

111TH CONGRESS
1ST SESSION

H. R. 1559

To provide for the resolution of several land ownership and related issues with respect to parcels of land located within the Everglades National Park.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2009

Mr. MARIO DIAZ-BALART of Florida introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for the resolution of several land ownership and related issues with respect to parcels of land located within the Everglades National Park.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EVERGLADES NATIONAL PARK.**

4 (a) DEFINITIONS.—In this section:

5 (1) COMPANY.—The term “Company” means
6 Florida Power & Light Company.

7 (2) FEDERAL LAND.—The term “Federal
8 Land” means the parcels of land that are—

9 (A) owned by the United States;

10 (B) administered by the Secretary;

1 (C) located within the National Park; and

2 (D) generally depicted on the map as—

3 (i) Tract A, which is adjacent to the
4 Tamiami Trail, U.S. Rt. 41; and

5 (ii) Tract B, which is located on the
6 eastern boundary of the National Park.

7 (3) MAP.—The term “map” means the map
8 prepared by the National Park Service, titled “Pro-
9 posed Land Exchanges, Everglades National Park”,
10 numbered 160/60411A, and dated September 2008.

11 (4) NATIONAL PARK.—The term “National
12 Park” means the Everglades National Park located
13 in the State.

14 (5) NON-FEDERAL LAND.—The term “non-Fed-
15 eral land” means the land in the State that—

16 (A) is owned by the State, the specific area
17 and location of which shall be determined by
18 the State; or

19 (B)(i) is owned by the Company;

20 (ii) comprises approximately 320 acres;

21 and

22 (iii) is located within the East Everglades
23 Acquisition Area, as generally depicted on the
24 map as “Tract D”.

1 (6) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (7) STATE.—The term “State” means the State
4 of Florida and political subdivisions of the State, in-
5 cluding the South Florida Water Management Dis-
6 trict.

7 (b) LAND EXCHANGE WITH STATE.—

8 (1) IN GENERAL.—Subject to the provisions of
9 this paragraph, if the State offers to convey to the
10 Secretary all right, title, and interest of the State in
11 and to specific parcels of non-Federal land, and the
12 offer is acceptable to the Secretary, the Secretary
13 may, subject to valid existing rights, accept the offer
14 and convey to the State all right, title, and interest
15 of the United States in and to the Federal land gen-
16 erally depicted on the map as “Tract A”.

17 (2) CONDITIONS.—The land exchange under
18 paragraph (1) shall be subject to such terms and
19 conditions as the Secretary may require.

20 (3) VALUATION.—

21 (A) IN GENERAL.—The values of the land
22 involved in the land exchange under paragraph
23 (1) shall be equal.

24 (B) EQUALIZATION.—If the values of the
25 land are not equal, the values may be equalized

1 by donation, payment using donated or appro-
2 priated funds, or the conveyance of additional
3 parcels of land.

4 (4) APPRAISALS.—Before the exchange of land
5 under paragraph (1), appraisals for the Federal and
6 non-Federal land shall be conducted in accordance
7 with the Uniform Appraisal Standards for Federal
8 Land Acquisitions and the Uniform Standards of
9 Professional Appraisal Practice.

10 (5) TECHNICAL CORRECTIONS.—Subject to the
11 agreement of the State, the Secretary may make
12 minor corrections to correct technical and clerical er-
13 rors in the legal descriptions of the Federal and non-
14 Federal land and minor adjustments to the bound-
15 aries of the Federal and non-Federal land.

16 (6) ADMINISTRATION OF LAND ACQUIRED BY
17 SECRETARY.—Land acquired by the Secretary under
18 paragraph (1) shall—

19 (A) become part of the National Park; and

20 (B) be administered in accordance with the
21 laws applicable to the National Park System.

22 (c) LAND EXCHANGE WITH COMPANY.—

23 (1) IN GENERAL.—Subject to the provisions of
24 this paragraph, if the Company offers to convey to
25 the Secretary all right, title, and interest of the

1 Company in and to the non-Federal land generally
2 depicted on the map as “Tract D”, and the offer is
3 acceptable to the Secretary, the Secretary may, sub-
4 ject to valid existing rights, accept the offer and con-
5 vey to the Company all right, title, and interest of
6 the United States in and to the Federal land gen-
7 erally depicted on the map as “Tract B”, along with
8 a perpetual easement on a corridor of land contig-
9 uous to Tract B for the purpose of vegetation man-
10 agement.

11 (2) CONDITIONS.—The land exchange under
12 paragraph (1) shall be subject to such terms and
13 conditions as the Secretary may require.

14 (3) VALUATION.—

15 (A) IN GENERAL.—The values of the land
16 involved in the land exchange under paragraph
17 (1) shall be equal unless the non-Federal land
18 is of higher value than the Federal land.

19 (B) EQUALIZATION.—If the values of the
20 land are not equal, the values may be equalized
21 by donation, payment using donated or appro-
22 priated funds, or the conveyance of additional
23 parcels of land.

24 (4) APPRAISAL.—Before the exchange of land
25 under paragraph (1), appraisals for the Federal and

1 non-Federal land shall be conducted in accordance
2 with the Uniform Appraisal Standards for Federal
3 Land Acquisitions and the Uniform Standards of
4 Professional Appraisal Practice.

5 (5) TECHNICAL CORRECTIONS.—Subject to the
6 agreement of the Company, the Secretary may make
7 minor corrections to correct technical and clerical er-
8 rors in the legal descriptions of the Federal and non-
9 Federal land and minor adjustments to the bound-
10 aries of the Federal and non-Federal land.

11 (6) ADMINISTRATION OF LAND ACQUIRED BY
12 SECRETARY.—Land acquired by the Secretary under
13 paragraph (1) shall—

14 (A) become part of the National Park; and

15 (B) be administered in accordance with the
16 laws applicable to the National Park System.

17 (d) MAP.—The map shall be on file and available for
18 public inspection in the appropriate offices of the National
19 Park Service.

20 (e) BOUNDARY REVISION.—On completion of the
21 land exchanges authorized by this section, the Secretary
22 shall adjust the boundary of the National Park accord-
23 ingly, including removing the land conveyed out of Federal
24 ownership.

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