

**BEFORE THE
NATURAL RESOURCES COMMISSION
OF THE
STATE OF INDIANA**

IN THE MATTER OF:

**RULE AMENDMENTS TO 312 IAC 8-2-5 TO ALLOW) Administrative Cause
POSSESSION OR CONSUMPTION OF AN) Number 16-080P
ALCOHOLIC BEVERAGE AT INDIANA DUNES) (LSA Document #16-369(F)
STATE PARK AS AUTHORIZED BY IC 7.1-3-17.8)**

**REPORT ON RULE PROCESSING, CONSIDERATION OF PUBLIC COMMENTS,
ANALYSIS AND RECOMMENDATION REGARDING FINAL ADOPTION**

1. RULE PROCESSING

Principally for consideration is a proposal to amend 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by Indiana Code (“IC”) 7.1-3-17.8. The proposed rule amendment has been included in this report and attached as Exhibit A.

The proposed rule amendment to 312 IAC 8-2-5 followed the legislative change in IC 7.1-3-17.8 that became effective on July 1, 2016. The proposed rule amendment is designed to make the rule consistent with the new statute.

The Natural Resources Commission (“Commission”) gave preliminary adoption to the proposed amendment on July 19, 2016. As reported in the pertinent portions of the July 19, 2016, minutes:

Consideration of preliminary adoption of rule amendment to 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8; Administrative Cause No. 16-080P

Dan Bortner also presented this item. Bortner noted that currently under rule 312 IAC 8-2-5 a person must not possess or consume an alcoholic beverage at the Redbird State Recreation Area, Interlake State Recreation Area, a swimming beach or pool on any property, a shooting range on any property, and a designated youth tent area on any property. “With the exception at the Indiana Dunes State Park, you may possess or consume alcohol anywhere within our properties minus the prohibitions that I just noted. Bortner said that currently at the Indiana Dunes State Park (“Dunes”) an individual may not possess alcohol anywhere on the property with the exception of a leased premise of the pavilion authorized by IC 14-18-2-3.

Bortner stated that due to a change in IC 7.1-3-17.8, the Department may apply for a three-way alcohol permit with the ATC for state park properties. He noted that as a result of the statutory amendment there is a need to amend 312 IAC 8-2-5 in order to make the rule consistent with the statute. Bortner explained that the rule makes it clear that within the Dunes property an individual cannot consume or possess alcohol at the swimming beach or youth tent area. "The Dunes will continue to have the most stringent alcohol restrictions of any property managed by the DNR." He then recommended preliminary adoption of the proposed rule as presented.

The Chair opened the floor for questions by the Commission.

Grant asked, "Why do the Dunes have the most stringent regulations?"

Bortner explained, "Years ago, the Dunes, just to be honest, was not a nice place to be. We had a lot of trouble with gang activity and some issues up there." Bortner stated, however, that steps have been taken to correct the issue. He noted that the issues were not necessarily alcohol related. Bortner said that 1,000 parking spaces were removed from the Dunes and the campground size was reduced by half. He noted that the gate house was moved so that a car would be unable to speed from the gate house to the beach. 75% of the property is a designated nature preserve; the footprint is much smaller; a water tower was removed and replaced with bird tower; and a waste water treatment facility was replaced with a natural treatment facility. Bortner said that "a lot of steps...have been taken to change the dynamic of the property. It has been very successful and is now...one of the premiere destinations in the Midwest."

Bortner explained that alcohol is served in the state park lodges during family gatherings, weddings and other functions. He said that allowing alcohol to be served at the Dunes pavilion would provide event space for similar family gatherings and events.

The Chair opened the floor to public comment, but limited comments to five minutes. He then recognized Dennis White

Dennis White, Crown Point, Indiana, stated, "We're being told that alcohol on the beach at Indiana Dunes State Park will be prohibited. To the contrary, if the current alcohol plan is approved, alcohol will be on the beach, simply because that's where the Pavilion is." White read statistics from the National Institute of Alcohol Abuse and Alcoholism that stated that one in two water recreation deaths of teens and adults involved the use of alcohol. "I also have signatures of nearly 10,000 people who couldn't be here today that also oppose at the park."

The Chair recognized Heather Ennis.

Heather Ennis, Porter, Indiana, stated she was the President and Chief Executive Officer of the Norwest Indiana Forum. She cited Rich Cohen's August 2015 article in the *New York Times*, entitled "A Tour of Lake Michigan, My Inland Sea." Ennis stated that Cohen wrote about his trip around Lake Michigan. Ennis stated that she was saddened by Cohen's depiction of Northwest Indiana. "It talks about smoke stacks, blighted areas, industry, and decay of the environment. Any of you who have been up to Northwest Indiana know that is not our story; our story is so much more." She stated that unfortunately the article writes about all the beautiful places around Lake Michigan, but then negatively portrays Northwest Indiana.

Ennis said, "The opportunity for us is to be able to welcome more people to that beach; to introduce more people to this beautiful place that we call home." She explained that attracting visitors and business to the area is critically important. She noted that quite a few people visit the parks, but do not stay long. "We do not give them an opportunity to interact for more than a day or half a day. The opportunity with the changing of this rule will open up more opportunity for people to interact with our beaches; to get to know our communities; to stay a little bit longer; and perhaps spend some of their dollars in Northwest Indiana, creating a destination, like destinations we see all over in state and national parks." Ennis also noted that having beer and wine sales at parks is not unprecedented. Ennis concluded, "I would welcome the opportunity to be able to have more visibility and more interaction for those that visit our community."

The Chair recognized Norman Hellmers.

Norman Hellmers, Valparaiso, Indiana and representing Dunes Action, requested additional time to speak stating that he represented 10,000 people that could not be present.

The Chair declined to allot additional time to Hellmers.

Hellmers explained that he worked for 34 year in the field of parks and recreation, and tourism. Hellmers noted that he was employed with the Nebraska Game and Parks Division for three years and subsequently, 31 years with the National Parks Service. Hellmers said there are other groups, besides Dunes Action, that oppose the rule proposal, such as Save the Dunes, Hoosier Chapter of the Sierra Club, Indiana Division of the Izaak Walton League of America, Hoosier Environmental Council, Citizens Action Coalition, the Dunes-Calumet Audubon Society, and Public Employees for Environmental Responsibility (PEER).

Hellmers stated that Dunes Action opposes alcohol returning to the park in the Pavilion, and in the areas close to the Pavilion, as well as the construction of the new banquet facility located next to the Pavilion. Hellmers stated that he would provide his written remarks to the Commission after his presentation.

Hellmers stated that there was legislation passed in 2012, 2015, and 2016 “all of it aimed at restoring alcohol in the park, especially to the Pavilion. In the last 2016 legislation has the DNR working with the General Assembly to have this legislation passed, and we think that was inappropriate and we have no opportunity to comment on that.”

Hellmers stated that there has been a lack of transparency throughout this process. “We did not have an opportunity to know anything about what was going on.” He noted that the DNR began working with the developer in 2010. “And then it wasn’t until 2015 that we finally learned about the...we had no opportunity to comment on anything in the lease prior to that time.” He noted that two public hearings were held, but held after the lease was signed.

Hellmers stated that Dunes Action is working with PEER, which is a national group that monitors natural resource management agencies by serving as a “watchdog” for the public interest. He said PEER has an issue with the lease, which fails to include information required by the Land Water Conservation Fund (LWCF) manual. He explained that LWCF has strict regulations about procedures that need to be followed involving leases. Hellmers said the current lease does not mention the LWCF requirements. He said the Department has opened itself to legal action, because the Department has not met the LWCF requirements regarding the consideration of the project’s potential impacts on resources.

Hellmers stated that the Department has not received the required approval of the National Park Service (NPS). He said that the Regional Director of the NPS sent a letter dated June 14, 2016 to Director Clark informing the Department that “work may not continue until the IDNR submits the project for approval to the NPS.” Hellmers said the Department was also informed that changes to the lease with Pavilion Partners would be necessary to ensure compliance with LWCF program. He said, “Right now, the Dunes Action believes, PEER believes...that the DNR and the National Park Service, frankly, ... are in violation of the LWCF.”

Hellmers stated that Dunes Action requests the Commission to prohibit the possession and consumption of alcohol at the Dunes. “We also want to make sure we have an appropriate restoration of the Pavilion.” He stated that Dunes Action is in favor of restoration of the Pavilion, but would like it restored to how it was originally. He noted, however, Dunes Action is not in favor of the additions that are not part of the original historical design. Hellmers concluded and asked the Commission not to give preliminary adoption to the proposed rule.

The Chair explained to Hellmers that some of Hellmers comments “overstepped the Commission’s authority and what we are addressing here today.... In deference to those who wish to speak behind you, I would like to give them an opportunity to speak.”

Director Clark provided a brief explanation of the rule adoption process. He noted that there will be a public hearing scheduled at a later date. He also noted that there will be an opportunity to submit comments online in the next few months. Clark explained that the proposed amendment to 312 IAC 8-2-5 further clarifies the allowance of alcohol consumption at the Pavilion, as designated in a lease and contract authorized under IC 14-18-2-3. He stated the existing language already allows alcohol possession and consumption at the Pavilion. The Director explained that the proposed rule amendment bring the existing rule into compliance with the statutory change.

Comer asked, “This is not actually approving or related whatsoever to the actual Pavilion lease or the construction of the Pavilion, or of any of that?” The Chair answered in the negative.

The Director stated that although he does not agree with statements made by Hellmers relative to what the Department has done and is doing, “we do have the right to disagree and from our standpoint DNR has kept up a question and answer... section dealing with this particular issue on our website if anybody wants to take the time to go through it.”

John Davis noted that under IC 14-18-2-3 the Department is required to approach the Commission to get permission to negotiate a lease with a specific entity. The Commission gave permission for the Department to negotiate with Pavilion Partners at a meeting held on May 15, 2012.

The Chair recognized Katelyn Edward.

Katelyn Edward stated that she currently lives in Carmel, Indiana, but is originally from Chesterton. She said that allowing alcohol with the new construction would allow the Pavilion Partners to be profitable. “So, yes, this is just about alcohol, but it also does facilitate this present development at the Dunes, which is directly related.... I would just like to state that I do adamantly disagree with allowing alcohol at the Dunes.” She noted that the Dunes was not a safe place before, but agreed that the Dunes is now a safe and beautiful place. Edward stated that she does not wish to see a digression. “I know that we are talking about a private facility, but then, again, it is public land, so who is really benefitting from that? I think up to this point the public has felt very neglected, and the local alcohol board has denied this twice. It is unfortunate that we’re relying on an alcohol permit to be a new driver of tourism in Northwest Indiana. Northwest Indiana has a lot to offer and we should not be relying on this alcohol permit to drive that.”

The Chair asked Dan Bortner if he had any additional comments. Bortner indicated that he did not have any other comments. The Chair recognized Tyler Starkey

Tyler Starkey, representing the Northern Indiana Tourism Development Commission (NITDC) and 1816, Inc., stated that he would be speaking regarding Agenda Items 5 and 7. He explained that NITDC is a regional partnership with the Convention of Visitors Bureaus of seven northern counties including Lagrange, Elkhart, Kosciusko, St. Joseph, Marshall, La Porte, and Porter. The NITDC works in cooperation with the Indiana Toll Road Division of the Indiana Department of Transportation, the Indiana Tourism Division, and local businesses to increase tourism spending in the region. Starkey stated, “We rise in support of allowing alcohol sales in state parks, in particular in this case, the Dunes.” He stated that NITDC’s data shows that the increase visitation to the parks allow for Indiana “to not only show off our natural resource assets and the quality of our facilities, but puts all the venues in that area on the same playing field when providing opportunities to Hoosiers and to visitors alike.”

Starkey stated, “With every dollar we invest in tourism we are able to generate and return \$200.00 into our spending and \$15.00 into tax revenue.” He stated that this is an additional way to attract visitors that will generate return visitors to the Dunes or other state parks. Starkey said the Indiana Dunes National Lakeshore, which attracts approximately two million visitors annually and the Indiana Dunes State Park, which attracts approximately one million visitors annually. He noted

that it is legal to drink alcohol in a non-glass container at the Indiana Dunes National Lakeshore on certain beach areas. “We are excited for the public to discover our natural resources at the Dunes and explore all the state parks have to offer.”

The Chair said, “I do appreciate everyone’s patience. I know there are a lot of things to be said and have been said on this matter.” He then asked Commission members for a motion.

Grant asked whether firearms are allowed in those areas proposed for alcohol sales. Davis explained that individuals, if properly licensed, may carry firearms in the state parks.

Jensen commented that she was uncertain as to whether an individual would be able to possess a firearm in the Pavilion.

The Chair noted that there are statutes and rules governing carry of firearms, and noted that with a personal protection carry permit a person is allowed to carry a gun in the state parks.

Carol Comer moved to approve for preliminary adoption of rule amendment to 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8, as presented. Mark Newman seconded the motion. Upon a voice vote, the motion carried.

Executive Order 13-03, requires agencies to “suspend rulemaking action on any proposed rules for which a notice of intent to adopt a rule...was not submitted to the office of the *Indiana Register* on or before January 14, 2013.” Additional compliance provisions were included in Financial Management Circular 2013-01. Joseph Hoage, General Counsel for the Department of Natural Resources (“*Department*”), submitted to the Office of Management and Budget (“*OMB*”) a request for an exception to the suspension of rulemaking action under the provisions of Executive Order 13-03 on May 31, 2016. In a letter dated June 30, 2016, Micah Vincent, Director, OMB, wrote that the Department’s “request qualifies for an exception under Section 6(a) and 6(b) of Executive Order 13-03. Therefore, DNR may proceed with the rule as proposed in its May 31, 2016 submission.”

The “Notice of Intent” to adopt the proposed rule amendment was posted to the *Indiana Register* database website as <http://www.in.gov/legislative/iac/20160824-IR-312160369NIA>, on August 24, 2016. The notice identified Terry Coleman, Assistant Director, State Parks and Reservoirs, as the “small business regulatory coordinator” for purposes of IC 4-22-2-28.1.

The Commission caused the information required by IC 4-22-2-22.5 to be included within the rulemaking docket maintained on its internet website at <http://www.in.gov/nrc/2377.htm>. The rulemaking docket has been updated throughout the rule adoption process.

Following the posting of the Notice of Intent, fiscal analyses of the rule proposal were submitted, along with a copy of the proposed rule language and a copy of the posted Notice of Intent, to the OMB and the Legislative Council on August 25, 2016, as specified by Executive Order 2-89 and Financial Management Circular 2010-4. In a letter dated September 30, 2016, Brian E. Bailey, Director, State Budget Agency recommended that the proposed rule amendments be approved.

The Commission's Division of Hearings submitted the rule proposal to the Legislative Services Agency ("LSA") along with the "Statement Concerning Rules Affecting Small Business" (also known as the "Economic Impact Statement") on October 3, 2016. The Statement Concerning Rules Affecting Small Businesses (the "EIS"), as required under IC 4-22-2.1-5, and submitted by the Small Business Regulatory Coordinator, indicates:

Economic Impact Statement
LSA Document #16-369

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

Estimated Number of Small Businesses Subject to this Rule:

None. No small businesses will be subject to this rule. This proposed amendment clarifies IC 7.1-3-17.8's applicability to Indiana Dunes State Park ("Dunes").

Estimated Average Annual Reporting, Record Keeping, and Other Administrative Costs Small Businesses Will Incur for Compliance:

None. No small businesses will be subject to this rule. This proposed amendment clarifies IC 7.1-3-17.8's applicability to Dunes.

Estimated Total Annual Economic Impact on Small Businesses to Comply:

None. No small businesses will be subject to this rule. This proposed amendment clarifies IC 7.1-3-17.8's applicability to Dunes.

Justification Statement of Requirement or Cost:

None. No small businesses will be subject to this rule. This proposed amendment clarifies IC 7.1-3-17.8's applicability to Dunes.

Regulatory Flexibility Analysis of Alternative Methods:

The alternative to this proposed rule amendment is leaving the rule unchanged, which would potentially misconstrue the legislative intent of IC 7.1-3-17.8. To ensure the legislative intent is upheld, DNR's proposed rule amendment clarifies the applicability of the newly legislated code to Dunes. This determination by DNR leadership is within its statutory and administrative discretion. Further, this change will not subject small businesses to additional costs or oversight.

The Notice of Public Hearing was submitted to LSA on October 7, 2016. The Notice of Public Hearing was posted to the *Indiana Register* database website on October 19, 2016, as [20161019-IR-312160369PHA.xml](#), along with the Economic Impact Statement ([20161019-IR-312160369EIA.xml.html](#)) and the text of the proposed rule ([20161019-IR-312160369PRA.xml.html](#)). Following receipt of an "Authorization to Proceed" from LSA on

October 7, 2016, the Commission's Division of Hearings also caused a Notice of Public Hearing to be published by the Indianapolis Newspapers, which publishes a newspaper of general circulation in Marion County, Indiana, on October 12, 2016. Because the proposed rule amendment directly impacts the Indiana Dunes State Park ("*Dunes*") located in Porter County, Indiana, the Commission's Division of Hearings also caused a Notice of Public Hearing to be published by the *The Times*, which publishes a newspaper of general circulation in Porter County, Indiana, on October 19, 2016. In addition, notice of the public hearing and a summary of the proposed rule changes were published on the Commission's web-based electronic calendar.

2. REPORT OF PUBLIC HEARING AND COMMENTS

a) Public Hearing Comments

A public hearing was conducted at the Woodland City Park, 2110 Willowcreek Road, Portage, Indiana on November 29, 2016, as scheduled. Dawn Wilson served as the hearing officer. The hearing officer was accompanied by Sandra Jensen.

The sign-in sheets provided for members of the public included 152 signatures, indicating that approximately 152 individuals were in attendance. While it is the understanding of the hearing officer that one or more Department staff members intended to attend the Public Hearing to observe, the sign in sheets do not reflect any individual who signed in as a Department representative. A summary of the 39 oral comments received at the public hearing has been attached and incorporated by reference at Exhibit B. Four individuals attending the public hearing also provided written comments, which have been reproduced, attached and incorporated by reference at Exhibit B1.

b) Comments Received Outside Public Hearing

An opportunity was provided for members of the public to submit written comments from approximately August 26, 2016, until the comment period closed at midnight on December 1, 2016. Written comments were received through the Commission's online comment form. These 213 comments have been reproduced, attached and incorporated by reference at Exhibit C. Written comments were also received by mail. These comments have been reproduced, attached

and incorporated by reference at Exhibit C1. While the Division of Hearings also received other comments that did not comply with *Citizen Comments to Hearing Officers , Information Bulletin #55 (Second Amendment)*, Indiana Register, <http://www.in.gov/legislative/iac/20100804-IR-312100484NRA.xml.pdf> (August 1, 2010), those comments are not included for consideration in this report.¹

c) Response by the Department of Natural Resources

On December 14, 2016, the Department submitted its response to the public comments received. The Department's response has been reproduced, attached and is incorporated by reference at Exhibit D.

3. HEARING OFFICER ANALYSIS AND RECOMMENDATION REGARDING FINAL ADOPTION

a) Current Rule: 312 IAC 8-2-5(1)

Pursuant to 312 IAC 8-2-5, with the exception of the Indiana Dunes State Park (“*Dunes*”), the possession and consumption of alcohol is permitted at all Indiana state parks, except for locations that are swimming beaches or pools, shooting ranges and designated youth tent areas. Currently, 312 IAC 8-2-5(1) prohibits the possession and consumption of alcoholic beverages at the Dunes, except “on the licensed premises of a pavilion authorized by IC 14-18-2-3.”

During the Commission's July 19, 2016, meeting, the Department acknowledged that the Dunes had experienced a troubled past that included the presence of gangs and other issues. A number of changes were made in an effort to curb activities that had been occurring at the park. See pages 1-5 of this report. According to public comments received, one change was to prohibit alcohol at the Dunes in 1990.

The Department's response to public comment advised that the sale and consumption of alcohol was prohibited at the Dunes until 2014, when the Commission amended 312 IAC 8-2-5 to allow

¹ Eight written comments were received by the Division of Hearings that are not considered in this report because the correspondence failed to reveal at least one of the following in compliance with *Information Bulletin #55*: “(i) For an Indiana resident, the city, town, or county of residence.(ii) For a nonresident of Indiana who is resident of the United States, the state of residence. (iii) For a nonresident of the United States, the country of residence.”

the possession and consumption of alcohol “on the licensed premises of a pavilion authorized by IC 14-18-2-3.” See Exhibit D, page 1.

IC 14-18-2-2(a)(3) provides authority to the Department to lease state owned land and to contract for the “construction and operation of lodging, food, and other outdoor recreation, water resources, or service facilities that the department considers appropriate for the land.” IC 14-18-2-3(e) states:

A lease and contract authorized by this chapter may permit in its terms the retail sale of alcoholic beverages for consumption on the licensed premises of: (1) a pavilion located within Indiana Dunes State Park, and within one hundred (100) feet of the pavilion and the pavilion parking lot...if the lessee or concessionaire applies for and secures the necessary permits required by IC 7.1.

The authority to possess or consume an alcoholic beverage in a location specified by IC 14-18-2-3 is not altered by the proposed rule amendment.

A public comment presented a proposal to interpret “a pavilion” to mean the currently existing historical pavilion; but not any extension, addition or new building. IC 14-18-2-3’s reference to a pavilion is clearly not a reference to the existing structure.

b) Proposed Rule Amendment: 312 IAC 8-2-5(1)

During the 2016 legislative session of the Indiana General Assembly, House Bill 1386 was signed into law by Governor Pence on March 24, 2016, as PL 214-2016, SECTION 10. IC 7.1-3-17.8 became effective on July 1, 2016. IC 7.1-3-17.8 is fully reproduced in this hearing officer report as follows:

IC 7.1-3-17.8-1

Department of natural resources permits

Sec. 1. The department of natural resources may apply for a three-way permit for one (1) or more state parks. A three-way permit for a state park may be a single permit, even though more than one (1) area within the state park constitutes the licensed premises of the permit.

As added by P.L.214-2016, SEC.10.

IC 7.1-3-17.8-2

Permits exempt from certain requirements

Sec. 2. A permit issued under this chapter is not subject to:

- (1) IC 7.1-3-21-1; and
- (2) 905 IAC 1-27-4.

As added by P.L.214-2016, SEC.10.

IC 7.1-3-17.8-3

State park areas not prohibited from price discrimination

Sec. 3. Separate areas within a state park are not subject to IC 7.1-5-5-7.

As added by P.L.214-2016, SEC.10.

IC 7.1-3-17.8-4

Exemption from notice and quota requirements

Sec. 4. Upon application, the commission shall issue a permit to the department of natural resources for a state park without:

- (1) publication of notice or investigation before a local board; and
- (2) regard to the quota provisions of IC 7.1-3-22.

As added by P.L.214-2016, SEC.10.

IC 7.1-3-17.8-5

Laws regarding alcoholic beverages, e-liquids, and tobacco apply to entity operating on state park property

Sec. 5. Except as provided in sections 2 and 3 of this chapter, an entity that operates on state park property under a permit issued by the commission to:

- (1) the department of natural resources under this chapter; or
- (2) the entity under this article;

shall operate within the park property in accordance with the provisions of this title that regulate the sale and use of alcoholic beverages, e-liquid (as defined in IC 7.1-7-2-10), and tobacco products (as defined in (IC 7.1-6-1-3).

As added by P.L.214-2016, SEC.10.

The proposed rule amendment to 312 IAC 8-2-5 is designed to implement the statutory change that became effective on July 1, 2016, so that the rule is consistent with the Indiana Code. To effectuate this purpose, the proposed rule amendment adds the authority to possess or consume an alcoholic beverage at a location “identified in a permit issued pursuant to IC 7.1-3-17.8”.

c) Proposed Rule Amendment clarification: “a swimming beach or pool” and “a youth tent area”

In all state parks, alcohol possession and consumption is prohibited at a swimming beach or pool as well as a designated youth tent area. A swimming beach or pool is identified in subsection 4 of the current rule. A designated youth tent area is identified in subsection 6 of the current rule.

To ensure that the alcohol prohibition in those areas of all state parks is also clearly applicable within the Dunes, the proposed rule amendment begins with the following clarification: “Subject

to subdivisions (4) and (6)”. Adding this proposed language is designed to add clarity and ease in interpretation of the rule, as required by IC 4-22-2-20(a)(1).

Anecdotally, multiple public comments on the propose rule amendment proposal referenced a conclusion by individuals that the pavilion is “on the beach” and thus would not be exempted from the prohibition against alcohol possession and consumption. The parameters of the authority granted to the Department to contract for the sale of alcoholic beverages for consumption within IC 14-18-2-3(e) includes a pavilion and within one hundred (100) feet of the pavilion and the pavilion parking lot. The term “beach” in 312 IAC 8-2-5 must be read consistently with the authority granted by IC 14-18-2-3(e). To do otherwise would be contrary to the directives of the Indiana General Assembly. The Department’s response to public comment denies that the pavilion is on the beach and states; “it is situated upon concrete and there will be no encroachment onto the beach as a result of any planned construction. While alcohol may be permitted within 100 feet of the pavilion, it will continue to be prohibited on the beach.” See Exhibit D. The Commission’s existing rule, at 312 IAC 8-2-5(4), prohibits alcohol at a swimming beach or pool within a state park. Neither IC 14-18-2-3(e) nor IC 7.1-3-17.8 restricts alcohol at a beach. The hearing officer concludes that the proposed rule amendment is consistent with both IC 7.1-3-17.8 and IC 14-18-2-3(e).

d. Public Comment Requests for Additional Amendments

Multiple public comments were received recommending further revisions to the proposed rule amendment. The first requested that the mention of a “lease” be removed from the rule, if the lease determined the location where alcohol would be permitted in the park. The proposed rule amendment phrase “designated in a lease and contract authorized under IC 14-18-2-3” offers clarity to the authorization provided through IC 14-18-2-3, as to the contents of leases and contracts for the leasing of state owned property. IC 14-18-2-3(e) limits lease and contract terms for the “...retail sale of alcoholic beverages for consumption on the licensed premises of (1) a pavilion located within Indiana Dunes State Park, and within one hundred (100) feet of the pavilion and the pavilion parking lot....” The location of the designated activity is limited by the Department’s contracting authority. A contract between the Department and a vendor could not exceed the Department’s contracting authority, and thus, could not expand the location beyond any location authorized by IC 14-18-2-3(e). The hearing officer recommends that the inclusion of the word “lease” in the proposed rule amendment currently before the Commission provides

clarity and does not conflict with the provisions of IC 14-18-2-3(e). Therefore, the hearing officer does not recommend removal of the reference to a lease in 312 IAC 8-2-5(1)(B), in the proposed rule amendment.

A number of comments suggested restrictions or the imposition of obligations upon the operation of the pavilion at the Dunes. These suggestions, some of which may be worthy of consideration, were specific to actual day-to-day operations, which are not proper for inclusion in an administrative rule. Other comments recommended that the proposed rule include a requirement that the Department conduct a public hearing and obtain public input before executing a lease, as authorized by IC 14-18-2-3. The Department's execution of a lease or contract under IC 14-18-2-3 is governed by IC 14-18-2-4 through IC 14-18-2-6, which does not obligate the Department to conduct a public hearing. The hearing officer is of the opinion that the inclusion of such a requirement at this stage is beyond the scope of this rule as proposed. However, the hearing officer observes that in proper instances the Commission has adopted nonrule policy documents to aid the Department in fulfilling its obligations. While the hearing officer does not advocate the establishment of such a nonrule policy document, the Department and the Commission may wish to consider the same to provide a mechanism for the receipt and consideration of public comment regarding the specific locations for permits under IC 7.1-3-17.8 or appropriate considerations under IC 14-18-2-3.

An additional request recommends that the word "or" be changed to "and" in the following portion of the proposed rule amendment to 312 IAC 8-2-5(1):

**...(A) identified in a permit issued pursuant to IC 7.1-3-17.8; or
(B) designated in a lease and contract authorized under IC 14-18-2-3.**

In subdivision A, the proposed rule amendment references an exception to the prohibition on the possession or consumption of an alcoholic beverage at a location identified in a permit pursuant to IC 7.1-3-17.8. The exception authorized pursuant to IC 7.1-3-17.8 is applicable when the Department applies for and secures a permit under the newly added statute, IC 7.1-3-17.8. In subdivision B, the proposed rule amendment references an exception to the prohibition on the possession and consumption of an alcoholic beverage at a location designated in a lease and contract authorized under IC 14-18-2-3. The exception authorized pursuant to IC 14-18-2-3 is applicable when the lessee or concessionaire applies for and secures the necessary permits

required by IC 7.1. These situations involve different applicants and potentially different locations approved by a permit obtained through the ATC. A lessee application and permit could be for one specific area and a Department permit could be for a different specific area. The locations of valid permits could overlap or be totally different. For this reason, use of the word “and” would not be appropriate. In any event, the lease and contractual limitations of IC 14-18-2-3 would limit the area that the Department could include in a lease or contract entered into under the authority of IC 14-18-2-3, regardless of the permit area identified in a permit obtained under IC 7.1-3-17.8. The hearing officer does not recommend a change to the proposed rule amendment to revise the word “or” to change it to “and” within 312 IAC 8-2-5(1).

A final request was received in a public comment to extend the prohibition of alcohol possession and consumption to locations designated as “other natural areas” of the Dunes. The request expressed a concern for the fragile and unique environment of the dunes and the need to protect those areas. The areas identified by the comment to be other natural areas are undefined. At the Commission meeting on July 19, 2016, the Department stated that approximately 75% of the Dunes is currently defined and has been approved as a Nature Preserve. It is not clear if the areas identified in the public comment to be other natural areas includes any of the Dunes’ area that has been approved as a Nature Preserve. Other natural areas are not currently identified in 312 IAC 8-2-5 as a location at which alcohol possession and consumption is prohibited. Similar to the prohibitions on alcohol possession and consumption at state park locations that are swimming beaches or pools and designated youth tent areas, alcohol prohibition within other natural areas is not mandated by IC 7.1-3-17.8 or by the Department’s contracting authorities under IC 14-18-2-3. A separate subdivision that prohibits alcohol possession and consumption at designated areas that would be defined as “other natural areas” within one or more state parks may be a valid consideration. However, in the opinion of the hearing officer, consideration of that issue is beyond the scope of the current rule proposal. Therefore, the hearing officer does not recommend the addition of any area beyond that which has been identified by the proposed rule amendment at this time.

