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INDIANA DUNES NATIONAL LAKESHORE

GOVERNMENT

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HEARING

BEFORE THE

SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

COMMITTEE ON

INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

NINETY-FOURTH CONGRESS

SECOND SESSION

ON

S. 3329

A BILL TO AMEND THE ACT ESTABLISHING THE INDIANA
DUNES NATIONAL LAKESHORE TO PROVIDE FOR THE EX-
PANSION OF THE LAKESHORE, AND FOR OTHER PURPOSES

H.R. 11455

AN ACT TO AMEND THE ACT ESTABLISHING THE INDIANA
DUNES NATIONAL LAKESHORE TO PROVIDE FOR THE EX-
PANSION OF THE LAKESHORE, AND FOR OTHER PURPOSES

MAY 26, 1976



Printed for the use of the
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INDIANA DUNES NATIONAL LAKESHORE

WEDNESDAY, MAY 26, 1976

U.S. SENATE,
SUBCOMMITTEE ON PARKS AND RECREATION,
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:25 a.m. in room 3110, Dirksen Office Building, Hon. J. Bennett Johnston presiding.

Present: Senator Johnston.

Also present: James P. Beirne, counsel and Laura L. Beaty, professional staff member.

OPENING STATEMENT OF HON. J. BENNETT JOHNSTON, A U.S. SENATOR FROM THE STATE OF LOUISIANA

Senator JOHNSTON. The hearing will come to order. This morning we take up S. 3329 and H.R. 11455, legislation to expand the boundaries of the Indiana Dunes National Lakeshore.

This is a very complicated measure and the subcommittee's hearing time is limited. We must conclude this hearing at 12:30 this morning, 125 minutes from now.

A similar measure was considered by the subcommittee last Congress, and accordingly, I would request that all witnesses submit their statements for the record and address their comments to the specific areas of concern to them. All statements will be printed in full in the hearing record as well as any supporting material submitted to the subcommittee.

Copies of the legislation and the departmental report will be made a part of the hearing record at this point.

[The information referred to follows:]

94TH CONGRESS
2D SESSION

S. 3329

IN THE SENATE OF THE UNITED STATES

APRIL 26, 1976

Mr. BAYH (for Mr. HARTKE) (for himself, Mr. PHILIP A. HART, Mr. HUMPHREY, Mr. JACKSON, Mr. MONDALE, Mr. PERCY, and Mr. STEVENSON) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To amend the Act establishing the Indiana Dunes National Lakeshore to provide for the expansion of the lakeshore, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to provide for the establish-
4 ment of the Indiana Dunes National Lakeshore, and for other
5 purposes", approved November 5, 1966 (80 Stat. 1309), as
6 amended (16 U.S.C. 460u), is further amended as follows:

7 (1) The last sentence of the first section of such Act is
8 amended by striking out "A Proposed Indiana Dunes Na-
9 tional Lakeshore' dated September 1966, and bearing the

1 number 'LNPNE-1008-ID' " and inserting in lieu thereof
2 " 'Boundary Map, Indiana Dunes National Lakeshore', dated
3 April 1976, and bearing the number '626-91005' ".

4 (2) Section 3 of such Act is amended by inserting the
5 following at the end of the first sentence: "By no later than
6 January 1, 1977, the Secretary shall publish in the Federal
7 Register a detailed description of the boundaries of the lake-
8 shore and shall from time to time so publish any additional
9 boundary changes as they may occur."

10 (3) The first sentence of section 4 (b) of such Act is
11 amended by inserting immediately after "was begun before"
12 the following: "February 1, 1973, or, in the case of im-
13 proved property located within the boundaries delineated on
14 a map identified as 'A Proposed Indiana Dunes National
15 Lakeshore', dated September 1966, and bearing the number
16 'LNPNE-1008-ID', which map is on file and available for
17 public inspection in the office of the Director of the National
18 Park Service, Department of the Interior, before".

19 (4) Section 4 of such Act is amended by inserting the
20 following new subsection (c) :

21 "(c) The suspension of the Secretary's authority to
22 acquire improved property by condemnation as provided in
23 this section is contingent upon the Secretary being given
24 the first opportunity to purchase such property or interests
25 therein, at a price not to exceed the fair market value of

1 such property, prior to the consummation of any transfer of
2 the title to such property, except that the Secretary need
3 not be given such opportunity to purchase when title is
4 transferred solely from the owner or joint owner to his or her
5 spouse: *Provided*, That such first opportunity to purchase is
6 held open for a period of four months from the date the
7 Secretary is notified by the property owner of any contemplated or necessary transfer of title.”.

9 (5) (a) Section 6 (a) of such Act is amended by revising
10 the first sentence thereof to read as follows: “Any owner
11 or owners, having attained age of majority, of improved property
12 on the date of its acquisition by the Secretary may, as a
13 condition to such acquisition, retain the right of use and
14 occupancy of the improved property for noncommercial residential
15 purposes for a term ending on the death of the owner
16 or the death of his or her spouse, whichever occurs last, or
17 for a term of twenty-five years, or for such lesser term as
18 the owner or owners may elect at the time of acquisition by
19 the Secretary.”.

20 (b) Section 6 of such Act is further amended by inserting the following new subsection (c) :

22 “(c) Nonpayment of property taxes, validly assessed,
23 on any retained right of use and occupancy shall be grounds
24 for termination of such right by the Secretary. In the event
25 the Secretary terminates a right of use and occupancy under

1 this subsection he shall pay to the owners of the retained
2 right so terminated an amount equal to the fair market value
3 of the portion of said right which remained unexpired on the
4 date of termination.”.

5 (6) (a) Section 8 (b) of such Act is amended (A) by
6 striking out “seven Members” and inserting in lieu thereof
7 “eleven members”, and (B) by striking out “and” imme-
8 diately after “State of Indiana;”, and (C) by striking out
9 “Portage,” immediately after “Dune Acres,” and (D) by
10 inserting immediately after “designated by the Secretary”
11 the following: “; (7) one member who is a year-round
12 resident of the city of Gary to be appointed from recom-
13 mendations made by the mayor of such city; (8) one
14 member who is a year-round resident of the towns of High-
15 land, Griffith, or Schererville to be appointed from recom-
16 mendations made by the board of trustees of such towns;
17 (9) one member who is a year-round resident of the city
18 of Portage to be appointed from recommendations made by
19 the mayor of such city; and (10) one member who holds a
20 reservation of use and occupancy and is a year-round resi-
21 dent within the lakeshore to be designated by the Secretary.”.

22 (b) Section 8 of such Act is further amended by insert-
23 ing the following new subsection (f) :

24 “(f) The Advisory Commission is authorized to assist
25 with the identification of economically and environmentally

1 acceptable areas, outside the boundaries of the lakeshore, for
2 the handling and disposal of industrial solid wastes pro-
3 duced by the coal-fired powerplant located in Porter County,
4 Indiana, section 21, township 37 north, range 6 west, as
5 designated on map numbered 626-91005.”.

6 (7) Section 10 of such Act is amended to read as fol-
7 lows: “There are hereby authorized to be appropriated such
8 sums as may be necessary to carry out the provisions of this
9 Act, but not more than \$93,381,900 for the acquisition of
10 lands and interests in lands, and not more than \$8,500,000
11 for development. By December 31, 1978, the Secretary shall
12 develop and transmit to the Committees on Interior and
13 Insular Affairs of the United States Congress a final master
14 plan detailing the development of the national lakeshore
15 consistent with the preservation objectives of this Act,
16 indicating:

17 “(1) the facilities needed to accommodate the
18 health, safety, and recreation needs of the visiting
19 public;

20 “(2) the location and estimated cost of all facilities,
21 together with a review of the consistency of the master
22 plan with State, areawide, and local governmental de-
23 velopment plans;

24 “(3) the projected need for any additional facilities
25 within the national lakeshore; and

1 “(4) specific opportunities for direct citizen partici-
2 pation in the planning and development of proposed
3 facilities and in the implementation of the master plan
4 generally.”.

5 (8) Such Act is amended by adding at the end thereof
6 the following:

7 “SEC. 11. (a) With respect to those portions of the
8 lakeshore authorized for acquisition by the Ninety-fourth
9 Congress any acquisition of lands or interests therein shall
10 not diminish any existing (as of March 1, 1975) rights-of-
11 way or easements which are necessary for high voltage elec-
12 trical transmission, pipelines, water mains, or line-haul rail-
13 road operations and maintenance.

14 “(b) Subject to such regulations as the Secretary deems
15 advisable to protect the natural and recreational values for
16 which the lakeshore was established, he may permit widen-
17 ing of rights-of-way or easements existing on the date of
18 enactment of this section across areas II-E and II-F as
19 designated on such map numbered 626-91005 for State,
20 county, city, or private roads; or for electric utilities, pipe-
21 lines, water mains, or conveyors.

22 “SEC. 12. (a) Nothing in this Act shall be construed as
23 prohibiting any otherwise legally authorized cooling, process,
24 or surface drainage into the part of the Little Calumet River
25 or Burns Waterway located within the lakeshore.

1 “(b) The authorization of lands to be added to the lake-
2 shore by the Ninety-fourth Congress, as indicated on map
3 numbered 626-91005 and the administration of such lands
4 as part of the lakeshore shall in and of itself in no way
5 operate to render more restrictive the application of Federal,
6 State, or local air and water pollution standards to the uses
7 of property outside the boundaries of the lakeshore, nor shall
8 it be construed to augment the control of water and air pollu-
9 tion sources in the State of Indiana beyond that required
10 pursuant to applicable Federal, State, or local law.

11 “SEC. 13. (a) The Secretary shall be authorized to
12 acquire, by donation, or negotiated purchase agreeable to
13 all parties, the remaining lands and waters between Burns
14 Waterway and the eastern boundary of area I-C within
15 section 25, township 37 north, range 7 west, as designated
16 on map numbered 626-91005. The authority of the Secretary
17 to acquire such lands and waters by condemnation shall be
18 suspended on the condition that the Secretary is given the
19 first opportunity to purchase such property or interests
20 therein at the stated price, not to exceed fair market value.

21 “SEC. 14. The Secretary shall construct an adequate
22 safety fence along the eastern edge of area I-C, within sec-
23 tion 25, township 37 north, range 7 west, as designated on
24 map numbered 626-91005, at the time that said land is
25 acquired.

1 “SEC. 15. Within one year after the date of the enact-
2 ment of this section, the Secretary shall submit, in writing, to
3 the Committees on Interior and Insular Affairs and to the
4 Committees on Appropriations of the United States Con-
5 gress a detailed plan which shall indicate—

6 “(1) the lands which he has previously acquired
7 by purchase, donation, exchange, or transfer for admin-
8 istration for the purpose of the lakeshore, and

9 “(2) the annual acquisition program (including the
10 level of funding) which he recommends for the ensuing
11 five fiscal years.

12 “SEC. 16. (a) The Secretary may acquire only such
13 interest in the right-of-way designated ‘Crossing A’ on map
14 numbered 626-91005 as he determines to be necessary to
15 assure public access along the banks of the Little Calumet
16 River within fifty feet north and south of the centerline of
17 said river.

18 “(b) The Secretary may acquire only such interest in
19 the right-of-way designated as ‘Crossing B’ on map num-
20 bered 626-91005 as he determines to be necessary to assure
21 public access across said right-of-way: *Provided*, That the
22 landowner of said right-of-way shall enter into a cooperative
23 agreement with the Secretary. Such agreement shall provide
24 that any roadway constructed by the landowner south of
25 United States Route 12 within said right-of-way shall in-

1 clude grading, landscaping, and plantings of vegetation de-
2 signed to prevent soil erosion and to minimize the aural and
3 visual impacts of such construction, and of traffic on such
4 roadway, as perceived from adjacent lands administered by
5 the Secretary.

6 "SEC. 17. The Secretary shall enter into a cooperative
7 agreement with the landowner of those lands north of the
8 Little Calumet River between the Penn Central Railroad
9 bridge within area II-E and 'Crossing A' within area IV-C.
10 Such agreement shall provide that any roadway constructed
11 by the landowner south of United States Route 12 within
12 such vicinity shall include grading, landscaping, and plant-
13 ings of vegetation designed to prevent soil erosion and to
14 minimize the aural and visual impacts of such construc-
15 tion, and of traffic on such roadway, as perceived from the
16 Little Calumet River.

17 "SEC. 18. After notifying the Committees on Interior
18 and Insular Affairs of the United States Congress, in writ-
19 ing, of his intention to do so and of the reasons therefor,
20 the Secretary may, if he finds that such lands would make
21 a significant contribution to the purposes for which the
22 lakeshore was established, accept title to any lands, or in-
23 terests in lands, located outside of the boundaries of the lake-
24 shore but contiguous thereto or to lands acquired under this
25 section, such lands the State of Indiana or its political sub-

1 divisions may acquire and offer to donate to the United
2 States or which any private person, organization, or public
3 or private corporation may offer to donate to the United
4 States and he may administer such lands as a part of the
5 lakeshore after publishing notice to that effect in the Federal
6 Register.

7 "SEC. 19. With respect to the property identified as area
8 VI-B on map numbered 626-91005, the Secretary shall
9 proceed with the acquisition of said property only after
10 entering into a cooperative agreement with the State of
11 Indiana which shall specify that 50 per centum of the pur-
12 chase price of the property, exclusive of the administrative
13 costs associated with its acquisition, shall be borne by the
14 State. Notwithstanding any other provision of law, the Sec-
15 retary may accept title to the property with the restriction
16 that said title shall revert to the ownership of the State if
17 the property ceases to be used for the purposes of the na-
18 tional lakeshore. The Secretary may enter into a cooperative
19 agreement whereby the State, any political subdivision
20 thereof, or any nonprofit organization, may undertake to
21 manage and interpret such area in a manner consistent with
22 the purposes of this Act. The Secretary shall consult the
23 State with respect to the management and operation of area
24 VI-B.

1 “Sec. 20. The Secretary shall construct adequate safety
2 fences along the western edge of area I-E and the eastern
3 and southern edges of area I-A East, as designated on map
4 numbered 626-91005, at the time that said land is acquired.”.

94TH CONGRESS
2D SESSION

H. R. 11455

IN THE SENATE OF THE UNITED STATES

FEBRUARY 18, 1976

Read twice and referred to the Committee on Interior and Insular Affairs

AN ACT

To amend the Act establishing the Indiana Dunes National Lakeshore to provide for the expansion of the lakeshore, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act entitled "An Act to provide for the establish-
4 ment of the Indiana Dunes National Lakeshore, and for other
5 purposes", approved November 5, 1966 (80 Stat. 1309),
6 as amended (16 U.S.C. 460u), is further amended as
7 follows:

1 (1) The last sentence of the first section of such Act is
2 amended by striking out "A Proposed Indiana Dunes Na-
3 tional Lakeshore', dated September 1966, and bearing the
4 number 'LNPNE-1008-ID'" and inserting in lieu thereof
5 "'Boundary Map, Indiana Dunes National Lakeshore', dated
6 December 1975, and bearing the number '626-91004'".

7 (2) Section 3 of such Act is amended by inserting the
8 following at the end of the first sentence: "By no later than
9 January 1, 1977, the Secretary shall publish in the Federal
10 Register a detailed description of the boundaries of the lake-
11 shore and shall from time to time so publish any additional
12 boundary changes as they may occur."

13 (3) (a) Section 4 (a) of such Act is hereby repealed,
14 and subsection 4 (b) is redesignated as section 4.

15 (b) The first sentence of section 4 of such Act is
16 amended by inserting immediately after "was begun before"
17 the following: "February 1, 1973, or, in the case of improved
18 property located within the boundaries delineated on a map
19 identified as 'A Proposed Indiana Dunes National Lake-
20 shore', dated September 1966, and bearing the number
21 'LNPNE-1008-ID', which map is on file and available for
22 public inspection in the office of the Director of the National
23 Park Service, Department of the Interior, before".

24 (4) Subsections 5 (d) and 5 (e) of such Act are hereby
25 repealed.

1 (5) (a) Section 6 (a) of such Act is amended by revis-
2 ing the first sentence thereof to read as follows: "Any owner
3 or owners, having attained age of majority, of improved
4 property on the date of its acquisition by the Secretary may,
5 as a condition to such acquisition, retain the right of use and
6 occupancy of the improved property for noncommercial
7 residential purposes for a term ending on the death of the
8 owner or the death of his or her spouse, whichever occurs
9 last, or for a term of twenty-five years, or for such lesser
10 term as the owner or owners may elect at the time of acqui-
11 sition by the Secretary."

12 (b) Section 6 of such Act is further amended by insert-
13 ing the following new subsection (c) :

14 “(c) Nonpayment of property taxes, validly assessed,
15 on any retained right of use and occupancy shall be grounds
16 for termination of such right by the Secretary. In the event
17 the Secretary terminates a right of use and occupancy under
18 this subsection he shall pay to the owners of the retained
19 right so terminated an amount equal to the fair market value
20 of the portion of said right which remained unexpired on the
21 date of termination.”.

22 (6) Section 8 (b) of such Act is amended (A) by strik-
23 ing out “seven members” and inserting in lieu thereof
24 “eleven members”, and (B) by striking out “and” imme-
25 diately after “State of Indiana;”, and (C) by striking out

1 "Portage," immediately after "Dune Acres," and (D) by
2 inserting immediately after "designated by the Secretary"
3 the following: "; (7) one member who is a year-round
4 resident of the city of Gary to be appointed from recom-
5 mendations made by the mayor of such city; (8) one
6 member who is a year-round resident of the towns of High-
7 land, Griffith, or Schererville to be appointed from recom-
8 mendations made by the board of trustees of such towns; (9)
9 one member who is a year-round resident of the city of
10 Portage to be appointed from recommendations made by
11 the mayor of such city; and (10) one member who holds
12 a reservation of use and occupancy and is a year-round resi-
13 dent within the lakeshore to be designated by the Secretary."

14 (7) Section 10 of such Act is amended to read as fol-
15 lows: "There are hereby authorized to be appropriated such
16 sums as may be necessary to carry out the provisions of this
17 Act, but not more than \$89,014,400 for the acquisition of
18 lands and interests in lands, and not more than \$8,500,000
19 for development. By December 31, 1977, the Secretary
20 shall develop and transmit to the Committees on Interior and
21 Insular Affairs of the United States Congress a final master
22 plan detailing the development of the national lakeshore con-
23 sistent with the preservation objectives of this Act, indicat-
24 ing:

1 “(1) the facilities needed to accommodate the
2 health, safety, and recreation needs of the visiting public;

3 “(2) the location and estimated cost of all facili-
4 ties, together with a review of the consistency of the
5 master plan with State, areawide, and local governmen-
6 tal development plans; and

7 “(3) the projected need for any additional facili-
8 ties within the national lakeshore.”.

9 (8) Such Act is amended by adding at the end thereof
10 the following:

11 “SEC. 11. (a) With respect to those portions of the
12 lakeshore authorized for acquisition by the Ninety-fourth
13 Congress any acquisition of lands or interests therein shall
14 not diminish any existing (as of March 1, 1975) rights-of-
15 way or easements which are necessary for high voltage elec-
16 trical transmission, pipelines, water mains, or line-haul rail-
17 road operations and maintenance.

18 “(b) Subject to such regulations as the Secretary deems
19 advisable to protect the natural and recreational values for
20 which the lakeshore was established, he may permit widen-
21 ing of rights-of-way or easements existing on the date of
22 enactment of this section across areas II-E and II-F as
23 designated on such map numbered 626-91004 for State,

1 county, city or private roads; or for electric utilities, pipe-
2 lines, water mains, or conveyors.

3 "SEC. 12. (a) Nothing in this Act shall be construed
4 as prohibiting any otherwise legally authorized cooling,
5 process, or surface drainage into the part of the Little Calumet
6 River or Burns Waterway located within the lakeshore.

7 "(b) The authorization of lands to be added to the
8 lakeshore by the Ninety-fourth Congress, as indicated on
9 map numbered 626-91004 and the administration of such
10 lands as part of the lakeshore shall in and of itself in no way
11 operate to render more restrictive the application of Federal,
12 State, or local air and water pollution standards to the uses
13 of property outside the boundaries of the lakeshore, nor shall
14 it be construed to augment the control of water and air
15 pollution sources in the State of Indiana beyond that required
16 pursuant to applicable Federal, State, or local law.

17 "SEC. 13. The Secretary shall accept the donation of a
18 scenic easement for unit II-A, as designated on the map ref-
19 erenced in section 1 of this Act (and as further detailed
20 on drawing number MS-150, Property Plat, Bailly Gen-
21 erating Station Nuclear 1, Northern Indiana Public Service
22 Company, dated June 1975), subject to the completed
23 negotiation and donation within six months of the date of
24 enactment of this section, of a scenic easement for such unit
25 which shall be satisfactory to him and the donor. Such

1 easement shall contain provisions for adequate protection of
2 unit II-A and the adjacent Indiana Dunes National Lake-
3 shore from all forms of construction, pollution, degradation
4 and adverse impact from whatever source and shall preserve
5 for the donor sufficient degree of dominion and control to
6 meet all requirements of part 100 of title 10, Code of Federal
7 Regulations, and shall permit the donor to continue the use
8 and maintenance of all structures and facilities existing upon
9 the date of enactment of this section which do not adversely
10 affect the lakeshore. The Secretary's authority to acquire unit
11 II-A by condemnation is hereby suspended for the six-
12 month period pending satisfactory negotiation of such scenic
13 easement and the consummation of the donation, and shall be
14 fully restored to the original boundary of unit II-A (as
15 shown on the map referenced 'Boundary Map, Indiana
16 Dunes National Lakeshore, dated January 1973, numbered
17 626-91003') upon expiration of that six-month period,
18 should satisfactory negotiation of such scenic easement and
19 donation thereof not be consummated within that time.

20 "SEC. 14. (a) The Secretary shall be authorized to
21 acquire, by donation, or negotiated purchase agreeable to all
22 parties, the remaining lands and waters between Burns
23 Waterway and the eastern boundary of area I-C within
24 section 25, township 37 north, range 7 west, as designated
25 on map numbered 626-91003-A. The authority of the

1 Secretary to acquire such lands and waters by condemnation
2 shall be suspended on the condition that the Secretary is
3 given the first opportunity to purchase such property or
4 interests therein at the stated price, not to exceed fair
5 market value.

6 "SEC. 15. The Secretary shall construct an adequate
7 safety fence along the eastern edge of area I-C, within sec-
8 tion 25, township 37 north, range 7 west, as designated on
9 map numbered 626-91003-A, at the time that said land is
10 acquired.

11 "SEC. 16. Within one year after the date of the enact-
12 ment of this section, the Secretary shall submit, in writing,
13 to the Committees on Interior and Insular Affairs and to the
14 Committees on Appropriations of the United States Congress
15 a detailed plan which shall indicate—

16 " (1) the lands which he has previously acquired by
17 purchase, donation, exchange, or transfer for administra-
18 tion for the purpose of the lakeshore, and

19 " (2) the annual acquisition program (including the
20 level of funding) which he recommends for the ensuing
21 five fiscal years.

22 "SEC. 17. The Secretary may acquire only such interest
23 in the right-of-way designated 'Crossing A' on map numbered
24 626-91004 as he determines to be necessary to assure public

1 access along the banks of the Little Calumet River within
2 fifty feet north and south of the centerline of said river.

3 "SEC. 18. The Secretary shall enter into a cooperative
4 agreement with the landowner of those lands north of the
5 Little Calumet River between the Penn Central Railroad
6 bridge within area II-E and 'Crossing A' within area IV-C.
7 Such agreement shall provide that any roadway constructed
8 by the landowner south of United States Route 12 within
9 such vicinity shall include grading, landscaping, and plant-
10 ings of vegetation designed to prevent soil erosion and to
11 minimize the aural and visual impacts of such construction,
12 and of traffic on such roadway, as perceived from the Little
13 Calumet River.

14 "SEC. 19. After notifying the Committees on Interior
15 and Insular Affairs of the United States Congress, in writing,
16 of his intention to do so and of the reasons therefor, the
17 Secretary may, if he finds that such lands would make a
18 significant contribution to the purposes for which the lake-
19 shore was established, accept title to any lands, or interests
20 in lands, located outside of the boundaries of the lakeshore but
21 contiguous thereto or to lands acquired under this section,
22 such the State of Indiana or its political subdivisions may ac-
23 quire and offer to donate to the United States or which any
24 private person, organization, or public or private corporation

1 may offer to donate to the United States and he may adminis-
2 ter such lands as a part of the lakeshore after publishing
3 notice to that effect in the Federal Register.

4 "SEC. 20. With respect to the property identified as
5 area VI-B on map numbered 626-91004, the Secretary
6 shall proceed with the acquisition of said property only after
7 entering into a cooperative agreement with the State of
8 Indiana which shall specify that 50 per centum of the pur-
9 chase price of the property, exclusive of the administrative
10 costs associated with its acquisition, shall be borne by the
11 State. Notwithstanding any other provision of law, the Sec-
12 retary may accept title to the property with the restriction
13 that said title shall revert to the ownership of the State if the
14 property ceases to be used for the purposes of the national
15 lakeshore. The Secretary may enter into a cooperative agree-
16 ment whereby the State, any political subdivision thereof,
17 or any nonprofit organization, may undertake to manage and
18 interpret such area in a manner consistent with the purposes

- 1 of this Act. The Secretary shall consult with the State with
2 respect to the management and operation of area VI-B.”.

Passed the House of Representatives February 17, 1976.

Attest: EDMUND L. HENSHAW, JR.,

Clerk.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 25, 1976.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to the request of your Committee for the views of this Department on S. 3329 and H.R. 11455 as passed by the House, similar bills, "To amend the Act establishing the Indiana Dunes National Lakeshore to provide for the expansion of the lakeshore and for other purposes."

We recommend the enactment of the enclosed substitute bill in lieu of the aforementioned bills.

S. 3329 would amend the 1966 Act establishing the Indiana Dunes National Lakeshore to provide for the addition of approximately 4,686 acres to the lakeshore at a cost of \$57,855,900. H.R. 11455 would provide for the addition of approximately 4,340 acres to the lakeshore at a cost of \$53,488,400.

Both S. 3329 and H.R. 11455 would expand the Indian Dunes National Lakeshore Advisory Commission from seven to eleven members. The bills contain language which authorizes the Secretary to permit rights-of-way for roads, utilities, pipelines, water mains, or conveyers. Whereas under the existing Act owners of "improved property" may retain a right of use and occupancy for a fixed term of not to exceed 25 years, these bills would expand this right to include both a term of years and a life estate for the life of the owner or his spouse, whoever lives longer. Both bills provide that non-payment of validly assessed property taxes by a person who has reserved use and occupancy shall be grounds for termination of that right by the Secretary.

H.R. 11455 amends the existing Act to permit the condemnation of all property. However, S. 3329 would prohibit the condemnation of "improved property" so long as approved zoning is in effect, and if the owner gives the government the first opportunity to purchase the property if he sells it.

The Indiana Dunes National Lakeshore, authorized by an Act of Congress on November 5, 1966 (89 Stat. 1309), contains an unusual complex of exceptional dunes, rising to heights of 200 feet; numerous marshes, swamps, and bogs; a diversity of flora and fauna; and attractive sand beaches along the lakeshore. In addition to being of scientific interest, the area is ideally suited to meeting the recreational needs of the people of the region. There are more than 9.5 million people living within a 100-mile radius of the lakeshore. When completed, the Indiana Dunes National Lakeshore will provide ideal conditions for beachgoers as well as for hikers, campers, and naturalists.

The National Park Service has identified approximately 203 acres of land which we believe should be added to the existing lakeshore immediately. Those areas include:

1. *West Beach additions*—Geographically, the West Beach additions are composed of two parcels of land located on opposite sides of the West Beach development unit of the lakeshore. Together these parcels comprise approximately 53 acres and would cost approximately \$575,000.

2. *Pinhook Bog*—This bog is widely recognized among ecologists as an exceptional and irreplaceable natural haven for the life forms peculiar to dunes wetlands. Pinhook Bog has been found to be eligible for recognition as a Natural Landmark by the Secretary's Advisory Board on National Parks, Historic Sites, Buildings and Monuments.

The approximately 150 acres herein recommended for addition to the Pinhook Bog unit are expected to cost approximately \$505,000 while tax losses to the local government would approximate \$1,125. Presently there are 3 improvements on this additional acreage.

In addition, we have identified several other areas which would be appropriate for acquisition at such time as we have completed the necessary development and acquisition within the existing authorized lakeshore. These other areas include:

1. *Furnessville Marsh*—This approximately 165-acre parcel of land contains the remaining marsh portion of a drainage system which is presently within the authorized boundaries of the lakeshore. Its acquisition would permit the

Service to control nearly all of that watershed. Further, the area provides an exceptional opportunity for the development of easy hiking trails in the proximity of the present lakeshore headquarters. This land will lend itself extremely well to the development of trails designed for the elderly and handicapped.

Land acquisition costs of this parcel would approximate \$680,000 and would remove approximately \$2,237 from the tax income of the local government. There are two improvements located in this parcel.

2. *Glacial Lake Dunes and Marshes*—This area, located immediately south of the present West Beach development unit, consists of approximately 527 acres of a wide expanse of ancient cattail marshes, dune ridges of variable heights, and scattered oak groves prized by naturalists and geologists. Its acquisition would approximate \$3,585,000 and would remove approximately \$29,905 from the tax income of the local government. Presently the parcel contains three improvements.

3. *West Beach High Dune*—This area consists of 80.75 acres and would cost approximately \$2,396,000.

S. 3329 and H.R. 11455 would add considerable other acreage to the established lakeshore, much of which we feel is not needed. In many areas highly concentrated industrial and/or residential development has despoiled any natural, scientific or recreational potential that the land might have once offered. For example, those areas east and southeast of the town of Ogden Dunes, Beverly Shores, and the areas near the Gary Airport. Other areas that would be added to the lakeshore by these bills would either be unmanageable or contrary to the purposes of the lakeshore.

The proposed additions along the Little Calumet River and Salt Creek, undoubtedly a good local recreational resource, should become the responsibility of the State or other local government agency. The two streams could provide educational opportunities and help protect the environmental quality of the growing residential areas of northern Porter County. However, this area is neither unspoiled nor a major river valley. Altered by man in the past, the Little Calumet is at present undergoing channeling, ditching, and streambed relocation. The future holds even greater changes for this stream. Recent introduction of game fish in the Little Calumet, if successful, will cause this resource to be heavily used by fishermen and others seeking recreation along its shores. Conservation easements will not be sufficient interest in this area if the proposed fishery is successful. Pollution control is of primary importance; management, supervision, and control of the public will become a major problem. Only separate management by some local or State agency would provide proper control and management of the use of this area.

These bills would also add the area known as Hoosier Prairie to the lakeshore as a detached addition. While this area has been recognized by the Secretary's Advisory Board as having national significance, its addition to the lakeshore is not recommended for several reasons. Resource management practices have long indicated that a prairie such as this is perpetuated by fire, a situation which would be nearly impossible here owing to the fact that it is partially surrounded by oil storage tanks and residential development. Additionally, the prairie exhibits little if any significance for which the lakeshore was established. Its management could only be accomplished by an agency other than the Service owing to its physical separation from the remainder of the lakeshore. Consequently, we recommend that the State of Indiana seek other sources of revenue such as the Land and Water Conservation Fund to effect the prairie's preservation and management.

Under the existing Act, "improved property" is exempt from condemnation so long as approved zoning is in effect. Under the provisions of H.R. 11455, the Act is amended to permit condemnation of all property. S. 3329 would prohibit condemnation of improved property so long as approved zoning is in effect, and if the owner gives the government the first opportunity to purchase the property if he sells it. We believe that the language of H.R. 11455 is a step in the right direction if these lands are ever to be made available for public use and enjoyment. In this heavily built up urban setting, green space is at a premium, and if the Federal Government is to purchase lands for urban recreation purposes as would be the case under these bills, we believe that the legislation ought to provide eventually for termination of all continued occupancy rights.

The enclosed substitute bill would amend the 1966 Indiana Dunes National Lakeshore Act by substituting reference to a new boundary map incorporating the additional lands we recommend to be added to the lakeshore, and by increasing the amount authorized to be appropriated for land acquisition. An increase of \$1,080,000 is needed to acquire the approximately 203 acres we recommend be added to the lakeshore immediately.

The draft substitute bill further amends the 1966 Act to add a member to the Advisory Commission to be appointed from recommendations submitted by the Mayor of Portage. In addition, because public use of the expanded lakeshore will have a substantial impact on the City of Gary in providing roads, sewers, and other municipal services, the draft bill also provides for a member of the Commission to be appointed from recommendations of the Mayor of Gary. It therefore expands the existing membership of the Commission from seven to nine. The bill also makes a technical amendment providing for rotation of the Commission member chosen from recommendations submitted by the seven towns referred to in section 8(b)(3) of the 1966 Act.

The Office of Management and Budget has advised that there is no objection to the presentation of this report and that enactment of S. 3329 and H.R. 11455 would not be consistent with the program of the President.

Sincerely yours,

NATHANIEL REED,
Assistant Secretary of the Interior.

Enclosure.

A BILL To revise the boundaries of the Indiana Dunes National Lakeshore, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of November 5, 1966 (80 Stat. 1309), providing for the establishment of the Indiana Dunes National Lakeshore, is amended—

(1) by deleting from the second sentence of the first section “‘A proposed Indiana Dunes National Lakeshore,’ dated September 1966, and bearing the number ‘LNPNE-1008-ID,’ and inserting in lieu thereof “‘Boundary Map, Indiana Dunes National Lakeshore,’ dated May 1975, and numbered 626-20,008-B;”

(2) by inserting the following immediately preceding the semicolon in subsection 8(b)(3) :

“, and unless no nominations are received, the member appointed pursuant to this paragraph shall not be a resident of the same town for consecutive terms;”

(3) by deleting “seven” from subsection 8(b) and inserting “nine” in lieu thereof, redesignating paragraphs (5) and (6) of subsection 8(b) as (7) and (8), and inserting the following new paragraphs (5) and (6) :

“(5) 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;

“(6) one member who is a year-round resident of the city of Gary to be appointed from recommendations submitted by the Mayor of such city;”
and

(4) by revising section 10 to read as follows :

“Sec. 10. There are hereby authorized to be appropriated not more than \$37,606,000 for the acquisition of land and interests in land pursuant to this Act.”

Senator JOHNSTON. Several additional statements have been received and will be incorporated into the record.

Let me say, if I may, we have, as I say, 125 minutes. We have on the hearing list 20 witnesses. Some of those witnesses, for example, Secretary Reed will take considerably more than his pro rata share of time. That means if every witness was given an equal share of time, it is not very much time. I hope we can have some coordination, particularly among the proponents of the bill to not have repetition and too, among yourselves, have those who have the most important and most critical testimony, have the most time.

It is always a problem, particularly in this subcommittee, because we always have many citizens who feel keenly their interest in these park matters but time is very difficult for us, so please keep that in mind.

I want to begin this morning with my good friend and distinguished colleague, Birch Bayh, the Senator from Indiana.

STATEMENT OF HON. BIRCH BAYH, A U.S. SENATOR FROM THE STATE OF INDIANA

Senator BAYH. Mr. Chairman, I appreciate very much the courtesy of the committee, particularly your leadership as chairman, the interest you have shown and the fact that I understand there is a trip planned, if it has not already been consummated, to visit the area with the staff. I think that is very important and I want to tell you how much those of us in Indiana appreciate your interest.

I am a bit reluctant to go before my senior colleague who is making a dire effort to be here and should be here by the time I finish testifying if not shortly thereafter. He is unavoidably detained.

Senator JOHNSTON. I am well aware of Senator Hartke's interest in this matter. He has blistered my ear and twisted my arm a number of times.

Senator BAYH. He has been avoidably detained and will be here shortly. He is the prime author and I appreciate the opportunity to cosponsor with him.

Mr. Chairman, perhaps it would save time if I quickly ran through this statement. What I tried to do in this statement was capsule those areas where you will have divergence of opinion here. I think it is fair to say that there is strong support in our State for this. Not everybody agrees on every parcel of it but I think you have to say that about 75 percent of the people of the State have understood the necessity of having give and take, so that the package that is before you in this bill, S. 3329, represents the best consensus that can possibly be put together.

The Dunes Lakeshore represents it in S. 3329, represents the culmination of over 25 years of efforts to preserve the natural state of the unique Indiana Dunes topography. In 1964, the Senate first passed legislation which would have established an 11,000-acre national lakeshore, similar to that which will be completed with the passage of S. 3329. Necessary compromises ultimately resulted in the enactment in 1966 of the existing 5,600-acre Indiana Dunes National Lakeshore and the first application of the concept of creating national recreation areas in heavily urbanized areas.

S. 3329 has been drafted to achieve several diverse but interrelated goals. First, permanent protection will be afforded to presently vulnerable natural areas. Second, recreation and outdoor enjoyment for over 7 million residents in the northern Indiana and Greater Chicago area.

Third, protection in the lakeshore area which is not adequately protected—

Senator JOHNSTON. Let me interrupt you at that point. You say 7 million residents who can use this. Is it fragile at all by the use from that public? In other words, can it support unlimited public use?

Senator BAYH. Not unlimited public use but I think certain areas have less beach area there this is designed to take into consideration the need for having heavy trafficking as far as surfing, beaching, swimming, enjoying the beach is concerned so that those who want to do that will not be traipsing over the more fragile dunes.

Senator JOHNSTON. The water quality of Lake Michigan is good at that point?

Senator BAYH. It is better than it has been and it is improving. It really has improved significantly.

Let me go unit by unit very quickly and resist the temptation to—Unit III-A, if I might ask you to follow me—could I yield to my senior colleague?

Senator JOHNSTON. Yes, we are very happy to have the distinguished senior Senator from Indiana.

STATEMENT OF HON. VANCE HARTKE, A U.S. SENATOR FROM THE STATE OF INDIANA

Senator HARTKE. Thank you, Senator Johnston.

Let me say that I am going down to the Finance Committee where we are marking up the tax reform bill, so-called. I want to thank my distinguished colleague, Senator Bayh, for yielding to me. We have worked together on this measure and I think we have come together pretty much on the approach which, as far as we are concerned, we think is not only in the best interest of the State of Indiana but certainly in the best interest of the Nation concerning this national lake shore.

I would like to express my appreciation for the timely consideration given this legislation in the face of a pressing subcommittee schedule. I, along with the cosponsors of the bill, my distinguished colleagues, Senator Bayh, Senator Hart of Michigan, Senators Humphrey, Jackson, Mondale, Percy, and Stevenson am grateful for your cooperation in granting this hearing.

It has now been a full decade since the original authorizing legislation to establish the Indiana Dunes National Lakeshore was passed by Congress. That act, allowing for 5,600 acres of parkland, fell well short of the over 11,000 acres envisioned as optimal for quality recreation for the millions who would benefit. Since 1966, the unfinished business of expanding the lakeshore has remained just that. In 1971, I introduced a bill which would have added 7,000 acres to the park. In 1974, along with Senator Bayh, I attempted to add 5,300 acres. The bill we consider today now includes 4,686 acres.

I want to pay special tribute to Congressman Fithian of the House of Representatives who has done an outstanding job in trying to meet the various competing desires of the people of that area and I think a lot of the responsibility for what has happened here constructively belongs to him. I think we should preserve once and for all those lands which remain unprotected and which could be lost forever.

Mr. Chairman, as we have proposed areas for inclusion in the past, we have had in mind certain purposes and applied certain criteria when considering these areas. These purposes have not changed and are reflected in the legislation before us today. First, we wish to in-

clude areas of unique and outstanding character which are currently outside of the existing lakeshore boundaries and are threatened with destruction. Secondly, in some instances, it is necessary to acquire additional land to keep the parkland safe from further encroachment. Thirdly, the legislation is intended to bolster the recreational potential of the lakeshore by adding lands particularly suited to that purpose.

Finally, to ensure the continued vitality of northwest Indiana, we have excluded certain acreages essential to the continued economic development of the area. I would like to stress, in reference to industrial development and job opportunity as it relates to the bill, the S. 3329 will not impose a no-growth policy on northern Indiana. Rather, this legislation seeks only to redirect growth away from those few thousand remaining acres of natural inheritance that merit preservation for all generations to come.

Mr. Chairman, the merits of the various areas will be discussed in much detail in the testimony which will be presented today; however, it is my firm belief that the additions we propose to the Indiana Dunes National Lakeshore represent the result of a careful and conscientious effort to strike a just balance between the environmental and economic concerns involved in the issue of expansion.

Therefore, I am hopeful that the committee will report favorably and soon on this legislation so that the full Senate will have opportunity to vote on it this session.

Senator JOHNSTON. Thank you very much, Senator Hartke.

Senator HARTKE. Do you have any questions? Or else I will go to the Finance Committee.

Senator JOHNSTON. We have a number of questions. I will withhold a temptation to ask them all of you because we would be here all morning if I got all my questions answered by you and I know you have to go to the Finance Committee.

Let me say that the subcommittee plans a trip to the dunes which you requested some weeks ago and we plan to make that trip. We deem this a matter of very high priority. If we had acted as a nation properly back when we had a chance, we would have been able to acquire the whole 11,000 acres at a reasonable price and would not have interfered with anyone's development plans. Time is still of the essence for us to act now and in a definitive way to preserve as much of these dunes as we can afford.

I thank you, Senator Hartke, for your interest and Senator Bayh for yours and we will consider this matter very sympathetically.

Senator BAYH. Do you want me to go ahead with this block by block or would you just as soon I put it in the record?

Senator JOHNSTON. We will certainly consider it in the record.

Senator BAYH. I think, because there are many people here who have traveled a long way to be here and because of your limited time, it might serve the committee and everybody better if I just put this in the record. What I tried to do, Mr. Chairman, is to go over some of the more sensitive areas in which everybody in this room is not in agreement and try to show why they were included.

What we have tried to do is to mesh what just a few years ago had been irreconcilable interest, the interests of environment and recrea-

tion and the interest of industrial expansion, jobs. We have a unique opportunity in that area of America, the world really, where you have millions of people living, an area that makes more steel than any other concentrated area in the world. Right there, we have the opportunity to preserve some of the most wonderful blessings of nature. To do that, it is important to put some areas in to protect from encroaching outside forces and it has been necessary, we felt, that we take some pieces out that were necessary for industrial expansion.

I think we have reached as delicate a balance as we can in this bill and if you have further questions, I will be glad to deal with them, although I think we have expert witnesses here who can deal with it and who have been fighting this almost for a lifetime.

I appreciate your sensitivity and your willingness to lend a hand in this. My distinguished colleague from Illinois, we will be glad to have him come over swimming in Indiana around those dunes.

Senator JOHNSTON. Thank you very much, Senator Bayh. We appreciate your testimony very much.

[The prepared statement of Senator Bayh follows:]

STATEMENT OF HON. BIRCH BAYH, A U.S. SENATOR FROM THE STATE OF INDIANA

Mr. Chairman, the Indiana Dunes National Lakeshore Expansion bill, S. 3329 represents the culmination of over 25 years of efforts to preserve the natural state of the unique Indiana Dunes topography. In 1964, the Senate first passed legislation which would have established an 11,000 acre national lakeshore, similar to that which will be completed with the passage of S. 3329. Necessary compromises ultimately resulted in the enactment in 1966 of the existing 5,600 acre Indiana Dunes National Lakeshore and the first application of the concept of creating national recreational areas in heavily urbanized areas.

S. 3329 has been drafted to achieve several diverse but interrelated goals. First, permanent protection will be afforded to presently vulnerable natural areas. Secondly, the over seven million residents of northern Indiana and the greater Chicago metropolitan area will be provided with largely expanded recreational facilities. Thirdly, necessary and reasonable protection will be afforded to areas in the existing Lakeshore not adequately protected from the degradation which is a result of the surrounding urban environment. Finally, S. 3329 excludes land previously proposed for inclusion in the Lakeshore, but whose exclusion is essential to the economic growth and vitality of Northwestern Indiana.

Mr. Chairman, while I desire to keep my remarks as brief as possible in order to ensure that there is adequate opportunity for the Subcommittee to hear from the many persons who have expended considerable time and money in order to be here today, I believe it is necessary to discuss with you a few of the areas proposed for inclusion in the expanded Lakeshore.

Unit III-A, commonly referred to as the Beverly Shores Island, is located in the heart of the eastern unit of the National Lakeshore. The acquisition of this area of approximately 650 acres is crucial to the long range integrity of the Lakeshore and the ability to accommodate the increasing public recreation use. The estimated acquisition cost for Beverly Shores of \$23 million is not inconsistent with costs being incurred in the development of similar urban parks, and the residents of this area, as you shall hear shortly, overwhelmingly support the inclusion of Beverly Shores in the Lakeshore. Beverly Shores is also included in H.R. 11455, the Indiana Dunes National Lakeshore Expansion Bill passed by the House of Representatives last February.

Unit II-A, known as the NIPSCO Greenbelt, has been an area of great controversy since the first expansion bill was introduced by Congressman Roush and myself almost six years ago. The Greenbelt, as presently included in S. 3329, contains sites used by the Northern Indiana Public Service Company for the dumping of ash from their "Bailly" coal fired power plant. Seepage of this ash can cause unacceptable degradation to adjoining portions

of the existing National Lakeshore. The acquisition of the Greenbelt, including the dump sites, is, therefore, essential to the maintenance of the environmental integrity of the Lakeshore and has been one of my major objectives in proposing this expansion bill. S. 3329 is neutral with regards to the controversy surrounding the construction of the "Bailly" nuclear power plant, as this bill excludes from the Lakeshore boundaries the north/south leg of the Greenbelt.

Unit I-E, Miller Lagoon and Woods, adjoins the City of Gary's Marquette Park. This 302 acre tract contains shoreline with excellent recreational potential and remains virtually in its natural state. Included in the House passed bill, Miller Lagoon and Woods should be protected against the imminent threat of industrial development. The construction of a small-boat marina adjacent to Unit I-E, as desired by the City of Gary, would not be inconsistent with the inclusion of Miller Lagoon and Woods in the National Lakeshore.

Another area also in the bill passed by the House is Unit III-B, which includes beautiful Crescent Dune and beach front. This 18 acre tract, with eighty foot high dunes, is adjacent to Michigan City and would be an excellent addition at the eastern edge of the National Lakeshore. Inclusion of Unit III-B would also provide needed protection against degradation of the environmentally significant lands in the immediate area.

Two excellent additions to the National Lakeshore which are in S. 3329 but not in the House bill are Unit I-A (East) and Unit I-B. Unit I-A (East), the sixth subdivision of the Town of Ogden Dunes, was included in the first Dunes expansion bill. In the past three years, some limited construction has begun on this otherwise undeveloped tract. Under the provisions of S. 3329, the tract would be returned to its natural state. Inclusion of Unit I-A (East) in the National Lakeshore would preserve an especially beautiful portion of the Indiana Dunes and greatly increase the recreational potential of the adjacent and very heavily used West Beach. Unit I-B is a forty acre tract of high dunes. As with many other areas included in S. 3329, this Unit has been designed to ensure preservation of the most significant natural areas, while providing acreage necessary for reasonable industrial development. In this instance, over 160 acres included in earlier Dunes expansion bills have been deleted in order to provide land for the development of satellite industries associated with the nearby steel mills.

Finally, Mr. Chairman, I would like to call the Subcommittee's attention to the provisions in S. 3329 which suspend the federal government's condemnation authority over residential property until such time as the title to that property is transferred. That suspension is a continuation of the policies in the original Indiana Dunes National Lakeshore Act and has been a key factor in the overwhelming support area residents have given to the existing Lakeshore and our proposed expansion bill. I would strongly urge the Subcommittee to retain these provisions.

Mr. Chairman, it should be noted that expansion of the Indiana Dunes National Lakeshore is a popular cause in Northwestern Indiana. The many area residents who have travelled to Washington to be at this hearing are representative of the support the people of Indiana have given and will continue to give to the efforts to expand the National Lakeshore. I would like to urge the members of this Subcommittee and the members of the Committee on Interior and Insular Affairs to consider the Indiana Dunes National Lakeshore expansion bill, S. 3329, in light of our nation's growing awareness of the need to preserve the increasingly scarce unique natural areas that have always made this one of the, if not the most, diverse and beautiful countries in the world. The Indiana Dunes is such an area and deserves the expanded protection to be afforded by S. 3329.

Senator JOHNSTON. We are glad to welcome to the committee the distinguished Senator from Illinois, Senator Stevenson.

Senator Percy has just come in and we are also very glad to welcome him to the committee.

Gentlemen, if you will proceed in your own way and at your own rate, we will be happy to hear from you.

**STATEMENT OF HON. ADLAI E. STEVENSON, A U.S. SENATOR FROM
THE STATE OF ILLINOIS**

Senator STEVENSON. Mr. Chairman, I am grateful for the opportunity to appear here in support of S. 3329. Like my colleagues, Senator Bayh and Senator Percy, I have already done a good deal of tramping in the dunes and can testify to the value of this park from personal experience.

The effort to preserve this national as well as regional treasure was begun by my predecessor, of both Senator Percy and I, some 20 years ago, Senator Paul Douglas. He began the fight to preserve, to create the Indiana Dunes National Lakeshore.

The 4,340 additional acres proposed to be acquired under this bill are not only important wilderness areas in their own right, but essential to the preservation of large sections of parkland already acquired. Further delay, and it has been some 20 years since beginning this, in their acquisition and development could mean more environmental degradation in the area as well as the loss of these valuable territories which could be added and enjoyed by many people.

Industrial development already divides the park in half and threatens further encroachment into sensitive areas in both the eastern and western portions of the park. Without the addition of areas like Glacial Lake, Dune Beach, and Crescent Dune, further deterioration of sensitive areas now in the park are inevitable.

It is also essential that areas ripe for private development which adjoin protected park lands, as well as those already developed like Beverly Shores, be acquired and integrated into long-range park planning. This is indeed as much to protect those lands already acquired as to meet ever-growing recreational needs. For example, it is estimated that when opened, the West Beach area alone will serve 87,000 visitors per day on a warm summer weekend. This is the most park-starved metropolitan area in the country.

Senator JOHNSTON. How many visitors would the whole area serve?

Senator STEVENSON. The figure I gave you was just for the West Beach area. The visitors per day for the entire National Dunes Lakeshore that we contemplate or are supporting. I could not give you. Maybe some of the experts could.

Senator JOHNSTON. I am sure Secretary Reed will have that. The present State park has 1 million plus per year I am advised, that is the State park.

Senator STEVENSON. This would be substantially enhanced in attractiveness to the people in this large metropolitan area. It would be the first urban national park in the Nation.

Every acre of land proposed to be acquired under S. 3329 serves this dual purpose of insuring the preservation of the original park while adding to its treasures. As we have already seen, every day we wait means escalating land acquisition costs, as well as irreversible environmental degradation to the 8,000-year-old glacial lakes, lagoons, dunes, and marshes that make up this disappearing wonderland in the heart of the Nation's most park-starved metropolitan area. Some of the tracts proposed for acquisition in the first expansion bill in 1971 have already given way to dune buggies, bulldozers, and cement mixers.

So I urge my colleagues to heed the lesson of the last decade and act now to preserve what is left by reporting this bill favorably to the Senate floor. S. 3329 is the product of many years of negotiation between interested parties in the area. It is an attempt by all to preserve a very special part of the Nation's geological and natural history in the heart of one of the largest metropolitan areas in the Nation.

Mr. Chairman, I thank you again and I ask consent to place in your record a fuller statement than I have delivered.

Senator JOHNSTON. Thank you very much, Senator Stevenson. We will place in the record your full statement and very carefully consider it.

I would just like to mention to you that our problem on this committee as well as most committees in this Congress is one of dollars. We passed in the Senate the Land Water Conservation Fund, which increased that fund but we ran into great resistance in the House. We will go into conference on that bill soon with OMB most particularly.

I would just like to implore you to help us with that bill so that we can get the money to acquire as many of these sensitive areas. They are escalating in price and being lost to the bulldozers and being environmentally degraded year by year as your testimony shows so eloquently.

If we don't acquire these areas now, they are going to be lost and we need to act quickly. I thank you very much for your testimony.

Senator STEVENSON. I thank you, sir, and I agree with you completely.

[The prepared statement of Senator Stevenson follows:]

STATEMENT OF HON. ADLAI E. STEVENSON, A U.S. SENATOR FROM THE STATE OF ILLINOIS

Mr. Chairman, I appreciate the opportunity to testify on S. 3329, of which I am an original sponsor, providing for the expansion of the Indiana Dunes National Lakeshore. I thank the Committee for holding this hearing, and for its support over the years of Dunes related legislation.

Although the original 5,600 acre park was created in 1966, it will not officially open to the public until sometime this summer. This decade long delay in the development of our nation's first urban national park has cost the taxpayers of the nation and the park users of the Middle West dearly as land acquisition and development costs have skyrocketed and unprotected natural wonders have deteriorated.

The Committee's cooperation in helping speed up the Interior Department's slow development schedule, and authorizing a new acquisition ceiling for the original acreage when continued delay made that necessary, have been deeply appreciated by those who have worked many years to see this park become a reality.

The 4,340 additional acres proposed to be acquired under S. 3329 are not only important wilderness areas in their own right, but essential to the preservation of large sections of parkland already acquired. Further delay in their acquisition and development could mean the loss of both.

Industrial development already divides the park in half and threatens further encroachment into sensitive areas in both the eastern and western portions of the Park. Without the addition of areas like Glacial Lake, Dune Beach and Crescent Dune, further deterioration of sensitive areas now in the park are inevitable.

It is also essential that areas ripe for private development which adjoin protected park lands, as well as those already developed like Beverly Shores, be acquired and integrated into long range park planning. This is needed as

much to protect those lands already acquired as to meet ever-growing recreational needs. For example, it is estimated that when opened, the West Beach area alone will serve 87,000 visitors per day on a warm summer weekend.

