

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1752

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## AN ACT

To reauthorize and amend the Coastal Barrier Resources Act.

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 Re-  
5 sources Reauthorization Act of 2000”.

1 **SEC. 2. GUIDELINES FOR CERTAIN RECOMMENDATIONS**  
2 **AND DETERMINATIONS.**

3 Section 4 of the Coastal Barrier Resources Act (16  
4 U.S.C. 3503), as otherwise amended by this Act, is further  
5 amended by adding at the end the following:

6 “(g) **GUIDELINES FOR CERTAIN RECOMMENDATIONS**  
7 **AND DETERMINATIONS.**—

8 “(1) **IN GENERAL.**—In making any rec-  
9 ommendation to the Congress regarding the addition  
10 of any area to the System or in determining wheth-  
11 er, at the time of the inclusion of a System unit  
12 within the System, a coastal barrier is undeveloped,  
13 the Secretary shall consider whether within the  
14 area—

15 “(A) the density of development is less  
16 than 1 structure per 5 acres of land above  
17 mean high tide; and

18 “(B) there is existing infrastructure con-  
19 sisting of—

20 “(i) a road, with a reinforced road  
21 bed, to each lot or building site in the  
22 area;

23 “(ii) a wastewater disposal system  
24 sufficient to serve each lot or building site  
25 in the area;

1 “(iii) electric service for each lot or  
2 building site in the area; and

3 “(iv) a fresh water supply for each lot  
4 or building site in the area.

5 “(2) STRUCTURE DEFINED.—In paragraph (1),  
6 the term ‘structure’ means a walled and roofed  
7 building, other than a gas or liquid storage tank,  
8 that—

9 “(A) is principally above ground and af-  
10 fixed to a permanent site, including a manufac-  
11 tured home on a permanent foundation; and

12 “(B) covers an area of at least 200 square  
13 feet.

14 “(3) SAVINGS CLAUSE.—Nothing in this sub-  
15 section supersedes the official maps referred to in  
16 subsection (a).”.

17 **SEC. 3. VOLUNTARY ADDITIONS TO JOHN H. CHAFEE**  
18 **COASTAL BARRIER RESOURCES SYSTEM.**

19 (a) IN GENERAL.—Section 4 of the Coastal Barrier  
20 Resources Act (16 U.S.C. 3503) is amended by inserting  
21 after subsection (c) the following:

22 “(d) ADDITIONS TO SYSTEM.—The Secretary may  
23 add a parcel of real property to the System, if—

1           “(1) the owner of the parcel requests, in writ-  
2           ing, that the Secretary add the parcel to the System;  
3           and

4           “(2) the parcel is an undeveloped coastal bar-  
5           rier.”.

6           (b) TECHNICAL AMENDMENTS RELATING TO ADDI-  
7           TIONS OF EXCESS PROPERTY.—

8           (1) IN GENERAL.—Section 4(d) of the Coastal  
9           Barrier Improvement Act of 1990 (16 U.S.C. 3503  
10          note; Public Law 101–591)—

11           (A) is redesignated and moved so as to ap-  
12           pear as subsection (e) of section 4 of the Coast-  
13           al Barrier Resources Act (16 U.S.C. 3503); and

14           (B) is amended—

15           (i) in paragraph (1)—

16           (I) by striking “one hundred and  
17           eighty” and inserting “180”; and

18           (II) in subparagraph (B), by  
19           striking “shall”; and

20           (ii) in paragraph (2), by striking  
21           “subsection (d)(1)(B)” and inserting  
22           “paragraph (1)(B)”; and

23           (iii) by striking paragraph (3).

24           (2) CONFORMING AMENDMENTS.—Section 4 of  
25           the Coastal Barrier Improvement Act of 1990 (16

1 U.S.C. 3503 note; Public Law 101–591) is  
2 amended—

3 (A) in subsection (b)(2), by striking “sub-  
4 section (d) of this section” and inserting “sec-  
5 tion 4(e) of the Coastal Barrier Resources Act  
6 (16 U.S.C. 3503(e))”; and

7 (B) by striking subsection (f).

