

(Pub. L. 89-761, §18, formerly §19, as added and renumbered Pub. L. 94-549, §1(8), (9), Oct. 18, 1976, 90 Stat. 2532, 2533; Pub. L. 102-430, §5, Oct. 23, 1992, 106 Stat. 2209.)

AMENDMENTS

1992—Pub. L. 102-430 designated existing provisions as subsec. (a) and added subsec. (b).

CHANGE OF NAME

Committee on Interior and Insular Affairs of the Senate, referred to in subsec. (a), 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.

§ 460u-19. Acquisition of land outside present boundaries; notice to Congressional committees; publication in Federal Register

After notifying the Committees on Interior and Insular Affairs of the United States Congress, in writing, of his intentions to do so and of the reasons therefor, the Secretary may, if he finds that such lands would make a significant contribution to the purposes for which the lakeshore was established, accept title to any lands, or interests in lands, located outside the present boundaries of the lakeshore but contiguous thereto or to lands acquired under this section, such lands the State of Indiana or its political subdivisions may acquire and offer to donate to the United States or which any private person, organization, or public or private corporation may offer to donate to the United States and he shall administer such lands as a part of the lakeshore after publishing notice to that effect in the Federal Register.

(Pub. L. 89-761, §19, formerly §20, as added and renumbered Pub. L. 94-549, §1(8), (9), Oct. 18, 1976, 90 Stat. 2532, 2533.)

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.

§ 460u-20. Paul H. Douglas Ecological and Recreational Unit and Center for Environmental Education

(a) Dedication of lakeshore

The Indiana Dunes National Lakeshore is hereby dedicated to the memory of Paul H. Douglas in grateful recognition of his leadership in the effort to protect, preserve, and enhance the natural, scientific, historic, and recreational value of the lakeshore for the use, enjoyment,

and edification of present and future generations.

(b) Establishment

To further accomplish the purposes of subsection (a) of this section, the Secretary of the Interior shall designate the west unit of the lakeshore as the “Paul H. Douglas Ecological and Recreational Unit” and shall, subject to appropriations being granted, design and construct a suitable structure or designate an existing structure within the lakeshore to be known as the “Paul H. Douglas Center for Environmental Education” which shall provide facilities designed primarily to familiarize students and other visitors with, among other things: (1) the natural history of the lakeshore and its association with the natural history of the Great Lakes region; (2) the evolution of human activities in the area; and (3) the historical features which led to the establishment of the lakeshore by the Congress of the United States.

(c) Preparation of informative materials

To inform the public of the contributions of Paul H. Douglas to the creation of the lakeshore, the Secretary of the Interior shall provide such signs, markers, maps, interpretive materials, literature, and programs as he deems appropriate.

(Pub. L. 89-761, §20, as added Pub. L. 96-612, §1(1), Dec. 28, 1980, 94 Stat. 3575.)

§ 460u-21. Public access study

(a) Preservation of lakeshore and conservation of energy

The Secretary in consultation with the Secretary of Transportation, shall conduct a study of various modes of public access into and within the lakeshore which are consistent with the preservation of the lakeshore and conservation of energy by encouraging the use of transportation modes other than personal motor vehicles.

(b) Utilization of clearinghouse resources and facilities

In carrying out the study, the Secretary shall utilize to the greatest extent practicable the resources and facilities of the organizations designated as clearinghouses under section 6506 of title 31 as implemented by Office of Management and Budget Circular A-95, and which have comprehensive planning responsibilities in the regions where the lakeshore is located, as well as any other agencies or organizations which the Secretary may designate. The Secretary shall make provision for timely and substantive consultations with the appropriate agencies of the States of Indiana and Illinois, local elected officials, and the general public in the formulation and implementation of the study.

(c) Adequacy of access facilities

The study shall address the adequacy of access facilities for members of the public who desire to visit and enjoy the lakeshore. Consideration shall be given to alternatives for alleviating the dependence on automobile transportation. The study of public transportation facilities shall cover the distance from cities of thirty-five

thousand population or more within fifty miles of the lakeshore.

