



United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, DC 20240

L32(2225)

SEP 20 2017

Ms. Paula Dinerstein
Public Employees
Environmental Responsibility
962 Wayne Avenue, Suite 610
Silver Spring, Maryland, 20910

Dear Ms. Dinerstein:

We received your correspondence dated September 5, 2017, concerning the representation of the restaurants as open to the beach-going public. Our characterization was based on our partner's description of the project. This month, we re-confirmed our understanding with the State, and they assured us that all of the restaurants in the pavilion will be open and appropriate for those visiting the beach or recreating within the park. We have not seen any documentation from our partners to lead us to doubt their representations. We have made sure that our partners at Indiana Department of Natural Resources (INDNR) are fully aware of the standards that must be met for Land and Water Conservation Fund (LWCF) compliance and we trust they will proceed accordingly until we see evidence to the contrary. If there are changes to the proposed uses, or the actual use is not in line with the proposed use, the National Park Service can re-evaluate the situation at that time and change our determination if need be.

We understand you have concerns with the project but we remind you that the State retains discretion to use the park as it sees fit, our job is only to ensure that the plan complies with LWCF provisions. We reiterate that as envisioned, the pavilion part of the project meets our policy for allowable uses for existing structures, while the banquet/conference center would likely trigger a conversion. Now that we have reviewed updates to the lease and determined it complies with LWCF, work on the pavilion can proceed. We will work with INDNR to continue to move the banquet/conference center part of the project forward while maintaining compliance with the LWCF program. As we turn our focus to the next steps in the process to address the banquet/conference center, we understand you, and those you represent, will continue to closely monitor this project.

Please feel free to contact Emily Ferguson, LWCF compliance lead, at emily_ferguson@nps.gov or 202-354-6931, if you have any questions or concerns regarding the conversion process.

Sincerely,

Jeffrey P. Reinbold
Assistance Director
Partnerships and Civic Engagement

cc: Cameron Clark, Director and State Liaison Officer, Indiana Department of Natural Resources