(S. B. 2414)

(No. 260)

(Approved September 8, 2004)

AN ACT

To amend Sections 1 and 7 of Act No. 206 of August 28, 2003, to include the Cupey Arboretum within the Ecological Corridor of San Juan.

STATEMENT OF MOTIVES

The public policy of the Commonwealth of Puerto Rico is to conserve and manage its natural and environmental resources in harmony with an ecologically sustainable economic development. This public policy includes the identification and protection of lands of high natural value, the judicious use of said lands in urban development planning and the implementation of techniques to achieve the goal of urban and agro-industrial development which is compatible with the conservation and management or the natural resources. In Article VI, Section 19, of the Constitution of the Commonwealth of Puerto Rico, it is established as public policy “to conserve, develop and use its natural resources in the most effective manner possible for the general welfare of the community.”

Less than twenty percent (20%) of the green areas remain in the Municipality of San Juan within urbanized surroundings and the pressure on the natural resources has been extraordinary, causing the degradation of the environment, a situation which has put at risk the sustainability of the development of the Capital City.

The Government of the Commonwealth of Puerto Rico is committed to offer creative and adequate solutions for the preservation of the natural and
environmental resources of the Island. To comply with this commitment, an area consisting of approximately one thousand (1,000) cuerdas of land comprising a large green lung within the metropolitan area has been identified to be conserved as a protected natural area, known as the Ecological Corridor of San Juan.

The Government must promote community collaboration with initiatives to improve the quality of life in our communities. The urban reforestation of the communities is one of the initiatives that may improve our enjoyment of life. Trees and lush forest vegetation contribute greatly toward turning our communities and urbanizations into livable places and our thoroughfares into scenic landscapes. The involvement of persons in the development of planting projects should be promoted. By promoting planting, the problem of land erosion can be controlled, thus protecting our watersheds. However, it is the responsibility of all citizens to work toward the improvement of our environment.

The Cupey Arboretum is born out of a citizen initiative comprised by residents and neighbors of the Cupey and Caimito communities. This group promotes the planting of trees in green areas. The Arboretum is a sampler of nature for the enjoyment of the citizenry, a habitat for wild species and a species bank to ensure the natural values that set us apart as a people. At this time, more than two thousand (2,000) trees have been planted.

P.R. Route 176 starts from the Ana G. Méndez Avenue and continues as the Victor M. Labiosa Avenue, and abuts with the SOUTH end of the SOUTH Botanical Gardens. Other sectors near Cupey abut with New Millennium Forest. Moreover, along the EAST abutment of Labiosa Avenue is the Ausubo Stream, the main water source for all the fauna that inhabits the South Botanical Gardens and the New Millennium Forest. WEST of Labiosa Avenue and running parallel to it is the only river in the Municipality of San Juan, the Piedras River. Near the area of P.R. Route 844 to Cupey Bajo and P.R. Route 199 (Las Cumbres Avenue) is the
Piedras River tributary, the Los Guanos Stream. A short distance to the SOUTH is the Las Curías Lake, which gathers rainwater from the Las Curías Stream and other small streams for the consumption of San Juan residents.

However, several proposed developments that, if approved, would have an adverse impact on the green areas and watersheds of the Ausubo Stream and the Guaracanal Stream—Piedras River tributaries—as well as the Los Guanos Stream and the Las Curías Stream, which empties into the Las Curías Lake and whose waters are treated for human consumption, threaten the Cupey Arboretum and the Ecological Corridor of San Juan.

In order to stop the destruction of these forest areas and adequately protect the only existing river and the only lake in the Municipality of San Juan, the Piedras River and the Las Curías Lake, as well as the tributary streams, this Legislature provides that the Cupey Arboretum be hereby included within the Ecological Corridor of San Juan to establish by law the conservation of these lands and bodies of water.

**BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:**

Section 1.- Section 1 of Act No. 206 of August 28, 2003, is hereby amended to add paragraphs two, three, four, five and six to read as follows:

“Included within the Ecological Corridor of San Juan, we find the area which comprises the Cupey Arboretum, which starting from the SOUTH WEST limits of the SOUTH Botanical Gardens and beginning with the green areas of the Ana G. Méndez Avenue (P.R. 176), in a SOUTH-bound direction from the bridge over the Piedras River between kilometers 0.9 and 1.0 toward the green areas of the Víctor M. Labiosa Avenue lands; further along, beginning at kilometer 1.6, including the green areas on both sides and the remainder of the lands owned by the Commonwealth of Puerto Rico, including the green areas of the lands that comprise the banks of the Ausubo Stream.
along the Víctor M. Labiosa Avenue up to the intersection with the Las Cumbres Avenue (P.R. 199) to the SOUTH.

Included are the Piedras River banks from where it enters the South Botanical Gardens and where it abuts with same at kilometers 0.9 to 1.0 of the Ana G. Méndez Avenue, flowing SOUTH-upstream, crossing the bridges at the Lomas Verdes (P.R. 177) and the Las Cumbres (P.R. 199) Avenues up to its source at the intersection of the Las Curías Stream and the Los Guanos Stream.

Also included are the banks of the Las Curías Stream and the Los Guanos Stream.”

Section 2.- The first paragraph of Section 7 of Act No. 206 of August 28, 2003, is hereby amended and paragraphs two, three, four, five and six are added to read as follows:

“The following is a list and a general description of the properties that comprise the Corridor, according to their cadastre number in the Municipal Revenues Collection Center (CRIM, Spanish acronym).”

…

087-065-049-22

“Included within the Ecological Corridor of San Juan, we find the area which comprises the Cupey Arboretum, which starting from the SOUTH WEST limits of the SOUTH Botanical Gardens and beginning with the green areas of the Ana G. Méndez Avenue (P.R. 176), in a SOUTH-bound direction from the bridge over the Piedras River between kilometers 0.9 and 1.0 toward the green areas of the Víctor M. Labiosa Avenue lands; further along, beginning at kilometer 1.6, including the green areas on both sides and the remainder of the lands owned by the Commonwealth of Puerto Rico, including the green areas of the lands that comprise the banks of the Ausubo Stream along the Víctor M. Labiosa Avenue up to the intersection with the Las
Cumbres Avenue (P.R. 199) to the SOUTH.

Included are the Piedras River banks from where it enters the SOUTH Botanical Gardens and where it abuts with same at kilometers 0.9 to 1.0 of the Ana G. Méndez Avenue, flowing SOUTH-upstream, crossing the bridges at the Lomas Verdes (P.R. 177) and the Las Cumbres (P.R. 199) Avenues up to its source at the intersection of the Las Curías Stream and the Los Guanos Stream.

Also included are the banks of the Las Curías Stream and the Los Guanos Stream.”

Section 3.- Effectiveness

This Act shall take effect immediately after its approval.
CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 260 (S.B. 2414) of the 7th Session of the 14th Legislature of Puerto Rico:

AN ACT to amend Sections 1 and 7 of Act No. 206 of August 28, 2003, to include the Cupey Arboretum within the Ecological Corridor of San Juan,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 26th of February of 2007.

Francisco J. Domenech
Director