It is noted that the Department’s response to public comment invites individuals to file any appropriate petition for rule change under the procedures identified in *Petitions for Rule Change and for Nonrule Policy Document Change, Information Bulletin #7 (Fourth Amendment)*, Indiana Register, <http://www.in.gov/legislative/iac/20160323-IR-312160098NRA.xml.pdf> (May

1, 2016). The Department asserts that it “has, and will continue to give due consideration to such petitions.” See Exhibit D, page 1. Refinements to consider public input for the Department’s obligations under IC 14-18-2-3, IC 7.1-3-17.8 and to protect fragile ecosystems could be best considered in more depth at a later time.

e. Requirements and Costs

A concern was expressed that the fiscal statements made by the Department within its Justification Statement are in error. Errors in the Justification Statement, upon which exception authority was granted allowing the proposed rule amendment to move forward for revision, would be of concern to the Commission in its consideration of the proposed rule amendment. The Justification Statement submitted by the Department states:

IC 4-22-2-24(d)(3) JUSTIFICATION STATEMENT
LSA Document #16-369
(Administrative Cause No. 16-080P)

The proposed rule amendments would not impose requirements or costs under IC 4-22-2-24(d)(3).

There are no new costs for businesses.

This rule amendment may result in a possible revenue increase for DNR. Aside from the aforementioned possibility, there is no expectation of change in requirements or costs for state or local government as a result of this rule amendment.

There are minimal new compliance or administrative costs for DNR.

There are very few new enforcement requirements for DNR.

The overarching benefit of this proposed rule amendment is ensuring the legislative intent of IC 7.1-3-17.8 is properly regulated.

DNR believes the direct and indirect benefits of this proposed rule amendment justify the need for Indiana Dunes State Park to fulfill the legislative intent of IC 7.1-3-17.8 with negligible new requirements or costs for DNR.

Business Requirements or Costs

Some public comments anticipate a potential reduction in business for local establishments upon approval of the proposed rule amendment. Specifically, these comments noted the limitation on the number of potential Department vendors. In addition, the comments noted that by participation in a Department permit, Department vendors may avoid the cost of processes to obtain, renew and transfer ATC permits that other businesses are obligated to pay.

Other comments, including a comment from the owner of a small hotel who generally opposed the construction of a banquet center near the dunes, offered that his business would benefit from a banquet facility that serves alcohol at the Dunes. Another person commented that “permitting alcohol on park property will enhance the attractiveness of this State Park and improve commerce in the area. The significant tourism-related commercial benefits of having one of the only licensed dining facilities on Lake Michigan (in Indiana) far outweigh any negative speculation about potential problems/abuse.” Cheryl Meier, Exhibit C.

The public comments received were divided concerning whether there would be an ultimate negative or positive financial impact on other local businesses in the geographical area of the Dunes. Whether any impact, either negative or positive, is felt by local businesses, no cost to any business or regulated entity is related to a requirement to comply with new regulation. This is confirmed by both the Justification Statement required by IC 4-22-2-24(d)(3) and the Economic Impact Statement, required under IC 4-22-2.1-5, that is fully reproduced in this hearing officer report on pages 6.

The Department’s response to public comment offers a reminder to the Commission that any fiscal impact for the change to allow alcohol at the Dunes was previously considered prior to the rule’s amendment in 2014. In Exhibit D, the Department states: “Fiscal analysis regarding allowance of alcohol at the Dunes was submitted and reviewed in 2014, when the decision was made, via rule, to allow alcohol at the Dunes. The fiscal analysis at hand addresses whether there are any additional costs in allowing alcohol service to be performed pursuant to a new state law.” See Exhibit D. The fiscal statements presented by the Department for this proposed rule amendment were limited to impacts related only to change related to the new provisions of IC 7.1-3-17.8.

It must be recognized that the proposed rule amendment is designed to acknowledge the directives of the Indiana General Assembly as set forth in IC 7.1-3-17.8, a new law that became effective on July 1, 2016. The Commission must consider whether the language proposed is appropriate in order to bring the current rule into compliance with current law.

The hearing officer recommends that the comments concerning the Department’s Justification Statement and the statements regarding the requirements or costs to businesses within it be

limited to the considerations for the current proposed rule amendment. The hearing officer recommends that the Commission determine that the proposed rule amendment does not require compliance by any business or other regulated entity and find that the fiscal statement as it relates to businesses is supportable as to the current scope of consideration for the proposed rule amendment.

State and Local Government Requirements or Costs

A concern was expressed that the fiscal statement made within the Justification Statement prepared by the Department is in error when it states that “there is no expectation of change in requirements or costs for state or local government as a result of this rule amendment.” In addition, one or more comments stated the following fiscal statement is in error: “There are very few new enforcement requirements for DNR.”

Multiple public comments were received commenting on an anticipated increase in costs to address issues related to law enforcement (including security needs, traffic management and vehicle violations) and emergency response (including medical incidents and search and rescue) as a result of alcohol use in the park. As to law enforcement costs, one comment reported that a statement made previously by the Department Director indicated that two officers per day, or fewer, are assigned to the Dunes, leaving some part of the day or night with no law enforcement presence at all. An additional public comment asserted that the Department’s intent was to not provide additional security or lifeguards. Public comments expressed concerns by local residents and representatives of local county or municipal bodies that local law enforcement obligations would increase as the volume of people consuming alcohol increases at the Dunes. The comments included concerns that enhanced law enforcement would be necessary to respond to traffic management needs at the conclusion of events, arrests and other responses to alcohol induced violence. Comments also advised that additional patrols could be necessary to provide security and prevent people from consuming alcohol on the beach. Commenters asserted their understanding that the chosen vendor would provide security inside a newly renovated pavilion but that outside the building would be the responsibility of the Department and local law enforcement. The concerns raised also included the anticipation that people who had consumed alcohol while at the park would be traveling on nearby roads upon leaving the park and that issues related to driving under the influence would be the responsibility of local law enforcement.

As to emergency medical response costs, public comments included an awareness of the dangers associated with Lake Michigan, particularly the occurrence of riptides and undertows, for those who would be drawn to the water. Public comments were received advising that people with impaired senses due to alcohol use could experience disorientation, confusion, a lack of coordination and be tempted to participate in risk taking behaviors that could result in injury or death. The concerns for those commenting was the need to call on emergency response services from local and other rural areas of Porter County as well as search and rescue teams resulting in costs that would rest with the communities of Chesterton, Burns Harbor and Valparaiso, as well as Porter County.

The Department's response to public comment addressed requirements and costs related to law enforcement and emergency medical response and stated that the proposed rule amendment should not consider whether alcohol should be allowed in the park because that determination was already considered and determined in 2014, when the rule was revised to allow alcohol at the Dunes. The Department supported the analysis it previously submitted and asserted that any increase in costs for law enforcement and emergency personnel is "highly speculative, and relies on the attenuated logic that allowing alcohol to be served in a restaurant style setting will inevitably lead to a dramatic increase in crime." See Exhibit D. The Department disputed that logic but offered that the Dunes would continue to have the "most restrictive alcohol regulations of any state property." See Exhibit D. The hearing officer supports the Department's analysis that the Commission considered in 2014 when it revised 312 IAC 8-2-5 to allow alcohol in the park pursuant to IC 14-18-2-3. The Commission's consideration for the proposed rule amendment is the requirement or cost, if any associated with the implementation of IC 7.1-3-17.8, which does not expand the opportunity to sell or possess alcohol beyond what was considered in 2014. The hearing officer recommends to the Commission that there is no new requirement or cost to local governments associated with the implementation of IC 7.1-3-17.8 for the areas of law enforcement or medical response.

There was a third aspect of local costs identified by an observation that on multiple occasions sewage entered the water causing high E.coli counts that required closure of the Dunes' beach during the summer. The comments request a consideration of costs associated with enhancing local infrastructure necessary to accommodate increased use. While this issue would be relevant

to a determination regarding the appropriateness of a contract, the terms of the contract, and the state, county and local permits that may be necessary to renovate the pavilion, the costs identified are not related to the implementation of the change in the statutory framework of IC 7.1-3-17.8.

In the Department's response to public comment, the Department states "Given the Dunes' large volume of yearly visitors, any effect on water or sewage resources will be nominal. The sale and consumption alone, or an amendment to acknowledge a new state law, will not cause an increased use in these resources." See Exhibit D. The hearing officer recommends that any requirement or costs related to local infrastructure needs due to the implementation of IC 7.1-3-17.8 would be, at most, *de minimus*.

One or more public comments also suggest that the Justification Statement of the Department was in error when it identified "minimal new compliance or administrative costs for DNR." The comment identifies the need to manage requests for permits for various organizations to host events at the park. Another administrative cost identified was the current "struggle" of the Department's contracted facilities management staff to keep up with adequate maintenance of the park. In addition, a public comment stated that, due to limited staff, the Trail 2 boardwalk has been impassible for over two years. The comment suggested that the proposed renovation, along with alcohol in the park, would add additional strain on limited park maintenance staff.

The Department, in its response to public comment, states: "DNR staff is well versed in the rules and regulations addressing the service and consumption of alcohol and can handle such responsibilities with no additional costs." See Exhibit D. Procedures previously established for other parks would likely be implemented at the Dunes. The hearing officer recommends that any requirement or cost to implement those procedures to implement IC 7.1-3-17.8 would be, at most, *de minimus*, to the overall structure of the Department.

A final concern identified by public comment was regarding the fiscal impact of any litigation that could result as a result of someone drowning who previously consumed alcohol in the Dunes, specifically the pavilion facilities. Public comments also expressed concerns for the potential liability costs of other injury, such as injury that might be suffered during a vehicle

accident or altercation after a person has consumed alcohol at the pavilion or in the parking lot. Multiple commenters referred to a drowning that occurred at the park in 2016.

The Department's response to public comment supported the fiscal statements it submitted and the accuracy of the statements within the Justification Statement and the Economic Impact Statement. Based upon a full consideration of the public input and the Department's response, the hearing officer finds that the fiscal analyses prepared and submitted to OMB accurately reflect the impact of this rule amendment.

f. Proposed Rule Amendment Compliance with the Commission Mission Statement

In preparing this report, nearly 300 public comments were considered, along with the Department's response to those comments. The intent of this rule amendment is to bring 312 IAC 8-2-5 into consistency with IC 7.1-3-17.8 and to clarify the restrictions upon the exercise of authority granted by statute to maintain the prohibition of alcohol on the swimming beach and in the youth tent area. Multiple comments were received asking for the Commission to critically evaluate and follow its Mission Statement during its consideration of the proposed rule amendment. The hearing officer fully supports the Commission's role in this regard and the Mission Statement is duplicated below for the benefit of the Commission:

NATURAL RESOURCES COMMISSION MISSION STATEMENT

The mission of the Natural Resources Commission is to provide leadership in the responsible management and use of the natural and cultural resources of Indiana, consistent with directives made by the Governor and the Indiana General Assembly.

The Commission is committed to the following:

- facilitating receipt of professional opinions and comments from the public at large for incorporation into decision-making responsibilities;
- overseeing a dispute resolution process fully capable of rendering full and fair determinations of disputes when necessary, but which also encourages parties to reach resolution through mediation when appropriate;
- in coordination with the Director, developing policy for the management of the activities and facilities of the Department of Natural Resources; and
- directing the development of rules and nonrule policy documents that clearly and faithfully implement statutory pronouncements.

Following the consideration of comments from experts within the Department and the public at large, the hearing officer concludes the rule proposed is consistent with the directive made by Governor Pence and the Indiana General Assembly by the passage of IC 7.1-3-17.8; and is intended to clarify the prohibition on the possession and consumption of alcohol in specific

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locations, in an effort to responsibly manage one of Indiana's most dynamic natural resources. The hearing officer recommends that the proposed rule amendments clearly and faithfully carry out the Commission's mission.

g) Recommendation

The hearing officer presents the rule amendment to 312 IAC 8-2-5 for final adoption. The rule language included at Exhibit A, which is attached and incorporated by reference, is the rule language as published by the Indiana Register.

Dated: December 21, 2016



Dawn Wilson
Hearing Officer

EXHIBIT A

TITLE 312 NATURAL RESOURCES COMMISSION

Final Rule
LSA Document #16-369(F)

DIGEST

Amends 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8. Effective 30 days after filing with the Publisher.

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

312 IAC 8-2-5

SECTION 1. 312 IAC 8-2-5 IS AMENDED TO READ AS FOLLOWS:

312 IAC 8-2-5 Alcoholic beverages

Authority: IC 14-10-2-4; IC 14-11-2-1

Affected: IC 7.1-3-17.8; IC 14-18-2-3

Sec. 5. A person must not possess or consume an alcoholic beverage at any of the following locations:

(1) **Subject to subdivisions (4) and (6)**, Indiana Dunes State Park, except ~~on the licensed premises of a pavilion authorized by a location:~~

(A) identified in a permit issued pursuant to IC 7.1-3-17.8; or

(B) designated in a lease and contract authorized under IC 14-18-2-3.

(2) Redbird State Recreation Area.

(3) Interlake State Recreation Area.

(4) A swimming beach or pool.

(5) A shooting range.

(6) A designated youth tent area.

(Natural Resources Commission; 312 IAC 8-2-5; filed Oct 28, 1998, 3:32 p.m.: 22 IR 740, eff Jan 1, 1999; readopted filed Nov 17, 2004, 11:00 a.m.: 28 IR 1315; readopted filed Mar 25, 2010, 2:58 p.m.: 20100421-IR-312100037RFA; filed Aug 18, 2011, 11:38 a.m.: 20110914-IR-312100668FRA; errata filed Oct 6, 2011, 2:38 p.m.: 20111019-IR-312110588ACA; filed Feb 11, 2014, 3:12 p.m.: 20140312-IR-312130294FRA)

Notice of Public Hearing

EXHIBIT B

SUMMARY OF ORAL COMMENTS RECEIVED DURING THE PUBLIC HEARING CONDUCTED ON NOVEMBER 29, 2016:

Sue Wright, Porter, Indiana

Wright stated she is a lifelong resident who does not want alcohol at the Dunes State Park. Wright offered that a lake setting with “tons of little bitty kids” and swimming is not the place to be inebriated and that she believes people at weddings and other events imbibe more than they normally do at home or other places. Wright commented that she does not think the Dunes State Park is the place for alcohol and a banquet center for somebody else’s benefit and not the State of Indiana. Wright offered that the park should belong to the people and reflect what the people want.

Ann Moodie, Burns Harbor, Indiana

Moodie stated that she grew up and spent summers on the beach of Indiana Dunes State Park and wants the Dunes to be protected. Moodie stated that she is a nurse and described the effects of various levels of blood alcohol content (BAC) on the human body. She offered that one drink of champagne for a wedding couple should be sufficient for them and commented that, normally, people drink a lot more. She offered the question: “Is this what we want at the Dunes?” Moodie stated her observation that the Pavilion “sits right on the beach” and opined that people will be drinking and fighting, getting into accidents and children will be hurt. Moodie offered that impaired senses could result in swimming and other risk taking behaviors while experiencing, disorientation, confusion and a lack of coordination.

Jeanne Hayes, Jackson Township, Indiana

Hayes stated that she was told by some people that the time set for the public hearing made it difficult for people to attend and that some people could not figure out where Woodland Park was, although she observed it to be a wonderful setting. Hayes stated that she frequents the dunes, once or twice a week and never felt the need to have a beer with her as she visits. Hayes stated that people enjoy the dunes and she does not understand how the dunes will be enhanced by this proposal because “we don’t go there for that.” Hayes stated her observation that she and others admire and respect the lake and to add alcohol just does not make sense.

Paula Wiese, Chesterton (Liberty Township), Indiana

Wiese stated that she teaches at Portage High School, has been a lifeguard and has taught swimming and lifeguards. Wiese stated that alcohol and swimming do not mix. Wiese commented that she is aware children are on the beach and observed that you do not need any kind of a drink for a child to be pulled under the water. Wiese also commented that many children would attend weddings at the pavilion. Wiese offered her thought that “we” do not need the pavilion or alcohol and that neither is necessary. Wiese stated that “we” have lived this long without it and can continue without it in much the same manner.

Julia Roesler, Union Mills, Indiana

Roesler stated that she “loves” the dunes and feels that there are many valid reasons why there should be no alcohol at the Indiana Dunes State Park. Roesler observed that it has become a playground for families and a place for children to enjoy nature. Roesler expressed her disappointment in the legislators and Governor Pence because it appears to her that their main concern was to return a favor to someone who has contributed mightily to the Republican Party in Indiana. Roesler stated that everyone should wonder how the District 1 Chair was able to “ink a contract” with DNR to remodel the pavilion into an establishment, with a banquet center to serve alcohol at the most beautiful beach in Indiana. Roesler commented that she perceives the appearance of “shenanigans”. Roesler stated that the contract is unfair to local businesses because the contract allows the nonpayment of taxes on the land and low base rent that will not increase for at least 30 years. Roesler commented that the rule limits the vendors who can sell alcohol in the park and prohibits individuals from bringing their own alcohol into the park. Roesler stated that once this rule is in place the decision will not be easily reversed. Roesler advised that the lease terms allow for termination based on the inability to sell alcohol and could require reimbursement of money invested by the vendor. Roesler recalled that alcohol was previously banned for years and that the park is an amazing success without alcohol, despite the current condition of the pavilion. She stated, “The cost to taxpayers will never be cheaper.”

Thomas Woronecki, Hobart, Indiana

Woronecki observed that sometimes people under pressure make bad decisions. Woronecki advised that is the reason that the legislature and DNR have agreed to alcohol on the beach. Woronecki observed that the parking lot is tight in the summertime and is a “logistical nightmare” for driving. He offered that in some parks it might work and not be a problem because those parks, like Turkey Run, have a restaurant and an inn. Woronecki stated that they are going to see people die. Woronecki offered that some people are responsible and present at the hearing. Woronecki stated that they are not teetotalers. Woronecki commented that there is a right place and the park is not the right place because of the logistics. Woronecki stated that this decision is creating a disaster that is waiting to happen. Woronecki recommended that the State of Indiana “bite the bullet” and reimburse Pavilion Partners now or it will be more expensive later.

Sandra Johnson, Porter County, Indiana

Johnson represents Woodville Foundation, which has approximately 60 members and she stated that she came to the hearing to “back the Dunes Action”. Johnson notes that the designated area does not include the Dunes campground. Johnson stated that she has a “dear friend” who is a DNR officer and the officer told her that they cannot even open “ice boxes or things they put the food in” to make sure patrons do not have alcohol. Johnson stated that the conservation officers have to see somebody in the parking lot with a bottle of beer or someone inebriated on the beach and that is the law. Johnson commented; “So, there’s good reason why we are opposed to this.” Johnson questions how this will enhance “our part of Indiana” and stated her belief that there is no answer because there is no enhancement for the citizens. Johnson commented that there are only 12 miles of beach and that they are trying to protect it, “even if our legislatures have become invisible, and they have, and so we want to save what we are sure to lose if we don’t fight it.” Johnson stated that her group will continue to endorse Dunes Action.

Pamela Cole, Chesterton, Indiana

Cole stated that she has lived in the area since 1983. Cole expressed her thanks for the hearing being scheduled at a northern location instead of in Indianapolis because it made it easier for people to attend the meeting. Cole stated that in her reading of the rule she determined that the Indiana Dunes State Park and a swimming beach are the same; so she requests no change to the rule. Cole commented that no one in northwestern Indiana gets married in January because the snow is unpredictable. Cole also commented that she and her husband were married in January and it snowed. Cole offered her opinion that no one will have weddings and invest that kind of money from November until March, so the Pavilion will not be used during those months, because of potential snowstorms. Cole recalled that she has watched a rainstorm come in and it was frightening. Cole recommends that people who are making the decisions on this issue need to stand on the beach and watch the storms coming in so they know what goes on in the area. Cole stated that the whole project is “udder foolishness.” Cole expressed that she does not understand how anyone could approve a situation that results in money being invested in a wedding 170 feet from the water, which is a swimming beach, storms coming in and then allowing alcohol on top of that. Cole predicts that first responders to any tragedy would be search and rescue teams from Chesterton, Porter and Burns Harbor and that Valparaiso would be involved in the search and recovery of a dead body. Cole stated that this situation will be a “tragedy waiting to happen” and a drain on our community. Cole commented that three times this was voted “no” because “we” understand the power of the water. Cole stated, “We don’t want alcohol brought back to the beach because we don’t want the tragedies coming back.” Cole recommends no change in the rule or an exception allowed because this area is different.

Andrew Slager, Highland (Lake County), Indiana

Slager was a seasonal employee of the Dunes State Park. Slager stated that his bosses were sitting in the back row and stated that he is confident he will not be called back after making his comments. Slager stated, “There is no place for alcohol at that park.” Slager recalled that in 2016 there was a drowning and that he does not know if alcohol was involved for the victim; but he believes that there was alcohol involved for the victim’s associates. Slager commented that the park staff does not have the capacity to control drinking on or near the beach because there are not sufficient security patrols. Slager commented that there is no way to prevent someone from going from the banquet hall to the beach. Slager also commented that it is a mistake to allow alcohol but if there is going to be alcohol in the park it needs to have more restrictions and be nowhere close to the beach. Slager commented that, in the past, due to violence, alcohol at the campground was a major reason for the initial rule concerning alcohol use.

Jen Woronecki-Ellis, Hobart, Indiana

Woronecki-Ellis stated that she represents the Sierra Club and stated that the vast majority of group present at the hearing wants the strongest restriction possible that would “basically make it not feasible to sell alcohol”. Woronecki-Ellis also stated that “allowing liquor will destroy the serenity of an irreplaceable natural area that is so dear to not only the community; but to people who travel to the dunes from around the world to experience this rare

ecosystem.” Woronecki-Ellis commented that people will not travel around the world to drink alcohol and that alcohol will not be a draw but a deterrent.

Paul J. Mache, Chesterton, Indiana

Mache stated that he is a member of Dunes action and stated that they were told that the Pavilion was going to be remodeled. Mache recalled that some thought it was a great idea and some did not. Mache stated that afterwards, they received news of a liquor license; a big restaurant with a banquet hall attached to it, potentially a marina and a hotel, etc. Mache stated that they petitioned against a permit using the laws at the time and won. Mache stated that afterwards, “Pavilion Partners went down to Indianapolis, cashed in a whole bunch of IOUs, and got this omnibus piece of crap that the legislature voted on” that allowed DNR to give permits to anybody at any state park. Mache stated that this comes down to one thing, because alcohol cannot be sold on the beach; “The Pavilion is on the Beach.” Mache commented: “Too bad Pavilion Partners, you lose.” Mache stated that Mr. Williams, from Pavilion Partners, said he could not “make a buck” if he did not get a liquor permit. Mache stated that millions of people come to the Dunes State Park in the summers and if Mr. Williams is unable to “make a buck by selling pop, ice cream and sandwiches to those people, you don’t know how to run a restaurant.”

Chuck Moseley, State Representative

Rep. Moseley is a State Representative. Rep. Moseley stated that he felt compelled to be at the public hearing to show his support for the people present at the hearing as he has supported them throughout this ordeal regarding this legislation that passed through the general assembly. Rep. Moseley stated that he was also present at the hearing to give those present an idea. Rep. Moseley stated that he believes most people were present because they do not want alcohol at the Dunes State Park. Rep. Moseley stated that he wants them to be mindful of what brought them there. Rep. Moseley stated that the first thing that brought them to this point was the “expansion of privatizing public services and local resources,” like has been done with prisons and like they think they need to do with education. Rep. Moseley stated that this is an effort, through public-private partnerships, to privatize our public parks system. Rep. Moseley stated that, as a legislator, he does not discount their position and supports their position regarding alcohol. Rep. Moseley also stated that he is the most upset with “taking away local control for ourselves and our economy and our destiny”. Rep. Moseley advised that there will probably be between 600-700 bills filed in the upcoming session and about 300 bills will be heard in some way. Rep. Moseley stated that, “If I were to file a bill for you to make this go away, I can tell you today, because of the supermajority and the trifecta government control, my bill would never be heard. It would never reach committee. It would die a natural death.” Rep. Moseley stated that, out of the 300-400 bills that may be heard, “if I find a bill that can be germane to this issue” he pledged his intention to file an amendment with his colleague. Rep. Moseley recalled that last week he stood on the floor of the House and swore to uphold the Constitution of the United States. Rep. Moseley commented that, as far as he is concerned, the people present at the hearing had a “God given right, that’s your First Amendment right” to have signs and applaud.

Mark Jaeger, Jackson Township (Porter County), Indiana

Jaeger is a Jackson Township Advisory Board member, is against the rule and is trying to find some way to restrict the serving of alcohol at the Indiana Dunes State Park. Jaeger stated that he has public safety concerns. Jaeger commented that he is from a rural area and is concerned that local tax dollars for emergency services will be used to serve a public entity that has made wrong choices or does not have proper security. Jaeger also expressed his concern that local emergency services will be pulled from other rural areas in Porter County for this “folly on the lake.” Jaeger stated that he is for a restriction to serve only 3.2 beer, that is only served between 12:00 and 1:00 in the afternoon and only between November and March.

Duane Davison, Valparaiso, Indiana

Davison stated that he wants to speak to the people “behind the curtain” who will review these comments after the meeting. Davison stated that over 10,000 people signed a petition against the Pavilion project and the liquor. Davison commented that he doubts that any more than just a couple of the 300 bills referred to by Rep. Moseley presented to the legislature have as much opposition as this project has had. Davison offered his thought that most of the over 175 people present at the hearing were opposed to but do not stand to profit from this. Davison offered that at a previously meeting the only people who spoke stood to profit. Specifically to liquor, Davison stated that whether the restriction is 100 feet from the beach or the pavilion, it is all a game. Davison states that he sees this as similar to the parameters on Casinos that are illegal and immoral, except when there is water around it, and then it is “great”. Davison states that this creates a liability and his desire to inquire of DNR or any of the individuals who are tied to the project, “Is it worth it?” Davison stated that he thinks it is not. Davison stated that he expressed to the Governor, the State Representatives and the State Senators, they did not own the land. Davison stated that the state

park is ours and it is “not theirs to play around with”. Davison commented that, at all the meetings, the majority of the people expressed that they want the Pavilion to be renovated, updated and made safe but not to build onto it. Davison commented that the park is the seventh most attended park in the country. Davison reported that people have been told that money is needed to update the park and that probably something else to raise money could have been done. Davison stated that other concessions have not involved alcohol and have not received so much opposition, for over a year and one-half. Davison stated that he is looking for one individual with power to do the right thing.

Isaac Carr, Valparaiso, Indiana

Carr stated that she is a Valparaiso attorney. Carr stated that as an attorney, he finds loopholes because that is what he does. Carr offered the initial question, concerning whether the Pavilion is on or off the beach. Carr proposes to add to the rule that “it can’t be at any pavilion or banquet center located within 1000 feet of the waterfront.” Carr offered his support for the comment of another speaker who recommended a restriction between March and November. Carr recommended other limitations to offset many of the issues that he stated they are fighting, such as consideration of a “safety inspection report prior to any permit being released or even applying for a permit”. Carr offered the possibility of a time delay to allow law enforcement to prepare a report to say whether they can handle it or not. Carr also stated the possibility of a “tremendously large licensing fee” to offset the additional tax burden due to the lease contract. Carr also stated that maybe a public hearing could be required every time somebody wants to apply for one of these permits. Carr stated that he would like to shift the burden back to what has already been done and encourages people to keep being creative.

Marti Pizzini, Chesterton, Indiana

Pizzini stated that we stand to lose a great deal with these facilities being on the beach. Pizzini commented that she would miss the flow of the seasons and that there will not be a lot of “day fading into night” with three or four bars on the beach open until all hours. Pizzini reported her observation that people with telescopes would be upset about lighting in parking lots. Pizzini recommended that no alcohol be consumed after sunset or before sunrise or during months when the park is closed to swimming.

Donald Frame, Chesterton, Indiana

Frame stated that he and his wife have been in Porter County for over 60 years and that he has enjoyed the park with his wife, his kids, grandkids and now his great grandkids. Frame commented that, at some time when they had problems and permitted alcohol, he and his family did not go to the park because he did not want to take the chance and that was corrected. Frame stated that he likes to have a bottle of beer occasionally and understands the hearing officers are not present to hear the problems related to alcohol. Frame recommends that the “NRCS [NRC] reject this proposed rule and make them come back with something else.” Frame commented that at least Williams and his associates would not be carrying their money out in buckets full. Frame suggested that the NRC let them come back with another rule.

Maureen Foos, Chesterton, Indiana (see also hand delivered written comment)

Foos referenced IC 7.1-3-17.8 in the proposed rule. Foos stated her determination that the statute was counter to the democratic process previously established in Indiana in that it allows the issuance of alcohol permits without public notice or comment. Foos went on to state that it also creates an unfair advantage between permittees and competing businesses because they do not need to go through the process that everyone else does and that it exempts the permit holder from paying taxes to renew or transfer the license. Foos stated that all other permittees must have taxes paid before a renewal or transfer. Foos stated that perhaps the NRC cannot rewrite the Indiana Code and she proposed that the word “Anti-democratic” be added before the rule title and to the statutory reference within the rule.

Foos also referenced IC 14-8-2-2(a)(3) and stated that the statute allows for construction and operation of lodging, food and other “outdoor recreation”. Foos stated that the banquet center is for indoor parties, not outdoor recreation. Foos stated that she recommends that the rule be amended to be limited to “outdoor recreation.”

Foos also referenced IC 14-8-2-3(b)(5) and stated that it is designed to make the facilities available to a maximum number of citizens. Foos stated that banquet center events are by invitation only and that would minimize access to the citizens of Indiana.

Foos also referenced IC 14-8-2-3(e) and stated that it allows consumption in the Pavilion and within 100 feet of the Pavilion and pavilion parking lot. Foos stated that she recommends the interpretation be limited to the currently existing Pavilion building, not any extension or new building.

Sierra LaFreniere, Westville, Indiana

LaFreniere stated that she is 20 years old and that she is a biology student with an ecology minor at Purdue. LaFreniere stated that she would like for the rule to be restricted as much as possible. LaFreniere commented that she is not yet of drinking age but she and her classmates agree that alcohol should be restricted as much as possible. LaFreniere stated that she hikes at the dunes and is learning more about biology there. LaFreniere commented, "If everyone says no, why is it yes?"

Norman Hellmers, Valparaiso, Indiana (see also hand delivered written comment)

Hellmers thanked the hearing attendees for their attendance and offered his encouragement for the people in attendance to attend future meetings for this and similar issues. Hellmers encouraged online comments to the NRC through the NRC website. Hellmers stated that in June of 2014, in Valparaiso, the alcohol permit was not approved and that he was one of four people who spoke. Hellmers advised that the ATC remanded it back to the local board, where over 500 people were present and it was denied and that when it went to the State ATC, it was denied again. Hellmers stated that the "Land and Water Conservation Fund Act" requires DNR to have had public hearings that were not held and he stated that he feels that the people have been overlooked. Hellmers commented that the burden of listening to the will of the people is now on NRC. Hellmers read the Mission Statement of the NRC, "The Commission is committed to ...facilitating receipt of professional opinions and comments from the public at large for incorporation into decision making responsibilities." Hellmers offered his own professional opinion and identified his qualifications as an expert, including 34 years of experience in parks and recreation, beginning in 1969 in Nebraska. Hellmers continued that in 1972, he began 32 years of service with the National Park Service in the "preservation and management of natural and cultural resources". Hellmers offered his opinion that, this is a bad idea. Hellmers added, in addition to the comments at the public hearing and the online comments to the NRC, 10,000 signatures in opposition were provided to the NRC at the last meeting. Hellmers stated that there would have been more but for the "illegal interference" by the staff of the state park that were stopped by the threat of legal action by the ACLU. Hellmers asked: "Just how many signatures would it take to listen to the public's will?"

