

Union Calendar No. 262

107TH CONGRESS
2^D SESSION

H. R. 3954

[Report No. 107-441]

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.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2002

Mr. ACEVEDO-VILÁ (for himself, Mr. UDALL of Colorado, and Mr. RAHALL) introduced the following bill; which was referred to the Committee on Resources

MAY 7, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on March 13, 2002]

A BILL

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 For-*
 3 *est 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 management*
 8 *plan for the Caribbean National Forest/Luquillo Ex-*
 9 *perimental Forest, approved April 17, 1997, and the*
 10 *environmental impact statement prepared as part of*
 11 *the plan, the Secretary of Agriculture examined the*
 12 *suitability of rivers within the Caribbean National*
 13 *Forest/Luquillo Experimental Forest for inclusion in*
 14 *the National Wild and Scenic Rivers System.*

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

22 (b) *DESIGNATIONS.*—*Section 3(a) of the Wild and Sce-*
 23 *nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding*
 24 *at the end the following new paragraph:*

25 “(____) *RIVERS OF CARIBBEAN NATIONAL FOREST,*
 26 *PUERTO RICO.*—

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

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

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

15 “(iii) As a recreational river from the access
16 point of Trail No. 7 to the national forest bound-
17 ary, a total of approximately 1.0 miles.

18 “(B) *RIO DE LA MINA*.—The segment of approxi-
19 mately 2.1 miles from its headwaters to its confluence
20 with the Rio Mameyes, to be administered by the Sec-
21 retary of Agriculture as follows:

22 “(i) As a recreational river from its head-
23 waters in the El Yunque Recreation Area down-
24 stream to La Mina Falls, a total of approxi-
25 mately 0.9 miles.

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

4 “(C) *RIO ICACOS.—The segment of approxi-*
 5 *mately 2.3 miles from its headwaters to the boundary*
 6 *of the Caribbean National Forest, to be administered*
 7 *by the Secretary of Agriculture as a scenic river.”.*

8 (c) *SPECIAL MANAGEMENT CONSIDERATIONS.—*

9 (1) *CERTAIN PERMITTED ACTIVITIES.—Subject to*
 10 *paragraph (2), the amendment made by the sub-*
 11 *section (b) and the applicability of the Wild and Sce-*
 12 *nic Rivers Act (16 U.S.C. 1271 et seq.) to the river*
 13 *segments added to the National Wild and Scenic Riv-*
 14 *ers System by the amendment shall not be construed*
 15 *to prevent any of the following activities within the*
 16 *boundaries of the river segments:*

17 (A) *Installation and maintenance of hydro-*
 18 *logic, meteorological, climatological, or atmos-*
 19 *pheric data collection and transmission facili-*
 20 *ties, or any combination of such facilities, when*
 21 *the Secretary of Agriculture determines that such*
 22 *facilities are essential to the scientific research*
 23 *purposes of the Luquillo Experimental Forest.*

24 (B) *Construction and maintenance of nest-*
 25 *ing structures, observation blinds, and popu-*

1 *lation monitoring platforms for threatened and*
2 *endangered species.*

3 *(C) Construction and maintenance of trails*
4 *to such facilities as necessary for research pur-*
5 *poses and for the recovery of threatened and en-*
6 *dangered species.*

7 *(2) CONDITIONS.—The activities authorized by*
8 *paragraph (1) shall be subject to such conditions as*
9 *the Secretary considers desirable. The Secretary shall*
10 *ensure that the scale and scope of such activities with-*
11 *in the boundaries of a river segment added to the Na-*
12 *tional Wild and Scenic Rivers System by the amend-*
13 *ment made by the subsection (b) are not detrimental*
14 *to the characteristics of the river segment that merited*
15 *its designation as a wild, scenic, or recreational river.*

16 *(d) PRESERVATION OF COMMONWEALTH AUTHOR-*
17 *ITY.—Nothing in this section or the amendment made by*
18 *this section shall be construed to limit the authority of the*
19 *Commonwealth of Puerto Rico over waters and natural*
20 *channels of public domain pursuant to the laws of the Com-*
21 *monwealth of Puerto Rico.*

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