

mercially and recreationally important species of finfish and shellfish, as well as other aquatic organisms such as sea turtles;

(2) coastal barriers contain resources of extraordinary scenic, scientific, recreational, natural, historic, archeological, cultural, and economic importance; which are being irretrievably damaged and lost due to development on, among, and adjacent to, such barriers;

(3) coastal barriers serve as natural storm protective buffers and are generally unsuitable for development because they are vulnerable to hurricane and other storm damage and because natural shoreline recession and the movement of unstable sediments undermine manmade structures;

(4) certain actions and programs of the Federal Government have subsidized and permitted development on coastal barriers and the result has been the loss of barrier resources, threats to human life, health, and property, and the expenditure of millions of tax dollars each year; and

(5) a program of coordinated action by Federal, State, and local governments is critical to the more appropriate use and conservation of coastal barriers.

(b) The Congress declares that it is the purpose of this chapter to minimize the loss of human life, wasteful expenditure of Federal revenues, and the damage to fish, wildlife, and other natural resources associated with the coastal barriers along the Atlantic and Gulf coasts and along the shore areas of the Great Lakes by restricting future Federal expenditures and financial assistance which have the effect of encouraging development of coastal barriers, by establishing the John H. Chafee Coastal Barrier Resources System, and by considering the means and measures by which the long-term conservation of these fish, wildlife, and other natural resources may be achieved.

(Pub. L. 97-348, §2, Oct. 18, 1982, 96 Stat. 1653; Pub. L. 100-707, title II, §204(c)(1), Nov. 23, 1988, 102 Stat. 4714; Pub. L. 106-167, §3(c)(1), Dec. 9, 1999, 113 Stat. 1804.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 97-348, Oct. 18, 1982, 96 Stat. 1653, known as the Coastal Barrier Resources Act, which is classified generally to this chapter (§3501 et seq.). For complete classification of this Act to the Code, see Short Title note set out below and Tables.

AMENDMENTS

1999—Subsec. (b). Pub. L. 106-167 substituted “the John H. Chafee Coastal Barrier Resources System” for “a Coastal Barrier Resources System”.

1988—Subsecs. (a)(1), (b). Pub. L. 100-707 inserted “and along the shore areas of the Great Lakes” after “Atlantic and Gulf coasts”.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2024 AMENDMENT

Pub. L. 118-117, §1, Nov. 25, 2024, 138 Stat. 1608, provided that: “This Act [amending sections 3502 to 3506

and 3510 of this title and enacting provisions set out as a note under section 3504 of this title and listed in a table of Revision of Maps for Units of System set out under section 3503 of this title] may be cited as the ‘Bolstering Ecosystems Against Coastal Harm Act’ or the ‘BEACH Act’.”

SHORT TITLE OF 2018 AMENDMENT

Pub. L. 115-358, §1, Dec. 21, 2018, 132 Stat. 5078, provided that: “This Act [amending section 3503 of this title and enacting and amending provisions set out as notes under section 3503 of this title] may be cited as the ‘Strengthening Coastal Communities Act of 2018’.”

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-514, §1, Nov. 13, 2000, 114 Stat. 2394, provided that: “This Act [amending sections 3502, 3503, and 3510 of this title, repealing section 3509 of this title, enacting provisions set out as notes under this section and section 3503 of this title, and amending and repealing provisions set out as notes under section 3503 of this title] may be cited as the ‘Coastal Barrier Resources Reauthorization Act of 2000’.”

SHORT TITLE OF 1999 AMENDMENT

Pub. L. 106-167, §1, Dec. 9, 1999, 113 Stat. 1803, provided that: “This Act [amending this section and sections 3502, 3503, and 3509 of this title, section 1441a-3 of Title 12, Banks and Banking, and section 4028 of Title 42, The Public Health and Welfare, and enacting and amending provisions set out as notes under section 3503 of this title] may be cited as the ‘John H. Chafee Coastal Barrier Resources System Act’.”

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-591, §1, Nov. 16, 1990, 104 Stat. 2931, provided that: “This Act [enacting section 1441a-3 of Title 12, Banks and Banking, amending sections 3502 to 3506 and 3510 of this title and section 4028 of Title 42, The Public Health and Welfare, enacting provisions set out as notes under section 3503 of this title, and repealing provisions set out as a note under section 3505 of this title] may be cited as the ‘Coastal Barrier Improvement Act of 1990’.”

SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-707, title II, §204(a), Nov. 23, 1988, 102 Stat. 4713, provided that: “This section [amending this section and sections 3502 and 3503 of this title and enacting provisions set out as a note under section 3505 of this title] may be cited as the ‘Great Lakes Coastal Barrier Act of 1988’.”