Hellmers stated that he discovered five false statements in DNR's Fiscal Statement. Hellmers listed these in his oral presentation and in his written comments that he hand delivered to the hearing officer at the hearing. Hellmers stated that the first false statement by DNR is: "There are no new costs for businesses." Hellmers stated that local businesses will suffer financially. Hellmers stated that the second false statement by DNR is: "There is no expectation of change in requirements or costs for state or local government as a result of this rule amendment." Hellmers stated that due to the availability of alcohol, he anticipates additional costs for law enforcement due to emergencies, traffic incidents, traffic management violations (OWI) and other related incidents. Hellmers stated that the third false statement by DNR is: "There are minimal new compliance or administrative costs for DNR." Hellmers stated that he anticipates more than minimal park management and law enforcement costs. Hellmers stated that the fourth false statement by DNR is: "There are very few new enforcement requirements for DNR." Hellmers stated that DNR has stated no additional Conservation Officers will be added. Hellmers stated that he anticipates local law enforcement will be needed to ensure public safety and to respond to alcohol related incidents. Hellmers stated that the first false statement by DNR is: "DNR believes the direct and indirect benefits of this proposed rule amendment justify the need for Indiana Dunes State Park to fulfill the legislative intent of IC 7.1-3-17.8 with negligible new requirements or costs for DNR." Hellmers stated that the "benefits" of alcohol have not been laid out for the park and that the only rational seems to be increased funding for other state parks. Hellmers stated that the Pavilion does need restoration in an appropriate way and that alternate funding sources have not been discussed with the public.

Hellmers stated his recommendation that the NRC not approve this rule change and stated, that just because the law says you can do something does not mean you have to do something. Hellmers concluded by stating: "Listen to the people."

Rodney Pol, Jr., Chesterton, Indiana

Pol stated that he is a lifelong resident of northwestern Indiana. Pol commented that he was not aware until the public hearing that he could propose restrictions and he proposed to the people attending that they brainstorm. Pol asked for the NRC to fulfill its obligation to protect our natural resources. Pol referenced the Miller area aquatic center in Gary. Pol stated his observation that there were good results for the area. Pol also expressed his observation that it changed the culture of the area so that now there is an alcohol problem in that area. Pol stated that when the City Court began to enforce the law, it clogged up the courts with thousands of ordinance violations and took additional time from law enforcement staff. Pol stated his desire for the NRC to consider the impact on local law

enforcement and who should pay those costs to further subsidize private investments. Pol concluded by stating, “Not only do we have to put up with it, but now we have to pay for it as well.”

Herbert Read, Valparaiso, Indiana

Read stated that he is 90 years of age and he remembers that sand is underneath the sidewalk. Read recalled that he and his family have had difficulties with the misuse of alcohol. Read offered some examples and stated that when his children were teenagers they lived just south of the Indiana Dunes State Park on State Park Boundary Road, just east of the main entrance. Read went on to state that on an occasion, he and his family drove to the park entrance to find a “fuel induced riot” and went home while other people were trapped on the beach with “flying alcohol bottles.” Read also stated that on another occasion, he participated in a birthday party for his three year old granddaughter at Wilson shelter when a group of “alcohol induced people” came and broke it up and they left. Read also stated that on one occasion his daughter and her husband camped at the Indiana Dunes State Park and his son-in-law asked a “riotous alcohol party” in the tent next door to them to be quiet. Read stated that after they were threatened physically, they went home and have not returned to the park. Read stated that he heard at the hearing that the rule cannot override the law passed by the legislature. Read advised that the U.S. Constitution overrides the statute. Read stated that he had a message for DNR staff because he read in the newspapers that DNR believes they can build a three story building on the sidewalk. Read stated that he believes and is supported by Pavilion Partners, that the sidewalk needs to be removed and footers placed at least three or four feet down. Read stated that he wants DNR to stop making that argument because it is false. Read also stated that he thinks it speaks volumes that Mr. Williams was not present at the hearing.

Charlotte Read, Valparaiso (Liberty Township/Porter County), Indiana

Read stated that she previously dealt with the Natural Resources Commission and appealed rules that the Commission approved long ago. Read stated that the NRC formally approved DNR’s choice of Pavilion Partners. Read stated that she is not aware of any member of the NRC who comes “anywhere near” our Indiana dunes and “demands” that DNR come to Northwest Indiana for final adoption of this “lousy” rule.

Jeff Cefali, Valparaiso, Indiana

Cefali stated that he has been an attorney for 40 years and has been a judicial hearing officer. Cefali proposes a restriction to prohibit outdoor events where alcohol is served because it is too congested. Cefali commented that in good weather there are 100s of children running thru the parking lot. Cefali advises that having inebriated drivers who are navigating the parking lot with children racing through it should be thought through. Cefali stated that previously alcohol was banned because of fights with serious injury due to a lack of proper supervision. Cefali stated that proper supervision and security should be paid for by the developer. Cefali also supported the proposal of a prior speaker for a 3.2 beer restriction. Cefali also proposed a restriction to prohibit loud music or music being heard outdoors because sound carries for miles over the water that will ruin the atmosphere of this “serene nature park.” Cefali stated his belief that State government has purposely worked against the will of the majority of people and finds that to be disgraceful.

Sue Brennan, Chesterton, Indiana

Brennan read the following NRC Mission Statement: “The mission of the Natural Resources Commission is to provide leadership in the responsible management and use of the natural and cultural resources of Indiana, consistent with directives made by the Governor and the Indiana General Assembly.”

Brennan stated that the hearing officer has heard the reasons of many why the legislation should be deleted for this state park. Brennan states that other states parks may be able to do it, and do it well, alcohol is not safe here.

Sylvia Graham, Valparaiso (Porter County), Indiana

Graham stated that she is a County Council member and was recently reelected to her third term. Graham stated that the responsibilities of the County play into her request to deny the proposed rule amendment. Graham stated that the people feel like they were never included in this entire process. Graham also states that this is a “People’s state park” and that she feels that there will be additional costs to the Porter County Sheriff’s Department. Graham advised that they have been informed that Pavilion Partners will have security inside the building but not outside. Graham stated that this protection will be at a cost to Porter County and the first responders for nearby cities and towns and that this is an “undue financial burden” on the people. Graham stated her conclusion that Pavilion Partners will be making good money and the taxpayers will be paying for it.

Gary Brown, Valparaiso, Indiana

Brown stated he is the Vice President of Isaac Walton in Porter County and that this is a “façade.” Brown stated that the main partner with Pavilion Partners is a City Council member in Valparaiso who has no hospitality experience except for being the franchise owner of a Buffalo Wild Wings on the square. Brown commented that his other partners have fled. Brown stated that Dunes Action has documented evidence that volunteers come into the park and pick up trash because DNR cannot keep up with the trash at the park, including alcohol bottles on the beach. Brown advised that Williams has made contributions to candidates in the state and “this is pay back”. Brown expressed his concern that we are the “Guinee pigs” for what is happening all over the country. Brown stated that this is a preplanned public-private partnership that other groups are ready to help litigate. Brown advised that this is why they want all of this “on the record”. Brown stated he is against things being done behind closed doors. Brown stated that he found it ironic that the candidates that Williams has supported over the past 10-12 years have reduced the budget of the DNR. Brown stated that the DNR regularly takes over a half a million dollars in profit from the Dunes State Park back to the DNR budget instead of reinvesting it in the park. Brown advised that “Dunes” is the most popular park in the state and the seventh most popular in the country. Brown stated that the campgrounds are being degraded and falling apart because DNR does not have the money or the staff to maintain them. Brown stated that the people in hospitality will know that the “real money on the table are those bus tours” to use the park for a “view of the skyline as soon as the storm clouds clear”. Brown also stated that storm chasers may want to witness a storm and they could sell that too. Brown stated his conclusion that there is a liability that comes with alcohol and if promoted out of state, the liability will include out of state litigation.

Brown stated that Isaac Walton loves the DNR and hates that their budget has been cut. Brown stated that: “Anyone who has been in the meritocracy of the DNR knows that they have been sold out by the state legislature on their budget. Brown stated that having “public private partnerships” is giving away land so that somebody else can make money on it.

Brown commented that he recently visited Pokagon State Park, at the Potawatomie Inn. Brown observed that the Inn has clearly marked signs saying “no alcohol beyond this point” approximately six feet from the door, 100s of yards from the lake, for their liability. Brown commented that at that park DNR made an investment and restored an old building and DNR gets more investment from a separate subsidiary of the DNR that just runs those hotels. Brown stated that is a good model and asked that DNR “go back to your roots of what was good with the DNR, please.”

Ian DePerio, Portage, Indiana

DePerio stated that he wanted to share his firsthand account of working for a lighting company based in Chicago for three years that does corporate business parties and weddings. DePerio stated that we really do not want that sort of “obnoxious inebriation” on the beach. DePerio stated that there will be lots of trash. DePerio stated that this park is supposed to be safe and clean and he does not believe that will be maintained. DePerio commented that he is an undertow survivor who was not intoxicated. DePerio stated that he is aware that when there is a pool at a party, drunken people wind up in it; and he stated his belief that alcohol presents an endangerment to the lives of people.

Pam Rearick, Chesterton, Indiana (see also hand delivered written comment)

Rearick stated that she has lived in Chesterton for 43 years. Rearick stated that she would like the rule to be rejected by the NRC in reliance on the NRC Mission Statement and the NRC obligation to protect natural resources. Rearick also stated that, as a pragmatist, if it is not rejected, she brainstormed and proposed the following restrictions: (1) DNR must provide 24 hours a day and seven days a week increased security in the park; (2) Conservation Officers must be on the premises whenever liquor is served (3) Hours and days when alcohol can be served should be regulated so that it causes the least disruption to use of the beach; (4) Recognize that the Pavilion is on the beach and state such in the rules; (5) Restrict any entrance and exit from the restaurant or banquet center so they cannot go on the beach; and (6) Require DNR to provide medical staff on the premises when alcohol is being served. Rearick also stated that she agrees with everything everybody else has said and asked those present to go to the NRC website and submit proposed restrictions to make it difficult for them to operate.

Donna Mannen, Porter County, Indiana

Mannen stated that she suspects the changes have been proposed by those who have not visited the park. Mannen stated that she anticipates a change will also create a change in the dynamics of the park in a negative way. Mannen reported her observation that the Pavilion was neglected for decades. Mannen stated that DNR wants to expand use of the park to 12 months of the year. Mannen stated that she does not think anyone would visit a restaurant or banquet center in months when there is not nice weather. Mannen observed that in nice weather, the parking lot is full and visitors are turned away. Mannen reported that, on August 13, 2016, she and her husband saw a drowning

victim pulled from the water and it was horrible thing to watch. Mannen reported her fears there will be more of that and wants restrictions if there is going to be alcohol in the park.

Sharon Grubb, Chesterton, Indiana

Grubb stated that she has lived in Chesterton for over 68 years and that she enjoys the serenity of the Dunes that cannot be replaced or duplicated anywhere. Grubb stated that Pavilion Partners built and maintain the “Comfort station.” Grubb stated that she took her grandchildren there two days after the Fourth of July and found that the toilets did not flush, one faucet was working and only one of 10 shower spigots was working. Grubb stated that if this is how Pavilion Partners takes care of our precious resource, she suggests getting together to stop this, because they are not caring for it with the same respect that the group does.

Margaret Willis, Chesterton, Indiana (see also hand delivered written comment)

Willis stated that she is a lifelong Porter County resident. Willis commented that the Comfort Center was poorly planned and that even if there had been one public hearing about the Comfort Center, the planners would have known the building would not work. Willis stated her expectation to see the entire NRC at the meeting but stated her appreciation that the hearing was scheduled in the County, although it was not scheduled in the community adjacent to the park. Willis stated that permitting alcohol sales in the park would be a disastrous decision. Willis commented that Richard Lieber urged protection of the wild, rustic and natural aspects of our state parks, “not bars”. Willis stated that the historic beach pavilion is on the beach and that alcohol permitted there will be “on the beach”.

Willis stated that the project was conceived and the lease signed in secret, with the contract being awarded to a high level Republican. Willis stated that DNR failed to follow its own rules regarding public access and input on long term planning for public parks and that there has not yet been a proper public hearing by DNR. Willis stated that the project proposal failed to consider the alcohol ban in the park that was in force for over 25 years and she stated her determination that the proposed rule overturns good public policy. Willis stated that a change would represent “pay to play politics” at the expense of a taxpayer owned natural retreat.

Willis also stated that public safety in the park and the dangerous waters of Lake Michigan should guide decisions. Willis expressed her objection to exposure to drinkers by lifeguards and families. Willis also stated that the public policy allowing guests who leave the park onto SR 49 after drinking should be considered. Willis advised that the local ABC Board ruled against an alcohol permit and the State ATC denied a permit. Willis stated that legislation was passed after a petition and hundreds of letters sent to local papers and to legislators. Willis stated that anyone who favors this proposal “favors bad government”.

Willis closed by asking the NRC to listen and protect the park, the visitors, the dunes and the wildlife. Willis expressed her desire for extreme restrictions and to vote “no” on it if at all possible.

Kevin Ledbetter, Valparaiso, Indiana

Ledbetter stated that in his early years, he learned to appreciate the outdoors and hiking. Ledbetter commented that he quit going to the park to avoid the seediness of the dunes until alcohol was banned in the 1990s. Ledbetter advised that now, a “politically connected investor group has their eyes on the profits that can be made by selling alcohol in the park.” Ledbetter stated that the Mission of the Indiana Dunes State Park and Reservoirs is to “Manage and interpret our properties unique natural wildlife and cultural resources using principles of multiple use and preservation while sustaining the integrity of these resources for current and future generations.” Ledbetter stated that he does not see how this proposal fits in the Mission. Ledbetter added that on a summer day, he is aware that many children are in the busy parking lot and drivers who have been drinking will be more likely to injure the children. Ledbetter also stated that alcohol inhibits a person’s ability to swim and there would probably be more drownings each year. Ledbetter also stated that Indiana is an open carry state and alcohol in the park would increase the possibility of gun violence in the park. Ledbetter stated that we need to defend our state parks against private interests that intend to exploit natural resources for private profit. Ledbetter stated that his position is that the NRC should prevent sales of alcohol on the beach and that the pavilion is “on the beach”.

Linda Emanuelson, Porter, Indiana

Emanuelson stated that she has been an emergency room nurse for over 32 years. Emanuelson commented that she has had occasion to wish that patients could watch themselves when they are drunk. Emanuelson reported that she was driving and watched a van weaving on the “80/94” expressway just before the Porter exit, before it went over the ramp while she was on the phone with 911. Emanuelson reported that when first responders arrived, she asked an officer if he was drunk and the officer nodded. Emanuelson stated that she lives a mile from the Dunes on Route

12, a curvy road with lots of semis and deer. Emanuelson stated that she is concerned that someone drinking too much alcohol may be swerving as they drive because they drank too much. Emanuelson also stated that the trail along the road runs in and out of the Dunes. Emanuelson stated that her hope that everything people are saying is taken into consideration.

Rose Aaron, Chesterton, Indiana

Aaron stated that she is a Dunes Action member and is proud of the work they have done over nearly two years. However, Aaron stated that her testimony was as a user of the Indiana Dunes State Park, almost daily. Aaron stated that she spoke to many people at the park and has gathered many of the petition signatures. Aaron stated that no one she spoke with told her that they come to the state park to have “booze”. Aaron stated her plan to brainstorm as many restrictions as possible and get them in before the deadline of midnight on December 1 to the NRC.

Dennis White, Crown Point, Indiana

White stated his belief that nothing will stop beach goers from going back and forth to drink in the Pavilion. White stated that DNR is wrong and the Pavilion is on the beach. White stated that after a time, people will bring their own alcohol and the lifeguards do not need to deal with drinkers.

Audrianna Beristain, Portage, Indiana

Beristain stated that she thinks the dunes are wonderful but sees erosion is an issue. Beristain commented that she has seen the impact of erosion of dunes near the homes on Portage Beach. Beristain stated that she feels that a steel framed building with three bars in it will eventually come down. Beristain stated that Indiana has plenty of DUI and drunken driving issues and that this additional sanctuary to drink is not logical. Beristain states that in Portage, Miller and on our national dune there are signs advising people to not walk on the dune. Beristain stated that people who come will do whatever they want and they will ruin the dune by walking where they want, leaving beer bottles and by being drunk and driving around.

Jim Nelson, Chesterton, Indiana

Nelson stated that he is a member of Dunes Action. Nelson commented that he lived outside the United States for many years. Nelson continued to comment that, after his return, he saw the general erosion of community, including reckless driving. Nelson stated that he once went to the Dunes State Park for a faculty gathering with his father and saw a faculty member get loud and profane after about a half a beer. Nelson stated that some people do not need two beers to put them over the edge. Nelson also stated that he has seen people struggle with anger management and sees issues with the gun culture. Nelson stated that he has observed at alcohol related events he has attended, that suddenly there was a weapon and if there is no gun or knife available, a broken beer bottle will do the trick. Nelson stated that without adequate security, rapid response that may prevent life changing damage may not be available because State Road 49 it is only a two lane road. Nelson stated his belief that this will create damage to the economy and “one more nail in the coffin” of the sense of community for Chesterton, a community that needs stability.

Deanne Manojlovic, Chesterton, Indiana

Manojlovic stated that she thanks Dunes Action for keeping the fight going. Manojlovic stated that people do not realize the “power of the Lake.” Manojlovic commented that at Miller she has seen officers tell people to get out of the water and they get out until the officer leaves and then they get right back in. Manojlovic stated that if you mix alcohol, you will have a larger problem. Manojlovic states her hope that the NRC honors its Mission Statement now that they are made aware that decisions were made against the will of the community without following the laws. Manojlovic stated that DNR just “stepped all over them.” Manojlovic stated that to accept a permit issued by DNR without any restrictions on DNR would be egregious and immoral on the part of the NRC because the NRC has now been made aware that DNR is not looking out for what is best for our community, the State of Indiana and our natural parks.

**WRITTEN COMMENTS RECEIVED DURING THE PUBLIC HEARING
CONDUCTED ON NOVEMBER 29, 2016:**

To: Indiana Natural Resources Commission
From: Maureen P. Foos, of Chesterton, IN

Re: LSA #16-369

November 29, 2016

I oppose implementing LSA #16-369 as it pertains to allowing alcohol at a banquet center at the Indiana Dunes State Park for many reasons.

The Banquet Center should not be considered as a restaurant. Banquet centers operate under a completely different premise: They are only available by reservation, attendees are invitation only, they are not open to the general public. The events are dissociated from the surrounding environment, so while enjoying state-tax support, they do not enhance the state park experience. They provide alcohol to a large group of people all at once so that the alcohol-driven behaviors are increased, rather than restrained, by the surrounding guests. Poor judgment results, risky dangerous behavior would increase, adjacent to the ever-changing conditions of Lake Michigan. Even without alcohol complications, there are drowning deaths every year in the Great Lakes; permitting alcohol at large gatherings on the Lake Michigan shore will only increase the incidents. The more aggressive and disrespectful behavior of the attendees, as well as loud amplified music, would destroy the current family-friendly atmosphere.

IC 7.1-3.17.8 is counter to the democratic process previously established in Indiana:

- It allows alcohol permits to be issued without public notice or comment, without consideration of local or state boards, and without regard to the quota provisions disregards the safeguards enacted decades ago to prevent the alcohol monopolies and misuse that Prohibition failed to solve. It should be noted that the local & state alcohol control boards *repeatedly* denied this permit; over 10,000 signatures were collected indicating citizens' opposition to it.
- It creates an unfair advantage between the politically well-connected permittee and all other competing businesses.
- It exempts the permit holder from the requirement of paying their taxes in order to renew or transfer the license, another unfair advantage.

IC 14-8-2-2a.3, allows for construction and operation of lodging, food, and other outdoor recreation: This implies the alcohol permit is considered to be part of regular food service for those coming to enjoy the park. The banquet center by definition is not part of "outdoor recreation", its only purpose is to host indoor parties.

Section 3.b.5 states Facilities provided will be available to the public without discrimination and at charges designed to make the facilities available to the maximum number of citizens of Indiana. The banquet center events are invitation only, and therefore highly restrictive, actually minimizing the access to citizens of Indiana.

Section 3.e allows alcohol consumption in the pavilion and within 100 feet of the pavilion and pavilion parking lot. This should be interpreted as only the currently existing, historical Pavilion building, and not extended to additions or new buildings. Allowing alcohol consumption outside the pavilion should be struck from the rule, as it does not enhance outdoor recreation, but increases risky behavior, and undermines the family-friendly focus of the beach that currently exists.

A banquet center in the state park conflicts with the DNR's Mission Statement of "managing and interpreting state properties' unique natural, wildlife, and cultural resources...sustaining the integrity of the resources, for current & future generations."

- The banquet center is not related to these resources; its very intent is to focus entirely on the event being privately celebrated by the privately invited people.
- It does not sustain the integrity of the resources. It will introduce artificial light, ruining the dark sky; it will introduce loud amplified music, ruining the natural sounds; it will cause deaths of thousands of migratory birds.
- The proposed banquet center is on a major, continental bird migration pathway. It represents real risk of high numbers of migratory bird deaths on its windows; yet the Pavilion Partners' response is incredibly insensitive to this issue: They would consult with Cardno JFNew to minimize the bird collisions; and that since the building won't be taller than the surrounding sand dunes, there should be no more deaths on the building than there are on the dunes. This is an amazingly ignorant statement, since:
 - Consulting is not the same as taking action
 - "minimize" is extremely ambiguous – are they going to do something so that rather than 100,000 birds colliding with the building, only 99,999 birds will?
 - Sand dunes have existed for 1000's of years, so are part of the birds' migration path. The building is not.
 - Sand dunes do not reflect sky & water, masking the hard surface that glass walls do.
 - Sand dunes affect the thermal air flows in a natural manner understood by flying birds. Buildings do not.
 - Sand dunes provide food, and shelter for resting birds. Buildings do not.
 - Sand dunes do not rise up suddenly from the lake. The building would.
 - Sand dunes do not give off artificial light.
 - Even if, in spite of all this, a bird is no more able to avoid a sand dune than a building, the sand provides a soft landing. A building collision results in death.

It's not clear that another banquet center is even needed in Porter county: Indiana Dunes Tourism itself lists 38 nearby locations; yellow pages list 86 "banquet halls", and yellow book lists 123 "hall rentals" in the area.

There is no clear benefit to tax-paying citizens of Indiana. It appears this proposed rule will only benefit some politically well-connected business men, at the expense of otherwise competing businesses, local citizens, and the natural resources the State Park was supposed to protect.

Maura P. Fras
147E 1100N
Chesterton, IN
46304

NRC Hearing, November 29, 2016
Comments of Norman D. Hellmers, Valparaiso, Indiana

There are thousands of Hoosiers who are opposed to what the Indiana Department of Natural Resources (DNR) is allowing to happen at Indiana Dunes State Park. They are especially against two major issues: the reintroduction of alcohol into the park, where it has been prohibited since July 1989 and the construction of a banquet center adjacent to the historic pavilion.

The possibility of a banquet center has been highly controversial, especially since the DNR did not seek public input before making this decision as they are legally required to do by the Land and Water Conservation Fund (LWCF) Act. Until these requirements are met, the DNR faces the likelihood of legal action to stop the project.

But of immediate concern is the issue of alcohol. The Commission will receive many comments on the problems associated with alcohol, including such factors as:

- A negative effect on the park as a family-friendly destination.
- As written, the rule could expand alcohol use in other locations in the park.
- Alcohol at this beach is especially dangerous due to a variety of factors.
- There was an alcohol-related drowning at the park this summer.
- Alcohol will be available when lifeguards are not present.
- The DNR says there will be no additional conservation officers.
- Area taxpayers will be forced to pay for local law enforcement.
- It's been well documented that the public does not want or need alcohol at this park!

In addition to these comments, over 10,000 people have signed petitions in opposition to alcohol and the banquet center. (There would have been even more signatures except for the illegal interference by the staff of the State Park. These unconstitutional actions by DNR personnel were stopped by the threat of legal action by the ACLU.) I would ask the NRC: just how many signatures would it take to listen to the public's will. You tell us how many and we'll get them.

On June 11, 2015, the alcoholic beverage permit application of Pavilion Partners was not approved by the Porter County Local Board No. 1. After a review by the Indiana ATC, they remanded the application to the Local Board for a second hearing on September 10, 2015, attended by over 500 members of the public, most of whom were opposed. (Those few who spoke in favor were primarily paid lobbyists.) The application was again denied at this second hearing. The ATC unanimously upheld this decision on October 6, 2015.

In early 2016, because of their denials through normal ATC procedures, the DNR -- working with Pavilion Partners -- lobbied the General Assembly to pass legislation that would allow alcohol to be served in state parks. This was all planned without public knowledge, but the purpose of the legislation was soon made clear: to allow alcohol at the Dunes. One of the primary backers of the legislation -- Senator Alting -- made its purpose clear when he referred to the bill in a public hearing as "the Dunes bill." The skids were well-greased to get this bill passed, in spite of nearly unanimous public opposition. The ATC supported the public, but said that because of the new law, their "hands are tied." The fact that the current rule change is

limited to Indiana Dunes shows that the legislation was obviously intended to apply specifically to that park.

The DNR and the General Assembly -- with notable exceptions, such as Senator Charbonneau -- did not listen to the public. Other politicians have weighed in, such as Representative Soliday. See his flyer, which includes these statements: "Alcohol and swimming do not mix; swimming in a natural body of water and a pool [are] not the same; and, there are increased dangers when it comes to natural bodies of water due to currents that can be underestimated, underwater debris and unknown drop offs."

Now the burden of listening to the will of the people is on you and the NRC. The NRC includes this sentence in their mission statement: "The Commission is committed to . . . facilitating receipt of professional opinions and comments from the public at large for incorporation into decision making responsibilities." Can anyone here say when professional opinions were sought on this matter?

The NRC now has *its* opportunity to listen to the public. On July 19, 2016, in swift fashion, with very little time given to the public, the NRC approved the preliminary adoption of a rule amendment . . . to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park. . . . Not enough time was given to the public to ask questions or discuss the issue with the NRC members. One member of the public asked for additional time to speak, but the NRC chairman rudely responded, saying that asking for more time was [quote] "wasting time." The will of the people was rejected and ignored.

It should be repeated that it has been well documented that the public does not want or need alcohol at this park!

In addition to respecting the wishes of the public, the NRC's rulemaking must be consistent with the statements outlined in LSA Document #16-369 (see attached).

In the "Justification Statement" there are at least five false statements. They are:

1. "There are no new costs for businesses."

There will be "new costs." The cost of this rule will be to local businesses, including restaurants, bars, and banquet facilities in Chesterton and other nearby communities. These businesses will suffer financially. A reduction in revenue for a business is the same as a cost.

2. "There is no expectation of change in requirements or costs for state or local government as a result of this rule amendment."

This is also false as there is an expectation that there will be an increase in costs for state and local government. To think otherwise is absurd on its face.

The pavilion will essentially become one giant tavern on the lake. The most recent plans of the developer call for: bars on the two floors of the pavilion and in a "rooftop lounge" (all 3 levels); alcoholic beverages in a proposed banquet center (to be used as a wedding chapel and reception hall), and beer festivals and wine tastings in the parking lot. These facilities and the parking lot could all be serving alcohol at the same time. It will be one large drinking establishment.

Because of the availability of alcohol in so many venues, it can be anticipated that there will be additional costs to local and state governments for services connected with law enforcement, emergencies, medical incidents, traffic management, vehicular violations (including OWIs), and other related incidents.

These additional costs represent an unfunded mandate to the county and nearby communities who will be called upon to respond.

3. "There are minimal new compliance or administrative costs for DNR."

This rule, in addition to allowing alcohol in the pavilion, would allow organizations, private beverage operators, caterers, and similar entities to apply for permits to be used in the pavilion, in the parking lot, in picnic shelters, and other areas identified by the DNR. All of these requests will have to be managed, approved by the park, and run past the DNR's Law Enforcement Division. To say that there would be "minimal" administrative costs for the DNR is simply false.

4. "There are very few new enforcement requirements for DNR."

Generally law enforcement is performed in state parks by the DNR's conservation officers; but they can't be everywhere all the time. Currently Indiana Dunes State Park has only a minimal law enforcement presence. The DNR has stated that no additional conservation officers will be added to ensure public safety. Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, of which there are certain to be many, especially since the reintroduction of alcohol will create an environment for alcohol on the beach, in campgrounds, day use, and other areas.

5. "DNR believes the direct and indirect benefits of this proposed rule amendment justify the need for Indiana Dunes State Park to fulfill the legislative intent of IC 7.1-3-17.8 with negligible new requirements or costs for DNR."

This statement in the justification is also false. First of all, the DNR has never satisfactorily laid out what the "direct and indirect benefits" are of serving alcohol in the park. The only rationale seems to be to make money for the DNR to take care of their state parks. The pavilion does need restoration, but alternate funding options were never discussed with the public. We are still open to such discussions. Indeed, the DNR is required by law to consult with the public before proceeding on any construction, a law they have never obeyed.

These five false statements in the justification must all be addressed before this amendment to the rules can be considered by the NRC.

And here is one final thing to remember: just because the law says you can do something, doesn't mean that you have to do it.

Norman Hellmers
norm.hellmers@gmail.com
(219) 462-6222

Indiana Register

TITLE 312 NATURAL RESOURCES COMMISSION

Notice of Public Hearing
LSA Document #16-369

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on November 29, 2016, at 5:00 p.m., local time, at Woodland Park, 2100 Willowcreek Road, Oakwood Hall, Portage, Indiana the Natural Resources Commission will hold a public hearing on proposed amendments to 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8.

IC 4-22-2-24(d)(3) Justification Statement: There are no new costs for businesses. This rule amendment may result in a possible revenue increase for Department of Natural Resources (DNR). Aside from the aforementioned possibility, there is no expectation of change in requirements or costs for state or local government as a result of this rule amendment. There are minimal new compliance or administrative costs for DNR. There are very few new enforcement requirements for DNR. The overarching benefit of this proposed rule amendment is ensuring the legislative intent of IC 7.1-3-17.8 is properly regulated. DNR believes the direct and indirect benefits of this proposed rule amendment justify the need for Indiana Dunes State Park to fulfill the legislative intent of IC 7.1-3-17.8 with negligible new requirements or costs for DNR.

Copies of these rules are now on file at the Natural Resources Commission, Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana, and are open for public inspection.

Bryan W. Poynter
Chairman
Natural Resources Commission

Posted: 10/19/2016 by Legislative Services Agency
An [html](#) version of this document.

Dear Friend,

To help celebrate the 100th birthday of Indiana's state park system, this weekend park visitors will only pay 10 cents for admission – just like the folks did in 1916.

