PERMITTED ACTIVITIES.—Subject to paragraph (2), the amendment made by the subsection (b) and the applicability of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) to the river segments added to the National Wild and Scenic Rivers System by the amendment shall not be construed to prevent any of the following activities within the boundaries of the river segments:

(A) Installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and transmission facilities, or any combination of such facilities, when the Secretary of Agriculture determines that such facilities are essential to the scientific re-

1 search purposes of the Luquillo Experimental
2 Forest.

3 (B) Construction and maintenance of nest-
4 ing structures, observation blinds, and popu-
5 lation monitoring platforms for threatened and
6 endangered species.

7 (C) Construction and maintenance of trails
8 to such facilities as necessary for research pur-
9 poses and for the recovery of threatened and
10 endangered species.

11 (2) CONDITIONS.—The activities authorized by
12 paragraph (1) shall be subject to such conditions as
13 the Secretary considers desirable. The Secretary
14 shall ensure that the scale and scope of such activi-
15 ties within the boundaries of a river segment added
16 to the National Wild and Scenic Rivers System by
17 the amendment made by the subsection (b) are not
18 detrimental to the characteristics of the river seg-
19 ment that merited its designation as a wild, scenic,
20 or recreational river.

21 (d) PRESERVATION OF COMMONWEALTH AUTHOR-
22 ITY.—Nothing in this section or the amendment made by
23 this section shall be construed to limit the authority of
24 the Commonwealth of Puerto Rico over waters and natural

1 channels of public domain pursuant to the laws of the
2 Commonwealth of Puerto Rico.

Passed the House of Representatives May 7, 2002.

Attest: JEFF TRANDAHL,
Clerk.