

or donated lands) less the amount of the costs incurred by the Federal Highway Administration and the Florida Department of Transportation, including severance damages paid to private property owners as a result of the construction of Interstate 75.

(Pub. L. 93-440, §1, Oct. 11, 1974, 88 Stat. 1258; Pub. L. 100-301, §4(a)-(e), Apr. 29, 1988, 102 Stat. 444, 445.)

AMENDMENTS

1988—Subsec. (c). Pub. L. 100-301, §4(b), inserted in provisions before first proviso “or the Addition” after “boundaries of the preserve” and in first proviso “in the preserve” after “subdivisions,” and “and, any land acquired by the State of Florida, or any of its subdivisions, in the Addition shall be acquired in accordance with subsection (d) of this section” before the colon.

Pub. L. 100-301, §4(e), inserted “and the Addition” after “for the purposes of the preserve” and after “any lands within the preserve” in third sentence.

Pub. L. 100-301, §4(c), inserted “or the Addition” after “land within the preserve” and after “property within the preserve” in fourth sentence.

Pub. L. 100-301, §4(d), inserted at end “Nothing in sections 698f to 698m-4 of this title shall be construed to interfere with the right of the State of Florida to acquire such property rights as may be necessary for Interstate 75.”

Subsec. (d). Pub. L. 100-301, §4(a), added subsec. (d).

SHORT TITLE OF 1988 AMENDMENT

Section 1(a) of Pub. L. 100-301 provided that: “This Act [enacting sections 698m-1 to 698m-4 of this title, amending this section and sections 698h and 698j to 698m of this title, and enacting provisions set out below] may be cited as the ‘Big Cypress National Preserve Addition Act’.”

FINDINGS AND PURPOSE

Section 2 of Pub. L. 100-301 provided that:

“(a) FINDINGS.—The Congress finds that—

“(1) the planned construction of Interstate 75 is presently being designed in such a way as to improve the natural water flow to the Everglades National Park, which has been disrupted by State Road 84 (commonly known as ‘Alligator Alley’);

“(2) the planned construction of Interstate 75 provides an opportunity to enhance protection of the Everglades National Park, to promote protection of the endangered Florida panther, and to provide for public recreational use and enjoyment of public lands by expanding the Big Cypress National Preserve to include those lands adjacent to Interstate 75 in Collier County north and east of the Big Cypress National Preserve, west of the Broward County line, and south of the Hendry County line;

“(3) the Federal acquisition of lands bordering the Big Cypress National Preserve in conjunction with the construction of Interstate 75 would provide significant public benefits by limiting development pressure on lands which are important both in terms of fish and wildlife habitat supporting endangered species and of wetlands which are the headwaters of the Big Cypress National Preserve; and

“(4) public ownership of lands adjacent to the Big Cypress National Preserve would enhance the protection of the Everglades National Park while providing recreational opportunities and other public uses currently offered by the Big Cypress National Preserve.

“(b) PURPOSE.—It is the purpose of this Act [see Short Title of 1988 Amendment note above] to establish the Big Cypress National Preserve Addition.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698g, 698h, 698i, 698j, 698m, 698m-1 of this title.

§ 698g. Acquisition of lands for Big Cypress Preserve

(a) Expeditious acquisition of Florida lands

In recognition of the efforts of the State of Florida in the preservation of the area, through the enactment of chapter 73-131 of the Florida statutes, “The Big Cypress Conservation Act of 1973”, the Secretary is directed to proceed as expeditiously as possible to acquire the lands and interests in lands necessary to achieve the purposes of sections 698f to 698m-4 of this title.

(b) Submission of plan to Congressional committees; time; contents

Within one year after October 11, 1974, the Secretary shall submit, in writing, to the Committee on Interior and Insular Affairs and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate:

(i) the lands and areas which he deems essential to the protection and public enjoyment of this preserve.

(ii) the lands which he has previously acquired by purchase, donation, exchange or transfer for administration for the purpose of this preserve, and

(iii) the annual acquisition program (including the level of funding) which he recommends for the ensuing five fiscal years.

(c) Time for completion of land acquisition program

It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program contemplated by sections 698f to 698m-4 of this title within six years after October 11, 1974.

(Pub. L. 93-440, §2, Oct. 11, 1974, 88 Stat. 1259.)

CHANGE OF NAME

Committee on Interior and Insular Affairs of the Senate abolished and replaced by Committee on Energy and Natural Resources of the Senate, effective Feb. 11, 1977. See Rule XXV of Standing Rules of the Senate, as amended by Senate Resolution No. 4 (popularly cited as the “Committee System Reorganization Amendments of 1977”), approved Feb. 4, 1977.

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress. Committee on Natural Resources of House of Representatives treated as referring to Committee on Resources of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698f, 698h, 698i, 698j, 698m, 698m-1 of this title.

§ 698h. Right of use and occupancy of improved property on Big Cypress Preserve and Addition

(a) Election of right of use and occupancy; payment of fair market value; termination of right

The owner of an improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use of