[Click here](#) to tweet about this opportunity!

This is just one of many activities planned to help celebrate Indiana's 24 state parks and eight reservoirs, while encouraging Hoosiers to enjoy time outdoors.



When near water, please remember to follow these safety tips:

- Wear life jackets around all bodies of water;
- Alcohol and swimming do not mix: and
- Swimming in a natural body of water and a pool is not the same. There are increased dangers when it comes to natural bodies of water due to currents that can be underestimated, underwater debris and unknown drop offs.

Summer is a great time in Indiana. Let's stay safe and enjoy our state's natural beauty.

Please contact me at h4@iga.in.gov or 317-232-9815 with any questions or input.

Sincerely,

A handwritten signature in black ink that reads "Ed Soliday". The signature is written in a cursive, slightly slanted style.

State Rep. Ed Soliday

Indiana Register

TITLE 312 NATURAL RESOURCES COMMISSION

Notice of Public Hearing
LSA Document #16-369

Notice of Public Hearing

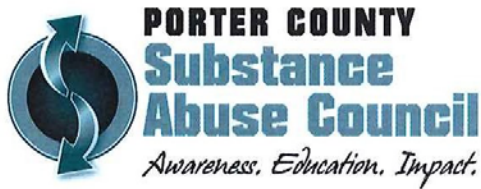
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IC 4-22-2-24(d)(3) Justification Statement: There are no new costs for businesses. This rule amendment may result in a possible revenue increase for Department of Natural Resources (DNR). Aside from the aforementioned possibility, there is no expectation of change in requirements or costs for state or local government as a result of this rule amendment. There are minimal new compliance or administrative costs for DNR. There are very few new enforcement requirements for DNR. The overarching benefit of this proposed rule amendment is ensuring the legislative intent of IC 7.1-3-17.8 is properly regulated. DNR believes the direct and indirect benefits of this proposed rule amendment justify the need for Indiana Dunes State Park to fulfill the legislative intent of IC 7.1-3-17.8 with negligible new requirements or costs for DNR.

Copies of these rules are now on file at the Natural Resources Commission, Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana, and are open for public inspection.

Bryan W. Poynter
Chairman
Natural Resources Commission

Posted: 10/19/2016 by Legislative Services Agency
An [html](#) version of this document.



September 10, 2015

Porter County Alcoholic Beverage Commission

A statement from the Porter County Substance Abuse Council

We are gravely concerned about the issuing of a liquor license for this facility as the Dunes Park is a family-oriented location where parents can bring their children without concerns about alcohol. For over 25 years the Dunes have provided a safe, family-friendly environment for everyone to enjoy. A Chicago Tribune article from 1989 noted that, "a study of park violations for the past five years disclosed that disorderly conduct, vandalism and gang-related problems were all directly connected to drinking." Finally, the requirement of having alcohol within 100 feet of the pavilion will make alcohol more readily accessible to underage youth.

Members of the Porter County Substance Abuse Council Board of Directors

Tim Beach, President, Ogden Dunes Police Department
Larry LaFlower, Vice President, Porter County Sheriff's Department
Jaime Bauer, Secretary, Positive Approach to Teen Health
Chris Buyer, Treasurer, Porter County Juvenile Probation
Tracy G. Traut, MSCC, Counselor, TrautPoint0
Lita Peters, Executive Director, Respite House
April Russ, Probation Officer, Porter County Adult Probation
Brenda Sheetz, Porter County Community Foundation
Jacquelyn Sterling, Concerned Citizen, Red Ribbon Campaign

Staff

Beatrice Owen, Director
Dawn Pelc

Members of the Coalition

Doris Amling, Porter County Coroner's Office
Kellie Ballah, Concerned Citizen
Sarah Bernard, New Beginnings
Kyla Bowen, Duneland YMCA
Ana Brocksmith, Union Township Schools
Bradley Campbell, Prevention Awareness Network
Kathy Cuevas, Care Counseling

Mark Dranger, Choices! Counseling Services
Don Dratwa, Moraine House
Jamie Erow, Porter County Sheriff's Department
Meghan Etzler, PACT
Kathleen Flores, Alice's House
Kaye Frataccia, Empower Porter County
Chris George, East Porter County School Corporation
Kevin Glisic, Moraine House
Mike Grennes, Valparaiso Police Department
Jennifer Harkel, Porter County Health Department
Rayanna Henderson, Porter Regional Hospital
Dan Henson, Chief of Police, Hebron Police Department
Jennifer Hippiie, IUN
Heather Hitz, Empower Porter County
Mark Jones, Boys & Girls Clubs of Porter County
Karen Kinsey, Portage Township Schools
Aaron Kochar, Porter-Starke Services
Jeff Lawley, Spirit EMS
Tayell Leftridge, Flint Lake PTO
David Lohse, Chesterton Police Department
Marilyn Marion, Care Counseling
Rick McCall, United Steelworkers
Stephanie McFadden, PACT
Jeremy McHargue, Burns Harbor Police Department
Tom Moeller, Family & Youth Services Bureau
Dolores Mueller, Kouts Police Department
Robert Nichols, Portage Police Department
Rachel Niemi, Dayspring Counseling Center
Joshua Noel, Hebron Police Department
Patricia Peters, Stepping Into Change
Janet Peterson, Lawrence Pincus & Associates
Michael Plebanski, Frontline Foundations
Kristine Prater, Porter Township Schools
Valerie Quadlin, Home Mountain Printers
Michelle Quarles, Lake County HIDTA
Antonio Ramon, Concerned Citizen
Natalie Rivich, Tobacco Education & Prevention Coalition
Ryan Rowan, Porter County Prosecutor's Office
John Ryan, Portage Police Department
Joy Sunday, Valparaiso Community Schools
Michelle Searer, South Shore Leadership Center
Cindy Standiford, Housing Opportunities
Stephanie Stephenson, Concerned Citizen
Kathleen Strohbach, Indiana State Patrole
Karl Tatgenhorst, Libertarian Party of Indiana
Joseph Torok, Porter Police Department
Marty Vagenas, Fresh Start Counseling
Michelle Volk, Great Lakes Labs
Ann Wojas, Indiana State Police

(NRC Public Hearing, Portage, IN 11-29-16

My name is Pam Rearick, I have lived in Chesterton for 43 years.

I am asking the Commission to uphold the principles expressed in their mission statement. Do not change the rule; stand up for your duty to ^{protect} the natural resources. Reject the rule change.

Barring this enact the following restrictions to the rules:

1. DNR must provide (24 hrs. 7 days a week) ~~a~~ increased security in the park.
2. DNR must have a conservation officer on premises whenever liquor is being served.
3. Restrict the hours/^{days} of alcohol service to cause the least disruption to public use of the beach.
4. Recognize that the pavillion is ON the beach and state such in the rules.
5. Restrict egress to the restaurant/bar from the beach
6. DNR employ medical staff on premises while alcohol served

Thank you

Pam Rearick
321 W. Porter Ave.
Chesterton, IN 46304

STATEMENT TO THE NATURAL RESOURCES COMMISSION, NOV. 29, 2016

I thank you, the Natural Resources Council, for convening this public hearing in our region, if not the community adjacent to the Indiana Dunes State park.

I want to express my deep conviction, and that of thousands of others, that to permit alcohol sales at the Indiana Dunes State Park beach would be a disastrous decision.

Our Department of Natural Resources, and our NRC, must not turn away from their mission to protect and defend our natural resources.

Richard Lieber, founder of our State Park system, urged protection of the wild, rustic and natural aspects of our park lands, NOT bars.

Just as you would never approve alcohol service at the falls of McCormick's Creek, or under the waterfall at Clifty Falls, or in the canyons of Turkey Run, alcohol should be prohibited on the beach and all areas of Indiana Dunes State Park. The historic beach Pavilion is ON the beach. If alcohol is permitted there, it will be ON the beach.

This project was conceived and the lease signed in secret; the contract was awarded to a high level Republican. The DNR failed to follow it's own rules regarding public access and input on long term planning for public parks. There has never been a proper public hearing.

The project proposal ignored the fact that alcohol is banned at the park--this has been true for over a quarter of a century.

This proposed new rule would overturn good public policy. You've heard dozens of reasons to oppose the change and very few to support it. A change would represent 'pay to play politics' and a sweetheart deal at the expense of a treasured, taxpayer owned, natural retreat.

Public safety in the park and in the dangerous waters of Lake Michigan- - should guide your decision. We have teenage lifeguards who should not have to deal with alcohol fueled bad behavior by adults. We have families frequenting the park who should not have to explain to or protect their children from drinkers.

The only entrance into, or out of, our park is a State Highway, State Rd. 49. It is terrible public policy to allow state park guests to be drinking when we know they will immediately be on a state highway when they leave the park.

After the local ABC board ruling against an alcohol permit on the beach, and the state Alcohol and Tobacco Commission's unanimous vote against this proposal; the end run legislation that followed; the hundreds of letters to the editors of local papers, the hundreds

of calls and letters to our legislators, those legislators and the Governor ignoring over 10,000 citizen and park user signatures on petitions opposed to this proposal, I think it is fairly safe to say that anyone still in favor of this proposal favors bad government.

I urge you to listen to the thousands upon thousands who petitioned the ABC board, the ATC, our legislature, our Governor, and you, to stop reintroduction of alcohol at Indiana Dunes State Park. Protect the park, protect the visitors and protect the dunes & wildlife.

The serenity of the beach and protection of the surrounding fragile dunes ecosystem hang in the balance.

Please, vote NO on LSA #16-369.

Respectfully,

Margaret L. Willis 7625 2ND ST.
Margaret L. Willis
Dunes Action
Nov. 29, 2016
Chesterton IN
46304

219-926-1455 hm

219-926-1131 wk

EXHIBIT C

PUBLIC COMMENTS RECEIVED THROUGH THE COMMISSION'S ONLINE RULE DOCKET

Dunes State Park Alcohol Rule Amendment
LSA Document #16-369
Administrative Cause No. 16-080P

Commenter Name Kristin McMurtrey
City Valparaiso **County** PORTER **State** IN
E-Mail Address kristinmcmurtrey@yahoo.com
Comments My teenage sons, whilst hiking the dunes with me last month, pointed out a sign that said alcohol was prohibited at the park. "Not for long," my younger son said. I discussed the proposed banquet center and explained how the alcohol would only be allowed there. My sons in unison argued scofflaws would ignore the distinction, and they pointed to trash on the trail. "It's like why we pick up garbage here. One person who sees garbage on the ground thinks it's okay to toss garbage; surely someone would clean it up. So they can envision a guest thinking, "That isn't fair that you can drink in there and not in my RV; I paid my entrance fee just like everyone else." They aren't wrong. The state is.
Comment Received 9/3/2016 7:56:06 PM

Commenter Name Kristin McMurtrey
City Valparaiso **County** PORTER **State** IN
E-Mail Address kristinmcmurtrey@yahoo.com
Comments My teenage sons, whilst hiking the dunes with me last month, pointed out a sign that said alcohol was prohibited at the park. "Not for long," my younger son said. I discussed the proposed banquet center and explained how the alcohol would only be allowed there. My sons in unison argued scofflaws would ignore the distinction, and they pointed to trash on the trail. "It's like why we pick up garbage here. One person who sees garbage on the ground thinks it's okay to toss garbage; surely someone would clean it up. So they can envision a guest thinking, "That isn't fair that you can drink in there and not in my RV; I paid my entrance fee just like everyone else." They aren't wrong. The state is.
Comment Received 9/3/2016 7:56:18 PM

Commenter Name Damian Nickerson
City Bremen **County** MARSHALL **State** Indiana
E-Mail Address Daminick1980@gmail.com
Comments Alcohol does not belong at the Dunes. It is an accident waiting to happen. Privatization of state lands should not open the doors to alcohol. This is supposed to be a family friendly nature area, not a bar!
Comment Received 9/3/2016 8:15:40 PM

Commenter Name Zach Hall
City Valparaiso **County** PORTER **State** Indiana
E-Mail Address Zdhall@gmail.com
Comments As a former waterfront director I can tell you alcohol is a very bad idea. This is one place where families can go to avoid drunk people causing problems. I know it happens anyways but not to the extent of wells beach or some others. The last thing we need is for people to have a few beers and go swimming. Our lifeguards are 16-22 year old kids. Do you really want them to have to deal with that?
If people are looking to party let them go to the other beaches. People come to the state park for safe family fun. Also, I'm all for restoring the Pavillion. Make it beautiful again. But that growth on the side that they designed is obnoxious. It ruins a historic land mark.
Comment Received 9/3/2016 8:25:37 PM

Commenter Name Scott Chellberg
City Indianapolis **County** MARION **State** Indiana
Organization (optional) Mr.
E-Mail Address scott.chellberg@gmail.com
Comments I oppose this rule, and am angry with the Indiana State Legislature that allowed such a rule to be approved. I was at the State House on January 27, 2016, and witnessed cronyism first hand. I am against alcohol at the Indiana Dunes State Park because:

- The rule ties where alcohol is allowable to a permit, lease, or contract. This could allow expansion of alcohol sales/consumption into any part of the Indiana Dunes State Park without further public notification or input. The rule is not restrictive enough.
- Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present. There was an alcohol-related drowning at the park this summer.
- Indiana Dunes State Park banned alcohol in 1990 for reasons related to the safety and comfort of its patrons. These

reasons are still valid.

- The DNR has stated that it will not add conservation officers to control the use of alcohol.
- Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation.

Comment Received 9/3/2016 10:28:13 PM

Commenter Name Joe Kochanek

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address Joe.Kochanek@comcast.net

Comments I would like to see the Dunes remain dry to preserve it's family atmosphere. The Dunes give this region it's personality and that would be a terrible thing to compromise. Even if there were extra law enforcement which there is no plan for that will not be able to maintain the family friendly atmosphere that I believe is key to the Dunes experience. Thank You.

Comment Received 9/3/2016 11:36:33 PM

Commenter Name Maggie Leslie

City Griffith **County** LAKE **State** In

E-Mail Address Maggieleslie@gmail.com

Comments This will probably do no good but it sickens me to know that big money has bought the powers that be regarding this law. Guess our precious dunes won't be the same ever again. Sad. I could List several reasons why this law shouldn't pass but I'm not going to waste my time because the politicians have all ready been bought and paid for.

Comment Received 9/4/2016 12:35:27 AM

Commenter Name James Varkalis

City Portage **County** PORTER **State** Indiana

E-Mail Address jimandjc@hotmail.com

Comments NO ALCOHOL AT INDIANA DUNES STATE PARK! Alcohol was banned at the park years ago for good reason. Shady business dealings and political payoffs is the only reason it's coming back. The public lost their say, as did the local board. Shameful. The Indiana DNR and the downstate politicians who are responsible for this should all be under criminal investigation.

Comment Received 9/4/2016 8:35:13 AM

Commenter Name Amber Devore

City Chesterton **County** PORTER **State** Indiana

E-Mail Address ambern02@hotmail.com

Comments Allowing alcohol to be on the beach invites drowning and violent behaviors. Both of these issues will require tax payers in this area to be further taxed to have the same amount of emergency services that this poor choice would allow. Or if further taxes are not approved, you are personally choosing to approve longer wait times for life saving interventions from emergency medical services, police & Fire. By approving this alcohol permit you will be allowing people to die. In my opinion it would be your fault. Thereby, legally responsible for the death & violence that WILL result from allowing alcohol. Therefore, opening yourselves to legal fallout. Don't do this!

Comment Received 9/4/2016 11:20:00 AM

Commenter Name Jean Hedgepeth

City Valparaiso **County** PORTER **State** IN

E-Mail Address pearl2252@aol.com

Comments • The rule ties where alcohol is allowable to a permit, lease, or contract. This could allow expansion of alcohol sales/consumption into any part of the Indiana Dunes State Park without further public notification or input. The rule is not restrictive enough.

• Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present. There was an alcohol-related drowning at the park this summer.

• Indiana Dunes State Park banned alcohol in 1990 for reasons related to the safety and comfort of its patrons. These reasons are still valid.

• The DNR has stated that it will not add conservation officers to control the use of alcohol.

• Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation.

And besides, the local alcohol board disapproved the alcohol measure about 6 months ago at Dunes State Park. Do we have a say in what happens in our county? Chuck Williams and Gov. Pence circumvented the will of the people.

Comment Received 9/4/2016 12:10:23 PM

Commenter Name Randy Dujmovich

City Valparaiso **County** PORTER **State** IN

E-Mail Address Randy@dujmovich.net

Comments DO NOT allow alcohol at the dunes state park. I worked there when they allowed it and first hand witnessed the adverse affects, including taking 10-20 people a night to jail for alcohol related issues. This is a family park and has no need for alcohol to return. Pull up the patrol ranger reports and you will see for yourself. Feel free to contact me.

Comment Received 9/4/2016 7:08:41 PM

Commenter Name Jean Edgemon

City Chesterton **County** PORTER **State** IN

<p>Organization (optional) Dunes Action E-Mail Address studywoman@hotmail.com Comments I do not want this rule changed. It is not restrictive enough as to alcohol allowed in the park. I do not wish to visit the park & beach along with a bunch of people drinking and annoying those who wish to have family fun time. Comment Received 9/4/2016 11:36:20 PM</p>
<p>Commenter Name Bob Swanson City Chesterton County PORTER State Indiana Organization (optional) None E-Mail Address blueanvil1@comcast.net Comments Please go ahead with all improvements, pavillion, shops, restaurants etc. I live locally and have had a park pass for years. It would be great to enjoy good food and drink at the pavillion, instead of going to michigan to thier lakeshore. The groups against these improvements have alcohol at thier events and many fundraisers. Apparently it's ok for some but not others. Thank you Comment Received 9/5/2016 8:37:22 PM</p>
<p>Commenter Name Patricia Jackson City Chesterton County PORTER State Indiana E-Mail Address pejackson58@hotmail.com Comments Please hold your hearing in Porter County so that we citizens who are most affected by this law can be heard. Also, we citizens of Porter County have spoken time and time again on how it is a dangerous issue to have alcohol at the Indiana Dunes State Park. After the restaurant and/or banquet center starts serving alcohol and when the first alcohol-related drowning or death of a child in the parking lot happens we will have the right to say "I told you so", but that will be of no solace to the family members and the community. If fact even without the permit we still have alcohol-related drownings - one this past summer. Tell that person's family that there will be even more and ALLOWED alcohol at the Dunes and let them tell you it is a good idea! I don't think so. We have said it all before, why are the officials deaf. I will not go to the Indiana Dunes if alcohol is served and I will tell my friends not to go either. Once alcohol is in the pavilion it will be on the beach, on the dunes, and in the parking lot, because no additional conservation officers will be added to ensure compliance. Please, please hear our concerns and do the right thing. Comment Received 9/6/2016 9:59:01 PM</p>
<p>Commenter Name Ari Killian City Beverly SHores County PORTER State Indiana E-Mail Address ari8634@sbcglobal.net Comments As a owner of a small hotel near the Indiana Dunes State Park I would certainly benefit from the addition of a banquet facility that serves alcohol at the park. However I am opposed to such measures. Alcohol at the State Park will forever change its character. Created almost a century ago it should be forever preserved in a natural setting free of commercialism and self interests. Alcohol serving establishments can easily be established outside the park along Hwy 20 and in downtown Chesterton. Adding a alcohol serving facility near the water will undoubtedly create unsafe conditions to beach goers, and privatize a great Indiana institution. Let's preserve one of our last natural resources that our State has to offer. Say no to Alcohol!!! Comment Received 9/6/2016 10:34:22 PM</p>
<p>Commenter Name Vicki Andershock City Chesterton County PORTER State IN E-Mail Address andershocks@aol.com Comments I opposed and continue to oppose a permit to a private leasee that allows devastation to land and wildlife that does not belong to you, a commission, but to the taxpayers of Indiana and voted to deny alcohol at Indiana Dunes State Park. Alcohol within the park will cause more trouble for local law enforcement(we as taxpayers pay), less public access to OUR beach and disturb the wildlife that lives and stop at the lakeshore on their journeys. You are a commission of NATURAL RESOURCES.....not take the money and to hell with will of the people or stewardship of a state park treasure. It is sad that we as Indiana citizens have to remind you the Indiana Natural Resource Commission of your purpose. Protect not give to private profit. Comment Received 9/6/2016 11:11:31 PM</p>
<p>Commenter Name Marcia A Griswold City Chesterton County PORTER State Indiana E-Mail Address magrisw@yahoo.com Comments Re: LSA 16-369 Alcohol at Indiana Dunes State Park As a dunes dweller whilst for onto 70 years...it is more than depressing to continue trying to convince elected/appointed non residents of this northern beach frontage area that alcohol is not only not needed...but would be a detriment to the beach front environment. Looking at even one photo example is enough... When the water is not in use..the sand is shifted amongst the toes by all ages and most diverse populations of people. There are so many options for people to just play...relax...walk...run....romp and feel joy...</p>

The beauty of the dunes in and of itself..preserved by natural changes...presents a changed scene daily. The imposition of alcohol not only interferes,it drags with it trash pollution of leftovers and impairs the consumers experience.
Further it impairs the person departing the area who uses very busy roadways.
If the persistence of drowning victims is not enough casualty..then add destruction of what is left of Indiana's minimal beach front to a commercialized collection of vendors.
The Indiana Dunes State Park (IDSP) and 'contracted facility management' struggle to keep up maintenance of the park in its current status. The swimming is most often canceled due to lack of life guards at the peak ending dates of the season.
Stretching the staff to further tasks by allowing alcohol with out supervision, without 'policing' help is simply stupid. This action reflects a lack of regard for the future..primarily the next generations of dunes visitors.
The IDSP a simple place of natural beauty. People who frequent the IDSP do so to get away from their routine. They want to enjoy nature. When these same folk want to indulge in adult beverage and food..there are many options already available. If beach front restaurant/banquet service is desired...why not utilize the previously popular locations...now swallowed by either the National Lakeshore or privately owned business.
Opinions/views most sincerely offered by:
Marcia A Griswold
1248 Chalemel Dr.
Chesterton, IN 46304-1478
Comment Received 9/7/2016 11:57:47 AM

Commenter Name Dennis R White
City Crown Point **County** LAKE **State** IN
E-Mail Address Xbanker98@aol.com
Comments This rule as written states, rightfully so for many reasons, that alcohol must not be possessed or consumed at any beach or pool. At the July 19th meeting at Fort Harrison I submitted an aerial photograph to the commission members clearing showing the pavilion is located right on the Lake Michigan beach. Allowing alcohol to be sold and consumed in the pavilion or the surrounding concrete pad "is" without question allowing it on the beach.

Also at the meeting I submitted petitions against alcohol at the pavilion signed by almost 10,000 people. I certainly hope the public hearing on this matter be held in Porter county, ideally in Chesterton IN where the park is located, so that these people will have the opportunity to participate.
Comment Received 9/7/2016 12:44:53 PM

Commenter Name Laura Layman
City Chesterton **County** PORTER **State** Indiana
E-Mail Address drylhannah@hotmail.com
Comments I DO NOT AGREE WITH THIS CHANGE!!!! Alcohol should NOT be allowed in the Indiana Dunes State Park because it's dangerous!! People drown very often at the Dunes - WITHOUT THE BENEFIT OF ALCOHOL, and allowing alcohol to be served A FEW FEET FROM THE BEACH LINE is just plain STUPID and IRRESPONSIBLE!! And, when incidents DO occur, it's the LOCAL TOWNS who have to respond using TAXPAYER money to do so - and the Park does NOT reimburse the expense to the towns involved!! It is especially disturbing that NO ADDITIONAL DNR OFFICERS WILL BE HIRED TO COVER EVENTS LICENSED UNDER THE DNR.
It is IMPERATIVE that public hearings be held CLOSE TO THE LOCATION THAT IS AFFECTED BY THIS NEW LAW. I and many others would attend the public hearing if it were in NW Indiana WHERE THE DUNES STATE PARK IS LOCATED,. But then, THE POLITICIANS KNOW THAT, and I'm sure they'll get their way and have the hearings in Indy yet again.
SHAME ON THE DNR FOR GETTING MIXED UP WITH THE DIRTY POLITICIANS!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!
Comment Received 9/7/2016 4:25:51 PM

Commenter Name Matt Krysinski
City Valparaiso **County** PORTER **State** Indiana
E-Mail Address painttheday@yahoo.com
Comments As a resident of Porter County and a frequent visitor of the Dunes State Park, I strongly suggest you hold a public meeting somewhere near the park itself to allow for public input on this rule. Personally, I oppose the rule for many reasons. 1) the Dunes State Park is known as a family friendly park. There are beaches to the west that allow alcohol. The differences between those who choose the parks to the west and the state park are striking and concerning. 2) No additional law enforcement officers will be allocated to the Dunes State Park. Sun + alcohol + a large body of water are not a good mix. This facility presents a slew of new problems for people who choose to go to the park for what it has been for decades, a peaceful respite from the daily grind. 3) If and when incidents occur at the new pavilion requiring law enforcement to intervene, it will be on the taxpayers dime even though there is no opportunity for the taxpayers to protest the DNR's liquor license. That is taxation without representation. 4) Lastly, it has been well documented that the public, the voters, the residents and beach goers of Porter County, Indiana do not want a bar/restaurant/banquet center to be built on our beach. We don't want it. Do we have a say? Don't state parks exist for the people? If so, why do Pavilion Partners and Chuck Williams keep getting their way?
Comment Received 9/7/2016 5:07:28 PM

Commenter Name David J. Ligda
City Chesterton **County** PORTER **State** Indiana

E-Mail Address djligda2@comcast.net

Comments Sirs:

I am writing this as a citizen/resident and voter of Indiana and Porter County to convey my concerns related to LSA #16-369. As you are hopefully aware, local citizens are united against allowing alcohol at the Dunes State Park. An action which will negatively affect our family-friendly destination.

Considering this intense local involvement, I would strongly urge that the Commission hold the public meeting either in or near the Indiana Dunes State Park!

Alcohol has historically been an issue at this park. Abuse of present restrictions has produced one alcohol related drowning already this summer. Insufficient enforcement resources are presently severely limited and no provisions are being made for needed increase. We local area taxpayers will be forced to pay for local law enforcement to respond for increased violations. Thus it should be only fair that we should be heard at the scheduled public hearing.

It has been obvious that the public does not want or need alcohol at this park. However, we realize that we now have no recourse to protest the DNR liquor license.

We can only hope and request that you will be forward looking enough to consider input from those of us familiar with the park and it's history of alcohol issues and produce sufficient and effective restrictions on it's use.

Thank you

Dr. David J. Ligda DVM

Comment Received 9/7/2016 5:21:39 PM

Commenter Name Judith Mervine

City Chesterton **County** PORTER **State** INDIANA

E-Mail Address judymervine@gmail.com

Comments I oppose allowing alcohol consumption at the Indiana Dunes State Park. It is family park and there is no allowance for additional rangers to deal with problems that will occur. This is a fantastic place for families and alcohol will only cause problems. It was banned years ago because of the problems that occurred. Please don't allow this to happen!

Comment Received 9/8/2016 5:29:55 AM

Commenter Name MARY H SELL

City WEST LAFAYETTE **County** TIPPECANOE **State** IN

E-Mail Address smsell@frontier.com

Comments I'm opposed to alcohol at Indiana Dunes State Park beach, Keep the beach clean and family-oriented. Keep the Dunes pure and simple - no alcohol sales, big convention centers, casinos, etc. Also, please hold the hearings near the Dunes State Park.

Comment Received 9/8/2016 11:47:31 AM

Commenter Name Patricia Hellmers

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address pat_hellmers@yahoo.com

Comments Regarding LSA #16-369 - Alcohol at Indiana Dunes State Park

Please make arrangements to hold the public hearing concerning LSA #16-369, someplace near Indiana Dunes State Park.

This is where most of the people live who will be affected by the vote on the issue of alcohol in this state park. There are many large facilities in the Chesterton area that could accommodate this public hearing.

Also, please make the time of the public hearing in the evening so that working people can attend.

These two requests are very important to make the public hearing truly a hearing where and when the interested public can attend.

I realize this might be an out of the ordinary request, but this is extremely important in making sure that you are doing everything to accommodate the people of northwest Indiana. I respectfully ask that you give this your careful consideration and do the right thing for the northern part of your state.

Comment Received 9/8/2016 5:19:50 PM

Commenter Name Ann Moodie

City Chesterton **County** PORTER **State** IN

Organization (optional) Dunes Action

E-Mail Address annmoodie@yahoo.com

Comments the local board and the state alcohol board denied a liquor license to pavillion partners. So they managed to get a bill passed to allow alcoho consumption at the beach. So now we are asked for our public input! I dont understand. Any way ... here is my opinion: there should be no alcohol consumed on the beach or anywhere near the beach.. the negative consequences far outway any positive ones. The social, environmental, financial, safety, and security implications will be impossible to manage

Comment Received 9/8/2016 5:51:39 PM

Commenter Name Edward Schoenfelt

City Chesterton **County** PORTER **State** Indiana

Organization (optional) self

E-Mail Address edschoenfelt2013@gmail.com

Comments Allowing alcohol at the Indiana Dunes State Park will continue to negatively affect the family-friendly destination. Currently the lack of rule enforcement at the park is declining safety. Examples: I've observed people bar-b-q on the sand near the pavilion, trash everywhere in the sand, concrete areas as examples.

As written, the rule ties the area where alcohol can be served to a permit, lease or contract. This could allow further expansion of alcohol into the park; the rule needs to be more restrictive.

Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present; lack of supervision, selling alcohol near the beach will increase the risk of drownings. As documented this summer of 2016 and other summers historically. There is alcohol-related drowning at the park every summer. No additional conservation officers will be added to ensure public safety. The lack of enforcement of rules will destroy this beautiful park. Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation. It's been well documented that the public does not want or need alcohol at this park!

Comment Received 9/9/2016 9:10:09 AM

Commenter Name Sandra Setlik
City Porter **County** PORTER **State** Indiana
E-Mail Address smerscher@yahoo.com

Comments Numerous citizens' petitions demonstrate that the local community is dead set against alcohol on our beach. In the past, when drinking was allowed, there was constant trouble; in fact, the dangerous atmosphere kept families away from their cherished beach. Another big issue is that local law enforcement who have to respond to trouble related to alcohol consumption on the beach. Thus, local taxpayers, who are AGAINST drinking on the beach, would get stuck with paying for police responders to handle issues. PLEASE do not support such nonsense.

Comment Received 9/9/2016 12:34:13 PM

Commenter Name richard russell
City chesterton **County** PORTER **State** in
E-Mail Address bearsphan@hotmail.com

Comments please pass the proposed rule. not everyone believes in dunes action negative propaganda and believes in moving forward. this is it their state park

Comment Received 9/9/2016 6:11:07 PM

Commenter Name Tammy Alsman
City Portage **County** PORTER **State** Indian
E-Mail Address tammyalsman@gmail.com

Comments Alcohol is not needed nor wanted at the park, this is a family friendly environment and shouldn't be ruined with the sale of alcohol. This will negatively impact the park. Over 10,000 people signed a petition against alcohol here, doesn't that mean anything???? Please do not allow alcohol to be served anywhere in this beautiful park.