Every acre of land proposed to be acquired under S. 3329 serves this dual purpose of insuring the preservation of the original park while adding to its treasures. As we have already seen, every day we wait means escalating land acquisition costs, as well as irreversible environmental degradation to the 8,000 year old glacial lakes, lagoons, dunes and marshes that make up this disappearing wonderland in the heart of the nation's most park-starved metropolitan area. Some of the tracts proposed for acquisition in the first expansion bill in 1971 have already given way to dune buggies, bulldozers and cement mixers.

So I urge my colleagues to heed the lesson of the last decade and act now to preserve what is left by reporting this bill favorably to the Senate floor. S. 3329 is the product of many years of negotiation between interested parties in the area. It is an attempt by all to preserve a very special part of the nation's geological and natural history in the heart of one of the largest metropolitan areas in the nation.

On behalf of the ten million people of Northeastern Illinois and Northern Indiana, for whom this park will provide much-needed recreational opportunities, I urge this Committee to act favorably on S. 3329 and complete the task begun by Senator Paul H. Douglas more than 20 years ago when he began his fight to preserve and create the Indiana Dunes National Lakeshore.

Senator JOHNSTON. Senator Percy.

STATEMENT OF HON. CHARLES H. PERCY, A U.S. SENATOR FROM THE STATE OF ILLINOIS

Senator PERCY. I am delighted, Mr. Chairman, to join my distinguished colleague, Adlai Stevenson, and the Senators from surrounding States in supporting S. 3329. I am grateful for the timeliness with which these hearings were convened.

Paul Douglas was my predecessor in the Senate. He was here for 18 years and was known for his many accomplishments. Of these, two things close to his heart were truth in lending, which did become law 2 years after he left the Senate, the passage of which was a tribute to his work; and of course, throughout his Senate career, he championed the cause of the Indiana dunes—to preserve one of nature's wonders in the heart of the country—

Senator JOHNSTON. How far is this from Illinois?

Senator PERCY. One hour by rail or car from downtown Chicago.

When I look at the State of Illinois, we are richly endowed, in many ways. But we are a real have-not State in one respect. We are one of the few States in the Nation that does not have a single national park. We have during the last decade acquired and made improvements in our own State parks to a greater extent than before.

So our population has looked upon itself, not as too parochial, for we have the ability to get on planes and go out and enjoy the beauties of other States, but there are those of us who just love to visit the dunes as I did as a boy. For my Boy Scout troop it was an annual pilgrimage to go to the dunes as it was with most of the Boy Scouts, Girl Scouts, Campfire Girls, and hiking groups in Illinois.

There are people in Illinois, Minnesota, Michigan, and in other States who enjoy this area tremendously.

Back in 1916, Steven Mather, first director of the National Park Service, recommended the Indiana dunes for national park status.

No other national park, Mather said, "is so accessible, offers the illustration of the action of the wind on sand accumulated from a great body of water, extraordinary scenery, large variety of plant life, and splendid opportunities to camp and live in the wild country close to nature."

It took 50 years for Mather's vision to become a reality. Through the tireless efforts of Senator Paul Douglas, and the "Save the Dunes Council," a classic compromise was reached in 1966 between the proponents of industrial growth and the conservationists when Congress established the Indiana Dunes National Lakeshore.

Unfortunately, the park was incomplete. Indeed, Mather envisioned a larger area to be included in the park boundaries which he believed qualified for national park designation. The modest size of the Nation's first national urban park—some 8,000 acres—hardly compares in size to the other, newer, urban park. This addition of about 4,700 acres is, therefore, absolutely essential. The increased acreage would mean that the park would be protected from further encroachment and its integrity preserved.

An important addition to the established lakeshore is the remainder of the town of Beverly Shores. Most of the town was included in the park as originally authorized. The final step of bringing the rest of the town within the park boundaries would be valuable for two reasons—it is in accordance with the wishes of the majority of the residents and it would guard against intensified development which would have an adverse impact on the existing park.

The expanded area also would include Hoosier Prairie, which is Indiana's last link to the shrinking American prairie. It should be managed and interpreted in a manner consistent with the purpose of this act.

Since Illinois, with 11.1 million people, is one of the few States that does not have a national park within its borders, the dunes have become a favorite recreation area for Illinois residents. We have heard the pleas from urban dwellers that we provide them with an outdoor experience that is close to home and readily accessible to them. The sandy beaches of the dunes are accessible by both rail and car in less than an hour from downtown Chicago.

Additional land is needed to preserve the ecological and recreational value of the lakeshore, not only for Illinoisans, but for the rest of the millions of people living within the Great Lakes region. By expanding the existing boundaries of the lakeshore, necessary buffer zones would be created and significant natural resources would be protected.

I would like to close, Mr. Chairman, with a quotation from Carl Sandburg, who knew this area as well as anyone. He said of the dunes, "they represent the signature of time and eternity." Now is the time for Congress to complete the Indiana Dunes National Lakeshore by adding the last remaining tracts of land worthy of inclusion.

Mr. Chairman, I respectfully urge the committee to report this legislation favorably so that the Senate may have an opportunity to vote on it this session.

Senator JOHNSTON. Thank you very much indeed, Senator Percy, you make a very strong case.

Next, we are happy to have with us the Honorable Nathaniel P. Reed, Assistant Secretary of the Department of the Interior, who will give us the Department's position.

STATEMENT OF HON. NATHANIEL P. REED, ASSISTANT SECRETARY, FISH, WILDLIFE AND PARKS, U.S. DEPARTMENT OF THE INTERIOR

Secretary REED. Good morning, Mr. Charman, I am delighted to be here this morning. With me on my right is Mr. J. R. Whitehouse, who is superintendent of Indiana Dunes National Lakeshore and on my left, Mr. Gerry Tays, special assistant to the director. The director is still at a regional directors' meeting and I told him I would not want him to come back from Harper's Ferry for this hearing and he extends his best wishes.

Mr. Chairman, I know there are people here from the area who wish to be heard and I wish them to have the opportunity to be heard. With your permission, I would enter my statement which is long and very precise, for the record and simply read to you the administration's position and then would go over to the map and take you through the map exercise if that fits your schedule, sir.

Senator JOHNSTON. Yes, I would like you to read the administration's position and let me ask you a question about that.

Secretary REED. All right, sir.

Mr. Chairman, in endeavoring to determine an administration position on these bills, we have had to analyze what we feel is the Federal role here and what is properly the responsibility of the State of Indiana and the local units of government.

We believe the Federal role in this case is to provide a maximum amount of protection for the nationally significant natural features which are largely in the area which you see in green on the map.

The areas proposed for addition to the lakeshore in these bills include some land, approximately 203 acres which would enhance our ability to manage what we already have and enable us to protect, preserve and interpret significant natural resources that relate to the ecology of the dunes area.

The cost of these 203 acres is estimated to be \$1,080,000. The remaining lands proposed for addition under these bills are without question important for local recreation use. But I must emphasize, Mr. Chairman, that they do not contribute to our responsibilities for managing and protecting the main body of the Lakeshore.

The Land and Water Conservation Fund Act of 1965 was specifically designed and does assist States and local communities in purchasing and developing parcels such as these. As a matter of fact, the pending bill in the case of Parcel 6B, Hoosier Prairie, adopted 50-50 acquisition formula of the Land and Water Conservation Fund.

Even without this legislation, we made available half the cost of this acquisition. On May 6, 1976, the Department announced a grant of \$450,000 had been made from the contingency reserve of the Land and Water Conservation Fund for the acquisition of the 345-acre Hoosier Prairie. The State provided a matching amount of \$450,000.

It is therefore our belief that only the additions that I have recommended should be adopted by the committee and that the State of Indiana should be encouraged with strong Federal support which I pledge to you today to acquire the additional lands for local recreation use.

Mr. Chairman, I have been privileged to visit Indiana Dunes and I was amazed that within this complex of industry there remains such a fine resource. If we were able to act on Steven Mather's suggestion in 1917 that the area be acquired for a national park, I am sure that you and I would not be here today considering proposals for additions to a national lakeshore of a little over 8,000 acres.

Instead, we would have the opportunity of enjoying a high quality recreation experience within a national park of thousands of acres larger than what we were able to preserve today. Further, Mr. Chairman, facing the fact that we are \$479 million in backlog, I am less than enthusiastic of taking on \$57.8 million of new backlog.

I have great sympathy for the local supporters who have seen the opportunity at Indiana Dunes steadily erode. This does not in any way change my views that many of the proposed additions are impossible to manage and are excessively expensive. I commend this area to the personal inspection of those on the committee who have not been able to visit the area thus far.

I trust that you may also have an opportunity to visit the Indiana Dunes and go over the area including the additions we have discussed today.

Mr. Chairman, I have a supplemental statement which discusses these proposed additions on a parcel by parcel basis and explains the differences in the proposals now pending before this committee. With your permission, I would like to offer it for the record and respond to any questions you may have.

Senator JOHNSTON. Without objection, that statement will be entered into the record.

Now, the total acquisition here, the total estimated cost of the whole requested area in this bill is about \$57.8 million. Your statement indicates that you think that Indiana can handle their share. I take it you recommend the \$1,080,000.

Secretary REED. We look with favor on properties worth \$6,860,000 for inclusion after the \$1,080,000 and a reduction in the backlog.

Senator JOHNSTON. That is Federal acquisition?

Secretary REED. Yes.

Senator JOHNSTON. That is \$6 million how much?

Secretary REED. \$860,000. We have identified those properties as being viable and being able to be purchased a few years after we have finished the \$1,080,000 and acquired the additional acres we need to acquire under the presently authorized bill.

Senator JOHNSTON. There's 1,000 acres already authorized—

Secretary REED. Left to be purchased and you will find that in my statement, 1,000 acres left to be acquired—

Senator JOHNSTON. That is already authorized.

Secretary REED. It just needs funding.

Senator JOHNSTON. It has not been funded. Then you are recommending—

Secretary REED. We recommend 203 acres for immediate purchase for \$1,080,000. Later, 784 acres for \$6,860,000.

Senator JOHNSTON. Is that the Federal amount of Federal involvement that you recommend?

Secretary REED. Yes, sir.

Senator JOHNSTON. What would you recommend to Indiana under their land and water conservation fund?

Secretary REED. We would recommend certain parcels in here which would be valuable, certainly along the river, the Little Calumet, and many other areas which are basically unmanageable, and many other areas which are basically unmanageable for us and may be of interest to them.

Senator JOHNSTON. Obviously, out of \$57.8 million, you recommend about \$7 million of Federal involvement. That leaves \$50 million. They could not take care of \$50 million out of the land and water conservation fund.

Secretary REED. As long as Uncle Sam is paying for the \$50 million, they are desirable. I think if you were judging this land very objectively and had to pay for it yourself, you might sharpen your pencil, Mr. Chairman.

Senator JOHNSTON. Right. Is there anything else that Indiana needs to do that it is not doing in terms of land use regulation or overall planning in your view?

Secretary REED. I think it is a little late in the ball game to discuss that here, sir, because the forces have come and gone. We are no longer talking about an area which in any way can be remotely described as pristine. The opportunities for planning have dissolved with the tremendous amount of development of industry that has gone on in this area without any regard to long range planning. But there is very little land left to effectively land use plan on.

Senator JOHNSTON. There is nothing then that Indiana needs to do other than to decide how much of its own land and water conservation fund it wants to put up.

Secretary REED. Exactly, sir. In our view, we have a choice of responsibilities here, who does what. The easy way out is for the Federal Government to acquire.

Senator JOHNSTON. Of these areas, before we get into a step by step, parcel by parcel thing—the green is the existing lakeshore.

Secretary REED. The green is the existing lakeshore, sir. The red is the additions in the Senate bill which we testified to and I have an overlay showing the House bill which I can overlay at this time showing you the differences or I can hold it back. I will leave this map with you so that as you go into markup, you will have this excellent visual aid.

Senator JOHNSTON. I am sure that all of these bills have most of these areas in them.

Secretary REED. Why don't I flip over to the House bill very quickly and you can see the additions on the Senate bill? They are small, upstream of Calumet, for instance, the addition here at the back of Ogden Dunes. This area up here which is adjacent to an airport. There is a slight addition here, a slight addition here. They are minor and small tracts of land.

Senator JOHNSTON. The Senate bill is the most extensive of all.

Secretary REED. It is slightly larger than the House bill. I think this visually portrays it quite well. If you would like, I can start at I-A and go through it. It will take me about 10 minutes.

Senator JOHNSTON. Please proceed.

Secretary REED. I will do this quickly. Stop me wherever you want, Mr. Chairman.

Unit I-A, the West Beach buffer zone. It consists of three parcels comprising approximately 158.11 acres. The area contains woods and moving dunes and is proposed as a buffer and protective area to the core area of the Lakeshore. The estimate cost of acquiring this unit is approximately \$5.5 million, and is that expensive due to the cost of 84 improvements. The House bill would add 134.11 acres approximately, also including 84 improvements, at an estimated cost of \$5,390,800. We believe that development on some of these tracts makes them prohibitively expensive. The administration does recommend the acquisition of roughly 12 acres along Highway 12 to protect the drainage into Long Lake.

Senator JOHNSTON. The green area is the beach area?

Secretary REED. Yes, sir, that is where we are building the beach house now which will have the entire locker facilities. You will see with the construction finished in September hopefully, we had a difficult time getting this facility built. In September, it will be completed and you will see visitation go from approximately 100,000 in the Federal park compared to over 1 million in the State park.

We are—our 10-year projection is to go up to 3 million visitors on the National Park Service lands with a rise in visitation on the State lands as well.

Senator JOHNSTON. That is because of the facilities you are constructing?

Secretary REED. Yes, due to the facilities we are constructing. There has not been a place to park or to change into bathing suits or if you wanted to get wet, to get dry. This bathhouse will do that.

Senator JOHNSTON. You come in a long way there, it looks like almost a mile, from the shoreline end.

Mr. TAYS. That is correct, sir.

Senator JOHNSTON. Those are all dunes back—

Secretary REED. Yes, I have a photograph of them if you would like that.

Senator JOHNSTON. Yes, I would like to see that.

Mr. TAYS. I am not sure that we have one of 1-A.

Secretary REED. In the move from one office to another office, the famous picture from the U-2 was lost. It is an epic photograph and I miss it terribly because it shows the entire thing on a rollout. I will have to have it reprinted by NASA. I don't seem to have a photograph, Mr. Chairman. Shall I continue?

Senator JOHNSTON. Yes, please. Now, this is not one of those areas which you recommend.

Secretary REED. No.

Mr. TAYS. We recommend the roughly 12 acres here which abuts the southeast corner of the existing park along U.S. 12.

Senator JOHNSTON. Why do you recommend those 12 acres?

Mr. TAYS. There is a water impoundment here and if that impoundment were extended further to the south, the drainage which runs in this direction would be stopped. Here is the area Secretary Reed referred to as Long Lake. If the drainage from that area were stopped, in time that area would be drained. This would protect the drainage through this area. This is all wet lands in through here.

Senator JOHNSTON. You want to preserve the wetlands?

Mr. TAYS. That's correct.

Secretary REED. We are not keen to buy the 84 houses. The second addition, referred to as 1-B, Glacier Lake Dunes, is an area of glacial lakes, dunes, and marshes. This area would include within the Lake-shore additional evidence of the land forms associated with glacial activities. The Senate bill would include approximately 623.91 acres, with seven improvements, at an acquisition cost of approximately \$5,225,000; the House bill, on the other hand, would add 585 acres approximately, with three improvements, at a cost of about \$4,300,000. We favor the acquisition of 1-B west at a future date. This area, located immediately south of the present West Beach development unit, consists of approximately 527 acres of a wide expanse of ancient cattail marshes, dune ridges of variable heights, and scattered oak groves prized by naturalists and geologists. Its acquisition would approximate \$3,585,000. The eastern portion of the unit is not recommended because it is bisected by a utility right-of-way for power transmission lines.

Senator JOHNSTON. You recommend \$4 million worth of that portion and the Senate and House bill respectively recommend about \$5 million worth. Is that all due to this—

Secretary REED. No, the Senate bill recommends 5.2 and the House 4.3. I think the difference is simply on development.

Mr. TAYS. The House version includes this area. This is also what we recommend for a future date. The Senate bill adds this portion right here which is bisected by the power transmission corridor. This is the only addition on the Senate bill.

Senator JOHNSTON. This is an area of marshes and lakes and that sort of thing?

Secretary REED. Marshes, lakes, high dune ridges and great oak groves. It is an area prized by naturalists and botanists over many, many years and the committee ought to look very carefully at this one but that expensive appendix up there should also be looked at carefully.

Senator JOHNSTON. Why is it prized by naturalists?

Secretary REED. Because of the unique botanical forms mixed in, from lake to marsh from dune to oak grove is a marvelously complex eco system which is very, very interesting.

Senator JOHNSTON. Is it susceptible to much recreation use?

Secretary REED. Yes, it can be used properly on trails and there is no reason to believe that it is so sensitive that it can't be used.

Senator JOHNSTON. What is the development pressure on it? Is it immediate, can you safely postpone that?

Secretary REED. The administration's position was that that could be postponed and the Park Service wanted this area very badly. The administration came down that this could be reserved for a future purpose.

Senator JOHNSTON. Reserve it for a future purchase, you don't recommend against an authorization, do you?

Secretary REED. We are in the position, Mr. Chairman, that we are explaining to you that we favor this but we recommend a future purchase.

Senator JOHNSTON. I take it that means a future appropriation and a present authorization.

Secretary REED. Yes, sir.

Future expansion of the Port of Indiana and related barge canal will require the land to be further reduced and altered; and boat marina facilities are planned by others having primary responsibility for the development of the canal.

Next is an area of about 156.11 acres at an estimated cost of \$2,514,000, referred to as parcel 1-C, the east beach and dunes extension. The area has varied dune topography with beach frontage. Vegetation consists of a variety of trees from oak to evergreen with cactus grasses and brush and some open sand dune areas. There are no improvements within this parcel. The Senate bill authorizes the acquisition of about 101.11 acres with restriction at a cost of \$1,640,000, and the acquisition only by negotiation of an additional 33.97 approximate acres at an additional cost of about \$564,000. This property is virtually inaccessible; it would require a 1½-mile walk along the water's edge from the existing National Park Service area. In addition, it would complete the encirclement and isolation of Ogden Dunes.

Senator JOHNSTON. What is Ogden Dunes?

Secretary REED. That is the town, a town of 400 homes. There is no reason to believe that in time Ogden Dunes would not suffer the same fate as Beverly Shores regarding tax base. Any buffering effect which might be gained would be solely for the benefit of Ogden Dunes. Access to the property would be virtually nonexistent, and therefore its recreational value would be considered marginal. In addition, the House bill provides for acquisition of the eastern portion of 1-C's only after its steel company owner has finished using it as a location for settling ponds. I seriously doubt whether the area could ever recover from such use to become a recreational resource.

The next parcel, 1-D, includes approximately 419.53 acres in an extension to the Long Lake section of the lakeshore. This addition would include lands surrounding the Long Lake area which is now in the Lakeshore. The land is generally a low marshy area with brush and few trees. There are two improvements within this area, and the total estimated land acquisition cost is \$1,650,000. The two bills are identical with respect to this parcel. This area is not a logical division of the marsh watershed and does not make sense as an acquisition.

Senator JOHNSTON. Let me interrupt you at this point. Was all of this area dunes at one time, before it was developed?

Secretary REED. Yes, sir.

Senator JOHNSTON. Everything on that whole map?

Secretary REED. Yes sir, dunes, lakes, and marshes.

Senator JOHNSTON. The entire map?

Secretary REED. Yes, sir, all the way up the coast. The best remnant dunes we have are at Sleeping Bear National Lakeshore. The area in

the major green area between the State park and Federal park contain some of the most fascinating remnant dunes anywhere. But that one big block—

Senator JOHNSTON. How far down below the map do the dunes extend?

Secretary REED. They go down quite a ways. As the lake retreated, it went back into its boundary but that has all been developed farmland and other developments. This is one of the most highly developed areas in the state. The three steel mills here are among the most important facilities in the United States. They are all right next to the boundaries or two of them are right next to the boundaries of the national park, adjacent to it.

It is terribly hard to explain this area without a few photographs which we could pass up to you.

Senator JOHNSTON. Any thoughts that we are dealing with a pristine area which you are used to, Mr. Chairman, you should be advised that it not what this area looks like. I will go on to 1-E, the Miller Lagoons and Woods.

The topography includes open dunes with large lagoons filling some of the interdunal space. Inland from the lagoons is an area of brush and oak forested dunes. A portion of the land is somewhat low and wet. Some of the wet area has been filled and leveled. The parcel would include about 330.42 acres, no improvements, and would cost \$1,495,000. The bills are identical here as well. Major portions of this area have been defiled by their use as a slag dump and are totally unusable except for industrial purposes.

Senator JOHNSTON. Is there an alternative to a slag dump if you are going to have a steel mill? Is there any other way to dispose of the slag?

Secretary REED. There is a photograph of that slag and you can see the problems involved here. It would be in my opinion a super human effort to clean that up if it is possible at all with the heavy metals associated with slag.

The next parcel, referred to as 1-F, contains a complex of glacial dunes formed during the Tolleston stage of glaciation. The area is relatively undeveloped. It consists of 295.71 acres approximately, four improvements, and would cost about \$1,835,000. The bills are identical with respect to this parcel. We do not consider this resource by itself to be of sufficient stature to warrant addition to the lake-shore. Should State planning determine that the extension of Route 51 is the best solution to the transportation problem in this area, consideration could be given to Federal acquisition of portions of parcels 1-D and 1-F. However, even in this event, I question whether provision of this access should be a Federal responsibility.

The next addition, referred to as II-A, is a strip of land bordering the Northern Indiana Public Service Co. property. This property includes wooded dunes and lagoons with the major portion being wooded dunes and open brush land that is high and dry. Under the House bill, it would include approximately 108.98 acres, no improvements, at an estimated cost of \$691,000. The Senate bill includes only about 91.76 acres, at a cost of about \$575,000. This acquisition would be designed to protect Cowles Bog, a national landmark within

the national lakeshore. If any pollution which may be occurring in Cowles Bog could be halted by acquisition or other control of this area, we would wholeheartedly recommend so doing. However, the ownership of land in no way governs subsurface drainage. Groundwater flow from west to east, which apparently occurs here, will continue regardless of who owns this unit.

Parcel II-B, the Waverly Road area, would be a buffer for the Cowles Bog area and its acquisition would remove developments having a potential to pollute nearby areas of the lakeshore. It contains approximately 139.81 acres, 81 improvements, and the estimated cost is \$3,050,000. The bills are identical in this regard. We do not recommend either provision.

Senator JOHNSTON. What are the improvements?

Secretary REED. The 81 houses really scare us off.

Senator JOHNSTON. Could you acquire the land around the houses and allow the houses to stay there as a nonconforming use?

Secretary REED. Besides the houses, there are sewage and water problems which are monumental. They are all on septic tanks and other drains, we have a surface flow of human waste and this is a very difficult in-holding but OMB and ourselves did not feel that we wanted to go into the 81 homes.

Senator JOHNSTON. That is the responsibility of the State, to prevent pollution.

Secretary REED. We pointed that out before, sir.

While it is recognized that Markowitz Ditch will pose a serious problem for the Indiana Dunes State Park, that is the ditch that eventually drains into the State park from the 81 house area, we do not believe that the solution is a Federal responsibility. Acquisition of the parcel south of the transportation corridor, too, would merely be an enhancement to the only entrance to the State park. These parcels provide little if any enhancement to the national lakeshore in terms of management, protection of the resources, or recreation opportunities.

The next addition proposed in the Senate bill is approximately 80 acres in the Tremont Road section of the lakeshore, referred to as unit II-C. This is rolling, wooded dune land. It is high and dry. It contains four improvements, and will cost approximately \$694,700 to acquire. The House bill would add approximately 20 acres in this area with no improvements at an estimated cost of approximately \$140,000. Neither proposal appears to add significant resources to the National Lakeshore, nor do they provide for increased management capabilities or recreational opportunities.

Senator JOHNSTON. Secretary Reed, should we put a requirement in this bill for the State to stop the sewage pollution?

Secretary REED. Yes, sir.

The next addition, referred to as unit II-D, is the Furnessville Marsh Extension. This tract has fairly heavy vegetation which includes considerable brush and trees with some grass and other native plants. This parcel would give additional area for the existing environmental education center as well as provide for the extension of a horse trail. It consists of approximately 206 acres with 19 improvements, and would cost approximately \$2,161,000 to acquire. The House and Senate bills are identical in this regard.

The next addition proposed by the Senate bill is a 166-acre parcel referred to as unit II-E, the Bailley Homestead River Extension. This unit adjoins the Bailley Homestead area of the lakeshore and generally includes the water course, the low-level flood plain and the adjacent slope of the Little Calumet River. The land is generally wooded with a large amount of brush. There are no improvements, and its cost would be approximately \$242,000. The House bill is identical. Unit II-E is in the vicinity of units IV-B and IV-C. We do not recommend the acquisition of any of these Little Calumet River additions. The Little Calumet-Salt Creek drainage is neither unspoiled nor a major river valley. Altered by man in the past, the Little Calumet is at present undergoing channeling, ditching, and stream bed relocation.

Next is the parcel referred to as II-F, the Lake Border Terminal Moraine. The land is mainly wooded sloping highway frontage along the south side of Highway 12. The south side of Highway 12 is a steep wooded ridge that is crossed by several roads that furnish access to improvements on top and southerly of the ridge. This area totals about 49 acres, including nine improvements, and would cost about \$810,000. Both versions are identical with respect to this parcel. This area is far too costly for the value which would accrue to the lakeshore. Inclusion of this area within the lakeshore would appear to inhibit the solution of a dangerous traffic problem in the area; a solution which, without the acquisition, could be accomplished by the State or private interests.

Next is the parcel known as the Beverly Shores Island, referred to as parcel III-A. This portion of the community of Beverly Shores lies outside of the existing park boundary.

Senator JOHNSTON. This is the one that costs \$20 million?

Secretary REED. Yes, sir. It incorporates a significant residential development. The area is made up of large rolling dunes and ravines all of which are stabilized and wooded. This parcel would include 652 acres approximately, 286 improvements, and would cost approximately \$23,740,000. Let me remind you that these figures are a year old. Since they have been developed, more than 30 additional private residences have been built in the island, and more appear to be imminent. The bills are identical here also. This parcel constitutes one half of the cost of this bill. We strongly recommend against its acquisition. There is no justification for such an expenditure for a heavily developed parcel which is simply not needed for the lakeshore.

Senator JOHNSTON. Are there any land use provisions that ought to be enacted?

Secretary REED. They have local zoning. There's no question about it, it's one of the most attractive areas, residential streets, along the whole complex of the lakeshore. It is very nice looking, very well managed and very neat and tidy.

The next addition is parcel III-B, the Crescent Dune section, located within the city limits of Michigan City. It is a sample of dunes shoreline, with a crescent-like formation of beach. This is a small isolated area of approximately 30 acres, with one improvement—a 1,850-foot long seawall—and it would cost about \$1,762,000. The

House and Senate bills are identical here. This is another tract which we believe is too expensive for what it would add to the lakeshore. Moreover, most of this area consists of an extended corrugated iron seawall.

The next addition is parcel III-C, the parkway section. This is an elongated strip of land which would protect a proposed scenic drive along Highway 12. It contains about 68 acres, including 29 improvements, and would cost \$1,890,000 approximately. The bills are identical in this regard. As indicated in the departmental report, we believe that a portion of this parcel, which is contiguous to and north of Furnessville Marsh (parcel II-D) should be acquired. The remainder of the parcel is not needed. The improvements alone on this entire parcel are valued at approximately \$1 million. Only two improvements are located in that portion contiguous with unit II-D.

The next three additions, IV-A, IV-B, and IV-C, are in the vicinity of the Little Calumet River. Our previous comments on parcel II-E are applicable here. We believe that all of these parcels are totally inappropriate as additions to a national lakeshore.

Parcel V consists of additions to the Pinhook Bog Area to provide buffer zones for the bog which is already owned by the National Park Service. The area consists of nearly level farm land, all of which is cultivated except some small wooded areas along a few drainages. Included are about 150 acres, three improvements, at an estimated acquisition cost of \$505,000. Both bills are identical in this regard. We consider this parcel to have a high priority for acquisition. The bog is widely recognized among ecologists as an exceptional and irreplaceable natural haven for the life forms peculiar to dunes wetlands.

The Senate bill also proposes two detached additions to the national lakeshore: Parcel VI-A, near the Gary Airport, of approximately 98 acres, containing no improvements, and would cost about \$917,300; and parcel VI-B, the Hoosier Prairie, which I have already testified that the State has acquired with national matching money.

I think that has taken you through the exercise, Mr. Chairman, and I will leave Mr. Tays or one of the representatives of the NPS until you conclude. I will be delighted to work with your committee staff.

I hope very much that you get a chance to see the area.

Senator JOHNSTON. Let me ask you this, Secretary Reed. You recommended about \$7 million of acquisitions, present and future here. You say the rest should be left to the State but admitted that the State will not have the money from the land and water conservation fund, it just won't stretch that far. Should there be a divided responsibility here which will include more Federal responsibility than land and water conservation fund? In other words, should we perhaps provide for some acquisition by the Federal Government, 100 percent and then provide additional funds in this bill on a matching basis?

Secretary REED. I don't know, sir. This is one of the most difficult bills I've ever seen, it is one of the most difficult areas I've ever seen bar none. There are no simple solutions here. The biggest problem I have seen besides the fantastic expense of being able to justify 50

million plus acquisition addition of Indiana Dunes is that the opportunities really are so small. We are 50 years, 70 years late. We are in a numbers game with tremendous supporters, dedicated men and women and children, who have worked to preserve this area and who have seen their chances erode over the years. They are in a numbers game with us. They want us to buy acres, regardless as to the quality of the acres because in some way, it makes up for the lost opportunities.

But I cannot bring back the lost opportunities for the committee, none of us can give back the opportunity; the opportunity is gone. As somebody who has to be responsible for the fiscal side of the acquisition program, I am deeply concerned about putting \$57 million in here when I see areas that are in pristine condition, that are of national park system significance, that are available to the American people.

I would like to conclude here by buying the pieces that are the most manageable, most needed. But I cannot agree that these 4,686 acres represent that. I cannot believe that the Calumet River extensions are the wise use of Federal money. I cannot believe that a slag dump is a worthwhile addition to a national park area.

The Chairman knows that I am rather pristine as what I view to be national areas.

Senator JOHNSTON. Now, if you acquired the slag dump, where would they put the slag? They need to put the slag somewhere.

Secretary REED. That's right. It's not like the steel companies are not there or weren't there or are coming, they are there.

Senator JOHNSTON. I hope very much to be able to get out there.

Secretary REED. You will see it on the ground and we will be delighted to furnish you with a helicopter. The only way to see it is from the air, Mr. Chairman, because the helicopter is the only tool that gives you a chance to stop and look down and say, OK, as desirable as this area is, do we need it? Or is this area desirable at all? Those are the very difficult decisions you have to make in your recommendation on this bill.

Senator JOHNSTON. Thank you very much indeed, Secretary Reed. We may have some additional questions for you which we will submit.

Secretary REED. Yes, sir, we will be delighted to give you very quick responses. The Superintendent will stay, sir, in case you have any problems or any questions of us.

[The prepared statement of Secretary Reed follows:]

STATEMENT OF HON. NATHANIEL P. REED, ASSISTANT SECRETARY, FISH, WILDLIFE AND PARKS, DEPARTMENT OF THE INTERIOR

Mr. Chairman, it is a privilege for me to appear before you on this legislation. Your committee also has before it H.R. 11455, a similar bill which passed the House of Representatives on February 17, and our departmental report. Each measure recommends some additions to Indiana Dunes National Lakeshore, but they differ in several respects.

I have with me drawings of the area which illustrate the additions to the national lakeshore proposed by the bills before you. The existing lakeshore is shown in green and the various additions that are proposed are shown in red.

In order to place the issue of additional lands in proper perspective, I will briefly bring you up-to-date on our operation in Indiana dunes.

Indiana Dunes National Lakeshore was authorized by the Congress on November 5, 1966. As you can see from our location map, the lakeshore lies immediately to the east of Gary, Indiana, within the Gary-Chicago urban complex. Within the existing lakeshore are approximately 8,330 acres containing remnants of sand dunes which were formed during the receding stages of continental glaciation. The area has a two-fold purpose—to protect and preserve the ecological features representative of the glacial processes and resulting land forms; and, owing to its proximity to this tremendous midwestern urban complex, to provide a high-quality outdoor recreation experience for large numbers of urban visitors.

At the very core of the lakeshore is the Indiana Dunes State Park which last year received over 1 million visitors to its beaches, campgrounds, picnic areas and trails. The 1966 act, which authorized the establishment of the national lakeshore, provides that the State park could be acquired only by donation. We do not anticipate that such a donation will be made.

The original 1966 act authorizing the lakeshore provided a land acquisition ceiling of \$27.9 million. This was amended in the National Park Service Omnibus Act of October 26, 1974, to the current authorization of \$35,526,000. Of the 8,330 acres within the authorized lakeshore, we have acquired approximately 4,400 acres. Additionally, the Indiana Dunes State Park encompasses nearly 2,660 acres. At the present time we have slightly less than 1,000 acres yet to acquire. Some 300 acres are currently exempt from condemnation so long as approved local zoning is in effect. We now have a permanent staff of 26 and 64 seasonal personnel. Our plans call for opening three important facilities for public visitation this summer. These include the west beach bathing area, the historically important Bailey Homestead, and an environmental education and interpretative center. Construction has begun on a bath house for the west beach unit. Additionally, a contract in the amount of \$300,000 for work on the Tremont Visitor Center is essentially complete. Through fiscal year 1976 we will have spent \$3,167,000 in total development of facilities. In addition, we have spent \$3.1 million for beach protection work.

Mr. Chairman, turning now to the legislation before this committee, there are three versions of what ought to be added to the national lakeshore: S. 3329, which would add approximately 4,686 acres at a cost of \$57,855,900; H.R. 11455, which would add 4,340 acres at a cost of \$53,488,400; and the administration's recommendation for addition of 203 acres at a cost of \$1,080,000. In our proposed substitute bill, we propose the immediate addition of the west beach addition composed of two parcels of land located on opposite sides of the west beach development unit of the lakeshore. Together these parcels comprise approximately 53 acres at a cost of approximately \$575,000.

The second parcel is the Pinhook Bog which has been recognized among ecologists as an exceptional and irreplaceable natural haven for the life forms peculiar to the dunes wetlands. This bog has been found to be eligible for recognition as a natural landmark by the Secretary's Advisory Board on National Parks, Historic Sites, Buildings and Monuments. The 150 acres recommended for addition to the Pinhook Bog unit are expected to cost approximately \$505,000.

Mr. Chairman, we have identified three other areas which would be appropriate for acquisition at such time as we have completed the necessary development and acquisition within the existing authorized lakeshore. These areas include:

The Furnessville Marsh, a 165-acre parcel of land containing the remaining marsh portion of a drainage system which is presently within the authorized boundaries of the lakeshore. With this additional acquisition, the National Park Service would control nearly all of that watershed. Further, the area provides an exceptional opportunity for the development of easy hiking trails. This 165-acre parcel would cost approximately \$680,000.

The second parcel recommended for future acquisition is the Glacial Lake dunes and marshes located immediately south of the present west beach development unit, consisting of approximately 527 acres of a wide expanse of ancient cattail marshes, dune ridges of variable heights, and scattered oak groves. Its acquisition would approximate \$3,585,000.

Finally, we recommend future acquisition of the west beach high dune area consisting of 80.75 acres and would cost approximately \$2,396,000.

Mr. Chairman, S. 3329 and H.R. 11455 would add some 18 additional units to the established lakeshore. We do not support the addition of these units because we feel they would be either unmanageable, too expensive, unnecessary or are not worthy additions to the lakeshore. In many areas highly concentrated industrial and/or residential development has despoiled any natural, scientific or recreational potential that the land might have once offered.

Mr. Chairman, I have a supplemental statement which discusses these proposed additions on a parcel-by-parcel basis and explains the differences in the proposals now pending before this committee. With your permission, I would like to offer it for the record in order that I might move on to the several amendments to the existing lakeshore act.

1. *Advisory commission.*—The bills add 4 members to the existing 7-member Indiana Dunes National Lakeshore Advisory Commission, representing the city of Gary, the towns of Highland, Griffith, or Schererville, the city of Portage, and an additional member who is a year-round resident lease holder within the lakeshore to be designated by the secretary.

2. *Rights-of-way.*—The bills contain language authorizing the secretary to permit rights-of-way for roads, utilities, pipelines, water mains, or conveyors.

3. *Condemnation.*—Under the existing act, "improved property," is exempt from condemnation so long as approved zoning is in effect. Under the house bill, the act is amended to permit condemnation of all property. The Senate bill would prohibit condemnation of improved property so long as approved zoning is in effect, and if the owner gives the Government the first opportunity to purchase the property if he sells it.

If the house provision on condemnation should prevail, it would facilitate acquisition of lands for public use and enjoyment. In this heavily built up urban setting, green space is at a premium, and if the Federal Government is to purchase lands for urban recreation purposes as would be the case under these bills, we believe that the legislation ought to provide eventually for termination of all continued occupancy rights. The so-called "Cape Cod formula," originally adopted in 1961 to preserve the traditionally Cape Cod architecture, is not, in our opinion, properly applied in the case of urban parks such as Indiana Dunes. Moreover, based on our experience at Fire Island, zoning cannot be relied on as a substitute for acquisition.

4. *Use and occupancy.*—Under the existing act, owners of "improved property" may retain a right of use and occupancy for a fixed term of not to exceed 25 years. Both House and Senate bills expand this right to both a term of years and life estate for the life of the owner or his spouse whichever occurs last. In this connection, Mr. chairman, we would hope that this language could be applied prospectively and not retroactively.

5. *Property taxes.*—The bills provide that non-payment of validly assessed property taxes by a person who has reserved use and occupancy shall be grounds for termination of that right by the secretary.

6. *Master plan.*—The Senate bill requires that by December 31, 1978, the secretary shall transmit to this committee and to the House Committee on Interior and Insular Affairs a master plan for development of the lakeshore. The House bill requires the plan one year earlier. I note that the committee adopted similar language when it considered the Canaveral National Seashore in the 93d Congress. In order to do the proper planning and provide for public input, we prefer the 1978 provision.

7. *Pollution standards.*—The bills contain a disclaimer to the effect that the authorization for additional lands will in no way in and of itself render more restrictive the application of Federal, State, or local air and water pollution standards to property outside the lakeshore.

8. *Safety fence.*—The bills would add a section directing the secretary to construct a safety fence along the eastern edge of area i-c at such time as that parcel is acquired. This is the east beach and dunes extension which is bounded on one side by steel mills and on the other by the town of Ogden Dunes. The Senate bill adds a similar requirement for safety fences along the western edge of area i-e and the eastern and southern edges of area i-a east.

9. *Acquisition plan.*—The bills include language similar to that which was adopted by your committee in the 93d Congress pertaining to the Big Cypress and the Big Thicket National Preserves requiring the submission within one year of a detailed acquisition plan including the level of funding for the next five years. We do not believe that this area poses the complications associated with Big Cypress and Big Thicket and therefore are of the opinion that such a requirement may not be necessary to assure expeditious acquisition. For example, there are not the threats to the integrity of the resource that were posed in Big Cypress by development of Big Thicket by timber harvesting. Moreover, any plan would be subject to the level of funding of the Land and Water Conservation Fund.

Mr. Chairman, in endeavoring to determine an administration position on these bills, we have had to analyze what we feel is the Federal role here and what is properly the responsibility of the State of Indiana and local units of government. We believe that the Federal role in this case is to provide a maximum amount of protection to the nationally significant natural features which are largely within the area which you see in green on the map. The areas proposed for addition to the lakeshore in these bills include some land—approximately 203 acres—however, which would enhance our ability to manage what we already have and enable us to protect, preserve and interpret significant natural resources that relate to the ecology of the dunes area. The cost of these 203 acres is estimated to be \$1,080,000.

The remaining lands proposed for addition under these bills the without question important for local recreation use. But I must emphasize, Mr. Chairman, that they do not contribute to our responsibilities for managing and protecting the main body of the lakeshore. The Land and Water Conservation Fund Act of 1965 was specifically designed and does assist States and local communities in purchasing and developing parcels such as these.

As a matter of fact, the pending bills in the case of parcel VI-b, Hoosier Prairie, adopt the 50-50 acquisition formula of the Land and Water Conservation Fund. Even without this legislation, we made available half the cost of this acquisition.

It is therefore our belief that only the additions that I have recommended should be adopted by the committee and that the State of Indiana should be encouraged, with strong Federal support which I pledge to you today, to acquire the additional lands for local recreation use.

Mr. Chairman, I have been privileged to visit the Indiana dunes and I was amazed that within this complex of industry there remains such a fine resource. If we were able to act on Steven Mather's suggestion in 1917 that the area be acquired for a national park, I am sure that you and I would not be here today considering proposals for additions to a national lakeshore of a little over 8,000 acres. Instead, we would have the opportunity of enjoying a high-quality recreation experience within a national park thousands of acres larger than what we are able to preserve today. I commend this area to the personal inspection of those on the committee who have not been able to visit the area thus far. I trust that you may also have an opportunity to visit the Indiana dunes and go over the area including the additions we have discussed today.

Mr. Chairman, this concludes my prepared testimony. We will be happy to answer any questions that the committee may have.

Senator JOHNSTON. We have 1 hour left. I hate to cut everyone so short. Of the proponents of the bill, is there anyone who can co-ordinate your testimony or shall I just take them in order? We have four opponents in whole or in part who are listed next and we will give those opponents 25 minutes. That will be 6 minutes each.

The first will be Mr. George Williams, director of planning and development of the city of Gary. I'm advised that you can probably come together and testify as a panel, is that correct, Mr. Williams? Is there a common thread between you and Mr. Thomas, Mr. Bradshaw and Mr. Ranfranz?

Mr. WILLIAMS. Somewhat, sir.

Senator JOHNSTON. Would you like to testify as a panel or would you like to go individually?

Mr. WILLIAMS. I would like to go individually. First of all, I have a cold so please bear with me.

**STATEMENT OF GEORGE WILLIAMS, DIRECTOR OF PLANNING,
CITY OF GARY, IND.**

Mr. WILLIAMS. I am George Williams, director of the department of development and planning of the city of Gary, Ind. With me is Robert Farret from our office of economic development.

I am here to present the city of Gary's position on the national lakeshore bill. With two exceptions, the city supports the concepts presented in the Senate version of the national lakeshore bill. We believe this bill presents a unique opportunity to provide recreational resources for our city and surrounding communities. We also support the Indiana Dunes from an ecological standpoint; the dunes are features of the glacial processes and resulting landforms, an invaluable natural resource. The location, in the heart of a highly industrialized area, gives them a special value to the people of Gary—people who, should the dunes be destroyed, would have no nearby access to nature and her beauty.

Although the city supports the general concept of the bill, there are as I mentioned earlier, two land areas that do not, we believe, belong in the bill. They are:

1. IE Miller Lagoon area, approximately 302 acres.
2. VI-A Nippissing area 98 acres.

The IE area is located here and the VI-A area is located here. The VI-A area, the Nippissing area is approximately 98 acres. The city requests that the I-E area be removed from the national lakeshore park, subject to an agreement to convey the land to the city by the owner. The owners of this property, United States Steel Corp., have issued a letter of intent to donate this 302 acre tract to the city. Within this area the city proposes to develop a small boat harbor facility and a nature preserve and study area.

Senator JOHNSTON. How far is Gary, Ind. from the Indiana Dunes?

Mr. WILLIAMS. The area we are talking about is in Gary.

Senator JOHNSTON. What are the city limits of Gary?

Mr. WILLIAMS. One city limit is here and the other city limit is here. So the present Lakeshore, the West Beach area is right on the borderline. To get to it, you have to come along the county line road which is in the city of Gary, presently the only means of access to the West Beach area.

In return for the donation of this property, the city will lease back to United States Steel approximately 80 acres of land along the western border of the I-E area for continued industrial use. A large portion of this area has been utilized for rail turn-around land and a slag dumping area by the current owner. The ecological and preservation value has been heavily damaged by the current use.

Senator JOHNSTON. We are talking about acquiring that slag dump area. If we acquired that area, where would you put the slag?

Mr. WILLIAMS. I would prefer that United States Steel speak to that.

Senator JOHNSTON. All right.

Mr. WILLIAMS. The city will also be allowed to utilize the existing United States Steel breakwater as the western arm for the proposed harbor. Forty acres located in the most north westerly portion of I-E will be developed as a harbor and auxiliary facilities. This location allows the construction of the harbor without infringing upon the remaining 2 miles of public beach currently owned by the city. By using this site, the city will save an estimated \$4,000,000 on the construction of the breakwater. A 40 acre tract of land will be maintained as a buffer zone between the United States Steel activities and a 182 acre natural preserve. The purpose of the buffer zone will be to provide a visual barrier between the two areas.

The harbor will provide additional recreation resources to residents and visitors to the area. In addition, the marina will strengthen the economic base of Gary by creating jobs, commercial activity, and a new economic resource to city tourism.

The city has no objection to identifying the 222 acres as part of the national lakeshore, but the city requests that any acquisition be accomplished only through donation from the city. The prestige of association with the national lakeshore would enhance the attractiveness of the facility.

Senator JOHNSTON. Can you wind up your testimony, I am advised that the 6 minutes are up.

Mr. WILLIAMS. Very quickly, the Nippissing area is another area we would like to see deleted. It is a remote area about 12 miles from existing national lakeshore. We have planned for expanding our airport in that area and also creating an industrial park.

I guess I can conclude.

Senator JOHNSTON. We will put your full statement in the record, Mr. Williams.

Mr. WILLIAMS. I would like to emphasize one thing. If a firm agreement with United States Steel is not reached prior to the final passage of the national lakeshore bill, we would support the inclusion of the entire 302 acre parcel as an integral part of the national lakeshore park with provisions made for the construction of a small boat harbor in the area.

Senator JOHNSTON. Thank you very much, Mr. Williams.

[The prepared statement of Mr. Williams follows:]

STATEMENT OF GEORGE WILLIAMS, DIRECTOR OF DEPARTMENT OF DEVELOPMENT AND PLANNING, CITY OF GARY, IND.

My name is George H. Williams, I am director of the Department of Development and Planning of the city of Gary, Indiana. I am here to present the city of Gary's position on the national lakeshore bill. With two exceptions the city supports the concepts presented in the Senate version of the national lakeshore bill. We believe this bill presents a unique opportunity to provide recreational resources for our city and surrounding communities. We also support the Indiana dunes from an ecological standpoint; the dunes are features of the glacial processes and resulting landforms, an invaluable natural resource. The location, in the heart of a highly industrialized area, gives them a special value to the people of Gary—people, who, should the dunes be destroyed, would have no nearby access to nature and her beauty.

Although the city supports the general concept of the bill, there are as I mentioned earlier, two land areas that do not, we believe, belong in the bill. They are: (1) IE Miller Lagoon Area, approximately 302 acres and (2) VI-a Nippissing Area, 98 acres.

1. The city requests that the IE area be removed from the National Lakeshore Park, subject to an agreement to convey the land to the city by the owner. The owners of this property, U.S. Steel Corporation, have issued a letter of intent to donate this 302 acre tract to the city. Within this area the city proposes to develop a small boat harbor facility and a nature preserve and study area.

In return for the donation of this property, the city will lease back to U.S. Steel approximately 80 acres of land along the western border of the IE area for continued industrial use. A large portion of this area has been utilized for rail turn-around land and a slag dumping area by the current owner. The ecological and preservation value has been heavily damaged by the current use.

The city will also be allowed to utilize the existing U.S. Steel breakwater as the western arm for the proposed harbor. Forty acres located in the most north westerly portion of IE will be developed as a harbor and auxiliary facilities. This location allows the construction of the harbor without infringing upon the remaining two miles of public beach currently owned by the city. By using this site, the city will save an estimated \$4,000,000 on the construction of the breakwater. A forty acre tract of land will be maintained as a buffer zone between the U.S. Steel activities and a 182 acre nature preserve. The purpose of the buffer zone will be to provide a visual barrier between the two areas.

The harbor will provide additional recreational resources to residents and visitors to the area. In addition, the marina will strengthen the economic base of Gary by creating jobs, commercial activity and a new economic resource to the city-tourism.

The city has no objection to identifying the 222 acres as part of the national lakeshore, but the city requests that any acquisition be accomplished only through donation from the city. The prestige of association with the national lakeshore would enhance the attractiveness of the facility.

2. The city also requests that the Nippissing area, VI-a, be deleted from the national lakeshore bill. This remote parcel lies within an industrial area approximately 12 miles from the present western boundary of the national lakeshore. It is within the proposed expansion plans of the Gary Airport. Area VI-A has also been identified in Gary's 20-year airport masterplan as the site of a major portion of the city's proposed airport industrial park. The city currently plans to extend sewers to this area to stimulate development, thus creating desperately needed marketable industrial land. These developments will create jobs, thus helping alleviate a local unemployment rate of twelve percent.

Consultants have indicated that the Gary Airport has the potential of becoming a major freight carrier for the entire Chicago metropolitan area. Again, it should be emphasized that acquisition of the Nippissing Area will jeopardize further development of the airport, as well as, the construction of an industrial park.

(An alternate site for consideration) in lieu of the Nippissing Area, the city believes that property owned by N.I.P.S.C.O. and the B & O Railroad, and located southwest of the i.e. area belongs in the lakeshore bill. This area of approximately 300 acres, contains wetlands and a natural succession of ponds of ecological significance.

Again, we would like to emphasize that if a firm agreement with U.S. Steel is not reached prior to final passage of the National Lakeshore bill, we would support the inclusion of the entire 302-acre parcel as an integral part of the National Lakeshore Park, with provisions made for the construction of a small boat harbor in this area.

In conclusion, I would like to emphasize that the city can fully support the general concept of the Senate version of the National Lakeshore Bill, with the exclusion of areas VI-A and I-E upon agreement with U.S. Steel Corporation.

We feel that the deletion of these two areas will enable the city of Gary to attain our planned future goals and enhance the quality of life in our community.

The opportunity presented for recreation and the preservation of these unique gifts of nature will be available for only a limited period of time, we must move expeditiously to seize this unique opportunity.

Senator JOHNSTON. The next witness will be Mr. C. W. Thomas, general superintendent of the Gary Steel Works. Mr. Thomas, we will also put your statement in the record. As you can see, your time is very limited and we prefer that you summarize, it is easier to follow but your 6 minutes is for you to use as you wish.

Mr. THOMAS. I believe I can handle this whole thing within the 6-minute time frame, if you don't mind, sir.

STATEMENT OF C. W. THOMAS, GENERAL SUPERINTENDENT, GARY STEEL WORKS, GARY, IND.

Mr. THOMAS. I am C. W. Thomas, general superintendent of the Gary, Ind. Works of United States Steel Corp.

The Gary Works was built in the early 1900's, and since that time has produced more steel than any other plant in the world.

I'm testifying here today out of a deep concern for the future of our plant and its employees. A concern brought on by the likely severe negative impact to our Gary operations of expanding the Indiana Dunes National Lakeshore Park to include all of that 302 acre parcel of United States Steel property in Gary, described in Senate bill 3329 as section I-E.

Our major interest centers on retention of the westernmost 121 acres of section I-E, so that we may continue to use this land—as we have for the past 15 to 20 years—for various industrial purposes and for possible future expansion of the plant.

Senator JOHNSTON. This is the slag heap area?

Mr. THOMAS. There is more to it than just a slag heap.

Senator JOHNSON. But it does include the slag heap.

Mr. THOMAS. It does include that.

As to the remaining acreage of section I-E, we have been discussing a proposal with the city of Gary—described in our exhibit A map attached to my testimony—wherein we would have conveyed 141 acres on the easternmost end of section I-E to the city of Gary for development of a boat harbor and related recreational facilities; while retaining a 40 acre section of land as a green belt buffer zone, between our 121 acre industrial parcel and the 131 acres of land to be donated to the city.

After nearly a year and a half of informal discussions with the city government, we received a formal proposal from them only a week ago, on Tuesday afternoon, May 18. The city—in an apparent effort to balance economic, environmental, and recreational needs—proposed that we donate the entire 302 acre parcel to them for a development package, described in our exhibit B map attached to my testimony.

On the map, the easternmost land—in orange—would be designated by the city as a preservation area to be retained in its natural

state. Most of the remaining land—in yellow—would be developed by the city of Gary as a small boat marina. The remaining land of approximately 80 acres—in green—would be leased to United States Steel for continued industrial use.

Now, outright donation of such a large parcel of land to enable construction of a boat harbor-marina-hotel complex virtually in the shadows of our blast furnaces would not appear to be all that sound from a practical business standpoint. Nor would it appear to be all that sensible for us to donate land, so that we might lease back a portion of it shortly thereafter.

But the city government representatives and others have led us to believe that such a course of action is the only way we can possibly hope to retain at least a portion of the 121 acre parcel of land, which we view as so critical to our plant's present and future operations.

Therefore, after a great amount of painstaking review since last Tuesday afternoon, we have responded with a letter of intent to Mayor Richard G. Hatcher, of Gary, expressing our willingness to negotiate in good faith a transaction whereby our company would donate the 302 acres of section I-E land to the city, if it is excluded from the pending Indiana Dunes National Lakeshore Park expansion legislation. We've attached a copy of that letter from L. Keith Smith, vice president and general manager—Central Steel Division, to Mayor Hatcher, dated May 24, 1976, as our exhibit C.

Beyond this, I would like to make some observations about the land included in section I-E in which we are so interested. We've included a set of three photographs with my testimony for your review. These color pictures show the present condition of the westernmost land in section I-E.

Picture exhibit D shows a rail spur, which cuts across the southwesternmost corner of the land. The spur is used for incoming coal cars, preparing to be unloaded at our coke plant, a few hundred yards to the west. This rail trackage is shown in both of our map exhibits.

Picture exhibit E shows a view of the northwesternmost center of the land, where for many years we've stored construction parts in a staging area for the nonstop success of major building projects, which have gone on at Gary Works since the mid-1950's [The photographs were retained in committee files.]

