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SENATE

{ REPORT
109-179

COASTAL BARRIER RESOURCES REAUTHORIZATION ACT OF 2005

NOVEMBER 15, 2005.—Ordered to be printed

Mr. INHOFE, from the Committee on Environment and Public
Works, submitted the following

REPORT

[to accompany S. 1869]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 1869) to reauthorize the Coastal Barrier Resources Act, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

GENERAL STATEMENT AND BACKGROUND

The Coastal Barrier Resources Act (CBRA) of 1982 established the Coastal Barrier Resources System (CBRS), comprised of undeveloped coastal barriers along the Atlantic, Gulf, and Great Lakes coasts. The law encourages the conservation of hurricane prone, biologically rich coastal barriers by restricting Federal expenditures that encourage development, such as Federal flood insurance through the National Flood Insurance Program. CBRA is a free-market approach to conservation. These areas can be developed, but Federal taxpayers do not underwrite the investments. Approximately 3.1 million acres of land and associated aquatic habitat are part of the CBRS. The U.S. Fish and Wildlife Service (Service) maintains the repository for CBRA maps enacted by Congress that depict the CBRS. The Service also advises Federal agencies, land-owners, and Congress regarding whether properties are in or out

of the CBRS, and what kind of Federal expenditures are allowed in the CBRS.

Three important goals of CBRA are to (1) minimize the loss of human life by discouraging development in high risk areas; (2) reduce wasteful expenditure of Federal resources; and (3) protect the natural resources associated with coastal barriers.

In 1990, Congress enacted the Coastal Barrier Improvement Act (CBIA) to reauthorize CBRA and to expand the CBRS by adding new system units in Puerto Rico, the U.S. Virgin Islands, and the Great Lakes, and to enlarge some previously designated units along the Atlantic and Gulf coasts. The CBIA also designated a new category of lands called “otherwise protected areas” (OPAs). OPAs are based on areas established under Federal, State, or local law, or held by a qualified organization, primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes. The only Federal spending prohibition within OPAs is Federal flood insurance.

In 2000, Congress enacted the Coastal Barrier Resources Reauthorization Act, naming the CBRS after the late Senator John H. Chafee (R-RI), former Chairman of the Committee on Environment and Public Works and author of the 1982 Act establishing CBRA. This bill reauthorized CBRA through fiscal year 2005 and directed the Service to complete a Digital Mapping Pilot Project that includes digitally produced draft maps for up to 75 CBRS areas and a report to Congress that describes the feasibility and costs for completing digital maps for all CBRS areas. The Service is now in the process of completing the pilot project. The 2000 Act also directed the Service to conduct an economic assessment of the effects of CBRA. The assessment conducted in 2002 estimated how much money CBRA has saved taxpayers by restricting Federal spending for roads, wastewater systems, potable water supply, and disaster relief. The assessment estimated that from 1983–2010, CBRA will have saved American taxpayers approximately \$1.3 billion.

OBJECTIVES OF THE LEGISLATION

The purpose of S. 1869 is to reauthorize the Coastal Barrier Resources Act through fiscal year 2010. The bill also provides for the finalization of the Digital Mapping Pilot Project established in the 2000 Act and directs the digitizing of all remaining CBRS area maps.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title.

This section provides that this Act may be cited as the “Coastal Barrier Resources Reauthorization Act of 2005”.

Sec. 2. Definitions.

This section provides definitions for terms relevant to the Act.

Sec. 3. Digital Mapping Pilot Project Finalization.

This section provides for the finalization by the end of fiscal year 2007 of the digital mapping pilot project created by the Coastal Barrier Resources Reauthorization Act of 2000 (P.L. 106–514).

Sec. 4. Digital Mapping Project for the Remaining John H. Chafee Coastal Barrier Resources System Units and Otherwise Protected Areas.

This section authorizes \$1 million for each of fiscal years 2006 through 2010 for the digitizing of all remaining maps of CBRS units and OPAs not already digitized under the pilot project.

Sec. 5. Authorization of Appropriations.

This section amends Section 10 of the Coastal Barrier Resources Act (16 U.S.C. 3510) by changing the dates from “2001, 2002, 2003, 2004, and 2005” to “2006 through 2010”.

LEGISLATIVE HISTORY

On October 17, 2005, Senator Inhofe introduced S. 1869, which was cosponsored by Senator Jeffords and Senator Chafee. The bill was received, read twice and referred to the Senate Committee on Environment and Public Works. The committee met on October 26, 2005 to consider the bill. S. 1869 was ordered favorably reported, without amendment, by voice vote.

HEARINGS

No committee hearings were held on S. 1869.

ROLLCALL VOTES

The Committee on Environment and Public Works met to consider S. 1869 on October 26, 2005. The bill was ordered favorably reported by voice vote. No roll call votes were taken.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that S. 1869 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104–4), the committee finds that S. 1869 would not impose Federal intergovernmental unfunded mandates on State, local, or tribal governments.

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:

S. 1869, Coastal Barrier Resources Reauthorization Act of 2005, As ordered reported by the Senate Committee on Environment and Public Works on October 26, 2005

Summary

S. 1869 would authorize appropriations for the U.S. Fish and Wildlife Service (USFWS) to carry out the coastal barrier resources program. Assuming appropriation of the amounts authorized by the bill, CBO estimates that the USFWS would spend \$16 million over the 2006–2010 period. Enacting S. 1869 would not affect direct spending or revenues.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on State, local, or tribal governments.

Estimated Cost to the Federal Government

S. 1869 would authorize the appropriation of \$2 million for each of fiscal years 2006 through 2010 to the USFWS for mapping the coastal barrier resources system. (Authorizations for the program expired at the end of fiscal year 2005.) The bill also would authorize appropriations of \$500,000 a year for 2006 and 2007 to complete an existing pilot project on digital mapping and \$1 million a year through 2010 to create digital versions of all maps of the coastal barrier system.

The estimated budgetary impact of S. 1869 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment). For this estimate, CBO assumes that the entire amounts authorized by the bill will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns for this program.

By Fiscal Year, in Millions of Dollars

	2006	2007	2008	2009	2010
CHANGES IN SPENDING SUBJECT TO APPROPRIATION ¹					
Authorization Level	4	4	3	3	3
Estimated Outlays	4	4	3	3	3

¹Some or all of the authorized spending for 2006 could come from funds already provided in the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54).

Intergovernmental and Private-Sector Impact

S. 1869 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on State, local, or tribal governments.

Estimate Prepared By: Federal Costs: Deborah Reis; Impact on State, Local, and Tribal Governments: Marjorie Miller; Impact on the Private Sector: Craig Cammarata.

Estimate Approved By: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, 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:

[16 U.S.C. 3510]

TITLE 16—CONSERVATION

CHAPTER 55—COASTAL BARRIER RESOURCES

SEC. 3510. AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this chapter \$2,000,000 for each of fiscal years **[2001, 2002, 2003, 2004, and 2005]** *2006 through 2010*.

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