Comment Received 9/10/2016 11:06:49 AM

Commenter Name Tammy Alsman
City Portage **County** PORTER **State** Indian
E-Mail Address tammyalsman@gmail.com

Comments Alcohol is not needed nor wanted at the park, this is a family friendly environment and shouldn't be ruined with the sale of alcohol. This will negatively impact the park. Over 10,000 people signed a petition against alcohol here, doesn't that mean anything???? Please do not allow alcohol to be served anywhere in this beautiful park.

Comment Received 9/10/2016 11:07:30 AM

Commenter Name Dennis White
City Crown Point **County** LAKE **State** IN
E-Mail Address Xbanker98@aol.com

Comments A public hearing not only should be held in the region, but also be in the evening so working people can attend to voice an opinion. Alcohol at the pavilion is a very hot issue. A hearing during the day would only cater to the entrepreneurs who stand to benefit from it, as did passage of this bill.

Comment Received 9/10/2016 11:26:07 AM

Commenter Name Ralph G. Levi
City Chesterton **County** PORTER **State** IN
E-Mail Address butterball6@yahoo.com

Comments I was a member of the local Alcoholic beverage Board that denied a permit for Pavilion Partners after public hearings and the State ATC also voted to deny a permit. At the time of our local hearing, I was concerned about the beach area due to language permitting sales within 100 feet of the main parking lot at the pavilion area as well as limited, if any, availability of law enforcement for this park. Even the DNR director stated there were only two officers per day assigned to the park and sometimes less. This leaves a minimum of 8 hours a day with no coverage meaning local police services must respond. If local services are responding in these cases, problems have already occurred because there was no deterrent on site. At the time, Pavilion Partners stated they would pay for security at events however, after seeing the rest room facility they built and are supposedly maintaining, I seriously doubt they would as they fail to see a urine and feces contaminated floor as a problem. If I am reading this rule change correctly, there is no limit to alcohol possession or consumption areas other than the youth tent camping sites and the beach. Again, I question how and where you decide the swimming beach begins and do you intend to allow all the dunes and hills and forested area to become party city. Even Pavilion Partners agreed in our hearing Dunes Park was a unique area. Destroying a unique area such as this is not part of your job. Protect it.

Comment Received 9/10/2016 2:18:16 PM

Commenter Name DONALD KOEHLER
City Chesterton **County** PORTER **State** Indiana
Organization (optional) RETIRED

E-Mail Address DONALD.KOEHLER@COMCAST.NET

Comments R I WISH TO OBJECT TO USING ALCOHOL IN ANY OF THE AREAS OF THE INDIANA STATE PARK HERE IN PORTER COUNTY.. WE VOTED IT DOWN WHEN THE LAW REQUIRE IT THEN THE LAW WAS CHANGED TO ALLOW THE MONEY PEOPLE TO GET THEIR WAY.. I OBJECT AND WANT NO ALCOHOL TO BE SERVED OR SOLD HERE....

Comment Received 9/10/2016 5:27:44 PM

Commenter Name Maryann Therese Becich

City Chesterton **County** PORTER **State** IN

E-Mail Address xcuzy@aol.com

Comments I am writing you today to speak out in opposition of the request to serve alcohol in Indiana Dunes State Park. I have been a neighbor of the Dunes Sate park for Thirty years. I lived here when a gang fight stimulated by alcohol broke out in the park during the 1990's. I had an emergency at my home at the same time and could not get the help I needed due to the response by our local law enforcement into the park. Alcohol consumption was the contributing factor that fueled the fights in the park that day. Due to the events of that day; Alcohol was banned from the park immediately. There was a difference from that day forward the park has become a family friendly park. The park is also much cleaner and safer. We visit the park almost everyday biking and hiking with our children and grandchildren. We are concerned about people that drive in the park that have been drinking. We come to the park to ride and hike because it is a safe family friendly park. Todays youth need to have better mentors in their lives; to become successful; and they need to have respectful safe environments to enjoy. Alcohol destroys lives, be a proud supporter of our youth and Indiana Dunes State Park. Oppose alcohol in Indiana Dunes State Park. Please keep ALL our Indiana State Parks family friendly and keep our neighborhoods safe! Oppose Alcohol Permits in Indiana State Parks.

Thank you,

Maryann Becich

Comment Received 9/11/2016 10:09:53 PM

Commenter Name Maryann Therese Becich

City Chesterton **County** PORTER **State** IN

E-Mail Address xcuzy@aol.com

Comments I understand that there will be a public hearing on "Alcohol at Indiana Dunes State Park" (LSA #16-369). I would like to encourage the commission to have this meeting in or near the Indiana Dunes State Park. So that the community can participate as they have right to speak out about this rule change. Thank you Maryann Becich 30 year resident of Porter Indiana

Comment Received 9/11/2016 10:20:06 PM

Commenter Name Sue Brennan

City Chesterton **County** PORTER **State** Indiana

E-Mail Address mcbren3@yahoo.com

Comments I am surprised and very disappointed that alcohol on the lake front of the Indiana Dunes State Park would even be considered. It has been widely opposed and 10,000 persons have signed a petition stating their disapproval of both alcohol and the proposed banquet center. Alcohol anywhere in the park was prohibited years ago due to safety issues and a desire to keep the park family and user friendly and to maintain the park's original purpose as a natural treasure for the enjoyment of nature and swimming. To see the Indiana Dunes State Park become commercialized would be a travesty . If other state parks would desire an alcohol permit and commercialization that wouldn't be a safety issue I have no problem with it. However, for our dunes park with a beach and Lake Michigan directly in front of the structures that would be selling alcohol, it would be a danger and would take away the safe enjoyment of swimming and the family friendly park environment that we have enjoyed for so many years. I would hope that, although you do not live in our local area or frequent the Indiana Dunes State Park you certainly are the protector of our natural resources and I believe that you will be able to see the safety and environmental issues attached to an alcohol permit for this one park.

Sincerely,

Sue Brennan

1977 David Drive

Chesterton, IN 46304

219 926-5245

Comment Received 9/12/2016 3:48:30 PM

Commenter Name George C. Heider

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address gcheider@comcast.net

Comments Re Proposed Rule LSA #16-369: I object strenuously to granting a permit for the sale and consumption of alcohol at Dunes State Park. You can still say "No," and you should. The regular process gave the proposal full and reasonable consideration, and it concluded in the negative. Only when political forces outside of the area that will be affected should the permit be granted succeeded in imposing an effectively ex parte end run around the regular process did the proposed permit move from fairly-considered and finally rejected to a skids-greased, all-but-done deal. As a taxpaying citizen in the affected area, I am deeply offended by this abuse of the political process. I would plead with you to reject the siren-song of moneyed interests and back-room deals, whatever their pledges and projections of economic good. Good for whom? Not the "locals," who have steadfastly been saying "No, thank you." Please listen to the people who have invested our lives, who raise our families, who serve our communities, and who pay our taxes in Northwest Indiana. Please leave the

lovely park that is Dune State Park as the family-friendly natural haven that it has always been. We don't need liquor sales for Dune State Park to be a fiscally-viable and welcoming retreat from the workaday world.

Comment Received 9/12/2016 7:07:10 PM

Commenter Name Jerome & Laura Hess

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address jerryhess@frontier.com

Comments Please do not approve this rule change. Alcohol will only make the Park a danger to current patrons.

Comment Received 9/12/2016 8:14:27 PM

Commenter Name Tracey West

City Portage **County** PORTER **State** Indiana

E-Mail Address Tracey731@ymail.com

Comments LSA #16-369) Amends 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8.

As a frequent user and yearly park permit holder to the Indiana Dunes State Park, I very much oppose the adoption of alcoholic beverages at the Park. May I suggest that before you sign this document, Mr. Pence, that you put your hiking shoes on and personally walk the current parking lot, the beachfront and especially the beautiful hiking trails--all of which will forever be changed by your signature. Corporate greed should not be a priority over this beautiful land. The traffic, trouble and land desecration will no doubt occur once this decision is made by you. It will be a sad moment for all of us who cherish this stunning and serene park.

Comment Received 9/13/2016 12:19:33 PM

Commenter Name Bob Nicksic

City Chesterton **County** PORTER **State** IN

E-Mail Address bobnicksic@hotmail.com

Comments There is significant public opposition to allowing alcohol at Indiana Dunes State Park, for a number of legitimate reasons. Please hold a local, public meeting, in Chesterton, Porter, or Burns Harbor to allow the public to have their say. There are drowning fatalities every year at this beach, some of which are caused by alcohol consumption, EVEN THOUGH IT IS CURRENTLY ILLEGAL. The riptide phenomenon is a real danger. Imagine what will happen if alcohol is legal and readily accessible, during wedding receptions, at night, with no lifeguards or any other constraints to stop someone from "going for a swim"? This is a real hazard and must be taken seriously!

Comment Received 9/14/2016 9:42:30 AM

Commenter Name Dennis White

City Crown Point **County** LAKE **State** IN

E-Mail Address Xbanker98@aol.com

Comments I found a July 13, 1989 article in the Chicago Tribune concerning the alcohol ban at the Dunes state park. Certainly a must read before its reinstated. Link below.

http://articles.chicagotribune.com/1989-07-13/news/8902170089_1_street-gangs-rival-gang-member-alcohol-ban

Comment Received 9/14/2016 10:50:33 AM

Commenter Name Hedy Ballestero

City chesterton **County** PORTER **State** IN - Indiana

E-Mail Address hmballestero@gmail.com

Comments I am urging the commission to hold the public meeting either in or near the Indiana Dunes State Park. I disagree with this rule and it should not be passed.

Allowing alcohol at the Dunes State Park will negatively affect our family-friendly destination. As written the rule ties the area where alcohol can be served to a permit, lease or contract. This could allow further expansion into the park: the rule is not restrictive enough. Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present. Selling alcohol near the beach will increase the risk of drownings. There was an alcohol related drowning at the park this summer.

No additional conservation officers will be added to ensure public safety. Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation.

It's been well documented that the public does not want or need alcohol at this park!

Comment Received 9/15/2016 3:42:06 PM

Commenter Name Terri Tarquinee

City Eufaula **County** Out of State **State** AL

E-Mail Address ttarquinee@yahoo.com

Comments As a former IN resident and retired ER nurse I oppose bringing alcohol back to the Indiana Dunes State Park. I lived in Chesterton my whole life until retirement 2 years ago, and up until that time walked almost daily at the park. Not only would alcohol bring increased litter to the beach, it would also bring safe issues to the patrons and park staff. As a retired ER nurse the number of drownings and near drownings can be directly associated with alcohol. Please do not allow alcohol to return to the Indiana Dunes State Park!

Comment Received 9/16/2016 6:41:26 AM

Commenter Name Donna DeRosa
City Chesterton **County** PORTER **State** Indiana
E-Mail Address donnader@comcast.net
Comments We, the citizens who reside near, and others who routinely visit, our Dunes State Park, are overwhelmingly opposed to reintroducing alcohol at the park. We remember why it was banned in the first place. Its abuse brought a violent element into the park not to mention safety issues with the close proximity to the lake.

The park is meant to provide a quiet, family environment where people can peacefully enjoy nature....not for partying! There are plenty of other beautiful venues in the area to accommodate parties and banquets.

The local Alcoholic Beverage Commission voted against a permit based on community opposition. The state ATC voted against a permit for the same reason. 550 people attended the ABC meeting to express opposition. 10,000 signatures in opposition were presented to legislators and the Governor. We don't appreciate the "end run" around long standing legal procedures that was initiated to overtly benefit Pavilion Partners, headed by a political crony of Gov. Pence.

WE are the ones who will be penalized by allowing alcohol at the Indiana Dunes State Park....it is OUR park....and does not belong to Pavilion Partners.

We urge the NRC to hold their public hearing at or near the Ind. Dunes State Park.

Thank you.
Comment Received 9/16/2016 2:17:23 PM

Commenter Name Dennis White
City Crown Point **County** LAKE **State** IN
E-Mail Address Xbanker98@aol.com
Comments I found this article (link below) today and thought you might be interested in reading how in part the Dunes alcohol bill was to be passed after the license had been denied in normal channels. As you will read it all stinks of corruption.

http://www.tribstar.com/news/local_news/lawmaker-new-job-earlier-votes-unrelated/article_9f93dd4f-b663-534d-ae02-18df2f188d07.html
Comment Received 9/17/2016 10:41:08 AM

Commenter Name Bernice A.Lundahl
City Chesterton **County** PORTER **State** Indiana
Organization (optional) Dunes Action
E-Mail Address Adelelundahl42@gmail.com
Comments I don't think it is nessacery to have alcohol at the Dunes. The state park is suppose to be for families and people who want to enjoy this marvel that Indiana has,to swim in the lake,walk the trails,camp in the camping grounds,or just sit by the lake and enjoy being free of cars and city noises.
Who is going to police the area? There is not enough protection in the area as it is. Porter is a small town and has a small police force,the county police are close to 20 miles away,and thr state police are located on Lowell. The DNR only has 2 men,one per shift and that is for the whole area.
There as been so many drownings at the lake this year,one was from drinking.
Northern Porter County is a high drug area,being close to Chicago. Kids are almost dropping like flies. Alcohol just contributes to the problem. Can't people enjoy themselves without liquor?
If alcohol has to be at the Dunes State Park,build a lodge away from the beach area and confine the use of it.
In 1991 when they issued no alcohol the beach area got so clean,no bottles,cans,cig.butts.
Please no alcohol at our beach,keep it family friendly...

Bernice A.Lundahl
Comment Received 9/18/2016 9:48:27 PM

Commenter Name Kathleen Orgel
City Porter **County** PORTER **State** IN
E-Mail Address orgel@kopiano.com
Comments alcohol and lake michigan are a lethal duo.
Save lives by vetoing this proposal
Comment Received 9/22/2016 11:06:00 AM

Commenter Name Diana and Teddy Dycus
City Chesterton **County** PORTER **State** Indiana
E-Mail Address dited@yahoo.com
Comments Indiana Dunes State Park banned alcohol in 1990 because of many alcohol related related drowning in Lake Michigan at the park and alcohol related rowdiness.
For the comfort and safety of the families that use this park daily and the many visitors from around the globe, PLEASE VOTE NO TO LSA#16-369, Rule Change "Alcohol at Indiana Dunes State Park "
Thank you, Diana Dycus and Teddy Dycus., Chesterton, Idiana 46304
Comment Received 9/24/2016 1:02:01 PM

Commenter Name Michelle Frame
City Chicago **County** Out of State **State** IL
E-Mail Address mlynnframe@yahoo.com
Comments I am against this rule. The rule ties where alcohol is allowable to a permit, lease, or contract. This could allow expansion of alcohol sales/consumption into any part of the Indiana Dunes State Park without further public notification or input. The rule is not restrictive enough. In addition, it supports only corporate greed, and not the needs of the park patrons.
Comment Received 9/25/2016 7:01:52 PM

Commenter Name William Iltzsche
City Valparaiso **County** PORTER **State** Indiana
Organization (optional) Izaak Walton League
E-Mail Address biltzsche@hotmail.com
Comments I strongly urge you to hold the public hearing on LSA #16-369 either in or near the Indiana Dunes State Park. Also, I disagree with this rule, and it should not be passed. The rule ties where alcohol is allowable to a permit, lease, or contract. This could allow expansion of alcohol sales/consumption into any part of the Indiana Dunes State Park without further public notification or input. The rule is not restrictive enough. Indiana Dunes State Park banned alcohol in 1990 for reasons related to the safety and comfort of its patrons. These reasons are still valid. Area taxpayers will be forced to pay for local law enforcement to respond to alcohol related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation.
Comment Received 9/26/2016 7:53:02 PM

Commenter Name Susan Solmos
City Chesterton **County** PORTER **State** Indiana
E-Mail Address susansolmos@gmail.com
Comments I am opposed to the proposed rule that would allow alcohol at the Indiana Dunes State Park. This has been, and remains a family destination for hiking, birdwatching, going to the beach and stargazing. Allowing alcohol and private events will permanently alter the Dunes and impact wildlife and recreational use alike. On busy summer days there is already a long line to get in- this will further impact that wait. In addition, as a mother of young girls we visit the beach often even after work because it is a safe family friendly place to picnic and watch the lake. If the LLC wants a banquet hall and alcohol they should buy private land on the lake and pay to build the infrastructure including roads, parking lots etc- not open where the public that lives in close proximity has made their views clear. Changing a rule to support the interests of the few is not democratic- the alcohol license has already been denied FOR GOOD REASON.

I support and agree with the viewpoints of the Friends of the Dunes:

Allowing alcohol at the Dunes State Park will negatively affect our family-friendly destination. As written, the rule ties the area where alcohol can be served to a permit, lease or contract. This could allow further expansion of alcohol into the park; the rule is not restrictive enough. Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present; selling alcohol near the beach will increase the risk of drownings. There was an alcohol-related drowning at the park this summer. No additional conservation officers will be added to ensure public safety. Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation. It's been well documented that the public does not want or need alcohol at this park!
Comment Received 10/2/2016 8:40:55 PM

Commenter Name Jon Solmos
City Chesterton **County** PORTER **State** Indiana
E-Mail Address jcsolmos@gmail.com
Comments I entirely disagree with this rule "Alcohol at Indiana Dunes State Park" (LSA #16-369) for the following reasons:

* Allowing alcohol at the Dunes State Park will negatively affect our family-friendly destination.
* As written, the rule ties the area where alcohol can be served to a permit, lease or contract. This could allow further expansion of alcohol into the park; the rule is not restrictive enough.
* VERY IMPORTANT - Allowing alcohol at this particular park is very dangerous, especially when lifeguards are not present; selling alcohol near the beach will increase the risk of drownings. There was already an alcohol-related drowning at the park this summer.
* No additional conservation officers will be added to ensure public safety.
* VERY IMPORTANT Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation.
* Also, It's been well documented that the public does not want or need alcohol at this park!
Comment Received 10/2/2016 8:57:03 PM

Commenter Name Pat Hellmers
City Valparaiso **County** PORTER **State** Indiana
E-Mail Address pat_hellmers@yahoo.com

Comments Hello,

Thank you for your online comment box.

Regarding LSA #16-369 - Alcohol at Indiana Dunes State Park

I would like you to think about the questions below before you vote on whether or not to allow Pavilion Partners to serve alcohol in and near the pavilion at Indiana Dunes State Park.

How will Pavilion Partners keep people from leaving the pavilion (or the planned addition) with a container of alcohol and going onto the beach or parking lot?

How will they handle people who have had too much to drink in their facilities or leaving their facilities?

If someone consumes alcohol in the Pavilion Partners' facilities, and subsequently drowns in Lake Michigan who will be liable?

If someone gets into a fight or altercation either in the Pavilion Partners' facilities or in the parking lot or "within 100 feet" of the pavilion, who will be liable?

The DNR has clearly stated that security will be the responsibility of Pavilion Partners and that the DNR will not provide additional security or lifeguards. The DNR has also stated that the issue of driving while under the influence will be the responsibility of the local law enforcement officers.

According to drawings of the plans for the pavilion, Pavilion Partners plans on having a bar on each of the three floors, the 1st floor described as a family pizza area where alcohol would be served, the 2nd floor as a fine dining area where they would serve alcohol, and the rooftop bar & lounge. All three areas in the drawings have a bar in the plans. It can be presumed that the planned addition/banquet area would also plan on serving alcohol.

Does this sound like a good idea in a park that prides itself on the natural surroundings, its peaceful days and nights, and safety for all who visit?

Please use your best judgment and search your souls, be courageous, and vote "no alcohol" in the pavilion at IDSP.

Comment Received 10/2/2016 10:16:39 PM

Commenter Name Toni Downing

City Chesterton **County** PORTER **State** Indiana

E-Mail Address tdowning909@comcast.net

Comments I am vehemently opposed to alcohol at the Indiana Dunes and against this rule change which essentially usurps the opinions previously expressed by the resident of Porter County. We saw what happened at our beach when alcohol was allowed. The beach became a dangerous and rowdy place. It was not family oriented and it required the taxpayers to maintain an increased politics level at the beach. With even more drug issues in our county and a much smaller tax budget due to tax caps, PLUS less funding for the DNR, there is no doubt these rule changes will change how we enjoy the beach while making it more expensive to maintain safety. The state has continually ignored local opinions and usurped local control on this issue. I ask that the hearing for these rule changes be held in Porter County so that our voices can be heard. Also, that you stop allowing changes to laws that were on the books for the benefit of preserving our natural resources and the enjoyment of such rather than benefiting just one businessman with political ties and deep pockets.

Comment Received 10/4/2016 8:06:39 AM

Commenter Name Karen Sommers

City Chesterton **County** PORTER **State** IN

E-Mail Address karen@sommersconstruction.com

Comments Introducing a commercial enterprise that serves alcohol at the beach of Lake Michigan is extremely concerning. Alcohol will find its way to the water, and more lives will be lost. Even more concerning is the danger to this ecosystem. This is a dark migration way station for birds. Introduction of lights and large windows will have devastating consequences to many species that use this beautiful woodlands. As a local resident I mourn the potential loss of one of our few places to view a starry night. Light pollution will destroy this. Please listen to the people who have voiced their objection to the commercialization of this rare and beautiful landscape. Thank you.

Comment Received 10/4/2016 8:12:50 AM

Commenter Name Katherine Schlobohm

City Portage **County** PORTER **State** IN

E-Mail Address katescalm@gmail.com

Comments Alcohol and rip tides are a horrible combination. How many people have to drown before the state understands this?

Not only will the proposed developments mar the natural beauty of the lakefront, it will change the state park from a family-friendly nature sanctuary to a party town. Surely, there are other places to put bars in Porter County.

Comment Received 10/4/2016 10:34:04 AM

Commenter Name Jennifer
City Highland **County** LAKE **State** Indiana
E-Mail Address fairskysgluth@yahoo.com
Comments It is ridiculous to even consider alcohol at the Indiana Dunes State Park. Many Hoosier families will stop coming, plain and simple - the only saving the park on a busy weekend in the summer is the fact that there is NO alcohol to escalate troubles.
Comment Received 10/4/2016 6:39:43 PM

Commenter Name Sabrina Atchley
City Chesterton **County** PORTER **State** Indiana
E-Mail Address sabrina.atchley@icloud.com
Comments First of all, I am not okay with a company paying for a property that all of the state of Indiana owns without my say-so. My tax dollars goes towards that park. I do not want that pavilion there to begin with. Area and state taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation. It also ties with another rule where alcohol is allowable to a permit, lease, or contract. This could allow expansion of alcohol sales/consumption into any part of the Indiana Dunes State Park without further public notification or input. The rule is not restrictive enough.

Second, the DNR has stated that it will not add conservation officers to control the use of alcohol. My yoga studio actually did three clean-up the dunes events this summer. It was already ridden in trash, including beer cans and other garbage that is not maintained. The park already needs more maintenance as well as officers to make sure rules are enforced.

Indiana Dunes State Park banned alcohol in 1990 for reasons related to the safety and comfort of its patrons. These reasons are still valid. There was an alcohol-related drowning at the park this summer. Indiana Lakeshore has actually had a lot of deaths in this past summer 2016 alone. We need more safety precautions.
Comment Received 10/5/2016 7:32:59 PM

Commenter Name Brian Busch
City Chesterton **County** PORTER **State** Indiana
E-Mail Address busch.brian@gmail.com
Comments This rule is an abomination. Everyone from my town has voted against this new legislation allowing alcohol to be sold at the Dunes National Lakeshore yet the law passes anyway. No we do not want to have to deal with drunk or buzzed people while enjoying family time at the beach. I'm dreading having to explain to my kids why people are acting rude and obnoxious while just trying to take a swim. 4th of July fireworks will be a guaranteed nightmare. I'd like for the public meeting on this rule to be held either in or near the Indiana Dunes State park considering the legislation will only affect the the surrounding towns and not the rest of the State. For our citizens to have to drive three hours to voice their opinions at a court house that will see no negative side affects and only income would be a miscarriage of the judicial system.
Comment Received 10/5/2016 7:55:29 PM

Commenter Name J. Cefali
City Valparaiso **County** PORTER **State** IN
E-Mail Address jvcefali@gmail.com
Comments Please hold a public hearing in or near Dunes State Park on the alcohol rule. 10,000 people signed a petition to Gov. Pence not to allow alcohol but it was ignored. Dunes Park is different from other state parks in that it has a dangerous lake with rip currents, which cause numerous drownings each year. Adding alcohol to this dangerous situation is irresponsible public policy. The taxpayers will have to pay for damages in alcohol related drownings. Alcohol was banned in the 1990s because of fights and disruptive behavior. Why open that can of worms again? Please do not allow alcohol at Dunes state park. Thank you.
Comment Received 10/5/2016 9:49:43 PM

Commenter Name Jonathan Thomas
City LaPorte **County** LAPORTE **State** Indiana
E-Mail Address jonathanwthomas@gmail.com
Comments I totally support the sale of Alcohol at a revamped pavilion on Lake Michigan. It will be so nice to finally be able to dine on the lakefront. I really think any hysteria about the fears of Alcohol being served to adults are unfounded, this is not the prohibition era.
Comment Received 10/6/2016 4:15:39 PM

Commenter Name Jerry Boyd
City Chesterton **County** PORTER **State** Indiana
E-Mail Address jtboyd62@hotmail.com
Comments I am writing concerning allowing alcohol to be sold at the Indiana Dunes State Park. I am strongly opposed to the DNR being given a permit to sell alcohol in the park and especially in an unnecessary and unwanted conference/banquet center. Privatization is diametrically opposed to the mandate of all our state parks, which is to preserve for posterity the natural landscape. Our park is already in danger from over use. Allowing alcohol consumption will only invite alcohol abuse into the park. I feel House Bill 1247 was a direct assault on our public lands. The Indiana Dunes are a natural treasure recognized worldwide. Please consider holding the meeting(s) that would determine the fate of alcohol in the park in Northwest Indiana, preferably Porter County, where more of our concerned citizens can attend and express those concerns. This affects all of us but the citizens local to the park will be the most directly affected. I am seriously discouraged

and angered by the DNR's selling out to private enterprise such as Pavilion Partners and I do not wish to see this proposal become a template for other state public lands.

Comment Received 10/15/2016 1:44:47 PM

Commenter Name Kristen

City Chesterton **County** PORTER **State** Indiana

E-Mail Address Kstapay93@gmail.com

Comments Don't allow alcohol on the beach!! Stupid people will think it's fine to leave empty bottles or cans there, and the beach will be littered! I don't want the stupid building there in the first place! It will be an awful eye sore and will bring in MORE people not local to the area! I hate seeing those out of state plates taking our beach! Stop construction! Go put it up in a bigger city!

Comment Received 10/19/2016 7:31:48 PM

Commenter Name Jennifer Gulino

City Indianapolis **County** MARION **State** Indiana

E-Mail Address jash_webb@yahoo.com

Comments My family has been going to the Dunes for generations. It is a wonderful place to enjoy time with friends and family. Alcohol can be very dangerous, there is no need to risk alcohol induced drownings, driving under the influence, or violence that often comes from alcohol use. Keep the Dunes pure and family friendly. The Dunes belong to us, the people, not businesses.

Comment Received 10/19/2016 7:44:08 PM

Commenter Name Patricia Hellmers

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address pat_hellmers@yahoo.com

Comments To the NRC, October 26, 2016

Thank you very much for scheduling your November 29th hearing at Woodland Park in Portage, Indiana, to consider LSA Document #16-369, regarding the selling and serving of alcohol in the Pavilion at Indiana Dunes State Park.

It is very gratifying that you are willing to meet away from your normal location in order to allow citizens of northwest Indiana to attend. We realize that in order to accommodate us by also making the meeting at 5 p.m., that means that you will be inconvenienced yourself in having to travel farther than usual and to attend a meeting at a different time than usual. Thank you for doing that.

I hope, however, that you might take even more time that day to come early and spend some time at Indiana Dunes State Park in order to learn more about the area that is being considered for the serving of alcohol.

I urge you to reach out to the group called Dunes Action to set up a meeting with the leadership of that group to meet you at the Pavilion and the state park in order to see first hand the building itself and the dunes area to learn their side of the whole story of the Pavilion. You will be making a decision that will be one of the most important you have ever made for the state of Indiana and therefore I feel you should make every possible effort to learn as much as possible about this issue as you can. To contact Dunes Action, email co-chairman, Jim Sweeney at jp55biod@att.net, or member Norm Hellmers at norm.hellmers@gmail.com.

The surrounding communities are over-whelmingly against this proposal for alcohol in the Pavilion at IDSP for the many reasons that you have probably been learning about. Serving alcohol in other parks in Indiana might be okay for their circumstances, but it is not a good idea for the Pavilion at Indiana Dunes State Park.

Rather than allowing alcohol at Indiana Dunes State Park in the Pavilion, you could, for instance, vote to not allow alcohol in the Pavilion and/or on the "licensed premises," but perhaps at other locations in IDSP. This is not really agreeable to most people in northwest Indiana, but if we can negotiate to not have alcohol at the Pavilion, this would perhaps be an acceptable compromise.

I understand that the state of Indiana passed laws in the 2016 session regarding this issue, but you still have the right, duty, and power to make the decision to not allow alcohol specifically in the Pavilion and/or licensed premises at Indiana Dunes State Park. I urge you to make this personal decision yourself to try to do something about this and to speak your mind about it to the other members of the committee.

Sincerely,

Patricia Hellmers
Valparaiso, Indiana

Comment Received 10/26/2016 12:11:38 PM

Commenter Name William Iltzsche

City Valparaiso **County** PORTER **State** IN

E-Mail Address biltzsche@hotmail.com

Comments Allowing alcohol at the Dunes State Park will negatively affect our family-friendly destination.

