

1980—Subsec. (a). Pub. L. 96-612, §1(6), substituted provisions authorizing certain owners of improved property, except such owners within area II-B, to retain rights of use and occupancy of such property for noncommercial residential purposes for a term either ending at death or at a specified date no later than September 30, 2010, for provisions authorizing certain owners of similar property to retain such rights for similar purposes for a fixed term of twenty years or less, as elected, authorizing the conveyance or leasing of such rights, and specifying the formula for reimbursing such owners upon acquisition of such property by the Secretary.

Subsec. (c). Pub. L. 96-612, §1(7), added subsec. (c).

1976—Subsec. (a). Pub. L. 94-549, §1(4)(a), provided that owners within unit II-B on the map referred to in section 460u of this title be excluded from use and occupancy rights, that owners attain the age of majority to be eligible to retain use and occupancy rights, and that the maximum term that an owner may retain use and occupancy rights be reduced to twenty years from twenty-five years.

Subsec. (b). Pub. L. 94-549, §1(4)(b), substituted provision requiring failure of property to be used in accordance with the terms and applicable conditions as grounds for termination by the Secretary for provision which required failure of the property to be used in accordance with applicable zoning standards, added non-payment of property taxes as a ground for termination, and provided that the standards for right of use and occupancy applicable prior to Oct. 18, 1976 remain in effect for such right, including applicable zoning regulations.

§ 460u-6. Administration

(a) Utilization of authorities for conservation and management of natural resources

In the administration of the lakeshore the Secretary may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this subchapter.

(b) Preservation of lakeshore; incompatible visitor conveniences restricted; provisions for public enjoyment and understanding; developments for public uses

In order that the lakeshore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing or with the preservation of such historic sites and structures as the Secretary may designate: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features within the lakeshore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further*, That the Secretary may develop for appropriate public uses such portions of the lakeshore as he deems especially adaptable for such uses.

(Pub. L. 89-761, §6, formerly §7, Nov. 5, 1966, 80 Stat. 1311; renumbered §6, Pub. L. 94-549, §1(9), Oct. 18, 1976, 90 Stat. 2533.)

PRIOR PROVISIONS

A prior section 6 of Pub. L. 89-761 was renumbered section 5 and is classified to section 460u-5 of this title.

§ 460u-7. Indiana Dunes National Lakeshore Advisory Commission

(a) Establishment; termination

There is hereby established an Indiana Dunes National Lakeshore Advisory Commission. Said Commission shall terminate on September 30, 1985.

(b) Membership; appointment; term of office; recommendation or designation of appointees

The Commission shall be composed of thirteen members, each appointed for a term of two years by the Secretary, as follows: (1) one member who is a year-round resident of Porter County to be appointed from recommendations made by the commissioners of such county; (2) one member who is a year-round resident of the town of Beverly Shores to be appointed from the recommendations made by the board of trustees of such town; (3) one member who is a year-round resident of the towns of Porter, Dune Acres, Pines, Chesterton, Ogden Dunes, or the village of Tremont, such member to be appointed from recommendations made by the boards of trustees or the trustee of the affected town or township; (4) two members who are year-round residents of the city of Michigan City to be appointed from recommendations made by such city; (5) two members to be appointed from recommendations made by the Governor of the State of Indiana; (6) one member to be designated by the Secretary; (7) two members who are year-round residents of the city of Gary to be appointed from recommendations made by the mayor of such city; (8) one member to be appointed from recommendations made by a regional planning agency established under the authority of the laws of the State of Indiana and composed of representatives of local and county governments in northwestern Indiana; (9) one member who is a year-round resident of the city of Portage to be appointed from recommendations made by the mayor of such city; and (10) one member who holds a reservation of use and occupancy and is a year-round resident within the lakeshore to be designated by the Secretary.

(c) Chairman; vacancies

The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) Compensation and expenses; vouchers

A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expense reasonably incurred by the Commission in carrying out its responsibilities under this subchapter on vouchers signed by the Chairman.

(e) Consultation of Secretary with Commission

The Secretary or his designee shall, from time to time, consult with the Commission with respect to matters relating to the development of the Indiana Dunes National Lakeshore and with respect to the provisions of sections 460u-3, 460u-4,¹ and 460u-5 of this title.

¹ See References in Text note below.