8 (c) ADDITIONS TO SYSTEM.—Section 4 of the Coastal  
9 Barrier Resources Act (16 U.S.C. 3503) is further amend-  
10 ed by inserting after subsection (e) (as added by sub-  
11 section (b)(1)) the following:

12 “(f) MAPS.—The Secretary shall—

13 “(1) keep a map showing the location of each  
14 boundary modification made under subsection (c)  
15 and of each parcel of real property added to the Sys-  
16 tem under subsection (d) or (e) on file and available  
17 for public inspection in the Office of the Director of  
18 the United States Fish and Wildlife Service and in  
19 such other offices of the Service as the Director con-  
20 siders appropriate;

21 “(2) provide a copy of the map to—

22 “(A) the State and unit of local govern-  
23 ment in which the property is located;

24 “(B) the Committees; and

1                   “(C) the Federal Emergency Management  
2                   Agency; and

3                   “(3) revise the maps referred to in subsection  
4                   (a) to reflect each boundary modification under sub-  
5                   section (c) and each addition of real property to the  
6                   System under subsection (d) or (e), after publishing  
7                   in the Federal Register a notice of any such pro-  
8                   posed revision.”.

9                   (d) CONFORMING AMENDMENT.—Section 4(a) of the  
10 Coastal Barrier Resources Act (16 U.S.C. 3503(a)) is  
11 amended by striking “which shall consist of” and all that  
12 follows and inserting the following: “which shall consist  
13 of those undeveloped coastal barriers and other areas lo-  
14 cated on the coasts of the United States that are identified  
15 and generally depicted on the maps on file with the Sec-  
16 retary entitled ‘Coastal Barrier Resources System’, dated  
17 October 24, 1990, as those maps may be modified, revised,  
18 or corrected under—

19                   “(1) subsection (f)(3);

20                   “(2) section 4 of the Coastal Barrier Improve-  
21 ment Act of 1990 (16 U.S.C. 3503 note; Public Law  
22 101–591); or

23                   “(3) any other provision of law enacted on or  
24 after November 16, 1990, that specifically author-  
25 izes the modification, revision, or correction.”.

1 **SEC. 4. CLERICAL AMENDMENTS.**

2 (a) COASTAL BARRIER RESOURCES ACT.—The  
3 Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.)  
4 is amended—

5 (1) in section 3(2) (16 U.S.C. 3502(2)), by  
6 striking “refers to the Committee on Merchant Ma-  
7 rine and Fisheries” and inserting “means the Com-  
8 mittee on Resources”;

9 (2) in section 3(3) (16 U.S.C. 3502(3)), in the  
10 matter following subparagraph (D), by striking “Ef-  
11 fective October 1, 1983, such” and inserting  
12 “Such”; and

13 (3) by repealing section 10 (16 U.S.C. 3509).

14 (b) COASTAL BARRIER IMPROVEMENT ACT OF  
15 1990.—Section 8 of the Coastal Barrier Improvement Act  
16 of 1990 (16 U.S.C. 3503 note; Public Law 101–591) is  
17 repealed.

18 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

19 Section 12 of the Coastal Barrier Resources Act (16  
20 U.S.C. 3510) is redesignated as section 10, moved to ap-  
21 pear after section 9, and amended to read as follows:

22 **“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

23 “There is authorized to be appropriated to the Sec-  
24 retary to carry out this Act \$2,000,000 for each of fiscal  
25 years 2001, 2002, 2003, 2004, and 2005.”

1 **SEC. 6. DIGITAL MAPPING PILOT PROJECT.**

2 (a) IN GENERAL.—

3 (1) PROJECT.—The Secretary of the Interior  
4 (referred to in this section as the “Secretary”), in  
5 consultation with the Director of the Federal Emer-  
6 gency Management Agency, shall carry out a pilot  
7 project to determine the feasibility and cost of cre-  
8 ating digital versions of the John H. Chafee Coastal  
9 Barrier Resources System maps referred to in sec-  
10 tion 4(a) of the Coastal Barrier Resources Act (16  
11 U.S.C. 3503(a)) (as amended by section 3(d)).

12 (2) NUMBER OF UNITS.—The pilot project shall  
13 consist of the creation of digital maps for no more  
14 than 75 units and no fewer than 50 units of the  
15 John H. Chafee Coastal Barrier Resources System  
16 (referred to in this section as the “System”), 1/3 of  
17 which shall be otherwise protected areas (as defined  
18 in section 12 of the Coastal Barrier Improvement  
19 Act of 1990 (16 U.S.C. 3503 note; Public Law 101–  
20 591)).

