

that portion of the right which remains unexpired.

(b) "Improved property" defined

As used in sections 698 to 698e of this title, the term "improved property" means a detached year-round one-family dwelling which serves as the owner's permanent place of abode at the time of acquisition, and construction of which was begun before July 1, 1973, which is used for noncommercial residential purposes, together with not to exceed three acres of land on which the dwelling is situated and together with such additional lands or interests therein as the Secretary deems to be reasonably necessary for access thereto, such lands being in the same ownership as the dwelling, together with any structures accessory to the dwelling which are situated on such land.

(c) Waiver of right to relocation assistance by election of right of use and occupancy

Whenever an owner of property elects to retain a right of use and occupancy as provided in this section, such owner shall be deemed to have waived any benefits or rights accruing under sections 4623, 4624, 4625, and 4626 of title 42, and for the purposes of such sections such owner shall not be considered a displaced person as defined in section 4601(6) of title 42.

(Pub. L. 93-439, §3, Oct. 11, 1974, 88 Stat. 1256; Pub. L. 94-578, title III, §322, Oct. 21, 1976, 90 Stat. 2742.)

AMENDMENTS

1976—Subsec. (b). Pub. L. 94-578 substituted "detached year-round one-family dwelling which serves as the owner's permanent place of abode at the time of acquisition, and" for "detached, one-family dwelling."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698, 698a, 698c, 698e of this title.

§ 698c. Administration of Big Thicket Preserve

(a) Natural and ecological integrity

The area within the boundaries depicted on the map referred to in section 698 of this title shall be known as the Big Thicket National Preserve. Such lands shall be administered by the Secretary as a unit of the National Park System in a manner which will assure their natural and ecological integrity in perpetuity in accordance with the provisions of sections 698 to 698e of this title and with the provisions of sections 1, 2, 3, and 4 of this title, as amended and supplemented.

(b) Limitation on construction of roads, campgrounds, etc.; rules and regulations for use of Federal lands and waters

In the interest of maintaining the ecological integrity of the preserve, the Secretary shall limit the construction of roads, vehicular campgrounds, employee housing, and other public use and administrative facilities and he shall promulgate and publish such rules and regulations in the Federal Register as he deems necessary and appropriate to limit and control the use of, and activities on, Federal lands and waters with respect to:

- (1) motorized land and water vehicles;

- (2) exploration for, and extraction of, oil, gas, and other minerals;

- (3) new construction of any kind;

- (4) grazing and agriculture; and

- (5) such other uses as the Secretary determines must be limited or controlled in order to carry out the purposes of sections 698 to 698e of this title.

(c) Hunting, fishing, and trapping authorized in accordance with applicable Federal and State laws; consultation with appropriate State agency prior to implementation of regulations restricting activities

The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the preserve in accordance with the applicable laws of the United States and the State of Texas, except that he may designate zones where and periods when, no hunting, fishing, trapping, or entry may be permitted for reasons of public safety, administration, floral and faunal protection and management, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing and trapping activities.

(Pub. L. 93-439, §4, Oct. 11, 1974, 88 Stat. 1257.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698, 698a, 698b, 698e of this title.

§ 698d. Review of Big Thicket Preserve area by Secretary; report to President

Within five years from October 11, 1974, the Secretary shall review the area within the preserve and shall report to the President, in accordance with section 1132(c) and (d) of this title, his recommendations as to the suitability or nonsuitability of any area within the preserve for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with section 1132(c) and (d) of this title.

(Pub. L. 93-439, §5, Oct. 11, 1974, 88 Stat. 1257.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698, 698a, 698b, 698c, 698e of this title.

§ 698e. Authorization of appropriations for Big Thicket Preserve

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 698 to 698e of this title, but not to exceed \$63,812,000 for the acquisition of lands and interests in lands and not to exceed \$7,000,000 for development. Effective October 1, 1984, there is authorized to be appropriated such sums as may be necessary for the acquisition of the visitor contact and administrative site referred to in subsection (c) of section 698 of this title. Effective upon July 1, 1993, there is authorized to be appropriated such sums as may be necessary to carry out the purposes of subsections (c) and (d) of section 698 of this title.

