

§ 410r-1. Acceptance of additional lands

The Secretary of the Interior is authorized to accept for Everglades National Park purposes, title to approximately 1,160 acres of land and submerged land lying within sections 25, 26, and 36 of township 53 south, range 29 east, and section 30, township 53 south, range 30 east, Tallahassee meridian, and being a portion of the land and submerged land donated and conveyed by three Collier deeds in 1951 and 1952 to the trustees of the internal improvement fund of the State of Florida for subsequent inclusion in the Everglades National Park. Such three Collier deeds are dated December 12, 1951, December 26, 1951, and March 21, 1952, and are recorded in deed book 22, page 240, deed book 22, page 244, and deed book 39, page 25, respectively, in Collier County, Florida. The aforesaid land and submerged land shall be subject to the reservations set forth in the aforementioned Collier deeds for public utility easements and rights-of-way of the public with respect to Indian Key Channel, and also to a public right-of-way for the State highway or causeway from Everglades City to Chokoloskee Island.

(Pub. L. 86-681, §1, Sept. 2, 1960, 74 Stat. 577.)

§ 410r-2. Lands acquired as part of park; rules and regulations

All lands and submerged lands title to which is accepted by the Secretary of the Interior pursuant to the provisions of section 410r-1 of this title shall, upon the acceptance of title thereto, become parts of the Everglades National Park and shall be subject to all laws and regulations applicable thereto.

(Pub. L. 86-681, §2, Sept. 2, 1960, 74 Stat. 577.)

§ 410r-3. Acceptance of additional lands; lands acquired as part of park; reimbursement of revolving fund

The Secretary of the Interior is authorized to accept a transfer from the Administrator of the Farmers Home Administration, United States Department of Agriculture, which transfer is hereby authorized, of a tract of land consisting of approximately four thousand four hundred and twenty acres, lying within the boundaries of Everglades National Park, in Dade County, Florida, and more particularly described in the masters deed dated December 21, 1962, in the proceeding entitled "The Connecticut Mutual Life Insurance Company against Toni Iori, a single man; Peter Iori and Helen Iori, his wife, d/b/a Iori Bros., et al.," No. 61C-3823, in the Circuit Court of the Eleventh Judicial Circuit of Florida, in and for Dade County, and recorded in the official records of said county in book 3494 at page 457, or in any modification of such masters deed, for administration as a part of the Everglades National Park. Such transfer will be made by the Farmers Home Administration, Department of Agriculture, to the Secretary of¹ Interior, only after the Farmers Home Administration's emergency credit revolving fund has been fully reimbursed for all cost incurred by it in connection with the aforesaid land. Such

¹ So in original. Probably should be "of the".

transfer may be accepted when title to the property is vested in the United States.

(Pub. L. 88-588, §1, Sept. 12, 1964, 78 Stat. 933.)

§ 410r-4. Authorization of appropriations for reimbursement of revolving fund

There is hereby authorized to be appropriated to the emergency credit revolving fund, upon the transfer authorized in section 410r-3 of this title, such sum as may be necessary but not in excess of \$452,000 to reimburse the fund for costs incurred by the Farmers Home Administration in connection with the aforesaid property.

(Pub. L. 88-588, §2, Sept. 12, 1964, 78 Stat. 933.)

§ 410r-5. Findings, purposes, and definitions**(a) Findings**

The Congress makes the following findings:

(1) The Everglades National Park is a nationally and internationally significant resource and the park has been adversely affected and continues to be adversely affected by external factors which have altered the ecosystem including the natural hydrologic conditions within the park.

(2) The existing boundary of Everglades National Park excludes the contiguous lands and waters of the Northeast Shark River Slough that are vital to long-term protection of the park and restoration of natural hydrologic conditions within the park.

(3) Wildlife resources and their associated habitats have been adversely impacted by the alteration of natural hydrologic conditions within the park, which has contributed to an overall decline in fishery resources and a 90 percent population loss of wading birds.

(4) Incorporation of the Northeast Shark River Slough and the East Everglades within the park will limit further losses suffered by the park due to habitat destruction outside the present park boundaries and will preserve valuable ecological resources for use and enjoyment by future generations.

(5) The State of Florida and certain of its political subdivisions or agencies have indicated a willingness to transfer approximately 35,000 acres of lands under their jurisdiction to the park in order to protect lands and water within the park, and may so transfer additional lands in the future.

(6) The State of Florida has proposed a joint Federal-State effort to protect Everglades National Park through the acquisition of additional lands.

