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REPORT
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COASTAL BARRIER RESOURCES SYSTEM MAP CORRECTION—PINE ISLAND UNIT, NC–01

OCTOBER 3 (legislative day, SEPTEMBER 22), 2000.—Ordered to be printed

Mr. SMITH of New Hampshire, from the Committee on Environment and Public Works, submitted the following

REPORT

[to accompany H.R. 4435]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (H.R. 4435) to clarify certain boundaries on the map relating to Unit NC–01 of the Coastal Barrier Resources System, having considered the same, reports favorably thereon and recommends that the bill 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 de-

velopment 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 changes to the boundaries of CBRS Unit NC–01, in Currituck and Dare Counties, North Carolina. NC–01 was originally labeled NC-O1P and was included in the System as an OPA in the 1990 amendments. In 1992, the boundaries were revised to exclude private property that had been included in NC–01P and to include aquatic habitat. The boundaries of the unit were supposed to follow the boundaries of a wildlife sanctuary owned by the National Audubon Society, Pine Island Sanctuary, and some associated aquatic habitat (P.L. 102–440, Sec. 303). Also, the OPA designation was to be dropped. The full CBRS unit was then labeled NC–01. However, the map that resulted from the 1992 revisions inadvertently included 4 acres of new private property that had not been included before. The boundary line of the unit runs through two parcels of privately owned land. H.R. 4435 removes the private property from Unit NC–01 and adds associated aquatic habitat that was left out in the 1992 revisions. This change will result in an increase of 2,326 acres into the System.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact of the reported bill. The bill will have no direct regulatory impact. However, by removing the 4.4 acre from the CBRS unit, it will make landowners in the unit eligible for certain Federal programs for which they are not currently eligible.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104–4), the Committee finds that H.R. 4435 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 June 8, 2000, H.R. 4435 was received in the Senate and referred to the Committee on Environment and Public Works. No hearings were held on this bill. On September 21, 2000, the Committee on Environment and Public Works held a business meeting to consider H.R. 4435. The business meeting was continued on September 28, 2000, and H.R. 4435 was favorably reported out of 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, September 29, 2000.

Hon. ROBERT C. SMITH, *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 H.R. 4435, an Act to clarify certain boundaries on the map relating to Unit NC–01 of the Coastal Barrier Resources System.

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

Sincerely,

DAN L. CRIPPEN.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 4435, An Act to clarify certain boundaries on the map relating to Unit NC–01 of the Coastal Barrier Resources System, as ordered reported by the Senate Committee on Environment and Public Works on September 28, 2000

CBO estimates that enacting H.R. 4435 would result in no significant cost to the Federal Government. Because the legislation could affect direct spending, pay-as-you-go procedures would apply, but we expect that net changes in direct spending would be negligible. H.R. 4435 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.

H.R. 4435 would correct a map of the Coastal Barrier Resources System in North Carolina. The proposed correction would revise the boundaries of unit NC–01 to include 2,330 acres of aquatic habitat and exclude about 4 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 $50,000 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 this land, but CBO has no basis for predicting such floods or their resulting costs.

On June 5, 2000, CBO transmitted a cost estimate for H.R. 4435 as ordered reported by the House Committee on Resources on May 24, 2000. The two versions of the legislation are identical, as are our cost estimates.

The CBO staff contact for this estimate is Deborah Reis, who can be reached at 226–2260. 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.

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