

Public Law 102-430  
102d Congress

An Act

Oct. 23, 1992  
[H.R. 1216]

To modify the boundaries of the Indiana Dunes National Lakeshore, and for other purposes.

Indiana Dunes  
National  
Lakeshore  
Access and  
Enhancement  
Act.  
Conservation.  
16 USC 460u  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Indiana Dunes National Lakeshore Access and Enhancement Act".

**SEC. 2. DEFINITION.**

For the purposes of this Act, the term "the Act" means the Act entitled "An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes", approved November 5, 1966, as amended (16 U.S.C. 460u et seq.).

**SEC. 3. BOUNDARIES.**

(a) **IN GENERAL.**—The first section of the Act (16 U.S.C. 460u) is amended by striking "October 1986, and numbered 62680033-B" and inserting "October 1992, and numbered 626-80,039-C".

(b) **CRESCENT DUNE.**—Section 12 of the Act (16 U.S.C. 460u-12) is repealed.

**SEC. 4. IMPROVED PROPERTY; RETENTION OF RIGHTS.**

(a) **ADDITIONAL AREAS.**—The table in section 4 of the Act (16 U.S.C. 460u-3) is amended to read as follows:

<b>"Property within boundaries of map</b>	<b>Construction began before</b>
Dated October 1992, No. 626-80,039-C	October 1, 1991
Dated October 1986, No. 626-80,033-B	February 1, 1986
Dated December 1980, No. 626-91014	January 1, 1981
Dated September 1976, No. 626-91007	February 1, 1973
Dated September 1966, No. LNPNE-1008-ID	January 4, 1965".

(b) **RETENTION OF RIGHTS.**—Section 5(a) of the Act (16 U.S.C. 460u-5(a)) is amended by adding at the end thereof the following new paragraph:

"(3)(A) In the case of improved property included within the boundaries of the lakeshore after October 1, 1991, that was not included within such boundaries on or before that date, an individual who is an owner of record of such property as of that date may retain a right of use and occupancy of such improved property for noncommercial residential purposes for a term ending at either of the following:

"(i) A fixed term not to extend beyond October 1, 2020, or such lesser fixed term as the owner may elect at the time of acquisition.

"(ii) A term ending at the death of the owner or the owner's spouse, whichever occurs later. The owner or owners shall elect the term to be reserved.

"(B) Subparagraph (A) shall apply only to improved property owned by an individual who—

“(i) was an owner of record of the property as of October 1, 1991;

“(ii) had attained the age of majority as of that date; and

“(iii) made a bona fide written offer not later than October 1, 1997, to sell the property to the Secretary.”.

(c) TECHNICAL AMENDMENT.—Section 5(a)(1) of the Act (16 U.S.C. 460u-5(a)(1)) is amended by striking the period after “626-91014” the first place it appears and inserting a comma.

#### SEC. 5. GREENBELT.

Section 18 of the Act (16 U.S.C. 460-18) is amended—

(1) by inserting “(a)” after “SEC. 18.”; and

(2) by adding at the end the following new subsection:

“(b)(1) The Secretary shall enter into a memorandum of agreement with the Northern Indiana Public Service Company (referred to as ‘NIPSCO’) that shall provide for the following with respect to the area referred to as Unit II-A on the map described in the first section of this Act (referred to as the ‘Greenbelt’):

“(A) NIPSCO shall provide the National Park Service with access for resource management and interpretation through the Greenbelt and across the dike for purposes of a public hiking trail.

“(B) The National Park Service shall have rights of access for resource management and interpretation of the Greenbelt area.

“(C) NIPSCO shall preserve the Greenbelt in its natural state. If NIPSCO utilizes the Greenbelt temporarily for a project involving pollution mitigation or construction on its adjacent facilities, it shall restore the project area to its natural state.

“(D) If NIPSCO proposes a different use for the Greenbelt, NIPSCO shall notify the National Park Service, the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives and make no change in the use of the property until three years after the date notice is given.

“(2) If a memorandum of agreement is entered into pursuant to paragraph (1), so long as the memorandum of agreement is in effect and is being performed, the Secretary may not acquire lands or interests in land in the Greenbelt belonging to NIPSCO.”.

#### SEC. 6. COOPERATIVE AGREEMENT.

The Act is amended by adding at the end the following new section:

“SEC. 25. In furtherance of the purposes of this Act, the Secretary may enter into a cooperative agreement with the city of Gary, Indiana, pursuant to which the Secretary may provide technical assistance in interpretation, planning, and resource management for programs and developments in the city of Gary’s Marquette Park and Lake Street Beach.”.

#### SEC. 7. UNIT VII-D AND I-M.

The Act, as amended by section 5, is further amended by adding at the end the following new section:

“SEC. 26(a). Before acquiring lands or interests in lands in Unit VII-D (as designated on the map described in the first section of this Act) the Secretary shall consult with the Commissioner of the Indiana Department of Transportation to determine what

16 USC 460u-18.

Contracts.  
Northern  
Indiana  
Public Service  
Company.

16 USC 460u-25.

16 USC 460u-26.

lands or interests in lands are required by the State of Indiana for improvements to 15th Avenue (including the extension known as Old Hobart Road) and reconstruction and relocation of the intersection of 15th Avenue and State Road 51 so that the acquisition by the Secretary of lands or interests in lands in Unit VII-D will not interfere with planned improvements to the interchange and 15th Avenue in the area.

“(b) Before acquiring lands or interests in lands in Unit I-M (as designated on the map referred to in the first section of this Act) the Secretary shall consult with the Commissioner of the Indiana Department of Transportation to determine what lands or interests in lands are required by the State of Indiana for improvements to State Road 49 and reconstruction and relocation of the interchange with State Road 49 and U.S. 20 so that the acquisition by the Secretary of lands or interests in lands in Unit I-M will not interfere with planned improvements to such interchange and State Road 49 in the area.”

#### SEC. 8. VISITOR CENTER.

In order to commemorate the vision, dedication, and work of Dorothy Buell in saving the Indiana Dunes, the National Park Service visitor center at the Indiana Dunes National Lakeshore is designated as the “Dorothy Buell Memorial Visitor Center”.

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

Section 9 of the Act (16 U.S.C. 460u-9) is amended—

(1) in the first sentence by striking the words “The Secretary may not expend more than \$60,812,100 from the Land and Water Conservation Fund for the acquisition of lands and interests in lands nor more than \$20,000,000 for development.” and inserting in lieu thereof: “The Secretary may expend such sums as may be necessary from the Land and Water Conservation Fund for acquisition of lands and interests in lands, and not to exceed \$27,500,000 for development.”;

(2) by striking the second paragraph in its entirety; and  
 (3) by striking the first sentence of the third paragraph.

Approved October 23, 1992.

#### LEGISLATIVE HISTORY—H.R. 1216:

HOUSE REPORTS: No. 102-151 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-340 (Comm. on Energy and Natural Resources).

#### CONGRESSIONAL RECORD:

Vol. 137 (1991): July 15, considered and passed House.

Vol. 138 (1992): July 29, considered and passed Senate, amended.

Oct. 5, House concurred in Senate amendment with amendments.

Oct. 8, Senate concurred in House amendments.

Dorothy  
Buell.