### **DEPARTMENT OF THE INTERIOR**

### Fish and Wildlife Service

Coastal Barrier Improvement Act; Technical Corrections to the Coastal Barrier Resources System

AGENCY: Fish and Wildlife Service,

Interior. **ACTION:** Notice.

**SUMMARY:** The Department of the Interior (Department), through the Fish and Wildlife Service (Service) has prepared a final map for a portion of the 'otherwise protected area'' designated as TX-06P, Matagorda Island, Texas, that was inadvertently not included in the set of final maps of the Coastal Barrier Resources System (System) printed and distributed June 6, 1991 (56 FR 26304) as required by Section 4 of the Coastal Barrier Improvement Act of 1990 (CBIA) (Pub. L. 101-591). In addition to this mapping change, the Service has completed modification to the boundaries of certain other areas within the System as required by Section 1 of Public Law 103–461, November 2, 1994. The purpose of this Notice is to give notice of the filing, distribution, and availability of these maps.

FOR FURTHER INFORMATION CONTACT: Linda Kelsey, U.S. Fish and Wildlife Service, Division of Habitat Conservation, 400 Arlington Square, Department of the Interior, Washington, DC 20240, (703) 358–2201.

**SUPPLEMENTARY INFORMATION: Section 4** of the Coastal Barrier Improvement Act of 1990 (CBIA), describes a series of maps approved by Congress entitled "Coastal Barrier Resources System" dated October 24, 1990. These maps identify and depict those coastal barriers located on the coasts of the Atlantic, Gulf of Mexico, and the Great Lakes that are subject to the limitations outlined in the CBIA. These maps also depict those undeveloped coastal barriers on the Atlantic and Gulf coasts that are identified as "otherwise protected areas" held for conservation purposes under Federal, State, or local law, or held by an organization within the scope of section 170(h)(3) of the Internal Revenue Code of 1954 primarily for conservation purposes. Section 9 of the Act amends section 1321 of the National Flood Insurance Act of 1968, as amended, to state that structures built within these "otherwise protected areas" after November 16, 1991, will not be eligible for Federal flood insurance unless the structures "are used in a manner consistent with the purpose for which the area is

protected." These maps are in the official custody of the U.S. Fish and Wildlife Service.

Sections 3 and 4 of the CBIA define the Department's responsibilities regarding the System maps. These responsibilities include preparing and distributing copies of the maps. Using the original maps submitted to the Department by the Congress, the Department reproduced these maps for distribution. Notification of the filing, distribution, and availability of the maps entitled "Coastal Barrier Resources System" dated October 24, 1990, was published in the **Federal Register** on June 6, 1991, (56 FR 26304–26312).

In the course of preparing and distributing the final maps as required by Section 4 of the CBIA, the Department inadvertently failed to print and distribute the final map depicting a portion of the "otherwise protected area", Matagorda Island, TX–06P located in Calhoun County, Texas. This final map has subsequently been printed and distributed and is shown in Appendix B as "TX–06P Matagorda Island (5 of 5 maps)—18E."

Section 1 of Public Law 103–461, November 2, 1994, requires the Department of the Interior to revise the following maps of the Coastal Barrier Resources System:

NY-75, Butterfly Swamp VA-62P, Back Bay FL-05P, Butler Beach P11A, Frank B. McGilvrey FL-15, Blowing Rocks FL-36P, El Radabob Key P17, Lovers Key Complex P17A, Bodwitch Point P18P, Sanibel Island Complex P19P, North Captiva Island FL-72P, Lido Key P31P, St. Andrew Complex FL-95P, Grayton Beach AL-01P, Perdido Key MI-21, Arcadia Lake

The maps have been filed with the Committee on Resources and the Committee on Banking and Financial Services of the House of Representatives, and the Committee on Environment and Public Works of the Senate.

Copies of these maps have been distributed to the Chief Executive Officer (or representative) of (a) each State and county (or equivalent jurisdiction) in which a System unit is located, (b) each State coastal zone management agency in those States which have a coastal zone management plan approved and in which a System unit is located, and (c) each appropriate Federal agency. Copies are also

available for inspection through the U.S. Fish and Wildlife Service of the Department of the Interior and appropriate Regional Offices and Field Offices (see addresses in appendix A). Interested organizations and individuals may purchase System maps from the U.S. Geological Survey (see appendix B).

The prohibition on Federal flood insurance within the "otherwise protected area", Matagorda Island, TX–06P, became effective on November 16, 1991. The boundary revisions to the areas described in Public Law 103–461 became effective November 2, 1994.

## Coastal Barrier Resources System Revised Maps

The Service has made the following revisions to System units and "otherwise protected areas" as required by Section 1 of Public Law 103–461:

### New York

NY-75 Butterfly Swamp. A portion of this unit that was developed prior to enactment of CBIA has been excluded. The remainder of the unit will remain in the System.

# Virginia

VA-62P Back Bay. The northeast boundary of this "otherwise protected area" is modified to only include lands owned by the City of Virginia Beach.

#### Florida

FL-05P Butler Beach. This "otherwise protected area" is removed from the System.

P11A Frank B. McGilvrey. The north boundary of this unit is modified to only include areas that were undeveloped at the time of their inclusion in the System.

FL-15 Blowing Rocks. The north and south boundaries of this unit are modified to only include areas that were undeveloped at the time of their inclusion in the System.

FL-36P El Radabob Key. The northwest boundary of this "otherwise protected area" is modified to only include lands owned by the State of Florida.

P17 Lovers Key Complex. The southwest boundary of this unit is modified to only include areas that were undeveloped at the time of their inclusion in the System.

P17A Bodwitch Point. The south boundary of this unit is modified to only include areas that were undeveloped at the time of their inclusion in the System.

P18P Sanibel Island Complex. The northwest boundary of this "otherwise protected area" is modified to only