(b) Purposes

The purposes of sections 410r-5 to 410r-8 of this title are to—

(1) increase the level of protection of the outstanding natural values of Everglades National Park and to enhance and restore the ecological values, natural hydrologic conditions, and public enjoyment of such area by adding the area commonly known as the Northeast Shark River Slough and the East Everglades to Everglades National Park; and

(2) assure that the park is managed in order to maintain the natural abundance, diversity,

and ecological integrity of native plants and animals, as well as the behavior of native animals, as a part of their ecosystem.

(c) Definitions

As used in sections 410r-5 to 410r-8 of this title:

(1) The term “Secretary” means the Secretary of the Interior.

(2) The term “addition” means the approximately 107,600 acre area of the East Everglades area authorized to be added to Everglades National Park by sections 410r-5 to 410r-8 of this title.

(3) The term “park” means the area encompassing the existing boundary of Everglades National Park and the addition area described in paragraph (2).

(4) The term “project” means the Central and Southern Florida Project.

(Pub. L. 101-229, title I, § 101, Dec. 13, 1989, 103 Stat. 1946.)

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105-82, § 1, Nov. 13, 1997, 111 Stat. 1540, provided that: “This Act [amending section 410r-7 of this title, enacting provisions set out as a note under section 410r-7 of this title, and amending provisions listed in a table of Wilderness Areas set out under section 1132 of this title] may be cited as the ‘Marjory Stoneman Douglas Wilderness and Ernest F. Coe Visitor Center Designation Act’.”

SHORT TITLE

Pub. L. 101-229, § 1, Dec. 13, 1989, 103 Stat. 1946, provided that: “This Act [enacting this section and sections 410r-6 to 410r-8 of this title] may be cited as the ‘Everglades National Park Protection and Expansion Act of 1989’.”

§ 410r-6. Boundary modification

(a) Area included

(1) In general

The park boundary is hereby modified to include approximately 107,600 acres as generally depicted on the map entitled “Boundary Map, Everglades National Park Addition, Dade County, Florida”, numbered 160-20,013B and dated September 1989.

(2) Availability of map

The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(3) Acquisition of additional land

(A) In general

The Secretary may acquire from 1 or more willing sellers not more than 10 acres of land located outside the boundary of the park and adjacent to or near the East Everglades area of the park for the development of administrative, housing, maintenance, or other park purposes.

(B) Administration; applicable law

On acquisition of the land under subparagraph (A), the land shall be administered as part of the park in accordance with the laws (including regulations) applicable to the park.

(b) Boundary adjustment

The Secretary may from time to time make minor revisions in the boundaries of the park in

accordance with section 100506(c) of title 54. In exercising the boundary adjustment authority the Secretary shall ensure all actions will enhance resource preservation and shall not result in a net loss of acreage from the park.

(c) Acquisition

(1) Within the boundaries of the addition described in subsection (a), the Secretary may acquire lands and interests in land by donation, purchase with donated or appropriated funds, or exchange. For purposes of acquiring property by exchange, the Secretary may, notwithstanding any other provision of law, exchange the approximately one acre of Federal land known as “Gilberts’ Marina” for non-Federal land of equal value located within the boundaries of the addition. Any lands or interests in land which are owned by the State of Florida or any political subdivision thereof, may be acquired only by donation.

(2) It is the express intent of Congress that acquisition within the boundaries of the addition shall be completed not later than 5 years after December 13, 1989. The authority provided by this section shall remain in effect until all acquisition is completed.

(d) Acquisition of tracts partially outside boundaries

When any tract of land is only partly within boundaries referred to in subsection (a), the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal lands within the boundaries, and any land so acquired and not utilized for exchange shall be reported to the General Services Administration for disposal under chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41.

(e) Offers to sell

In exercising the authority to acquire property under sections 410r-5 to 410r-8 of this title, the Secretary shall give prompt and careful consideration to any offer made by any person owning property within the boundaries of the addition to sell such property, if such owner notifies the Secretary that the continued ownership of such property is causing, or would result in undue hardship.

(f) Authorization of appropriations

(1) Subject to the provisions of paragraph (2), there are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 410r-5 to 410r-8 of this title.

(2) With respect to land acquisition within the addition, not more than 80 percent of the cost of such acquisition may be provided by the Federal Government. Not less than 20 percent of such cost shall be provided by the State of Florida.

(g) Assistance

Upon the request of the Governor of the State of Florida, the Secretary is authorized to provide technical assistance and personnel to assist in the acquisition of lands and waters within the Kissimmee River/Lake Okeechobee/Everglades