

Calendar No. 661

105TH CONGRESS
2^D SESSION

S. 2470

[Report No. 105-352]

To direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 1998

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

SEPTEMBER 28, 1998

Reported by Mr. CHAFEE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

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. REVISION OF COASTAL BARRIER RESOURCE**
4 **SYSTEM MAP.**

5 (a) **FINDINGS.**—Congress finds that—

1 (1) the Department of the Interior published a
2 notice in the Federal Register on March 4, 1985,
3 specifying the criteria for including undeveloped
4 property in the Coastal Barrier Resources System
5 (referred to in this Act as the “System”);

6 (2) the notice—

7 (A) expands and elaborates on the criteria
8 used to delineate coastal barriers originally pub-
9 lished in the Federal Register on August 16,
10 1982; and

11 (B) specifies that candidate properties are
12 to be excluded from the System if the prop-
13 erties are developed with a full complement of
14 infrastructure servicing each lot or building
15 site;

16 (3) the Coastal Barrier Improvement Act of
17 1990 (Public Law 101-591) designated unit FL-35
18 in North Key Largo, Florida, as part of the Coastal
19 Barrier Resources System;

20 (4) Unit FL-35 included Pumpkin Key, a 25-
21 acre island that, at the time of its inclusion in the
22 System, was developed with a full complement of in-
23 frastructure, many structures, and a 20-slip multi-
24 residential docking facility;

1 (5) the United States Fish and Wildlife Service
2 has reviewed signed, sworn affidavits and as-built
3 engineering drawings attesting to the presence on
4 Pumpkin Key of electricity, water, and wastewater
5 disposal capacity for every building lot on the island,
6 and a paved intra-island cart path network exceed-
7 ing 2 miles in length;

8 (6) the utilities are provided to Pumpkin Key
9 by a subaqueous utility line emanating from the
10 Ocean Reef development in North Key Largo;

11 (7) the United States Fish and Wildlife Service
12 has stated that the information referred to in para-
13 graph (5) was not available to the Service when the
14 Service recommended Pumpkin Key for inclusion in
15 the System in a 1988 report to Congress; and

16 (8) based on its review of the information re-
17 ferred to in paragraph (5), the United States Fish
18 and Wildlife Service has affirmed that Pumpkin Key
19 had a full complement of infrastructure at the time
20 of its inclusion in the System and that exclusion of
21 Pumpkin Key from the System constitutes a valid
22 technical correction that the Service and the Depart-
23 ment of the Interior can support.

24 (b) CORRECTION OF MAP.—Not later than 30 days
25 after the date of enactment of this Act, the Secretary of

1 the Interior shall revise the map depicting unit FL-35 of
2 the Coastal Barrier Resources System to exclude Pumpkin
3 Key from the System.

4 **SECTION 1. CORRECTION OF MAP.**

5 (a) *IN GENERAL.*—Not later than 30 days after the
6 date of enactment of this Act, the Secretary of the Interior
7 shall make such corrections to the map described in sub-
8 section (b) as are necessary to exclude Pumpkin Key from
9 the Coastal Barrier Resources System.

10 (b) *MAP DESCRIBED.*—The map described in this sub-
11 section is the map that—

12 (1) is included in a set of maps entitled “Coastal
13 Barrier Resources System”, dated October 24, 1990;
14 and

15 (2) relates to unit FL-35 of the Coastal Barrier
16 Resources System.

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