Senator JOHNSTON. Let me interrupt you at that point, Mr. Thomas, I have read the entire statement. Now, you need this area, this 81 acres is essential to you?

Mr. THOMAS. Yes, sir.

Senator JOHNSTON. And that is for a rail spur, an area to store construction parts and a solid waste disposal area.

Mr. THOMAS. Right.

Senator JOHNSTON. That includes the slag heap.

Mr. THOMAS. That includes it, sir.

Senator JOHNSTON. Is there any way to make steel without dumping slag somewhere?

Mr. THOMAS. There is no way to make steel without dumping slag. We need it for that purpose, but it is also utilized as a solid waste dump for some of the other materials, such as the sludge that comes

from our environmental facilities for water pollution controls. That is also dumped in this area.

Senator JOHNSTON. In other words, you feel that you really have no practical alternative to having an area to dump solid waste?

Mr. THOMAS. We feel the original 121 acres, of which the 80 we are talking about now are essential for the operation of Gary Works. The other 40 acres tract is a buffer zone and we are perfectly willing to give it to anyone, even the Federal Government.

Senator JOHNSTON. The 40 acres of the buffer zone, you put some high fences in there or whatever is necessary?

Mr. THOMAS. I don't know if you can hide it, you would have to look at the pictures, I don't know if you would be able to hide it. When this first came up in the House some time ago, we stopped dumping in the particular area that is right on the borderline of the buffer zone as shown on the map.

Senator JOHNSTON. Thank you very much, Mr. Thomas. We will give very, very careful consideration to this. I will say this, without prejudging what we would eventually do, it seems that U.S. Steel has made a real effort here in negotiating with the city of Gary.

[The prepared statement of Mr. Thomas follows:]

STATEMENT OF C. W. THOMAS, GENERAL SUPERINTENDENT, GARY STEEL WORKS,
GARY, IND.

Mr. Chairman, I am C. W. Thomas, general superintendent of the Gary, Indiana, Works of United States Steel Corporation.

The Gary Works was built in the early 1900's, and since that time, has produced more steel than any other plant in the world. Since 1906, we have employed an estimated 270,000 people at the Gary plant. Presently, about 22,000 people are working there, with an annual payroll of more than 300 million dollars.

I'm testifying here today out of a deep concern for the future of our plant and its employees. A concern brought on by the likely-severe-negative impact to our Gary operations of expanding the Indiana Dunes National Lakeshore Park to include all of that 302-acre parcel of U.S. Steel property in Gary, described in Senate Bill 3329 as Section I-E.

Our major interest centers on retention of the westernmost 121 acres of Section I-E, so that we may continue to use this land—as we have for the past 15 to 20 years—for various industrial purposes and for possible future expansion of the plant.

As to the remaining acreage of Section I-E, we have been discussing a proposal with the City of Gary—described in our Exhibit A map attached to my testimony—wherein we would have conveyed 141 acres on the easternmost end of Section I-E to the City of Gary for development of a boat harbor and related recreational facilities; while retaining a 40-acre section of land as a green belt buffer zone, between our 121-acre industrial parcel and the 141 acres of land to be donated to the City.

After nearly a year and a half of informal discussions with the City government, we received a formal proposal from them only a week ago, on Tuesday afternoon, May 18th. The City—in an apparent effort to balance economic, environmental and recreational needs—proposed that we donate the entire 302-acre parcel to them for a development package, described in our Exhibit B attached to my testimony.

On the map, the easternmost land—in orange—would be designated by the City as a preservation area to be retained in its natural state. Most of the remaining land—in yellow—would be developed by the City of Gary as a small boat marina. The remaining land of approximately 80 acres—in green—would be leased to U.S. Steel for continued industrial use.

Now, outright donation of such a large parcel of land to enable construction of a boat harbor-marina-hotel complex virtually in the shadows of our blast furnaces would not appear to be all that sound from a practical business standpoint. Nor would it appear to be all that sensible for us to donate land, so that we might lease back a portion of it shortly thereafter.

But the City government representatives and others have led us to believe that such a course of action is the only way we can possibly hope to retain at least a portion of the 121-acre parcel of land, which we view as so critical to our plant's present and future operations.

Therefore, after a great amount of painstaking review since last Tuesday afternoon, we have responded with a letter of intent to Mayor Richard G. Hatcher of Gary, expressing our willingness to negotiate in good faith a transaction whereby our company would donate the 302 acres of Section I-E land to the City, if it is excluded from the pending Indiana Dunes National Lakeshore Park Expansion legislation. We've attached a copy of that letter from L. Keith Smith, Vice President and General Manager-Central Steel Division, to Mayor Hatcher, dated May 24, 1976, as our Exhibit C.

Beyond this, I would like to make some observations about the land included in Section I-E in which we are so interested. We've included a set of three photographs with my testimony for your review. These color pictures show the present condition of the westernmost land in Section I-E.

Picture Exhibit D shows a rail spur, which cuts across the southwestern-most corner of the land. The spur is used for incoming coal cars, preparing to be unloaded at our coke plant, a few hundred yards to the west. This rail trackage is shown in both of our map exhibits.

Picture Exhibit E shows a view of the northwesternmost center of the land, where for many years we've stored construction parts in a staging area for the non-stop succession of major building projects, which have gone on at Gary Works since the mid-1950's.

Picture Exhibit F shows the solid waste disposal area—dump, if you prefer—which has been in operation on the land in question for 15 to 20 years. In the lower left corner of that picture, you can see a white line, which marks the western boundary of Section I-E. We haven't dumped east of that line since 1975, during the House deliberations on the Roush-Fithian Bill. All the same, it's difficult for us to understand why any reasonable individual would want to include the land shown in these three pictures in a National Park. [Photographs retained in committee file.]

Yet, this same land is extremely critical to us. All present indications are that demand for steel in this country will continue to increase in the time ahead. Most industry observers estimate that there will be a need for no less than 25 million tons of new steel mill capacity in the nation by the early part of the 1980's to keep pace with growing demand. It is generally thought that Gary Works will figure prominently in this expanded capacity.

The acreage shown in the pictures, currently included in Senate Bill 3329, would be critical to future expansion of the plant, inasmuch as there are virtually no opportunities for the plant to be expanded to the west. Eliminate this acreage from our property holdings, and U.S. Steel will be hard-pressed to enter into significant planning for future expansion of Gary Works. This could have dire consequences for the future employment picture in Gary.

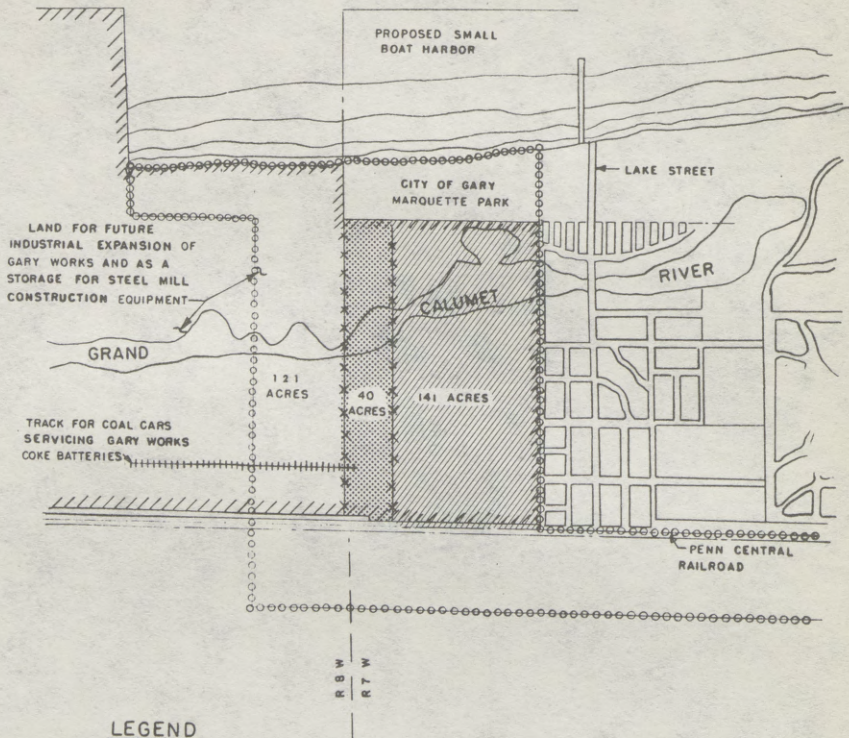
So, we think you should look very cautiously at free-wheeling plans to absorb all 302 acres of this land in your legislation. We urge you to exclude Section I-E from Senate Bill 3329. With that exclusion, we will move in good faith, as our letter of intent states, to negotiate donation of the land to the City of Gary for development as indicated in my testimony and in Exhibit B.

Thank you for this opportunity to explain our position.
Are there any questions?

Exhibit A

Testimony of C. W. Thomas
United States Steel Corporation, Gary Works

LAKE MICHIGAN



PROPOSED DISPOSITION OF LAND

EAST END OF GARY WORKS
GARY, INDIANA

REVISED 4-3-75
2-23-76

Exhibit B

Testimony of C. W. Thomas
United States Steel Corporation, Gary Works

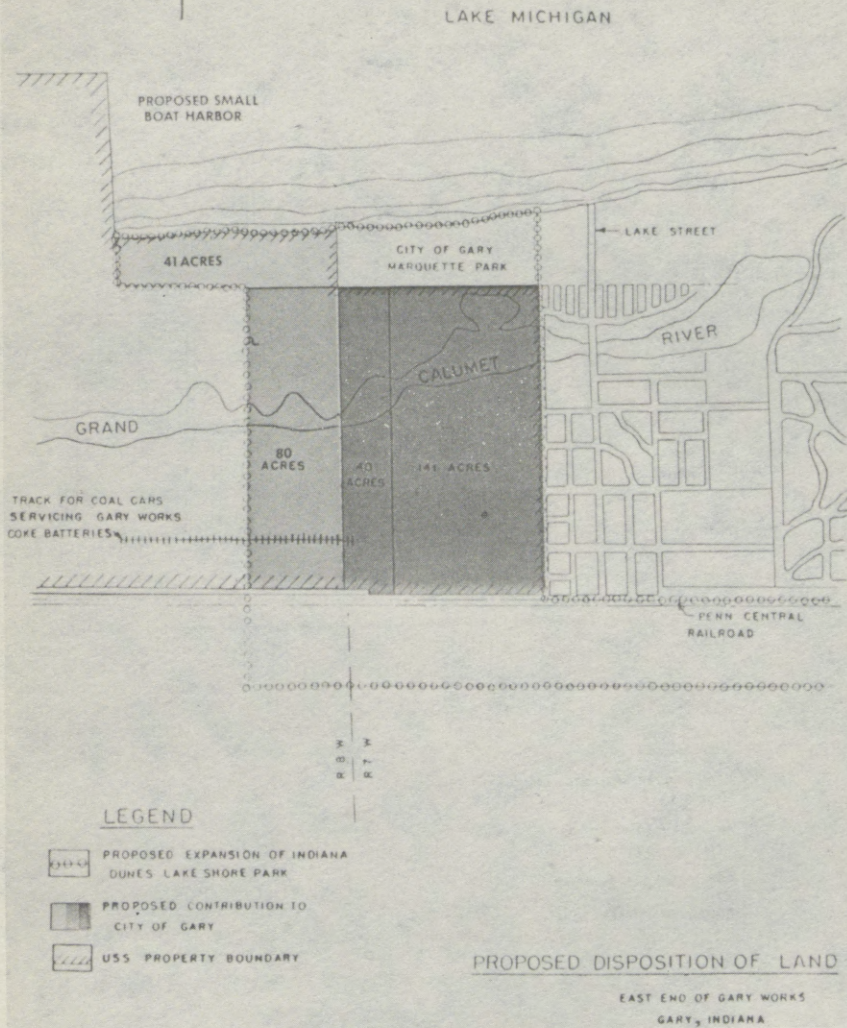


EXHIBIT C

U.S. STEEL CORP.,
CENTRAL STEEL DIVISION,
Chicago, Ill., May 24, 1976.

HON. RICHARD G. HATCHER,
Mayor, City of Gary,
City Hall,
Gary, Ind.

DEAR MAYOR HATCHER: This is for the purpose of outlining the intent of United States Steel Corporation with regard to the possible conveyance to the City of Gary of approximately 302 acres of land owned by United States

Steel Corporation at the eastern-most end of U.S. Steel's Gary Works plant property.

Assuming that the property in question is excluded from the coverage of the pending Indiana Dunes National Lakeshore Park Expansion legislation as the same is enacted into law, United States Steel Corporation will negotiate in good faith a transaction in the following form:

U.S. Steel would be willing to convey to the City of Gary as a contribution, the property colored red, yellow and green as shown on the attached exhibit.

The conveyance to the City of the parcels colored red and yellow would be for park and recreational purposes, the parcels colored red to be retained in their natural state, and the parcel colored yellow to be utilized in the development, by the City of Gary, of a small boat marina.

The City of Gary would lease to United States Steel Corporation that part colored green for a minimum term of 99 years with a nominal consideration of \$1.00 a year, and would take all necessary action to assure that U.S. Steel would be able to utilize that parcel for industrial purposes.

The instrument of conveyance would contain provisions providing for reversion of title to U.S. Steel in the event of the occurrence of any of the following contingencies:

1. In the event of acquisition of the property or any part thereof by the Federal government, or any other entity possessing the power of eminent domain.

2. In the event the parcels shown in red and yellow should ever cease to be used for park and recreational purposes.

3. In the event that the development contemplated by the City, such as the construction of the marina or other proposed improvements, are not completed within a reasonable period of time from the date of conveyance.

The transaction contemplates that there will be no infringement on the use of the remaining Gary Works property for industrial purposes, and the City would take whatever action is required to assure this.

This letter is in no way to be taken as a legal commitment of U.S. Steel. We understand that you would prefer to have had an executed agreement, but the time available since your presentation of the outline of this proposal in our meeting on May 18, 1976, is simply not sufficient to allow consideration of the various legal and other ramifications of this proposal and the drafting of appropriate documentation. We are prepared to proceed immediately to draft for your consideration an agreement to cover this proposed transaction.

The entire transaction would, of course, be subject to the approval of the Board of Directors of U.S. Steel and all documentation required would also have to be reviewed and approved by appropriate officials of U.S. Steel.

Yours very truly,

L. KEITH SMITH,
Vice President and General Manager.

Senator JOHNSTON. Our next witness will be Mr. John I. Bradshaw, Northern Indiana Public Service Co. As with the other witnesses, Mr. Bradshaw, we will put your full statement in the record and we prefer that you summarize but you may proceed as you like.

STATEMENT OF JOHN I. BRADSHAW, NORTHERN INDIANA PUBLIC SERVICE CO.

Mr. BRADSHAW. Thank you, Mr. Chairman.

Our position is basically summarized in the statement. We did not oppose the enactment of this bill 6 or 8 years ago and we really do not oppose a reasonable enlargement of the Lakeshore. But we do have two very critical areas which are proposed for inclusion in this Senate bill and we are most strenuously opposed to the inclusion of those two areas.

One is where he is pointing there, which is parcel II-A. The other is up at the far tip, parcel III-B. Both of these two parcels are

portions of powerplant sites which our company operates in this area. We serve the northern one-third from Indiana, some 30 counties and two million people and it includes the entire three county area that this bill—

Senator JOHNSTON. Is the power company located there right now?

Mr. BRADSHAW. Yes, we have an existing powerplant up there in LaPorte County, Michigan City, and we have another powerplant right there in Porter County. The one most critical area is the one in Porter County. At that location, which is called our Bailey plantsite, we have a nuclear generating plant, a substation, transmission lines and all the support facilities.

We also have plans to build a nuclear generating plant at that site, subject to the outcome of some Federal litigation. The Bailey plantsite is about 350 acres. The proposed portion thereof that would be taken in this bill, represents about one-third of our land area which is the land base for this power plant.

Senator JOHNSTON. That's the one down here.

Mr. BRADSHAW. Yes, sir. Now, at the Bailey plantsite, our actual investment there, including nuclear costs when built, would be in excess of \$500 million. We cannot operate these powerplant sites without the facilities that are contained in this area II-A.

The facilities that are there, which if there is a fee acquisition we would lose, consists of power transmission lines to connect the existing powerplant and the nuclear plant to the outside world and an environmental monitoring tower and instrument box, a mile long dike which screens off some dump sites in some of this area from the adjoining Indiana Lakeshore to the northeast.

Senator JOHNSTON. What does the Park Service have as a cost?

Mr. BRADSHAW. The Park Service figures the land value as only \$500,000. They make no provision for the residual damage which the utility would suffer.

Senator JOHNSTON. Which is how much?

Mr. BRADSHAW. It would be enormous, nobody has any numbers on it but if you have a \$500 million powerplant and you lose one-third of your land base, the damage is going to be more than \$500,000.

Senator JOHNSTON. What do your lawyers tell you about that, do you have a claim for that?

Mr. BRADSHAW. They don't have a number yet.

Senator JOHNSTON. Obviously, if we made it a national park and saw to expropriate it from you, you would not agree to sell it for \$500,000.

Mr. BRADSHAW. That's correct.

Senator JOHNSTON. You don't know whether your lawyers feel that you have a right to hold out for more nor do you have a price tag for what you would hold out for if you could hold out, is that correct?

Mr. BRADSHAW. That's right. We hope the Congress in its wisdom would see that there is no public benefit here commensurate with the damage that the utility would suffer.

Senator JOHNSTON. Do you have an alternative site where you could put the powerplant?

Mr. BRADSHAW. No, we could not relocate the powerplant. We are sandwiched in between Bethlehem Steel, which has at that location one of the world's largest wholly integrated steel complexes. On the other side is the existing Lakeshore, the green.

Our powerplant site is small to begin with, although it has been there for many, many years, long before the legislation that created this park.

Senator JOHNSTON. This nuclear powerplant, how inconsistent would it be with the use of Indiana Dunes for recreational purposes? What would it do to the——

Mr. BRADSHAW. It would not be inconsistent at all because ecologically, the energy generated by the nuclear powerplant is both cleaner and cheaper per unit of energy.

Senator JOHNSTON. How about thermal pollution in Lake Michigan?

Mr. BRADSHAW. The Nuclear Regulatory Commission and its predecessor, the AEC, passed upon that in a series of hearings several years ago and the thing has been in litigation since then. But currently, the nuclear powerplant seems to be winning. We think those issues have been pretty well thrashed out and adjudicated in favor of going ahead with the nuclear plant.

Now, I think the framers of this bill are not opposed to the nuclear plant and are attempting to stay neutral in the controversy. But unfortunately, there are certain facilities in this strip that would be taken that are vital to the operation of that nuclear plant and to the operation of the fossil plant which is there now.

The problem becomes more acute because, over to the west in parcel I-D and I-E which is to be included in the park, that was a site for a future power plant, that is, the utility had hoped to construct. As far as this bill, that site would be wiped out. The utility opposed the inclusion of that site but we have withdrawn our opposition to that site meaning there will be one less powerplant in northern Indiana that we had hoped to construct.

So we have two that are critically affected by this bill. Particularly the one at Bailey, we feel cannot be operated properly and efficiently if that strip of ground is taken in fee acquisition by the Federal Government.

Senator JOHNSTON. What is your position with respect to retention of the dike by NIPSCO and donation of a scenic easement of the area bordering lakeshore?

Mr. BRADSHAW. Are you referring to the House-passed version or some variation of that?

Senator JOHNSTON. Yes.

Mr. BRADSHAW. We stated that in effect, if the boundary of the taking were moved north and east of the dike and if the Government acquisition were to be in the form of scenic easement, we would cooperate with that and grant such a scenic easement to the Government which seemed to satisfy the Park Service people.

Senator JOHNSTON. Would you donate that scenic easement?

Mr. BRADSHAW. We agreed that if forced to do so, we would.

Senator JOHNSTON. If forced to, you would volunteer. [Laughter.]

Mr. BRADSHAW. We feel that the power needs of this area are such that, to insure an adequate supply of energy, both for steel and the general public, we have to do everything we reasonably can to protect the integrity of those generating plants and their support facilities.

Senator JOHNSTON. I don't want to suggest at all that we are forcing you to do anything but I would suggest that if that is an alternative which you would like for the committee to consider that you might be willing to donate the scenic easement, I wish you could get some formal evidence to us, a letter or whatever, other formal action you have for us to consider one way or another when we go into mark up on this bill.

In other words, when we get ready to enact this bill in one form or another, we ought to know what options we have. If that is an option for us, we would like to consider it.

Mr. BRADSHAW. We would be happy to respond, Mr. Chairman, in an appropriate fashion as you suggest.

Our other more critical area is at the northeastern end which is parcel III-B. There again, we have an existing powerplant. The part to be taken there is about 25 percent of our land base at that location. That is a fossil plant, there is no nuclear plant proposed for there but the fossil plant is there now and does serve that area and two counties. The land to be taken basically has a small dune and beach front. We have proposed in our statement and previously that again, we need part of that land for future expansion of the powerplant, support facility, pond, and whatnot.

We also maintain a seawall there to prevent erosion of our land base. We suggested that if anything be taken, it be no more than the scenic easement covering the dune and maybe the beach front and leave the remaining part of the land for utility ownership.

We feel again that you cannot continue to provide energy for an expanding economy without the land base that the generation of energy requires. Some balancing of the public interest here needs to be factored into this. Loss of the land would cause a severe and permanent impact on the utility and no provision for such cost is plugged into these acquisition estimates at all.

We think some degree of realism here needs to be applied.

Senator JOHNSTON. Thank you very much, Mr. Bradshaw, you have been very concise and to the point in your testimony and we appreciate it.

[The prepared statement of Mr. Bradshaw follows:]

STATEMENT OF JOHN I. BRADSHAW, NORTHERN INDIANA PUBLIC SERVICE CO.

Northern Indiana Public Service Company, ("NIPSCO") is an investor owned, taxpaying public utility, distributing gas and electric service in the northern third of Indiana. It and its predecessors have been supplying gas and electricity in this territory continuously since 1853 and 1896 respectively. It services a territory covering 12,000 square miles in 30 counties containing over 2,000,000 people. The territory extends from Illinois to Ohio and from Michigan to slightly south of the Wabash River. Hence it services the entire area containing the IDNL and the proposed expansion thereof.

The history of the 1965 legislation which originally created the IDNL discloses that NIPSCO did not oppose the original creation and development of the IDNL. We have traditionally supported the view that recreational, environ-

mental and ecological interests can coexist in a mutually compatible manner with the legitimate industrial needs of the expanding economy of northwestern Indiana. NIPSCO still supports the concept of the Lakeshore, and intends to remain a good neighbor to the Lakeshore and to the National Park Service in the implementation and development of the overall Lakeshore plan. Moreover, we do not oppose a reasonable and responsible enlargement of the IDNL area. But we are and have always been strongly opposed to the inclusion in the enlarged Lakeshore of some parcels of utility land vital to its present and projected operations. We believe federal acquisition of these parcels would be irreparably harmful to the utility's operations, not worth the financial damage such acquisition would cause the utility, and that it is not in the public interest that they be acquired.

Our position was fully presented in detail in a hearing before this Senate Subcommittee on September 30, 1974, during the 93rd Congress, and reference is made to the transcript thereof to avoid repetition. At that time we urged the exclusion of some 641 acres from the proposed expansion then contemplated. The 641 acres were located as follows:

Map parcel and location:	Acreage
II-A—Bailly Generating Station.....	134
III-B—Michigan City Generating Station.....	46
I-D and I-E—Miller Generating Station (proposed).....	410
I-B, II-F, II-E, VI-A and VI-B—various rights-of-way.....	51
Total.....	641

About 25 acres of Parcel II-A have been deleted in the present bill and NIPSCO has withdrawn its opposition to inclusion of the 410 acres in Parcels I-D and I-E, with the exception of a 70 ft. wide corridor from Lake Street west along one of the railroad rights-of-way for a distance of about three-fourths of a mile, as an access road to our property west of Parcel I-D, where we plan to construct a 345 KV substation. This leaves about 206 acres of NIPSCO land now sought to be included in the IDNL by S. 3329. We are strongly opposed to inclusion of any of this land in the Lakeshore and offer these additional comments:

I. MAP PARCEL II-A (119 ACRES) BAILLY GENERATING STATION

This is the most critical area of the entire bill for NIPSCO, and NIPSCO is vigorously opposed to the inclusion in the enlarged Lakeshore of *any portion* of this tract. Deletion of the 25 acres or so representing the north-south leg of the Greenbelt is an improvement over the prior bills, since it removes the nuclear exclusion Zone from federal acquisition, thereby reducing the proposed acquisition of Parcel II-A to about 119 acres. Nevertheless, this 119-acre tract still represents 34 percent of the total land area owned and used by NIPSCO at its Bailly Generating site, and loss of the land and facilities thereon will be irreparably harmful to the utility's operations at this location.

The 350 acre Bailly site is not large to begin with, yet it represents an actual and projected capital investment of over \$500,000,000. The site is sandwiched between the IDNL on the east, Bethlehem Steel's property on the west and southwest, Lake Michigan on the north, and U.S. Highway 12 on the southeast.

At the Bailly plant site the utility operates a fossil-fueled generating station, transmission lines, a 345 KV sub-station, and various other support facilities. In addition, it plans to construct a nuclear generating plant at the site, subject primarily to the outcome of litigation now pending in the Federal courts.

Loss of the 199 acres contained in Parcel II-A would have a substantial and adverse impact upon the future operation of the Bailly plants, both the fossil-fueled plant as well as the nuclear plant, and their respective supporting facilities. Included in the 119-acre parcel sought to be added to the Lakeshore by S. 3329 are such vital facilities as its high voltage transmission lines and towers (including proposed towers and transmission lines to connect with the nuclear plant), an environmental monitoring tower and instrument box essential to the operation of the nuclear plant, several ash disposal areas, shielded by a protective dike one mile in length, together with a buffer zone separating

the Bailly site from the IDNL. The power plants cannot be operated without these facilities, and most of the facilities in Parcel II-A cannot be relocated. Loss of these facilities would permanently damage the operation of the power plant, and the utility would expect to be compensated for such loss. The cost is not readily determinable, but will far exceed the mere land value of the 119 acres.

Congress might rightfully ask whether the benefits to be derived by Federal acquisition of this 119 acre parcel, representing only 2.5 percent of the total proposed enlargement, bear any reasonable relationship to the damage to be inflicted upon the utility. In other words, is this strip really necessary?

What is the case for including these 119 acres in the Lakeshore? No one seriously contends that there are any recreational features to this tract, nor that it contains any unique natural vegetation or wildlife not found in other portions of the Lakeshore. The argument for including II-A in the Lakeshore comes down to one main contention: This land should be added to the Lakeshore to prevent possible damage to the Lakeshore that might result from continued future usage of this land by the utility. But there is simply no real *proof* that the threat-of-harm case has any merit. The contention has long been made that the utility's present operations are having, or might some day have, an adverse effect upon the Lakeshore. The utility vigorously denies that its operations are harming the Lakeshore, and independent tests including those of the USGS environmental team agree with the utility's position. Moreover, in recent years environmental monitoring in this area has been done by other governmental and private agencies, and the results do not show that NIPSCO's activities are damaging the Lakeshore, notwithstanding the persistent accusations of the few who say otherwise. If in fact the utility's operations are not presently causing an adverse effect on the Lakeshore, then the case for including II-A in the Lakeshore fails.

However, it is not necessary or even proper for Congress to act as judge and jury or to decide whether the accusations or the denials are correct. A dispassionate and independent analysis could be made of all the existing data on this subject, which is considerable, and new data could readily be obtained, since there are various agencies and monitoring techniques available for this purpose. The Environmental Protection Agency, for example, is already looking into this subject in connection with other matters affecting NIPSCO over which it has jurisdiction. See U.S. Environmental Protection Agency Region V Case #NPEDS-V-055 (AH), an administrative proceeding involving NIPSCO in which, among other things, a review is now being made of various monitoring programs relating to the effects of NIPSCO's operations on the Indiana Dunes National Lakeshore in the vicinity of the Bailly generating station. Several individuals or organizations prominent in advocating inclusion of Parcel II-A in the Lakeshore are parties to this particular administrative proceeding.

Even if this Subcommittee were to believe the unsubstantiated charges that NIPSCO's operations are harming the Lakeshore, can the Subcommittee reasonably reach the conclusion that adding the utility's land to the Lakeshore is the best or even a proper way to rectify this problem? Surely not. There are numerous other remedies, at the local, state and federal level, open to private citizens or to various government agencies to curb the alleged environmental abuses by this utility. If those who contend the utility's actions are harming the Lakeshore really believe these accusations, they have ample opportunity in a variety of forums to prove these assertions and rectify any grievances all at little or no cost to the federal government. Adding this land to the Lakeshore is the wrong remedy.

II. MAP PARCEL III-B (46 ACRES) (MICHIGAN CITY GENERATING STATION)

NIPSCO urges this parcel not be included in the Lakeshore for several reasons. The land immediately west of III-B, which is authorized for inclusion in the Lakeshore, has not yet been acquired by the Secretary from the town of Michigan City, and until it is, the acquisition of III-B would merely create one more disconnected land parcel. The land owned by the town of Michigan City, on which Mt. Baldy is situated, was conveyed by NIPSCO to the town, at the town's request, some fifteen years ago. While this action by the utility helped preserve an important natural resource, one side effect was

to curtail drastically the land area available for utility operations, a dilemma which has become acute in recent years.

If any part of III-B is to be included in the Lakeshore, which we oppose, NIPSCO suggests that it be no more than scenic easement covering the beach front and Crescent Dune, with the balance of III-B left in utility ownership. The scenic easement status could prevent any new construction or removal of the dune, and still enable the utility to maintain the shoreline and control erosion as the utility has been doing, at its own expense, for many years. Such an accommodation of the competing uses would enable the public to derive the benefits of the dune and lakefront, while reserving some land for the utility's needs, from which the public will also benefit through an efficient and environmentally protective energy supply.

Should all of III-B be lost to the utility, the only replacement land available to the utility and reasonably proximate to the plant site is currently occupied by residences. Taking these should be avoided if at all possible. The adjustment suggested herein would do so.

III AND IV. MAP PARCELS I-D AND I-E (EAST GARY)

NIPSCO has withdrawn its opposition to inclusion of Parcels I-D and I-E in the Lakeshore, with the exception of the access corridor referred to on Page 4 of this statement. Our withdrawal of opposition is with considerable reluctance, because we continue to believe the possibility of locating a future generating station on a riparian fill permit north of I-D is a viable site plan. However, it is obvious that no plant can ever be constructed at this location without the approval and cooperation of U.S. Steel Company and several governmental agencies, including the city of Gary and the State of Indiana. Inclusion of these areas in the Lakeshore amounts to a Congressional veto of this future power plant site. If such be the judgment of the Congress then NIPSCO and the energy users of northwestern Indiana will abide by such decision.

V. UTILITY RIGHTS-OF-WAY

The bill contemplates the protection of utility rights-of-way, by providing that acquisition of lands or interests therein shall not "diminish" rights-of-way existing as of March 1, 1975. NIPSCO recommends that the rights-of-way not be "included" in the Lakeshore to conform the new bill to the actual practice followed in connection with the original Lakeshore, so that ownership of the rights of way would remain with the utility. We also recommend that the rights-of-way concept be expressed to include both fee-owned as well as easements. Our 1974 statement contained the technical wording we suggest be used in place of the corresponding section of the pending bill.

The bill now provides for possible future widening of rights-of-way across stated areas, subject to the Secretary's approval. We recommend this concept be extended to the entire Lakeshore, subject to the Secretary's judgment, since it is likely that the need for further crossings will arise in future years after the Lakeshore is fully acquired and developed.

Senator JOHNSTON. Our next witness will be Mr. James Ranfranz, deputy director, Northwestern Indiana Regional Planning Commission.

STATEMENT OF JAMES RANFRANZ, DEPUTY DIRECTOR, NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

Mr. RANFRANZ. Mr. Chairman, we will keep our testimony within the time limit provided and I will summarize from the resolution submitted for purposes of the record. I would like to explain that we have submitted detailed testimony, we have a resolution passed by the executive board of the regional planning commission and have incorporated along with the resolution, a resolution passed by the town board of Ogden Dunes which is represented on our commission.

First, Mr. Chairman, we would like to say that we are very appreciative of the fact that Senator Hartke and Bayh as well as the other sponsors of the bill are moving to a quick and final conclusion on this issue because it is one that has bothered Northwest Indiana for some time.

The undetermination of not knowing whether the lakeshore is going to exist, whether it will expand, has created a number of problems so we are quite pleased that lakeshore matters will be finally concluded hopefully with this piece of legislation.

We have suggested some language that we feel should be included in the bill to emphasize that point. Some of the administrative aspects of the Senate version particularly, I think deserve attention. We feel very strongly that in the area that we represent, urban parks represent a unique opportunity, unlike those ever seen before.

In order to accomplish that, we feel most strongly that a way to accomplish this is to expand and modify, recharge the Indiana Dunes Lakeshore Advisory Commission which is a legislatively created commission having responsibility to advise the National Park Service on the development of this facility.

We feel most strongly, as a representative of 29 cities and towns and two counties in this area having planning responsibility that we should be represented on that organization and that it should be recharged legislatively to accomplish the development of a master plan and oversee administration of the plan which was required by the Senate version.

Further, we support an amendment granting authority and power to the National Park Service to make offsite traffic control or access improvements which are necessary to improve accessibility or to control traffic generated by the national lakeshore. It is our understanding that the National Park Service is not able to spend money on offsite traffic control and access improvements. If it is not in the park, they cannot spend money on it. We feel this is inappropriate and should be modified.

We give great support to the development of a new master plan legislatively required. We feel this has been one of the problems associated with the national lakeshore. Insofar as geography is concerned, the position that my commission has taken is essentially consistent with that of the House bill. Again, great support is given to Congressman Fithian and Congressman Madden of seeing these geographic areas come out and with few exceptions, we support the geography contained in that legislation.

First, we support clearly the position taken by the city of Gary. Second, we support the position taken with regard to area I-E and that position of the town of Ogden Dunes. Simply stated, if land must be taken from the town of Ogden Dunes, the northern 12.7 acres, that not disturbed, is probably the land that should be taken.

We take specific opposition to area A, Nippissing Dune located some distance away from the lakeshore and we feel that that would clearly interfere and infringe upon the potential expansion of the area airport.

We appreciate the opportunity, Mr. Chairman. If there are any questions, I would be happy to answer them.

Senator JOHNSTON. Thank you very much, Mr. Ranfranz. You want to include your planning commission on the advisory committee?

Mr. RANFRANZ. Yes, sir, we do. We feel we have planning responsibilities in the area of transportation, economic development and so on. We have a number of ideas. We have been working very closely with the National Park Service at the local level but that is not the issue. The development of a plan and implementation of a plan in urban parks at least has got to be oriented to local communities and involve local interests. It does not now do that.

Senator JOHNSTON. I think that's a reasonable request that you be included on that commission and we will undertake to do so. Thank you very much, Mr. Ranfranz.

[The prepared statement of Mr. Ranfranz follows:]

STATEMENT OF JAMES RANFRANZ, DEPUTY DIRECTOR, NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

My name is James Ranfranz, Deputy Director of the Northwestern Indiana Regional Planning Commission. This Commission is a coalition of local governments created by Acts of the Indiana General Assembly; and charged with the responsibility of developing and implementing comprehensive plans for Lake and Porter Counties in Indiana, encompassing the Gary, Hammond, East Chicago Standard Metropolitan Statistical Area. The Northwestern Indiana Regional Planning Commission is also the OMB A-95 Clearinghouse Review Agency for the SMSA. Further, it is the gubernatorially designated Metropolitan Planning Organization, as recognized by the Urban Mass Transportation Administration and the Federal Highway Administration. We are also the State designated 208 Water Quality Management Planning Agency.

In addition to these formal designations and charges, the fact remains that this organization represents a forum for communication which is used to identify multi-jurisdictional problems and opportunities and propose solutions to problems or strategies to take advantage of opportunities. In that context, these remarks are submitted to this committee.

We realize full well that the existence of the Indiana Dunes Lakeshore in this urban setting affords opportunities unparalleled in the country. We have suggested, for some time now, that Northwest Indiana has become a national laboratory for the test of whether an urban park and an urbanized area can successfully co-exist and prosper.

The opportunity afforded by this park in this setting is unique. We should try to apply the American characteristics of ingenuity and adaptability to this situation. Can the urban area and the national park co-exist and what are the advantages of the dichotomy? Finding the answers to the problems raised by this question is what makes this area a distinctive national laboratory.

Northwest Indiana has always had the advantage of an excellent transportation network, an available labor force and strong market demand for products. By adding environment for leisure activities, the region will be in an even better position to attract diversified business and industry.

In order to be about the business of resolving whatever conflicts exists and get on with the matter of taking advantage of our opportunities, it is the view of local governments in this region that expansion of the National Lakeshore must be finally concluded and adequate resources allocated for development in those areas where it is appropriate.

For this reason, the Northwestern Indiana Regional Planning Commission supports the efforts of Indiana Congressmen Floyd Fithian, Ray Madden, Senators Vance Hartke and Birch Bayh, to bring the expansion issue to a speedy and intelligent conclusion.

In any complex issue there are always at least two or more sides, or two or more points of view; the necessity for compromise is, in such circumstances, obvious. We, at the local level, feel that the principal compromise was made, insofar as the Indiana Dunes National Lakeshore is concerned, with H.R.

11455 (the Fithian Bill). With one or two minor exceptions, the geography proposed by that piece of legislation should hold. Specifically, the exceptions are:

(1) We support the inclusion of the areas known as IIC. We understand that these inclusions will round out some of the natural boundaries of the park and, further, their inclusion relates to boundary adjustment based upon topographical considerations. This area was not included in the Fithian compromise.

(2) We support the specific positions taken by the Town of Ogden Dunes in Porter County and the City of Gary in Lake County to wit:

(a) The Town of Ogden Dunes, like many other small residential communities in Indiana, is constrained by a tax freeze and is concerned about future development. Area IA (east), at least that portion known as Ogden Dunes Sixth Subdivision, represents the last area for expansion within the community. Of the 43 acres involved, all of it is platted, on much of it homes are developed, all utilities and streets are installed, and lots have been sold and plans for development laid. These plans and prior commitment to development should be respected. If the Congress feels that some land in the town must be taken, why not take that area where no plans or development have been made. The area remaining is the 12.71 acres on the north edge of IA east. If this area is included, then we respectfully request legislative action that will preserve this natural undeveloped area as a green belt to serve as a buffer zone between the high use West Beach area and the Town of Ogden Dunes.

(b) Both the City of Gary and the NIRPC are concerned about the matter of public ownership of much of area IE. If current negotiations between the United States Steel Corporation and the City of Gary are successful, then we very much support the exclusion of this piece, and we wish to see the development of a small boat harbor. It would seem that the goal of National Lakeshore expansion might be achieved in this area without National Park Service acquisition. In the event that this land is not acquired by Gary, then our position would be that this land should be acquired and the park service plan provide for similar development proposals in cooperation with the City of Gary.

(3) Specific objection must be raised to the Senate inclusion of area VI A, (the Nippissing Dune Area). This site was specifically excluded by the "Fithian Compromise." Its location, in an area surrounded totally by industrial uses, makes it of little value and more of a problem than it is worth. Possible expansion of the Gary airport would be impeded and its geographic remoteness from the balance of the Lakeshore parcels would make management most difficult.

So much for geographic positions.

Senate Bill S-3329 touches or begins to touch upon several "administrative" or "policy" issues which deserve special mention. Senators Hartke and Bayh deserve special commendation for their efforts to improve these areas of concern. As the "era of expansion" draws to a close, the "era of development" begins; the issues identified by the impacted communities deserve appropriate special attention.

The most obvious area of concern for a coalition of communities charged with the responsibility of planning for change and attempting to assess and respond to the impact of a major federal facility, is the speedy but comprehensive development of a master plan for the Lakeshore. Even the National Park Service admits the need for such a guide for the future. We must emphasize the need for this plan to be done in concert with the public and private interests existing in our region. Further, this plan must be consistent with already existing plans for improvement prepared by NIRPC. They must be bold and imaginative; however, they must be consistent with the opportunities already expressed by the many regional interests. These plans, unlike the previous master plan, can not—must not—be prepared in a vacuum. This means they can't be done in Denver, Omaha, or Washington; there must be participation and local involvement if we are to capitalize on the unique opportunities associated with this major facility, this urban national park.

We propose an obvious remedy to what local interests feel is a major problem. We feel the answer, or at least part of it—is to be found in re-constituting the National Lakeshore Advisory Commission in such a way that it can, in fact, serve in the capacity for which it presumably was intended. It could, among other duties, act as the organization responsible for overseeing the development and implementation of the new master plan. We are sure this is a concept new to the National Park Service, but new and effective structures must be found if we are to see a new federal thrust in the area of urban national parks. All the problems of city, of many cities and towns, exist here in Indiana. Special and constant attention must be paid to the developing relationship of the Lakeshore to the immediate communities it serves, as well as its distinctive relationship to the Midwest and the nation. Of course, it logically follows that in our opinion, a regional influence is essential. We, as an organization, act in behalf of many multi-faceted interests; we coordinate our plans and proposals through the Illinois-Indiana Bi-State Commission, thereby, giving Indiana direct links of communication with Illinois interests; we coordinate our plans with, and often act as agent for, various State agencies; the Governor is represented on our Commission by appointment power; we work with both the public and private sector on a daily basis; we are involved in wide ranging multifunctional programs already concerned with community development; we have already existing in house expertise in all of the areas of our interest. We stand ready to assist and work with the National Park Service in a formal working relationship.

We must, however, work together in the planning process and impact that process so as to avoid the creation of problems for the future. It does no good to react to a plan after it has been prepared by someone else. The secret to a problem avoidance is to be found in cooperative participation.

In that regard, it seems foolish to local communities that the National Park Service is legally incapable of assisting in or providing for the resolution access and traffic control problems which are created as a direct result of the Lakeshore or the traffic it generates. The law should be modified in this regard and at an absolute minimum, traffic control and access improvements need to be spelled out in the master plan, and appropriate responsibility, including that of the National Park Service, be defined. In other federal installations such as military bases, apparently, this is no problem and it should not be one here.

In conclusion, we feel we can, if these appropriate changes are made, begin to take full advantage of this most unique of all national parks. We believe strongly that we can find a series of positive answers to the original question of co-existence of what might be considered by some as two incompatibles. If in this unique national laboratory, we find satisfactory but imaginative answers to bring people to parks, preservation together with urbanization, we believe we will have demonstrated the best in our capitalistic system; this demonstration not only serves in the interest of our region, but our nation. That the vigor of years of conflict carry forward to vigorous years of cooperation; it is appropriate that these decisions should be reached in the year of our Bicentennial.

RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION REGARDING SENATE BILL S-3329

Whereas, the 94th Congress of the United States, in its second session, is considering legislation to expand the Indiana Dunes National Lakeshore Park; and

Whereas, the Northwestern Indiana Regional Planning Commission, that coalition of local governmental units acting cooperatively in the interest of the citizens of Lake and Porter County, and statutorily charged with the responsibility of planning and coordination for the Gary-Hammond-East Chicago Standard Metropolitan Statistical Area, wishes to preserve, protect and promote the quality of life within the area of its jurisdiction; and

Whereas, the House of Representatives has passed H.R. 11455, and the proposed Senate Bill S-3329, under consideration by the Senate of the United States contain parcels of land within the jurisdictional of the Northwestern

Indiana Regional Planning Commission, and further that this legislation contains administrative proposals which affect the operation of the Indiana Dunes National Lakeshore, as it relates to the cities and towns within the jurisdiction of the aforesaid Commission; and

Whereas, it is believed that the Senate Subcommittee holding hearings currently, regarding the expansion of the Indiana Dunes National Lakeshore, deserves to know the view and opinion of those cities and towns directly affected and impacted by the Indiana Dunes National Lakeshore; now, therefore be it

Resolved, That the Northwestern Indiana Regional Planning Commission, being the duly constituted regional planning agency for Lake and Porter Counties, does hereby express and represent to the Senate of the United States its opinion regarding S-3329 and does respectfully request the Senate of the United States to give due consideration in its deliberations regarding the expansion of the Indiana Dunes National Lakeshore. The opinions and recommendations are to wit:

(1) That the expansion of the Indiana Dunes National Lakeshore be finally and quickly concluded, essentially consistent in new and added areas as contained in H.R. 11455, so that all parties, public and private, can set about the business of successfully developing this most unique and valuable facility, in the interest of all concerned. In that regard, the Commission recommends specifically, as it relates to Section 3 of S-3329 Line 7, after the word "the" and before the word "boundaries" the word "final" be inserted; and that on Line 8 the sentence is concluded after the word "shore", and a period, thereby, inserted. All other words, after the word "lakeshore" in Lines 8 and 9 should be stricken.

(2) That full support be given to the concept of first right of refusal as expressed in Sections 4 and 6 of S-3329.

(3) As regards to Section 8 and the Indiana Dunes National Lakeshore Advisory Commission, we recommend that this organization be reconstituted and charged with the responsibility of overseeing the development of a new master plan and its implementation. In order to assure that the master plan is coordinated with those plans of Northwest Indiana, a member of the Northwestern Indiana Regional Planning Commission should be named to the membership on the said Advisory Commission.

(4) With regard to Paragraph 7, Section 10, it is suggested that an amendment be made granting authority and power to the National Park Service to make off-site traffic control or access improvements which are necessary to improve accessibility or to control traffic generated by the National Lakeshore.

That specific support be given to the development of a final master plan, but that this plan be required to be consistent with and coordinated with plans adopted by the Northwest Indiana Regional Planning Commission and State of Indiana.

(5) That specific support be given for fencing as expressed in Section 14 and Section 20.

(6) With respect to the addition of specific areas of the Indiana Dunes National Lakeshore, the Commission supports only the addition of areas identified as IIC, beyond those already proposed by H.R. 11455. Further, that it incorporates, by reference, the position statements of the Town of Ogden Dunes, with regard to Area 1A east, and the position of the City of Gary with regard to Area 1E. With specific regard to Area 1E and the position of the City of Gary, it is hoped that Area 1E would be acquired by the National Park Service only if suitable agreement between the United States Steel Corporation and the City of Gary is not resolved. It is the stated intention of the City of Gary to develop Area 1E as a small boat harbor. While the Commission supports public ownership of 1E, it has felt that it is more appropriate and in the interest of all the citizens of Northwest Indiana that this ownership and development take place not through Indiana Dunes National Lakeshore, but rather through the City of Gary.

Specific opposition to Area 6A is hereby indicated on the grounds that this parcel is far and away too remote from the general location of the National Lakeshore, and on the grounds that it would infringe upon potential expansion of the Gary Airport now under consideration.

In witness thereof, this resolution duly passed by the Executive Board of the Northwestern Indiana Regional Planning Commission, on this 19th day of May, 1976.

COLIN S. MACKENZIE, *Chairman.*

Attest:

NORMAN E. TUFFORD,
Executive Director.

Whereas, the 94th Congress of the United States in its 2nd Session is considering legislation to expand the Indiana Dunes National Lakeshore Park; and

Whereas, the Town Board of Ogden Dunes, Indiana, wishes to protect the interests and property values of the residents and property owners within its jurisdiction, and to preserve the quality of life within the Town; and

Whereas, both the House of Representatives Bill, HR-11455, (Fithian Bill) passed by the House of Representatives of the U.S. Congress, and the proposed Senate Bill, S-3329, under consideration by the Senate of the U.S. Congress, contain parcels of land within the jurisdiction of the Town of Ogden Dunes; and

Whereas, it is believed that the acquisition of the developed portion, the Sixth (6th) Subdivision, which consists of forty-three (43) acres within the Town of Ogden Dunes, is not consistent with the development plan of the "high use" West Beach Section of the Indiana Dunes National Lakeshore Park; and

Whereas, the Sixth (6th) Subdivision no longer offers any unique qualities representing the "Indian Dunes"; and

Whereas, inclusion of the developed Sixth (6th) Subdivision in the Indiana Dunes National Lakeshore Park will cause extreme hardship on the Civil Town of Ogden Dunes due to the loss of tax base under Indiana's frozen tax laws; and

Whereas, the Ordinances of the Town of Ogden Dunes have long prevented sand mining, leveling of natural areas, destroying natural areas, and cutting or destroying natural growth; now, therefore, be it

Resolved, That this Board, being the legal authority under Title 18 Burns Indiana Statutes Annotated, Code Edition, representing the property owners and residents of the Town of Ogden Dunes, does petition the Joint Congressional Committee of the Congress of the United States to:

1. Exclude the developed Sixth (6th) Subdivision of the Town of Ogden Dunes, Indiana, from the final version of the Indiana Dunes National Lakeshore Expansion Bill.

2. Exclude the north section of area 1-A East, that are being the undeveloped portion north of the Sixth (6th) Subdivision in the northwest corner of the Town of Ogden Dunes, Indiana, consisting of twelve and seventy-one hundredths (12.71) acres. If the U.S. Congress and the National Park Service insist upon the inclusion of this area in the pending legislation, then we respectfully request legislative action that will preserve this natural undeveloped area as a green belt to serve as a buffer zone between the "high use" West Beach area and the Town of Ogden Dunes. Included therein is a moving dune, which is a unique, representative feature of the "Indiana Dunes". We also request that the usage of this area be restricted so that its quality will remain. The development of the "high use" West Beach area has demonstrated, through the use of asphalt parking lots and beach houses which have destroyed natural inner dunal ponds and other natural features, that it will be impossible to maintain the unique character of this area unless the National Park Service is instructed to do so within the legislation being enacted.

3. Consistent with its actions to date by providing fire protection assistance, communication assistance, and a superior effort in assisting the local administration of the National Park Service, this Board reaffirms its desire to maintain a stature of full cooperation with the local administration, and requests that the Joint Committee of the U.S. Congress instruct in legislation that the National Park Service consider the interests of the Town of Ogden Dunes, Indiana, in future development plans of areas contiguous to the Town of Ogden Dunes, Indiana.

4. The Town Board on behalf of the residents and property owners of the Town of Ogden Dunes wishes to express its appreciation for the inclusion of fencing between the Town line and the "high use" West Beach area in Senate Bill S-3329, with the concurrence of Representative Fithian. Our personal thanks to: Mary Lou Campbell of Senator Hartke's office, Warren Stickels of Representatives Fithian's office, and Geoffrey Grodner of Senator Bayh's office.

In witness whereof, this resolution is duly passed by the Town Board of Ogden Dunes, Indiana, this 3rd day of May, 1976, and is hereby executed by its duly elected Board members and duly attested to by its Clerk-Treasurer.

TOWN BOARD OF OGDEN DUNES, IND.

By HELEN MICHAEL, *President.*

By JAMES HOMME.

By DENIS RIBORDY.

By JOHN SMART.

By DUANE HIBBS.

Attest:

A. C. ZIMMERMAN,
Clerk-Treasurer.

Senator JOHNSTON. We have 30 minutes left and we've got 10 witnesses. That gives us 3 minutes each.

The first witness will be Mr. Ed Osann and Ms. Sylvia Troy from Save the Dunes.

Mr. OSANN. Mr. Chairman, I would like to present the committee with some samples of sand from the various dune areas, sand and surface materials. I think this will give you some kind of a feel for the range of geological and botanical features we are looking at in this area. The point being if you have seen one sand dune, you have not seen them all.

Senator JOHNSTON. That is a very good exhibit.

STATEMENT OF SYLVIA TROY, PRESIDENT, SAVE THE DUNES COUNCIL, AND ED OSANN, WASHINGTON REPRESENTATIVE

Ms. TROY. I am Sylvia Troy and I am president of Save the Dunes Council. Mr. Osann and I will speak for the council.

Save the Dunes Council was formed some 24 years ago to preserve and protect what remains there. I think what remains is quite exceptional, it is quite extraordinary and I am very pleased that the committee will go there and see for themselves.

The Save the Dunes Council has not been alone this almost quarter of a century working to protect this area. Communications will be submitted by a former Secretary of the Interior, Stewart Udall, Sierra Club, Wilderness Society, Friends of the Earth. They have all been strong supporters of this area over the years.

I would like to say that one does not need a very large area to have a sense of quietness, a sense of peace, a sense of tranquillity and an opportunity to enjoy the very unique features that are here. Each of these areas is very special. It does give one that kind of feeling. We don't need a thousand acres.

I think some of the staff people have commented on that and I hope you will see that and experience that for yourself and I hope that you would include all of the acreage requested here.

Senator JOHNSTON. Thank you very much, Ms. Troy.

Mr. OSANN. Mr. Chairman, if I might go to the map, I would like to use the balance of our time to respond to some of the overtures

that have been made on the part of the department and on the part of the companies represented here.

I think that what has been proposed is exactly the kind of short term expediciencies that have prevailed in the past and resulted in the loss of so much of the dune line that is of a national resource quality.

Starting at the eastern end of the lakeshore, unit III-B, contrary to the assistant secretary's statement, is in no way isolated. It is a contiguous stretch of beach frontage. Although some of the inaccuracies in cost estimates that the Park Service has forwarded to the committee will tend to wash each other out, I think it is important to note in a couple of instances, they present a particular imbalance in the view of a particular parcel.

For example, the reason the Park Service estimates that unit III-B will cost \$1.5 million is that they have included \$750,000 in mineral values, contrary to local court decisions in condemnation cases within the present national lakeshore area.

Senator JOHNSTON. This is the area that the powerplant—

Mr. OSANN. III-B, yes. I would say if any portion of unit III-B is retained by NIPSCO for the purposes they propose which is sludge settlement pits, that that would be most inconsistent with the purposes for which the lakeshore was established. We would be opening up here—by facilitating this, we would be opening up a whole new area of confrontation and allegations about the impact of this kind of activity on the park.

It is certainly unwise, in our opinion, to attempt to accommodate at this location that kind of a use.