SHORT TITLE

Pub. L. 97-348, §1, Oct. 18, 1982, 96 Stat. 1653, provided that: “This Act [enacting this chapter, amending section 4028 of Title 42, The Public Health and Welfare, and repealing provisions set out as a note under section 4028 of Title 42] may be cited as the ‘Coastal Barrier Resources Act’.”

ECONOMIC ASSESSMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM

Pub. L. 106-514, §7, Nov. 13, 2000, 114 Stat. 2397, required the Secretary of the Interior to submit to Congress, no later than 1 year after Nov. 13, 2000, an economic assessment of the John H. Chafee Coastal Barrier Resources System that would consider the impact on Federal expenditures of the Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.).

§ 3502. Definitions

(a) In general

For purposes of this chapter:

(1) Coastal barrier

The term “coastal barrier” means—

(A) a depositional geologic feature (such as a bay barrier, tombolo, barrier spit, bluff, or barrier island) that—

- (i) is subject to wave, tidal, and wind energies; and
- (ii) protects landward aquatic habitats from direct wave attack; and

(B) all associated aquatic habitats including the adjacent wetlands, marshes, estuaries, inlets, and nearshore waters.

(2) Committees

The term “Committees” means the Committee on Natural Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(3) Financial assistance

(A) In general

The term “financial assistance” means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, or any other form of direct or indirect Federal assistance other than—

- (i) deposit or account insurance for customers of banks, savings and loan associations, credit unions, or similar institutions;
- (ii) the purchase of mortgages or loans by the Government National Mortgage Association, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation;
- (iii) assistance for environmental studies, planning, and assessments that are required incident to the issuance of permits or other authorizations under Federal law; and
- (iv) assistance pursuant to programs entirely unrelated to development, such as any Federal or federally assisted public assistance program or any Federal old-age survivors or disability insurance program.

(B) Flood insurance

The term “financial assistance” includes flood insurance described in section 4028 of title 42.

(4) Great Lakes

The term “Great Lakes” means Lake Ontario, Lake Erie, Lake Huron, Lake St. Clair, Lake Michigan, and Lake Superior, to the extent that those lakes are subject to the jurisdiction of the United States.

(5) Otherwise Protected Area

(A) In general

The term “Otherwise Protected Area” means any unit of the System that, at the time of designation, was predominantly composed of areas established under Federal, State, or local law, or held by a qualified organization, primarily for wildlife refuge, wildlife sanctuary, recreational, or natural resource conservation purposes.

(B) Qualified organization

For purposes of subparagraph (A), the term “qualified organization” has the meaning given the term in section 170(h)(3) of title 26.

(6) Secretary

The term “Secretary” means the Secretary of the Interior.

(7) System

The term “System” means the John H. Chafee Coastal Barrier Resources System established under section 3503(a) of this title.

(8) System unit

The term “System unit” means any undeveloped coastal barrier, or combination of closely-related undeveloped coastal barriers, included within the John H. Chafee Coastal Barrier Resources System established under section 3503(a) of this title.

(9) Undeveloped coastal barrier

The term “undeveloped coastal barrier” means a coastal barrier the features and associated habitats of which contain few manmade structures and these structures, and man’s activities on such features and within such habitats, do not significantly impede geomorphic and ecological processes.

(b) Savings clause

Nothing in this section supersedes the official maps described in section 3503(a) of this title.

(Pub. L. 97-348, §3, Oct. 18, 1982, 96 Stat. 1653; Pub. L. 99-272, title XIV, §14001(b)(5), Apr. 7, 1986, 100 Stat. 329; Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100-707, title II, §204(c)(2), Nov. 23, 1988, 102 Stat. 4714; Pub. L. 101-591, §2(a), (b)(1), (c), Nov. 16, 1990, 104 Stat. 2931; Pub. L. 106-167, §3(c)(2), Dec. 9, 1999, 113 Stat. 1804; Pub. L. 106-514, §4(a)(1), (2), Nov. 13, 2000, 114 Stat. 2396; Pub. L. 118-117, title I, §101, Nov. 25, 2024, 138 Stat. 1608.)

Editorial Notes

AMENDMENTS

2024—Pub. L. 118-117 amended section generally. Prior to amendment, section defined terms for this chapter.

2000—Par. (2). Pub. L. 106-514, §4(a)(1), substituted “means the Committee on Resources” for “refers to the Committee on Merchant Marine and Fisheries”.

Par. (3). Pub. L. 106-514, §4(a)(2), substituted “Such” for “Effective October 1, 1983, such” in concluding provisions.

1999—Pars. (6), (7). Pub. L. 106-167 substituted “John H. Chafee Coastal Barrier Resources System” for “Coastal Barrier Resources System”.

