



Commonwealth of Puerto Rico

## Department of Natural and Environmental Resources

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Secretary

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June 19, 2008

The Honorable Nick Rahall  
Chairman  
House Natural Resources Committee  
US House of Representatives  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Rahall:

As the Secretary of the Department of Natural and Environmental Resources of the Commonwealth of Puerto Rico (DNER), I am writing to express my agency's opposition to HR 5864, the "Vieques Bioluminescent Bay Conservation Act of 2008" submitted to the U.S. House of Representatives by Resident Commissioner Luis Fortuño for the purpose of designating Puerto Mosquito Bay in Vieques as a National Marine Sanctuary.

According to Article 3 of Law No. 23 of June 20, 1972, as amended, the DNER is responsible for the implementation of the operational aspect of the public policy expressed in Article VI, Sec. 19 of the Constitution of the Commonwealth. As such, the DNER must carry out programs for the rational use and conservation of Puerto Rico's natural resources. Among those programs we lead the Puerto Rico Coastal Management Program (PRCZMP) to promote the protection, conservation, socioeconomic and sustainable use of the coastal zone and natural resources.

In order to accomplish our mission, we identify and protect lands of high ecological importance that are part of our natural patrimony and heritage. We conduct active management and administration of these protected areas, most of them designated as natural reserve, forests, national estuarine research reserve and wildlife refuges.

Because of the high ecological value of the Vieques Bioluminescent Bay, the Puerto Rico Planning Board, upon request of the DNER, designated the area as a Natural Reserve under the PRCZMP on June, 1, 1989. On May 14, 1998 the South Maritime limit of the Natural Reserve was extended from three to nine nautical miles.

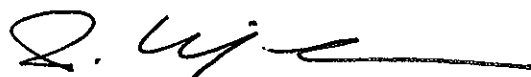
The DNER highly regards and integrates communities and user groups in the management of the natural areas, especially in the development of those activities that both protect the natural areas and are an economic development source for the community. In 1999 the DNER prepared a draft Bioluminescent Bay Natural Reserve Management Plan. The document identifies activities and uses consistent with the conservation and preservation objectives.

We strongly believe that the purpose and objectives pursued by the HR 5864 are already being fulfilled by the uses and activities permitted under a Natural Reserve and DNER plans to establish agreements with groups and organizations of Vieques for the management of the area. This, together with the fact that the Natural Reserve is currently managed by the DNER for protection and conservation, offers sufficient guarantees for the protection not only of the Bay but for the entire ecosystem and does not justify additional federal intervention.

We reiterate that the DNER does not endorse the designation of Puerto Mosquito Bay as a National Marine Sanctuary. The DNER welcomes collaboration with the Federal Government. In fact we are already joining forces with NOAA's National Marine Sanctuaries Program in order to evaluate the feasibility of establishing a Marine Sanctuary between Vieques and Roosevelt Roads in Ceiba to protect a discrete area of the Marine environment. But in this particular case the collaboration may be achieved by conducting studies, exchanging information and identifying financial resources for the development of research and management activities.

In short, the Department of Natural and Environmental Resources of the Commonwealth of Puerto Rico opposes HR 5864, the "Vieques Bioluminescent Bay Conservation Act of 2008" as an unnecessary federal encroachment of an area that is already protected.

Sincerely,



Javier Vélez-Arocho

cc: The Honorable Don Young, Ranking Member  
House Natural Resources Com