You have asked, Mr. Chairman, of several witnesses, are there other places to dump this material. I would say in the case of Michigan City, there is ample vacant industrial land within the boundaries of Michigan City. In the I-E area in the city of Gary, U.S. Steel owns, in addition to the 300 acres involved, owns eight miles of Lake Michigan shoreline. This is one of the largest steel plants in the country.

They also have a permit from the State and have constructed a land fill area of several hundred acres, larger than this particular site at issue. For the 50 or 60 years that U.S. steel has owned property in Gary, this area has remained a backwater, has remained an unused portion of their plant site.

In fact, the steelmaking facilities are nearly a mile away from this particular area. Now, immediately adjacent to the area I-E and immediately adjacent to the area that the company has represented as being essential for their continued plant operations, the company has nearly one square mile of land that has virtually no natural value left. It has the appearance of the landscape of the moon.

Senator JOHNSTON. Why is this 81 acres, why is that of such particular importance? They gave the rest of it to the city of Gary.

Mr. OSANN. I understand your question and I would like to yield my time in responding to that to the testimony of the two natural scientists who are on the witness list. I think the ecological imperatives are substantial. If I could proceed very quickly—

Senator JOHNSTON. I think time has run out if you want to wind up.

Mr. OSANN. I will try to conclude here. The I-C area referred to by the assistant secretary does not have slag heaps in it. It is correct that the discretionary acquisition area to the east does have some waste settling lagoons but by providing acquisition authority at some point in the future, the secretary can take a look at that.

If there is any value to the public in making that space available for public use as beach frontage or river frontage, then he can acquire it, otherwise we would be under no obligation to.

[The prepared statements of Ms. Troy and Mr. Osann and other communications mentioned by Ms. Troy follow:]

STATEMENT OF SYLVIA TROY, PRESIDENT, SAVE THE DUNES COUNCIL, AND ED OSANN, WASHINGTON REPRESENTATIVE

I am Sylvia Troy, President of the Save the Dunes Council, and this is Mr. Edward R. Osann, representing the same Council, each testifying in support of S. 3329. We speak for the Save the Dunes Council, a volunteer, non-profit citizens organization formed in 1952 to protect and preserve the Indiana Dunes. For the past 24 years, persons and organizations around the country have joined the Council and worked for the establishment of a viable federal park in this one-of-a kind area.

After 1966, when the Indiana Dunes National Lakeshore was finally authorized by Congress, we learned that continued citizen effort was still vital to the project. We have testified annually before Appropriations Committees for land acquisition, and have donated some 50 parcels of property to the Interior Department in the dunes region. A joint project has been undertaken with Nature Conservancy to further private efforts to land acquisition. We have successfully stopped sand mining activities and a proposed railway freight yard installation that threatened the park. We have opposed coal-fired and nuclear power plants on the park's periphery as well as a jet port proposal, all of which were considered harmful to the purposes of the park. We have worked for clean air and good water quality in the Dunes region. Balanced and exeditious development of the Lakeshore by the Park Service has been one of our recent principal goals.

The Indiana Dunes lie at the southern tip of Lake Michigan on a fascinating complex of towering dune ridges, moving dunes, beautiful beaches, marshes, woodlands and bogs. The dunes were formed some 15,000 years ago as retreating glaciers and glacial lakes left remnants of ancient shorelines and a vast array of plants, ranging from topical and arctic in origin. Both eastern and western species flourish here as well, creating an area of delight for the botanist, the nature lover, the casual walker in the woods. The dunes are internationally known as the birthplace of ecology in North America. They contain three National Landmarks: Cowles Bog, Pinhook Bog, and the recently designated Hoosier Prairie.

In sharp and startling contrast to this natural wonderland is one of the largest industrial regions in the nation, sometimes referred to as the "American Ruhr." Heavy industry, chiefly steel mills and oil refineries dominate the Chicago-Gary shoreline of Lake Michigan. Over half of Indiana's shoreline is thus devoted to industrial development. The highly urban nature of the area with its concentrated population of some ten million people nearby, give this park great value beyond proportion to its small size. Public transportation by way of an operating commuter rail line to downtown Chicago make the Lakeshore easily accessible to metropolitan residents in less than one hour. This rail line travels the entire length of the Lakeshore, with station stops at several planned and potential visitor centers.

The effort to preserve the Indiana Dunes has been a long and difficult one. If an earlier Congress had had the foresight to enact Stephen Mather's proposal in 1916, we would not be here today trying to save bits and pieces of what remains of the Indiana Dunes. However, the lack of precedent for creating a national park from privately owned land, and the impending World War I, blocked that effort. Fortunately, the State of Indiana in 1923 set aside a small state park in the dunes—3 miles of beach and 2,200 acres of dunes and woods.

In 1958 Senator Paul Douglas introduced dunes park legislation; but that same year Bethlehem Steel Co. began buying several thousand acres of lake-front duneland in the very area we were attempting to save. In 1959, National Steel and Northern Indiana Public Service Company began construction in this same area. The State of Indiana was also actively promoting a harbor to be used by industries but paid for from public funds.

In 1963 a compromise was arranged by the Bureau of the Budget under the Kennedy Administration which would accommodate industry and conservationists. The public lost the best of the duneland to an industrial harbor, and Bethlehem Steel Corporation, which has since invested over one billion dollars on their steel-making facilities in the midst Dunes. But a 9,500 acre Federal Park was also to be authorized. Unfortunately, park opponents continued their opposition to creation of a National Lakeshore, and by the time Congress authorized the Park in 1966, the 9,500 acres was whittled down to 5,800 acres. In effect, the compromise was compromised. S. 3329 would raise the National Lakeshore to the order of magnitude envisioned in 1963.

The present status of the Lakeshore is this: \$27.9 million, the ceiling permitted by the 1966 Act, has been spent for land acquisition; an additional \$7.6 million has been authorized by Congress, \$4 million of which has been appropriated, and land purchase is being completed. Over \$4 million has been appropriated for development. Bathhouse facilities and public beaches will be opened officially this summer. Restoration of the historic Bailly Homestead is under way.

There are three main reasons why it is urgent that the park be enlarged now. Since 1966, we have seen some devastating encroachments which threaten the existence and usability of the present park. A prime example is the need for a buffer zone to protect Cowles Bog from the primitive ash dumping activity of the nearby power plant. Other buffer zones are necessary around Pinhook Bog. Remarkably, many of the dune areas which were originally in the compromise bill of 9,500 acres still remain intact and substantially unspoiled despite the advances of urban development. There are several unique natural landscapes intrinsically a part of the dunes region not presently either in the National Lakeshore or the State Park, such as the Miller lagoons and the Hoosier Prairie and the Nippissing area.

Secondly, this is a now-or-never opportunity to add these areas to the Park. Porter County, in which 70% of this proposal is located, is the fastest growing county in Indiana. Short of a major economic collapse, the open space surrounding the park would be rapidly developed commercially, residentially, or industrially. The Beverly Shores "Island" would invite concentrated housing development within the park if not added to it now.

A third reason is the inadequacy of the present park site to meet the recreational needs of the area. Lying squarely in the path of the emerging Midwestern megalopolis stretching from Chicago to Pittsburgh, the Dunes are even now subjected to greater pressure for various user activities close to home. This is as it should be, but a national preserve of 5,800 acres would not, in our view, meet the recreational need. Dunes resources are easily endangered by over-use, and the park visitors' experience would be diminished.

Last year the minute Indiana Dunes State Park had over 1½ million visitors; the Indiana Dunes National Lakeshore, with no public facilities officially open, had over 100,000 visitors. The need here is great.

Even with the 4,686 acres being requested here for additions, the total park size would be under 10,500 acres. The Senate on two separate occasions had approved a Dunes Lakeshore Park in excess of 9,000 acres. We are most appreciative of the responsiveness of this body, and hope this bill will be approved.

History has provided us with one more opportunity—and possibly the last one—to preserve an irreplaceable natural resource for millions of people.

Thank you for this opportunity to appear before this committee.

Mr. Osann will now give important details to supplement my remarks.

Each of the 23 units that make up S. 3329 were described in detail in a lengthy appendix to the testimony of Save the Dunes Council at the Senate hearing on S. 820 in September, 1974. At this point it is appropriate to focus our remarks on those areas that have undergone change in this bill or remain in controversy.

UNIT I-A (EAST) OGDEN DUNES

Lying within a quarter mile of the West Beach bathhouse now under construction, Unit I-A (East) is a high quality dune landscape that will complement the beach user facilities to the west. The inclusion of this unit within the Lakeshore is essential to preserve the natural setting of West Beach and to increase the opportunity for environmental interpretation in close proximity to this recreation facility. As the attached photo illustrates, the first of the new residential construction in I-A (East) is highly intrusive upon the natural setting as seen from the Long Lake area of West Beach. [Photo retained in committee files.]

A recent resolution from the Ogden Dunes Town Board opposed the inclusion of Unit I-A (East) within the National Lakeshore on the basis of "extreme hardship on the Civil Town of Ogden Dunes due to the loss of tax base under Indiana's frozen tax laws." However, under Indiana law, tax *rates* are frozen but not tax *assessments*. In fact, a major reassessment will get underway statewide later this year. Currently, residential property in Ogden Dunes is grossly underassessed,¹ and the town's fiscal situation will greatly benefit from a more realistic assessment of taxable properties.

The speculative development of the exclusive "Chrismar" subdivision has not yet eliminated the ability of Unit I-A (East) to display the unique natural qualities of the Indiana Dunes. The delays in enacting this legislation have been costly, in terms of both dollars and natural values. However, Congress and the Department of the Interior share a special responsibility for insuring that the delays of the past do not foreclose the public benefits resulting from the preservation of Unit I-A (East).

UNIT I-B GLACIAL LAKE DUNES AND MARSHES

The 40-acre eastern portion of this unit has been included in S. 3329 in a configuration that meets the objections which resulted in its deletion in the House, namely: The site of the boat ramp and docks known as Lefty's Coho Landing is not included; a 300-foot wide strip of land paralleling Dunes Highway (Rt. 12) adds contiguity to the parklands to the north and west; a 200-foot wide corridor labeled "Crossing B" will guarantee industrial access to private lands to the south under terms that are consistent with park use of the remaining area.

The dunes at the east end of Unit I-B are just as significant from a geological stand point as those at the west end. The eastern 40 acre tract of high dunes also provides an essential visual continuity for park visitors along Dunes Highway and within Unit I-C to the north. However, the total omission of the remaining wooded duneland to the south is the *major shortcoming of S. 3329*. At a minimum, standby authority for the acquisition of these 201 acres included in previous Senate bills ought to be provided in S. 3329, as it is now for the area to the east of Unit I-C. The mere checkerboarding of Midwest Steel ownership over about 40% of this acreage ought not to preempt its preservation for public enjoyment and scientific study.

UNIT I-E MILLER LAGOONS AND WOODS

The inclusion of this outstanding tract of duneland, ponds, and woods within the acquisition boundaries of the National Lakeshore is imperative. Regarding the development proposals of the City of Gary, it has been the position of the Council that a properly designed small boat harbor off-shore west of Marquette Park and the inclusion of Unit I-E within the Lakeshore are *compatible* objectives. The dumping of industrial trash and the sand mining of the dunes within the western 1,000 feet of Unit I-E are *incompatible* with the preservation of the area, and must be brought to an immediate halt. Public ownership, public acres, and full authority to restore the natural equilibrium within the entire 330-acre area of Unit I-E are all essential. S. 3329 would accomplish

¹ Under Indiana law, assessed valuation is to be 1/3 of true market value. With a 1975 assessed valuation of \$4,714,680 for real estate and improvements, the true market value for the town's approximate total of 560 houses would average \$25,250, including land. This figure is totally unrealistic.

these objectives without foreclosing any options for the city to pursue complementary goals of its own in the same vicinity.

UNIT II-A NIPSCO "GREENBELT"

The inclusion of this area through fee simple purchase is of the greatest importance to the integrity of the National Lakeshore. It must be pointed out, however, that curtailment of the ash dumping abuses of NIPSCO is not the "only" value contained in this tract. Unit II-A includes low dunes and wetlands of substantial scenic value and scientific interest. In the overall context of the Indiana Dunes, a relatively small unit of the National Park System, nearly 100 acres of natural open space cannot be lightly dismissed.

A scenic easement over this property would not, by definition, be responsive to the need for public access to this resource. Nor would the Park Service have authority to undertake remedial or rehabilitative measures within a scenic easement area. Such authority is essential for the coherent management of this entire wetland system including Cowles Bog.

UNIT II-C TREMONT TRACTS

Three small contiguous tracts of lightly developed wooded duneland comprise 60 additional acres in Unit II-C. Their inclusion will result in a park boundary that more accurately coincides with the limits of natural vegetation and dunes topography.

UNIT III-A BEVERLY SHORES "ISLAND"

Other testimony will address numerous aspects of this critical area. Nevertheless, the importance of the acquisition of the "Island" cannot be overstated and several points should be emphasized. First, the natural quality of these 652 acres is quite high and offers excellent prospects for resource management in combination with the surrounding park area. Secondly, the cost of acquisition will be greatly reduced as a result of the widespread preference for the reservation of use and occupancy ("leaseback") on the part of home owners. For each year of the reservation, 1% is deducted from the purchase price paid by the Federal government. Since actual opinion surveys have documented the intention of most "Island" residents to take the maximum leaseback available, the cost of improved property acquisition may be reduced by 25 to 30 percent. Additionally, due to the high proportion of unimproved land within the "Island," a great deal of open space can be made available to the public prior to the final removal of all the residences.

UNIT III-B CRESCENT DUNE

Retention by NIPSCO of any portion of this tract for purposes of waste settling pits is clearly inconsistent with the purposes of the National Lakeshore. This small parcel includes strategic lake frontage and space for the migration of Mt. Baldy, a large moving dune immediately west within the Lakeshore. The industrial uses planned by NIPSCO would open a whole new "theater" of contentions over damage to the park. As the present park boundary at Bailly has demonstrated, it is unrealistic to expect the effects of the surface dumping of industrial wastes in a sandy environment to be confined to the immediate area. NIPSCO should look elsewhere for the placement of such facilities.

UNIT V PINHOOK BOG BUFFER ZONES

The purpose of these additions is to protect the immediate watershed into this National Natural Landmark. Any additions that may be proposed by the Park Service on the basis of field investigation would have the support of the Save the Dunes Council.

UNIT VI-A NIPISSING DUNE RIDGES AND SWALES

The distinctive dunes of the Nipissing era once were the dominant land form of the northern portions of what is now Gary and Hammond, Indiana. Today, only widely scattered remnants of these long, low dune ridges interspaced with

canal-like ponds have survived. It is the position of the Council that *some* representative portion of the Nipissing dune phenomenon be included within the National Lakeshore. Well after the introduction of S. 820 in the last Congress, the attention of the Council was drawn to an area of some 360 acres of Nipissing dunes and ponds lying contiguous to Unit I-D of the proposed additions. The area is bounded generally by the B. & O. and Indiana Harbor Belt Railroad embankments. Ownerships in the area include the B. & O. Railroad (176 acres), NIPSCO (132 acres), and the Gary school system (48 acres). The B. & O. Railroad supports the inclusion of this property within the National Lakeshore, provided that a 200-foot strip along its operating right-of-way remain in company ownership. The property of the Gary school system can be included under a voluntary transfer provision, or omitted entirely. A NIPSCO high line right-of-way in the area would be accommodated under the right-of-way provisions in Section 11 of the bill. The existence of railroad tracks bisecting the area is, unfortunately, a situation also prevailing at Unit VI-A.

Size, quality, and manageability are all factors that have led to the preference of the Council for the inclusion of the acreage described above. However, we prefer Unit VI-A in the Senate bill over no representation of the Nipissing phenomenon at all.

[From the Detroit Free Press, May 4, 1976]

INDIANA DUNES + 60

The (Indiana) dunes are admittedly wonderful, and they are inherent distinctive because they best illustrate the action of the wind on the sand accumulated from a great body of water. No national park or other Federal reservation offers this phenomenon for the pleasure and edification of the people, and no national park is as accessible.

—Steven T. Mather, 1916.

What Steven T. Mather, first director of the National Park Service, found in the Indiana Dunes 60 years ago is just as true today. But time, at last, has caught up with the Indiana Dunes, with the prospect that what isn't saved now will not be saved, ever.

Mr. Mather went to the Dunes in response to a U.S. Senate resolution asking the Interior Department to investigate the possibility of establishing a national park in the area. Reporting that "I have never seen sand dunes that equal them in any degree," Mr. Mather advocated a park stretching along the Lake Michigan shore from Michigan City to Gary, Ind.

In the six decades since then, some of the best of the dunes have been destroyed by the relentless march of industry and suburbia. But much of the dunes' unique beauty remains, and it still is possible to find solitude within their sandy bosom.

It's for that reason that the introduction of S. 3329 last week, to complete the Indiana Dunes National Lakeshore that Congress started just 10 years ago, was encouraging. The bill, which was co-sponsored by Sen. Philip Hart, D-Mich., provides for the addition of 4,686 acres, which is slightly more than was included in the House version that passed by a greater than 2-1 margin earlier this year.

The Senate, which has consistently backed an expanded federal park in the Indiana Dunes, should expedite S. 3329's passage so any final differences between the two houses can be resolved this session.

It's to be hoped the House simply will accept the Senate bill, since the acreages in the two versions vary only between eight and 10 percent.

The Senate proposal restores some important areas, however, notably unchannelized stretches of the Little Calumet River that could add an interesting riverine corridor to the lakeshore park scene. It also replaces an inadequate "scenic easement" arrangement for the greenbelt adjoining Cowles Bog with outright purchase of all but the deleted north-south arm.

It's time to complete the Indiana Dunes National Lakeshore. As the St. Louis Post-Dispatch editorialized last year, "With about 10,000,000 Midwesterners living within easy driving distance. . . , this park is an important unit in the National Park System."

The Michigan congressional delegation should help see that the job of finishing the park is accomplished this session.

SAVE THE DUNES COUNCIL,
Beverly Shores, Ind., June 21, 1976.

To: Hon. J. Bennett Johnston, Jr., Subcommittee on Parks and Recreation,
Committee on Interior & Insular Affairs, U.S. Senate.
From: Edward R. Osann, Washington representative, Save the Dunes Council.
Re: Correction of Cost Estimates and Authorization Ceiling
S. 3329, Indiana Dunes National Lakeshore.

The authorization of \$57,855,900 for new land acquisition contained in S. 3329 is based upon the ceiling of the House-passed bill, H.R. 11455, with appropriate upward adjustments for several additional areas included in the Senate bill. The basis of the ceiling in the House bill, in turn, has been the cost estimates provided by the National Park Service during the course of committee hearings and mark-ups in 1975.

In testimony to the Senate Subcommittee on Parks & Recreation in September, 1974, Save the Dunes Council pointed out several weaknesses in the Park Service cost estimates. Few have been remedied since then. The purpose of this memorandum is to point out changes in cost that should be reflected in S. 3329 when reported by the committee. The corrections listed below do *not* involve boundary or acreage changes in S. 3329 as introduced. Furthermore, the corrections below are *not* a substitute for the professional appraisal judgements of the Park Service land acquisition staff. Rather, the changes are necessitated by clerical errors, changing conditions, and assessments made at variance with established Park Service procedures.

To a limited extent, overestimates of land cost may be seen as "insurance" against the need for an authorization ceiling increase at a future date. However, the Park Service estimates already contain over \$7 million for market appreciation (inflation) and adverse condemnation awards. Also, present cost estimates fail to anticipate the discount accruing to the government under the reservations of use and occupancy, the "lease-back," which is expected to be used heavily by residential property owners within the new areas of the Lakeshore. Most relocation payments would also be eliminated for such leaseholders. These combined savings in the acquisition of improved property have been estimated at over \$3 million by Save the Dunes Council. Hence, the net overestimates resulting from the errors and inconsistencies listed below are not needed to insure against cost overruns in the future.

Following the narrative descriptions below, two tables are attached. The first provides a breakdown of the increased costs included under S. 3329, over and above the ceiling of the House-passed bill. The second table is a comprehensive itemization of acreage and cost figures. By copy of this memorandum, the National Park Service will be advised of this information and asked to comment on it directly to your subcommittee.

PROPOSED COST CORRECTIONS

A-I (East) Ogden Dunes +\$830,100

While S. 3329 and its predecessors have been pending in Congress, a residential developer has subdivided most of this tract and begun marketing home sites. Although the 24 acres added to Unit I-A (East) by S. 3329 provide for substantially increased costs, the portion contained in the House bill needs this upward revision.

I-B (West) Glacial Lake Dunes and Marshes —\$614,500

The Park Service estimate for this unit is distorted by two factors. Some 66 acres of State highway right-of-way and railroad main line right-of-way, although within acquisition boundaries, would not normally be expected to be purchased. Secondly, two residences beyond the proposed boundary of this unit have been inaccurately included, along with attendant relocation costs,

I-C Eastern Branch and Dunes Extension — \$308,700

A clerical error resulted in the use of a cost figure for a larger configuration (156.11 acres) of this unit than that which was actually adopted by the House subcommittee. This downward revision will still allow for funding both 101.01 acres at full acquisition authority and 33.97 acres on a voluntary purchase basis, as provided under both House and Senate bills.

II-F Lake-Border Terminal Moraine —\$366,400

This revision is based upon the inaccurate inclusion of five residential structures and 1 commercial structure (a motel now demolished), and consequent overcharges for improved property and relocation costs.

III-A Beverly Shores "Island" —\$390,200

Contrary to Departmental assertions, 30 houses have not been built in the "Island" in the past year. Rather 12 have been built in the last 22 months according to the Town Board, resulting in a total of 287 improvements. \$190,000 may be added to account for all costs associated with the acquisition of 2 homes above the NPS total of 285 improvements. However, in a clear departure from established practice, the Park Service estimate also includes \$580,000 for the purchase and relocation of a public elementary school.

III-B Crescent Dune —\$732,500

This adjustment is warranted due to the improper assignment of mineral value to the sand in this tract. At least two condemnation cases at Indiana Dunes have established that dune sand has essentially no mineral value. In no other unit has a mineral value been assigned apart from the value of the land itself.

IV-A Blue Heron Preserve —\$64,300

Approximately 71 acres at the eastern end of this unit are in State ownership, and would not normally be expected to be purchased.

VI-B Hoosier Prairie —\$1,189,500

Some 300 acres of this unit are now under option to the State of Indiana, utilizing a contingency grant from the Land & Water Conservation Fund. This leaves only 30 acres to be acquired under the terms of section 19 (section 20 of the House bill) whereby the Federal share is limited to 50 percent of the land cost, plus all administrative expenses. Thus, approximately \$130,800 would accommodate the purchase of the remaining 30 acres under this formula.

TABLE 1.—*Cost increases in Senate bill*

I-A (east) Ogden Dunes.....	\$1, 655, 100
I-B (east) Glacial Lake dunes and marshes.....	291, 800
II-A NIPSCO "Greenbelt".....	690, 900
II-C Tremont tracts.....	554, 700
IV-B Little Calumet River—east section.....	257, 700
VI-A Nipissing Dune ridges and swales.....	917, 300

Total.....	4, 367, 500
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The above figures are all National Park Service estimates, except the following:

I-A (east):	
Estimated total land cost.....	\$817, 500
Unimproved (43 lots).....	(697, 500)
Improved (6 lots).....	(120, 000)
Estimated total improvement cost.....	360, 000
Market appreciation.....	105, 975
Deficiency judgement award.....	154, 000
Indirect administration costs.....	175, 370
Real Property Acquisition Act of 1970.....	42, 250

Total estimated requirements.....	1, 655, 095
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I-B (east):	
Estimated total land cost.....	200, 000
Estimated total improvement cost.....	-----
Market appreciation.....	30, 000
Deficiency judgement award.....	27, 600
Indirect administrative costs.....	28, 600
Real Property Acquisition Act of 1970.....	5, 600

Total estimated requirements.....	291, 800
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TABLE 2.—INDIANA DUNES NATIONAL LAKESHORE COST ESTIMATES, JUNE 21, 1976

Proposed additions	H.R. 11455		Adjustment by S. 3329		Save the Dunes Council proposed cost corrections (maintaining acre- age of S. 3329)
	Acres	Cost	Acres	Cost	
I-A (east) Ogden Dunes.....	41.65	\$151,700	+24.00	+\$1,655,100	+\$830,100
I-A (west) Edgewater Dunes.....	92.46	5,229,100			
I-B (east) Glacial Lake dunes and marshes.....			+40.00	+291,800	
I-B (west) Glacial Lake dunes and marshes.....	585.00	4,300,000			-614,500
I-C Eastern beach and dunes extension.....	134.98	2,514,000			-308,700
I-D Long Lake extension.....	419.53	1,650,000			
I-E Miller lagoons and woods.....	330.42	1,495,000			
I-F Tolleston Dune complex.....	295.71	1,835,000			
II-A NIPSCO "Greenbelt".....	72.11		+21.89	+690,900	
II-B Waverly Road.....	139.81	3,050,000			
II-C Tremont tracts.....	20.00	140,000	+60.00	+554,700	
II-D Furnessville Marsh extension.....	206.00	2,161,000			
II-E Bailly Homestead River extension.....	166.00	242,000			
II-F Lake-Border Terminal Moraine.....	49.00	810,000			-366,400
III-A Beverly Shores "Island".....	652.00	23,740,000			-390,200
III-B Crescent Dune.....	30.00	1,762,000			-732,500
III-C Parkway section.....	68.00	1,890,000			
IV-A Blue Heron Preserve.....	391.00	354,300			-64,300
IV-B Little Calumet River—east section.....			+141.00	+257,700	
IV-C Little Calumet River—west section.....	168.20	339,000			
V Pinhook Bog buffer zones.....	150.00	505,000			
VI-A Nipissing Dune ridges and swales.....			+98.00	+917,300	
VI-B Hoosier Prairie.....	330.00	1,320,300			-1,189,500
Total.....	4,341.87	53,488,400	4,726.76	57,855,900	1 -2,836,000

1 Net.

MAY 24, 1976.

HON. J. BENNETT JOHNSTON,
*Chairman, Subcommittee on Parks and Recreation, Committee on Interior and
 Insular Affairs, U.S. Senate, Washington, D.C.*

DEAR SENATOR JOHNSTON: As Secretary of the Interior, I was personally familiar with the conservation efforts that led to the authorization of the Indiana Dunes National Lakeshore in 1966. Today I share the concern of environmentalists throughout the country that it is time to finish the job of preserving the Indiana Dunes. I urge that S. 3329, a bill to add some 4,700 acres to the National Lakeshore, be reported favorably by your subcommittee to the floor of the Senate.

The report of the Department of the Interior in support of S. 360 in 1965 describes the Indiana Dunes "a natural scientific and scenic asset so diverse that it is difficult to equal anywhere in this country." With regard to visitor use, the report anticipated substantial visitation from all parts of the country, as well as the obvious potential of the Dunes to contribute critical open space to the Chicago Metropolitan area.

Our understanding of the importance of high quality natural areas such as the Indiana Dunes has grown considerably in the last decade, as have the pressures placed upon these resources. It is remarkable indeed that the wetlands, dunes, prairie and stream valley encompassed by S. 3329 are still obtainable in relatively unspoiled condition. Enactment of this bill will result in an appropriate reiteration of our national commitment to preserve the Indiana Dunes for the benefit of all Americans.

I respectfully request that this letter be made a part of the hearing record of S. 3329.

Sincerely,

STEWART L. UDALL.

THE WILDERNESS SOCIETY,
 Washington, D.C., June 9, 1976.

HON. J. BENNETT JOHNSTON,
*Chairman, Parks and Recreation Subcommittee, Interior and Insular Affairs
 Committee, U.S. Senate, Washington, D.C.*

DEAR SENATOR JOHNSTON AND MEMBERS OF THE COMMITTEE: The Wilderness Society wishes to emphasize its support for the position taken by the Save

the Dunes Council as presented to your Committee on May 26, 1976 by Edward Osann at the hearing on S. 3329 concerning additions to Indiana Dunes National Lakeshore.

For many years the Society has been interested in the preservation of the extraordinary ecosystems of Indiana Dunes and on several occasions has presented invited testimony in both the U.S. Senate and House of Representatives recommending protection for the Dunes.

When in 1966 the Congress passed legislation to create Indiana Dunes National Lakeshore, we—along with Indiana and national organizations—were very disappointed that important areas were omitted from the Lakeshore. It is urgent now to enlarge the Lakeshore to preserve as much as is possible, at this late date, of the historic, recreational and ecological values of Indiana Dunes National Lakeshore.

Sincerely,

RATE-PAGE.

FRIENDS OF THE EARTH,
Washington, D.C., May 25, 1976.

HON. J. BENNETT JOHNSTON,
Subcommittee on Parks and Recreation, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. JOHNSTON: This letter is to advise you of the continuing interest in the Indiana Dunes on the part of Friends of the Earth, a national membership organization dedicated to the preservation, restoration and rational use of the environment. Friends of the Earth has testified in support of several previous measures to enlarge the Dunes National Lakeshore. At this time we view S. 3329, sponsored by Senators Hartke and Bayh, as a minimal proposal. We urge swift consideration and favorable action on this bill by your Subcommittee.

S. 3329 would add some 4,700 acres to the presently authorized National Lakeshore. Several miles of stream valley and flood plains along the Little Calumet River have been deleted from the bill, marking one of the chief differences between this bill and previous Senate legislation to enlarge the Lakeshore. What remains is an essentially unchanneled length of about seven miles of the Little Calumet, capable of diversifying the recreational offerings of the National Lakeshore to include stream-bank fishing and hiking and canoeing. FOE considers these river additions, Units II-A, IV-B, and IV-C, to be particularly important. Although the Little Calumet is a modest resource in comparison with many of the country's great rivers, in this location it presents an opportunity for many urban residents that is otherwise unobtainable.

The value of the Indiana Dunes to the nation goes far beyond their recreational carrying capacity. The Dunes and related bogs are a natural laboratory of national significance, where pioneering field studies in the science of ecology were conducted at the turn of the century. Natural areas such as the Hoosier Prairie and the Glacial Lake Dunes must be preserved, while Cowles Bog and Pinhook Bog, both now within the Lakeshore, badly need additional protection.

Park management difficulties are addressed in a major way by S. 3329. The inclusion of the so-called "Island" within the town of Beverly Shores, Unit III-A, is essential for the proper management of the entire eastern sector of the Lakeshore. At the western end of the park, additional parcels have been identified as necessary for visitor access. The use of public transportation to and within the park will be heightened by these acquisitions.

Indiana Dunes represents all the opportunities and promise of the urban national park concept, while retaining a resource base in the best tradition of the National Park System. Passage of S. 3329 will be a significant milestone in the preservation of America's outstanding natural areas for the use and inspiration of future generations.

Please include this letter in the record of the Subcommittee hearing on S. 3329.

Respectfully submitted,

ANNE WICKHAM,
Assistant Wildlife/Conservation Director.

Senator JOHNSTON. Our next witness will be Ms. Kay Franklin, Beverly Shores Residents Association.

You have Robert Akers and Mrs. Norma Schaeffer with you, Ms. Franklin?

Ms. FRANKLIN. Yes.

STATEMENT OF ROBERT AKERS, TRUSTEE, TOWN OF BEVERLY SHORES, IND.

Mr. AKERS. The town of Beverly Shores is comprised of 2,250 acres, two-thirds of which are already in the national park. The two portions of Beverly Shores not in the national park comprise 720 acres, one 68-acre strip which is called The Parkway on the south end of the existing boundaries of Beverly Shores, and an island which is comprised of 652 acres.

This island and the strip along 12 was not included in the original bill in 1966 because of a compromise that was made by Congress. The island was actually created by Congress in 1966.

We are confronted now with three options. I won't take the time to go into the options; they are in my testimony. But I would like to speak briefly as to the one option that the town board has as our only alternative.

Presently, we provide services for the entire 2,200 acres, 1,600 acres which are in the national park. We would have to divorce ourselves from that and encourage high use development of the island so as to rebuild our tax base, a tax base which has been depleted because of the loss of much of our property to the existing national park.

The options, all of which would be detrimental to the national park, I think are very, very strong reasons why this island should be given a great deal of consideration.

Senator JOHNSTON. You have within the town limits a great deal of the national park acres?

Mr. AKERS. Yes, sir, two-thirds of our town right now is within the national park. The island, only 652 acres, cannot survive economically unless we do something to broaden that tax base. In order to broaden the tax base, we would have to encourage heavy development of the island. This overlay of the map shows the potential development of the island if it were to be developed to broaden that tax base.

Under the present ordinances, there is authorization for high-rise buildings which would be on the north side of the present national park. There would also be authorization for fast-food chains and so on that the national park simply would not have any jurisdiction over and certainly would not complement the national park.

I really think that the roads that we have that already exist in the island, some 30 miles to this area that is sparsely populated, would be a real asset to the national park for hiking trails and biking trails.

Senator JOHNSTON. You think \$23 million is too high an acquisition cost, that it wouldn't cost that much?

Mr. AKERS. Sir, for what you would be gaining, for \$23 million, in my opinion that is high and I think the area can be acquired for

less money. I think it is worth mentioning that the \$23 million does not make reference to the discount that the national park would have in the 25-year lease back. Ninety-two percent of the citizens claim they would subscribe to it.

I am getting into the testimony of the other two people here——

Senator JOHNSTON. I thought you were testifying as a panel. Actually, your 3 minutes are up.

[The prepared statement of Mr. Akers follows:]

STATEMENT OF ROBERT AKERS, TRUSTEE, TOWN OF BEVERLY SHORES, IND.

My name is Robert Akers, I am a Trustee on the Beverly Shores Town Board and I am here to represent the Town of Beverly Shores. I would like to address myself to the problems of management, if the Island is not included in the park.

In the Town Boards opinion, which is supported by the Porter County tax and treasury officials, there would be three options that would remain open for the town, all of which would present serious problems to the Lakeshore.

One of the options would be that Beverly Shores would remain an incorporated town of 2200 acres. To make up the tax revenue loss as properties are removed from the tax rolls, the Town Board would be forced to encourage heavy residential, commercial and industrial development. According to the zoning ordinances now in force, the Island could be developed to support a population of 8,000 as compared with the 813 we have now. The Beverly Shores Building Commission received its first serious inquiry about building a multi-family dwelling in the Island within the past year. The start of this development has been delayed pending the outcome of this pending legislation.

Because it is questionable whether maximum development would support services such as road maintenance and police protection to the whole 2200 acres, a more likely alternative would be the dissolution of the Town of Beverly Shores and the reincorporation of the Island. This would leave inholders without town services and place the burden for such service on the federal government. With reincorporation, the character of the town will change more rapidly from low density use to a high density multi-family community. All housing construction in recent years has been of year-round single family residences. The open spaces that we are used to will disappear.

Commercial development would be hindered by the inclusion of Area IIIC, the Scenic Parkway, without the inclusion of the Island. This strip of 68 acres along U.S. 12 is zoned for commercial development and potentially a fruitful source of tax revenue for the town. If it is detached from the rest of Beverly Shores, our ability to sustain ourselves will be greatly diminished. We are opposed to further divisions of Beverly Shores for any reasons whatsoever.

Commercial development is possible along Broadway and Beverly Drive, two major entries to the Lakeshore. The type of development most likely to occur is that which would serve the Park visitor—fast food stands, motels, and the like. These would be highly inappropriate in the middle of the Lakeshore and would be subject to no control by the National Park Service.

A third alternative would be the dissolution of the town of Beverly Shores. In this instance the area would revert to the County of Porter. County officials have indicated that they would not like to see this happen because of the additional burden to the county, and that Island residents could anticipate services from the county far below those now provided by the town.

It seems that disincorporation and reincorporation of the Island as a town would be the only acceptable avenue available. This is the only option that will give us some grip on crowd control and security. Crowd control and security are of the utmost concern for the Park management as well as the Town Board.

Other parks find it necessary to limit visitation during peak periods so as not to destroy the ecological balance within the park and to maintain law and order. With an island in the middle of the park, any form of crowd control is impossible, unless that island, not unlike West Berlin, would be completely fenced off. If such restriction were to be placed on the visitor he would then be deprived of many scenic hiking trails and have access to a major portion of the beach only by boat.

Although there would be many problems for residents if the Island is excluded, it is the Lakeshore and the American people who will suffer the most in the long run.

STATEMENT OF KAY FRANKLIN, PRESIDENT, ASSOCIATION OF BEVERLY SHORES RESIDENTS

MS. FRANKLIN. Senator Johnston, I would like to talk a little bit about the management capability problems faced by the National Park Service by the existence of this enclave in the middle of what is the largest land area that exists in the Indiana Dunes.

If you look at the Department's map, you will see that at the extreme right-hand side, although it is not designated on the map, is one of the most beautiful areas which I pray you will see, Mt. Baldy which abuts Beverly Shores and Beverly Shores goes all the way down to the Indiana Dune State Park.

This area in the midst of which sits this island, this enclave which Congress created. National Park Service has not developed any kind of master plan for this area and in fact, its development of a master plan for this area will be incredibly complicated by the fact that here sits this hole in the middle of the doughnut.

All the roads of the community are owned by the Park Service and I must correct—by the town. I must correct the Indiana Dunes National Lakeshore superintendent. There are only zoning controls approved by the Secretary in the lakeshore portion. They are not in effect in the island portion nor does the State of Indiana have now, nor does there seem to be any ghost of a chance of its accomplishing it in the future, any kind of controls that you had in S. 640.

All that is available in the State of Indiana to the local planning commission on which I sit and the zoning board are zoning controls. We have no tax incentives, we have no capability provisions and we have a community left essentially of the 642 acres and that parkway strip for which we must generate municipal revenue.

Not only that but if we generate municipal revenue according to our zoning act, we provide for high-rise apartment houses across the street from the lakeshore affecting a watershed area with all kinds of ecological damage through money that the Federal Government and us as taxpayers have spent to acquire the land. It is a planning monstrosity, it is an anomaly that does not belong there and it is an area that the superintendent and his staff cannot manage.

[The prepared statement of Ms. Franklin follows:]

STATEMENT OF KAY FRANKLIN, PRESIDENT, ASSOCIATION OF BEVERLY SHORES RESIDENTS

I am Kay Franklin, resident and homeowner in the Beverly Shores Island, and President of the Association of Beverly Shores Residents. The ABSR is a community organization which has 215 memberships representing forty-six percent of the households within the corporate limits of Beverly Shores. Included as residents for membership purposes are owners of improved and unimproved property, whether in the island or within the area of Beverly Shores now in the Indiana Dunes National Lakeshore (hereafter to be referred to as the Lakeshore); holders of reservations in use of leasebacks as they are called; and renters. A member may live in the area all year or any part thereof. Our organization is almost three years old and was formed to solve some of the many problems brought about by the establishment of the Lakeshore and the creation of the Beverly Shores Island by Congress in 1966.

My testimony will be concerned with unit IIIA, the Beverly Shores Island. It is within the corporate limits of Beverly Shores and currently excluded from the Lakeshore. It consists of 652 acres entirely surrounded by the 1548 acres of Incorporated Beverly Shores now a part of the Lakeshore.

The Island is a creation of the United States Congress. In its July 29, 1966 report to accompany HR 51, the House Committee on Interior and Insular Affairs amended the Lakeshore boundaries as follows: "Delete from the boundaries of the Lakeshore the following areas: (g) An intensively developed portion (660 acres) of the East Beach unit (often referred to as the Beverly Shores area) which contains about 350 dwellings and other improvements."

Were it not for the boundaries created by the establishment of the Lakeshore, the Beverly Shores island would be indistinguishable in natural beauty from the Lakeshore which surrounds it. Over 500 of the 652 acres are unimproved. Most of the island consists of dunes, woods and marshlands, abundant with bird and animal life, wild flowers and fruits and possessing the striking variety in terrain which is the hallmark of this unique wilderness area. Attractive winding roads make the island an ideal place for hiking, biking, bird and wildflower watching, and for that feeling of isolation which is such a rare experience in our urban society. In terms of natural beauty, the island is a most desirable addition to the Lakeshore. The island, plus the part of Beverly Shores now in the Lakeshore, would encompass an unbroken expanse of 2,200 acres—the largest unbroken land mass in the Lakeshore—including a network of 61 miles of roads ideal for recreational use.

Aside from the natural beauty of the island, there are other compelling reasons why it ought to be included:

1. The existence of the island created serious management problems for the National Park Service.
2. Federal dollars already spent in Beverly Shores are being wasted by the inability of the NPS to fully utilize what has been purchased.
3. The alternatives to inclusion for the island, i.e. accelerated commercial and residential development; dissolution of the Town of Beverly Shores and reincorporation of the Island; or dissolution of the Town of Beverly Shores and reversion to an unincorporated area of Porter County; would create serious problems for the Lakeshore and constitute a threat to present Lakeshore resources.
4. The existence of the island incurs costs to the government even if it is not included.
5. Inclusion is consistent with a long range view of National Park use and development.
6. The cost of acquiring the island will be far greater in the future.
7. It is impossible for the Park Visitor to know where he is.
8. A majority of residents wish to be included.
9. If included, Beverly Shore would constitute the largest continuous land area in the park.
10. Mass transit to the Beverly Shores area already exists.
11. Inclusion would permit intelligent planning and development of Mt. Baldy and other adjacent areas.
12. Inclusion would permit eventual optimum use of the beach by the Park Visitor.

I will now discuss some of these reasons in greater detail.

Local residents, town officials and the park superintendent and his staff all agree that the island presents severe management problems for the Lakeshore. Park officials estimate that they spend ten to thirty percent of their time dealing with island matters. The fact that there are no precedents for this situation makes things even more difficult. Each issue has to be decided individually, often by the regional office of Omaha or by the solicitor for the National Park Service. Some management problems include:

1. Jurisdictional problems in law enforcement, road management, parking and access.
2. Limited access to beaches and other park area for Park Visitors.
3. Crowd control.
4. Fire protection.
5. Area Security.
6. Allocation of staff time.

7. Planning—long range comprehensive planning and short term planning such as for Mt. Baldy.

8. Acquisition of town owned beaches, roads and parks.

9. Erosion control. We are pleased to see that since the hearing before this subcommittee in June of 1974, some of those opposed to the island's inclusion have changed their position. At the April 1975 meeting of the Indiana Dunes National Lakeshore Advisory Commission, Chairman Bill Leiber announced that Governor Bowen now favors the inclusion of the island. At the same meeting, the commission voted 6 to 1 for inclusion. The current Democratic Town Board, as well as the prior Republican Town Board is on record as supporting the inclusion of the island and, as you know, in excess of eighty percent of improved property owners in the island also favor it. Local park management views the inclusion of the island as a necessity because they recognize the long term management problems without it. The house bill which passed just a few months ago had very little opposition to it. Despite these changes in position, there remain some objections which I would like to answer at this time.

1. It costs too much. In 1974, a careful study by members of the ABSR together with the Save the Dunes Council, showed that the \$23,000,000. NPS figure could be reduced to \$16,675,295. Our study accepted NPS estimates for commercial and institutional property, with the exception of \$500,000. For a public school building, market appreciation figures, phased acquisition estimates, and indirect administration costs totaling 14.1% of the total costs. The major difference was in the acquisition costs of unimproved property. Our figures show an average cost of \$6,600 per acre as opposed to more than \$11,000 per acre in the NPS estimate. A full discussion of these figures was included in prior testimony (Senate Hearings 1974) and since the NPS study are still valid.

The argument seems to be that if the island is included it will be too expensive, and if left out, it will cost nothing. There is, in fact, a large cost to the government even if the island is excluded. The cost of increased police and fire protection, legal services for resolution of jurisdictional disputes, salaries for allocation of NPS staff to island matters, increased management costs—all in perpetuity, greatly reduce the magnitude of the purchase price.

One of the biggest costs to the government, if the island is not included, is that of erosion control. According to a preliminary feasibility study of the shoreland erosion problems between Michigan City and Indiana Dunes State Park released by the Army Corps of Engineers April 21, 1975, the average annual erosion damage costs in the seven miles studied, total \$224,600. (Six of the seven miles are within the Lakeshore and almost all in Beverly Shores.) The Corps outlined ten alternative plans for dealing with the erosion problems in this area which were presented at a public meeting May 15, 1975 in Michigan City, Indiana. Nine of the ten plans would require construction of some sort, the annual costs of which range from a low of \$720,000, for a partial beach nourishment program to a high of \$4,980,100, for construction of an off shore breakwater. These figures do not include construction costs—low \$5,600,000, and high \$52,385,000. Since May of 1975, the Corps has tentatively decided on partial beach nourishment as the most desirable program. While it is by far the cheapest, having an annual cost of only \$720,000, and the least disfiguring to the shoreline, it is considered a temporary solution to be employed until such time as houses and lakefront road are no longer present. At that time, it would be possible to employ the only alternative having no annual cost, that of shoreland management, which would consist of doing nothing, allowing the dunes to recede and rebuild as they would without man-made considerations.

Considerable controversy was generated by the construction of the revetment which now protects the shoreline in Beverly Shores. Nathaniel Reed, Asst. Secretary of the Interior, concurred with environmental groups who strongly urged shoreland management as the only acceptable alternative.

A shoreland management solution is not possible, however, as long as private property begins, in some areas, almost at the water's edge. As long as the island is private, an annual cost no lower than \$720,000, if beach nourishment is used, will have to be paid for protection of the shoreline. In 32 years this annual expense will have reached the NPS estimate for acquisition of the

island. If the island is included in the Lakeshore, it will be possible after the expiration of the leases, to begin a cost free shoreland management program of erosion control.

There are other identifiable costs which the federal government will have to pay if the island remains outside the Lakeshore. For example, costs for police and fire protection can be expected to increase if the island remains out of the Lakeshore. According to the Region V Law Enforcement Specialist, of the Lakeshore, especially since the island's density is bound to increase, James Turner, the continued presence of a residential community in the midst could only mean that the Park Service's annual budget for police and fire fighting would have to be greater than would be necessary if the Park Service could look forward to the gradual phaseout of dwelling and residents. He was not able to quantify these costs for us but emphasized that they would be a built in charge.

Region V NPS Solicitor, Elmer Nitscke has pointed out that the legal fees incurred by the Park Service will be substantially higher if the island remains outside the authorized boundaries of the Lakeshore. He foresaw a never ending series of jurisdictional problems between the Town of Beverly Shores and the federal government, which would need legal counsel to resolve.

Local park management admits that along with higher legal service fees there will inevitable be a disproportionate amount of other staff time (with their salary costs) spent dealing with Beverly Shores questions if the island continues to be excluded from the Lakeshore. Quantifying this figure is again beyond our resources, but it seems to us self-evident that the local superintendent and his staff will be plagued forever with the problems of trying to administer a functioning national park in coexistence with a residential community smack in the midst of his domain.

In view of the money already spent in Beverly Shores, it would be a penny wise, pound foolish decision, and a false economy to exclude the island.

2. It will not be available for public use in the near future so why spend the money. It will be some years from the time land acquisition begins before the island and adjacent park land and beach can be fully developed for public use. This is both reasonable and appropriate because planning for national parks ought to be a long range proposition. The Congress builds in long range considerations into most of its laws and this should be no exception. It is well known that industry purchases land years prior to planned development. For example, in 1932 NIPSCO bought the Bailly property. Interim use is going on now and can be expected to increase during the lease period.

3. "In many areas highly concentrated industrial and/or residential development has despoiled any natural, scientific or recreational potential." (This objection is quoted from the testimony of the Department of the Interior at the hearings on the Roush bill in the spring of 1974.) The testimony lists Beverly Shores among these. The NPS study team reports of 1971 and 1973 said of the Beverly Shores island: "...The long range importance of including this tract into the National Lakeshore cannot be over-emphasized. . .acquisition is considered to be of top priority. . .a generation from now this will be the heart of the National Lakeshore. . .(it is) highly desirable as parkland. . .(it has) prime unspoiled areas. . .Only the Beverly Shores island offers the advantages of low density, essentially unspoiled natural values, strategic location, and significant local sentiment for inclusion." I regret to say that in the paragraph following this glowing description, the same study team recommended against inclusion on the grounds that it cost too much.

I am often asked why Beverly Shores residents have changed their minds about being included in the Lakeshore. Although there was opposition to inclusion at the time of the 1966 bill, it was opposition to any of Beverly Shores being included. No local residents have ever considered the part-in part-out solution imposed by congress as a viable alternative. All but a tiny percent of those who originally opposed inclusion of the town of Beverly Shores are in favor of the inclusion of the island today. Their support is predicated on the reality of the federal presence, on the genuine love for the area that all residents share, on their desire for reunification of the town, on their awareness of the increased problems of security, traffic, garbage and litter, and potentially increased taxes, and finally on the expectation that the ground rules will remain the same. By this I mean that the provisions for home-

owners which pertained under the 1966 bill will apply to them also, and that policies will be implemented fairly and equitably.

After having considered all the arguments for and against the inclusion of the Beverly Shores island, and written this testimony expressing them, I am left with a certain sense of incredulity that congress would even consider a National Park with a hole in the biggest section. A temporary hole—I suppose so. A permanent hole defies the imagination. The question is whether the National Lakeshore will have all of the problems which confront it now, forever, or whether all citizens can look forward with some intelligent and systematic planning, to a time when they will be solved. None of us is native enough to think that inclusion in the Lakeshore will automatically and immediately bring solutions to problems. This is a very complex situation and will remain so until most of the houses and people are gone. Certain benefits will accrue immediately—such as the cessation of construction and further destruction of the area, more flexibility to provide adequate security and fire protection, having one agency which has primary responsibility for the area, a climate for intelligent planning and constructive cooperation between town and park.

For all of the aforementioned reasons, the ABSR urges the inclusion of the Beverly Shores island.

STATEMENT OF NORMA SCHAEFFER, ON BEHALF OF BEVERLY SHORES PLANNING COMMISSION AND BOARD OF ZONING APPEALS

Mrs. SCHAEFFER. I would like to take issue with some of Mr. Reed's statements about the natural boundaries of the island. I have here from President Omstead of the University of Chicago who designates two areas he thinks particularly significant in the bill where one of which is Beverly Shores Island.

He says dunes near the lake in Beverly Shores inclusion, even though somewhat modified, pertain much of their natural fauna and much of the biotic communities. They include vegetation represented in other areas of the national lakeshore. This area should be saved for educational and scientific purposes but one hopes that this can be accomplished by still providing in much of the remainder of the area the recreational usages primary to national lakeshore.

In addition, I have in my testimony a quotation from the National Park Service study team report, of 1971 and 1973. The National Park Service study team said of the Beverly Shores Island, the long-range importance of including this tract into the national lakeshore cannot be overemphasized. Acquisition is considered to be of top priority a generation from now this will be the heart of the national lakeshore.

It is highly desirable as parkland. It has prime unspoiled areas. Only the Beverly Shores Island offers the advantage of low density, essentially unspoiled natural values, strategic location and significant local sentiment for inclusion.

Somewhere along the line, the Park Service and Interior have changed their position and this was their feeling at the time and the area has not changed very much.

One of the problems in the Beverly Shores Island is that it is so difficult for the National Park Service to manage it. We have problems with park visitor access to the beach. The park visitor cannot tell when he is in the island and when is outside of the island.

We have problems for the national lakeshore of security, of fire protection, of parking, all of these kinds of things—

Senator JOHNSTON. I'm sorry, I will have to stop you at this point. Time is up. I don't like to cut off witnesses and all of you have done such a good job this morning but it is just a question of time.

[The prepared statement of Mrs. Schaeffer follows:]

STATEMENT OF NORMA SCHAEFFER, ON BEHALF OF THE BEVERLY SHORES PLANNING COMMISSION AND BOARD OF ZONING APPEALS

My name is Norma Schaeffer and I am a member of the Beverly Shores Planning Commission and the Beverly Shores Board of Zoning Appeals. I am appearing before you today as the authorized representative of both these municipal agencies.

Gentlemen, the Planning Commission in our community is composed of seven citizens and the Zoning Board of Appeals has five members. We are all lay persons appointed by our Town Board with no professional staff. Yet we and the rest of our fellow citizenry are faced with a classic case of incompatible land uses. On one hand, our community must rely on property taxes for the bulk of our municipal revenue and therefore is impelled to encourage development of the remaining vacant property within our town and on the other hand additional development will undoubtedly be incompatible with the purposes of the Indiana Dunes National Lakeshore.

Let me explain. Land use in our community is governed by the Beverly Shores Zoning Ordinance adopted by our Town Board in 1969 when there seemed no hope that the remaining 662 acres in the "Island" and the 68 acres on either side of Rt. 12, which comprise the Beverly Shores land are not now within the boundaries of the Lakeshore, would ever be incorporated into the Park. This zoning ordinance divides the community into single family, multiple family, high rise and commercial zones. While most of the land area is zoned for single family residences, there is provision for more intensive land use along our major arterial roads, all of which about Lakeshore property, as well as along access roads to Lakeshore property. A copy of the Beverly Shores Zoning Map accompanies my written testimony so that your staff may be able to review the specific locations. [Retained in committee files.]

Therefore, it is entirely possible and indeed probable, that, in the future, the visitor to the Indiana Dunes National Lakeshore may drive along Beverly Drive and view on one side of the road the lovely bog and wooded area of the Lakeshore and be greeted on the other side of the road by a series of high rise apartment buildings—a situation which, I am sure you would agree, would hardly be in keeping with the character of any national open space area.

I do not believe, further, that the Park visitor should have to reach the wonderful swimming beaches along Lake Michigan which exist in our community within the Lakeshore after passing through a strip of fast food chain establishments. But that prospect is entirely feasible along our main thoroughfare, Broadway, which is zoned for commercial use. Not only would visual and aesthetic pollution occur, but I am seriously worried about environmental degradation to Lakeshore areas with Beverly Shores if intensive land use becomes the only way our town can maintain itself economically. The natural drainage system for the area flows through land which remains outside the Lakeshore as well as land which has been designated part of the Lakeshore.

