

## [H.R. 890, To correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit P16](#)

### FLOOR SITUATION

On Tuesday, February 9, 2016, the House will consider [H.R. 890](#), to correct the boundaries of the John H. Chafee Coastal Barrier Resources System Unit P16, under suspension of the rules. H.R. 890 was introduced on February 11, 2015 by Rep. Curt Clawson (R-FL), and was referred to the Committee on Natural Resources, which ordered the bill reported by unanimous consent on February 3, 2016.

### SUMMARY

H.R. 890 codifies federal corrections to a map covering the John H. Chaffee Coastal Barrier Resources System Unit P16 located in Collier County, Florida.

### BACKGROUND

The John H. Chafee Coastal Barrier Resources System (CBRS) comprises coastal barrier units on the Atlantic and Gulf of Mexico coasts as delineated on maps adopted by Congress. These units consist of undeveloped sections of coastal barrier islands and the associated aquatic habitat which lies behind these barriers. The Coastal Barrier Resources Act (CBRA) of 1982 and the Coastal Barrier Improvement Act of 1990 created and expanded, respectively, the CBRS. According to U.S. Fish and Wildlife Service (USFWS) testimony, the entire CBRS has 856 units and more than three million acres of land and associated aquatic habitat. The USFWS oversees the CBRS. According to the agency, the CBRA encourages the conservation of hurricane prone, biologically rich coastal barriers by restricting federal expenditures, such as federal flood insurance, that encourage development. Areas within the CBRS can be developed provided that private developers or other non-federal parties bear the full cost. Congress expanded the CBRS as part of the 1990 reauthorization, adding coastal lands along the Great Lakes, Florida Keys, Puerto Rico and the U.S. Virgin Islands.

While there are no federal development or permit restrictions associated with lands being included in the CBRS, P.L. 97-348 states that inclusion does place significant restrictions on the availability of federal assistance related to development. Under the CBRA, no federal flood insurance policies could be issued for properties within the system after October 1, 1989; however, any such policies issued prior to October 1, 1983 were grandfathered and allowed to remain. According to USFWS, restricting federal flood insurance for CBRS lands saved over \$1 billion in taxpayer expenditures from 1982 to 2010.

According to the Committee, Except for very minor technical changes to account for natural accretion and erosion, boundaries cannot be adjusted unless a law is enacted to revise a map. As amended, H.R. 890 makes boundary adjustments to three maps in Collier County, Florida. Local homeowners believe that lands were erroneously included in such maps. The USFWS concurred with that assessment and recently re-mapped the area. These maps were transmitted to the House Natural Resources Committee by USFWS with a request to adopt them by legislative means.

H.R. 890, as amended, specifically adopts three revised maps: CBRS Units P15, P16, and FL63-P. According to USFWS, this measure removes 43.6 acres of private land on Marco Island and 17 acres of private land on the Isles of Capri from the CBRS. Based on research by the local homeowners associations, the required infrastructure that made land ineligible for inclusion in the CBRS was in place prior to the 1990 reauthorization. According to 2014 testimony by Dr. Robert Rohde, this bill affects 315 condominium owners on Marco Islands, of which 110 are not currently eligible for the National Flood Insurance Program. A full complement of infrastructure including paved roads, electricity, sewer, and water was present as of December 1988. In terms of the Isles of Capri, 190 condominium owners are impacted, including 54 that are not eligible for participation in the National Flood Insurance Program, according to the same testimony. All of these homeowners not currently eligible to participate in the National Flood Insurance Program will be allowed to participate if this bill, as amended, is enacted into law.

### **COST**

A Congressional Budget Office cost estimate is not currently available.

### **STAFF CONTACT**

For questions or further information please contact [Robert Goad](#) with the House Republican Policy Committee by email or at 6-1831.