

Organizations appeal court decision allowing destruction of agricultural and sensitive lands ^[1]

Submitted on 12 January 2024 - 1:49pm

This article is reproduced by CienciaPR with permission from the original source.

Calificación:



No

CienciaPR Contribution:



San Juan, Puerto Rico (Tuesday, January 9, 2024) - Six community, municipal, environmental and agro-ecological organizations filed an appeal today to ban the establishment of industrial energy projects in agricultural reserves and ecologically sensitive areas.

The organizations argued that the Court of First Instance's previous determination to dismiss Mandamus' appeal is "irrational and incorrect," citing that the Bureau of Energy has exclusive jurisdiction to identify whether industrial renewable energy projects should be established in Puerto Rico's Special Agricultural Reserve.

They argued that in the jurisprudence, the Supreme Court has not recognized exclusive jurisdiction to an agency, nor has it recognized an adequate remedy at law before an agency that denies having jurisdiction and expertise on that aspect. Thus, the appeal filed is the only remedy available to require the Bureau to comply with its ministerial duty and identify the sites suitable to make the integration of renewable energy feasible and apply the Land Use Plan (LUP).

The plaintiffs added that the continued non-compliance with Law 6-2014 of the Land Use Plan, the magnitude of its effects, and through almost all the projects before the Bureau, entails and implies a repeated violation of the Land Use Plan and the Constitution of Puerto Rico over which the Court has jurisdiction.

This is a summary, to view the full article please visit our website in Spanish or [click here](#) [2].

Source URL:<https://www.cienciapr.org/en/external-news/organizations-appeal-court-decision-allowing-destruction-agricultural-and-sensitive?language=en&page=7>

Links

[1] <https://www.cienciapr.org/en/external-news/organizations-appeal-court-decision-allowing-destruction-agricultural-and-sensitive?language=en> [2] <https://www.cienciapr.org/es/external-news/organizaciones-apan-decision-judicial-que-permite-destruccion-de-tierras-agricolas-y>