Senators, we are dealing in the case of the Beverly Shores land area outside the Lakeshore on a very small scale. Up to the present time, our community has remained essentially rural in character—our density today is about one home to very 2½ acres in the "Island" and highway areas. But there is no question that the future can bring only greater development. The growth pattern for the Chicago Metropolitan Area moving southward to us; the availability of mass transit commuting makes working in Chicago and living in Beverly Shores practical; the attractions of proximity to a national park, which is becoming more well known, are obvious.

In addition, the existence of the Beverly Shores "Island" and Parkway areas, outside the jurisdiction of the National Park Service, makes intelligent land use planning for the entire Beverly Shores area impossible for the federal

government. Remember, the 2,200 acres which comprise the land holdings of the Lakeshore in Beverly Shores at the present time represents the largest contiguous land area presently within the Lakeshore's boundaries. For National Park Service planners within the Lakeshore's boundaries. For National Park Service planners to project a master plan for the area without the hole in the doughnut is to create for them impossible circulation problems, extraordinary costs necessitated by the existence of private holdings around which they must plan, and, most of all unbelievable difficulties for the Lakeshore's visitors who must differentiate between public and private properties, which in many cases are undistinguishable. Sometimes I fantasize that the only solution to the dilemma of the Park visitor, if the town is forced to continue in its present divided state, is either a monstrous chain link fence or a continuous series of signs to indicate private property—hardly the situation I would wish any Park visitor to experience.

Finally, I should like to comment on and applaud the proposal which Senator Johnston has authored and the Committee has approved for the Santa Monica Recreation Area. It seems to me, as a concerned citizen and a park proponent, that the concept of a federal-state-local partnership as envisioned in S. 1640 is to be commended as an innovative and sound approach which holds great merit for future national open space development. Unfortunately does not, it seems to me, apply to the Indiana Dunes. For here we are dealing with an existing national park, in which the natural values of national significance have already been established. In the case of my community, we are considering a small area entirely within a local jurisdiction. Nor do we have the land use tools available to us under Indiana law such as open space tax incentives, land capability zoning, public service planning or the requirement for environmental impact statements for private property development which you suggest being employed in the Santa Monica Recreation Area. Moreover, the economic imperatives of operating a community whose present tax base is constantly being eroded as more and more of the houses located within the Lakeshore portions of the community are bought and razed by the National Park Service would prevent Beverly Shores from employing any of these enlightened approaches even if they were available to us. Further, to examine more closely the inapplicability of these land use tools, let me dwell for a moment on the case of public service planning. Our community already has existing a very adequate circulation pattern installed by the developer who originally laid out the community. We have neither water nor sewerage systems, relying instead on septic tanks and wells. Thus our public service prospects are meagre. We can, however, require future developers to install small scale utility systems which your report accompanying S. 1640 deals with most aptly in describing the implications of such hardware on the surrounding ecology.

What we are dealing with in the case of the Beverly Shores "Island" and our land along Route 12, in contrast to the Santa Monica large scale potential for a variety of land use treatments, is the potential for a single outcome. It is the horror story you so correctly identify in your S. 1640 report. "Preserved sites (the Lakeshore portions of Beverly Shore) and unpreserved interstices (the "Island" and the Route 12 strip)—which if uncontrolled destroy the value of what has been acquired at great public cost and effort." Beverly Shores does not either the tools or the economic base necessary to allow us to control the development of our unpreserved interstices. Since 1969 two large developments have been proposed within areas 3A and 3C. Fortunately for the Lakeshore both foundered on the shoals of high interest rates. But in the future, I am very sure, these financial constraints can be overcome and intensive land use become a grim reality.

While I do not believe the approach proposed in S. 1640 has applicability to Beverly Shores, I do wish to express to you my support for the establishment of the type of land use planning envisioned in the National Land use Policy Act which the Senate passed in the last session. There will always be boundaries to national parks (though I hope never the anomaly presented by our special Beverly Shores case) and the impact problems created by these boundaries certainly need the type of federal-state-local coordination which the Land Use Act envisions.

My community, however, does represent a special case—one in which a House decision removed an enclave from Lakeshore jurisdiction. That decision

was not a wise move in 1966 and ten years later has necessitated the only available course to Beverly Shores residents—intensive land use. Such a prospect is not one we welcome. Beverly Shores residents, by and large, moved to our community because we prize the unique beauty of the dunes and wish to live as non-destructively as possible within its eco-system. We look forward in horror to our "Island" becoming a built-up suburbia. Additionally, we are appalled by what such intensive land use will do to destroy the very elements of the National Lakeshore which led to its establishment by Congress. But on the other hand we know that many of our residents cannot afford to pay the increasing property taxes which will be necessary if the status quo continues. Therefore on behalf of the Beverly Shores Planning Commission, the Beverly Shores Board of Zoning Appeals, and the citizenry of our community, may I implore you to follow the action of the House and quickly approve the inclusion of the remainder of our community within the Lakeshore.

Senator JOHNSTON. Next we want to welcome Mr. Herbert Read of the Izaak Walton League, accompanied by Mr. Thomas Dustin, executive secretary of the Indiana division of the Izaak Walton League.

STATEMENT OF HERBERT READ, IZAAK WALTON LEAGUE; ACCOMPANIED BY THOMAS E. DUSTIN, EXECUTIVE SECRETARY OF THE INDIANA DIVISION OF THE IZAAK WALTON LEAGUE

Mr. DUSTIN. Senator Johnston, we appreciate appearing here. My name is Tom Dustin and I am executive secretary of the Indiana division of the Izaak Walton League.

I would like to make two points. One with reference to Mr. Reed's statement earlier, that is, Nathaniel Reed, when he suggested to you that you can only see the area from a helicopter appropriately. I would like to stress to you that this is not the way to view the national park; you visit them on the land.

The second suggestion would be that it might be worthwhile to inquire from NIPSCO about the relationship of their land along the Kankakee River and the southern portions that they have been acquiring. I think the relationship of what their plans are down there and the question of the location of the nuclear plant in the dunes would be a very useful area of exploration for the committee.

Senator JOHNSTON. I am sure you have talked to NIPSCO about their plans and alternatives, have you not? Have you talked to U.S. Steel and NIPSCO?

Mr. DUSTIN. I have been aware and more or less informed about it through the Indiana Department of Natural Resources about the area that NIPSCO has always been acquiring along the Kankakee for the construction of fossil fuel powerplants.

Senator JOHNSTON. Have you had discussions directly with them?

Mr. DUSTIN. No, sir, not I personally but it might be an area of inquiry for the committee.

Mr. READ. I have, Mr. Chairman, but if I may quickly cover a couple of points here. I am tempted to try to rebut some of the statements made previously but I realize I don't have the time; so hopefully, I might have time to write it and send it in to you. [See supplementary statement following Mr. Read's prepared statement.]

Senator JOHNSTON. Yes; I want to emphasize to anyone here that we would be happy to entertain supplemental statements and we will keep the record open for 2 weeks for that purpose. That means if you get it in by June 12 that they will not be too late for the record.

Mr. READ. There were several erroneous statements made by the Park Service. For example, they mentioned seven improvements in I-B and there are no buildings in I-B. They mentioned a power line going through I-B east and there is no powerline going through I-B east. It is on one edge of it and there are various things I will cover in my supplemental statement.

Senator JOHNSTON. Let me ask you this. Suppose we consider those areas of prime importance that we are willing to acquire 100 percent and other areas that we feel there was some part Federal responsibility. Say we are willing to put up 50-50 matching funds on it. Do you think Indiana would be willing to put up matching funds?

Mr. READ. I see only one alternative, Mr. Chairman, and that is the authorization for purchase as outlined in this bill. We have been through this for many, many years. We have tried every possible alternative. I personally have sat down around a table with Northern Indiana Public Service Co. on many occasions trying to find solutions to the ash-dumping problems that plague the Greenbelt areas that was discussed earlier. There is no solution. They will not back down. They are absolutely intransigent on the matter?

Senator JOHNSTON. How about the State of Indiana?

Mr. READ. No alternative. Matters of pollution cannot be handled except to take the land away from them and stop them from dumping and polluting. Even if they met State standards, a point that I would like to make is—

Senator JOHNSTON. What I am talking about, would the State of Indiana put up any money toward the acquisition of this property for a Federal park?

Mr. READ. I doubt that they would have the money. My own personal opinion is that they would not have the money for that purpose.

Mr. DUSTIN. I would like to respond briefly to that, Mr. Chairman. I believe the State of Indiana was looking forward to \$3 million in Land and Water Conservation Fund for the acquisition and development of all parks within the entire State.

Senator JOHNSTON. I understand that. I was saying if we put up something in addition to the Land and Water Conservation Fund on a 50-50 match.

Mr. READ. I don't think it is possible, Mr. Chairman. We are at the end of our time span, we have no more time available. If anything is going to be done, it has to be done as outlined in this bill.

There are two areas I am particularly interested in, one of them being I-E and the other being the area zoned by Northern Indiana Public Service Co. I realize we are running out of time. I put forth a very detailed explanation in my statement.

The matter of the slag dump has come up. The area in question does have the slag dump as shown in the aerial photograph and it is outlined by a dashed line. But you will also see that that particular section has some very good areas in it.

The area that is proposed for donation to the city of Gary cannot be used by U.S. Steel anyway because it is zoned residential. They give up nothing that they would not otherwise had not planned to build on. The thing that we must do is that what we call the western 1,000 feet, the area under the Roman numeral I in the photograph

I gave you is partly spoiled and partly in unspoiled condition. That is what should be the buffer. The so-called buffer proposed by U.S. Steel is using the park as a buffer.

A narrow strip under the letter E in the photograph I showed you, that is what they are proposing for the buffer and that is part of the park itself.

Senator JOHNSTON. It is owned by U.S. Steel though.

Mr. READ. Yes, but it is zoned residential. Everything to the right of the dashed line is zoned residential and they can't build in there anyway.

Senator JOHNSTON. They can build subdivisions in there.

Mr. READ. Yes, residential but so far as their plant is concerned, they own 8 miles of shoreline, thousands of acres more land than Bethlehem Steel and Midwest Steel put together. I am an architect and engineer and a planner and I find it absolutely inconceivable that 1,000 feet at the extreme eastern end of 5 miles is essential to their plant. They have 800 some acres of land fill which they acquired from the public at \$25 an acre.

It is incredible to think that that is necessary. They have announced that they intend to continue dumping slag in that area and the reason we think it should be included in the authorization is simply to prevent them from dumping slag in that area. They will not voluntarily agree not to do it and this is the only way we can think that we can stop them from doing it.

The same situation essentially prevails—

Senator JOHNSTON. Let me cut you off at that point and I hate to do it because you are making a very strong case. But if you would supplement with an additional statement, this is not in your statement, we will very carefully consider it.

Mr. READ. I will do that.

[The prepared statements of Mr. Read and Mr. Dustin follows:]

STATEMENT OF HERBERT READ, IZAAK WALTON LEAGUE

I wish to express the appreciation of the members of the Porter County Chapter of the Izaak Walton League of America for this opportunity to testify in support of preserving and expanding the Indiana Dunes National Lakeshore. It was some 16 years ago that I first testified on behalf of our chapter in the long fight to establish the Indiana Dunes National Lakeshore. Ours is a local chapter of average size and most of our members live in the Dunes area. We have been continually active in all aspects of environmental issues, and particularly in matters concerning the Indiana Dunes.

I am familiar with all of the proposed additions, each of which is purposeful and essential if the National Lakeshore is to properly serve its purpose. We are also in a race with time, or more specifically, the developer's bulldozer. We live in a rapidly growing urban area, and competition for the dwindling number of open space areas is intense. For all practical purposes, the only remaining unprotected dunes that will be saved for park purposes are the areas that this Congress includes within the National Lakeshore.

While we support all of the areas for inclusion within the National Lakeshore, I will concentrate on those areas which may be in dispute, or where differences exist between the Senate bill and the House-passed bill.

AREA I-A (EAST)

This area was first proposed for inclusion within the National Lakeshore about 1961. It was later dropped because of a misrepresentation by the Gary-Hobart Water Company. The company claimed that the land was necessary.

for a new facility. The facility is now constructed and only a small portion of land was actually needed. Accordingly, in 1971, when the first of the expansion bills was introduced, the remaining unspoiled land was included with its current designation as I-A (East). To our surprise, the Gary-Hobart Company claimed that the land was necessary for "expansion" of the water works. This was also untrue, as it now is obvious that it will be residential development if not included in the National Lakeshore.

The area meets every common sense standard for adding to the National Lakeshore. It is contiguous to the existing National Lakeshore. It contains a wide range of duneland characteristics: foredunes, blowouts, "moving" dunes, and high dunes stabilized by ground cover and trees. In its 1971 report, the National Park Service Study Team gave it "... *first priority acquisition* ...". It was recommended by the Department of the Interior, the Indiana Dunes National Lakeshore Advisory Commission, and the Governor of Indiana. However, it was purchased by a developer of "exclusive" type homes and a campaign began to get the National Park Service and/or Interior Department to after which the developer began construction of streets. There are now about reverse its previous recommendation for inclusion. This was accomplished, 5 houses and 2 more under construction. However, the density is still less than Beverly Shores and other residential areas of the existing National Lakeshore and since the houses were started after the cut-off date, they are subject to condemnation. The dunes, to a certain extent, can "recover" from disturbance. If the houses and streets are removed, the dunes will eventually appear as natural as they were in 1971.

The developer bought the land after it was included in the expansion bill. While he is entitled to full consideration of his financial interests, we believe that the public interest would be better served by including the land in the National Lakeshore. Besides its value as duneland, per se, I-A (East) provides a visual buffer, or screen, between the main visitor facilities of the National Lakeshore and the town's developed residential areas. To illustrate, I submit two photographs. Photo #1 was taken from the National Lakeshore looking toward I-A (East) as it was in 1974. In Photo #2, I have sketched in houses sited according to lot and road layout. Obviously, the visual screen would be gone and the value of the West Beach Unit of the National Lakeshore diminished.

Initially, the people of Ogden Dunes did not object to the inclusion of I-A (East). Now they are divided on the subject. One objection is the familiar one of loss of tax base. If such reasons were supreme, there would be no parks at all. Thus far, Ogden Dunes has lost no taxable land to the National Lakeshore. I-A (East) is about 8.6% of the town's total area. As a comparison, Dune Acres lost about two-thirds of its area to the existing National Lakeshore.

The town residents who oppose including I-A (East) in the National Lakeshore mention the need for a "buffer." I heartily agree with the need for a "buffer." But *not* to include I-A (East) in the National Lakeshore would result in *removing* the buffer. This is an inconsistency I cannot understand.

Another opposition reason given by some town residents is their claim for preserving the "quality" of life. This point of opposition was most puzzling to me. I have lived next door to the Indiana Dunes State Park for many years and regarded the park as *improving* the "quality" of my family's life. My home is now included within the National Lakeshore which, to me, further enhances the "quality" of life. It finally became apparent that the term, as used by our Ogden Dunes opponents, is a *racial* codeword. The National Lakeshore would, of course, be open to use by minorities. Ogden Dunes is a "fortress" type town with a police station at the town's only entrance. Further, the town has requested a fence along the common boundary with the National Lakeshore, and I get the feeling that any Black or other minority person approaching the town limits would be held at bay. Now, I don't claim to be racially unprejudiced, nor do I deny that racial conflicts exist, and I acknowledge the possibility of crime and vandalism. But I cannot understand how turning a beautiful natural area into another urban complex of buildings and pavement is going to solve or even avoid these problems. The common boundary of Ogden Dunes with the National Lakeshore exists, whether it is located as it is now, or as proposed with I-A (East) as part of the National Lakeshore. How can it improve matters to move the residential development

closer to the National Lakeshore visitor facilities? I don't begrudge Ogden Dunes their guard at the entrance or their desire to protect their homes, but when their "fortress" attitude results in destroying dunes which should be part of the National Lakeshore, then it becomes the legitimate concern of others. I therefore ask that the Congress include all of I-A (East) in the National Lakeshore expansion.

UNIT I-C

The important feature of I-C is a dune ridge and beach, the essential elements of which would be included in the National Lakeshore in the Senate bill. The balance could be acquired only with the consent of the owner, Midwest Steel Company. It is my understanding that Midwest Steel Company has agreed to this arrangement.

UNIT I-B (EAST)

As originally conceived, I-B was a continuous uninterrupted unit, containing significant natural areas and at the eastern end where it abuts Burns Ditch, the potential for recreational boating. Midwest Steel owns some parcels at the eastern end, and objected. Additionally, the National Park Service and the House Committee were reluctant to accept responsibility for a private Marina on land leased from Midwest Steel. Therefore, in the Senate version, the Marina has been omitted, the area reduced in size to include a prominent dune ridge, and an easement to permit access to the south from U.S. 12. We would also recommend that the balance of the area south of the dune ridge be authorized for acquisition with the landowners' permission, as is specified for the eastern end of I-C.

Photo #3 shows both I-B (East) and I-C.

AREA I-E (MILLER LAGOONS)—PHOTO SHEET NO. 5

Owned by U.S. Steel, this area contains a wide range of dune formations, and a portion of the Grand Calumet River. The dune formations and interdunal wetlands represent a unique period of natural history and are highly prized by scientists. In their report of a few years ago, the National Park Service Study Team recommended acquisition, as did the Indiana Dunes National Lakeshore Advisory Commission, and the Governor of Indiana. In another of their many vacillations, the latest National Park Service report reverses this position. The House of Representatives included all of I-E. U.S. Steel has dumped wastes along the western edge, in an irregular pattern—and shown on Photo #5 with curving, dashed line. The western edge of I-E was determined by the westernmost point along the Grand Calumet River which remains undisturbed. Out of deference to surveyors—who love straight lines—the boundary dead end railroad tracks. The track north of the river was used for dumping is straight North and South. There are two places within I-E which contain wastes into an interdunal pond. The dumping has not only destroyed the dunes which were on the site but leachate through the wastes is polluting the natural areas to the east. The dumping must cease and the remaining area protected. The only way to do this is to include it within the National Lakeshore. South of the river, there is a dead end spur track used for switching. I see no reason why this activity could not continue, even if the dead end is included within the National Lakeshore.

About six years ago, U.S. Steel and Northern Indiana Public Service Company were involved with a plan to build a power plant on landfill into Lake Michigan just north of the lagoons. To provide fill, NIPSCO would use the dunes, leaving a large waterfilled excavation. To get the cooperation of the City of Gary, the big hole was touted as a small boat harbor. But the residents of Gary objected vigorously, and the plan was shelved.

Until 1975, U.S. Steel did not object to inclusion of I-E in the dunes expansion bill. Suddenly, I-E became "essential" to U.S. Steel's expansion plans. Some of us believe this was at the urging of NIPSCO with its desire for a generating station, but not wishing to again arouse the opposition of Gary's residents. U.S. Steel's claim that I-E is essential to plant expansion is not credible. U.S. Steel owns about 8 miles of Gary's lakefront, and more than Midwest Steel and Bethlehem Steel combined.

U.S. Steel is also constructing a 400-acre landfill into Lake Michigan, which is used for dumping wastes and as future building sites. There are large

vacant areas available for expansion without using I-E. Only the western 1000 feet of I-E, plus a narrow strip along the beach, is zoned industrial. On photo #5, the north-south dashed line, the westernmost line of the two shown, denotes the Industrial-Residential zoning line. Thus, we are asked to believe that a scant 100 acres at the extreme east end of a site totaling many thousands of acres is "essential" to U.S. Steel. As one experienced in industrial site development, I regard U.S. Steel's claim as unbelievable. Recently the City of Gary and U.S. Steel have discussed another plan involving a small boat harbor. In concept, we support a recreational boat harbor for Gary. If properly designed and sited, it would not interfere with I-E. As I understand the current plan, the 100 or so acres of industrially zone land would remain for U.S. Steel's use. A so-called "buffer zone" would extend 500 feet east of the industrial zone (shown by the easternmost north-south dashed line in Photo #5). The city would obtain title to the balance of I-E for a park. Our objection to this plan is the loss of the westernmost 100 acres—almost one third of the total. While there is despoilation within this part of I-E, there are valuable natural areas. This part of I-E should be regarded as the "buffer" rather than U.S. Steel's 500-foot wide strip which runs up the center of I-E. In other words, U.S. Steel is proposing to use the park itself as a buffer, when the usual practice is to take buffer strips out of the industrially zoned land. U.S. Steel is trying to promote its plan as a "compromise"—which it is not. The only land it would give up is either zoned for residential use, or the shoreline strip originally intended for NIPSCO. In other words, they would retain all of their thousands of acres of industrially zoned land and give up only where they can't expand their mill anyway. That's not my concept of a "compromise."

The difference in attitude between U.S. Steel and Bethlehem Steel is that Bethlehem Steel has agreed to the inclusion of several hundred acres of industrially zoned land along the Little Calumet River (IV-C). By so doing, Bethlehem Steel protected what is truly vital to its interest, while gaining a public relations benefit. U.S. Steel could well afford to give up its opposition to the 100 acres of its industrial land in I-E.

Also shown on Photo #5 is a dune ridge and wetland area to the southwest of I-E and I-D. Much of it is owned by the B & O railroad which is willing to sell the land. It should be added to I-D.

AREA II-A (NIPSCO "GREENBELT")—SEE PHOTOS NOS. 4, 6, 7, 8, 9, AND MAP

This proposed addition is probably the most critical of all, at least insofar as protecting the existing National Lakeshore is concerned. The common boundary of the National Lakeshore and NIPSCO's Bailly generating station is 12,800 feet long. The line passes through two interdunal ponds and two wetlands including Cowles Bog, a National Natural Landmark. The duneland of the National Lakeshore adjacent to the NIPSCO site is Class IV, "Outstanding Natural." Generally, the duneland on the NIPSCO side of the boundary is the same character as the National Lakeshore side. (See Photo Sheets #6 and #7.)

The reason we became concerned was that during the late 1960s, NIPSCO began dumping ash into the wetlands, including Cowles Bog, and actually spilling over the line into the existing park. Additionally, we discovered at least three waste water pipes discharging into the ponds and Cowles Bog. Initially, NIPSCO denied the existence of the pipes and ash dumping until confronted with photographic evidence. For several years we complained about the dumping practices and discharge pipes. Only after the pipes became issues with the Environmental Protection Agency and the Atomic Energy Commission, were two of the three pipes removed. But the ash dumping continues, and the third pipe remains (see Photo Sheet #9).

Another problem is a dike which cuts across the Cowles Bog basin and interferes with the previously established water recharge pattern to the Bog. Water built up behind the dike to the extent that the nearby South Shore Railroad track was endangered. Then NIPSCO cut a bypass ditch around the southeast end of the dike, channelizing water to the heart of the Bog, and diluting the delicately balanced water chemistry. Even the dike itself contributes to the pollution since the sand used in its construction contained ash.

Finally, the existing wooded dune ridges of Area II-A visually screen much of the industrial areas from the National Lakeshore (see Photo Sheet #8).

As it now stands, about one third of II-A is in County "Greenbelt" status. NIPSCO claims that the purpose of the County Greenbelt (GB) zoning is to protect their plant site and provide space for their own industrial use. This is not true. The Porter County Master Plan states: "The Greenbelt District is established to provide a buffer zone between I 3 and certain adjacent Districts and incorporated areas to minimize the effect of the I 3 industrial operations upon neighboring uses." (Emphasis added.)

However, even in a "Greenbelt," NIPSCO can strip the vegetation, remove the dunes, fill in the wetlands, and pave over the flattened remains. Not much protection in that. Further, NIPSCO has indicated it will continue to dump ash in the wetlands and will not remove the dike and bypass ditch.

We are convinced that the only solution is to put II-A into the National Lakeshore. Then, the area would be available for public use (foot trails now exist), future dumping presented, and possible solutions applied to prevent an adverse impact upon the National Lakeshore.

As originally proposed in Representative Fithian's bill, the westernmost North-South segment would be an easement to avoid conflict with the "Exclusion Area" of NIPSCO's proposed nuclear unit. However, NIPSCO still objected, and to avoid a prolonged debate, this area was removed from the Senate bill. The remaining discharge pipe is in the omitted area, which means that the pollution and visual screening problem would remain unresolved, and the subject of a future battle.

The House-passed version of the II-A addition is totally, completely, and unalterably unacceptable. Our objections are:

1. A portion of the existing National Lakeshore would be deauthorized and would remain in NIPSCO ownership. (See map on page 100.)
2. The wetland areas were removed from II-A and would be available for continued ash deposition.
3. The dike and bypass ditch would remain.
4. Since the National Park Service would acquire only an easement, public access to II-A could be denied. Further, the extent of protection is too vague.
5. The wording regarding the proposed nuclear plant is intended to provide Congressional endorsement of NIPSCO's siting requirements, now being challenged in the courts.
6. The words regarding prevention of pollution are of little, if any, value. NIPSCO claims it is not polluting the National Lakeshore as long as the normal state effluent standards are met. But the state standards (or even EPA's) do not consider the unique water characteristics of Cowles Bog and the interdunal ponds. Further, NIPSCO's monitoring program is designed to *avoid* early detection of adverse impact; the damage to the dunes would be done and over before remedial action could be taken.

Some damage has already occurred, although NIPSCO either denies it, or claims that the damage has been done by somebody else. While the precise level of existing or potential damage may be debated, we ask you to consider two factors. First, dumping ash and filling wetlands (even with non-polluting fill) is an obvious destruction of natural values. Secondly, if the ash dumping does pollute the existing National Lakeshore, once millions of cubic yards of ash are spread along the border of the National Lakeshore, it will be too late to do anything about it.

When Assistant Secretary of the Interior Nanthaniel Reed toured the National Lakeshore area east of NIPSCO in 1973, he was reported to have said that it was tragic that more of this wonderful (Class IV) area had not been saved. Area II-A represents the last opportunity to save any of the remaining dunes and wetlands of this locality, and the last chance to protect what is now in the National Lakeshore.

RIVER AREAS

The river areas are another example of the changeable recommendations of the National Park Service and Interior Department. In the early 1960s, the National Park Service testified that the river and related wetlands met "every criteria" for the National Lakeshore and presented no "management" problems that could not be met and solved. This time around the story different, even though the resource and the conditions are the same now as then.

While possibly not of great national significance in itself, the Little Calumet River is an integral part of the dunes geological formations. The basin was

originally a large interdunal body of water. At some point, thousands of years ago, a breach occurred in the surrounding ridge, and the water poured through to lower the lake level. The location of the breach is now the series of rapids in IV-C, south of the Bethlehem Steel plant, and the scene of some exciting canoeing. The interdunal lake thus became the Little Calumet River, and is as much related to the dunes as the Colorado River is related to the Grand Canyon.

The far eastern end is thickly wooded and contains a Great Blue Heron rookery. (IV-A.) These large birds can be seen throughout the dunes, but due to industrial disturbances at the western end of the dunes, nest in IV-A.

Preservation of a river valley is basic conservation. There are many examples of parks along rivers, and the "management" problems, if any, apparently have been overcome.

As introduced in 1971, the entire Little Calumet River valley was included as a continuous corridor which joined the east and west parts of the National Lakeshore. However, in a compromise arrangement with Representative Fithian, the river sections were limited to the areas now included in the Senate bill.

The historic Bailly Homestead, now in the National Lakeshore, was a river oriented trading post. Area II-E extends the Bailly Homestead area about $\frac{3}{4}$ mile to the west. Its purpose is broader than the other river sections which include only the bottomlands and adjacent slopes. Area II-E includes some high, dry, and level land adjacent to the river valley to permit an opportunity for river oriented facilities.

Areas IV-B and IV-C extend east and west along the river valley with the existing National Lakeshore as the centerpoint.

In earlier testimony, our chapter submitted photographs of canoeists and fishermen using the river. I was unable to get new photographs reproduced in time for this hearing, but hope to submit copies while the record is still open.

With the boundary changes made by Representative Fithian, as far as I know now, there is no landowner opposition to the river sections, and river bottom wetlands should offer the advantage of the lowest purchase costs per acre.

BEVERLY SHORES

Area III-A is usually called the Beverly Shores Island. I prefer the term "hole in the doughnut." The case I make for including this area is that in the long run it is simply the best thing to do, despite its cost. Given a choice, no park planner would like to have a big hunk of urban development in the center of a park. Yet, unless III-A is included now, before the density reaches the point of no return, that is what will happen. Ultimately, the omitted section will have apartments, industrial areas, and fried chicken emporiums. If included in the National Lakeshore, there will admittedly be a period of management problems until the leasebacks expire and the houses are removed. At least the problems of in-holdings will end at a future date. On the other hand, if left out, the management problems will continue *in perpetuity*, and get progressively harder to handle. We are faced with trying to create the best possible park within the realities of existing urban developments. Beverly Shores now is the least dense and offers the best opportunity to resolve such problems.

COMPROMISE

U.S. Steel, among others, refers to "compromising" on their land holdings within the bill. As we look at it, the compromise has already occurred—several times over. In 1963 a "compromise" was announced with great fanfare. Industry got their publicly financed harbor and their steel mill sites. The park proponents were promised a National Lakeshore of some 12,000 acres. We thought the war was over. But the harbor was authorized in 1965, before the National Lakeshore, and as soon as this happened, some of the park opposition was renewed. The National Lakeshore, as passed in 1966, was chopped in half in the House.

This new bill is to restore at least some of the areas omitted. The need and value of such areas are as great, or greater, now as in the 1960s. And the time left to secure them is almost gone. We urge you to act as soon as possible to approve this bill without any deletions.

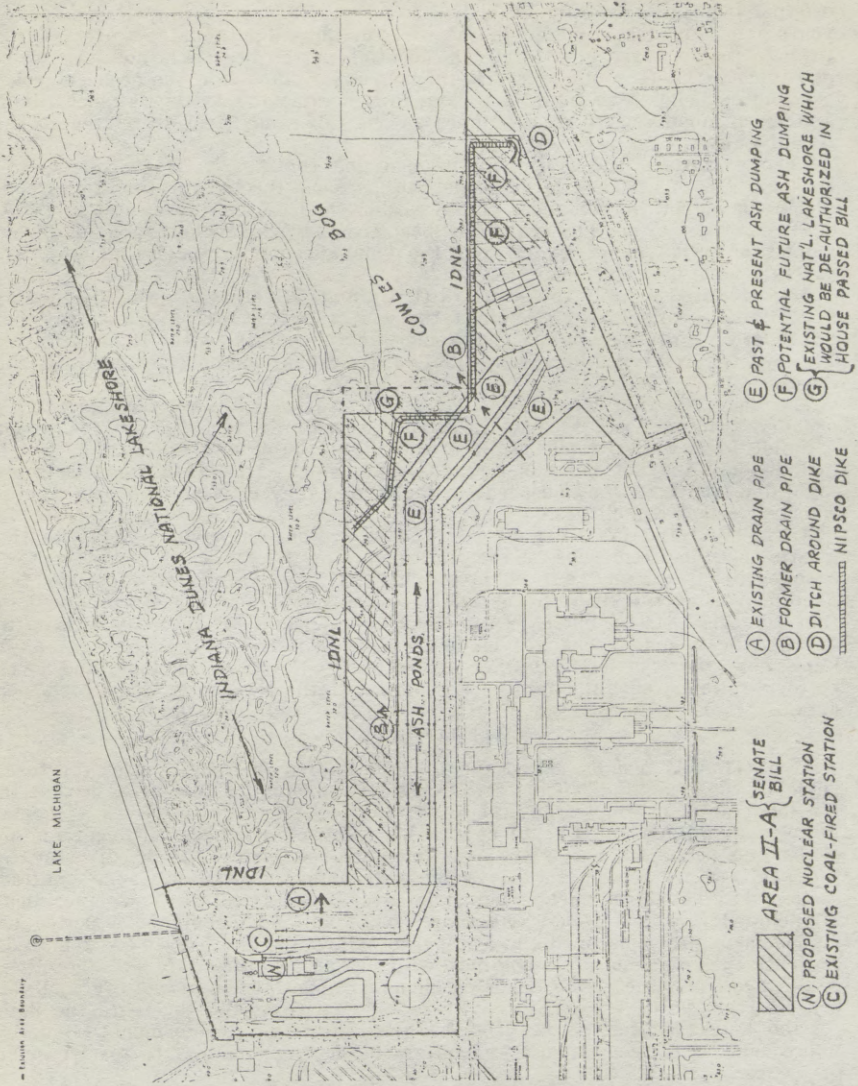
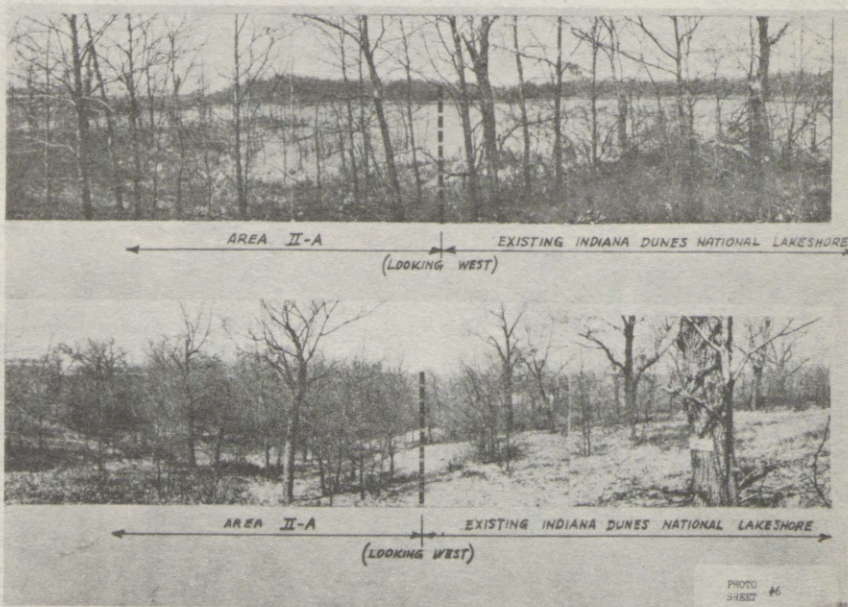
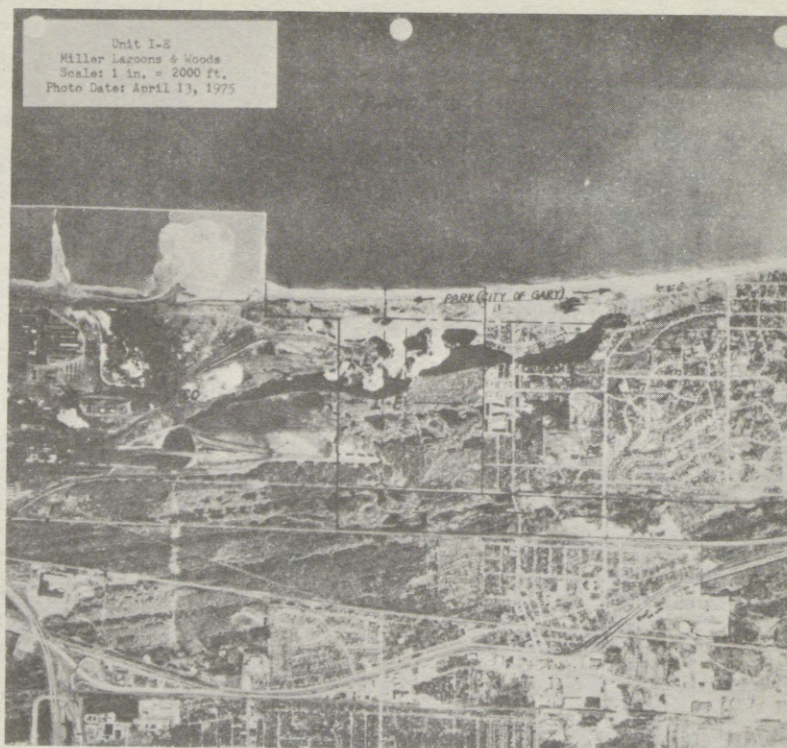
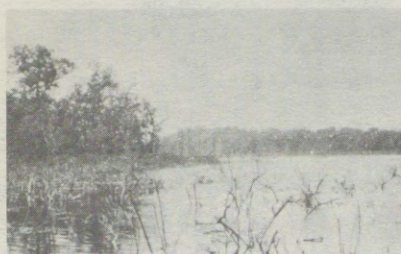
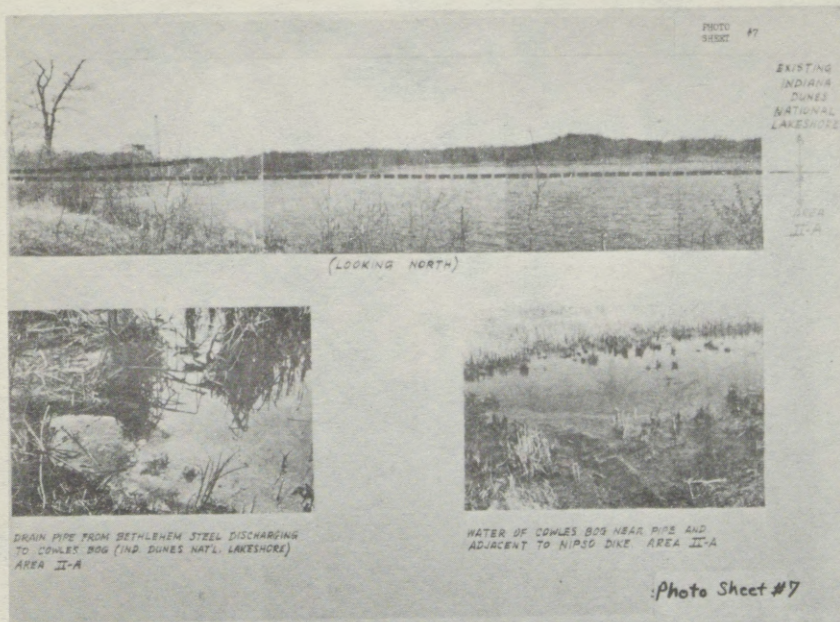




PHOTO 2 Same view as Photo 1, but with proposed addition to Indiana Dunes National Lakeshore Area 1-A (East), as it would appear if it became a fully developed subdivision. View from existing National Lakeshore would be degraded and potential park use of high dunes would be lost.







II-A1: POND NORTH OF ROAD. WOODED DUNE RIDGES SCREEN BETHLEHEM STEEL PLANT ON LEFT AND NIPSCO PLANT BEYOND TREES IN BACKGROUND



INDIANA DUNES NATIONAL LAKE SHORE AND COWLES BOG AS VIEWED FROM NIPSCO DIKE AND AREA OF ASH DUMPING



II-A1: WETLAND IN FOREGROUND. WOODED DUNE RIDGE IN BACKGROUND. SCREENS BETHLEHEM STEEL PLANT



WATER IMPOUNDED BEHIND DIKE NEAR EAST END OF AREA II-A. POTENTIAL FUTURE ASH DUMP SITE.



DRAIN PIPE FROM NIPSCO INTO INTERDUNAL POND.
FENCE MARKS BOUNDARY WITH INDIANA DUNES
NATIONAL LAKESHORE IN BACKGROUND.



ABOVE TWO PHOTOS:
WETLAND AREAS CURRENTLY BEING USED
BY NIPSCO FOR DUMPING FLYASH.

SUPPLEMENTARY STATEMENT OF HERBERT READ, IZAAK WALTON LEAGUE

After hearing the statements made by the opponents of Senate Bill 3329, I felt that rebuttal was necessary. Unfortunately, to answer or correct all of the statements would require many pages, so I will limit this response primarily to Area II-A (NIPSCO "Greenbelt") and some industrially zoned areas. I have included some new photographs and re-included a map and certain photos from my statement presented at the Subcommittee hearing May 26, 1976.

The statement made by the Department of the Interior represents the political views of the present Administration and is not an impartial analysis of the potential park value of the various areas. The National Park Service and Department of Interior recommendations have changed back and forth according to the political winds. Statements made at this last hearing are, in many cases, directly opposite from previous statements sometimes made by the same persons. This flip-flop has occurred even when there has been no change in the field conditions.

In the 1960s, virtually all of the Porter County areas now in Senate Bill 3329 were recommended by the National Park Service and Interior Department, including the river sections. The areas were said to meet all of the requirement for inclusion within the Indiana Dunes National Lakeshore and "management" problems could be "met and resolved."

When the first expansion bills were introduced in 1971, the National Park Service study team shied away from the controversial areas, but nevertheless recommended adding 1801 acres. The National Park Service Study Team had words of high praise for the scientific and park value of the same tracts which, in 1976, were described as having little or no park value. This switch despite the fact that little or no development has occurred on these tracts since 1971.

As late as the Senate and Housing hearings in 1974, the Interior Department stated that the areas of "high ecological significance" and those areas needed to relieve "... any management problem posed by the existing boundary ..." totaled 1,152 acres. This year, the Interior Department recommended a few hundred acres. Thus, while the *need* for the larger park grows year by year,

and the threats to the remaining unspoiled areas looms larger, and the danger of adverse impacts upon the existing park increases, the Interior Department's recommendations get smaller.

Aside from the difference in "values" displayed by the testimony, there are many errors of fact in the Interior Department statement. There are erroneous building counts which in turn results in erroneous costs. There are errors in the physical description of certain areas and this erroneous description is given as the reason for not recommending inclusion within the National Lakeshore. These errors and our rebuttal will be described per area.

II-A (NIPSCO "GREENBELT")

Interior's statement says: "This property includes wooded dunes and lagoons. . . ." "This acquisition would be designed to protect Cowles Bog, a National Landmark. If any pollution which may be occurring in Cowles Bog could be halted by acquisition or other control of this area, we would heartily recommend so doing. However, the ownership of the land in no way governs subsurface drainage. Groundwater flow from west to east, which apparently occurs here, will continue regardless of who owns this unit."

As a statement, standing by itself, we have no quarrel with it. However, it errs in several ways.

First, it does not recognize the multi-purpose intended by adding II-A to the Indiana Dunes National Lakeshore. These purposes are:

1. To make sure that the wooded dunes remain as wooded dunes. (Re: Photo Sheet #8.)
2. To make sure that the lagoons remain as lagoons, rather than as filled-in areas. It also makes more sense to include the entire lagoon rather than leaving the boundary running through the middle of the water as now occurs. (Re: Photo Sheets #4, 6, 7.)
3. To prevent a recurrence of NIPSCO's discharge pipe into their side of the lagoon, the other side being Indiana Dunes National Lakeshore. (Re: Map, pipes "B".)
4. To provide for public use of the area, particularly the use of existing foot trails.
5. To prevent NIPSCO from dumping ash or any other material into the (and will) occur in the future. (Re: Map, locations "F".) We thus seek to wetland areas of Cowles Bog where it has not now occurred, but which can prevent the direct destruction and loss of wetland caused by the fill material itself—whether it be ash, sand, dirt, or old rubber tires. We also thereby help reduce pollution of the wetland adjacent to the fill material which will occur if the material is ash. While subsurface movement of water from the material is ash. While subsurface movement of water from the existing ash will continue to be a problem, it should be obvious that the more ash that is dumped and the closer to Cowles Bog that it is dumped, the worse the problem.
6. To permit removal or modification of the dike which cuts diagonally across the Cowles Bog basin and which interferes with the surface water inflow to Cowles Bog as it existed prior to 1971. This would also remove the reason for the by-pass ditch (Re: Map, location "D"). The ditch directs water into the heart of the Bog and dilutes the low pH of natural Bog water and upon which the unique Bog flora depend. The dike material being a mixture of sand and ash is also a source of pollution.

While adding II-A to the National Lakeshore will not in itself solve all of the problems associated with the close proximity of NIPSCO and the National Lakeshore, it will solve and/or ameliorate the problems I have described.

Regarding Interior's reference to subsurface movement of water, this, of course, is true. There are now four ash settling ponds south of the plant access road which are not included in II-A. These *existing ash settling ponds* should not be confused with the future ash dump sites included in II-A, and as described under #5 above. (Re: IWL Hearing Statement Map.) As presently outlined, adding II-A to the National Lakeshore would not solve the existing problem of radial flow from the ash ponds to the natural ponds. However, if Congress wishes to add the ash ponds to Area II-A, as a means of forcing removal of the ash settling ponds or discontinuance of their use, we would wholeheartedly support the addition. Our organization has been actively seeking alternative methods of stopping pollution from the existing ash ponds and

existing ash dump sites with the U.S. Environmental Protection Agency. We have had to go it alone with no help from the Interior Department.

Unfortunately, without an active role by Interior, EPA has informed us that there is nothing they can do to deal with either existing or potential pollution from the ash settling ponds or ash dump sites. This is because the state water quality standards do not recognize the unique water chemistry of Cowles Bog.

NIPSCO's Public Hearing statement also contains many errors and misrepresentations. The first is NIPSCO's claim that they "... did not oppose the original creation and development of the Indiana Dunes National Lakeshore." The truth is that NIPSCO made the first move to destroy what was, in 1960, the heart of the unspoiled areas of the Indiana Dunes at a critical time when Congress was considering the matter. Despite pleas by members of the Senate Interior Committee and Interior Secretary Stewart Udall, and conservationists, NIPSCO moved, in its bulldozers to level what is now the site of the Bailly generating station. NIPSCO's own site consultants had recommended a different site for the new station but NIPSCO's management pushed ahead as fast as possible to level and destroy the dunes. We believe that NIPSCO's reason was to render moot the question of saving the dunes for the National Lakeshore. Since then, we have been in constant conflict with the utility over pollution problems and expansion of the National Lakeshore.

NIPSCO refers to the II-A areas as: "... 34 percent of the total land area owned and used by NIPSCO, and loss of the land and facilities thereon will be irreparably harmful to the utility's operations at this location."

The truth is that about $\frac{1}{3}$ of II-A is in County Greenbelt Zoning and would not have been part of NIPSCO's land holdings if local government hadn't required the buffer strip. Therefore at least $\frac{1}{3}$ of II-A should not be considered as available for "... the utility's operations. ..." The only interference with their operations would be to prevent them from dumping ash, or anything else, in the wetlands of II-A because the wetlands would be owned by somebody else—namely, the Department of Interior (Re: Map, areas "F").

NIPSCO would have to find an offsite ash disposal area anyway when the wetlands are filled. Why not go to offsite ash disposal now, *before* the existing National Lakeshore suffers irreversible adverse impact, rather than after it's too late?

NIPSCO claims that including II-A in the National Lakeshore "... would have a substantial and adverse impact upon the future operation of the Bailly plants, both the fossil-fueled plant as well as the nuclear plant and their respective supporting facilities."

This is simply not true. Area II-A would not include any part of the existing coal-fired or proposed nuclear facility, the transmission lines or the substations. According to their own map the only possible conflict is one proposed transmission tower north of the east substation. We have no objection to the transmission tower being built and an exemption for it being inserted into the bill, if the Committee feels it's necessary. Nor do we object to NIPSCO's monitoring tower remaining in use and in place.

NIPSCO says that "... most of the facilities in Parcel II-A cannot be relocated." The truth is that there *are no facilities* that would have to be relocated. As far as I can determine there is one existing and one proposed transmission tower within II-A. We have no objection to these towers. There are thousands of transmission poles within the existing National Lakeshore and NIPSCO has not suffered any dire consequences. Also, none of the existing ash ponds or ash disposal sites are included in II-A, but obviously we seek to prevent such future use within II-A.

The controversy now in the courts regarding the proposed nuclear plant would not be affected by including II-A within the National Lakeshore. The site related issues are based on straight line distances (i.e. the "Population Center Distance") and not the NIPSCO acreage. The controversy over use of the National Lakeshore as a buffer zone is based on the present National Lakeshore boundaries and parcel II-A would not change this one way or the other.

NIPSCO states that "No one seriously contends that there are any recreational features to this tract. ..."

We certainly do contend that there are recreational features to this tract. As photo sheets #6, #7 (top), and #8 clearly show, the character of the wooded dunes and wetlands on both sides of the present boundary line is the same, and the associated recreational features would be the same.

NIPSCO continues with the statement that II-A does not contain "... any unique natural vegetation or wildlife not found in other portions of the Lake-shore."

This is the "If-you've-seen-one-dune-you've-seen-them-all" syndrome. We don't accept this line of reasoning for the Indiana Dunes any more than we do for the Redwoods. The fact is that a most important reason for the national significance of the Indiana Dunes is its *diversity*. Therefore, one of our objectives is to save as much of these diversified areas as is possible. The more areas that are lost to other uses, the more important it is to save the remainder.

NIPSCO claims that there is "no real proof" of harm to the dunes and asserts that its monitoring program has not disclosed any signs of damage. The mon-above we were told that neither EPA nor the state can act to rectify the Commission.

The program is set up to *avoid* early detection of adverse impact. For example, the base line upon which conclusions are determined is incomplete. The critical species which indicate the health of the dunes and Cowles Bog are missing. Thus, even if these important indicator species die, or fail to regenerate, the loss will never be recorded, and NIPSCO will go on reporting that no loss has been observed or proved. Also, the number of testing stations are too few, their locations are improper, the readings are too far apart, the parameters tested are inadequate. For example, the water testing station for Cowles Bog is on the opposite side of the Bog than the source of pollution, and the Lake Michigan station omits completely the Class IV (Outstanding Natural) areas of the National Lakeshore. To make matters worse, the reports are not made public for more than a year after the tests. The damage, even when detected, could become irreversible within this time.

NIPSCO doesn't even acknowledge damage when the tests show it. This is because NIPSCO refuses to acknowledge that the criteria of damage, or pollution, is different for the unique ecosystem of the Indiana Dunes. For example, the natural characteristic of bog water is acidic. Readings for pH should be very low—say below 6.0. Even normal Lake Michigan water, which has pH readings about 7.5, if pumped into the bog would dilute bog water and cause the unique plant life to die. Fly ash is basic, with a pH of about 11.0 in pure form, and still above the acidic condition even when mixed with sand or other materials. Another example is that natural bog water has low oxygen content and high suspended solids. This is just the opposite of the normal standards for determining polluted water. Of course, the suspended solids in natural bog water are organic—not fly ash. NIPSCO's claim of not polluting the water is based upon meeting the state water quality standards. But the state standards *do not* consider the special water characteristics of Cowles Bog or interdunal ponds. Thus, NIPSCO could meet the state standards, and Cowles Bog and the dune waters could still be adversely affected and the ecosystem as it now exists could die.

NIPSCO asserts that if damage exists, we environmentalists have "... ample opportunity in a variety of forums to prove these assertions and rectify any grievances. ..."

We *have* tried every other forum we could think of. Due to the reasons cited above we were told that neither EPA nor the state can act to rectify the special problems of the Indiana Dunes. We tried direct appeal to NIPSCO and were rejected out of hand. In fact, the only way we could even get any answers from the company was when we were parties to the water discharge permit under the provisions of Public Law 92-500.

The only recourse, other than the partial remedy possible by adding area II-A to the National Lakeshore is direct action by the Interior Department. Under the present administration at least, I don't expect any protective action.

NIPSCO is consistent in one respect. When tests have shown conclusively, even by the inadequate EPA and state standards, that pollution has occurred, NIPSCO always claims that the guilty party is somebody else.

RIVER SECTIONS

As discussed on page 6 and 7 of our statement, the Little Calumet River is part of the dunes system. The Interior Department claims that the river does not have any national significance. This is like saying that while the Grand Canyon may have national significance, the river which flows through it does not. Such reasoning is, of course, silly. And it's just as silly when applied to the Indiana Dunes river system.

For many years, there was a controversy over the river areas. Finally, Representative Fithian worked out a compromise, which is also embodied in the Senate Bill. We finally came to terms with Bethlehem Steel (which owns most of IV-C and the portion containing the rapids). I have included some photos of the river and ask that you accept the carefully worked out concensus as outlined in S.B. 3329.

SUGGESTION EXPANSION OF I-D

The western end of I-D, as now proposed, should be extended westward and southward to encompass more of the region of elongated dune ridges and interdunal ponds. (See areial photo #5) I have also included photos taken on the ground. I understand that the B&O Railroad, owner of part of the area, is willing to sell the land for National Lakeshore purposes, and that the acquisition is supported by the city of Gary.

STATEMENT OF THOMAS E. DUSTIN, EXECUTIVE SECRETARY, INDIANA DIVISION, IZAAK WALTON LEAGUE

Thank you for the opportunity to testify in support of the pending legislation, S3329, which would help complete the Indiana Dunes National Lakeshore by adding a number of critically important areas to lands authorized in 1966. This testimony is offered on behalf of our 6,000-member state subdivision of the League, and I have been authorized to represent it also as the position of our national parent organization, the Izaak Walton League of America.

The League's interest in the Indiana Dunes is so pervasive throughout the records of dunes legislation from 1958 until the present that perhaps little more remains for us to assert than our continuing support of Federal measures to complete, consolidate, and implement this important national project.

To avoid redundancy in the testimony of our organization, Mr. Herbert Read, of our Porter County Chapter will present the finer details of our recommendations. I would like to stress several factors, however. The addition of portions of the Little Calumet River which were not included in the House bill are very desirable, and we hope these will be retained in the final legislation. We also hope the Senate will insist upon full environmental safeguards for the present and additional lands from the pollution effects of adjoining industrial and electric utility operations, including deposits or discharges of fly ash and other materials.

I would also like to note that the fiscal impact of S3329 is likely to be lightened because of developments concerning Hoosier Prairie. As the Subcommittee probably knows, Secretary Kleppe has agreed to release \$450,000 from his Land and Water contingency fund to match a like amount from the State of Indiana for acquisition of Hoosier Prairie to be dedicated under the Indiana Nature Preserves Act of 1967. Almost universal cooperation preceded this action. The 1975 session of the Indiana General Assembly provided the state portion, Cong. Taylor in the House, in cooperation with the Indiana Department of Natural Resources and the Bowen administration, developed an approach; recently, a majority of the Indiana Congressional delegation joined in making the contingency fund request to Secretary Kleppe; and now the Secretary has agreed to provide the Federal share from funds already appropriated for such purposes. We would suggest that Hoosier Prairie seems assured, but it would seem advisable to preserve future flexibility and options even though the need is unlikely. Should a future judgment indicate some advantage in incorporating Hoosier Prairie into the Federally-administered park lands, the instrumentality will exist, and it would not be necessary to trouble the Congress with a new request.

