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{ REPORT
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COASTAL BARRIER RESOURCES SYSTEM MAP CORRECTION—CAPE HATTERAS UNIT, NC-03P

OCTOBER 6, 1999.—Ordered to be printed

Mr. CHAFEE, from the Committee on Environment and Public
Works, submitted the following

REPORT

[To accompany S. 1398]

The Committee on Environment and Public Works, to which was referred a bill (S. 1398) “to clarify certain boundaries on maps relating to the Coastal Barrier Resources System”, having considered the same, reports favorably thereon and recommends that the bill, as amended, do pass.

GENERAL STATEMENT AND BACKGROUND

The Coastal Barrier Resources System (CBRS) is comprised of undeveloped coastal barriers along the coasts of the Atlantic Ocean, Gulf of Mexico, the Great Lakes, Puerto Rico and the U.S. Virgin Islands. Coastal barriers are landscape features that shield the mainland from the full force of wind, wave and tidal energies. Coastal barriers come in a variety of forms that include bay barriers, tombolos, barrier spits, barrier islands, dune or beach barriers, and fringing mangroves. Besides bearing the brunt of impacts from storms and erosion, most coastal barriers are composed of unconsolidated sediment such as sand or gravel. The geological composition makes coastal barriers highly unstable areas. Despite their instability, many coastal barriers are under heavy development pressure.

Congress passed the Coastal Barrier Resources Act of 1982 in an effort to address problems caused by coastal barrier development. The Coastal Barrier Resources Act restricts Federal expenditures and financial assistance, including Federal flood insurance, for development on coastal barriers in the CBRS. By restricting funding for Federal programs that encourage development of coastal barriers Congress sought to minimize loss of human life; reduce wasteful expenditure of Federal funds; and protect the natural resources associated with coastal barriers.

The Coastal Barrier Improvement Act of 1990 added "Otherwise Protected Areas" (OPAs) to the System. OPAs are undeveloped coastal barriers within the boundaries of lands reserved for conservation purposes such as wildlife refuges and parks. In addition, the 1990 Act added to the System coastal barriers in Puerto Rico, the U.S. Virgin Islands, the Great Lakes and along the Atlantic and Gulf coasts. The CBRS currently includes 850 units, comprising approximately 3 million acres and approximately 2,500 shoreline miles.

Undeveloped coastal barriers were identified and mapped using criteria developed by the Department of the Interior and later approved by Congress. Aerial photographs and ground inspections were used to verify the boundaries, and the results were then mapped on U.S. Geological Survey quadrangle maps. Except for minor and technical modifications to the CBRS unit boundaries to reflect changes that have occurred as a result of natural forces, modifications of CBRS unit boundaries require Congressional approval.

This bill makes a boundary change to Unit NC-03P. Unit NC-03P, which includes the Cape Hatteras National Seashore, was designated as an "otherwise protected area" and included in the CBRS in 1990. When the cartographers mapped this area they followed an outdated map resulting in the inclusion of areas outside of the Cape Hatteras National Seashore. S. 1398 adopts a set of maps dated May 26, 1999, that would adjust the boundaries so that they coincide with those of the Cape Hatteras National Seashore.

Senator Chafee offered a substitute amendment to S. 1398 that adopts a subsequent set of maps dated July 1, 1999. The July 1, 1999 maps include the changes made in the previous set of maps, correct boundary inconsistencies and add to Unit NC-03P portions of the Cape Hatteras National Seashore that were not previously included. Changing the boundary of NC-03P to coincide with the boundary of the Cape Hatteras National Seashore will remove approximately 141 acres and add approximately 3,060 to the CBRS.

The U.S. Fish and Wildlife Service has concluded that both modifications constitute a technical correction.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes evaluation of the regulatory impact of the reported bill. The reported bill will provide regulatory relief to landowners in the affected unit. This bill will not have any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the Committee finds that S. 1398 would impose no Federal intergovernmental unfunded mandates on State, local, or tribal governments. All of its governmental directives are imposed on Federal agencies. The bill does not directly impose any private sector mandates.

LEGISLATIVE HISTORY

On July 10, 1999, Senator Helms introduced S. 1398, a bill to direct the Secretary of the Interior to change a map relating to one unit, NC-03P. No hearings were held on this bill. On Wednesday, September 29, 1999, the Committee on Environment and Public Works held a business meeting to consider S. 1398. Senator Chafee offered a substitute amendment that was adopted by voice vote. S. 1398, as amended, was favorably reported out of the Committee by voice vote.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 5, 1999.

Hon. JOHN H. CHAFEE, *Chairman,*
Committee on Environment and Public Works,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1398, a bill to clarify certain boundaries on maps relating to the Coastal Barrier Resource System.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis, who can be reached at 226-2860.

Sincerely,

DAN L. CRIPPEN.

 CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 1398, A bill to clarify certain boundaries on maps relating to the Coastal Barrier Resources System, as ordered reported by the Senate Committee on Environment and Public Works on September 29, 1999

CBO estimates that enacting S. 1398 would result in no significant cost to the Federal Government. Because the bill could affect direct spending, pay-as-you-go procedures would apply, but we expect that net changes in direct spending would be negligible. S. 1398 contains no intergovernmental or private-sector mandates as

defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

S. 1398 would correct maps of the Coastal Barrier Resource System in North Carolina. The proposed correction would revise the boundaries of a unit of the system to include 3,060 acres of the Cape Hatteras National Seashore and exclude 141 acres of developed land. This change would enable local property owners occupying the excluded acreage to obtain Federal flood insurance. Once insurance policies have been written on the affected properties, offsetting collections from premiums paid into the national flood insurance fund would increase by less than \$200,000 per year. Collections would be partially offset by new mandatory spending for underwriting and administrative expenses. The Federal Government might also incur additional costs for losses associated with any future floods that might affect is land, but CBO has no basis for predicting such floods or their resulting costs.

The CBC, staff contact is Deborah Reis, who can be reached at 226–2860. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate, provides that reports to the Senate should show changes in existing law made by the bill as reported. Passage of this bill will make no changes to existing law.