

TIMUCUAN ECOLOGICAL AND HISTORIC PRESERVE  
BOUNDARY REVISION ACT OF 2004

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MAY 17, 2004.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. POMBO, from the Committee on Resources,  
submitted the following

R E P O R T

[To accompany H.R. 3768]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3768) to expand the Timucuan Ecological and Historic Preserve, Florida, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004”.

**SEC. 2. REVISION OF BOUNDARY OF TIMUCUAN ECOLOGICAL AND HISTORIC PRESERVE, FLORIDA.**

Section 201(a) of Public Law 100–249 (16 U.S.C. 698n) is amended—

(1) by striking “(a) ESTABLISHMENT.—There is hereby” and inserting the following:

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is”; and

(2) by adding at the end the following:

“(2) MODIFICATION OF BOUNDARY.—

“(A) IN GENERAL.—In addition to the land described in paragraph (1), the Preserve shall include approximately 8.5 acres of land located in Nassau County, Florida, as generally depicted on the map entitled ‘Timucuan Ecological and Historic Preserve American Beach Adjustment’, numbered 006/80012 and dated June 2003.

“(B) DUTIES OF SECRETARY.—The Secretary of the Interior shall—

“(i) revise the boundaries of the Preserve so as to encompass the land described in subparagraph (A); and

“(ii) maintain the map described in subparagraph (A) on file and available for public inspection in the appropriate offices of the National Park Service.”.

#### PURPOSE OF THE BILL

The purpose of H.R. 3768 is to expand the Timucuan Ecological and Historic Preserve, Florida.

#### BACKGROUND AND NEED FOR LEGISLATION

The Timucuan Ecological and Historic Preserve, located in the St. Johns River valley, Jacksonville, Florida, was established by Congress in 1988 to protect one of the last unspoiled coastal wetlands on the Atlantic Coast, and to preserve historic and prehistoric sites within the area (Public Law 100-249). The unit was named after the Timucuan Indians, who lived in the area during prehistoric and historic times.

In February 2003, the Amelia Island Plantation Company announced its intention of donating American Beach, a 12.5 acre parcel of oceanfront property, to the National Park Service to be included within the boundary of the Preserve. American Beach was founded in the 1930s by Florida's first insurance company, the Afro-American Life Insurance Company, at the behest of its president, Abraham Lincoln Lewis, Florida's first black millionaire. It became the first African-American beach resort in Florida. Today, it is the only remaining example of a beach resort established for use by African-Americans during the divisive "Jim Crow" era of American history. In January 2002 the American Beach Historic District was listed on the National Register of Historic Places in recognition of its African-American cultural heritage. The donation is supported by the Nassau County Board of Commissioners and according to the National Park Service, maintenance costs associated with the donated lands would be minimal.

In terms of its natural value, American Beach includes the preservation of the "Nana", the tallest natural dune on Amelia Island and habitat for the threatened loggerhead turtle and critical calving grounds for the North Atlantic Right Whale.

#### COMMITTEE ACTION

H.R. 3768 was introduced on February 4, 2004, by Congressman Ander Crenshaw (R-FL). The bill was referred to the Committee on Resources and within the Committee to the Subcommittee on National Parks, Recreation and Public Lands. On April 22, 2004, the Subcommittee met to mark up the bill. No amendments were offered and the bill was forwarded to the Full Committee by unanimous consent. On May 5, 2004, the Full Resources Committee met to consider the bill. Congressman George Radanovich (R-CA) offered an amendment to reduce to 8.5 acres the amount of land to be donated to the National Park Service. The amendment was adopted by unanimous consent. The bill as amended was then ordered favorably reported to the House of Representatives by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

## CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

## COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, May 17, 2004.*

Hon. RICHARD POMBO,  
*Chairman, Committee on Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3768, the Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

ELIZABETH ROBINSON  
(For Douglas Holtz-Eakin, Director).

Enclosure.

*H.R. 3768—Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004*

H.R. 3768 would expand the boundary of the Timucuan Ecological and Historic Preserve in Florida to include an 8.5-acre parcel known as the American Beach. Based on information provided by the National Park Service and the property's current owners, CBO estimates that the federal government would not incur any significant cost to acquire and maintain the undeveloped beach site. We expect that the property would be donated to the NPS in fiscal year 2005 and would remain undeveloped. Annual costs to administer

the extra acreage would be minimal. Enacting the bill would not affect direct spending or revenues.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

### ACT OF FEBRUARY 16, 1988

(Public Law 100-249)

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## TITLE II—PRESERVATION OF ST. JOHNS RIVER VALLEY ECOLOGICAL AREA AND PROTECTION OF SIGNIFICANT HISTORIC ASSETS

### SEC. 201. TIMUCUAN ECOLOGICAL AND HISTORIC PRESERVE.

[(a) ESTABLISHMENT.—There is hereby]

(a) *ESTABLISHMENT.*—

(1) *IN GENERAL.*—*There is established in the St. Johns River Valley, Florida, where the Timucuan Indians lived in pre-historic and historic times, the Timucuan Ecological and Historic Preserve (hereafter in this Act referred to as the “Preserve”). The Preserve shall comprise the lands, waters, and interests therein within the boundaries generally depicted on a map of Duval County, Florida, entitled “Timucuan Ecological and Historic Preserve” numbered NA-TEHP 80,003-A and dated July 1987. The map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The Secretary of the Interior may make minor revisions in the boundary of the Preserve in accordance with section 7(c) of the Land and Water Conservation Fund Act of 1965. The Preserve shall also include within its boundaries all that land consisting of approximately 500 acres adjacent to Fort Caroline National Memorial and known as the*

Theodore Roosevelt Preserve, being land formerly owned by one Willie Brown and donated by him to The Nature Conservancy.

(2) *MODIFICATION OF BOUNDARY.*—

(A) *IN GENERAL.*—*In addition to the land described in paragraph (1), the Preserve shall include approximately 8.5 acres of land located in Nassau County, Florida, as generally depicted on the map entitled “Timucuan Ecological and Historic Preserve American Beach Adjustment”, numbered 006/80012 and dated June 2003.*

(B) *DUTIES OF SECRETARY.*—*The Secretary of the Interior shall—*

*(i) revise the boundaries of the Preserve so as to encompass the land described in subparagraph (A); and*

*(ii) maintain the map described in subparagraph (A) on file and available for public inspection in the appropriate offices of the National Park Service.*

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