We remain somewhat concerned over the future of portions of the Midwest Steel property west of Burns Ditch, and hope Congress will place the natural integrity and protection of the high quality lands ahead of other considerations. We also note the elimination of the north leg of the Northern Indiana Public Service Company corridor to Lake Michigan. We understand this action was taken by mutual understandings. However, we ask that the Congress build a clear record of intent that protection of the public interest in the park is the first priority in any such accommodation, and that nothing in this arrangement suggests approval or acceptance of the proposed nuclear generating station on the adjacent site.

Again, I want to thank the Subcommittee for this opportunity to testify.

Senator JOHNSTON. I will next call on Mr. Walter August for United Auto Workers.

STATEMENT OF WALTER AUGUST, CHAIRMAN, LAKE AND PORTER COUNTY COUNCIL, UNITED AUTO WORKERS, GARY, IND.

Mr. AUGUST. Thank you, Mr. Chairman. I am Walter August and I am chairman of the Lake and Porter County Council which is the Community Action Program of United Auto Workers.

I am here speaking in behalf of Dallas Sells, director, region 3, United Automobile, Aerospace, Agricultural Implement Workers of America (UAW). Our region represents 145,000 members in the States of Indiana and Kentucky.

Nationally, the UAW represents 1.7 million members. There are over 300,000 UAW members within one gas tank from the Indiana dunes. The UAW has been in support of the Indiana Dunes National Lakeshore since its beginning and still supports it in its expansions.

Senate bill S. 3329 is the most important now. With the ever-increasing population, the need for more recreational areas is a most important issue now. The UAW has always been vitally concerned with the preservation of our natural resources and the efforts to restore and preserve America's beauty.

The UAW feels that if the expansion is not done at this time, some of the areas included in the Senate bill S. 3329 will be lost forever. United Automobile Workers sincerely support the expansion of the Indiana Dunes National Lakeshore and hope that the Senate will concur.

In closing, I would also like to state that our late UAW president, Walter P. Reuther, was a great lover of the outdoors and the preservation of our natural resources. Were he alive today he would be supporting the expansion of the Indiana Dunes National Lakeshore Park as is our present president, Leonard Woodcock. Thank you.

Senator JOHNSTON. Thank you, Mr. August. I appreciate your testimony.

[The prepared statement of Mr. August follows:]

STATEMENT OF WALTER AUGUST, CHAIRMAN, LAKE AND PORTER COUNTY COUNCIL, UNITED AUTO WORKERS, GARY, IND.

My name is Walter R. August, I am the Chairman of the Lake and Porter County UAW-CAP (United Auto Workers - Community Action Programs) Council. I am here speaking in behalf of Dallas Sells, Director, Region 3, United Automobile, Aerospace, Agricultural Implement Workers of America (UAW). Our Region represents 145,000 members in the states of Indiana and Kentucky.

I wish to testify in support of the expansion of the Indiana Dunes National Lakeshore. Our union has supported the preservation of the Dunes since it first became an issue in the Congress of the United States. We feel the expansion provided under S-3329 is most imperative at this time. If the expansion is not done at this time some of the areas may be developed for housing or industry and may forever be lost for the Indiana Dunes National Lakeshore park. We ask for the inclusion of all the additions outlined in the Senate Bill S-3329. We feel that it will add immeasurable recreational opportunities and will provide natural areas for hiking, canoeing and nature studies. Some of the additions will provide protection for the Indiana Dunes National Lakeshore park. We feel this area is very important as it is within driving of millions of Americans. Over 300,000 UAW members live within a tank of gas of the Indiana Dunes National Lakeshore park.

The UAW is dedicated to building a better life not only for our 1.7 million members, but for all citizens of the United States. We of the UAW are vitally

concerned with the preservation of our natural resources and are committed in complete support of a national effort to restore and preserve America's beauty, so that we have a heritage to leave to the future generations worthy of the children of free men.

The success of the Trade Union movement in reducing hours of work has been one of its historical achievements. Experts predict the work week will continue to drop and that by the end of the century the work week will be down to 32 hours, some even predict as low as a 20 hour work week. The increased leisure time will provide our citizens with more opportunity to visit our parks and recreational areas.

The Dunes have been a major attraction for the American and foreign visitors for a good many years. Not only because of its wild scenic ruggedness and miles of splendid beaches, but also because of its unique assemblage of plants and animal life. The plants of the dunes are a curious mixture of Arctic and Tropic species which appeal to anyone with an interest in botany. Many species, not found for many miles around are abundant in the Indiana Dunes National Lakeshore park. There are certain rare plants that seem to thrive in the shifting sands, the swamps and the marshlands of the Dunes country.

Past and present generations have enjoyed hiking, camping and swimming in the Dunes areas. With society's faster pace, today's youth and the youth of tomorrow will need these facilities even more than our own generation.

Our late UAW President, Walter P. Reuther was a great lover of the outdoors and the preservation of our natural resources. Were he alive today, he would be supporting the expansion of the Indiana Dunes National Lakeshore park, as is our present UAW President, Leonard Woodcock.

In his book, *Future Shock*, Alvin Toffler wrote: "in the three short decades between now and the Twenty-first century, millions of ordinary, psychologically normal people will face an abrupt collision with the future. Citizens of the world's richest and most technologically advanced nations, many of them will find it increasingly painful to keep up with the necessary demand for change that characterizes our time. For them, the future will have arrived too soon."

Additional recreational areas will help our citizens meet the future.

We of the United Auto Workers sincerely support the expansion of the Indiana Dunes National Lakeshore park, and we hope the Senate of the United States will concur.

In closing I would like to repeat a few words from one of the last speeches made by former U.S. President, John F. Kennedy, which I feel is most appropriate at this time, "Ask not, what your country can do for you, but, what you can do for your country."

Senator JOHNSTON. Next, I want to call on Dr. Ruth Willey and John Lussenhop, both from the Department of Biological Sciences at the University of Illinois.

I hate to give such distinguished witnesses such short shrift.

Dr. WILLEY. Can you give us an estimate of our time?

Senator JOHNSTON. I tell you what I am going to do. I have got to leave here at 12:30 or 12:35. I will leave Mr. Jim Beirne here of our staff to ask additional questions of you and other witnesses. That will be an unofficial committee meeting because we officially conduct our own so please go ahead for a couple of minutes for me and then we will let you supplement with Mr. Beirne.

Dr. WILLEY. Very good.

STATEMENT OF DR. RUTH WILLEY, ASSOCIATE PROFESSOR OF BIOLOGICAL SCIENCES, UNIVERSITY OF ILLINOIS, CHICAGO, ILL.

Dr. WILLEY. I would like to make a general statement to the effect that as we humans continue to modify the landscape, some areas must be set aside to provide a natural benchmark against which to assess

the result of changes in the environment. Natural areas play such a role. Without them, we have no way to measure the impact of human activities nor do we have any way to demonstrate the impact of future generations.

Land policy must not be restricted to the principle of total consumption. I am a biologist and I have been working for the last 6 years in section I-E in the foredunal areas of West Beach under special arrangements with U.S. Steel. In the last 6 years, this area has generated two master's of science theses and five professional publications. I personally have described a new species from West Palm Beach area.

Most of our work has been restricted to section I-E, because the linear arrays of ridges and marshes of varying ages and development have provided us with a natural comparative laboratory. I have searched the shore of Lake Michigan for similar, alternative regions and have found that sections I-E and I-D are the only remaining areas clearly demonstrating succession in aquatic habitats which have not been irrevocably converted to other uses.

I recommend strongly that sections I-E and I-D be added in their entirety to the lakeshore. The western 1,000 feet of section I-E have been adversely affected by the dumping activities of U.S. Steel. However, I regard this portion as a valuable buffer zone to protect section I-E ponds from future industrial activities. Aquatic systems are more sensitive than terrestrial systems to adverse concentrations of salts and organic nutrients which can spread by underground water movement. Therefore, a buffer zone is essential. The present damage to the western portion of section I-E is not irreversible. Over the past year, U.S. Steel has modified its dumping activities and has moved many sources of contamination. This has resulted in a visible start of recovery of the pond waters around the tip of the old dump.

Natural systems have a remarkable ability to self-repair so long as they have not been contaminated to the point of self-destruction.

Finally, I am very concerned about the health and stability of Cowles Bog in the face of the interruption of the natural drainage patterns leading into the bog from the west—section II-A. There is no question that water quality is being affected by seepage of fly ash. Equally dangerous is the loss of water supply which is a natural condition of bogs.

The impoundments behind the dike on either side of the power substation should be reconnected with Cowles Bog to reestablish the normal season waterflow.

Senator JOHNSTON. Let me stop you at that point, Dr. Willey and get about a minute from Dr. Lussenhop.

STATEMENT OF DR. JOHN LUSSENHOP, ASSOCIATE PROFESSOR OF BIOLOGICAL SCIENCES, UNIVERSITY OF ILLINOIS, CHICAGO, ILL.

Dr. LUSSENHOP. I would like to speak about the educational importance of units I-E and VI-B.

The dunes to the west of the sites that we are discussing which are now under Gary, East Chicago and Whiting where the dunes originally stimulated Cowles and Shelford to develop the concept of suc-

cession. This is a very critical ingredient of ecology courses and we have been fortunate in being able to take our students from the University of Illinois to the sole remaining portion of those dunes in unit I-E for a field example of succession.

These dunes are different from the already preserved dunes further to the east because they do not rise as steeply and so there is a linear sequence of successively older dunes which is not at all the same as the other preserved dunes.

Senator JOHNSTON. Let me ask you this, Dr. Lussenhop and Dr. Willey, this question is for you both. The big question I think with respect to that steel company land in I-E or two big questions.

First of all, their alternatives for locating their solid disposal area—I think they've got the railroads switching in there. That's the first question, their alternatives.

The second question, are the costs as opposed to the value. Who would be the appropriate person to speak to that issue?

Dr. WILLEY. Perhaps I can.

Senator JOHNSTON. What was the cost of that area, do you know?

Dr. WILLEY. You must remember that I am a biologist. I would cheerfully pay more for steel and electricity in order to salvage this area for educational and scientific purposes. In terms of storage area for their scrap steel, I have been there since 1969 and they really did not start storing their materials out there nor placing that large coal dump out there until about 4 years ago.

Senator JOHNSTON. As I recall, you were saying that this is a critical area in order to have studies for your pond pollution immediately to the east of there. Is that correct?

Dr. WILLEY. The West Beach area, which is the only other area where these foredunal ponds are located is going into high recreational density. The only way we can assess the effect, the impact on the ponds in West Beach, is to keep the ponds entire in this Miller Lagoon area.

Senator JOHNSTON. I hate to end this hearing now but not only am I due at a luncheon which I am the most of 6 minutes ago but we also have a vote on the floor. Mr. Beirne will continue for a few minutes. I am sorry that we have not gotten to Mr. Raymond Flachbart, city community development planner but I will ask Mr. Beirne to hear from him and we will read all of the statements.

Let me say that we have a number of problems with this committee. The first is money. We sit here week after week on these park bills and they all involve areas of very high desirability, areas that will be lost if we don't acquire it or the ecology of a certain area will be ruined if we don't get it or it will be developed or used for roads or whatever.

Our money is very limited, it is too limited. We passed in the Senate my bill which would increase the Land and Water Conservation Fund which provides the base for the acquisition of these parks as well as the 50-50 matching funds. We increased that from 300 million to 1 billion in our bill.

The administration has put only the 300 million in the budget for this year so there has been no increase at all this year. That 300 million includes not only national park acquisition but includes 50-50 State matching funds and also includes historic preservation money.

We have to weigh not only this cost as opposed to priorities all over the country, but in addition to that, we have to consider all of these questions about whether U.S. Steel has an alternative, whether it is worth the money for the benefit, all of those things.

We regard this park as a very high priority because it is in an area where a lot of people can use it. As the Park Service said, they hope to increase the recreation base from 1 million at present in the State park up to 3 million in the Federal park in the very near future.

It is a very high priority and I know of Senator Hartke's great interest in this as well as Senator Bayh's. All I can tell you is that we will consider it very carefully. The subcommittee is going to go out there and we will do the best we can under the dollar limitations we have.

I want to thank all of the witnesses today. You have been excellent witnesses and I'm just sorry we didn't have more time to hear from you. We will go out there and look at it ourselves and consider it very sympathetically.

Thank you very much.

Mr. BEIRNE. Please continue.

Dr. WILLEY. Do you have questions you would like to ask?

Mr. BEIRNE. You are prepared also to discuss the VI-B area, the Hoosier Prairie?

Dr. LUSSENHOP. Yes. I would like to get to that. I view the unit VI-B, the Hoosier Prairie, as an integral part of the national lakeshore because it continues the sequence of dunes which begins along the lakeshore, say for example in unit I-E. Students who begin a field trip in unit I-E can end the field trip at VI-B and see the similarities and contrasts between the two units as an excellent demonstration of an additional 4,000 years of succession.

Dr. WILLEY. On my testimony, there has been a correlation of successive stages where the present proposed stages of Indiana Dunes National Lakeshore. I think in terms of unit VI-B, you can see it has been included there because it is an integral part of the whole story and is not separate from the Indiana Dunes story whatsoever.

Mr. BEIRNE. A question with respect to VI-B. On the map, it indicates that there are some form of storage tanks on two sides. I assume they are petroleum of some sort. My familiarity with prairies indicates that they will remain in their natural condition and periodically burn in perpetuation of the prairie.

Dr. LUSSENHOP. These storage tanks are separated from the prairie by an access road. I don't believe there is any serious problem with the fire crossing that road should that be the management technique.

I would like to point out that many of the prairies in the Illinois-Indiana area are wet prairies as this Hoosier Prairie is. One possible means of management is by flooding rather than burning. This is being used in prairies managed by the State of Illinois at the moment.

Mr. BEIRNE. Then there is some artificial management?

Dr. LUSSENHOP. There is a possible management technique instead of burning and it is not clear to me that burning is not a viable possibility that would be safe anyway.

Mr. BEIRNE. Thank you.

[The prepared statements of Dr. Ruth Willey and Dr. John Lussenhop follow:]

STATEMENT OF DR. RUTH WILLEY, ASSOCIATE PROFESSOR OF BIOLOGICAL SCIENCES,
UNIVERSITY OF ILLINOIS, CHICAGO, ILL.

I wish to speak in favor of the expansion of the Indiana Dunes National Lakeshore as delineated in Senate Bill S. 3329. I represent myself as a citizen and a biologist.

With the increase of the human population, space has become a limiting resource. As a result, careful planning is required to set priorities on land use. The valid uses of land, which include housing, industry, agriculture, mining, and recreation, also include education and scientific study. As a biologist, I must emphasize the importance of setting high priorities for the latter two uses of the land parcels included in the proposed expansion of the Lakeshore.

It is well known that many of the concepts underlying modern theories of ecological succession were developed in the Indiana Dunes in the early part of this century by Drs. Cowles and Shelford. The existing National Lakeshore plus the additions included in S. 3329 are the closest areas we have left to the original study plots. They still are intensively studied by classes and students of ecology. If they are not protected, they will disappear and we will have lost one of our most valuable educational resources. There are no other areas available to education institutions in northern Illinois and Indiana which can serve their function and therefore a high priority must be set for the use of this land for study and education.

In my own laboratory, we are working with the microflora and microfauna of the open ponds in the foredunal regions of West Beach and Section I-E (under special arrangement with U.S. Steel). In the last six years, this area has generated two M.S. Theses and five professional publications. Most of our work has been restricted to Section I-E because the linear arrays of ridges and marshes of varying ages and development have provided us with a natural comparative laboratory. I have searched the shores of Lake Michigan for similar, alternative regions and have found that Sections I-E and I-D are the only remaining areas clearly demonstrating succession in aquatic habitats which have not been irrevocably converted to other uses.

I recommend strongly that Sections I-E and I-D be added in their entirety to the Lakeshore. The western 1000 feet of Section I-E have been adversely effected by the dumping activities of U.S. Steel. However, I regard this portion as a valuable buffer zone to protect Section I-E ponds from future industrial activities. Aquatic systems are more sensitive than terrestrial systems to adverse concentrations of salts and organic nutrients which can spread by underground water movement. Therefore, a buffer zone is essential. The present damage to the western portion of Section I-E is not irreversible. Over the past year, U.S. Steel has modified its dumping activities and has removed many sources of contamination. This has resulted in a visible start of recovery of the pond waters around the tip of the old dump. For this action, I am very grateful.

I strongly recommend that this Subcommittee consider expansion of Section I-D approximately 1 mile to the west to include the region bordered on the north and west by the Indiana Harbor Belt Railroad tracks, and on the South by the Baltimore and Ohio Railroad tracks. This natural addition to the ecologically younger Miller sections is composed of alternating ridges and swales which are virtually undamaged. The area is in the Nipissing formation and is contiguous with Section I-D, forming a natural addition to the ecological series of aquatic habitats extending down from Lake Michigan and backward in time to the shallows of old Lake Chicago. Management problems of this area will be minimal due to its connection on the east with Section I-D and the railroad tracks on the north, west, and south which form natural boundaries.

I have included with this testimony a flow diagram briefly describing observable steps in the succession of small aquatic habitats such as interdunal ponds. I have annotated these steps with what I believe to be the best representative areas now in the Lakeshore or under discussion here. There is no area which encompasses the entire progression. But it will show you how important certain other parcels are to the whole story. In spite of their isolation, Hoosier Prairie (VI-B) and the Nipissing swale and prairie (VI-A) are essential parts of the history of the Indiana Dunes. They are important educationally, biologically, and historically. The north portion of Section VI-A, the Nipissing swale, contains linear series of ponds with open water. The area is as old as the Nipissing ridges west of Miller but exhibit an earlier stage due to

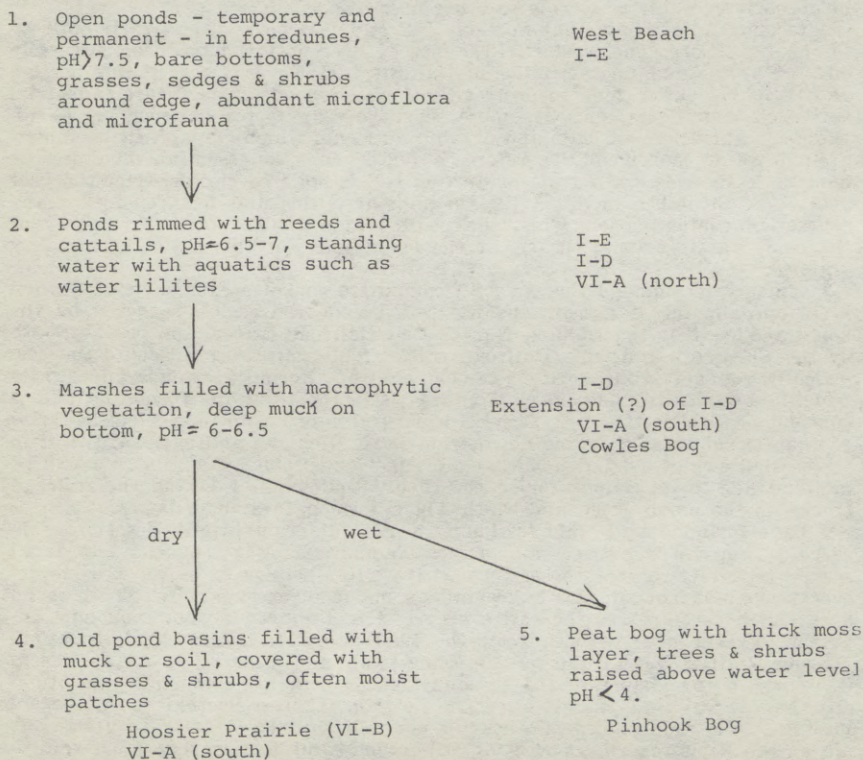
their greater water depth. The south portion of Section VI-A is drier and represents a later successional stage similar to Hoosier Prairie (VI-B). Two natural boundaries exist to ease management problems—the steep railroad embankment to the north and U.S. Hwy. 12 to the south. Current dumping of oil in one of the swales has created a hazard but this could be cleaned up before it damages the rest of the area.

Finally, I am very concerned about the health and stability of Cowles Bog in the face of the interruption of the natural drainage patterns leading into the Bog from the west (Section II-A). There is no question that water quality is being effected by seepage of fly ash—contaminated water from the dumping operations of Northern Indiana Public Services Corporation. However, equally dangerous is the loss of seasonal variability in water supply which is the natural condition for bogs. The impoundments behind the dike on either side of the power substation (they are small lakes now) should be reconnected with Cowles Bog to reestablish the normal seasonal water flow. There is another triangular water impoundment at the east end of the east-west arm of Section II-A which also should be released to feed the bog. Under no circumstances should any dumping ever be allowed here because it would only compound the flow of contaminated water into Cowles Bog.

I urge that *all* of the parcels of land proposed under Senate Bill S. 3329 be included in the Indiana Dunes National Lakeshore. They have been carefully selected for their immediate ecological and historical value. Research of dunal ecology and successional ecology did not end with Dr. Shelford. It is vital today and will continue in the future and these areas must be available for the future.

CORRELATION OF SUCCESSIONAL STAGES WITH PRESENT AND

PROPOSED (S.3329) SECTIONS OF THE INDIANA DUNES NATIONAL LAKESHORE



STATEMENT OF DR. JOHN LUSSENHOP, ASSOCIATE PROFESSOR OF BIOLOGICAL SCIENCES, UNIVERSITY OF ILLINOIS, CHICAGO, ILL.

I wish to speak in favor of Senate Bill S. 3329 to expand the Indiana Dunes National Lakeshore. I represent myself as a citizen and as a biologist. For the past five years I have taught ecology at the University of Illinois, and I would like to speak about the educational importance of Units I-E and VI-B.

The dunes in Unit I-E are the most important teaching demonstration of the important concept of ecological succession available anywhere in the world. Historically, the concept of ecological succession was developed by Henry Cowles (University of Chicago) and Victor Shelford (University of Illinois) who studied dunes now covered by the cities of Gary, East Chicago, and Whiting. Their studies are the examples of succession cited in textbooks used all over the world. Unit I-E is the only remaining sequence of dunes similar to those which originally stimulated Cowles and Shelford to develop the concept of succession. The Unit I-E dunes are unique because as one walks away from the lake they are successively older, unlike the dunes to the east which have been eroded and built up many times. I wish to emphasize that Cowles and Shelford could not have developed the concept of succession without dunes like those in Unit I-E, and that students cannot see succession anywhere else.

Ecology classes from the University of Illinois, about 140 students a year, make one or two full-day field trips to Unit I-E. On these trips, students collect data to relate plant adaptations, aquatic organisms, and soil development to dune age. The teaching staff has searched for alternative sites to Unit I-E which could be used to illustrate succession but without success.

For teaching purposes, all of Unit I-E should be preserved, including the 1000 foot wide strip running along the western edge. A regular collection site on our field trips is in a unique grove of White Pines which is within this 1000 foot wide strip. This strip is an important buffer zone which presently is a protection for the aquatic habitat also used by our classes in the eastern portion of Unit I-E. The vegetation within this 1000 foot strip is not permanently damaged and can recover.

As a teacher, I view Unit VI-B, Hoosier Prairie, as an integral part of the National Lakeshore. This is because Hoosier Prairie continues the sequence of dunes which begins at the lake shore in Unit I-E. Students who begin a field trip in Unit IXE can end the trip at Unit VI-B and see in the similarities and contrasts between the two units an excellent demonstration of an additional 4,000 years of succession.

For reasons of geography, the southern shore of Lake Michigan is a uniquely favorable site for industry. For the same geographic reasons, there are many distinctive biological communities in the area which do not exist anywhere else. Some of these biological communities can still be preserved. I urge passage of S.3329 so that students can see these conceptually important biological communities rather than only read about them.

Mr. BEIRNE. Mr. Raymond R. Flachbart.

STATEMENT OF RAYMOND R. FLACHBART, CITY COMMUNITY DEVELOPMENT PLANNER, CITY OF HAMMOND, IND.

Mr. FLACHBART. Thank you. I am here representing the city of Hammond which is a little less than half a mile away from the most of the lands we are talking about so we have a very integral interest in the development of this bill.

The city of Hammond is in favor of the Senate bill in its entirety and I would like to in my comments take issue with some of the comments of Mr. Bradshaw from the Nipsco Corp.

He was suggesting that parcel 2-A is vital to their utility operation for three different reasons. I would like to take issue with each of those.

The first he was talking about was the ash dumping that goes on in 2-A. As the testimony of the predecessors here have indicated, this

ash dumping can be detrimental to the existing Cowles Bog which is an existing part of the park at this time.

I think it is imperative that this site, 2-A, be acquired so that this dumping cannot take place any longer. They are dumping already at a different site in the area that would not damage the existing park and I think they do have alternatives for that.

He also suggested that 2-A is vital to their utility operations for the powerline concerns. However, section 11 of the Senate bill would accommodate this problem. It has already been taken care of so that is not really an important issue.

The third reason he was suggesting that 2-A might be vital to their operation, he inferred that if it was purchased, land that their substations are now on would be acquired. This is simply not true, the land 2-A does not include those substations at this time.

I would just like to close by saying that the city of Hammond is in favor of this bill in its entirety, especially 2-A, and it would help to protect Cowles Bog which is an invaluable educational asset to our students at the city of Hammond.

I would like to make a final point and that is, industrial development in our area, northwestern Indiana, has gone on mainly unchecked this entire century. I think from a rational land use point of view, the bill that your subcommittee is considering is a very important one to try to correct this present imbalance.

In other words, the concerns that have gone on in the century there have left an imbalance of park and recreational spaces being on the short end of that imbalance and this bill could do a lot to correct that deficiency.

Mr. BEIRNE. With respect to 2-A, I assume you are supporting the Senate provisions rather than the House provisions?

Mr. FLACHBART. That is correct. The city of Hammond is in favor of the Senate version over the House version mainly because it does include II-A and that is a division we feel is very important to keeping Cowles Bog in the natural state that it is in now which is already a part of the existing park.

Mr. BEIRNE. Fine. Thank you.

[The prepared statement of Mr. Flachbart follows:]

STATEMENT OF RAYMOND R. FLACHBART, CITY COMMUNITY
DEVELOPMENT PLANNER, CITY OF HAMMOND, IND.

The City of Hammond, Indiana is strongly in favor of Senate Bill #3329, designed to expand the Dunes National Lakeshore Park. There are two major reasons for this endorsement of the general expansion of the park and a third, more specific reason why the city favors the Senate version of the Dunes expansion to the House version.

Northwestern Indiana is a heavily industrialized area which developed in an era where balanced land use planning was not generally recognized or employed as necessary, let alone desirable. Therefore, the present situation is one where industry dominates most of the Lake Michigan shoreline in Lake County, Indiana and where there exists a severe shortage of open space and recreational facilities. The proposed legislation would greatly reduce this deficiency for the over eight million people in Northwestern Indiana and the Greater Chicago Metropolitan area.

A second important reason for the City's backing of this bill is the inherent quality of the land which would be acquired with the passage of the bill. This land is a natural resource of this region which should be conserved for the

enjoyment of the people of this nation. If not done so soon, the already encroaching development in this area will permanently alter the original state of these lands. From a land use planning point of view, the uniqueness and beauty of the land considered in this bill dictates that the best possible use is not for industrial and residential development, but for conservation and recreational development for all citizens.

The City of Hammond favors the Senate version of the Dunes expansion to the House's version due in part to the Senate's addition of area II-A on the map showing the proposed expansion. The acquisition of this area is important to protecting the existing Dunes Park since the dumping of ash that is occurring in II-A is draining into the adjacent Cowles Bog—a part of the existing park.

The City of Hammond is in favor of Senate Bill #3329 in order to protect the existing Dunes Park, help correct the present imbalance of land use that exists in the region and most importantly, conserve the inherent beauty of this region's unique land area for the people of our country.

Mr. BEIRNE. Is Superintendent Woodhouse still present?

Mr. WOODHOUSE. Yes.

Mr. BEIRNE. I have a couple of general management questions. Are you currently able to regulate the use of surface waters in Lake Michigan?

Mr. WOODHOUSE. No, sir.

Mr. BEIRNE. So you cannot issue and enforce boating regulations?

Mr. WOODHOUSE. You are talking about Lake Michigan itself now?

Mr. BEIRNE. My understanding is that the Lakeshore extends to the water's edge.

Mr. WOODHOUSE. Right.

Mr. BEIRNE. Which means you have jurisdiction 20 feet out?

Mr. WOODHOUSE. Correct.

Mr. BEIRNE. Does that present any problems with safety and protection?

Mr. WOODHOUSE. Yes, it does. We would like to have at least 300 feet out at a local level. This is my position only as superintendent.

Mr. BEIRNE. So for management, you would prefer 300 feet jurisdiction or some form of concurrent jurisdiction—

Mr. WOODHOUSE. For surface water only.

Mr. BEIRNE. For surface water along the length of the National Lakeshore?

Mr. WOODHOUSE. Correct.

Mr. BEIRNE. What are your current relations with the State park?

Mr. WOODHOUSE. Very good, we coordinate our program very well.

Mr. BEIRNE. With respect to the access to the West Beach area, what would be your preferences as superintendent, extension 51—

Mr. WOODHOUSE. I think that is the most viable option we have. It will be costly as far as land acquisition but the continued use of county line road is impossible. The only other option we can see right now is I-F and I-D.

Mr. BEIRNE. We had testimony earlier this morning that at present you are unable to enter into any cooperative agreements or perform directly any traffic control outside the boundaries of the Lakeshore.

Mr. WOODHOUSE. This is correct.

Mr. BEIRNE. Would legislation with some sort of cooperative agreement with the municipality and county for traffic control be of assistance?

Mr. WOODHOUSE. I assume if Congress did put it into law, we could do it.

Mr. BEIRNE. Would that be your preference or do you feel that is the function of the county or should there be some form of cooperative agreement authorization?

Mr. WOODHOUSE. I personally think that transportation in the region outside the park boundary should be a function of the town's county, State and planning commission with our input.

Mr. BEIRNE. With respect to those areas of use primarily as access to the park?

Mr. WOODHOUSE. That is another matter entirely. If we have a road coming in to be utilized by park visitors and that impact is there, I think there should be some way of resolving that.

Mr. BEIRNE. In the legislation, the area immediately south of present park headquarters, the boundary excludes a small triangle.

Mr. WOODHOUSE. That should be taken in, of course.

Mr. BEIRNE. You would support extension of the boundary to include that?

Mr. WOODHOUSE. There is a fork in the road there, as you know. One portion goes to the east and another to the west. I would say the road to the east.

Mr. BEIRNE. What is your present personnel?

Mr. WOODHOUSE. We have 13 permanent, 13 conditional, part time, which is 26, really, and additional summer employment of 55, seasonal. Total summer staff of about 94.

Mr. BEIRNE. Are those levels adequate?

Mr. WOODHOUSE. For this year, they will be but after this year, of course, when West Beach comes on line, Olmstead, the Nocki [ph.] Base, Mt. Baldy, the District Center, it will require more personnel, of course.

Mr. BEIRNE. Thank you.

I understand Mr. Don Newman is here representing the Governor.

Mr. NEWMAN. Yes, Mr. Beirne and gentlemen. We appreciate the opportunity to submit the Governor's statement.

Mr. BEIRNE. We have a group of people who were not included on the witness list and we have a total of about 8 minutes left. Is it possible for you to place the Governor's statement in the record and briefly describe the specific areas of concern to you and what your position is and hopefully, we will try to accommodate all the witnesses.

Mr. NEWMAN. I appreciate the opportunity, Mr. Beirne. We have been here all morning and have had the opportunity to hear other witnesses. There are some points of rebuttal that the Governor would like to make, I am sure, and we will place that before you in letter form if we may.

In deference to the many people who have traveled quite a ways to be here, we will give our time to those people.

Mr. BEIRNE. Fine. Thank you very much.

[The prepared statement of Governor Bowen follows:]

STATEMENT OF HON. OTIS R. BOWEN, GOVERNOR, STATE OF INDIANA

I am pleased to have this opportunity to express to you the views of the State of Indiana with respect to S. 3329.

As we reported previously in connection with the hearings in regard to HR 3571 and HR 5241, we recognize the validity and urgency of preservation of

the unique natural setting of the dunelands area. We believe also that the time has come to reach a settlement which will recognize the legitimate and diverse interests of the area and that this settlement should be a final one, so that the acrimony of the debate and the uncertainties of the past may be ended.

I would like first to briefly state six major reference points in connection with the Dunes National Lakeshore:

1. Any new territorial expansion should not delay the development of the facilities planned for the existing Indiana Dunes Lakeshore.

2. We feel that the Department of the Interior must more adequately and fully assume its responsibilities to the communities that are segmented or surrounded by the Lakeshore. This is a highly developed and complex area and acquisition and development of the Lakeshore has impacts which are far more profound and wide-ranging than those which have been experienced by the Department in the development of parks in more isolated and less populous areas.

3. Indiana cannot support an expansion of the Lakeshore which will hamper the growth and development of the Port of Indiana, nor can it support expansion which would disrupt the orderly growth and development of the economy and social functioning of the area.

4. It is imperative that this be the final settlement of the expansion issue in order that regional planning and orderly development of the surrounding area may be accomplished without the cloud of continued uncertainty.

5. We believe that property acquisition for expansion of the Lakeshore should be done expeditiously.

6. We would reiterate Indiana's position that the Indiana Dunes State Park will not be given to the Lakeshore, although Indiana will cooperate fully with the Department of Interior in Lakeshore matters.

Indiana has given careful consideration to the provisions of S. 3329. As a result of that analysis and in consideration of certain other relatively recent events in the area, we offer the following few comments and recommendations which we believe are of prime importance, and on which we solicit your careful consideration.

1. We recommend deletion of the approximate 43 acres of Area IA (East) known as Ogden Dunes Sixth Subdivision, which was not included in HR 11455, on the basis that existing plans and prior commitments for development of this area should be respected.

2. We recommend deletion of that small area indicated on map 626-91005 as Area I-B East, involving the area known as Lefty's Coho Landing. Our reasoning is twofold: (a) Acquisition would result in government operation of a service that is now being supplied by private enterprise, and (b) there is now in process of submittal to the Congress a report by the Corps of Engineers for improvement of Burns Ditch and the westerly arm of the Little Calumet River for the purposes of flood control and recreational navigation. The plan envisioned in this report would make very substantial provisions for marinas and other facilities for recreational and fishing boats. It would also involve substantial channel enlargement on Burns Ditch and the westerly arm of the Little Calumet. I have endorsed this report on behalf of the State because of the fact that the project area has perhaps the most dangerous flood problem in the State, as well as a dire need for recreational boating facilities. In summary then, it would appear wise to leave this area out of the Lakeshore, since it will produce more public benefit in connection with the Corps' project.

3. We recommend deletion of Area I-C in its entirety. We believe that, on balance, the potential long-range industrial needs, which are so vital to the economy of this area, and our inability to predict these needs with precision, dictate that we must make reasonable provisions therefor. It is significant, we believe, that this industrial area, extending from Ogden Dunes easterly to the NIPSCO property, is very probably the only area left along the entire Indiana shoreline for Lakeshore industry.

4. In view of the plans of the City of Gary for acquisition and development of public recreational facilities on much of Area I-E, we would propose that provisions be made for acquisition by the National Lakeshore only in the event that the Gary plans do not materialize within a reasonable period of time.

5. We recommend that the part of Area IV-C which lies west of Highway 149 be deleted. Our concern here is the long-range needs of industry as compared to a short reach of a relatively insignificant stream. It would still provide for inclusion of the portion of the stream that lies east of Highway 149.

6. We recommend that Area IV-B be deleted. The addition of this reach of the river, which was not included in the House bill, does not appear justified.

7. We recommend deletion of Area VI-B on the basis that its small size, remote location and industrialized environs work to render successful management highly improbable.

8. We recommend that Area II-A be handled on a scenic easement basis with provisions for electric transmission lines to be located thereon, and that the additions to Area II-A not included in HR 11455 be deleted. We fear that with continuing legal complications involving the Bailly Nuclear Plant and with the recent announcement of major additional steel plant expansions in the area, the problem of adequate electrical energy is going to become very critical indeed. In addition, we understand that a recent study by the United States Geological Survey reports that NIPSCO is so significantly polluting any inter-dunal ponds by its ash storage operation.

9. We urge that Section 19 of the bill, which relates to Area VI-B (known as Hoosier Prairie) be deleted in its entirety. This is for the reason that necessary funds for purchase of this area by the State have been secured, an option to purchase has been taken, and the purchase will be consummated within the next few weeks. Title to the property will be in the State of Indiana and it will be managed as a State Nature Preserve by the Department of Natural Resources, Division of Nature Preserves.

These revisions would, in our judgment, result in a land acquisition proposal which would add substantially to the Lakeshore and the recreational opportunities which it will afford and still allow reasonable opportunity for that economic development which is so vital to our people.

Aside from the matter of the actual lands to be acquired, I should like to relate to you the following matter of great importance to Indiana:

This problem relates to that part of Area II-B located at the southwestern corner of Dunes State Park, north of the Con Rail right of way. The relatively small number of homes in this area are located on low, wet ground and the septic tank systems do not work properly because of the high water table. The area is drained by a stream known as Markowitz Ditch, which flows northerly through Dunes State Park to empty into Lake Michigan through the State Park Beach. The State has thus far taken legal action to forestall a drainage project for this area, which in our judgment would cause greatly increased pollution in the Park, but may eventually be overridden.

The acquisition of the area, as proposed in the bill, would provide a permanent solution to this problem, *but only* if the proposed landowners' option of a life tenancy or some lesser period of years *is not allowed* for this particular area. We would, therefore, urge that the bill provide for early and outright acquisition of this area with no provision for continued occupancy.

As a final matter, we would recommend that favorable consideration be given to making provision for membership of the Northwestern Indiana Regional Planning Commission on the Dunes National Lakeshore Advisory Commission. Such action would, in our judgment, contribute significantly to the coordination and cooperation which is so vital to successful implementation and operation of the Lakeshore project.

Indiana sincerely appreciates this opportunity to present its views on S. 3329 and would request your favorable consideration of these recommendations.

Mr. BEIRNE. Mr. George Bunce.

STATEMENT OF GEORGE BUNCE, GRIFFITH, IND.

Mr. BUNCE. I am George Bunce from Griffith, Ind. and our town is Hoosier Prairie. I am speaking for the Chicago Chapter of National Audobon Society and also for the National Audobon Society, Indian Federation of Teachers which is affiliated with the American Federation of Teachers. Also the AFL-CIO.

I am also speaking for the Northwest Indiana Council of Teachers Union, also AFL-CIO, the Griffith Local of the American Federation of Teachers and the Griffith Chapter of the Isaac Walton League.

We support S. 3329 in its entirety. There are a lot of things that I could say in rebuttal but I will not take up anymore time.

Mr. BEIRNE. Thank you very much.

[The prepared statement of Mr. Bunce follows:]

STATEMENT OF GEORGE BUNCE, GRIFFITH, IND.

Thank you, Mr. Chairman. I am George Bunce of Griffith, Indiana. I am a tax-paying citizen whose town has some land included in S-3329. I am speaking for six organizations: The Chicago Chapter of the National Audubon Society; The National Audubon Society; The Indiana Federation of Teachers, affiliated with the American Federation of Teachers and the AFL-CIO; The Northwest Indiana Council of Teachers Unions, AFT and AFL-CIO; The Griffith Federation of Teachers, Local 761, AFT and AFL-CIO; The Griffith Chapter of the Izaak Walton League of America, as well as for myself.

I favor Senate Bill S-3329 in its entirety for several reasons:

1. The areas included in S-3329 are vital if the National Lakeshore is to properly serve its intended dual functions to preserve what little is left of the dunes and their related interdunal ponds, marshes, bogs, woodlands, and prairie as well as to be developed as an urban park with intensive recreational use by the nearly ten million people who live within easy driving distance. The present Lakeshore cannot be used for intensive recreation without destroying some of the natural features. S-3329 would help to expand both uses and relieve the conflict of recreation versus preservation functions.

2. The present National Lakeshore is highly vulnerable to serious damage or destruction by pollution, drainage problems, noise, congestion, and loss of esthetic value by the industrial development that is already there. S-3329 was introduced only after careful study so as to not prevent industrial expansion, but at the same time to protect the National Lakeshore from some of the damage and destruction that industrial expansion and nearby commercial and residential development will cause, and which, even now are causing in the present Lakeshore park.

3. The educational value of the National Lakeshore is already well known and students all the way from elementary school to college and university graduate schools and adult education programs are using the park. S-3329 would add valuable areas to educational use, as well as protect what is already there.

4. The scientific value of the National Lakeshore is also well known. Dr. Henry Cowles of the University of Chicago pioneered the science of ecology in these dunes, bogs, marshes, and woodlands at the turn of the century. Where else can one study the ways in which nature works in converting sterile, wind-blown sand to fertile beech and maple forest, oaksavanna, and prairie—where four vegetation zones meet and intermingle, in so small an area as the dune-lands of northwest Indiana? Add to this the history of the great Ice Ages and the formation of the Great Lakes, and we have here in a small area one of the most unique and valuable areas for scientific study in the entire world. S-3329 would help preserve part of the little that remains.

5. Congress intended, in 1966, that the Indiana Dunes National Lakeshore should be about double the present size. The legislation was then a compromise. The industries and the Port of Indiana got what they wanted. The present bill, S-3329, is a further compromise of a compromise. It seems all the compromising has been done at the expense of the National Lakeshore. Time is critical. Any more delay and any more compromising will forever lose for us the chance to preserve what we presently have and to add some of what little still remains to it—actually to restore some of what was intended in 1966.

A part of our future is in S-3329. It would preserve for our children and their children, long after they have taken our places, a unique and beautiful park for them to have and to use and to enjoy—and to study.

The fertility of our American farmland is largely dependent upon oil—oil as a raw material to make ammonia nitrogen fertilizers and oil to furnish the energy to produce and ship other chemical fertilizers. What happens when that oil becomes so scarce and expensive that our farmers can no longer afford equally scarce and expensive chemical fertilizers? Will we go the way of China, India, and other once prosperous and flourishing ancient civilizations? Overpopulation and loss of soil fertility contributed greatly to their decline.

Our next generation may well have to return to nature's methods of building up and maintaining soil fertility. Where is there a better place for studying nature's methods than in the Indiana Dunes, where in a mile or so we can see the capture of bare sand through stages of succession to the rich, fertile soil of forest and prairie? A very large part of our future may very well rest in what we do here and now.

We have seen in South Chicago, North Hammond, Whiting, East Chicago, and Gary the results of blind, unplanned industrial expansion—where urban blight, depreciating property values, social problems, sewerage and trash disposal, air and water pollution, and all the services people must have from their city governments cost more than the tax base can support. One medium-sized city can spend more Federal aid money in one year than the total cost of a park such as the Indiana Dunes National Lakeshore—and the park is forever. Most of us in northwest Indiana do not want to see the north end of Porter County go the way of the north end of Lake County, Indiana and the industrial area of Chicago. I believe my friends and relatives in other parts of the country would much rather pay a small tax to expand and develop the Indiana Dunes National Lakeshore as a park for all the people, now, and for all time to come, than to pay a much greater tax to bail out a bankrupt urban area which sooner or later would be the result of total exploitation and industrial development of the Lake Michigan shoreline. An expanded National Lakeshore park would be a far greater monument for future generations to remember us by than a blighted, declining, bankrupt urban area. Once developed, the National Lakeshore will probably be more than self-supporting.

I support S-3329 in its entirety, and I also urge you to take quick action, as time is critical.

Thank you.

Mr. BEIRNE. Mrs. Phyllis Greinwald.

STATEMENT OF PHYLLIS G. GREINWALD, OGDEN DUNES, PORTAGE, IND.

Mrs. GREINWALD. I am Phyllis Greinwald, a private citizen and member of the Ogden Dunes community.

I strongly support the inclusion of all of the I-A area in the bill to extend the Indiana Lakeshore.

As an educator and teacher who lives in the area, I can clearly see the recreational and educational benefits of the I-A area. It is immediately adjacent to the West Beach of the existing National Lakeshore and meets every qualification for inclusion in the park.

It is the formation of the same dune formation on the West Beach area and the area is recommended for inclusion, includes lovely dunes along the lake and stabilized dunes to the south. Fifty-two acres of wooded dunelands in I-A east was considered first priority acquisition to the National Lakeshore.

At the present time, part of this is underdeveloped. That is, the southern part of the I-A east area but no citizen with a concern for preserving park lands for future generations to enjoy, could endorse an omission of land which would undermine the genuine needs of the National Lakeshore to protect a land owner who bought the property in full awareness that it was proposed for the National Lakeshore.

However, I think it is important to place the preservation of land for future generations to enjoy or for educational purposes. Often, officials who oppose—one of the objections opposing, including this land, is that it will reduce the tax base. Often, officials who oppose parks because of tax laws, ignore the fact that service costs to parks is much less than needed for private residences.

These require such expensive services such as schools, police and fire protection and welfare support payments often. It would appear that all of the objections raised against the inclusion of all the significant areas in the bill and in opposition to the 1-A area, have little bearing on the long range benefits that a national park will have in the lives of people for generations to come.

[The prepared statement of Mrs. Greinwald follows:]

STATEMENT OF PHYLLIS G. GREINWALD, OGDEN DUNES, PORTAGE, IND.

I'm a resident of Ogden Dunes—and strongly support the inclusion of all of the 1A area in the bill to extend the Indiana National Lake shore.

UNIT 1A

This is an especially crucial area—comprised in 168 acres of wooded dune-land—is available for addition to the West Beach and immediately contiguous on both east and west. These areas would provide a reserve of high quality natural open space for hiking and nature study and would serve as a supplement to the more intensive recreation area of the West Beach. Furthermore, these units would establish buffer protection and serve as natural screening areas between West Beach and Gary to the west and Ogden Dunes to the east.

EAST SECTION: OGDEN DUNES

The 1A East area—immediately adjacent to the West Beach of the existing National Lakeshore—meets every qualification for inclusion in the Park. It is a 53 acre strip of land—which follows the same topographical terrain as that found in the West Beach. The areas recommended for acquisition include lovely wind-blown dunes along the lake and stabilized wooded dunes further south.

The National Park Service Team has stated that the “. . . 52 acres of wooded dunelands in 1A East was considered first priority acquisition to the National Lakeshore. Originally, the area 1-A East was recommended by the Department of Interior and the Advisory Commission. However, due to the influence of a residential developer in Ogden Dunes—the acquisition of this area was not given support at a later time. The House bill includes only the north portion of the 1-A East area—but omits the south portion. This appears to be a type of compromise in which neither side benefits in the end. All of the 1-A area should be included in the National Lakeshore bill. No citizen with a concern for preserving park lands for future generations to enjoy, could endorse an omission of land which would undermine the genuine needs of the National Lakeshore to protect a land owner who bought the property in full awareness that it was proposed for the National Lakeshore. Although the developer has already built roads in the area and a few houses, this activity should not deter Congress from including all of 1-A East. There are similar partially developed areas of this type in the present park. The roads built on top of shifting dunes have followed a predicted course of nature and have shifted, re-shifted and have more than once been inundated with sand. Their removal would not be difficult, and the wooded areas could once again be converted to park land. The houses which have been constructed were started after the date which would exempt them from condemnation.

CITIZENS OF OGDEN DUNES SUPPORT INCLUSION OF 1-A AND 1-C AREAS
IN HOUSE BILL

In February, 1975—before the House bill (H.R. 5241) was introduced, some interested citizens of the Ogden Dunes community prepared a petition asking citizens to endorse the inclusion of the 1-A and 1XC areas in the House bill to enlarge the Indiana Dunes National Lakeshore. Pollsters had only two and one-half days to solicit signatures from residents of the Ogden Dunes community before sending the petition to Congressman Fithian in our district in Washington, who at that time was preparing the house bill. Despite the fact that pollsters were seriously hampered by a restrictive time limit, they were able to secure 222 signatures and 175 signed for both 1-A and 1-C. Had more

time been available, it is certain the percentage of individuals in support of the 1-A and 1-C areas would have been considerably higher.

MAJOR POINTS OPPOSING ADDITION OF 1-A EAST AREA TO NATIONAL LAKESHORE

Opposition to the extension of the National Lakeshore to include the 1-A East area has been largely based on false assumptions and a lack of knowledge concerning untold benefits to be derived by a community in or near a national park. Major points opposing the addition of the 1-A East area to the Lakeshore National Park include the loss of tax base to the community of Ogden Dunes, and the lack of buffer zones between Ogden Dunes and the "high use" West Beach area. This latter argument is completely fallacious—as provisions for buffer zones have always been the intent of the park service. Provisions to add certain carefully selected areas to the National Lakeshore would relieve potential problems. The added areas would be for moderate use, serving recreational purposes, yet preventing an over-concentration of people and preserving the open space and natural features which still remain. One of the proposals is to add small but important wooded dune parcels bordering the existing West Beach Unit on the east and west. These will provide desirable screening and add much needed hiking and nature enjoyment resources.

Intended "buffer zones" both to the East and West of the West Beach area have been provided for in former legislation to enlarge the Indiana Dunes National Park.

The central argument involving loss of tax base to Ogden Dunes resulting from the inclusion of the 1-A East area in the park is insignificant. Claim has been made that the 1-A subdivision would account for 20% of the Ogden Dunes tax base, even though the land comprises but 8.6% of the town area. This tax base argument is used against most park proposals—and if such reasons were given precedence there would be no parks at all. It would seem that communities such as Ogden Dunes would benefit from a study of other areas in or near national parks. The town of Dunes Acres, for example, gave up about 80% of its land to the National Lakeshore.

Often officials who oppose parks because of tax loss, ignore the fact that service costs are much less than is needed for private residences, for example. These require such expensive services as schools, police and fire protection, welfare support payments and urban renewal.

It would appear that all these objections raised against the inclusion of significant areas to enlarge and extend the National Lakeshore have little bearing on the long range benefits a national park will have on lives of people for generations to come.

Mr. BEIRNE. Mrs. Irene Herlocker.

STATEMENT OF IRENE S. HERLOCKER, CHAIRMAN, HOOSIER PRAIRIE COMMITTEE

Mrs. HERLOCKER. I am chairman of the Hoosier Prairie Committee and we are indebted to many people for the fact that we have obtained an option on 300 acres of the prairie with the cooperation of the State of Indiana and Secretary Kleppe. The option will be turned over to the State of Indiana.

However, we still feel that prairies should be included in the Indiana Dunes National Lakeshore and I would like to submit a statement from Dennis B. Wolkoff, field representative of Indiana Nature Conservancy who cannot be here.

In one paragraph, the statement also reflects the feeling of our committee. It is our position that in spite of its eminent acquisition by the State, Hoosier Prairie should be included within the boundaries of the Lakeshore. This tract is geologically and botanically an im-

portant part of the story of the Indiana Dunes. It is one of four natural landmarks in the area.

The other three are all in the current Lakeshore boundaries. However, one like Hoosier Prairie, is owned by the State. Such areas should be included to allow appropriate cooperative management and interpretative programs in the future.

If Hoosier Prairie is included in the bill, such joint efforts will be possible but only if both the State and the park service agrees to it. We feel—that is the end of his statement. That will allow flexibility and I have one other point that I feel would make it valuable to have it retained within the Lakeshore.

The Third Midwest Prairie Conference passed a resolution in 1972 about the rapid disappearance of prairies and so on and talking about the diverse types of habitats of prairies. One part of the resolution says it further suggests that other portions of the prairies in other States as necessary parts of the North American Prairie National Park System.

If a National Prairie Park System is ever developed, having the Hoosier Prairie in the National Park System will make it fit into this and I think that is another point.

Thank you very much.

Mr. BEIRNE. Thank you.

[The prepared statements of Mrs. Herlocker and Mr. Wolkoff follow:]

STATEMENT OF IRENE S. HERLOCKER, CHAIRMAN, HOOSIER PRAIRIE COMMITTEE

My name is Irene S. Herlocker. I am chairman of the Hoosier Prairie Committee.

The record of the September 30, 1974 hearings of this subcommittee includes my testimony, and statements from eminent scientists, government officials, Indiana legislators, town officials, conservation organizations, university officials, and others attesting to the value, rarity, and national significance of the Hoosier Prairie, its relationship to the Indiana Dunes, and the need for quick action to preserve it.

We have made every effort to acquire the Hoosier Prairie as soon as possible, before more of it is lost. The Nature Conservancy has obtained an option on 300 acres of the Prairie for \$900,000. The State of Indiana has provided \$450,000 and Secretary Kleppe has granted \$450,000 from his contingency fund. This was made possible through the combined efforts of Governor Bowen, the Indiana General Assembly, the Indiana Congressional delegation, the Secretary of the Interior, and others. We feel that this demonstration of statesmanship and cooperation between the state and federal governments, with the assistance of the property owners and The Nature Conservancy, reflects great credit on those involved in this complex transaction. We are grateful to all of them.

We believe the Hoosier Prairie should be part of an expanded Indiana Dunes National Lakeshore because it is an integral part of the ecology of the Dunes, as part of the ancient bed of glacial Lake Chicago, and because of its national significance as the last large tract of prairie near the eastern border of the "Prairie Peninsula." It was designated as a National Natural Landmark in 1974. An extra layer of protection would be given to the Prairie by its inclusion within the authorized boundaries of the Lakeshore, with the provisions given in Sec. 19 of S. 3329, and in the bill passed by the House of Representatives. This will allow the State and the Secretary to enter into a cooperative agreement on management and interpretation, even if the State retains title.

I respectfully request that my statement be made a part of the hearing record, and I thank you for this opportunity to testify.

STATEMENT OF DENNIS B. WOLKOFF, FIELD REPRESENTATIVE, INDIANA NATURE CONSERVANCY, NASHVILLE, IND.

The Nature Conservancy continues to have a strong interest in the completion of the Indiana Dunes National Lakeshore. We will stand ready to assist the Park Service by preacquiring key tracts at their request.