21 (b) DATA.—

22 (1) USE OF EXISTING DATA.—To the maximum  
23 extent practicable, in carrying out the pilot project  
24 under this section, the Secretary shall use digital  
25 spatial data in the possession of State, local, and

1 Federal agencies including digital orthophotos, and  
2 shoreline, elevation, and bathymetric data.

3 (2) PROVISION OF DATA BY OTHER AGEN-  
4 CIES.—The head of a Federal agency that possesses  
5 data referred to in paragraph (1) shall, upon request  
6 of the Secretary, promptly provide the data to the  
7 Secretary at no cost.

8 (3) ADDITIONAL DATA.—If the Secretary deter-  
9 mines that data necessary to carry out the pilot  
10 project under this section do not exist, the Secretary  
11 shall enter into an agreement with the Director of  
12 the United States Geological Survey under which the  
13 Director shall obtain, in cooperation with other Fed-  
14 eral agencies, as appropriate, and provide to the  
15 Secretary the data required to carry out this section.

16 (4) DATA STANDARDS.—All data used or cre-  
17 ated to carry out this section shall comply with—

18 (A) the National Spatial Data Infrastruc-  
19 ture established by Executive Order 12906 (59  
20 Fed. Reg. 17671 (April 13, 1994)); and

21 (B) any other standards established by the  
22 Federal Geographic Data Committee estab-  
23 lished by Office of Management and Budget  
24 Circular A-16.

1           (c) DIGITAL MAPS NOT CONTROLLING.—Any deter-  
2 mination as to whether a location is inside or outside the  
3 System shall be made without regard to the digital maps  
4 created under this section.

5           (d) REPORT.—

6           (1) IN GENERAL.—Not later than 3 years after  
7 the date of enactment of this Act, the Secretary  
8 shall submit to the Committee on Environment and  
9 Public Works of the Senate and the Committee on  
10 Resources of the House of Representatives a report  
11 that describes the results of the pilot project and the  
12 feasibility, data needs, and costs of completing dig-  
13 ital maps for the entire System.

14           (2) CONTENTS.—The report shall include a de-  
15 scription of—

16           (A) the cooperative agreements that would  
17 be necessary to complete digital mapping of the  
18 entire System;

19           (B) the extent to which the data necessary  
20 to complete digital mapping of the entire Sys-  
21 tem are available;

22           (C) the need for additional data to com-  
23 plete digital mapping of the entire System;

1 (D) the extent to which the boundary lines  
2 on the digital maps differ from the boundary  
3 lines on the original maps; and

4 (E) the amount of funding necessary to  
5 complete digital mapping of the entire System.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
7 authorized to be appropriated to the Secretary to carry  
8 out this section \$500,000 for each of fiscal years 2002  
9 through 2004.

10 **SEC. 7. ECONOMIC ASSESSMENT OF JOHN H. CHAFEE**  
11 **COASTAL BARRIER RESOURCES SYSTEM.**

12 (a) IN GENERAL.—Not later than 1 year after the  
13 date of enactment of this Act, the Secretary of the Interior  
14 shall submit to the Committee on Environment and Public  
15 Works of the Senate and the Committee on Resources of  
16 the House of Representatives an economic assessment of  
17 the John H. Chafee Coastal Barrier Resources System.

18 (b) REQUIRED ELEMENTS.—The assessment shall  
19 consider the impact on Federal expenditures of the Coast-  
20 al Barrier Resources Act (16 U.S.C. 3501 et seq.), includ-  
21 ing impacts resulting from the avoidance of Federal ex-  
22 penditures for—

23 (1) disaster relief under the Robert T. Stafford  
24 Disaster Relief and Emergency Assistance Act (42  
25 U.S.C. 5121 et seq.);

1           (2) the national flood insurance program estab-  
2           lished under chapter 1 of the National Flood Insur-  
3           ance Act of 1968 (42 U.S.C. 4011 et seq.); and

4           (3) development assistance for roads, potable  
5           water supplies, and wastewater infrastructure.

          Passed the Senate September 27 (legislative day,  
September 22), 2000.

Attest:

*Secretary.*

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