1990—Par. (1). Pub. L. 101-591, §2(c), in concluding provisions, struck out cl. (i) designation, inserted a period after “processes”, and struck out at end “, and (ii) are not included within the boundaries of an area established under Federal, State, or local law, or held by a qualified organization as defined in section 170(h)(3) of title 26, primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes.”

Par. (1)(A). Pub. L. 101-591, §2(a), redesignated cls. (ii) and (iii) as (i) and (ii), respectively, and struck out former cl. (i) which read as follows: “consists of unconsolidated sedimentary materials.”

Par. (6). Pub. L. 101-591, §2(b)(1), amended par. (6) generally. Prior to amendment, par. (6) read as follows: “The term ‘system maps’ means—

“(A) the maps that are entitled ‘Coastal Barrier Resources System’, numbered A01 through T12 (but excluding maps T02 and T03) and dated September 30, 1982, and the maps numbered T02A and T03A and dated December 8, 1982; and

“(B) the maps prepared under section 3503(b) of this title and any modification to those maps under that section.”

1988—Pars. (4) to (7). Pub. L. 100-707 added pars. (4) and (6) and redesignated former pars. (4) and (5) as (5) and (7), respectively.

1986—Par. (1). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”, which for purposes of codification was translated as “title 26” thus requiring no change in text.

Par. (3). Pub. L. 99-272 struck out subpar. (A) relating to general revenue-sharing grants made under section 6702 of title 31, and redesignated subpars. (B) to (E) as (A) to (D), respectively.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-272, effective Oct. 18, 1986, see section 14001(e) of Pub. L. 99-272.

§ 3503. Establishment of John H. Chafee Coastal Barrier Resources System

(a) Establishment

There is established the John H. Chafee Coastal Barrier Resources System, which shall consist of those undeveloped coastal barriers and other areas located on the coasts of the United States that are identified and generally depicted as System units or Otherwise Protected Areas—

(1) on the maps on file with the Secretary entitled “Coastal Barrier Resources System”, dated October 24, 1990;

(2) on a map described in section 201(b) of the Bolstering Ecosystems Against Coastal Harm Act; or

(3) on a map described in paragraph (1) or (2) as such map may be replaced, modified, revised, or corrected under—

(A) subsection (f)(3);

(B) section 4 of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note); or

(C) any other provision of law enacted on or after November 16, 1990, that specifically replaces or authorizes the modification, revision, or correction of such a map.

(b) System maps

(1) In general

The Secretary shall keep the maps referred to in subsection (a) on file and available for public inspection in the Office of the Director of the United States Fish and Wildlife Service, and in such other offices of that service as the Director considers appropriate.

(2) Digital maps

(A) Availability

The Secretary shall make available to the public on the Internet web site of the United States Fish and Wildlife Service digital versions of the maps included in the set of maps referred to in subsection (a).

(B) Effect

Any determination as to whether a location is inside or outside the System shall be made without regard to the digital maps available under this paragraph, except that this subparagraph does not apply with respect to any printed version of such a digital

map if the printed version is included in the maps referred to in subsection (a).

(C) Report

No later than 180 days after December 21, 2018, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report regarding the progress and challenges in the transition from paper to digital maps and a timetable for completion of the digitization of all maps related to the System.

(c) Boundary review and modification

At least once every 5 years, the Secretary shall review the maps referred to in subsection (a) and shall make, in consultation with the appropriate State, local, and Federal officials, such minor and technical modifications to the boundaries of System units as are necessary solely to reflect changes that have occurred in the size or location of any System unit as a result of natural forces.

(d) Additions to System

The Secretary may add a parcel of real property to the System, if—

(1) the owner of the parcel requests, in writing, that the Secretary add the parcel to the System; and

(2) the parcel is an undeveloped coastal barrier.

(e) Addition of excess Federal property

(1) Consultation and determination

Prior to transfer or disposal of excess property under chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41 that may be a coastal barrier, the Administrator of General Services shall consult with and obtain from the Secretary a determination as to whether and what portion of the property constitutes a coastal barrier. Not later than 180 days after the initiation of such consultation, the Secretary shall make and publish notice of such determination. Immediately upon issuance of a positive determination, the Secretary shall—

(A) prepare a map depicting the coastal barrier portion of such property; and

(B) publish in the Federal Register notice of the addition of such property to the System.

(2) Effective date of inclusion

An area to be added to the System under this subsection shall be part of the System effective on the date on which the Secretary publishes notice in the Federal Register under paragraph (1)(B) with respect to that area.

(f) Maps

The Secretary shall—

(1) keep a map showing the location of each boundary modification made under subsection (c) and of each parcel of real property added to the System under subsection (d) or (e) on file and available for public inspection in the Office of the Director of the United States Fish and Wildlife Service and in such other offices