As you may know, we have testified many times on behalf of the inclusion of Hoosier Prairie. We still feel that in order to assure protection of this extraordinary tract that it should be included in any expansion bill.

Great progress has been made towards the preservation of Hoosier Prairie since you last considered the matter. The Nature Conservancy has obtained an option to acquire 300 acres of the Prairie at a cost of \$900,000. As you will note this is far below the National Park Service estimate of its cost. The State of Indiana has made \$450,000 available for the purchase of the Prairie as a State Nature Preserve. Earlier this month Secretary Kleppe approved a \$450,000 grant to Indiana from the Secretary's B.O.R. Contingency Fund. The Nature Conservancy will assign its option to the State and Indiana will purchase it.

It is our position that in spite of its imminent acquisition by the State, Hoosier Prairie should be included within the boundaries of the Lakeshore. This tract is geologically and botanically an important part of the story of the Indiana Dunes. It is one of four National Natural Landmarks in the area. The other three are all within the current Lakeshore Boundaries. However, one, like Hoosier Prairie, is owned by the State. Such areas should be included to allow appropriate cooperative management and interpretive programs in the future. If Hoosier Prairie is included in the Bill such joint efforts will be possible but only if *both* the State and the Park Service agree to it.

Mr. BEIRNE. Mary Beth Lynott.

STATEMENT OF MARY BETH LYNOTT, REPRESENTING THE EDGEWATER BEACH IMPROVEMENT ASSOCIATION AND THE PROPERTY OWNERS OF THE EDGEWATER BEACH SUBDIVISION

Ms. LYNOTT. I am Ms. Mary Beth Lynott and I represent the Edgewater Beach Improvement Association and the Property Owners of the Edgewater Beach area. It is a small area located right here. We are surrounded by the park on three sides. We were in the original bill but compromised out by Congress.

I would ask that the Interior Department reevaluate their assessment of us. Number one, they say we are worth \$5.5 million and it is, I think, 187 acres. That makes it approximately \$354,000 per acre. I think that is an ungodly figure. They said we have 83 improvements located on there and when I left Monday, there were only 67.

Out of those 67, there were seven shacks which are falling down and we had three homes burned down in the last 2 weeks so I would advise them to go back. I represent approximately 95 percent of the area. We have 5 percent opposing the park or they are uneducated towards the full benefit.

Like Beverly Shores, 90 percent would like to have leasebacks of 25 years. They are small homes, nothing expensive, I would say nothing over 40,000. Most of them are falling down.

Mr. BEIRNE. Would you submit to the committee your estimate of the value of that?

Ms. LYNOTT. I plan to go back to the courthouse where I work and give you a detailed report. I might add that West Beach is going to be the largest area of the dunes and if we are left out, the fourth side is county line road, there will be great management problems for the park service.

Thank you very much.
 Mr. BEIRNE. Thank you.
 [The prepared statement of Ms. Lynott follows:]

STATEMENT OF MARY BETH LYNOTT, REPRESENTING THE EDGEWATER BEACH
 IMPROVEMENT ASSOCIATION AND THE PROPERTY OWNERS OF THE EDGEWATER
 BEACH SUBDIVISION

My name is Mary Beth Lynott and I am here to speak on behalf of the members of the Edgewater Beach Improvement Association and the property owners of the Edgewater Beach Subdivision. Our area was included in the original Park bill of 1966 but left out in the compromise. Over 90% of these homeowners have sent the attached petition¹ to this hearing and requested my presence here today to show their continuing desire to be included in the National Park.

We are a small neighborhood, 4 blocks by 5 blocks, containing approximately 65 homes, of which a majority are over 25 years old. There have been only 3 new homes built in the area in the past 15 years. This area is presently surrounded on three sides by the existing National Lakeshore Park with the fourth side being the Lake-Porter County Line Road and the City of Gary, Indiana. The West Beach area of the National Park which encircles us is to become the Western Gateway to the Dunes and an highly developed beach and dunes area.

People who built homes in the Edgewater Beach Subdivision have not disrupted the Dunes. They remain in their natural state—the way they have been formed by time and nature. Trees, shrubs, wild flowers and everything native to the Dunes, have been left to grow naturally. I have been a resident of this area since the age of 2. The surrounding dunes and beach area has long been my personal playground. I feel fortunate to have been able to grow up around these spacious recreational facilities that God placed on our land free of charge for our joy, pleasure and education. I agree that we must have industry for jobs, housing developments for living quarters and shopping areas to satisfy our physical needs. But, I also know that recreational areas are needed for our large urban region. We are fortunate to have a natural and unique dunes area available in the midst of a highly developed urban area.

Unless Congress acts now to complete the Park, I am desperately afraid that the land in my area will be lost. The people of my area have spent most of the last 20 years preserving this precious dunes area. They have remained in the neighborhood long after their children have left home. It will not be long before they will retire to warmer climates and the land will be put up for sale on the open market. The homes in our neighborhood are nestled in amidst the trees and dunes where the owners have long been able to take walks enjoying the fresh breezes, sand and sun.

In order to have an effective and manageable park, it is essential to have a completed one. The Dunes are continuous areas that roll on and on. When people visit our Lakeshore Park, they should be able to walk freely through the paths and dunes without running directly into a wire fence stating "PARK ENDS HERE:"

I admit that I took the dunes and Lake Michigan for granted until I saw them both being destroyed. Then, it was too late to save many parts of our lakeshore. I watched the steel mills destroy the highest and most beautiful dunes in the area to build their plants. I also saw a company of businessmen buy up a few lots, located one block from my home but across the county line, and where there was once an high sand dunes now stands 9 three story and 1 twelve story apartment complex. It only took a few days and two bulldozers to destroy the beauty formed by God and many many years.

The National Park will bring recognition to our area—the only similar dunes is located on the opposite side of the world. But, the Park will also bring visitors and introduce new revenue to this area. People would travel from all parts of America to visit our Park for its uniqueness. Most of all, it will bring a "PARK TO THE PEOPLE," an escape area for the thousands of people who live in the crowded subdivisions and apartment complexes of the Chicago-

¹ The petition was retained in committee files.

land area. These are the people who cannot afford European vacations or travels to "exotic paradise islands."

To fully develop the West Beach, the Edgewater area—a DISTINCT AND BEAUTIFUL part of the Dunes that still remains in its natural state, should and must be included.

We most heartily support Senate Bill 3329 as it has been previously submitted and request that this testimony and attached petition be included in the official record of this hearing.¹

Mr. BEIRNE. Our final witness is Ms. Dorothy Potucek.

STATEMENT OF DOROTHY POTUCEK, REPRESENTING INDIANA STATE TEACHERS ASSOCIATION, WHITING, IND.

Ms. POTUCEK. My name is Dorothy Potucek and I represent the Indiana State Teachers Association. My statement is part of the record and I would just like to state that they originally passed a resolution 2 years ago stating that they were for the park and this is the whole State of Indiana Teachers Association.

They reiterated their stand on this bill this past year in their representative assembly. I would also like to state that I have taken numerous student groups through the dunes from the inner city and I really enjoyed myself, even though I came home weary because these kids really got something that they never would have gotten before, being from where they were located.

I would appreciate anyone who can do anything to create and enlarge this park. Thank you.

Mr. BEIRNE. Fine. Thank you.

[The prepared statement of Ms. Potucek follows:]

STATEMENT OF DOROTHY POTUCEK, REPRESENTING INDIANA STATE TEACHERS ASSOCIATION, WHITING, IND.

I would like to thank the Chairman, J. Bennett Johnston, and members of the subcommittee for giving me the opportunity to testify in support of the expansion of the Indiana Dunes National Lakeshore.

My name is Dorothy Potucek and I reside in Whiting, Indiana. The Indiana State Teachers Association, to which I belong, is a state-wide organization consisting of 35,000 members. Two years ago the Association was asked to support an expansion bill and at its Representative Assembly meeting it passed a resolution for the expansion of the Indiana Dunes National Lakeshore. It read as follows:

Whereas the Indiana Dunes National Lakeshore was established in 1966 as a "compromise park" and

Whereas several thousand acres were excluded from the original proposal and

Whereas these excluded acres would have created a more comprehensive park and

Whereas some of these acres would act as buffer zones between the established park and industrial development areas and

Whereas the Indiana Dunes are a unique area used by scientists and students extensively for the study of ecology and geological development and

Whereas the added recreational areas are vitally needed by the people living in the surrounding highly industrial areas, be it

Resolved, That the Indiana State Teachers Association supports the expansion of the Indiana Dunes National Lakeshore.

On October 23, 1975 the Association reiterated its stand by simply stating in Resolution 24 "The ISTA supports the expansion of the Indiana Dunes National Lakeshore."

¹ The petition was retained in committee files.

As a member of the teaching profession I know the value of the Dunes area as an outdoor study laboratory. Legislators in the past have understood and accepted what scientists have said about the Dunes' value as a *unique* study area for they created the National Lakeshore. But those of us who use the park know there are valuable sections not included and that other sections are needed to protect what we have because of the close proximity to heavy industry. The density of the population in this highly industrial, commercial area demands that as much acreage as is possible be set aside for recreation. Please consider the proposed legislation in connection with the location of the park and the needs of people living in the surrounding areas. Thank you.

Mr. BEIRNE. The committee will adjourn subject to the call of the Chair.

[Whereupon, at 1 p.m., the hearing was adjourned.]

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APPENDIX

[Under authority previously granted, the following statements and communications were ordered printed:]

MEMORANDUM FROM THE CHAIRMAN

Many persons have requested that their comments be made part of the printed record. Not all could be accommodated. This volume, however, contains a broad sampling from the mail we have received. We have tried to ensure that all points of view have been included and that the weight of comments pro and con has been preserved. Those letters which were not reprinted here remain as part of the Committee's file and they, too, will be considered in our further work on the problems under study.

Over the past several weeks we have received a large number of letters from interested individuals and groups throughout the country, containing their opinion on the Indiana Dunes National Lakeshore.

APPENDIX

1. The following is a list of the names of the persons who have been appointed to the various positions in the organization of the National Association of Manufacturers.

NAME	POSITION
J. B. H. H. H.	President
J. B. H. H. H.	Vice President
J. B. H. H. H.	Secretary
J. B. H. H. H.	Treasurer
J. B. H. H. H.	Member at Large
J. B. H. H. H.	Member at Large
J. B. H. H. H.	Member at Large
J. B. H. H. H.	Member at Large
J. B. H. H. H.	Member at Large
J. B. H. H. H.	Member at Large
J. B. H. H. H.	Member at Large

STATEMENT BY CONGRESSMAN JOHN BRADEMAS
TO THE SENATE SUBCOMMITTEE ON PARKS AND RECREATION
REGARDING S. 3329
A BILL TO ENLARGE THE INDIANA DUNES NATIONAL LAKESHORE

Mr. Chairman, I very much appreciate the opportunity to submit my views regarding the enlargement of the Indiana Dunes National Lakeshore and to say that I am most gratified by the action of your Subcommittee to move this important legislation forward.

I urge favorable consideration of the legislation now before you, S. 3329, sponsored by my distinguished colleagues, Senator Vance Hartke and Senator Birch Bayh.

I would like to limit my remarks to the question of the two parcels of land now under discussion in the bill which are located in the Congressional District which I have the honor to represent.

Although small, these two parcels, Unit III-B (Crescent Dune) and Unit V (Pinhook Bog Buffer Zones), are important to the total Indiana Dunes National Lakeshore.

Pinhook Bog, a National Natural Landmark, dates from the retreat of the Ice Age glaciers. The 150 acres proposed to be added to the park in this area are essential to provide more adequate control over highway and agricultural drainage within the watershed of the bog. The need for this additional margin of safety has been borne out by a recent water quality analysis performed by the U. S. Geological Survey. The impact of pollutants has already been felt at Pinhook, even in this rural setting, and must be checked before the damage becomes irreversible.

The Crescent Dune area in Michigan City would add over 2,000 feet of Lake Michigan frontage at the east end of the National Lakeshore beach, and is recommended for complete inclusion for several important management reasons. First, Mount Baldy, the large moving dune within the parkland already established immediately west of this Unit, is moving slowly to the South and East according to the National Park Service. Where possible, we should provide space for this natural shifting of sand in the future.

Secondly, the strategic location of the Crescent Dune area between Mount Baldy and the Michigan City harbor breakwater clearly portends a key role in both the control of shoreline erosion and the development of park visitor facilities.

Mr. Chairman, the remaining portions of the Lakeshore expansion proposal situated in the 1st and 2nd Districts will also be of great benefit, not only to my own constituents in Northern Indiana, but to the citizens of the entire urban Midwest. I hope that the subcommittee will support the enlargement of Indiana Dunes National Lakeshore as envisioned in S. 3329, and again I appreciate very much your prompt and comprehensive examination of this issue.

STATEMENT OF HON. FLOYD FITHIAN, A U.S. REPRESENTATIVE FROM THE STATE OF INDIANA

Mr. Chairman, it is indeed a pleasure and an honor to testify before this distinguished committee and to represent thousands of Hoosiers who desire to preserve and expand the Indiana Dunes National Lakeshore Park.

This bi-partisan legislation to expand the Indiana Dunes National Lakeshore Park is supported by such national environmental groups as the Audubon Society, Sierra Club and the Wilderness Society, the state and local chapters of the Isaak Walton League, and the Save the Dunes Council, and industrialists such as those in charge of Bethlehem Steel, Midwest Steel and the Northern Indiana Public Service Company. Community leaders of both political parties have supported this compromise legislation.

The Indiana Dunes National Lakeshore Park is a unique urban national park designed for people usage. Almost 10 million people live within a 100 mile radius of the lakeshore.

In late 1974 and early 1975, I made a thorough and complete investigation of the proposals concerning park expansion. I held two days of public hearings in the Dunes area, at which 123 people testified. I held these hearings in Chesterton, Indiana, because I wanted to give local residents an opportunity to be heard on this important issue.

On March 20, 1975, I introduced a compromise bill on park expansion. This bill (H. R. 5241) was a compromise between the environmentalist concern for maximum expansion and industrial concern for a very reduced expansion. Too often, the community has viewed

this issue of park expansion as one of only park expansion OR industrial development. This is not an all or nothing proposal. The time has come to reconcile these differences in a FINAL Solution that will be fair and equitable to everyone. We can and we must have both park expansion and industrial growth.

The average American working family deserves sufficient recreational areas. The region also needs, especially at this critical time, an expansion of jobs and factories. Industrial expansion is needed today to meet the economic demands of tomorrow. Nothing in this bill was designed to hamper, obstruct or delay industrial growth in northern Indiana. The average family needs both jobs and recreation.

The House of Representatives held extensive public hearings during the summer and fall of 1975, and passed the bill out of committee on December 17, 1975, with a bi-partisan vote of 34 to 4. H. R. 11455 came to the House floor under a suspension of the rules and received a vote of 272 to 116.

It is extremely important that legislative action be taken in the 94th Congress, and I respectfully request that the Senate expedite passage of this park expansion bill. It is my sincere hope that the Senate and House can agree in conference and that this compromise legislation will shortly become law. For years the communities of northwestern Indiana have been divided over the question of park expansion. We must arrive at a definitive solution to this important question that is fair and equitable to everyone concerned. It would be a severe setback to all who have brought the solution to this point to now see it lost for lack of time. The retirement of subcommittee chairman Roy Taylor and full committee chairman James Haley

and the many personnel changes in the house would essentially mean that if final enactment does not take place in this Congress, the wheel would have to be reinvented.

I want to commend both Senators Hartke and Bayh for their interest and concern about the expansion of Indiana Dunes National Lakeshore Park. For the last decade both Hoosier Senators have demonstrated their desire to preserve the remaining natural dune-land in northwestern Indiana.

This Senate subcommittee and the full Interior Committee have demonstrated their interest and devotion to the preservation of INDIANA DUNES since 1966. Your vision led to the creation of this important national park. Your continued interest in this park is a clear indication of your dedication and concern for the development and protection of one of our most important natural resources - our national parks.

STATEMENT OF HON. J. EDWARD ROUSH, A U.S.
REPRESENTATIVE FROM THE STATE OF INDIANA

Mr. Chairman: I am delighted to have this opportunity to indicate my support for legislation to expand the Indiana Dunes National Lakeshore. As the author in the other body of the original legislation creating the Lakeshore, the first urban national park, in 1966, I have a special interest in this legislation. For the past five years I have sought to have legislation passed that would add areas to the Lakeshore which were unfortunately left out in 1966, which are needed as buffer zones for the present Park, which are of high ecological and recreational value, which are imminently threatened with destruction.

This year, on February 17th, for the first time since 1966 the other body finally passed a Dunes expansion bill by an outstanding vote of 272 to 118. That bill, H.R. 11455, authorized the addition of some 4300 acres. I supported and co-sponsored H.R. 11455 although it reduced the acreage I had proposed by just over 1,000 acres. However, major parcels of interest to me, such as the Beverly Shores "island", the Hoosier Prairie, acreage in the Edgewater area and the Ogden Dunes area, to mention a few were included.

I would like to enthusiastically associate myself with the sponsors of S. 3329, Senators Birch Bayh and Vance Hartke, from Indiana, as well as the distinguished Senators Philip Hart, Charles Percy, Walter Mondale, Henry Jackson, Hubert Humphrey, and Adlai Stevenson.

I would agree with Senator Bayh's remarks and reminders that the Senate passed legislation back in 1964 which would have established an 11,000 acre national lakeshore similar to that in S. 3329. I wish we had that 11,000 acre park today. It was a struggle however to secure passage of the presently authorized Indiana Dunes National Lakeshore of

8,330 acres (including the 2,100 acre State Park if the State so desired). Environmental concerns in 1966 were not awakened to the extent that they have been in the 1970's. We were proud to be able to establish the first urban National Park, in spite of the fact that cut-backs in acreage were necessary. I personally never gave up the hope and the effort to restore some of those beautiful and valuable acres to the authorized Park area.

I think that it is important to point out that some 10 million people are within easy access of the Indiana Dunes National Lakeshore. I remember back in 1972 when Department of the Interior Secretary Rogers C. Morton dedicated the Lakeshore and described it as "an eclave...a peaceful respite for 10 million Americans who live and work nearby." He predicted that the Park would provide "outdoor recreation and environmental education opportunities for some 87,000 visitors daily." I believe the additional acreage would make this promise a reality.

Back in the 1960's there were those who argued that industrial and recreational interests in this area could not be resolved, that they could not live together peacefully. Well, they have been proven wrong. The area in which the Indiana Dunes National Lakeshore is located is a large industrial area, all the more reason why a park for the people who live and work there is so important. No longer can you attract industry or keep it in areas where there are inadequate recreational facilities. Outdoor recreation at unspoiled natural sights, like those provided in this Lakeshore area, is expected and demanded by the American people today. There must be room for both economic growth and recreational expansion.

This brings me to another point which I am sure will be a part of your discussion, namely the expected cost of additional acreage. I feel

that we cannot afford to wait to purchase the additions needed to this Lakeshore. Opponents will point out that additions proposed in H.R. 11455 will cost in the neighborhood of \$53 million. Had we acted on this legislation when we should have costs would not have so escalated. Of one thing we can be sure, they will not get cheaper. Our decision is one of value: is it worth it? I think the answer is unequivocally yes.

Let me mention in that perspective the Beverly Shores "island" in particular. Undoubtedly it is one of the most expensive single pieces provided for in the additions proposed.

If any of you has seen Beverly Shores you will be immediately made aware of its value. It is surrounded by Park and there are administrative difficulties for both the Park and the town unless it is added to the present Lakeshore. Over 500 of the 652 acres in the Beverly Shores "island" are unimproved and of great natural value. A political consensus of the "island" residents indicates that they favor inclusion in the National Lakeshore. The density of structures here is low and therefore more of the area has been preserved in its natural state. These are but a few of the arguments in favor of what I consider an absolutely essential addition to the present Lakeshore. The natural scenic value of the area, the contribution it would make to the park remains the most compelling argument.

The bill before you, S. 3329 adds some 346 acres to the bill passed in the other body, including acres along the Little Calumet River, a tract of property within Ogden Dunes, a parcel along Burns Ditch, acreage in the Tremont area and others. I cannot object to the additions made as many of them were in the bill I introduced and have continued to support

since 1971. The additions made in S. 3329 have also involved acreage found in Senate bills introduced over this same period of time.

However, I believe that it is essential that a Dunes expansion bill be passed in this session of Congress. We are already far into the second session. While the vote in the other body was reassuring, I think we dare not take it for granted. Having carefully monitored this bill through committee and on the floor I am aware that there are those who would object to the bill if conference action is required. There are those who would strongly resist any attempt to add additional acreage regardless of how desirable that acreage might be.

It is extremely difficult for me after working for years on this legislation to refrain from urging that we add areas in my original bill. They should be there. But I think we must weigh this against the possibility of losing what we have gained so far.

The bill passed in the other body, H.R. 11455, was a carefully worked out compromise that was reasonably or generally acceptable to environmentalists and industrial interests as well. Neither side would call it a perfect bill and there are those who would certainly offer specific objections. Yet the bill was revised and refined both before and during committee mark-up to a point where it could pass with the approval of the Committee, inspite of objections by certain members, and succeed in the floor vote. That was a real victory.

I make these comments for your consideration only. My major concern is to preserve and protect for future generations as many of these important sections proposed for addition to the National Lakeshore as possible. The time is long past for expanding the Indiana Dunes National Lakeshore.

If we wait much longer our efforts at protection and preservation will be useless. I would above all urge favorable action as soon as possible.

TESTIMONY

SUBMITTED BY

RONALD G. JENSEN, EXECUTIVE DIRECTOR

and

ROBERT N. MARGRAF, ASSISTANT EXECUTIVE DIRECTOR
FOR GOVERNMENTAL RELATIONS

INDIANA STATE TEACHERS ASSOCIATION

TO

SUBCOMMITTEE ON PARKS AND RECREATION

OF THE

INTERIOR COMMITTEE

OF THE

U. S. SENATE

The Indiana State Teachers Association representing some 36,000 teachers throughout Indiana adopted a Resolution supporting expansion of the Indiana Dunes National Lakeshore. With environmental education for scientists and students our principal objective, the Indiana State Teachers Association feels it would be a tragedy to lose an area spanning several thousand years of environmental change.

Therefore, we appreciate the opportunity to submit testimony in behalf of S. 3329 which is presently pending before the Subcommittee on Parks and Recreation of the Senate Interior Committee.

As noted, several tracts proposed for preservation have environmental education as a principal objective. Most striking among these, perhaps, is Unit I-C, a 100-acre parcel along Lake Michigan in Portage. Here, the succession of plant growth as it progresses inland is demonstrated in a classic way not found elsewhere in the Dunes.

Unit VI-B, the Hoosier Prairie in Lake County, is intended to provide an ecological preserve for study of a Dunes-related remnant of native Indiana wet prairie. We are gratified by the state's involvement in the preservation of this area and encourage its retention within National Lakeshore boundaries.

Unit I-E, the Miller Lagoons and Woods in Gary, contains a chain of several ponds of varying ages providing a progression of several thousand years of environmental change.

It should be pointed out that Federal acquisition of 4,700 acres of dunes, stream valley and wetlands will have a negligible tax base loss for school assistance in the region. The Lakeshore expansion involves less than 1% of the area in Lake and Porter Counties. With the exception of the town of Beverly Shores, whose residents and town board have petitioned to be entirely included in the park, the assessed valuations lost through Federal purchase amount to roughly one year's increase in assessed valuation for most of the affected jurisdictions. This conclusion is based on material prepared by the Porter County Assessor and a staff report from the Northwest Indiana Regional Planning Commission.

In conclusion, we repeat our support for the proposals sponsored by Senators Hartke and Bayh of Indiana and request the support of the Subcommittee of Parks and Recreation.



Indiana
State
Teachers
Association

150 West Market Street
Indianapolis, Indiana
46204
317/634-1515

Ronald G. Jensen, Executive Director

Raymond A. Gran, President

PROPOSED RESOLUTION FOR THE INDIANA STATE TEACHERS ASSOCIATION

Pertaining to the expansion of the
Indiana Dunes National Lakeshore

Whereas the Indiana Dunes National Lakeshore was established in
1966 as a "compromise park" and

Whereas several thousand acres were excluded from the original
proposal and

Whereas these excluded acres would have created a more comprehensive
park and

Whereas some of these acres would act as buffer zones between the
established park and industrial development areas and

Whereas the Indiana Dunes are a unique area used by scientists and
students extensively for the study of ecology and geological
development and

Whereas the added recreational areas are vitally needed by the
people living in the surrounding highly industrial areas,

Be it resolved that the Indiana State Teachers Association supports
the expansion of the Indiana Dunes National Lakeshore.

STATEMENT OF CHARLES E. OLMSTED

MAY 19, 1976

To the Honorable Members of the Senate

Subcommittee on National Parks, Senate Interior Committee.

I am now Professor of Biology Emeritus at The University of Chicago. As an active member of the faculty of that University from 1934 to 1973 (including the Chairmanship of the Department of Botany from 1953 to 1968), I was responsible for the teaching, the research, and the direction of research in the field of plant ecology. I hold an A.B. degree from the University of Nebraska (1929), an M.S. degree from the University of Oklahoma (1931), and a Ph.D. degree from Yale University (1936).

From 1946 to 1959 and from 1965 to 1968 I was editor of the general internationally read botanical journal known as the Botanical Gazette. I served as editor of the botanical portion of the journal Ecology from 1941 to 1946. I am now and have been a member of the Ecological Society of America, serving as its Vice-President in 1949, and as its President in 1959-1960. I have served as a member of the Advisory Panel for Environmental Biology, and of the Advisory Committee for Biology and Medicine of the National Science Foundation, and from 1965 through 1974, I was a member of the Advisory Committee on Natural Science in the National Park Service. From 1962 to 1975 I was a member of the Board of Natural Resources and Conservation of the State of Illinois and from 1969 to 1975 a member of the Illinois Nature Preserves Commission, serving as its Chairman in 1974.

I write in support of Senate Bill 332. The arguments which may be advanced by the supporters of this bill are numerous, and all of them should be served by its provisions. The need for preserving more open space in areas which are rapidly being urbanized, and the need to provide more beach and water areas for recreation are urgent. The preservation of "green areas" for aesthetic and sentimental reasons will become increasingly vital. All of these needs are worthy and should be provided for.

As a scientist, however, I value especially the scientific and educational values of many of the lands which would be included in the proposed project. I am thoroughly familiar with all these areas. They have contributed to education in natural history and to scientific research. The dunes have been peculiarly valuable because of one fact. Dunes are forming and have been formed at the southern end of Lake Michigan for about 14,000 years. During this time soils have continued to

develop on the bare dune sands; numerous species of fauna and flora have migrated into them to form a most interesting series of living communities which have replaced and do replace one another in turn as the environment has been changed by their own activities. Because one can reconstruct a sequence of dunes of different age, the area serves as a marvelous teaching laboratory. But its use for such purpose has depended on the scientific research which has been carried on, is being carried on, and will continue to be carried on if more of the area is preserved.

It is difficult to overestimate the scientific value contributed by the Indiana Dunes to the teaching and research programs of the numerous outstanding educational institutions situated within a radius of 100 to 250 miles from them. Research or class work has been conducted there in the sciences of botany, zoology, geology, geography, soil science, and meteorology since the last decade of the 19th century. The dunes have been thus used by faculty and students from Indiana, Purdue, Northwestern, DePaul, Loyola, and Butler Universities, from the Universities of Chicago, Illinois, Michigan, and Wisconsin, Chicago State University, and from numerous other universities and colleges in the Midwest.

At the University of Chicago alone, numerous Ph.D. theses in botany, zoology, geology and geography have been based on research conducted exclusively or primarily in the Indiana Dunes. Six such theses from my department have been outstanding contributions in the field of plant ecology. The first of these by H. C. Cowles, my predecessor at Chicago, focused the attention of all field scientists on the dunes. His was the single most influential piece of research which established the foundations of plant ecology and stimulated its development in this country. In a re-examination of these same areas, one of my students, Dr. Jerry Olson, was able to work out the quantitative bases of soil development on the dunes in relation to the time sequence of their formation, correlated with the vegetation types present on them. This research was considered sufficiently meritorious to be awarded the Mercer Prize by the Ecological Society of America. This prize is conferred annually for the piece of research judged to be the most meritorious of that published in the field of ecology in the preceding year.

The principles of plant and animal ecology and of geology as exemplified in the Indiana Dunes have been taught in class field trips in the dunes to thousands of students of the institutions named above. In addition, numerous ecology and general biology textbooks have sections devoted to the principles exemplified by the Indiana Dunes. Thus the dunes are familiar on paper to a much greater number of students throughout the world. Field scientists from foreign countries who visited

my department invariably wished to take a trip to the dunes if at all possible. Some years ago, a world-famous soil scientist from the University of Hamburg spent one of the two days he had available for visiting the Chicago area in visiting the dunes of different age so that he could study critically for himself the results which Dr. Olson had reported.

As indicated, I am thoroughly familiar with all the areas included in the proposed bill. All will continue to contribute educational and scientific values if they can be preserved. It is amazing that so much relatively wild land has still been preserved near the heart of a huge industrial area.

I mention specifically two areas included in the proposed expansion bill. The first is the so-called NIPSCO (Northern Indiana Public Service Company) "greenbelt" which is contiguous with and parallels the western end of that portion of the Indiana Dunes National Lakeshore which surrounds much of Dune Acres. It is most urgent that this area be included in the land to be acquired. In addition to its intrinsic interest, it is needed to enable better protection of the scientifically valuable dunes and swamps in this portion of the Lakeshore, including Cowles Bog, and should be under the jurisdiction of the National Park Service. Surface and subsurface drainage from this area and through it from those near it under industrial use is threatening the viability of the natural vegetation types in Cowles Bog, a threat which could be lessened if the "greenbelt" is given Park Service ownership. I most strongly endorse its inclusion in the expansion bill.

The second area is the Beverly Shores "island." The dunes near the lake in the Beverly Shores inclusion, even though somewhat modified for residential purposes, maintain much of their native fauna and flora and natural biotic communities. They include soil ages and vegetation types not so well represented in other areas of the National Lakeshore. Some of this area should be saved for educational and scientific purposes but one hopes that this can be accomplished while still providing in much of the remainder of the area the recreational use which is primary to a National Lakeshore.

In summary, I fully endorse the acquisition for Lakeshore purposes of all the lands described in SB3329.

STATEMENT OF FLORENCE BROADY, OGDEN DUNES, IND.

I wish to express my enthusiastic support of the entire bill to enlarge the Indiana Dunes National Lakeshore and in particular to support the inclusion of the areas designated on the map as 1-A (east) and 1-C, particularly the beach adjoining the Ogden Dunes beach.

1-A is in the west end of the town of Ogden Dunes, where I have lived for 24 years. It contains high dunes, some wooded, sloping toward Lake Michigan and the beach. It adjoins "West Beach" which is part of the Indiana Dunes National Lakeshore and is a natural adjunct to it. It has been included in all of the bills related to saving the Indiana Dunes and originally was given top priority by the Park Service not only because of its rugged beauty but because the north end is one of the best examples of the sequence of land formation and has been used for many years by groups studying ecology.

The area has been purchased by a land developer who is busily selling lots in spite of the fact that he had to be aware of the fact that it has been under consideration for the Park for many years. Even after the House bill was passed last fall, which received a great deal of publicity in all the newspapers including Chicago papers, and TV coverage, the developer continued to sell lots and encourage purchasers to start building. A few houses have been built in the north end, but the south end is largely unspoiled.

The Town Board of Ogden Dunes has gone on record opposing the inclusion of this area in the Park. A resolution to this effect has been sent and a petition opposing it is being prepared. Those sponsoring this petition have had almost a month to secure signatures and by the time the Senate bill is under consideration will have had well over a month. At the time the House bill was being prepared, three of us got busy and altho we had only 2½ days to do the job (with the ground covered with snow and ice which slowed us up considerably) secured 222 signatures, 179 of which supported both 1-A and 1-C. It was more important to get the petition to Congressman Fithian, the representative from this District who was at that moment preparing the bill, than it was to take time to secure more signatures, an easy task with more time, as we met with little opposition. The 43 residents who refused to sign for 1-A were asked why. Some hummed and hawed, quite a few frankly said if 1-A became part of the Park, "those awful people", meaning blacks, could come so close to their homes! As in many suburbs, many residents are admitted racists.

The ostensible basis of the Town Board's stand was the tax base. The new addition (1-A) contains only ⅓ of the total acreage of Ogden Dunes, but it is expected to provide 20 per cent of the taxes. The older part of Ogden Dunes is almost full-up with very few if any vacant lots available for additional building. Many of the houses are quite pretentious and provide high taxes. It is well known that any increase in population means higher taxes for everybody—more schools, more roads, utilities, police and so on. The tax base was not considered in building the large tennis courts, the baseball diamond, the park areas within the town. Nobody opposes those areas excluded from the tax base. Yet when an area noted for its ecological value and the sheer beauty of it comes into question, suddenly the tax base becomes the controlling factor. With that argument no park could ever be established, national, state or city, because of the tax base!

Lately we are not hearing so much about the tax base here in Ogden Dunes but a great deal about "security" and "quality of life." In other words, don't let "those awful people" get anywhere near the sacred precincts of Ogden Dunes. Of course the people hoping to build houses on this new addition would be targets for "those awful people", but that apparently is all right. Ironically, one of the selling points for these lots has been that the area adjoins the park!

As to "security", we would have much better policing with the Park Service in there than we will ever have if the town of Ogden Dunes has to pay for it. This has been proved in several other areas where, residents there tell us, they never saw a policeman until the Park came in and now they are regularly patrolled.

Scare tactics have been used in persuading residents to sign the petition opposing the inclusion of 1-A in the Park. That, with the typical racist tendencies of most suburbs makes it appear that opposition is almost unanimous. Not true. It is true that opinion is divided. But the unreasonable fright that has been generated, and the pressure of Big Business should not deprive the public

of this natural addition to the Park, and reserve this spectacular area for the privileged few.

As to 1-C, now owned by Midwest Steel, the area immediately adjoining Ogden Dunes to the east, is a natural addition. It contains high dunes, rare plants and wildflowers and a beautiful beach. So much of the land originally planned for the Park has been "compromised" away to accommodate Big Steel, and every inch remaining unspoiled is desperately needed, particularly the beach.

I have tried to remain objective in this issue and believe I have succeeded. Although we conservationists have had some successes, Big Steel and Big Business usually seem to hold the whip hand. In the hope of keeping what little remains of this beautiful area intact not only for ourselves but for future generations, we urge your committee to look favorably on the cause of the conservationists.

STATEMENT OF PAUL C. BRYAN, MUNSTER, IND.

Very recently, on a pleasant Sunday afternoon, I led a small group of canoeists on a trip on the Little Calumet River which borders the south edge of northern Indiana's duneland. Immediately before us passed a group of young people in about a dozen canoes and following our group came another with young adults and a few small children.

Although it is only a 45 minute ride from Chicago's south side, and only a few miles from the cities of Michigan City and Gary, the Little Calumet River is a fast water stream winding through as dense forest as there is to be found anywhere in the north central states. It is situated in a small but very isolated and secluded valley which provides refuge for many varieties of birds, wildflowers and wildlife, including deer. It is a favorite of canoeists from local communities, as well as a number of Chicago and northern Indiana clubs, and has been for many years.

There are sections of the river that present a relaxing boat trip through a forest wonderland and there are sections of swift, rushing water under and around fallen trees that demand considerable canoeing skill and agility and that provide an attraction to hundreds of canoeists annually.

Only a small segment of this unique stream is presently included in the Indiana Dunes National Lakeshore. The stream in its entirety has been proposed for inclusion originally but, as the result of numerous compromises and deletions from the bill passed by Congress in 1966, most of this stream, including all of the whitewater sections that are so attractive to the region's canoeists are unprotected from encroachment and destruction.

The river as it exists is essential for the drainage of the area of Chesterton and land to the east thereof. The valley is unsuitable for any commercial or industrial construction but is a tremendous asset for recreational purposes to the Calumet Region. In actual area, it is relatively small but provides miles of winding river and scenic forest in a small space. Inclusion of the river and its wooded banks would result in little or no hindrance to adjacent residential, commercial or industrial development but would be a great enhancement to our Indiana Dunes National Lakeshore.

I strongly urge passage of S-3329 including the Little Calumet River Valley.

STATEMENT OF AUSTIN CONSTINE, OGDEN DUNES, IND.

My name is Austin Constine and I am a resident of Ogden Dunes, Indiana. To my regret I was unable to attend the hearing before the Senate Interior Subcommittee May 26 on the bill to enlarge the Indiana Dunes National Lakeshore but have obtained some of the statements made there. Among them is the statement of the Department of the Interior, and I wish to point out some of the glaring errors it contains.

For example, when discussing the area designated as 1-A on the map, the statement is made that it contains 84 improvements, which leads me to believe that the Department of the Interior can't count. They fail to distinguish between 1-A east and 1-A west, tho the two parcels are widely separated on opposite sides of the West Beach. This morning I drove thru 1-A east to make sure I'm right, and counted only five fully completed houses, one almost complete and two barely started with only parts of the foundations in, and nothing above ground.

As to 1-A west, there are two or three very nice homes there, the owners of which wish to be included in the Park. The others are clusters of shacks

mainly on or near the beach, most of them eyesores and should be torn down anyway. They can't be worth much money. How Interior could come up with 84 improvements pushing the price of the area up to \$5.5 million I'll never know. They must have counted toadstools, with inflated prices on the toadstools.

Contrary to some statements, most of 1-A east, particularly the north portion is completely unspoiled, containing high, rugged dunes, like the old time dunes before most of them were ruined by development and industry. Interior must have sent either blind men or liars here to look it over and produce such an easily disproved report.

Both 1-A east and west are natural adjuncts to the Park, furnishing a much needed background to the West Beach which is pretty flat and uninteresting except for recreational purposes. Both emphatically should be included in the Lakeshore.

Other misstatements concerning other areas were made in Interior's report. For instance, in Beverly Shores it said thirty new homes were built during the last year. No more than six were built. Go count them. In B-1, the statement reported there are seven improvements. There are no improvements in B-1. Since I know A-1 intimately from a to z, having lived in Ogden Dunes which adjoins it for many years (I take my dog over there every day for an airing), I stick mainly to that section of the proposed extension, and I know it first hand.

We are told that a group from your committee will again inspect the areas proposed for the Lakeshore. If they plan only to fly over them in a helicopter and be shown around by the Park Service, please don't waste any more of the taxpayers' money in such a jaunt. It's impossible to see what we are talking about from the air—our own people have flown over it and say it doesn't look like much. The sprawling industrial development hits you in the face so that you can hardly notice the still unspoiled areas where, when walking thru them, seem quite remote from the hubbub of civilization. If only the Park Service is permitted to shown them around it's even more of a waste of money and time. The Park Service is part of this deplorable administration which, to my knowledge, has done nothing whatever for conservation in any area, much less this one. In fact they have proved themselves enemies of conservation. The Democratic congress is our only hope this session. It's imperative that we defeat Ford in November (Reagan's conservation record is said to be as bad) if we are to have any decent environment to live in.

When your group comes, in all fairness some of the common citizens who have lived here for years and know every inch of the proposed areas intimately should accompany them on their inspection. If only the Park Service is to show them around, forget it. Why can't people who know what they're talking about participate?

As to the inflated costs quoted by Interior, when one contemplates the well known waste going on in Washington, paid for by the taxpayers, it is frightening to think that although the richest country in the world can afford these millions of dollars of waste, it can't afford the comparative pittance needed to make life more liveable for the millions living within an hour's drive of the Lakeshore, and incidentally to preserve what is left of one of the most outstanding areas in the country. I can't always comprehend the millions and sometimes billions wasted in military matters and other departments (I'm for adequate defense but against the monstrous waste in all departments.) One recently published figure I can understand: The average cost per lunch in the "top brass" dining room of the Pentagon is \$13.53. But the price on the menu is \$1.50, and that's what the well paid "brass" pay. We taxpayers pick up the rest of the tab amounting to \$12.03, and the total cost to the taxpayers per year is \$1,030,476.73.

This of course is an insignificant item, but telling. If a few of these abuses were stopped, there would be no problem of paying for the Lakeshore extension even at the inflated prices quoted by Interior. If the committee turns down the Lakeshore extension because of cost, or any other reason at this late date, it will be a very sad commentary on our government.

STATEMENT OF RUTH MOORE, OGDEN DUNES, IND.

I wish to express my enthusiastic support of the Senate bill to enlarge the Indiana Dunes National Lakeshore. All areas included in the bill are important, but I would like to emphasize particularly those parts close to my home in Ogden Dunes.

The area known as 1-A (east) on the map is a natural addition since it adjoins the part known as West Beach now in the Park. It contains beautiful high dunes, in fact the only unspoiled dunes remaining in Ogden Dunes, is of importance to ecologists in tracing the sequence of land formation, and forms a naturally lovely background to the West Beach, much of which is flat and will contain bathhouses, roads, etc. To deprive the public of this unusual area and award it to the developer who even now is selling lots there so that only the privileged few can enjoy it, would seem an artificial and unwarranted decision.

The area designated as 1-C on the map, owned by Midwest Steel, is of great importance to the Lakeshore, particularly the beach therein and the unspoiled dunes in back. So much of the beach originally contemplated for the Park has been "compromised" out of it and awarded to steel companies, that every inch still available should be included in the Lakeshore. 1-C is a comparatively small area, Midwest has plenty of room to expand in other directions, and this stretch of beach, tho small, is a natural and important addition to the Park.

We hope your committee will reach a prompt and favorable decision so that what little remains of this beautiful area can be saved for the enjoyment of the public and future generations.

FRIENDS OF THE EARTH,
Lombard, Ill., June 7, 1976.

HON. HENRY JACKSON,
*Chairman, Senate Committee on Interior,
Senate Office Building,
Washington, D.C.*

DEAR SENATOR JACKSON: Please let the hearing record show that the Chicagoland Branch of the Friends of the Earth supports S. 3329, the bill to expand the Indiana Dunes National Lakeshore.

We have been working for over twenty years to make certain that these great areas are saved. They should have been preserved over a half century ago before the steel firms bull-dozed so much of these areas.

We are very familiar with many of these areas, having ridden in a jeep with Senator Paul Douglas over this terrain.

We urge your committee speed the bill to final passage.

Very truly,

RAYMOND MOSTEK,
Chairman, Chicagoland Branch.

Ogden Dunes, Ind., June 4, 1976.

Senator HENRY M. JACKSON,
*Russell Senate Office Building,
Washington, D.C.*

DEAR SIR: I hope the attached resolution as passed by our Town Board on May 3, 1976, will give you an idea of the feelings of the residents of the town of Ogden Dunes.

It is my hope that you will take the time to read and act to help us save part of our town from the land grabbing law that some of our elected officials are attempting.

Thank you for your time and hopefully your effort to save us.

Respectfully,

MARCIA D. FREEMAN.

Enclosure.

Whereas, the 94th Congress of the United States in its 2nd Session is considering legislation to expand the Indiana Dunes National Lakeshore Park; and Whereas, the Town Board of Ogden Dunes, Indiana, wishes to protect the interests and property values of the residents and property owners within its jurisdiction, and to preserve the quality of life within the Town; and

Whereas, both the House of Representatives Bill, HR-11455, (Fithian Bill) passed by the House of Representatives of the U.S. Congress, and the proposed Senate Bill, S-3329, under consideration by the Senate of the U.S. Congress, contain parcels of land within the jurisdiction of the Town of Ogden Dunes; and

Whereas, it is believed that the acquisition of the developed portion, the Sixth (6th) Subdivision, which consists of forty-three (43) acres within the

Town of Ogden Dunes, is not consistent with the development plan of the "high use" West Beach Section of the Indiana Dunes National Lakeshore Park; and

Whereas, the Sixth (6th) Subdivision no longer offers any unique qualities representing the "Indiana Dunes"; and

Whereas, inclusion of the developed Sixth (6th) Subdivision in the Indiana Dunes National Lakeshore Park will cause extreme hardship on the Civil Town of Ogden Dunes due to the loss of tax base under Indiana's frozen tax laws; and

Whereas, the Ordinances of the Town of Ogden Dunes have long prevented sand mining, leveling of natural areas, destroying natural areas, and cutting or destroying natural growth; now, therefore, be it

Resolved, That this Board, being the legal authority under Title 18 Burns Indiana Statutes Annotated, Code Edition, representing the property owners and residents of the Town of Ogden Dunes, does petition the Joint Congressional Committee of the Congress of the United States to:

1. Exclude the developed Sixth (6th) Subdivision of the Town of Ogden Dunes, Indiana, from the final version of the Indiana Dunes National Lakeshore Expansion Bill.

2. Exclude the north section of area 1-A East, that area being the undeveloped portion north of the Sixth (6th) Subdivision in the northwest corner of the Town of Ogden Dunes, Indiana, consisting of twelve and seventy-one hundredths (12.71) acres. If the U.S. Congress and the National Park Service insist upon the inclusion of this area in the pending legislation, then we respectfully request legislative action that will preserve this natural undeveloped area as a green belt to serve as a buffer zone between the "high use" West Beach area and the Town of Ogden Dunes. Included therein is a moving dune, which is a unique, representative feature of the "Indiana Dunes". We also request that the usage of this area be restricted so that its quality will remain. The development of the "high use" West Beach area has demonstrated, through the use of asphalt parking lots and beach houses which have destroyed natural inner dunal ponds and other natural features, that it will be impossible to maintain the unique character of this area unless the National Park Service is instructed to do so within the legislation being enacted.

3. Consistent with its actions to date by providing fire protection assistance, communication assistance, and a superior effort in assisting the local administration of the National Park Service, this Board reaffirms its desire to maintain a stature of full cooperation with the local administration, and requests that the Joint Committee of the U.S. Congress instruct in legislation that the National Park Service consider the interests of the Town of Ogden Dunes, Indiana, in future development plans of areas contiguous to the Town of Ogden Dunes, Indiana.

4. The Town Board of behalf of the residents and property owners of the Town of Ogden Dunes wishes to express its appreciation for the inclusion of fencing between the Town line and the "high use" West Beach area in Senate Bill S-3329, with the concurrence of Representative Fithian. Our personal thanks to: Mary Lou Campbell of Senator Hartke's office, Warren Stickels of Representative Fithian's office, and Geoffrey Grodner of Senator Bayh's office.

In witness whereof, this resolution is duly passed by the Town Board of Ogden Dunes, Indiana, this 3rd day of May, 1976, and is hereby executed by its duly elected Board members and duly attested to by its Clerk-Treasurer.

TOWN BOARD OF OGDEN DUNES, IND.

By: Helen Michael
HELEN MICHAEL,
President.

By: James Homme
JAMES HOMME
By: Denis E. Ribordy
DENIS RIBORDY
By: John Smart
JOHN SMART
By: Duane Hibbs

Attest:

A. C. Zimmerman,
Clerk-Treasurer.

OGDEN DUNES, IND., May 20, 1976.

Senator HENRY JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HENRY JACKSON: I oppose strongly the inclusion of any part of the incorporated town of Ogden Dunes in the final version of the Indiana Dunes National Lakeshore Expansion Bill (S-3329) because I feel this park has encroached too much on our private property as it is.

I wish this statement to be included in the record of the hearing.

Sincerely,

HEINZ W. STENGEL,
MARGIT STENGEL.

MAY 21, 1976.

DEAR SENATOR JACKSON: We oppose the inclusion of any part of the incorporated town of Ogden Dunes into the final revision of the Indiana Dunes National Lakeshore Expansion Bill (S. 3329). There is already enough land included in this bill without taking up land already developed for residential use. It would be a needless expense to taxpayers and very unfair to those families whose homes already are built on this land. We wish this statement to be included in the record of the hearing.

Sincerely,

SUSAN L. JOHNS.
RONALD A. JOHNS.

GREELEY, COLO., May 22, 1976.

Senator HENRY JACKSON,
Senate Committee on Interior and Insular Affairs,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JACKSON: I have written a statement in support of the bill to enlarge the Indiana Dunes National Lakeshore (S. 3329), and requested that it be included in the record of the May 26, 1976 hearing before the Subcommittee on Parks and Recreation.

I also wish to go on record as urging you and all members of your full committee to get this bill to the floor of the Senate for a vote just as soon as possible and to give it your full support.

It is absolutely essential that it be passed with a large majority at this session of Congress if the vitally important areas of the Lakeshore are to be preserved and protected for the benefit of future generations.

You must do everything in your power to get prompt affirmative action on this bill.

Sincerely,

FLORENCE C. DALE.

[MAILGRAM]

Evanston, Ill., May 24, 1976.

Senator HENRY JACKSON,
U.S. Senate,
Washington, D.C.

We are writing to tell you of our enthusiastic support of S. 3329. We urge you to support S. 3329. This bill adds needed acres to the existing Indiana Dunes Park. This is of great urgency. As the population expands the need for recreational facilities becomes greater and greater. The Indiana Dunes serves millions of people in the Great Lakes area. We must protect this land now.

I request that this statement be included in the record of the hearing on Wednesday May 26 in room 3110 New Senate Office Building.

DR. AND MRS. HAROLD SITRON.

AMERICAN AUTOMOBILE ASSOCIATION,
Falls Church, Va., June 9, 1976.

HON. J. BENNETT JOHNSTON,
*Chairman, Subcommittee on Parks and Recreation,
Senate Interior and Insular Affairs Committee,
Dirksen Senate Office Building,
Washington, D.C.*

DEAR SENATOR JOHNSTON: The American Automobile Association, on behalf of its more than 17,500,000 members in the United States and Canada, commends you for your timely action in scheduling this hearing and strongly urges the quick approval of S. 3329 which would expand the Indiana Dunes National Lakeshore.

AAA supported the establishment of the Indiana Dunes National Lakeshore in 1966. This project carved out 10 miles of beach and nearby sand dunes as a "national lakeshore" administered by the National Park Service. AAA's support then and now is based on our well-established policy E-1, entitled *Conservation and Expansion of Recreational Resources*:

Conservation and the development of recreation, and vacation and camping areas have not kept pace with the requirements of the American people, nor can these present recreation regions continue to meet the needs of an expanding population. The American Automobile Association believes that government—local, state and Federal—must place increasing emphasis on conservation of existing facilities and the creation of new recreational travel resources throughout the country. The AAA supports the use of moneys from the Land and Water Conservation Fund to plan, acquire and develop new Federal, state and local recreational areas.

As part of the AAA's continuing policy to promote the protection, conservation and wise use of our natural resources for recreational purposes, the AAA pledges its support to continuing efforts to protect our streams, rivers, lakes and waterways from pollution.

As you know, the House of Representatives recently approved a bill which is very similar to S. 3329 after many long hours of painstaking compromise efforts. This bill (H.R. 11455) has received the support of environmental and industrial groups alike and AAA feels that it achieves a fair balance of these interests.

AAA feels it is most important that action be taken this year to insure preservation of the scenic beauty and unique recreational facilities of this area. Further delay risks increased industrial expansion into the Dunes.

We respectfully request that this letter be included in the printed record of these hearings.

Yours sincerely,

JOHN DE LORENZI,
*Managing Director,
Public Policy Division.*

BETHLEHEM STEEL CORP.,
BURNS HARBOR PLANT,
Chesterton, Ind., June 1, 1976.

HON. J. BENNETT JOHNSTON,
*Chairman, Subcommittee on Parks and Recreation,
Committee on Interior and Insular Affairs,
U.S. Senate,
Washington, D.C.*

Re: S. 3329 & H.R. 11455, Indiana Dunes National Lakeshore expansion.

DEAR MR. CHAIRMAN: I would like to express to your Subcommittee the views of Bethlehem Steel Corporation on legislation to expand the Indiana Dunes National Lakeshore.

Our Burns Harbor Plant employs approximately 7,000 people with an annual payroll of more than \$100 million. The plant represents a capital investment of over \$1 billion.

The Burns Harbor Plant site is bisected by U.S. Highway 12 and two railroad main lines, with 1,200 acres located south of the highway. These southerly 1,200 acres are vital to the long-range development of our plant. In fact, as

early as 1966, we developed engineering plans to connect our property north of U.S. 12 to the area south of U.S. 12 with in-plant roads and rail service.

For many years our property south of U.S. 12 has been zoned for heavy industry. Our plan calls for utilization of the land as the demand for steel increases. Supporting facilities, such as the large Union Carbide oxygen plant are or will be located there as well as shops, fabricating plants and steel-consuming manufacturers. It is difficult to estimate the number of jobs that will be created. We can only say that steel is a labor intensive, capital-intensive industry, and the number of jobs will be substantial, in both the building and steel-making trades.

H.R. 11455, as passed by the House, and the companion bills by Senators Bayh and Hartke, reflect boundaries that allow us to construct the requisite rail and highway facilities to the area south of U.S. 12. The boundary lines were drawn as a result of close consultation with the Save-the-Dunes Council and Congressman Floyd J. Fithian. As you can see from the attached prints of the area, Bethlehem is restricted to a fairly narrow corridor which we regard as the absolute minimum area in which we can construct rail and highway facilities.

Bethlehem wants to see the expansion question settled in order that planning, at all levels, can proceed with a reasonable degree of certainty. In addition, the expanded Lakeshore should help us attract the new employees which will be needed in the future and greatly enhance the quality of life for our present employees. When you consider that creation of a single job in manufacturing represents a capital investment of approximately \$25,000, retention of highly trained employees is very much a high priority item.

We do not believe it appropriate to comment on areas in S. 3329 which are not included in H.R. 11455. The House Interior Committee closely scrutinized and debated at great length every square inch of H.R. 11455. H.R. 11455 reflects the exhaustive investigations carried out by Congressman Fithian, and we recommend that his findings and conclusions be weighed carefully by your Subcommittee.

Thank you for this opportunity to present our views.

Sincerely,

J. A. CREIGHTON,
General Manager,

GREATER VALPARAISO CHAMBER OF COMMERCE,
Valparaiso, Ind., May 25, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Interior Subcommittee on Parks and Recreation,
Senate Office Building, Washington, D.C.