As written, the rule ties the area where alcohol can be served to a permit, lease or contract. This could allow further

expansion of alcohol into the park; the rule is not restrictive enough. Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present; selling alcohol on the beach will increase the risk of drownings. There was an alcohol-related drowning at the park this summer. No additional conservation officers will be added to ensure public safety. Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation. It's been well documented that the public does not want or need alcohol at this park!
Comment Received 11/13/2016 8:52:43 PM

Commenter Name Eric Watt
City Chesterton **County** PORTER **State** Indiana
E-Mail Address watt1330@gmail.com
Comments Please no alcohol at idsp.we are grandparents a enjoy taking the kids to the park. Alcohol is not needed here. It's a place to go in nature to be away from alcohol. Alcohol was banned here for a good reasons, those still apply. Thank you.
Eric Watt
Comment Received 11/20/2016 8:29:02 PM

Commenter Name Bernice A.Lundahl
City Valparaiso **County** PORTER **State** Indiana
Organization (optional) Concern Citizen
E-Mail Address Adelelundahl42@gmail.com
Comments The Indiana Dunes State Park is paid with state taxes from the people to support the park. We should have a voice in what it is used for. It's strange a man comes along with someone else's money and can pay the state government to have the laws of the state changed to benefit him with what he wants to do at OUR park. It's a family park,no crime. People from all over the world come to see this natural beauty. Long lines of cars wait to get into the park any given day.we don't need alcohol bottles and can to dirty the beach and have drinks roaming around. Also,no one knows what is going on or what is being built or how it will look but things are still being done there. What ever is going to happen,it is invading our community. When all is said and done,we have to deal with it. Keeping order,will be a problem,parking lot to small,and it will be limited to users of the conference center and banquet people with free passes to come and use the facilities
We are a small close quite community with limited money for police and fire services. It will also interfere with local businesses,just to satisfy one mans so called dream.
Comment Received 11/23/2016 12:07:38 AM

Commenter Name P Finn
City Valpapaiso **County** PORTER **State** In
Organization (optional) N/A
E-Mail Address irish31762@comcast.net
Comments No alcohol in State Parks.. More specifically Proposed Banquest Hall et al., Allowing alcohol in the parks will negatively impact/ruin the family friendly environment that currently exists, Anyone voting in favor of this needs to lose their job...it should have never gotten this far and wouldn't have were it not for corporate greed and circumventing the process.
Comment Received 11/23/2016 5:01:04 AM

Commenter Name peter j wilkin
City valparaiso **County** PORTER **State** Indiana
E-Mail Address pwilkin03@yahoo.com
Comments My wife, Judith, and I are totally against "Alcohol at Indiana Dunes State Park" (LSA # 16-369), as are the majority of residents in NW Indiana. The rule must not be passed.
Comment Received 11/23/2016 4:22:24 PM

Commenter Name John Franko
City Valparaiso **County** PORTER **State** IN
E-Mail Address franko4@comcast.net
Comments stop the privatizing of are state parks!
Comment Received 11/23/2016 6:58:33 PM

Commenter Name ROBERT VICTOR
City HIGHLAND **County** LAKE **State** INDIANA
E-Mail Address victor.robert@excite.com
Comments I believe that the introduction of alcohol to the park will increase problems that may inflict injury or death to those engaged. Water and alchohol do not mix. it causes problems in a family friendly area. Alcohol increases accidents and will increase risk to park attendees. Ban the sale and use of drinkks at the park. Venues outside the park can support it. Keep the park the way it is now. 10,000 people did not want it but somehow was overlooked. Do not corrubt the park and adjoining land.
Comment Received 11/23/2016 9:12:43 PM

Commenter Name Judith Wilkin
City Valparaiso **County** PORTER **State** Indiana
E-Mail Address jaswilkin@gmail.com
Comments To NRC I do not want "Alcohol at Indiana Dunes State Park (LSA #16-369) passed. Alcohol would be a terrible

idea at our local popular park. It is not needed to increase attendance as park is so popular already.

Comment Received 11/24/2016 5:44:21 PM

Commenter Name Gregory T Granado
City Chesterton **County** PORTER **State** Indiana
E-Mail Address g.granado@comcast.net

Comments RULE NAME: Alcohol at Indiana Dunes State Park. I am totally against serving alcohol in any publicly owned environment such as State/National Parks. RECREATION, RENEWAL, RELAXATION, and let us not forget...a RE-CONNECTION with nature are the primary reasons for PRESERVING and RESTORING the land that we are making our investment in (tax)dollars and time for. I was not personally involved in establishing any public recreational land, but I continue to support the preservation of it...and I can tell you from personal experience that alcohol and physical recreational activity does not mix. I don't want to take my family...children and grandchildren...to our state park beach knowing that, perhaps, 100 feet away there is a party going on where alcohol is being served. Alcohol is detrimental to a person maintaining his/her control. Alcohol is a government approved and controlled substance which has dangerous affects on the human mind. I ask this commission to just remind themselves of all the problems alcohol presents on the open road, sitting and stirring in the body of a person driving a motorized vehicle. This state spends millions of our tax dollars keeping drunk drivers and publicly intoxicated pedestrians off our streets, and now this commission is ready to ignore: The efforts of our law enforcement agencies to keep alcohol off the roads; The values that the citizens, STATEWIDE, have expressed by supporting the laws that help reduce the consumption of alcohol before an inebriated person gets on our public roads (with, perhaps, his/her own family in the vehicle!). This commission is ready to approve another source of alcohol consumption in a family oriented environment, in light of the law and the values that the citizenry have pressed against these past 10 to 15 years? For MONEY?! What a joke...the joke being that our public coffers are not going to benefit from the "deal" that this rule is being considered for....Indiana Dunes State Park...banquet hall. Is this commission going to require that the state will get 20% of alcohol sales? I'm not sure...I'm not privy to the lease. But, I'll bet we aren't getting 20%. Would that make a difference to me? No. Would that make a difference to the commission? It should. Aren't you supposed to be watching out for my property? Yes. But you're not. You are exposing our property to risk...risk that the prohibition of smoking and drinking and driving motorized vehicles over the land that was removed by laws passed by our legislature. This commission is charged with PROTECTING the land, not bargaining it's use away for mere "beads"....\$18,000 a year in rent? Honestly, we should feel like the Native American Indian whose land was bargained away for beads and trinkets. But, that's not the point of this comment. This commission is not protecting and preserving the citizen's interests in this rule. The safety and protection and preservation of the land is the charge this commission was given. My suggestion is this. STOP RUNNING AWAY FROM YOUR DUTY TO THE CITIZENS. If you need more money for the parks then tax us. You don't give away the parks. The NRC is not in the business of real estate development nor commercial development. We have other boards and commissions for that. This commission is not bound to let alcohol be consumed and possessed on this land just because the legislature says it can be. That part is an option. So, I ask. Why is the commission exercising the option? Again...\$18,000 in rents? Again....ask us for more money. This commission really needs to get its act together on this issue. We have major laws and widespread supportive citizen's opinion on the sale and consumption of alcohol on public property(roads and sidewalks are public property) and yet this commission is considering this "work around" legislation to allow it to authorize possession and consumption of alcohol on said property. You want to authorize alcohol consumption in a venue that will have children in the banquet hall...children in the parking lot...children in the cars being driven by inebriated party goers...children on the beach watching drunks trying to swim in the lake....children on the beach listening to "drunk talk". Hasn't it been for the young people we are trying to raise that we have limited the exposure to drunkenness? This community, specifically, has rallied and lobbied and have made their opinions known as to how they want to save and preserve our natural resources. We didn't sell before. We don't want to sell now. Our local alcohol board ruled with the community. Doesn't the NRC wonder why this park is so safe? We have tried to keep it that way...and the general public sees this....and supports our efforts. How? By visiting it. The way it is...not the way a developer wants to make it. Let me repeat a message I made earlier. This whole alcohol issue...Pavilion and all can go away. ASK US FOR MORE MONEY, IF YOU NEED IT. Thank You.

Comment Received 11/27/2016 12:32:14 AM

Commenter Name Patricia Carlisle
City Chesterton **County** PORTER **State** IN
E-Mail Address pacarlisle@msn.com

Comments In regard to alcohol at Dunes State Park Pavilion, I am favor. I have chosen to publicly share this opinion at various meetings and in letter to editor. I believe that an upscale restaurant with a liquor license would be economically beneficial without negatively impacting the park/beach/recreation options, etc. I wish to speak out again as I believe there are a majority of citizens in the area who believe as I do, but are reluctant to speak out for fear of negative backlash from Dunes Action supporters. I base this opinion on what people have shared personally with me about the issue. Please move forward with park enhancement. I also believe that the State of Indiana needs to financially support our park system to a greater degree so that maintenance and improvements are conducted in a timely manner. Thank you in advance for your support.....

Comment Received 11/27/2016 8:56:24 AM

Commenter Name Phoebe House
City Chesterton **County** PORTER **State** Indiana
Organization (optional) Chesterton resident
E-Mail Address phoebejane0@frontier.com

Comments I want to ask the Commission to deny alcohol use at OUR Dunes State Park. I shutter to think of the ramifications of drinking at the park. Primarily no one will "walk" home. But hit the parking lots and roads impaired as families attempt to enjoy the park. There are ample places to eat, party, and drink in the area, we do not need to ruin the park with

alcohol consumption! The residents around the park have in many ways indicated no alcohol please at OUR Dunes Park!

Comment Received 11/27/2016 9:39:35 AM

Commenter Name Ellen Adams

City Valparaiso **County** PORTER **State** IN

E-Mail Address seadams01@comcast.net

Comments I disagree with this rule. The vote on the local and state level is against serving alcohol at Dunes State Park. It is the responsibility of representatives of government to act accordingly. Serving alcohol and it's consequences create negative impact on public lands and nature conservation.

Comment Received 11/27/2016 1:20:09 PM

Commenter Name Richard Barber

City Valparaiso **County** PORTER **State** IN

E-Mail Address rich.barber@comcast.net

Comments Alcohol at Dunes State Park - Rule "Alcohol at Indiana Dunes State Park" (LSA #16-369)

I would like to voice my opposition to introducing alcohol sales at Dunes State Park. The local and State Alcohol commissions have both rejected a permit based on input from the public. We are at this point only because of a legislative end run around the public input process.

The reasons for not allowing sales are many. Among these are: sales would negatively impact the family friendly atmosphere; currently, the rule ties the area where alcohol can be served the rule is not restrictive enough to prevent expansion of sales into other park areas; teenaged lifeguards should not have to deal with adult drinkers; no additional conservation officers will be added to ensure public safety; Selling alcohol on the beach increases the risk of drownings; No additional conservation officers will be added to ensure public safety; Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park; it has been well documented that the public does not want or need alcohol at this park.

I request that you listen to the public's concerns and input on this subject and NOT allow alcohol sales at Dunes State Park.

Richard Barber

Comment Received 11/27/2016 3:24:21 PM

Commenter Name Pam Rearick

City Chesterton **County** PORTER **State** IN

E-Mail Address Rearick321@gmail.com

Comments I respectfully ask you to retain the current rule that bans alcohol at Dunes State Park. The reintroduction of alcohol will mean a return to the dangerous conditions that existed in the 80s when alcohol was allowed to be carried into the park. The proximity to the large urban areas of Chicago and its South suburbs has not changed in the intervening years. To make this more problematic there has been a proliferation of drug usage. Alcohol will magnify the problems associated with drug usage. As a resident of Porter County I remember the time before the ban was in place. It was an unsafe environment for children and families. In addition you only have to look at photos of the Pavillion to see that it is ON the beach, thus alcohol use there violates another DNR rule banning alcohol on a beach or near a pool.

Comment Received 11/27/2016 10:34:40 PM

Commenter Name Robert Setlik

City Porter **County** PORTER **State** Indiana

E-Mail Address rtsetlik@yahoo.com

Comments I firmly believe it is not in the public interest to allow alcohol at this state park. The limited benefits to the state are far outweighed by the potential problems caused by imposing an alcohol related facility on the beach against the will of the people of Northwest Indiana who have clearly stated their opposition to this project.

Comment Received 11/27/2016 11:38:04 PM

Commenter Name Bob Nicksic

City Chesterton **County** PORTER **State** Indiana

E-Mail Address bobnicksic@hotmail.com

Comments Please do not pass a rule allowing alcohol to be served at Indiana Dunes State Park. This beach is subject to frequent rip currents which already cause drownings and near-drownings every year. Alcohol will only serve to increase this danger, especially if served at wedding receptions held at the proposed Banquet Center (roughly 50 yards from the lake), well after dark, with no lifeguards on duty. Alcohol was previously banned at this park in the 1980's for many reasons, including drownings. THIS IS A RECIPE FOR DISASTER, PLEASE VOTE NO.

Comment Received 11/28/2016 9:21:51 AM

Commenter Name Frank Maxwell

City Porter **County** PORTER **State** IN

E-Mail Address Spartymax@comcast.net

Comments I am in favor of a alcohol license for Indiana Dunes State Park and Pokagin State Park-- I enjoy s Libation with a good meal at a nice restaurant -- I think the anti's on this issue are raising inane opposition-- other State parks and many National Parks have restaurants that serve alcoholic beverages without it harming the public welfare. Thanks

Comment Received 11/28/2016 11:20:32 AM

Commenter Name Michael Shea

City Porter **County** PORTER **State** Indiana

<p>E-Mail Address mshea@dwauniforms.com Comments I live in Porter Beach, and wish to have my position known as FOR the food & beverage in the Park! Comment Received 11/28/2016 4:24:09 PM</p>
<p>Commenter Name Cheryl Meier City Porter County PORTER State Indiana E-Mail Address cheryl.meier@meierlawllc.com Comments I am in favor of this Rule permitting alcohol at the Indiana Dunes State Park. I have been a resident of Porter Beach since 2004, and believe that permitting alcohol on park property will enhance the attractiveness of this State Park and improve commerce in the area. The significant tourism-related commercial benefits of having one of the only licensed dining facilities on Lake Michigan (in Indiana) far outweigh any negative speculation about potential problems/abuse. In any event, the same precautions and limits in place for other licensed facilities will apply at the State Park facility to reduce the risk of any negative impact. The Indiana Dunes State Park serves the interests of the ENTIRE state of Indiana -- not just the interests of the immediate community, who likely comprise the majority of the (overly) vocal dissenters. Comment Received 11/28/2016 4:36:41 PM</p>
<p>Commenter Name Robin Corralez City Chesterton County PORTER State IN E-Mail Address rncorralez@gmail.com Comments I would like to see alcohol allowed on the lakefront to add renewed enthusiasm for beach venues and restaurants to take over the pavilion. It's good for the county. Comment Received 11/28/2016 4:36:56 PM</p>
<p>Commenter Name Karen City Porter County PORTER State IN E-Mail Address kaysisco@comcast.net Comments I am for the legalization of alcohol at the Dunes State Park and agree it should be limited to the pavilion and banquet center. Comment Received 11/28/2016 5:49:44 PM</p>
<p>Commenter Name Anthony City Chesterton County PORTER State Indiana Organization (optional) Vesh E-Mail Address IN46304@aol.com Comments I am in favor of allowing alcoholic beverages to be consumed or possessed at the Indiana Dunes State Park. I understand there have been threats against individual board members of our local ABC that frightened them into voting against this when otherwise they would have been in favor as am I and my family is. There is a highly vocal, politically partisan minority who have gone to the extreme in mobilizing and making it seem as if most residents would be very unhappy to have some sort of reasonable alcohol consumption at the park, but they are a much smaller number than it would seem. Please allow alcohol consumption at the Indiana Dunes State Park! Comment Received 11/28/2016 6:01:00 PM</p>
<p>Commenter Name Shelley Mulconrey City Beverly Shores County PORTER State Indiana E-Mail Address Mulconrey@comcast.net Comments I object to allowing alcohol at the State Park via permits to sell via permits, Leases and concessions. I also object to the corrupt process by which the concession for the banquet center was decided. Comment Received 11/28/2016 10:40:23 PM</p>
<p>Commenter Name Dell Knickerbocker City Valparaiso County PORTER State INDIANA E-Mail Address uptownsaxman@comcast.net Comments The serenity and purity of the Indiana Dunes should be preserved by a continued ban on open container consumption and sales. This is not a proper action to allow alcohol sales and consumption within the State Park. The people's wish to have a safe a friendly experience within the park should trump any and all liquor business. This is not Chuck White's park. It belongs to the citizens of Indiana. Don't make a foolish mistake in allowing alcohol sales within the park. NO! Comment Received 11/29/2016 2:13:17 AM</p>
<p>Commenter Name Sandra Setlik City Porter County PORTER State Indiana E-Mail Address smerscher@yahoo.com Comments Since 1990 locals have enjoyed a safe and peaceful beach at the Indiana Dunes State Park, thanks to the ban on alcohol. We do NOT want to return to the days of drunken gangs and ruffian behavior. Let's NOT allow this rule to pass. Comment Received 11/29/2016 11:10:52 AM</p>
<p>Commenter Name Kevin F. Ledbetter City Valparaiso County PORTER State INDIANA Organization (optional) Mr. E-Mail Address Kevin.Ledbetter@valpo.edu Comments My first memories of the Indiana Dunes State Park were that of yearly field trips we would take in elementary</p>

school. I learned to appreciate hiking the trails that traverse the dunes. I spent many summer days swimming and playing on the beach.

Later in life, when my wife and I were bringing up my children, we avoided the Indiana Dunes State Park because of the alcohol-driven seediness that plague the park during the late 80's. It wasn't so convenient driving to the beaches of Michigan, but we felt the atmosphere was better for our children. In the 90's after the DNR banned alcohol at the park, things changed for the better.

Here we are over 25 years later. Now a politically connected investor group has their eyes on the profits that can be made selling alcohol on State Park property; especially, considering the sweetheart deal they worked out with the DNR.

As stated on their website, "The mission of Indiana's Division of State Parks and Reservoirs is to manage and interpret our properties' unique natural, wildlife, and cultural resources using the principles of multiple use and preservation, while sustaining the integrity of these resources for current and future generations." I ask, how does serving alcohol on State Park property help further that mission? What it does, is make a few well connected people, a little more wealthy; but at a cost to others.

If you been to the beach on a summer day, you will find the parking facilities at the Dune State Park beach are at times very crowded with small children running through the parking areas. Drivers whose ability to drive has been hindered due to alcohol consumption would be more likely to injure or kill these children.

Alcoholic beverages inhibit one's ability to make intelligent decision as well inhibiting a person's ability to swim; this, this certainly will lead to an increase in the number of people drowning at the beach each year.

Indiana is an open-carry state, the serving of alcohol at the park will also increase the likelihood of gun violence at the park. The people who worked so hard to create the Indiana Dunes State Park did so to preserve the natural beauty and character of the dunes. Selling alcohol at the park does nothing to further this mission. We need to defend our State Parks against private interests which intend to exploit our natural treasures, disturbing their natural character for private profit. I ask this Commission to reject the rule allowing alcoholic beverages to be sold on Indiana State Park property.

Comment Received 11/29/2016 3:38:20 PM

Commenter Name Paul J. Mache

City Chesterton **County** PORTER **State** Indiana

E-Mail Address paul_mache@yahoo.com

Comments The rule states that no alcohol shall be served on a swimming beach. The Pavilion is ON THE BEACH.

Therefore no alcohol can be sold from or in the Pavilion. I repeat - THE PAVILION IS ON THE BEACH! Preferable to this rule would be a rule prohibiting ALL alcoholic beverages from the Dunes State Park. Respectfully submitted, Paul J. Mache

Comment Received 11/30/2016 8:27:30 AM

Commenter Name Ann Moodie

City Burns Harbor **County** PORTER **State** In

E-Mail Address annmoodie@yahoo.com

Comments The Pavilion is in fact on the beach at the INDSP and being that the rule says there should no alcohol consumption at a swimming beach; the following are the restrictions that should be added to the rule

The visitors to either the banquet hall or Pavilion must not be allowed outside the buildings; there should be restricted hours during which these places are open to prevent disturbances for the park visitors such as only open during evening hours.

This would prevent co-mingling between imbibers at the buildings and park visitors who want to enjoy the serenity of the beach and lovely Lake Michigan. Will you continue to ignor the wishes of the people?

Comment Received 11/30/2016 9:07:32 AM

Commenter Name Deborah Hoyns

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address somewhereinthegarden@gmail.com

Comments We the local people of the Indiana Dunes State Park region wanted a restoration of the beautiful and historic Pavillion and a nicer restaurant to take our families to enjoy a lakeside meal. Instead we will be subjected to a bad deal which only benefits the few and endangers the many. Large bodies of water and alcohol do not mix in a family friendly state park setting. Every year sober people lose their lives and drown because they have misjudged Lake Michigan. Alcohol will not help anyone's judgement.

Comment Received 11/30/2016 11:00:45 AM

Commenter Name Colleen Duffy

City Schererville **County** LAKE **State** IN

E-Mail Address Colleen@iteams.com

Comments First off, please know that I have been against the entire project going on at the Dunes since the public was finally (too late-after the contract was signed) made aware of the giveaway of our beach. I am frustrated, that with the over 10,000 signatures that made their way to Indianapolis, the politicians chose to ignore overwhelming public input against allowing alcohol at the Dunes. I am also 99.9% confident that the people who live and work in this area will again be ignored by you-and am disgusted. It seems a rule is a rule only when it suits. We are being told that it is inevitable that alcohol will now be allowed on different floors of the pavilion, the banquet center, and the parking lot. I have no big money behind me, like the connected parties that got the Alcohol and Tobacco Board ruling ignored. I am just a lifelong resident of Northwest Indiana who has been visiting the Dunes my entire life.

If this is going to happen, the restrictions listed are insufficient for the layout of the Dunes park.

1) First, the pavilion is ON the beach. It is referred to as the Beach Pavilion, because it is on the beach. Therefore, the permit/lease for serving alcohol at the pavilion is in conflict with the rule. No alcohol served on the swimming beach=no alcohol at the pavilion or proposed banquet center (to be built ON the beach).

2) Security/police/fire/emergency/search&rescue & recovery (yes, it will be needed) costs to be born by the operator/owner/builder. This project was not supposed to inflict a monetary burden on the taxpayers, yet the costs for the services listed above will be high.

3) Legal. It would be wise to figure out how to shield the DNR, Chesterton, State from the lawsuits that will follow should there be an injury or death, be it car accident or drowning, as the result of someone consuming alcohol at this site. This site is on a beach. This site is withing 30 seconds walk to Lake Michigan, notorious for riptides, undertows, and drownings. The parking lot, where festivals etc. may take place is teeming with little kids. It is narrow to navigate on an average summer day. The cost of one lawsuit will be enormous. We were told the pavilion was too costly to fix without this partnership, yet no alternatives were discussed in a public forum. One lawsuit will potentially cost more than this project, and the taxpayers had better not be on the hook. I am not even appealing that the cost of a life is too much; we have explained the particulars of this location over and over and it has fallen on deaf ears.

4) Alcohol during swimming season (Memorial Day to Labor Day) only after posted swimming hours are over. (No, this does not mean change the swimming hours from their present times in order to circumvent)

5) Immediate financial penalty as well as loss of permission to serve alcohol if one accident, drowning/near drowning occurs either on park property or is linked back to someone being served at the park. The taxpayers should also not be held hostage by a private business not able to business anymore because they are irresponsible.

6) Music shall not be heard outside of buildings on the beach. If alcohol is permitted to be served outside the buildings on the beach, no music louder than a car radio is permitted. The Dunes, for many reasons, are not an appropriate venue for live bands, djs, etc. not least of which is the proximity to the water of the pavilion and parking lot.

I am tired of this fight. I am tired of watching our government officials dismiss the public, placate the public with the farce of having a meeting for public input when the endgame is already determined, and of the lack of shame the DNR has shown after entering into a bad contract and abandoning their mission statement.

Comment Received 11/30/2016 11:48:44 AM

Commenter Name Patricia Grismer

City Chesterton **County** PORTER **State** Indiana

Organization (optional) David Grismer

E-Mail Address Dpgrismer@comcast.net

Comments 1-Allowing alcohol at the Dunes State Park will negatively affect our family-friendly destination. People come to IDSP to enjoy peaceful recreation in the unique dunes environment. Alcohol was prohibited from the Dunes around 1990 due to gang violence, and it should not be re-introduced via this law and rule change.

2-As written, the rule ties the area where alcohol can be served to a permit, lease or contract. This could allow further expansion of alcohol into the park; the rule is not restrictive enough. Again, alcohol will present many problems within IDSP, including violence, personal attacks, lower safety on the beach and trails, create more litter, potential deaths, and many more.

3-Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present; selling alcohol on the beach will increase the risk of drownings. There was an alcohol-related drowning at the park this summer. Bottom line, the pavilion is ON THE BEACH.....alcohol should be prohibited throughout this park.

4-No additional conservation officers will be added to ensure public safety. IDSP already lacks sufficient security, especially during the high attendance summer months. Adding "legal" alcohol to the mix is a really bad idea.

5-Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation. Best option is to amend the Law for this location.

6-It's been well documented that the public does not want or need alcohol at this park! More than 500 attended the local Alcohol Board hearings in 2015, and more than 10,000 signed petitions against alcohol and the privatization at IDSP. Again, amend the Law for this location.

Thank you.

Comment Received 11/30/2016 2:04:03 PM

Commenter Name Barbara Borg Jenkins

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address barbjenkins.1949@gmail.com

Comments The following restrictions should apply if alcohol is served at Indiana Dunes: 1) Pavilion Partners is responsible, both financially and legally, for all incidents that will result from alcohol being served at a pavilion located on the beach. 2) All extra security must be paid for by Pavilion Partners. 3) No alcohol should be allowed outside of the pavilion.

Comment Received 11/30/2016 3:00:57 PM

Commenter Name Norman Hellmers

City Valparaiso **County** PORTER **State** IN

E-Mail Address norm.hellmers@gmail.com

Comments Comments of Norman D. Hellmers, Valparaiso, Indiana

I have two primary topics I would like to address.

One is the fact that there has been insufficient public involvement in all issues associated with the pavilion on the beach at the Dunes. The second is that the justification presented by the DNR for approving this amendment is flawed.

Firstly, regarding alcohol, the local ATC board and the ATC Commissioners listened to the public. Because of their denials through normal ATC procedures, the DNR -- working with Pavilion Partners -- lobbied the General Assembly to pass

legislation that would allow alcohol to be served in state parks. This was planned without public knowledge.

In addition to the comments you have received, over 10,000 people have signed petitions in opposition to alcohol and the banquet center.

Secondly, in addition to respecting the wishes of the public, the NRC's rulemaking must be consistent with the statements outlined in LSA Document #16-369 (see attached).

In the "Justification Statement" there are at least five false statements. They are:

1. "There are no new costs for businesses."

There will be "new costs." The cost of this rule will be to local businesses, including restaurants, bars, and banquet facilities in Chesterton and other nearby communities. These businesses will suffer financially. A reduction in revenue for a business is the same as a cost.

2. "There is no expectation of change in requirements or costs for state or local government as a result of this rule amendment."

This is not true as there is an expectation that there will be an increase in costs for state and local government.

The most recent plans of the developer call for: bars on the two floors of the pavilion and in a "rooftop lounge" (all 3 levels); alcoholic beverages in a proposed banquet center (to be used as a wedding chapel and reception hall), and beer festivals and wine tastings in the parking lot. These facilities and the parking lot could all be serving alcohol at the same time. The pavilion will essentially become one large drinking establishment.

It can be anticipated that there will be additional costs to local and state governments for services connected with law enforcement, emergencies, medical incidents, traffic management, vehicular violations, and other related incidents.

These additional costs represent an unfunded mandate to the county and nearby communities who will be called upon to respond.

3. "There are minimal new compliance or administrative costs for DNR."

This rule, in addition to allowing alcohol in the pavilion, would allow organizations, private beverage operators, caterers, and similar entities to apply for permits to be used in the pavilion, in the parking lot, in picnic shelters, and other areas identified by the DNR. All of these requests will have to be managed, approved by the park, and run past the DNR's Law Enforcement Division. To say that there would be "minimal" administrative costs for the DNR is simply false.

4. "There are very few new enforcement requirements for DNR."

Generally law enforcement is performed in state parks by the DNR's conservation officers; but they can't be everywhere all the time. Currently Indiana Dunes State Park has only a minimal law enforcement presence. The DNR has stated that no additional conservation officers will be added to ensure public safety. Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, of which there are certain to be many, especially since the reintroduction of alcohol will create an environment for alcohol on the beach, in campgrounds, day use, and other areas.

5. "DNR believes the direct and indirect benefits of this proposed rule amendment justify the need for Indiana Dunes State Park to fulfill the legislative intent of IC 7.1-3-17.8 with negligible new requirements or costs for DNR."

This statement in the justification is also false. Importantly, the DNR has never satisfactorily laid out what the "direct and indirect benefits" are of serving alcohol in the park. The only rationale seems to be to make money for the DNR to take care of their state parks. The pavilion does need restoration, but alternate funding options were never discussed with the public. The opponents are still open to such discussions. Indeed, the DNR is required by law to consult with the public before proceeding on any construction, a law they have never obeyed.

We earnestly ask that you recommend that the NRC not approve this rule change and to not approve the reintroduction at all. Just because the law says you can do something, doesn't mean that you have to do it.

Norman Hellmers
norm.hellmers@gmail.com
217-462-6222

Comment Received 11/30/2016 3:04:34 PM

Commenter Name Norman Hellmers

City Valparaiso **County** PORTER **State** IN

E-Mail Address norm.hellmers@gmail.com

Comments The NRC includes this sentence in their mission statement: "The Commission is committed to . . . facilitating receipt of professional opinions and comments from the public at large for incorporation into decision making responsibilities." There is no evidence that professional opinions were sought on this matter, except those of the DNR, which are not objective.

If you would like a professional opinion, I'll give you mine. I had a 34-year career in parks and recreation. I started in 1969 as an Information and Education Specialist with the Nebraska Game and Parks Commission. Beginning in 1972, I had a 31-year career with the National Park Service. For the first ten years, I was a Park Ranger in a variety of parks. I also served as a Park Superintendent for 21 years. My career has involved the preservation and management of natural and cultural resources. My objective professional opinion is that this is a bad idea for all of the reasons presented by the public. Don't allow alcohol in the park at all.