(d) Access proposals; retention of lakeshore values

The study shall include proposals deemed necessary to assure equitable visitor access and public enjoyment by all segments of the population, including those who are physically or economically disadvantaged. It shall provide for retention of the natural, scenic, and historic values for which the lakeshore was established, and shall propose plans and alternatives for the protection and maintenance of these values as they relate to transportation improvements.

(e) Renovation and preservation of South Shore Railroad

The study shall examine proposals for the renovation and preservation of a portion of the existing South Shore Railroad passenger car fleet. The study shall consider the historic value of the existing rolling stock and its role in transporting visitors into and within the lakeshore.

(f) Alternative improvement plans; cost estimates; sources of funding

The study shall present alternative plans to improve, construct, and extend access roads, public transportation, and bicycle and pedestrian trails. It shall include cost estimates of all plans considered in this study, and shall discuss existing and proposed sources of funding for the implementation of the recommended plan alternatives.

(g) Submittal to Congress

The study shall be completed and presented to the Congress within two complete fiscal years from the effective date of this provision.

(h) Authorization of appropriations

Effective October 1, 1981, there is hereby authorized to be appropriated not to exceed \$200,000 for this study.

(Pub. L. 89-761, §21, as added Pub. L. 96-612, §1(11), Dec. 28, 1980, 94 Stat. 3576.)

REFERENCES IN TEXT

The effective date of this provision, referred to in subsec. (g), probably means the date of enactment of Pub. L. 96-612, which was approved Dec. 28, 1980.

CODIFICATION

In subsec. (b), "section 6506 of title 31" substituted for "title IV of the Intergovernmental Cooperation Act of 1968 [42 U.S.C. 4231 et seq.]" on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

§ 460u-22. Consideration of property owner's hardship in property acquisition

In exercising his authority to acquire property under this subchapter, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property, if such individual notifies the Secretary in writing that the continued ownership of such property is causing, or would result in, undue hardship.

(Pub. L. 89-761, §22, as added Pub. L. 96-612, §1(12), Dec. 28, 1980, 94 Stat. 3577.)

§ 460u-23. Acquisition of interest in area VII-A

(a) Public access requirements

The Secretary may acquire only such interest in that portion of area VII-A which is described in subsection (b) as the Secretary determines is necessary to assure public access over said portion of area VII-A.

(b) Portion of area VII-A subject to acquisition

The portion of area VII-A, as designated on the map referred to in section 460u of this title, to which subsection (a) applies is a parcel of land bounded—

(1) on the east by a line three hundred feet east of the electrical transmission line crossing area VII-A on January 1, 1979;

(2) on the west by a line fifty feet west of such electrical transmission line; and

(3) on the north and south by the northern and southern boundaries, respectively, of area VII-A.

(c) Boundaries of area VII-A

Area VII-A includes the bed of the railroad tracks forming the northern and northwestern boundaries of this area and extends to the northern edge of the bed of the railroad tracks forming the southern boundaries of this area.

(d) Inclusion in area I-D

Area I-D includes the bed of the railroad tracks along the northern boundary of this area.

(e) Exclusions from area VII-C

The area designated as area VII-C on the map referred to in section 460u of this title does not include approximately 1.3 acres of land on which the Linde Air Products plant is situated, nor does it include approximately 1 acre of land on which the Old Union Station building and the adjacent REA building are situated. Except as provided in the foregoing sentence, area VII-C extends to, but does not include, the beds of the railroad tracks forming the northern and southern boundaries of such area.

(Pub. L. 89-761, §23, as added Pub. L. 96-612, §1(13), Dec. 28, 1980, 94 Stat. 3577.)

§ 460u-24. Little Calumet River and Burns/Portage Waterway

(a) Cooperative agreement

The Secretary may enter into a cooperative agreement with the Little Calumet River Basin Development Commission, the State of Indiana or any political subdivision thereof for the planning, management, and interpretation of recreational facilities on the tract within the boundaries of Indiana Dunes National Lakeshore identified as tract numbered 09-177¹ or on lands under the jurisdiction of the State of Indiana or political subdivision thereof along the Little Calumet River and Burns Waterway. The cooperative agreement may include provision for the planning of public facilities for boating, canoeing, fishing, hiking, bicycling, and other compatible recreational activities. Any recreational developments on lands under the jurisdiction of the National Park Service planned pursuant to

¹ So in original. Probably should be "09-117".