(Pub. L. 93-439, §6, Oct. 11, 1974, 88 Stat. 1257; Pub. L. 98-489, §1(b), Oct. 17, 1984, 98 Stat. 2267; Pub. L. 103-46, §2(d), July 1, 1993, 107 Stat. 231.)

AMENDMENTS

1993—Pub. L. 103-46 inserted at end “Effective upon July 1, 1993, there is authorized to be appropriated such sums as may be necessary to carry out the purposes of subsections (c) and (d) of section 698 of this title.”

1984—Pub. L. 98-489 authorized appropriations for acquisition of a visitor contact and administrative site.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 698, 698a, 698b, 698c of this title.

§ 698f. Big Cypress National Preserve; Big Cypress National Preserve Addition

(a) Establishment

In order to assure the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed in the State of Florida and to provide for the enhancement and public enjoyment thereof, the Big Cypress National Preserve is hereby established.

(b) Location; boundaries; publication in Federal Register; area

The Big Cypress National Preserve (hereafter referred to as the “preserve”) shall comprise the area generally depicted on the map entitled “Big Cypress National Preserve”, dated November 1971 and numbered BC-91,001, which shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and shall be filed with appropriate offices of Collier, Monroe, and Dade Counties in the State of Florida. The Secretary of the Interior (hereafter referred to as the “Secretary”) shall, as soon as practicable, publish a detailed description of the boundaries of the preserve in the Federal Register which shall include not more than five hundred and seventy thousand acres of land and water.

(c) Methods of acquisition of land; prerequisites to Federal appropriations; improved property; oil and gas rights; appraisal of property; transfer of Federal property to Secretary

The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, any lands, waters, or interests therein which are located within the boundaries of the preserve or the Addition: *Provided*, That any lands owned or acquired by the State of Florida, or any of its subdivisions, in the preserve may be acquired by donation only 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: *Provided further*, That no Federal funds shall be appropriated until the Governor of Florida executes an agreement on behalf of the State which (i) provides for the transfer to the United States of all lands within the preserve previously owned or acquired by the State and (ii) provides for the donation to the United States of all lands acquired by the State within the pre-

serve pursuant to the provision of “the Big Cypress Conservation Act of 1973” (Chapter 73-131 of the Florida Statutes) or provides for the donation to the United States of any remaining moneys appropriated pursuant to such Act for the purchase of lands within the preserve. No improved property, as defined by sections 698f to 698m-4 of this title, nor oil and gas rights, shall be acquired without the consent of the owner unless the Secretary, in his judgment, determines that such property is subject to, or threatened with, uses which are, or would be, detrimental to the purposes of the preserve. The Secretary may, if he determines that the acquisition of any other subsurface estate is not needed for the purposes of the preserve and the Addition, exclude such interest in acquiring any lands within the preserve and the Addition. Notwithstanding the provisions of section 4651 of title 42 the Secretary (i) may evaluate any offer to sell land within the preserve or the Addition by any landowner and may, in his discretion, accept any offer not in excess of \$10,000 without an appraisal and (ii) may direct an appraisal to be made of any unimproved property within the preserve or the Addition without notice to the owner or owners, thereof. Notwithstanding any other provision of law, any federally owned lands within the preserve shall, with the concurrence of the head of the administering agency, be transferred to the administrative jurisdiction of the Secretary for the purposes of sections 698f to 698m-4 of this title, without transfer of funds. 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.

(d) Land within Addition; United States share of acquisition costs

(1) The aggregate cost to the United States of acquiring lands within the Addition may not exceed 80 percent of the total cost of such lands.

(2) Except as provided in paragraph (3), if the State of Florida transfers to the Secretary lands within the Addition, the Secretary shall pay to or reimburse the State of Florida (out of funds appropriated for such purpose) an amount equal to 80 percent of the total costs to the State of Florida of acquiring such lands.

(3) The amount described in paragraph (1) shall be reduced by an amount equal to 20 percent of the amount of the total cost incurred by the Secretary in acquiring lands in the Addition other than from the State of Florida.

(4) For purposes of this subsection, the term “total cost” means that amount of the total acquisition costs (including the value of exchanged 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