Norman Hellmers
norm.hellmers@gmail.com
219-462-6222

<p>Comment Received 11/30/2016 3:26:09 PM</p> <p>Commenter Name Donna DeRosa City Chesterton County PORTER State Indiana Organization (optional) Dunes Action E-Mail Address donnader@comcast.net Comments SECURITY is a HUGE issue when alcohol consumption is allowed. Monitoring consumption is the seller's responsibility, the same as any bar. Liability for over-serving customers will be the seller's responsibility. Liability for customers who leave the establishment inebriated, walk onto the beach, into the water and need emergency services is the responsibility of the seller who will cover the costs. Liability for customers who are over-served and become involved in a traffic accident will be the responsibility of the seller. Seller will provide ADEQUATE security personnel to monitor the establishment during hours of operation.</p>
<p>Comment Received 11/30/2016 3:39:04 PM</p> <p>Commenter Name Anne Koehler City Chesterton County PORTER State Indiana Organization (optional) Dunes Action E-Mail Address akoehler@iun.edu Comments I am against liquor on the Indiana Dunes State Park. Being that this has been granted I suggest it only be allowed on Wednesday nights</p>
<p>Comment Received 11/30/2016 4:03:51 PM</p> <p>Commenter Name Bernice A.Lundahl City Valparaiso County PORTER State In. Organization (optional) Dunes Action E-Mail Address Adelelundahl42@gmail.com Comments Put restrictions on time of day,less populated times.No week-ends. More police patrol or more DNR workers. Older life guards,less responsibility on MINERS. No alcohol outside at anytime. People to patrol parking for DRUNKS. Since taxpayers pay for park, State payers for added POLICE, added LIFE GUARDS,and DNR workers. No loud music, no added trash outside on beach areas and parking lot. Bathe should be in working conditions at all times.</p>
<p>Comment Received 11/30/2016 4:10:16 PM</p> <p>Commenter Name Patricia Jarosz City Hobart County LAKE State Indiana Organization (optional) Izaak Walton E-Mail Address camppatty62@gmail.com Comments Please do not allow alcohol sales within 1000 feet of the water; do not allow "open" bars, "cash only" bars, do not allow sale of alcohol at outdoor events. This is a place enjoyed by families and alcohol has no place to be sold around minors. Do not take this valuable pastime away from our families.</p>
<p>Comment Received 11/30/2016 5:28:29 PM</p> <p>Commenter Name Diane Bates City Chesterton County PORTER State IN E-Mail Address bates433@msn.com Comments Before you can make a rule to have alcohol on the beach, the pavilion must be defined. The pavilion is on the beach and it is a swimming beach!!!</p>
<p>Comment Received 11/30/2016 5:30:02 PM</p> <p>Commenter Name Phillip Kohler City Michigan City County LAPORTE State Indiana E-Mail Address phillipkohler@gmail.com Comments Allowing alcohol at the Dunes State Park will negatively affect our family-friendly destination. As written, the rule ties the area where alcohol can be served to a permit, lease or contract. This could allow further expansion of alcohol into the park; the rule is not restrictive enough. Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present; selling alcohol on the beach will increase the risk of drownings. There was an alcohol-related drowning at the park this summer. No additional conservation officers will be added to ensure public safety. Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license. This amounts to taxation without representation. It's been well documented that the public does not want or need alcohol at this park!</p>
<p>Comment Received 11/30/2016 5:55:34 PM</p> <p>Commenter Name Judith Mervine City Chesterton County PORTER State IN E-Mail Address judymervine@gmail.com Comments I strongly oppose the drinking of alcohol at the Indiana State Park. I recall too well why it has long been prohibited. There were gangs and fights and families could not enjoy THEIR park and beach. It has been a beautiful source of calm and rejuvenation since then. Please vote your conscience. Thank you</p>
<p>Comment Received 11/30/2016 6:57:03 PM</p>

Commenter Name Sandra Setlik
City Porter **County** PORTER **State** Indiana
E-Mail Address smerscher@yahoo.com
Comments After attending 11/29 meeting, I NOW understand the ambiguous-worded rule and want to add the restriction that alcohol NOT be allowed within a 1000 feet of the water...which will essentially eliminate drinking in the pavilion, which is how it should be. Other state parks with restaurants should be able to serve drinks with dinner...but the Indiana Dunes is an entirely different species. Drinking in the pavilion is drinking on the beach. Past experience shows that this leads to serious issues.

Comment Received 11/30/2016 7:50:02 PM

Commenter Name Pam Rearick
City Chesterton **County** PORTER **State** IN
E-Mail Address rearick321@gmail.com
Comments Dear Commissioners:
It has been apparent throughout this whole process that the agreements were made behind closed doors, without any public input. This secrecy goes against the DNR's own rules. The process of choosing someone to renovate the pavilion at DSP should have been open for public discussion prior to the signing of the lease agreement. Though it is no longer in your power to stop the proliferation of alcohol at all state parks I am requesting the following rule changes to better ensure transparency going forward.

1. Line B (designated in a lease and contract authorized under IC 14-18-2-4) be deleted.
2. If Line B is retained the "or" at the end of line A be amended to "and"

This change will better serve the interest of the "public" who own the park.

Thank you

Comment Received 11/30/2016 8:08:42 PM

Commenter Name walt
City Chesterton **County** PORTER **State** IN
Organization (optional) rearick
E-Mail Address rearick321@gmail.com
Comments I am requesting that the following changes be made to the proposed rule:
1. Line B that references the Lease agreement and contract be struck
2. If line B is retained the or at the end of Line A be changed to and.

These changes should be made to make this process more transparent.

- 3 Require the DNR to only employ lifeguards over the age of 21 with special training in handling inebriated swimmers
4. Require patrons of the pavilion/banquet center arrive and leave by public transportation
5. Put in language that prohibits the usage of parking spaces within 100' of the pavilion for the sale of alcohol

Thanks

Comment Received 11/30/2016 8:21:31 PM

Commenter Name Pam Rearick
City Chesterton **County** PORTER **State** IN
E-Mail Address rearick321@gmail.com
Comments I am requesting the following restrictions to the rule:
1. All lifeguards must be 21 with special training in handling inebriated patrons
2. Conservation Officer/Law enforcement must be on duty and visible during normal operating hours
3. Security cameras to be installed and monitored during business hours
4. Natural Resources Commission require the DNR to renegotiate the lease with public input before any construction may continue

Comment Received 11/30/2016 8:31:08 PM

Commenter Name Lee Ann Leady
City Porter **County** PORTER **State** IN
E-Mail Address llead@yahoo.com
Comments Currently, alcohol consumption is not allowed on the beach. The Pavilion is ON the beach!! And so will be the banquet hall.
The state ignored the wishes of the people
By passing the made up law. Will you listen to us now and place restrictions on this law?
There should be NO co-mingling of partyers and park visitors who want to enjoy the beach and the serenity of this natural treasure.

Comment Received 11/30/2016 8:52:12 PM

Commenter Name Adam Leady
City Porter **County** PORTER **State** IN
E-Mail Address adamleady@yahoo.com
Comments You did not listen to the people of Porter County and residents that enjoy our state park!! I am requesting amendments to this law that you have put into place to make more money.....

Keep your alcohol serving businesses closed on holiday weekends
No loud music outside the buildings
Customers of the buildings are not allowed outside the building
Flood lights off at dusk

Comment Received 11/30/2016 8:54:57 PM

Commenter Name Zach Hall

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address Zdhall@gmail.com

Comments COMMENT #1:

I request that the statement in line B that mentions the "lease" between the DNR and Pavilion Partners be deleted from the rule.

COMMENT #2:

If both lines A and B must be kept in the rule, the "OR" at the end of line A should be changed to "AND".

Comment Received 11/30/2016 9:12:38 PM

Commenter Name James Sweeney

City Schererville **County** LAKE **State** IN

E-Mail Address jp55biod@att.net

Comments Change the word OR in the proposed rule to read AND.

Comment Received 11/30/2016 9:15:30 PM

Commenter Name Joan Dittmann

City Beverly Shores **County** PORTER **State** Indiana

E-Mail Address j4dittmann@yahoo.com

Comments Thank you for the opportunity to comment on LSA #16-369. I appreciate the hearing, this opportunity and the commission's commitment to "facilitating receipt of comments from the public at large for incorporation into decision-making responsibilities". I hope your work goes beyond "facilitating receipt of comments" to also taking them to heart to do what is moral and uphold the will of the people affected by this decision and those who fought to preserve the dunes as a natural area.

For public health, safety and enjoyment of the very special natural resource that is the Indiana Dunes, this rule should be amended to include the following restrictions:

- The permit holder/alcohol provider should be assume all liability associated with any drownings, accidents, injuries and incidents caused by persons with high blood alcohol contents during or after attending events where alcohol was served by the permit holder. This liability should NOT be assumed by the taxpayer through lawsuits to the DNR/Indiana Dunes State Park.

- Alcoholic beverages should not be sold within 1000 feet of the waterline at the Indiana Dunes State Park. (Based on testimony by the public, including health care professionals, and concerns by those involved with public safety response, this would possibly provide some discouragement to go to the water and some deterrent for the slow physical response and poor judgment cause by alcohol and the risks of these near this powerful lake.)

- The permit holder should provide qualified professional security within the building and around the perimeter to ensure that alcoholic beverages do not leave the building, and that persons who have over-indulged do not go to the water.

- Amplified sound should be limited to being within the building and kept to a level that cannot be heard outside of the building (out of respect for people there to enjoy the sounds of nature and for parents to be able to communicate with small children)

- The permit holder should be responsible for additional trash removal, parking lot maintenance, etc, beyond what is currently being done. For example, if snow plowing is done once per day, the permit holder should be responsible for any additional required for the operation of their business. No expenses of the business should be incurred by the taxpayers.

Comment Received 11/30/2016 9:38:58 PM

Commenter Name Jenny Gaff

City Chesterton **County** PORTER **State** Indiana

E-Mail Address jennygaff@gmail.com

Comments Please do not allow this group to take over our Indiana Dunes State Park.

It is unfair and completely incomprehensible that this has happened. We do not condone

Them using our park to sell alcohol and rent out our buildings to host wedding and parties. The

Park belongs to us the people and not them. It is absolutely ludicrous that this has become an issue that we need to defend.

No No No to alcohol and them using our property for their advantage.

Concerned citizen, Jenny Gaff

Comment Received 11/30/2016 9:46:14 PM

Commenter Name Jeff Cefali

City Valparaiso **County** PORTER **State** IN

E-Mail Address jycefali@gmail.com

Comments 1. The proposed rule states, "A person must not possess or consume an alcoholic beverage at... (4) a swimming beach. The pavilion is built directly on the beach, and is an integral component of the beach. The two are inseparable. Separating the two by artifice circumvents the entire purpose of the rule that prohibits serving alcohol at a swimming beach. Why? Alcohol and water don't mix, and it is common knowledge that intoxicated swimmers often drown. The whole purpose of this part of the rule is to prevent drownings by keeping alcohol away from swimming beaches. Saying the pavilion is not "at" the beach is therefore a dangerous semantic exercise and a classic "distinction without a difference" that defeats the wisdom of this rule and puts lives at risk for profit. Serving alcohol at this pavilion is in every sense of the word serving alcohol "at" a swimming beach, and would violate this rule. Why would you open up the state to lawsuits by families of swimmers who have been served alcohol "at" the beach and drown? Where is the wisdom there?
2. Dunes State Park is a serene nature park. If alcohol is served (and it should not be for reason 1. above") music must not be allowed to be heard anywhere outdoors. Loud music from festivals and weddings where alcohol is served must not be allowed to destroy the very heart of this park. Sound travels for miles over the open waters of Lake Michigan, and any music will be heard over the entire park, destroying the purpose of this park for patrons. If music is played indoors, all doors and windows must be kept closed at all times to keep the sound in. No outdoor sound systems should be allowed if alcohol is served. Thank you for your time and consideration.

Comment Received 11/30/2016 10:05:50 PM

Commenter Name Charlotte Read

City Valparaiso **County** PORTER **State** Indiana

Organization (optional) Mrs.

E-Mail Address candhread@comcast.net

Comments The NRC must hold its January 17, 2017 meeting in the area where the Indiana Dunes State Park is located. The easiest improvement of the rule is to change Section 5 of 312 IAC 8-2-5 by replacing the word "or" that follows the word "possess" and change it to "and".

Comment Received 11/30/2016 11:41:38 PM

Commenter Name Herbert Read

City Valparaiso **County** PORTER **State** Indiana

Organization (optional) IWLA

E-Mail Address candhread@comcast.net

Comments The NRC must hold its January 17, 2017 meeting in the area where the Indiana Dunes State Park is located. The easiest improvement of the rule is to change Section 5 of 312 IAC 8-2-5 by replacing the word "or" that follows the word "possess" and change it to "and".

Comment Received 11/30/2016 11:58:26 PM

Commenter Name Herbert Read

City Valparaiso **County** PORTER **State** IN

Organization (optional) IWLA

E-Mail Address candhread@comcast.net

Comments My name is Herbert Read. My educational and professional background has some relevance to the issues discussed before the NRC hearing officer on November 29 in Woodland Park, Portage. One purpose of my statement was to relate our family experiences in the Indiana dunes State Park before the current ban on alcohol. also to correct certain statements made by DNR and to make recommendations for modifications to the permit. Our family experiences date back before the alcohol ban. We lived on the southern boundary of the park, a short distance east of the park entrance.

as we approached the park gate, we observed an alcohol fueled riot in progress between rival gangs. we returned home, a lost day at the beach. A subsequent experience occurred in Wilson Shelter at a birthday party for our three year old granddaughter. Our party was cut short by an alcohol impaired gang. Another occasion was at the campground. My daughter, son-in-law and their children set up their tent anticipating a quiet evening together. But in an adjacent tent an alcohol based party developed. My daughter, her husband and their children, their quiet night ruined they had to leave. Their experiences along with other park user were a factor in enacting the alcohol ban. DNR had repeatedly claimed that the new building could be supported by the existing sidewalk. This is not true. A thin layer of concrete cannot support a multi-story steel framed building. Pavilion Partners architect drawings show the sidewalk entirely removed and new concrete footings installed approximately four feet below beach level. Beach sand is below the sidewalk before the concrete was poured. I am also involved in historic preservation. As part of my continuing education credits, I am kept current on recommendations for additions to existing buildings (Pavilion) at National State and Local levels. The proposed banquet hall does not meet these recommendations. Other speakers recommended modifications to the permit to assure public safety and I agree with them. Also the parking lot drawings show tall light poles with multi-flood lights. These lights should be prohibited. It has been claimed that Banquet Hall guests will have valet service for their cars with off-site parking. Where would such off-site parking be located? These many questions should be answered and made part of the permit.
Herbert P. Read

we returned ho

Comment Received 12/1/2016 12:39:07 AM

Commenter Name Kathleen and George Millet

City Kouts **County** PORTER **State** Indiana

E-Mail Address geomillet@hotmail.com

Comments We Kathi and George do not want this rule adopted. The State Park is not the place to serve alcohol. There are many . many "watering holes" already. This rule will cause a public PARK which is suppose to be for all the people to enjoy to a place that has more garbage, careless to bad behavior, distruction of property and possible drowning. The law enforcement , rescue folks and lifeguards who's jobs are already strained will have to deal with bravado, obnoxious, and uncensored behavior. What is now a place were a family can commune with nature and enjoy the wind, sky and water will not enjoy the stupor that a group of liquored up 20 somethings who are shooting their mouths off with demeaning, filthy verbiage or worse yet showing off in the water when riptides are hitting the southern shore. Dunes State park NEEDS workers to maintain trails NOW.. Trail 2's board walk has been impassible for 2 years now. If you can't maintain the park as it is it would seem that alcohol on the lake front will cause even more strain on your limited staff in the park. There is a mirade of other issues but bottom line the public who uses the park year after year does not want alcohol in their park. I was around when that young man got his head bashed in by the thugs who didn't like the group of buddies he hung around with. There WAS A REASON ALCOHOL WAS BANNED IN Dune State Park. NOTHING HAS CHANGED THAT REASON WAS VALID THEN AND IT IS STILL VALID NOW MORE THEN EVER! PLEASE DO THE RIGHT THING DO NOT ALLOW ALCOHOL AT DUNE STATE PARK.

Comment Received 12/1/2016 6:33:55 AM

Commenter Name Gillian Harris

City Bloomington **County** MONROE **State** Indiana

E-Mail Address gharris@yellowwood.net

Comments In the interest of transparency and responsibility to the citizens of Indiana, who own Dunes State Park, please delete the statement in line B that mentions the "lease" between the DNR and Pavilion Partners, which would allow amendments in the contract to be made without public knowledge.

If Lines A and B must be kept, at least change the "OR" at the end of Line A to "AND," so that any changes must be made through the Alcohol Permit as well and will be on public record.

Comment Received 12/1/2016 8:37:40 AM

Commenter Name Rose Aaron

City Chesterton **County** PORTER **State** Indiana

E-Mail Address rosie.youmatter.aaron691@gmail.com

Comments Restrict the hours of alcohol beverage service...there is no need to allow alcohol service till 2 am....

Provide on site 24/7 security service

Restrict boaters from entering the Indiana Dunes State Park to consume alcohol, then swim back to their boats and drive away...

Restrict patrons from exiting the pavilion with alcohol beverages in their hands...

Restrict children from being exposed to alcohol consuming adults ...

Provide sobriety checks...

Restrict alcohol consuming adults from exiting the State Park if they display signs of alcohol abuse while they were in the Indiana Dunes State Park. and there will be.....

Comment Received 12/1/2016 8:39:13 AM

Commenter Name Rose Aaron

City Chesterton **County** PORTER **State** Indiana

E-Mail Address rosie.youmatter.aaron691@gmail.com

Comments Restrict hours of alcohol beverage service...there is no need to serve park goers alcohol until 2 am, then they get in their vehicles and drive off...

Restrict boaters from entering Indiana Dunes State Park from Lake Michigan for the purpose of consuming alcohol and then attempting to swim back to their boats

Comment Received 12/1/2016 8:42:33 AM

Commenter Name Pat

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address pat_hellmers@yahoo.com

Comments To the Commissioners,

(LSA #16-369) Amends 312 IAC 8-2-5 to allow the possession or consumption of an alcoholic beverage at Indiana Dunes State Park as authorized by IC 7.1-3-17.8.

The item above allowing alcohol in the pavilion at Indiana Dunes State Park is too open-ended. The facility in consideration is a pavilion and a planned adjacent building. The private investor plans to serve alcohol on three levels of the pavilion (and at events in the parking lot), and on two levels of the additional building called a conference center.

This is too much alcohol all in one location. I implore you to consider some restrictions, such as only one of these locations can serve alcohol during the same hours on the same days. This would match the other inns in Indiana State Parks. At this point, that seems like the only way to deal with all of the safety issues that would result from allowing all of this alcohol to be served in one small area and in such a dangerous situation, with the beach, parking lot, and pavilion area so near to the beach mixing in drinking alcohol around thousands of people in the area who are only there to enjoy the beach.

You have the right, the power, and the responsibility to do this and you will be greatly respected for doing it. Please take the time to review all of the comments you are receiving and vote responsibly on this issue.

Comment Received 12/1/2016 8:51:38 AM

Commenter Name Sharon Ton

City Chesterton **County** PORTER **State** Indiana

E-Mail Address stonrn@comcast.net

Comments No alcohol should be allowed in a state park that has a beach with swimming. So dangerous and people will lose their lives when going in the water drunk or cause property damage. Who is going to monitor these situations. I sure hope people are seeing that isn't what we want at the Dunes State Park.

Comment Received 12/1/2016 8:56:38 AM

Commenter Name Sharon Ton

City Chesterton **County** PORTER **State** Indiana

E-Mail Address stonrn@comcast.net

Comments No alcohol should be allowed in a state park that has a beach with swimming. So dangerous and people will lose their lives when going in the water drunk or cause property damage. Who is going to monitor these situations. I sure hope people are seeing that isn't what we want at the Dunes State Park.

Comment Received 12/1/2016 8:58:42 AM

Commenter Name Dennis White

City Crown Point **County** LAKE **State** IN

E-Mail Address Xbanker98@aol.com

Comments Since it's the policy of the state the alcohol is not allowed on a beach or swimming area I urge the commission to vote no to the rule change because clearly the entire beach pavilion sits on the beach at the Dunes state park. If this isn't possible then I urge you to restrict the serving of alcohol to the evening after the beach is closed to swimming. Measures need to be put in place to guard against people consuming alcohol to walking to the water of Lake Michigan.

The beach pavilion sits on the beach at the southern most tip of the 6th largest fresh water lake in the world. Considering the unpredictable currents and undertow no person should enter the water after consuming any alcohol.

Comment Received 12/1/2016 9:03:29 AM

Commenter Name Rose Aaron

City Chesterton **County** PORTER **State** Indiana

E-Mail Address rosie.youmatter.aaron691@gmail.com

Comments A few of my submitted restrictions and comments...

Restrict the hours of operation for alcohol beverage service...we do not need park goers being served alcohol till 2 am...then only to get in their cars and get on the road drunk...

Restrict boaters from entering the IDSP from Lake Michigan only for the purpose to consume alcohol, then attempt to swim back to their boats and endanger others boating on Lake Michigan...To my knowledge drinking and driving boats is prohibited, although we know many do it any way...

Provide sobriety checks...

Restrict patrons from exiting the pavilion on the beach with alcoholic beverages in their hands...this can definitely become combative...

Provide 24/7 on site security whether or not bars in pavilion on the beach are open...we all know peeps drink currently all over the SP

Restrict our children from being exposed to alcohol consuming , over served adults...

Restrict patrons/ adults from exiting the IDSP if there are signs of alcohol abuse and we know that will happen, "It is NOT a WHAT IF..".

Comment Received 12/1/2016 9:04:38 AM

Commenter Name Debra Chelf

City Indianapolis **County** MARION **State** Indiana

E-Mail Address debrachelf7@gmail.com

Comments Dear Sir/Madam:

I am adamantly opposed to this rule change.

Thank you.

Sincerely,

Debra Chelf

Comment Received 12/1/2016 9:54:50 AM

Commenter Name Daniel Biemer

City Valparaiso **County** PORTER **State** IN
E-Mail Address daniel.e@biemer.com
Comments The reference to the "lease" in B should be deleted, or if not deleted, the end of A should be "AND" instead of "OR." Any changes to this arrangement must be public and part of the official record to have any hopes of addressing the public perception of corruption in this process.
Comment Received 12/1/2016 9:56:51 AM

Commenter Name Shirlee Scholten
City DeMotte **County** JASPER **State** IN
E-Mail Address Shirlee.erwin3@gmail.com
Comments Please remove the wording lease from this statement and any changes should include the DMR and the other party not or when changes are made
Comment Received 12/1/2016 10:21:35 AM

Commenter Name Terri Hendle
City Valparaiso **County** PORTER **State** IN
E-Mail Address Terri.Hendle@valpo.edu
Comments 1. I request that the statement in Line B that mentions the "lease" between the DNR and Pavilion Partners be deleted from the rule.
2. If both Lines A and B must be kept in the rule, I request that the "OR" at the end of Line A be changed to "AND". This needs to be done in the name of full disclosure and transparency!
Comment Received 12/1/2016 10:48:11 AM

Commenter Name Kathleen Orgel
City Porter **County** PORTER **State** IN
E-Mail Address orgel@kopiano.com
Comments It is imperative that this small but strategically situated piece of our lakeshore be preserved.
Alcohol and private business should not be allowed. It is an assault on the environment and a danger to those who visit the park
Comment Received 12/1/2016 11:28:30 AM

Commenter Name Marcia Griswold
City Chesterton **County** PORTER **State** Indiana
E-Mail Address Magrisw@yahoo.com
Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open. If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.
Comment Received 12/1/2016 11:46:47 AM

Commenter Name Phillip Kohler
City Michigan City **County** LAPORTE **State** Indiana
E-Mail Address phillipkohler@gmail.com
Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.
Comment Received 12/1/2016 11:53:19 AM

Commenter Name Debra Samahon
City Valparaiso **County** PORTER **State** Indiana
E-Mail Address Debra_smhon@yahoo.com
Comments COMMENT #1:
The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:
If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.
Comment Received 12/1/2016 12:09:02 PM

Commenter Name Heather Augustyn
City Chesterton **County** PORTER **State** IN
E-Mail Address haugustyn@yahoo.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 12:14:00 PM

Commenter Name Jane Canright
City Chesterton **County** PORTER **State** Indiana
E-Mail Address canright2@comcast.net

Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 12:27:46 PM

Commenter Name James Brown
City Valparaiso **County** PORTER **State** Indiana
E-Mail Address glermedia@aol.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 1:05:29 PM

Commenter Name don gaff
City chesterton **County** PORTER **State** indiana
E-Mail Address donlgaff@hotmail.com

Comments I say no alcohol at the Dunes State Park. That would be a disaster in the making. This is our-the tax paying public-park & it seems there is enough opposition to this subject, that the public should be heard & have a powerful say in this matter. If not, if we are that insignificant, why are we given a chance to state our views? If this rule goes through, I will boycott the park forever & go to another beach. I'm sure others feel likewise. Yours truly, Don Gaff

Comment Received 12/1/2016 1:31:38 PM

Commenter Name Corbin Fowler
City Gary **County** LAKE **State** IN
E-Mail Address corbinfowler@gmail.com

Comments I'm writing this comment in opposition to the proposed rule change.

An alcohol permit should not be allowed at the Indiana Dunes State park because introducing alcohol to a state park--especially one on the beaches of Lake Michigan--will introduce a host of problems that are always associated with the consumption of alcohol--disorderly conduct, littering, violence, impaired driving, and so on. Any purported benefits of introducing alcohol to the state park will not outweigh these serious issues.

The bigger issue is the complete evasion of the democratic process that has enabled this rulemaking to exist. When the private developer first applied for an alcohol permit at the park, the permit was denied due to overwhelming citizen opposition.

When the developer applied a second time, the permit was again denied due to overwhelming citizen opposition.

After his application for a liquor license was denied the second time--through the process that is employed in every county in Indiana for every citizen who requests an alcohol permit --the private developer used his political ties in Indianapolis to pass

a bill that circumvented the local permitting process, thereby resulting in this proposed rulemaking.

The NRC should not endorse the circumvention of the local alcohol permitting process that has happened here. The citizens of Porter County has done everything in their power to reject the alcohol permit, and the NRC should too.

Comment Received 12/1/2016 1:33:56 PM

Commenter Name Todd Petersen
City Chesterton **County** PORTER **State** IN
E-Mail Address tdpetersen66@gmail.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 2:13:53 PM

Commenter Name Patricia Grismer
City Chesterton **County** PORTER **State** Indiana
Organization (optional) David Grismer
E-Mail Address Dpgrismer@comcast.net

Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

Comment Received 12/1/2016 2:15:18 PM

Commenter Name Patricia Grismer
City Chesterton **County** PORTER **State** Indiana
Organization (optional) David Grismer
E-Mail Address Dpgrismer@comcast.net

Comments If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 2:17:57 PM

Commenter Name Larry Chubb
City Chesterton **County** PORTER **State** Indiana
E-Mail Address larryc6943@gmail.com

Comments Please amend the proposed amended rule as follows:

Subsection (B) should be struck from the rule. If it must remain, it should be modified to state, ". . . under IC 14-18-2-3 and following public input and a public hearing." If the lease alone determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Thank you,

Larry Chubb
219-405-2796

Comment Received 12/1/2016 2:19:51 PM

Commenter Name Edward Schoenfelt
City Chesterton **County** PORTER **State** Indiana
E-Mail Address edschoenfelt2013@gmail.com

Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 2:43:54 PM

Commenter Name Mark Skertic
City Munster **County** LAKE **State** IN
E-Mail Address skertic@yahoo.com
Comments Dear Sir / Madam:

I have several comments regarding this rule:

COMMENT 1:

The statement in line B that references the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT 2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Thank you

Comment Received 12/1/2016 2:47:59 PM

Commenter Name Bernice A.Lundahl
City Valparaiso **County** PORTER **State** Indiana
Organization (optional) Citizen
E-Mail Address Adelelundahl42@gmail.com
Comments Comment 2:

If both lines A and B must be kept in the rule,strike"or"at the end of line A and replace it with"and", Determining where alcohol is allowed in the park should be reflected in both the lease and the alcohol permit..

Comment Received 12/1/2016 2:57:08 PM

Commenter Name Brian Chubb
City Chesterton **County** PORTER **State** Indiana
E-Mail Address brian@waterbirdbanquets.com

Comments I attended the NRC meeting on Tuesday, November 29th. There were over 200 people in attendance, of which, conservatively 99% of whom were in opposition of allowing a single drop of alcohol be available at, in, near, or on the Beach/Indiana Dunes State Park. The process in which the DNR and the private/public partnership known as "pavilion partners" has been an absolute violation of the public interest. It is in violation of our civil liberties and I intend to pursue legal action should this travesty continue to be pushed through via the money train of down state politics. My comments regarding the proposed rule revision of ("Alcohol at Indiana Dunes State Park" - LSA #16-369) are as follows:

- 1.) In section 5, Number 1, please change "or" to "and".
- 2.) The locations that possession or consumption of alcohol are not allowed should be much more specific. I would like to recommend the following additions be made to that list.

Alcohol possession or consumption should not be allowed, but not limited to, the following location, times, dates, and criteria:

- 1.) Alcohol should not be possessed, consumed, or sold past sunset or prior to sunrise.
- 2.) Alcohol should not be possessed, consumed, or sold from the months of March to October.
- 3.) Alcohol should not be possessed, consumed, or sold while any swimming beaches are open to the general public.

***F.Y.I. an intoxicated swimmer drowned and died this past swimming season. As you may or may not know, currently, all alcohol possession and consumption in the Indiana Dunes State Park is illegal. Please consider the liability the state and its citizens will be taking on should alcohol be sold legally only 100 ft. from the waters edge.

- 4.) Alcohol should not be consumed, possessed, or sold within 100 ft. of anyone under the age of (21), the legal drinking age in Indiana.
- 5.) Alcohol should not be consumed, possessed, or sold within 100 ft. of any of the following activities; public swimming, public boating, public paddle boarding, public wake boarding, public hiking, public fishing, or public camping.
- 6.) Alcohol should not be consumed, possessed, or sold without security present.

7.) Alcohol should not be consumed, possessed, or sold unless all areas deemed acceptable for consumption are marked, restricted, and void of individuals under the drinking age (21).

8.) Any and all alcohol sold during the above specified times, months, and under the above restrictions shall be the sole responsibility of property owner/distributor or the liquor. i.e. 'Pavilion Partners'.

Based on my above recommendations, I hope you can begin to understand how serious our community is about denying any and all availability of alcohol at the Indiana Dunes State Park. Alcohol has been banned since the late 1980's, since then, drownings, deaths, police citations, domestic disturbances, etc... have all continued to occur due to illegal entree of alcohol and drugs. Without proper restrictions on how, when, and where the licensee can serve alcohol, the state will be acting against the civil wishes of the community the state park is surrounded by and effectively taking on a huge liability.

I ask you, as a concerned citizen, please deny this rule revision. Instead, please consider adding specific criteria and additional restrictions that will ensure the licensee take this matter seriously.

Thank you for your time.

Comment Received 12/1/2016 3:43:23 PM

Commenter Name Nel Orgel

City Porter **County** PORTER **State** Indiana

E-Mail Address nel.orgel@gmail.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 3:54:45 PM

Commenter Name Hallie Orgel

City Chesterton **County** PORTER **State** Indiana

E-Mail Address hallie.orgel@gmail.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 4:02:27 PM

Commenter Name Douglas Armstrong

City Portage **County** PORTER **State** IN

E-Mail Address armstrongdouglas@msn.com

Comments Happy to see alcohol is going to be served at State Park.

It's about time. Don't hold back progress. Let us all enjoy the

Pavilion with dinner and drinks.

Comment Received 12/1/2016 4:16:50 PM

Commenter Name Julia Roesler

City Union Mills **County** LAPORTE **State** IN

Organization (optional) Roesler Fine Art Services

E-Mail Address jroes@aol.com

Comments Alcoholic beverages may not be purchased or consumed without the purchase or consumption of a meal.

Comment Received 12/1/2016 4:19:03 PM

Commenter Name Al Lopez

City Chesterton **County** PORTER **State** Indiana

Organization (optional) Dunes Action Group

E-Mail Address al.lopez8@aol.com

Comments NRC Members

I am writing to you to express my discontent to permit alcohol back at the Indiana Dunes State park. I witness the abuse of alcohol back in the 1980's on how it almost destroyed the family orient Indiana Dunes State Park. The Indiana Dunes State

park had to bared all alcohol in 1990 to preserve and protect the park.
It is pointless to voice my concerns baring all alcohol into the park. The DNR has sold their soul to Privilion Partners to introduce alcohol back into the park. However with that said, there must be restrictions and other security measures when alcohol is reintroduced into the park.