DEAR CHAIRMAN JOHNSTON, Please include this letter in the record of the hearing on S. 3329, the Senate Bill to further expand the Indiana Dunes National Lakeshore.

The Greater Valparaiso Chamber of Commerce is on record with the House Subcommittee, from testimony I gave two years ago next month. I am enclosing a copy of the stand presented, which was approved by my Board of Directors, Nov. 22, 1972, and reviewed several times since then with no change recommended.

Based upon the testimony in the past and conversations we have had with the National Park Service staff, we do not feel the taxpayers money would be fairly invested if S. 3329 was approved.

Sincerely,

JACK D. SHAFFER,
Executive Vice President.

P.S. It is interesting to note as my family and I drove through Beverly Shores, one of the areas under consideration to be included in the park expansion, several new, very large homes have been built. When I look at \$53+ million price tag and look at the new homes that may be purchased with our tax dollars, I get sick.

Enclosure.

VALPARAISO CHAMBER OF COMMERCE,
Valparaiso, Ind., November 4, 1971.

WAYNE ASPINALL,
Chairman, Interior and Insular Affairs Committee,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ASPINALL: The Indiana Dunes National Lakeshore was created over the strong objections of the majority of elected Indiana officials and taxpayers. The Greater Valparaiso Chamber of Commerce was among those who objected to the original bill. At the same time, we accepted the Public Law No. 89-761-S360 as a compromise bill (actual or intended) and felt that Porter County could become the first area where a National Park and modern industrial development, including the Port of Indiana and utilities, could exist side by side.

Porter County, Indiana is one of the fastest growing counties in the state of Indiana, thanks to the Port and related industrial development. Now certain "conservationists" in the area, who object to industry are introducing two bills which not only violate the spirit of the 1966 compromise, but are genuine attempts to limit industrial development and expansion, with a wide grasp for additional lands scattered in a shotgun pattern all over Northern Indiana. House Bill No. 10209 and Senate Bill No. 2380 have been introduced as "Park Expansion Bills"; however, they just happen to include property adjacent to three utility expansion sites, treatment plants for two major steel mills, property which is zoned for residential development, and a recreational easement which would stifle the industrial reserve owned by Porter County's two largest steel mills.

House Bill No. 10209 and Senate Bill No. 2380 have been opposed by Indiana 2nd District Congressman Earl F. Landgrebe, Indiana Governor Edgar D. Whitcomb, the Indiana section of the Great Lakes Commission, the Organized Labor Committee AFL-CIO, the Farm Bureau, and the majority of area governmental bodies and business organizations. The Greater Valparaiso Chamber of Commerce takes notice of these objections and urges that no further land acquisition outside of the original Bill be proposed, until the results of the first Bill are proven. We would like to point out that the \$27,900,000. earmarked for the land acquisition has been spent or is earmarked for properties in condemnation, and that a significant portion of the land in the original bill has not been acquired. Further, we feel that the millions of dollars necessary to develop the land already acquired should receive priority in any federal funding during these times of concern over taxes and the economy . . . certainly a fragmented land acquisition as presented in the new bills presents not only a staggering cost, but an almost impossible management puzzle . . . our area suffers from the economic impact of the land removed from tax roles and we feel the remaining land outside of the original boundaries should be allowed to develop according to local county and city master plans without further federal intervention.

ARTHUR MALASTO,
President, Board of Directors.
HAROLD K. GOSSMAN,
Executive Vice President.

PLANNING COMMITTEE, GREATER VALPARAISO CHAMBER OF COMMERCE, POSITION
PAPER—INDIANA DUNES NATIONAL LAKESHORE, APPROVED NOVEMBER 22, 1972
BY THE GREATER VALPARAISO CHAMBER OF COMMERCE BOARD OF DIRECTORS

1. It has been six years since Congress passed the act creating the Indiana Dunes National Lakeshore. It appears in the best interest of the citizens of Porter County and the various county and local governmental bodies surrounding the park that the funding for (a) the balance of the land acquisition and (b) the development of facilities within the park proceed as quickly as possible.

2. We consider completion and development of the existing park of top priority and oppose expansion plans which are not in the best interest of Porter County. At the same time, we recognize the rights of Lake County and LaPorte County organizations and governmental bodies to divergent opinions concerning development and possible expansion in their areas.

3. We reaffirm our pride in the growth and development of Porter County industrial, utility and commercial firms as well as residential and recreational development.

4. We urge that after the balance of the funds for land acquisition and development are approved only the areas recommended by the National Park Service Study Team and reviewed by the Indiana Dunes Advisory Commission be considered in any proposed expansion of the Lakeshore boundaries.

5. We recognize the growing importance of boating and fishing in Lake Michigan and urge that the National Park Service cooperate with Indiana State Department of Natural Resources, Corps of Engineers and others who are seeking to improve the boat launching and fishing opportunities along the Lakeshore.

6. Prompt, reasonable action on erosion problems, particularly in Beverly Shores and Porter merit immediate attention. We support Representative Landgrebe's efforts and the Leviton Study to resolve this important problem.

7. Now that the Lakeshore has been dedicated, and facility installation planned for next year, we urge the formation of a citizens' advisory committee to work with the National Park Service. This committee to reflect the needs and opportunities within the private sector in relationship to the Park. A further purpose of this organization would be to highlight the positive aspects of the Lakeshore in cooperation with those who live, work, govern, and visit in the area. We pledge to work with fellow Chamber of Commerce and others from our area in this endeavor. The work of the Committee would be in close contact with the Indiana Dunes National Lakeshore Superintendent's office.

8. As a Chamber, we pledge to make the asset of a National Lakeshore and the pilot program of the Department of the Interior's "Parks to the People" concept as workable as possible. We realize that Porter County, Valparaiso, and other communities in the County must work together to prepare for a large number of park visitors. We pledge to do our share to make Lakeshore visitors welcome to Indiana's fastest growing county.

COMMITTEE ON ENVIRONMENTAL HEALTH,
INDIANA CHAPTER, AMERICAN ACADEMY OF PEDIATRICS,
Hammond, Ind., May 24, 1976.

HON. J. BENNETT JOHNSTON,
*Chairman, Subcommittee on Parks and Recreation,
Senate Interior Committee, Senate Office Building,
Washington, D.C.*

DEAR SIR: I am writing in favor of Senate Bill S 3329 to enlarge the Indiana Dunes Lakeshore.

The areas of northern Indiana which includes the National Lakeshore also contains the largest industrial complex in the United States. It therefore has all of the problems associated with urban living, congestion, and pollution.

The establishment of the Indiana Dunes National Lakeshore has provided a haven for the emotional, physical and educational development of the children of northern Indiana as well as for children from other areas. Enlargement of this National Lakeshore will increase its value and prevent its deterioration, because without it this area will be industrialized and urbanized.

Please include this statement in the hearings of the Sub-Committee.

Yours truly,

JACK TROY, M.D.,
Chairman, Committee on Environmental Health.

HIGHLAND PARK & RECREATION DEPARTMENT,
Highland, Ind., May 21, 1976.

Senator J. BENNETT JOHNSTON,
*Chairman, Senate Interior Subcommittee on Parks and Recreation,
Senate Office Building,
Washington, D.C.*

DEAR SENATOR JOHNSTON, I urge you to support Senate bill (S-3329) which would expand the Indiana Dunes National Lakeshore. It is vital that this land be saved during our Bicentennial year before industrial growth destroys its beauty for future generations.

I especially urge you to include in the bill the Hoosier Prairie section, which partially is in Highland, Indiana. This is a beautiful tract of virgin prairie

land, which remarkably is untouched today. The large number of wild flowers, plants and small animals are deserving of protection for future years.

I endorse and support the entire Senate bill (S-3329) and hope you will conduct immediate hearings. I also hope the subcommittee after hearings would favorably recommend the entire bill for passage by the full committee and Senate this session.

Please include the above remarks as part of the record at the hearing.

Respectfully yours,

JOHN M. MROCKZKOWSKI,
President, Highland Parks and Recreation Board.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., June 9, 1976.

HON. BENNETT JOHNSTON,
*Chairman, Subcommittee on Parks and Recreation,
Senate Committee on Interior and Insular Affairs,
Dirksen Senate Office Building,
Washington, D.C.*

DEAR SENATOR JOHNSTON: The National Wildlife Federation appreciates this opportunity to comment on S. 3329, a bill to amend the Act of November 5, 1966, to revise the boundary of the Indiana Dunes National Lakeshore. We ask that this letter be entered into the official record. Ours is a private, nonprofit organization which seeks to attain conservation goals through educational means. Affiliates of the National Wildlife Federation are located in all 50 states, Puerto Rico, Guam, and the Virgin Islands. These affiliates, in turn, are made up of local groups and individuals who, when combined with the associate members and other supporters of the National Wildlife Federation, number an estimated three and one-half million persons.

The Federation's favorable assessment of S. 3329 reflects our longstanding concern and that of our Indiana affiliate, the Indiana Conservation Council, that the Indiana Dunes be adequately protected for the enjoyment and education of generations to come. Unique natural formations of invaluable scenic and educational worth may soon be destroyed, creating a loss which quick profits to private industry cannot possibly atone. Without the extended protection provided by this legislation, many precious natural, recreational, and educational resources will fall victim to commercial and residential development.

The National Wildlife Federation strongly supports the inclusion in S. 3329 of valuable acreage that is absent from the House version of this bill. Areas restored would include upstream portions of the Little Calumet River, a tract of the distinctive Nipissing dunes and key parcels of high wooded dunes. The Federation is concerned, however, that the National Park Service may be applying too rigid a standard in its consideration of proposed additions to the Lakeshore. Each acre need not be in itself perfect and pristine in order to contribute substantially to the natural significance and recreation potential of the lakeshore as a whole. Those areas contained in S. 3329, but deleted from the House legislation, represent a river corridor and associated wetlands that provide a nesting and stop-over for birds throughout the lakeshore area, including the Great Blue Heron. They also enhance the Lakeshore's recreational potential and provide important habitat for the area's wildlife, especially in the high wooded dunes area.

The National Wildlife Federation believes that an urban society needs access to areas relatively free of pollution and the clutter of modern living. Preservation of the Dunes will provide not only this type of natural environment, but will also attract people to the area, thus fostering recreational and tourism enterprises.

Thank you for this opportunity to present our comments.

Sincerely,

LOUIS S. CLAPPER,
Director of Conservation.

NEIL RUZIC & Co.,
Beverly Shores, Ind., May 31, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Senate Interior Committee on Parks and Recreation.

DEAR SENATOR JOHNSTON: I believe it is in the best interests of the government as well as my family and neighbors if the cutoff date of 1973 be abolished

in the Indiana Dunes expansion bill (S-3329). The cost to the government to tear down these new homes (approximately 30 in Beverly Shores alone) which were built after that date is a needless and wasteful expense.

As far as our own case is concerned, we built our home on the lake front in 1951, only to have it condemned and forcedly sold to the government in 1971. As a result of that action, we began building another home last year across the street (Lake Front Drive) on non-government-owned property, only to find that once again the government is contemplating taking our land and new home.

On a related matter, I understand that under the House bill, life occupancy may be offered to certain residents who already have sold their homes and now hold leasebacks. I urge the Senate to provide for a similar provision *in the existing park*, as well as in the addition, but that in include *all* homeowners. The House bill allows for all to be able to enjoy such rights *except* the six lakefront home owners (in Beverly Shore) who have not sold their leasebacks.

This is the most insidious form of discrimination—to let everyone keep their homes *except* those very homeowners who by their actions in not selling their leasebacks have indicated they most want to stay. With seven *miles* of lakefront in Beverly Shores, it is hard to believe that six houses would hamper access to the beach. That's less than one house per mile!

I urge that all homeowners in the present park and the addition be treated alike, specifically by: (1) Abolishing the cutoff date in the expansion bill, and (2) Extending the provision for life occupancy in the present park to include all residents.

Please include this statement in the record of the hearings.

Sincerely,

NEIL P. RUZIC.

SCHROER, EICHHORN & MORROW,
ATTORNEYS AT LAW,
Hammond, Ind., May 19, 1976.

HON. J. BENNETT JOHNSTON,
Chairman, Senate Interior Committee on Parks and Recreation.
Senate Office Building,
Washington, D.C.
Re: Senate Bill S. 3329.

DEAR SENATOR JOHNSTON: I will be unable to attend the hearings before the Senate Interior Subcommittee on Parks and Recreation with respect to Senate Bill S-3329 which I understand is scheduled for May 26. I would therefore appreciate it if the following comments with respect to that bill are made a part of the record of that hearing.

I want to voice my opposition to the bill insofar as it includes portions of the incorporated municipality of Ogden Dunes, Indiana. My understanding of the bill is that Parcel I-C as described therein is the Sixth Subdivision of the Town of Ogden Dunes. This subdivision is fully developed with streets, water mains, fire hydrants and other necessary utility services. Moreover, several homes have been recently constructed in the subdivision at substantial cost to the owners. It is obvious that the Government will have to pay a substantial sum of money for a very small amount of real estate which, because of the state of its development, could not easily be utilized for Park purposes. Such an expenditure constitutes a congressional waste of the taxpayers' dollar.

Moreover, the bill provides that the residents of those houses will be entitled to continue to live in them for a period of twenty-five (25) years. The bill further provides that upon acquisition of Parcel I-C, the Secretary will cause a fence to be built along the eastern boundary of said parcel which, of course, will eliminate the access of the residents of the Sixth Subdivision to their homes. Obviously, this is another oversight of the drafters of the proposed legislation.

It is unfortunate that the sponsors of this particular bill were unable to visit the areas which they now recommend that the Government acquire for Park purposes. I am sure that any clear-thinking individual would not want to squander taxpayers' money to purchase a developed subdivision particularly when such property, because of its state of development, is not suited for Park purposes. As a taxpayer, I object to this unnecessary waste of Government funds.

Another parcel recommended for inclusion in the National Lakeshore (Parcel I-A East) contains, at least in part, a pond or swamp located immediately north of Parcel I-C. This pond or swamp because of the terrain, can never be de-

veloped or changed in any way whether or not it is included in the National Park. The bill further provides that it too will be fenced along its eastern boundary. So by inclusion of this area in the National Park at the public's expense, the public has gained an unsightly fence and nothing more. I also object to this unwarranted expenditure of federal funds.

For the reasons stated above, I object to the above-mentioned portions of Senate Bill S-3329. I suggest that the time of Congress could be better spent in purchasing and protecting undeveloped real estate worthy of National Park designation rather than attempting to re-claim expensive developed areas at the taxpayers' expense.

I might further note that the Draft Environmental Impact Statement prepared in conjunction with the development of the West Beach area as outlined in the original Indiana Dunes National Lakeshore Act stated that such development would create "law enforcement" problems for the municipality of Ogden Dunes. The proposal by the sponsors of S-3329 to move the West Beach area further into the corporate limits of Ogden Dunes will further exasperate this problem without the offsetting benefit of acquiring suitable Park property for public use. This, I suggest, is an improper and unwarranted exercise of congressional authority.

Your consideration of these comments during the Subcommittee hearings will be appreciated.

Yours very truly,

WILLIAM H. EICHHORN.

STATE OF INDIANA,
DEPARTMENT OF NATURAL RESOURCES,
Indianapolis, Ind., May 20, 1976.

HON. BENNETT JOHNSTON,
U.S. Senator,
Russell Senate Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: The Department of Natural Resources is very interested in a bill now pending before your committee titled, S. 3329, to amend the act establishing the Indiana Dunes National Lakeshore and provide for the expansion of the Lakeshore. The Department has reviewed the bill and wishes to offer the following comments with regard to it.

The Department of Natural Resources has pursued and will acquire Hoosier Prairie identified as VI-B on the boundary map Indiana Dunes National Lakeshore dated April, 1976 and bearing the number 626-91005. The Department has secured an option on the tract and has also obtained the necessary funding. The option will be exercised with the next few weeks, title transferred to the State of Indiana, and the land placed under management of the Department of Natural Resources, Division of Nature Preserves. Because of the State's acquisition of Hoosier Prairie, Section 19 on page 10 should be removed from the Senate bill as it is no longer necessary to pursue that course of action in order to preserve Hoosier Prairie.

We would like the views of the Department made known to the Park and recreation Subcommittee which you chair and hope our views may be considered as amendments to the bill.

Sincerely yours,

JOSEPH D. CLOUD,
Director.

THE PRAIRIE CLUB,
Chicago, Ill., May 21, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Subcommittee on Parks and Recreation,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: The Prairie Club was a leader in the campaign to establish a park to preserve for the nation the natural treasures of the Indiana Dunes. The Club has consistently and fervently supported all legislation which would preserve this natural formation for the use of all peoples.

At the hearings which your committee will hold on May 26, 1976, the Prairie Club wishes to be recorded among those supporting Senate Bill S. 3329 which provides for the expansion of the national lakeshore area. It is particularly

important that this bill be passed in order to prevent further destruction of the dunes area by individual and industrial concerns.

We are also contacting the Senators of the states of Michigan, Indiana and Illinois to inform them of our support for S. 3329. Most of the Club's 700 members live in these three states.

Thank you for your consideration. This letter was approved by the Board of Directors meeting on May 20, 1976.

Sincerely,

C. RICHARD SPURGIN,
President.

THORN CREEK AUDUBON SOCIETY,
Park Forest, Ill., May 20, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee on Parks and Recreation,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: Conservationists in the Thorn Creek Audubon Society wish to *go on record* for support of S. 3329 the Indiana Dunes National Lakeshore bill which is so urgently needed to expand the present undeveloped park. This bill includes many of our favorite birding areas, natural areas which need to be protected for people as well as wildlife. This bill does include more important areas that need to be included than are in the House bill on the Lakeshore. The Little Calumet area is particularly important for recreationists as well as those who fancy the herons and owls that settle near the river. The Cowles Bog area most especially needs protection from the power plant near by which is already dumping fly ash on a unique ecological feature which is habitat for waterfowl and swamp-loving birds.

Please remember that once these special areas are destroyed—they cannot be reconstructed. It took eons to make the bog. The natural stream cannot be remade.

Please include our remarks in the hearing record.

Sincerely,

CATHARINE BLAIN.

TOWN OF PORTER,
Porter, Ind., June 1, 1976.

Senator J. BENNETT JOHNSTON, Jr.,
Chairman, Subcommittee on Parks and Recreation,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: On behalf of the Town of Porter, Indiana I would like to state the town's opposition to the inclusion of the area known as IV-B in the Indiana Dunes National Lakeshore Expansion Bill (S3329).

This area runs along the banks of the East Arm of the Little Calumet River through the Town of Porter.

While the National Lakeshore will take, or has already taken, approximately 1000 acres of land in the Town of Porter, this section of land will interfere with the entire recreation program of the Town of Porter.

The Porter Park and Recreation Board owns land in Area IV-B along the banks of the Little Calumet River. Negotiations are in progress for the donation of other river bank land to the west of this area which would give access to the river from another park site owned by the Porter Park and Recreation Board.

As far as protection of the area along the banks of the Little Calumet River through this section is concerned, the Town of Porter has a fairly restrictive flood plain ordinance which addresses that problem as much of the river bank area is in the flood plain.

I have attached a sketch of the area discussed with the river lined in blue and the Porter Park and Recreation Board land marked in green.

I would appreciate the inclusion of this letter in the minutes of the official hearing of your committee.

Thank you for your time.

Sincerely,

WILLIAM H. FISHER, Jr.,
Town Manager.

BUILDING COMMITTEE,
Beverly Shores, Ind. June 1, 1976.

HON. J. BENNETT JOHNSTON, Jr.,
Subcommittee on National Parks and Recreation,
Senate Office Building,
Washington, D.C.

Re: Correction regarding number of houses constructed in Beverly Shores, within last year.

HONORED CHAIRMAN: This is to advise you that the Supplement to Statement of Witness for Department of the Interior before the Subcommittee on Parks and Recreation contains inaccurate information pertaining to the number of houses constructed in Beverly Shores within last year.

In approximately two year period, viz. since the last Senate Subcommittee hearing on Indiana Dunes National Lakeshore Expansion Bill on Sept. 30, 1974 only 15 construction starts have taken place i.e., 13 single family dwellings, 1 two family dwelling and 1 small antique shop, which presently is underway in unit III C. (the Supplement states that more than 30 homes have been added in approximately one year).

Very truly yours,

ANDREW KEDZIERSKI,
Building Commissioner.

OGDEN DUNES, IND., May 17, 1976.

SENATOR J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee on Parks and Recreation.

DEAR SENATOR JOHNSTON: As a friend of the Save the Dunes Council and as one who believes that land is a precious resource which must be protected, I am writing this letter to urge your support of Senate Bill #S-3329. As it stands, this bill includes important areas omitted from the House bill. I am especially interested in the following areas: (1) The Cowles Bog area, well known to be a unique national landmark; (2) the area next to Burns Ditch, owned by Midwest Steel Co. My husband and I walk in this area almost every day; already we can see that the beach erosion problem is getting bad. This could only get worse if Midwest is allowed to build a proposed breakwater here; (3) the 24-acre parcel with Ogden Dunes itself.

However, with regard to the latter piece of property, may I make the following comment. I am a resident of Ogden Dunes and I know that many people here are unclear as to exactly what land may be included in the bill. Several people are also worried about condemnation procedures which might affect their newly-built homes. Therefore they are urging that Ogden Dunes not be included in the bill. I believe a greater effort should be made to explain to everyone exactly what you are talking about here. People are often afraid of what they do not know and of consequences which they cannot predict. Everyone seems to have a different opinion of what is going on. Even several discussions with officers of the Save the Dunes Council could not tell me what I wanted to know.

I urge you and the members of the committee to: more precisely explain what parcels of land we are talking about; to give due consideration to people who may be living on them; and to support this bill and work early hearings on this whole affair, preferably before the end of May.

May I please request that this statement be included in the record of the hearing.

Thank you for your consideration.

Sincerely,

KAREN TALLIAN.

WEST LAFAYETTE, IND., May 18, 1976.

SENATOR J. BENNETT JOHNSTON,
Chairman, Internal Subcommittee on Park and Recreation,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: I oppose the inclusion of any part of the incorporated town of Ogden Dunes into the final version of the Indiana Dunes National Lake Shore Expansion Bill, S-3329. I wish this statement to be included in the record of the hearing.

I have lived in and visited the quiet and much preserved residential area of Ogden Dunes and cannot comprehend why it should be included in the National Park. This would mean literally evicting families from their homes for just a few more acres of lakeshore, when this park is already quite sizeable.

Land today is most precious, we can all sympathize with that; and the idea of preserving our lake shore is highly commendable. However, the inclusion of part of Ogden Dunes, families, and homes, I feel, would do more harm than good. Furthermore, to force these families from their land and homes, and jeopardize this residential area; which has existed in peace for decades; is intolerable. I can only feel disgust for an idea of this kind.

Please consider the alternatives to the final version of the Indiana Dunes National Lake Shore Expansion Bill. Think of it this way; would you be willing to give up your home and community for a political idea by a handful of "public officials"?

Sincerely,

SALLIE HALE.

We the undersigned, oppose the inclusion of any part of the incorporated town of Ogden Dunes into the final version of the Indiana Dunes National Lake Shore Expansion Bill, S-3329. We wish this statement to be included in the record of the hearing.

Just R. Bussler 5/20/76
Janet Sue Johnson 5/20/76
Archie L. Baker 5/20/76
Ernest Waddell 5/20/76
Wallace C. Hale 5/20/76
Lillian K. Bridgman 5/20/76
Jean L. Aronica
Albra X. May 5/20/76
Selen R. Johnson 5/21/76
Mary Beth Burton 5/20/76
Sarah K. Galdemick 5/20/76
Barbara Williams 5/20/76
Archie Gohm 5/20/76
Tom Schuchardt 5/20/76
Robert Smith 5/20/76
Arnold C. Ruz 5/20/76
Frank H. H. Vetter 5/20/76
William W. Keene 5-20-76
Walter Chaberson 5-20-76
Mike Rogers
Bill D. Hays
Jean Lullis 5/20/76

We the undersigned, oppose the inclusion of any part of the incorporated town of Ogden Dunes into the final version of the Indiana Dunes National Lake Shore Expansion Bill, S-3329. We wish this statement to be included in the record of the hearing.

Mary Margaret Taylor

James W. McLaughlin

John Alan Rogers D.M.A.

R. J. Park

L. E. Jolly

W. Shaffer

Eileen Miller

James W. Park

Ngela Walker

Paul J. Caldwell 5/20/76

Nadja Voss 5/20/76

Terr Marshman 5/20/76

Mrs. Helene Ball 5/20/76

James W. Ball 5/20/76

Robert W. Dunston 5/20/76

Kenneth B. Meyer 5/20/76

Wally S. Hooper 5-20-76

Mrs. Debbie Day 5-20-76

Mike Day

Harriet Case 5/20/76

PORTAGE, IND., May 18, 1976.

DEAR SENATOR JOHNSTON: I have been a resident of Ogden Dunes for 46 years. I'm *against* inclusion of one-fourth of our town into the Dunes National Lake-shore. Are there no rights left for the private citizen when Congress listens to the lobbyists?

The National Park Service does not have the money or manpower to adequately maintain the areas already under their jurisdiction! This bill and the Fithian bill will ruin our residential area and town. Do you honestly believe the West beach area can be preserved by putting 16,000 people a day into it?

Please include my statement in the record of the hearing.

Sincerely,

(MRS.) MARY GASSER.

OGDEN DUNES, IND., May 20, 1976.

SENATOR J. BENNETT JOHNSTON.

Dear Sir: I oppose the inclusion of any part of the incorporated town of Ogden Dunes in the final version of the Indiana Dunes National Lakeshore Expansion Bill (S-3329).

We in Ogden Dunes are aware of it's natural beauty and are trying to preserve it. I also feel it un-American to deny the right of private ownership.

I wish this statement to be included in the record of the hearing.

Sincerely,

MRS. RICHARD (BETTY LEE) TUNKEY.

VALPARAISO, IND., May 21, 1976.

SENATOR J. BENNETT JOHNSTON,
Chairman, Subcommittee on Parks and Recreation,
Senate Office Building,
Washington, D.C.

DEAR CHAIRMAN JOHNSTON: Please include this letter in the record of the hearing on S-3329, the Senate Bill to further expand the Indiana Dunes National Lakeshore which local newspapers tell us is scheduled for May 26th.

I have previously testified at two public hearings on similar House Bills, but can ill-afford the time and money it takes to repeat these remarks which are a matter of public record there. I support a logical affordable expansion of the Indiana Dunes. In fact, I proposed several contiguous areas to West Beach, State Park and Beverly Shores areas before the first expansion bill was ever written. This was at a Lakeshore Advisory Commission meeting. I do not, however, feel that the current House and Senate bills are necessary, fair or affordable. On March 15th of this year I wrote Chairman Jackson and members of the Senate Interior and Insular Affairs Committee and expressed my opposition. I now ask that your committee reviewing this costly piece of legislation consider four points of information:

(1) I would like to ask you to include the two attached newspaper articles in this hearing. One is entitled, "Parks Hurt By Money Crunch". The other is entitled, "Oppose Most of Senate Bill on Lakeshore." I hope that every voting member of the committee will take time to read them before voting on this important and expensive piece of legislation which could have a serious adverse economic impact on Northern Indiana.

(2) I feel that the \$53,488,400.00 Price Tag on the House Bill plus whatever 330 or 360 more acres will cost (probably at least \$5 Million More) is not worthy when considered from a cost-benefit ratio. Please recall that the ORIGINAL BILL "ONLY" CALLED FOR \$27.9 MILLION!

(3) The position of professionals within the National Park Service has been almost completely overlooked by the political sponsorship of these bills. Much of the land is NOT ESSENTIAL to the operation or expansion of the Lakeshore. Much of it is not even contiguous to the present park boundaries. It further clouds vital Indiana Industrial Development.

(4) If Congress has any conscience about deficit spending, here is one way to start bringing the federal budget into balance . . . Expand the Lakeshore, but only by the amount of acreage that is necessary, affordable, and manageable. If any of you can take time to visit Indiana, I will be glad to arrange a personal land tour and point out the key areas that meet these three criteria.

Sincerely yours,

JOHN R. SCHNURLEIN.

Enclosures (2).

[From The Vidette-Messenger, Valparaiso, Ind. Monday, January 12, 1976]

PARKS HURT BY MONEY CRUNCH

(By Doug Lowenstein, V-M Washington Bureau)

Washington—Once the showpiece of America's natural resources, the National Park system may be deteriorating because of the impact of federal spending ceilings.

In testimony to a House Government Operations subcommittee, National Park Service (NPS) Director Gary Everhardt said the service has only 84 per cent of its authorized personnel, despite a 50 per cent increase in parks visitation.

While the actual total of NPS employees has increased by 53 per cent, Everhardt noted that most of the new employees were in jobs that did not directly enhance park services."

Instead, most have worked in administrative positions to help NPS meet the requirements of such federal laws as the National Environment Policy Act and the Historic Preservation Act.

Boyd Evison, superintendent of the Great Smoky Mountains National Park in Tennessee, told the same subcommittee:

"In parks the medium most assuredly is the message. Rotting historic structures, rampant exotics, rutted trails, and littered roadsides tell the public that America doesn't care enough to husband its most distinctive natural and historic resources."

"Why then should the recipients of such a message treat these resources with care, Neglect breeds neglect."

Evison and three other superintendents of major national park units described a system beset with rising crime, filth, unsafe roads and undermanned visitor information services.

The four traced all the problems to "arbitrary" budget ceilings imposed by the Department of Interior and the White House Office of Management and Budget (OMB) during a time of increased parks visitation. As a result, the NPS has not been able to provide enough personnel to meet the burgeoning public use of the parks.

"If you have 25 per cent more visitors," said Evison bluntly, "you need 25 per cent more toilet paper."

Anthony Smith, president of the National Parks and Conservation Association (NPCA), an organization of private citizens, charged that the 240 million annual visitors to the national parks "encounter deteriorating roads, dilapidated buildings, inadequate sanitary facilities, poorly maintained trails, bad management of traffic, inadequate information about the parks, and even about safety problems, vandalism, crime and inadequate police protection."

The reason, he said, is that OMB is "garrotting the service with its budget restrictions." OMB is the executive unit that draws up the President's Budget recommendations. Subcommittees staffers say that OMB and Interior have imposed a personnel ceiling on NPS that is unrealistically low.

Smith's group based its allegations on a survey of NPS superintendents. They were asked to answer a series of questions about park quality.

The NPCA findings about deteriorating park quality were confirmed by the four superintendents, who represented the C & O National Historic Park in Washington and Maryland, the National Capitol Parks, in Washington, Virginia and Maryland and the Rocky Mountain National Park in Colorado, in addition to Evison of the Great Smoky National Park.

All four said the NPCA survey was an accurate reflection of park conditions in their area.

Roger Contor of the Rocky Mountain National Park, said funding is approximately "40 per cent below what we feel is required to help keep the park resources and the services to the visitors up to desired NPS standards."

He said that use of back country trails had increased 730 per cent since 1965 while personnel to patrol them had risen only 171 per cent.

But some don't even make it to the back country: "People are very often required to drive in 6 inches of snow" because the park lacks the men and equipment needed to keep the roads clear.

Everhardt noted that Congress has authorized NPS to employ 8,546 men. However, due to administrative personnel restrictions, only 7,171 men are on the job.

The superintendent of the C&O National Park said he should have 20 park rangers as "a bare minimum to provide safety," but is allowed only eight by OMB.

Asked by subcommittee chairman William Moorhead, D-Pa., if "it is true that the quality of our National Park system is likely to deteriorate still further unless there are substantial increases in personnel and budget for the national parks." Everhardt replied: "I think that is a true statement."

Manus Fish, superintendent for National Capitol Parks, said Congress mandated a "large construction program for Bicentennial facilities. Now that the Bicentennial Year is here, the operating increases allowed have been insufficient to operate them."

The subcommittee hearings resume late this month. OMB officials have been asked to testify.

OPPOSE MOST OF SENATE BILL ON LAKESHORE

Highland—The executive board of the Northwestern Indiana Regional Planning Commission Wednesday passed a resolution opposing most of the new Dunes National Lakeshore additions in a current U.S. Senate bill.

The board supported the lakeshore expansion proposals in the bill already passed by the House, plus two additions in the Tremont area included in the Senate bill.

But the resolution, to be presented in the Senate hearings on the bill, specifically opposed a Senate-bill addition in Ogden Dunes and another in the Gary Airport area known as Nippissing Dunes.

The resolution also called for the exclusion of the area sought by the city of Gary from U.S. Steel for a small boat harbor, if Gary reaches an agreement with U.S. Steel on the property.

Gary Planner George Williams indicated agreement on the area could come within a week.

The resolution also urged the appointment of the planning commission as a member of the National Lakeshore Advisory Commission, and that a final master plan for the lakeshore be developed in coordination with the planning commission's master plan for the entire area.

Another point called for the National Park Service to be given power to make traffic control or access road improvements outside of the park, to help control traffic going into it.

Commission Deputy Director James Ranfranz said these administrative moves could have a "major impact" on how the lakeshore is finally run.

The executive board at its monthly meeting also received a warning that a reclassification of roads in the area by the Indiana State Highway Commission could have a "disastrous" effect on local highway construction.

The commission has reclassified the major arterial roads in the area from Federal Aid Primary to Federal Aid Urban.

According to the commission's highway planner, Ross Brown, this will severely limit the amount of federal aid available for local highway construction, and in addition require local cities and towns to provide matching funds for the federal money.

Under the old classification, the state was providing the matching money.

Brown said the commission will fight the reclassification.

GREELEY, COLO., May 22, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee on Parks and Recreation, Senate Office Building, Washington, D.C.

DEAR SENATOR JOHNSTON: I understand there is to be a hearing before the Senate Interior Subcommittee on Parks and Recreation, May 26, 1976, on the bill to enlarge the Indiana Dunes National Lakeshore (S. 3329). I wish to have the following statement in support of the entire bill (S. 3329) included in the record of this hearing, please:

"As a former resident of Chesterton, Indiana, I lived near the dunes area for twenty years. My family enjoyed annual spring walks to see the lovely woodland wildflowers, summer picnics, hikes, and blue-berry-picking expeditions, autumn beach excursions looking for colorful small stones and fossils, and snow activities in the winter months. I also accompanied many Girl Scout and Boy Scout outings in the dunes during those years. That area was a very precious part of the growing-up years of my four children, and of many other children who lived in Northeastern Illinois and Northern Indiana. In consequence, I have a great feeling of responsibility to try to preserve it for the generations of children to come. There is so little natural area left in that part of the country, and so many people to benefit from it, that we *must* make a very great effort to save every inch that is now available.

Cowles Bog is particularly important, and very vulnerable, so it is in immediate need of the protection from pollution and encroachment of nearby heavy industry which this bill provides.

S. 3329 must be passed by a large majority of the Senate at this session, to show our grandchildren and great-grandchildren that we do have their welfare at heart. Please give this bill your full support!

Sincerely,

FLORENCE C. DALE.

OCEAN PARK, WASH., May 22, 1976.

HON. J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee, Parks and Recreation, Senate Office Building, Washington, D.C.

DEAR HONORED SIR: I am vitally concerned with the passage in toto of S. 3329 for the enlargement of the Indiana Dunes National Lakeshore. This bill includes areas needed: (1) to safeguard against enchoachment of areas already in the Lakeshore, (2) for preservation of important types of habitat for wild fauna and flora. This lakeshore area is important ecologically as a meeting ground of northern and southern habitats. Within these areas is the meeting ground where the southern limit of some species overlaps the northern limit of southern species. And further this National Lakeshore is certainly the closest national park land to such a large population (10,000,000). It must be big enough to take the heavy visitation, and still preserve some wilderness.

Sincerely yours,

IRVING W. BURR., Ph.D.

PORTAGE, IND., May 20, 1976.

DEAR SENATOR JOHNSTON: I go on record as *opposing* the National Lakeshore Bill (S. 53329) in its present form. I am particularly against the portions of the bill which take away land from the town of Ogden Dunes.

These portions include residential lots with occupied houses, three tennis courts recently completed at great time and expense by a town drive, a large shifting dune known to all as "Suicide," a large pond which is used year around, and the beaches directly in front of the town.

If this bill is passed, the park will run right up to the boundary line of our lot as is the case for many other unfortunate homeowners. How can you create legislation which will cause the demise of a town without even caring about your actions?

A look at the present problems of Indiana Dunes State Park is a good indication of what we have to look forward to.

Security will become a thing of the past. Theft and vandalism will rise. The beach will become littered with cans and bottles. Barefoot walks will become a hazardous endeavor. Property values will fall.

You must admit that the scenario looks bleak for the residents of Ogden Dunes. I appeal to you to reconsider and draft a bill which leaves our town intact and also excludes the area directly east of Ogden Dunes which is owned by Midwest Steel. This would act as a buffer zone and keep the parks from surrounding us on both sides.

Sincerely,

R. DAVID GASSES.

OAK PARK, ILL., May 25, 1976.

HON. J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee on Parks and Recreation, Senate Office Building, Washington, D.C.

DEAR SENATOR JOHNSTON: Since I cannot attend the hearing on Senate bill S-3329 to enlarge the Indiana Dunes National Lakeshore on May 26, I should like to submit the following statement and request that it be included in the record of the hearing:

I should like to go on record as urging the Senate's favorable vote on S. 3329 to enlarge the Indiana Dunes National Lakeshore, thus complementing a similar bill passed by the House. The sponsors of these bills, in the nick of time, have seen this area at the bottom of Lake Michigan in its proper perspective as an exceptional asset in the midst of an impending megalopolis. Its natural beauty and recreational value to millions within easy driving distance can hardly be exaggerated. Moreover, the setting aside of the full area prescribed will pre-

serve for the indefinite future a rare geologic and ecological phenomenon. The area's strategic location for industrial and commercial development could soon result in its elimination as a unique inheritance from the past. With passage of S. 3329 that inheritance and its manifold advantages, not only to our midwestern region but to the Nation, will be assured in fact for future generations.

Your personal support and your prompt action on the bill will be much appreciated.

Respectfully yours,

CYRUS V. GIDDINGS.

BURWOOD PRODUCTS,
Chicago, Ill., May 26, 1976.

Senator J. BENNETT JOHNSTON,
Subcommittee on Parks and Recreation,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I speak for an organization named Forest Trails Hiking Club, which has 150 members. We use trails in Illinois, Indiana and Wisconsin every Sunday for hiking 10 to 15 miles.

Over a period of years we have seen one of our favorite places, the Indiana Dunes slowly taken over by commercial enterprises, eliminating forever the benefits to which our taxes entitle us.

This is to go on record for our support of S-3329, and we hope it is not too late to be included in the record of the hearing.

Thank you.

Sincerely,

EVELYN K. GARRON.

ST. PAUL, MINN., May 26, 1976.

SENATOR J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee on Parks and Recreation,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: We would like to urge prompt and favorable action on the Senate bill to enlarge the Indiana Dunes National Lakeshore (S-3329).

This enlargement of the Lakeshore, we believe, is essential for preservation of this unique natural environment—and to provide wholesome and healthy recreation for the densely populated Chicago and Northern Indiana metropolitan areas.

If it is not too late to do so, we would like to have our statement of support for this bill included in the record of the hearing held today (May 26).

Sincerely,

WILLIAM V. DOYLE.
MARGARET D. DOYLE.

GARY, IND., May 26, 1976.

SENATOR J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee on Parks and Recreation,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: My name is Virginias M. Caldwell, and I reside in the Edgewater Beach Subdivision of Portage, Indiana, an area included in the legislation to expand the Indiana Dunes National Lakeshore (S-3329). As a resident of this area for 24 years, I wish to go on record as favoring the expansion bill with respect to the inclusion of the Edgewater Beach area.

To my understanding, virtually all the residents of Edgewater wish to become a part of the National Lakeshore. We feel that the terms of inclusion concerning purchase of our properties and lease-back provision are fair and equitable and that this area can be preserved for the future use of all Americans. The Indiana Dunes are a National Resource, and I support their preservation and the expansion proposed in this Bill, especially with respect to the Edgewater Beach area.

Thank you for this opportunity to present my feeling concerning the Bill S-3329, which effects me directly.

Best wishes,

(Mrs.) VIRGINIA M. CALDWELL.

To: Senator Johnston, Chairman, Senate Subcommittee on National Parks.

Mr. Chairman, I am Elana Strom, a student at the University of Michigan, School of Natural Resources. The struggle for the Indiana Dunes came to my attention at a Land Use seminar offered at the University. From it, the class came to realize that inclusion of all the lands proposed in S. 3329 is essential. And it must be done now, before it is too late.

Some have already pointed out to you the ecological and historical significance of all the parcels proposed. Others have said that industry needs this land. With these last, I must disagree. Industry can build almost anywhere. Sand dunes cannot. The steel mills claim they will offer jobs where the Park cannot. This is not so. The Park will need some development, and also maintenance. The Park Service will need to expand its staff. The South Shore Railroad might even have to add more runs. Hotels, motels, and restaurants are expected to come into the area. It may not seem like a lot, but weighted with the regions need for recreation, and the uniqueness of this area, it certainly is more important than an ash dump or a settling pond.

Regardless of cost, the National Lakeshore must be expanded—now—before steel and construction ruin it forever.

Please include my letter in the hearing record.

Thank you,

ELANA STROM.

OAK RIDGE, TENN., June 4, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee on Parks,
Senate Office Building,
Washington, D.C.

DEAR SENATOR JOHNSTON: This statement for the record of hearings on S-3329 strongly supports that bill's enlargement of Indiana Dunes National Lakeshore. In particular there are reasons neglected by many for including certain tracts that were omitted or insufficiently provided for in the House bill that passed recently.

1. The "Nipissing area" west of Gary is a small but outstanding area representing the series of 90 sand bars laid down in about 4000 years, which provided the raw supply of sand which the winds reworked into dunes along the equivalent beachlines further east. It holds further interest ecologically, because prairie elements of fauna and flora normally typical of states west of Indiana (before the prairies were turned over to agriculture and industry) are here mixed with the northeastern conifer and southeastern deciduous forest components.

Soils 1-2 thousand years old (since the bare sand was stabilized) have less developed humus than the Long Lake, Lake Chicago and Hoosier prairie areas; also less leaching and soil acidity than most (older) dunes further east. Recently the soils and life have begun being changed by impact of surrounding industries, but they can serve very well (because of location) to help scientists monitor future environmental impact. Such use, and other educational and scientific values, can and should continue indefinitely even if the tract proposed might become surrounded by expansion of the Gary airport (the fencing would help)!

2. The area SW of Marquette Park is extremely important in recording those stages of early development which that park and surrounding residential lands have nearly obliterated. The landforms (where not covered by slag) are of a form differing from those in the preserved dunes of Porter County, because location at the very south tip of the lake makes prevailing westerly winds more important than the onshore component of winds. For related reasons (and others, related to very early habitat changes for pioneer ecological succession) it is extremely desirable to preserve for scientific and educational study both the unforested and forested dune ridges and pockets (i.e. North and south of the Grand Calumet lagoon). This can and should be done even if part of the beach near Marquette Park is finally allocated to marina or other jurisdiction. And Federal jurisdiction for the area finally selected for preservation is the only realistic assurance that later events will not subvert this vital link in the National Lakeshore holdings.

3. Many other areas are desirable, for reasons well stated by others, but I finally emphasize the scientific importance of attaining fee-simple control over the "greenbelt" near NIPSCO, so the drainage and other features of the Cowles bog (already threatened by construction at a distance) will not be further degraded!

Sincerely yours,

JERRY S. OLSON.

South Holland, Ill., June 6, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Senate Interior Subcommittee on Parks and Recreation,
Senate Office Building,
Washington, D.C.

GENTLEMEN: I would like to have the following remarks concerning S 3329, a bill to enlarge the Indiana Dunes National Lakeshore, placed within the hearing record.

In live in a suburb of Chicago, just 20 miles west of the National Lakeshore and am employed by the Illinois Natural Areas Inventory. I have spent many enjoyable days in the Indiana Dunes and I would like to base my arguments in favor of S 3329 on the following grounds: (1) scientific and (2) ethnical. I realize the committee will receive a great volume of testimony so I will limit my remarks to topics of greatest concern for me.

First, of the areas being considered for addition to the Indiana Dunes National Lakeshore contain habitat for many rare species of plants and animals. This region is truly the biological crossroads of the continent with numerous organisms being present at the limits of their range. This gives a special significance to the area for biologists who are concerned with community interrelationships. In fact, the science of ecology was born a century ago in the very areas being considered by S 3329. Researchers from the newly-founded University of Chicago discovered the series of lake-deposited dunes provided a graphic illustration of natural succession. From studies conducted here at the turn of the century came an entirely new dimension of biology. We owe it to Dr. Cowles and his coworkers to preserve these natural laboratories.

Secondly, I firmly believe as a Christian that we have a moral obligation before our Creator to preserve representative samples of His handiwork. Truly untouched areas are very rare in the Midwest and the preservation of as much of the Dunes as possible is necessary both to safeguard the many rare creatures which find refuge there and also to preserve unique works of art which are not duplicated elsewhere in the world and are irreplaceable by man. I end by urging the Committee members to pass S 3329 in its entirety so that an important part of America's heritage will be preserved for posterity.

Sincerely,

SAND RIDGE NATURE CENTER,
South Holland, Ill., June 7, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Interior Subcommittee on Parks and Recreation,
Senate Office Building.

DEAR SENATOR JOHNSTON: This is a statement for inclusion in the hearing record for the Bill S-3329 to expand the Indiana Dunes National Lakeshore. I am registering my support for the entire bill, since with the increased population pressure on our recreational areas, we will need every piece of natural open space that is available.

The state and local governments in northwestern Indiana have provided very inadequate park acreage for its people. As a result, our nature center in Illinois, and other forest preserves near the state line are overcrowded with Indiana residents who have no open space preserved in their own communities.

Both from the standpoint of the recreationalist and the ecologist, the present acreage of the Indiana Dunes National Lakeshore is inadequate. This is obvious to anyone visiting the West Beach unit of the National Lakeshore where most of the recreational pressure will be concentrated. Significant ecological areas were left out of the Lakeshore Bill that passed in 1966 although they were

supposed to have been included as part of the 1963 compromise. They now sit ripe for the bulldozer. The Dunes National Lakeshore is in a similar position as the Redwood National Park, which also lacks essential buffer areas.

One significant area in the Senate Bill but not included in the House version is the Ipsissing Ridge and Swale area in the Northwest part of Gary. Although separated from the rest of the park, it contains unique ecological features that are an essential part of the Dunes story. Although the Gary city administration objected to the inclusion of this area in the park, I find it ridiculous that this small tract with such high scientific value cannot be spared from industrial development in view of the amount of heavy industry already in Gary.

The defeatist testimony offered at the hearing by the Department of the Interior's representative, who argued that it is already too late to preserve the Dunes, can be easily disproven. The large tract of dunes south of West Beach along Highway #1 is still undeveloped, and comprises the key parcel within the expansion bill. The absurdly small acreage (202 acres) proposed by the Department of the Interior would not include this area and is equivalent to no bill at all.

It may be argued that this land is expensive, but real estate values are not getting any cheaper. There is only one alternative to federal acquisition for most of this property and that, unfortunately, is destruction.

Yours truly,

PAUL M. STRAND,
Naturalist.

VALPARAISO, IND., June 10, 1976.

Senator J. BENNETT JOHNSTON,
Chairman, Subcommittee on Parks and Recreation,
Washington, D.C.

DEAR SENATOR JOHNSTON: I respectfully request that my statement be put in the hearing record for the Dunes Expansion Bill (S3329).

My name is Mark Reshkin. I reside at 1508 Wood Street in Valparaiso, Indiana. I am a Professor and former Director of the Division of Public and Environmental Affairs and also Professor of Geology at Indiana University located at the Northwest Campus in Gary, Indiana. I wish to make several comments concerning the Hoosier Prairie portion of the Expansion Bill as a representative of Indiana University and other comments concerning the entire National Park Expansion Bill as a citizen and scientist who has spent considerable time studying and working in this area.

By way of introduction, concerning my background, I have been a geologist for some twenty (20) years and during the period of 1964 through 1967, I conducted field investigations in the northern portions of Lake LaPorte and Porter Counties, Indiana for the Indiana Geological Survey, a division of the State of Indiana Department of Natural Resources. The results of these investigations are published as part of the geologic quadrangle map of the greater Chicago area. During these studies, I became very familiar with the areas already in the Indiana Dunes National Lakeshore and those under consideration in this Expansion Bill. Also, I have co-authored a paper relating to the environmental geology of Lake and Porter Counties. I have been the editor of a publication under federal funding (Title I of the Higher Education Act of 1965) dealing with current environmental quality conditions in the seven northwestern counties of Indiana, and have conducted the basic ecosystem studies of the Indiana Dunes National Lakeshore for NPS.

First, my comments concerning the Hoosier Prairie. In my estimation, the Hoosier Prairie though segmented and somewhat removed from the main part of the Indiana Dunes National Lakeshore. It is part of the very basic natural history story of the Lakeshore which records the geologic history of ancestral Lake Michigan over the last fourteen thousand years. The Hoosier Prairie preserves geologic features that record the history from 14,000 to 12,500 years before the present. The features are unique comprising shingle beaches, shoals, and recurved spits. The areas also contain one of the last wetland prairies in this part of the midwest and has great ecologic significance as well as its geologic significance.

The Hoosier Prairie is just another part of a segmented urban national park. Indeed, it is much less segmented in terms of distances of separation than

different parts of the Gateway National Park in Sandy Hook, Brooklyn, Queens and other areas of New York and New Jersey. It should be a part of the National Lakeshore rather than a state nature preserve.

The following comments are made as a citizen and scientist in this geographic region. Co-existence among industrial, commercial, residential interests and natural areas and recreational advocates is a must if we are to have an environment that is acceptable to all in terms of life style and commitment to the future for this vital area of the nation. Several writers have described the nature of coastal zones in the United States and have cited the coast of California, the Gulf Coast, and the Atlantic Coast as areas where great competition exists for the development of transportation facilities, industry, residential facilities and recreation and natural areas. A fourth area should be added, the southern shores of the Great Lakes, where similar conflicts over land use exist.

It is important to note some of the specific characteristics of northwest Indiana as such a coastal area. This area must be considered one of the most heavily industrialized in the world. Indeed, I have heard it stated often that this area is more heavily industrialized than the Ruhr Valley in Germany. Some 20% of the nation's steel is produced in this area as well as much of the electric power generation for the northern third of Indiana and extensive major oil refining. What is unique about the area is that, though it is so heavily industrialized, it is an area with a great deal of undeveloped lands. Where else can you leave the gates of a fully integrated steel mill and in five minutes sit alongside a small lake observing migrating water fowl? The Expansion Bill would reserve some of this undeveloped land for future populations of the Great Lake Region. It is my belief that environmental quality improvement measures in northwestern Indiana will be implemented in an orderly and carefully deliberated manner. We cannot afford to destroy the economic growth of the area and the nation at this critical stage of time. However, there is one area in which we can move quickly and vigorously and that is in the reservation of natural and recreational areas for the future populations of the central United States. Expansion of the Indiana Dunes National Lakeshore certainly does this.

The Indiana Dunes National Lakeshore is within one and one-half hours driving time of some eight and one-half million people in this part of the midwestern United States. We must reserve these recreational and open space lands if we are to reduce the energy consumption in the 1970's and 1980's. Why not have more recreational opportunities close to the population centers—bring parks to the people. It is my belief that expansion of the Indiana Dunes National Lakeshore is possible without endangering the economic expansion that we are all desirous of in this area. This expansion should occur within the following guidelines:

(1) Environmental protection of the existing National Lakeshore properties. Several portions of the Expansion Bill are included to protect existing National Lakeshore properties. This is certainly the case for the areas in the drainage basins surrounding Pinhook and Cowles Bogs. These wetland areas are fragile and must be protected now.

(2) Inclusion of areas which illustrate the entire natural history story. The Burns Bog—Tolleston beach area, the Long Lake extension, the Hoosier Prairie as well as the interdunal ponds and dunes in Gary are necessary additions if the entire natural history story over the last fourteen (14) thousand years both biological and geological is to be preserved for scholars to study and the public to appreciate now and in the future.

(3) Protection of needed undeveloped lands for a growing urban community now while it is available. Northwestern Indiana is deficient in preserved natural and recreational areas. These urban communities cannot provide the funds today or in the foreseeable future to reserve these lands. I believe it is necessary for the federal government, through the National Park Service, to serve this multi-state area in protecting more of these recreational and natural lands. This can be done with the Expansion Bill now under consideration.

A rare challenge exists in the Indiana Dunes National Lakeshore. Here is the nucleus for an urban national park to serve some eight and one-half million people today in the midst of an area as heavily industrialized as any area in this nation. The most significant aspect of this National Lakeshore is that it provides the potential for extensive active recreation as well as the possibility

to preserve fragile and unique natural history features. The challenge to the National Park Service and, indeed, to the Congress and the Country is whether or not we can serve both needs in an urban national park. Can we preserve rare and beautiful natural history and also develop active recreation in the midst of ports, steel mills and power plants? It is my belief that it can be done and that there is no better place in the United States to try to do this than in the Indiana Dunes National Lakeshore. This National Lakeshore should have a very high priority for expansion, development and protection because it does offer the chance to find out how we can preserve our heritage and enjoy our natural resources in a thriving, growing urban industrial area vital to the nation's future.

Thank you for listening to me.

Respectfully,

MARK RESHKIN.

[Western Union Mailgram]

EVANSTON, ILL., May 22, 1976.

Senator CHARLES PERCY,
U.S. Senate,
Washington, D.C.

We are writing to tell you of our enthusiastic support of S. 3329. We urge you to support S. 3329. this bill adds needed acres to the existing Indiana Dunes Park. This is of great urgency. As the population expands the need for recreational facilities becomes greater and greater. The Indiana Dunes serves millions of people in the Great Lakes area. We must protect this land now.

I request that this statement be included in the record of the hearing on Wednesday, May 26 in room 3110 New Senate Office Building.

DR. AND MRS. HAROLD SITRON.

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