

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 810

To direct the Secretary of the Interior to remove from the Coastal Barrier Resources System a tract of land in South Carolina that was added to the System without notice to the county in which the tract is located, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 16 (legislative day, MAY 15), 1995

Mr. HOLLINGS (for himself and Mr. THURMOND) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To direct the Secretary of the Interior to remove from the Coastal Barrier Resources System a tract of land in South Carolina that was added to the System without notice to the county in which the tract is located, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Coastal Barrier  
5 Resources System Fairness Act of 1995”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

★(Star Print)

1           (1) the Coastal Barrier Resources System was  
2 established in 1982 by the Coastal Barrier Re-  
3 sources Act (16 U.S.C. 3501 et seq.);

4           (2) pursuant to the Act, a ban on the sale of  
5 new Federal flood insurance for new construction or  
6 substantial improvements of structures located on  
7 units within the System became effective;

8           (3)(A) during 1984, the Coastal Barriers Study  
9 Group, established by the Secretary of the Interior  
10 for the purpose of preparing the report required  
11 under section 10 of the Act (16 U.S.C. 3509), pre-  
12 pared a draft inventory of coastal barriers along all  
13 United States coastlines;

14           (B) on March 4, 1985, the draft inventory was  
15 made available for public comment;

16           (C) on September 30, 1985, the public com-  
17 ment period on the draft inventory was closed;

18           (D) on March 25, 1987, the Department of the  
19 Interior made available a second draft inventory in  
20 response to the public comments, which was mailed  
21 to all affected Members of Congress, Governors,  
22 counties, and special interests; and

23           (E) on June 23, 1987, the public comment pe-  
24 riod on the second draft inventory was closed;

1 (4) the final report to Congress referred to in  
2 paragraph (3)(A) was completed and submitted to  
3 Congress on December 16, 1988;

4 (5) this final report was the basis for the Coast-  
5 al Barrier Improvement Act of 1990 (Public Law  
6 101-591), which expanded the Coastal Barrier Re-  
7 sources System;

8 (6)(A) portions of Edisto Island, South Caro-  
9 lina, were annexed by Colleton County, South Caro-  
10 lina, from Charleston County, South Carolina, on  
11 March 17, 1987; and

12 (B) this annexed area is part of the Coastal  
13 Barrier Resources System, unit M09;

14 (7) no Colleton County government official re-  
15 ceived notification of the changes in unit M09 dur-  
16 ing either the 1985 or 1987 draft inventories appar-  
17 ently because notice regarding unit M09 pursuant to  
18 the 1985 and 1987 draft inventories was provided to  
19 Charleston County and not Colleton County;

20 (8) if notice had been received by Colleton  
21 County, Colleton County would have participated in  
22 the public comment period and worked to have a  
23 portion of Edisto Island excluded from unit M09 of  
24 the Coastal Barrier Resources System;

1 (9) the absence of notice to Colleton County in  
2 1985 and 1987 has been the cause of considerable  
3 hardship to residents of Colleton County; and

4 (10) Congress should correct this injustice by  
5 returning a portion of the area known as Jeremy  
6 Cay at Eddingsville Beach Subdivision (formerly  
7 known as West Cowpens), Edisto Island, Colleton  
8 County, South Carolina, to the pre-1985 status of  
9 the portion of the area.

10 **SEC. 3. COASTAL BARRIER RESOURCES SYSTEM.**

11 Section 4(a) of the Coastal Barrier Resources Act (16  
12 U.S.C. 3503(a)) is amended by inserting before the period  
13 at the end the following: “and section 4 of the Coastal  
14 Barrier Resources System Fairness Act of 1995”.

15 **SEC. 4. CORRECTIONS TO MAPS.**

16 (a) IN GENERAL.—Not later than 30 days after the  
17 date of enactment of this Act, the Secretary of the Interior  
18 shall make such corrections to the maps described in sub-  
19 section (b) as are necessary to ensure that depictions of  
20 areas on the maps are consistent with the depictions of  
21 areas appearing on the maps entitled “Coastal Barrier Re-  
22 sources System”, dated March 30, 1995, and on file with  
23 the Secretary of the Interior.

24 (b) MAPS DESCRIBED.—The maps described in this  
25 subsection are maps that—

1           (1) are included in a set of maps entitled  
2           “Coastal Barrier Resources System”, dated October  
3           24, 1990; and

4           (2) relate to the unit of the Coastal Barrier Re-  
5           sources System numbered M09.

6           (c) AUTHORIZATION OF APPROPRIATIONS.—Section  
7           12 of the Coastal Barrier Resources Act (16 U.S.C. 3510)  
8           is amended to read as follows:

9           **“SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

10           “There are authorized to be appropriated to the Sec-  
11           retary such sums as are necessary to carry out this Act.”.

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