- 1) No alcohol permitted outside of the pavilion center.
- 2) Extra local law enforcement present when alcohol is being served and to be paid by Pavilion Partners or any vendor selling alcohol.
- 3) The days and hours of alcohol service should be limited .
- 4) Extra conservation officers to patrol the beach area and parking lots to ensure no alcohol is being consumed outside of the designated/approved area.
- 5) EMS service readily available during the swimming seasons. It is not possible or even reasonable for any for the seasonal teenage lifeguards to manage the beach patrol with inebriated and intoxicated personnel. Alcohol and swimming do not mix.

It is the duty of care for the DNR to uphold the preservation of the natural aspects of the park.

Regards
Al Lopez

Comment Received 12/1/2016 4:19:41 PM

Commenter Name Stephanie Schueler
City Chesterton **County** PORTER **State** Indiana
E-Mail Address smschueler@comcast.net

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 4:25:07 PM

Commenter Name Tom Moodie
City Chesterton **County** PORTER **State** Indiana
E-Mail Address tmoodie2@comcast.net

Comments In the interest of full disclosure and transparency, I am requesting that the statement in line B of the rule mentions the lease between DNR and Pavilion Partners be deleted from the rule

If lines A and B must be kept in the rule , I then request that "or"at the end of the line be changed to an "and"

Will you listen to the voices of the taxpayers of the state of Indiana?9

Comment Received 12/1/2016 4:38:27 PM

Commenter Name James Schueler
City Chesterton **County** PORTER **State** Indiana
E-Mail Address jeschueler@comcast.net

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 4:40:00 PM

Commenter Name Bonnie Lobsiger
City Chesterton **County** PORTER **State** Indiana
E-Mail Address lobsiger5@frontier.com

Comments Please reject the rule and prepare a new rule that would contain language specific to the Indiana Dunes State Park.

Restrictions on alcohol at the Dunes State Park:

The DNR should provide 24/7 security at DSP

The DNR should hire deciated medical staff for the park

A Conservation Office should be permanently on duty when alcohol is being served.

Entrances and exits at the Pavilion and banquet center should be designed not to face beach.

The days and hours of alcohol service should be limited.

Building Safety inspections should be done on a regular bases.

1000 ft requirement from beach area to sell alcohol

Thank you for considering this restrictions.

Comment Received 12/1/2016 4:48:15 PM

Commenter Name Gayle Granat

City Porter **County** PORTER **State** IN

E-Mail Address fatasstica@comcast.net

Comments If alcohol is to be served at the Dunes State Park it would be reasonable to limit the times it could be served. First it should be available only after dark during typical summer hours. This would allow the beach goes for whom the park is meant to be used unimpeded use to facilities as well as the parking which is not adequate during summer anyway. Don't need additional vehicles. Liquor, if it has to be served, and the use of the banquet hall should be limited to off-season. Maybe limit it to post Labor Day until pre-Memorial Day. Most people in our area are opposed the any non-recreation use of the park but it appears our wishes have been overridden by political influence. If we have to have this unwanted condition let's make it as limited as possible.

Comment Received 12/1/2016 4:54:29 PM

Commenter Name Brian Williams

City Valparaiso **County** PORTER **State** Indiana

E-Mail Address bwilliamsvalpo@gmail.com

Comments In respect to LSA Document #16-369, I encourage the NRC to take no action on this proposed rule change. The NRC representatives at the Nov. 29, 2016, public hearing in Portage, Indiana, stated that the new Indiana law IC 7.1-3-17.8 trumps the older rule in any case and is in effect with or without the rule change. That being the case, by taking no action, you can 1) save a bit of effort and, more importantly, 2) register a principled stand against the new law pushed through the legislature in the face of repeated rejections of alcohol at Indiana Dunes State park by state and local alcohol commissions, and in the face of clear, wide, reasoned, vocal and deeply felt opposition of very large numbers of the public who use, value, respect, maintain and seek to pass along to future Hoosiers the natural treasures of Indiana Dunes State Park.

Not even covered by the proposed rule change is the rule's injunction "Sec. 5. A person must not possess or consume an alcoholic beverage at any of the following locations: . . . (4) A swimming beach or pool."

The pavilion and the planned three-story restaurant for which alcohol permits are proposed to be granted at Indiana Dunes State Park are "at" a "swimming beach." Thus the rule prohibits (and even the proposed changed rule would continue to prohibit) what the new law allows. The new law cannot stand in the face of legal challenge. So I urge the NRC to 1) be on the side of history from the get-go and, more importantly, 2) be on the side of what is right – from the beginning and to the end.

Comment Received 12/1/2016 4:54:42 PM

Commenter Name Maryann Therese Becich

City Chesterton **County** PORTER **State** IN

E-Mail Address xcuzy@aol.com

Comments Thanks to the NRC for holding a public comment meeting there in NWI. I am writing to voice my concerns and recommend revisions to the rule that is being rewritten to accommodate alcohol permits in Indiana Dunes State Park (IDSP). Please consider that IDSP is located 50 miles or less from 11.5 million people in Northwest Indiana and the Chicagoland area. Many of these areas have seen skyrocketing violence and gang activity. It is for that reason that we need to incorporate many layers of limitations on alcohol in the park to protect the park, the safety of the people that come to enjoy the park and the safety of the surrounding communities. Suggestions would be to strictly limit the hours that alcohol can be served, where it can be served, how much can be served and any changes to the Pavilion Partners lease of the pavilion should not be allowed if those revisions allowed for increased sales of alcohol.

Comment Received 12/1/2016 4:54:55 PM

Commenter Name Patricia Grismer

City Chesterton **County** PORTER **State** Indiana

Organization (optional) David Grismer

E-Mail Address Dpgrismer@comcast.net

Comments In respect to LSA Document #16-369, I encourage the NRC to take no action on this proposed rule change. The NRC representatives at the Nov. 29, 2016, public hearing in Portage, Indiana, stated that the new Indiana law IC 7.1-3-17.8 trumps the older rule in any case and is in effect with or without the rule change. That being the case, by taking no action, you can 1) save a bit of effort and, more importantly, 2) register a principled stand against the new law pushed through the legislature in the face of repeated rejections of alcohol at Indiana Dunes State park by state and local alcohol commissions, and in the face of clear, wide, reasoned, vocal and deeply felt opposition of very large numbers of the public who use, value, respect, maintain and seek to pass along to future Hoosiers the natural treasures of Indiana Dunes State Park.

Not even covered by the proposed rule change is the rule's injunction "Sec. 5. A person must not possess or consume an alcoholic beverage at any of the following locations: . . . (4) A swimming beach or pool."

The pavilion and the planned three-story restaurant for which alcohol permits are proposed to be granted at Indiana Dunes State Park are "at" a "swimming beach." Thus the rule prohibits (and even the proposed changed rule would continue to prohibit) what the new law allows. The new law cannot stand in the face of legal challenge. So I urge the NRC to 1) be on

the side of history from the get-go and, more importantly, 2) be on the side of what is right – from the beginning and to the end.

Comment Received 12/1/2016 6:04:18 PM

Commenter Name CJ Feher

City Chesterton **County** PORTER **State** Indiana

E-Mail Address cjfeher@gmail.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 6:20:11 PM

Commenter Name Frank Feher

City Chesterton **County** PORTER **State** Indiana

E-Mail Address tcfeher@comcast.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 6:22:09 PM

Commenter Name Thomas Woronecki

City Hobart **County** LAKE **State** IN

E-Mail Address tworonecki@yahoo.com

Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out from the public eye. The public has already been deprived of its right to protest the liquor license. Any changes or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

If both lines A and B must be in the rule, strike "OR" at the end of line A and replace it with "AND". Determining where alcohol is allowed in the park should be reflected in both the lease and in the alcohol permit. This would be a more transparent process.

A restriction of hours when alcohol can be served (from sunset to 12 midnight) should be added. This would aid in the safety & security both in the parking area and on the beach and also protect family values. Also, Sunday sales of alcohol should be banned

Comment Received 12/1/2016 6:23:43 PM

Commenter Name Elaine Tormey

City VALPARAISO **County** PORTER **State** Indiana

E-Mail Address etormey@hotmail.com

Comments We have a sacred duty to preserve the dunes lakefront for future generations. Please amend this rule to prohibit alcohol at this park because it is on the beach and the beach must be kept in a pristine, natural state for our children, grandchildren, etc. to enjoy, without the unwanted presence of commerce/ private enterprise destroying the natural treasure we have been given to protect.

Think hard on what you are about to ruin! It can't be taken back!

Comment Received 12/1/2016 6:32:43 PM

Commenter Name Pamela C Cole

City Chesterton **County** PORTER **State** Indiana

Organization (optional) Dunes Action

E-Mail Address cole89sp@aol.com

Comments Thank you for having the meeting about the rule change for the IDSP issue concerning alcohol on the beach and bringing the law and rule to agreement. In the rule change it singles out IDSP to allow alcohol---- #1 under section IC 14-18-2-3. It also applies to #4--- since it is a swimming beach as well. If there are exemptions to the rule--- the Dunes is still a swimming beach so to be consistent with other parks with swimming pools and swimming beaches--- the rule should still

stay in place despite the law. It should be consistent, not double standards. Thank you for taking our comments.

Comment Received 12/1/2016 6:59:18 PM

Committer Name Kimberly Wellman
City beverly shores **County** PORTER **State** in
E-Mail Address krd1155@gmail.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 7:28:25 PM

Committer Name Scott Wellman
City Beverly Shores **County** PORTER **State** IN
E-Mail Address swellman37@gmail.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 7:30:32 PM

Committer Name Lorene Rosetti
City Chesterton **County** PORTER **State** In
E-Mail Address l.rosetti@hotmail.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment 3 There should be no direct access (doors) to the beach area to protect both beach goers (children) and patrons drinking. The pavilion is right on the beach so those there to drink should be kept separate from the people there to enjoy the beauty of the lake. Security should always be present during operating hours at the beach area for that same protection

Comment Received 12/1/2016 7:48:43 PM

Committer Name rOBERT sETLIK
City PORTER **County** MADISON **State** Indiana
E-Mail Address rtsetlik@yahoo.com

Comments Alcohol consumption should be restricted to the pavilion and banquet center buildings and not allowed outside those structures certainly not on any part of the beach.

Proper security should be provided by Pavilion Partners and/or the DNR no less than two security officers per event to enforce alcohol related regulations affecting the beach and parking lots.

Comment Received 12/1/2016 7:50:12 PM

Committer Name CJ Doane
City Valparaiso **County** PORTER **State** IN
E-Mail Address ccdane2@comcast.net

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 7:54:21 PM

Commenter Name Thomas R Anderson

City Michigan City **County** LAPORTE **State** IN

Organization (optional) LaPorte County Environmental Association

E-Mail Address anderson_earth@live.com

Comments Any person serving alcohol under the state's (DNR) must be licensed under the permit to issued to DNR and must be employees of the State of Indiana, DNR. Employees and DNR must be bonded and insured to protect the public and citizens of Indiana. Dram shop liability insurance must be obtained, paid for by DNR for DNR, the State Park and all employees serving alcohol. Licenses for bartending and serving must show they are employees of the State of Indiana. No alcohol shall be served before 5pm or after 8 pm, or 1/2 hour before sunset which ever is earlier.

Comment Received 12/1/2016 8:00:58 PM

Commenter Name Monette yetsko

City Chesterton **County** PORTER **State** Indiana

E-Mail Address Dmvsy@aol.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 8:04:08 PM

Commenter Name Carole Mannia

City Valparaiso **County** PORTER **State** IN

E-Mail Address perfectwords@frontier.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 8:06:02 PM

Commenter Name Barbara Bolesch

City Chesterton **County** PORTER **State** IN

E-Mail Address bgbolesch@yahoo.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 8:08:09 PM

Commenter Name Sylvia Graham

City Valparaiso **County** PORTER **State** Indiana

Organization (optional) 178 W. 150 N.

E-Mail Address graham4reel@comcast.net

Comments 12/1/16

To the Natural Resources Commission, Re.: (LSA-#16-369)

I am against alcohol at the Dunes State Park. Due to violence, alcohol was banned in the early 1990's and for good reason.

The Dunes State Park was sanctioned and protected all of these years because people fought hard and long battles to keep it pristine and ecosystems intact where bird watching, hiking, camping, star-gazing, sunbathing, and swimming has occurred in the unusual setting of sand dunes that are intertwined amongst plant life and bogs not seen in other areas.

As a private citizen I am opposed to alcohol in the park because the Pavilion has three levels and a bar planned for two of the three floors. The Pavilion sits directly on the beachfront swimming area. There is no way that children and their families can be separated from the pavilion where liquor will be served. The quiet, family friendly atmosphere would immediately be changed into an adult party atmosphere. In my opinion, by sanctioning this rule, you will be placing children in an unsafe atmosphere. Also, children learn by watching and doing what adults do. The bathrooms and showers are also on the same swimming area site. There is no way to separate the two.

Certain facts have been stated. One being that the DNR does not plan on having their officers patrolling or making arrests in the newly rebuilt Pavilion. On many occasions, due to sewage entering water causing high ecoli counts, the pavilion beach is closed during the summer season.

As an elected official serving on the Porter County Council, I am concerned that Private Partners will not be paying any county, city or town taxes. The DNR has also stated that they will have no officers making arrests or patrolling the Pavilion area. Local towns, cities and the county are going to be called when an ambulance or the Porter County Sheriff's department is needed. I feel it will place an undue burden of financing the costs onto the Porter County taxpayers for something their never wanted.

I am asking you to deny amending your rule change re: LSA-#16-369.

Thank you,

Sylvia Graham
178 W. 150 N.
Valparaiso, In 46385

Comment Received 12/1/2016 8:13:24 PM

Commenter Name Anna Clark

City Chesterton **County** PORTER **State** Indiana

E-Mail Address Clark.ann@comcast.net

Comments No alcohol at state park.

Comment Received 12/1/2016 8:24:04 PM

Commenter Name David Woronecki-Ellis

City Hobart **County** LAKE **State** Indiana

Organization (optional) Sierra Club Dunelands Group

E-Mail Address ellisd012@gmail.com

Comments 1. The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule.

2. If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit.

3. Alcohol should not be served during hours when the park is holding public events with a focus on nature such as owl banding, snow shoeing and skiing, celestial event viewings such as planetary transits and meteor showers, and during traditional viewing hours during spring and fall bird migrations, especially two hours before and one hour after sunset.

Comment Received 12/1/2016 8:24:07 PM

Commenter Name Margaret L. Willis

City Chesterton **County** PORTER **State** Indiana

Organization (optional) citizen & taxpayer

E-Mail Address mlwillis@comcast.net

Comments With respect to LSA Document #16-369, I encourage the NRC to take no action on this proposed rule change. The NRC representatives at the Nov. 29, 2016, public hearing in Portage, Indiana, stated that the new Indiana law IC 7.1-3-17.8 trumps the older rule in any case and is in effect with or without the rule change. That being the case, by taking no action, you can 1) save a bit of effort and, more importantly, 2) register a principled stand against the new law pushed through the legislature in the face of repeated rejections of alcohol at Indiana Dunes State park by state and local alcohol commissions, and in the face of clear, wide, reasoned, vocal and deeply felt opposition of very large numbers of the public who use, value, respect, maintain and seek to pass along to future Hoosiers the natural treasures of Indiana Dunes State Park.

Not even covered by the proposed rule change is the rule's injunction "Sec. 5. A person must not possess or consume an alcoholic beverage at any of the following locations: . . . (4) A swimming beach or pool."

The pavilion and the planned three-story restaurant for which alcohol permits are proposed to be granted at Indiana Dunes State Park are "at" a "swimming beach." Thus the rule prohibits (and even the proposed changed rule would continue to prohibit) what the new law allows. The new law cannot stand in the face of legal challenge. So I urge the NRC to 1) be on

the side of history from the get-go and, more importantly, 2) be on the side of what is right –THE PAVILION IS ON A SWIMMING BEACH!

Comment Received 12/1/2016 8:37:25 PM

Commenter Name Desiree Robertson-Thompson

City Chesterton **County** PORTER **State** IN

E-Mail Address Desi.robertson@gmail.com

Comments Comment #1.

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

Comment #2.

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment #3.

Alcohol should not be allowed outside under any circumstances.

Thank you for considering these comments.

Comment Received 12/1/2016 8:42:09 PM

Commenter Name Margaret L. Willis

City Chesterton **County** PORTER **State** Indiana

Organization (optional) citizen & taxpayer

E-Mail Address mlwillis@comcast.net

Comments I encourage the NRC to TAKE NO ACTION and register a principled stand against the new law.

The restrictions listed are insufficient for Indiana Dunes State Park.

1) The Beach Pavilion is ON the beach. Therefore, according to rule, no alcohol should be able to be sold or consumed at the Beach Pavilion or proposed banquet center, also to be located on the beach.

2) Security/police/fire/emergency/search/rescue/recovery costs are to be borne by the leaseholder.

3) Liability and legal costs related to alcohol related lawsuits are to be borne by the leaseholder.

4) Any alcohol served in the park during swimming season (Memorial Day to Labor Day) should only be sold after posted swimming hours are over.

5) Immediate financial penalty as well as loss of permission to serve alcohol if an accident, drowning/near drowning, or violence occurs either on park property or is linked back to someone being served at the park. The Leaseholder will not be reimbursed if alcohol service is decreased or eliminated or park hours decreased because of such occurrence.

6) Loud music shall not be heard outside of the Beach Pavilion or proposed Banquet Center or played on the beach or in natural areas of the park.

7) No alcohol to be served before 5 pm or after 8 pm or sunset, whichever is earlier.

8) Anyone serving must be insured and bonded and an employee of the State of Indiana, DNR.

9) Dram shop liability insurance for anyone serving, to protect citizens of Indiana.

Comment Received 12/1/2016 8:44:51 PM

Commenter Name Vincent yetsko

City Chesterton **County** PORTER **State** Indiana

E-Mail Address V.yetsko@aol.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 8:49:48 PM

Commenter Name Julia Roesler

City Union Mills **County** LAPORTE **State** Indiana

Organization (optional) Roesler Fine Art Services

E-Mail Address jroes@aol.com

Comments In respect to rule LSA Document #16-369, I encourage the NRC to TAKE NO ACTION and register a principled stand against the new law.

If action is to be taken, I would like the rule to be amended to include:

1) The Beach Pavilion is ON the beach. Therefore, according to rule, no alcohol should be able to be sold or consumed at

the Beach Pavilion or proposed banquet center, also to be located on the beach.

2) Security/police/fire/emergency/search/rescue/recovery costs are to be borne by the leaseholder.

3) Liability and legal costs related to alcohol related lawsuits are to be borne by the leaseholder.

4) Any alcohol served in the park during swimming season (Memorial Day to Labor Day) should only be sold after posted swimming hours are over.

5) Immediate financial penalty as well as loss of permission to serve alcohol if an accident, drowning/near drowning, or violence occurs either on park property or is linked back to someone being served at the park. The Leaseholder will not be reimbursed if alcohol service is decreased or eliminated or park hours decreased because of such occurrence.

6) Loud music shall not be heard outside of the Beach Pavilion or proposed Banquet Center or played on the beach or in natural areas of the park.

7) No alcohol to be served before 5 pm or after 8 pm or sunset, whichever is earlier.

8 Anyone serving must be insured and bonded and an employee of the State of Indiana, DNR.

9. Dram shop liability insurance for anyone serving, to protect citizens of Indiana.

Comment Received 12/1/2016 8:50:18 PM

Commenter Name Louise Karwowski
City Portage **County** PORTER **State** IN
E-Mail Address lkarwows@yahoo.com
Comments There is no good reason why alcohol should be allowed at Indiana Dunes State Park! The park is already the 2nd most visited park in the country! Indiana would gain a measly \$15,000 per year, which is ridiculous for such prime real estate on the lake. There are hundreds of nearby businesses who sell liquor and can provide rental facilities for events. Why was only one company given an opportunity to use the park? There are thousands of children visiting the park during the summer on a warm day. They do not have to be subjected to drunken behavior. Also, approx. 40% of drownings involve victims who have imbibed alcohol! Would Indiana be held liable?
Comment Received 12/1/2016 8:55:47 PM

Commenter Name Jennifer Dimitroff
City Porter **County** PORTER **State** IN
E-Mail Address dimitroffs@msn.com
Comments COMMENT #1:
The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.
COMMENT #2:
If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.
Comment Received 12/1/2016 9:07:59 PM

Commenter Name Katelyn Edward
City Carmel **County** HAMILTON **State** IN
E-Mail Address katelyn.edward@gmail.com
Comments I adamantly oppose the proposed rule change for 312 IAC 8-2-5 and I encourage the Natural Resource Commission (NRC) to take NO ACTION on changing 312 IAC 8-2-5.
At the Nov. 29, 2016, public hearing in Portage, NRC representatives stated that the new Indiana law IC 7.1-3-17.8 trumps the current rule 312 IAC 8-2-5 older rule in any case and is in effect with or without the proposed rule change. Stating such is shameful, and is merely a way for all members of the NRC to sidestep their role and direct responsibility for allowing possession or consumption of an alcoholic beverage at the Indiana Dunes State Park Beach Pavilion against the public's stated opposition.
As I anticipate the public input and opposition to this rule change will continue to be blatantly ignored, and the NRC will approve this rule change, I propose the following changes be made:
I request that the statement in line (B) that mentions the "lease" between the DNR and Pavilion Partners be deleted from the rule. Any change or expansion of where alcohol is allowed in the park must be done in a manner that is transparent.
If both lines (A) and (B) must be kept in the rule, I request that the "or" at the end of line (A) be changed to "and."
Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND the alcohol permit. I request this in the name of full disclosure and transparency.
Comment Received 12/1/2016 9:24:03 PM

Commenter Name David yetsko
City Chesterton **County** PORTER **State** Indiana
E-Mail Address David.yetsko@bp.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

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If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 9:24:56 PM

Commenter Name Chris Edward

City Carmel **County** HAMILTON **State** IN

E-Mail Address cedward2112@gmail.com

Comments I adamantly oppose the proposed rule change for 312 IAC 8-2-5 and I encourage the Natural Resource Commission (NRC) to take NO ACTION on changing 312 IAC 8-2-5.

Comment Received 12/1/2016 9:25:54 PM

Commenter Name Sam yetsko

City Chesterton **County** PORTER **State** Indiana

E-Mail Address Syetsko0016@myduneland.org

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 9:26:47 PM

Commenter Name Jean martone

City Crown point **County** LAKE **State** Indiana

E-Mail Address fmartonejr@aol.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

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Comment Received 12/1/2016 9:28:19 PM

Commenter Name Katelyn Edward

City Carmel **County** HAMILTON **State** IN

E-Mail Address kjkulczyk@gmail.com

Comments I adamantly oppose the proposed rule change for 312 IAC 8-2-5 and I encourage the Natural Resource Commission (NRC) to take NO ACTION on changing 312 IAC 8-2-5.

I would also like to request that the next NRC meeting to determine final action on this proposed rule amendment take place in Porter County, Indiana at 5 PM central in order for the public in opposition to the proposed change to attend.

Comment Received 12/1/2016 9:29:07 PM

Commenter Name Wendy Kulczyk

City Chesterton **County** PORTER **State** IN

E-Mail Address kulones@msn.com

Comments I adamantly oppose the proposed rule change for 312 IAC 8-2-5.

Comment Received 12/1/2016 9:31:31 PM

Commenter Name Kristen Oeffling

City Zionsville **County** BOONE **State** Indiana

E-Mail Address Kristen.oeffling@gmail.com

Comments I adamantly oppose the proposed rule change for 312 IAC 8-2-5

Comment Received 12/1/2016 9:36:12 PM

<p>Commenter Name Alaina O'Rourke City orland park County Out of State State IL E-Mail Address superskater1987@hotmail.com Comments "I adamantly oppose the proposed rule change for 312 IAC 8-2-5. Comment Received 12/1/2016 9:36:18 PM</p>
<p>Commenter Name Susan Collins City Chesterton County PORTER State Indiana E-Mail Address suejcoll@yahoo.com Comments COMMENT #1: The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.</p> <p>COMMENT #2: If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.</p> <p>COMMENT #3 Add restrictions as to when alcohol may be served; i.e. between sunrise and sunset only, subject to lessee providing a security officer, subject to posting a building safety inspection report in view of public. Comment Received 12/1/2016 9:38:12 PM</p>
<p>Commenter Name Joseph Vuich City Chesterton County PORTER State Indiana E-Mail Address jevuich@yahoo.com Comments COMMENT #1: The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.</p> <p>COMMENT #2: If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process. Comment Received 12/1/2016 9:39:51 PM</p>
<p>Commenter Name Ruth Ahlman City Valparaiso County PORTER State Indiana E-Mail Address ahlman830n@comcast.net Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.</p> <p>If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process. Comment Received 12/1/2016 9:45:12 PM</p>
<p>Commenter Name Thomas Ahlman City Valparaiso County PORTER State Indiana E-Mail Address ahlman830n@comcast.net Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.</p> <p>If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process. Comment Received 12/1/2016 9:47:48 PM</p>
<p>Commenter Name Kevin Ledbetter City Valparaiso County PORTER State Indiana E-Mail Address kevin.ledbetter@valpo.edu Comments It's clear downstate lawmakers have no regard for the wishes of the Hoosiers who work and reside in the</p>

Northwest portion of Indiana. Over 10,000 signatures meant less the wishes of one political donor; but it's Indiana, what do you expect?

If alcohol is going to be once again be allowed at the Indiana Dunes State Park, after being banned for good reason for over 25 years.; I feel the safety of visitors to the park and the preservation of the character of the park need to be of concern. Lake Michigan is a beautiful, but deadly body of water, between January 1 and July 11, 2016 twenty people drown in its waters. The introduction of alcohol to one of the lakes most popular beaches will for certain boost those numbers. This is the reason I strongly urge a ban be made on the sale and possession of alcohol beverages within 1000 feet of its shoreline.

To preserve the character of the park, I feel visitors, especially children should not be subject to intoxicated patrons. Events which feature "open bars" foster an atmosphere of over indulgence; that's why I strongly urge alcohol be provided on a "cash basis"; with no more than four alcoholic beverage sold to one patron per sale.

One of the desirable feature of the park is the silence except for nature sounds; the waves crashing on shore, the song birds and sea birds, and the wind blowing through the trees. This is why I strongly urge a ban on amplified music, live or recorded, at any venue or event where alcohol is sold.

The parking lot at the Pavilion is filled with many, very excited children, rushing to get to the beach; that's why I strongly urge the parking area be patrolled by no less than two park officers any time alcohol is sold within the park and at least four officers present for any special event where alcohol is featured.

I am personally a craft beer enthusiast and know what type of behavior happens at beer festivals. This is not in character with the family friendly atmosphere of "the People's Park"; thus I strongly urge a ban on any such events within the boundaries of the Indiana Dunes State Park.

In addition, I add the following to this correspondence:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 9:52:33 PM

Commenter Name Lindsey

City Portage **County** PORTER **State** IN

E-Mail Address Lindseynd2011@gmail.com

Comments I adamantly oppose the proposed rule change for 312 IAC 8-2-5.

Comment Received 12/1/2016 9:59:17 PM

Commenter Name jeanne hayes

City VALPARAISO **County** PORTER **State** Indiana

E-Mail Address jeannehayes10@gmail.com

Comments Alcohol service in the Indiana Dunes State Park will best be served in an Inn set 100 yards off the beach. This would be a wonderful enhancement to this State Park.

This is the 7th best state park in the country. Let's honor, celebrate and protect it.

Comment Received 12/1/2016 10:04:13 PM

Commenter Name Barb Prange

City Chesterton **County** PORTER **State** Indiana

E-Mail Address barbaprang@gmail.com

Comments If there is no way to not have alcohol at the Dunes State Park then could it only be allowed only in the evening when most young children and there parents have left for the day? We need to consider their safety too.

Comment Received 12/1/2016 10:13:05 PM

Commenter Name Kelli Swain

City Indianapolis **County** MARION **State** Indiana

E-Mail Address kjhswain@gmail.com

Comments I adamantly oppose the proposed rule change for 312 IAC 8-2-15

Comment Received 12/1/2016 10:13:15 PM

Commenter Name Ian DePerio

City Portage **County** PORTER **State** Indiana

E-Mail Address ian1denton@gmail.com

Comments COMMENT #1:

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

Comment Received 12/1/2016 10:28:16 PM

Commenter Name Sandra L O'Brien
City Hobart **County** LAKE **State** Indiana
E-Mail Address ecorealm@msn.com
Comments COMMENT #1

The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.

COMMENT #2:

If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND." Determining where alcohol is allowed in the park should be reflected in BOTH the lease AND in the alcohol permit. This would allow a more transparent process.

COMMENT #3:

Restrict alcohol to inside the building, no alcohol at outdoor events.

Comment Received 12/1/2016 10:53:45 PM

Commenter Name Judy James
City Valparaiso **County** PORTER **State** Indiana
E-Mail Address judyjames@comcast.net

Comments I may be among the Minority of people writing in Favor of the Proposed Amendment to the rule concerning the serving & sale of Alcohol at the Indiana Dunes State Park. I wrote to the legislature, the Governor and others during the period of the change of the Law that allows alcohol to be sold in Restaurants & Inns in Indiana State Parks.

I feel that times have changed and people enjoy having a drink or two in a fine dining restaurant, especially while enjoying the views at our State Parks. Several State Parks have Inns & some already serve wine without the problems the naysayers from the Dunes Action Group predict. They have instructions on their website for their followers to inundate your commission with emails complaining about their various fears.

I feel that visitors to the Indiana Dunes State Park would welcome a nice restaurant (as well as the proposed Wedding & Banquet Facility), where they can have dinner & a drink or two, while viewing the beauty of the park and the sunsets on Lake Michigan (with views of Chicago).

The Dunes Action group has been on almost a "witch hunt" to destroy this project & have resorted to outright lies & exaggerations in order to pressure people to join their movement & sign their Petitions (including stating that "soon there would be Beer Carts going up & down the Beach selling alcohol, drunk people "falling off the Dunes into the Lake", and that the Park itself will be irreparably harmed. In addition to this, they even made veiled "threats" in the local newspaper that the Pavilion Partners businesses & others supporting them should be, at the Least, boycotted, or "might" be vandalized. This seems like coercion tactics to me.

In addition, they characterize themselves as a Majority of those in our Area, while in truth, they aren't even the Majority of residents in the community of Chesterton/Porter (nearly 18,000) and if you include the people who use the Park, it would include Valparaiso, Portage, Burns Harbor, Ogden Dunes, Hobart, Miller Beach Michigan City, Merrillville, LaPorte (not even including those the "South County", and in the cities of Gary, Hammond, Munster, Griffith, etc). This amounts to over 80,000 + residents, most of whom didn't even know of this small-minded effort to thwart the serving alcohol in the Indiana Dunes State Park. Most of the people who feel the way that I do, have been afraid to publicly voice their opinions in the papers, and even at meetings & among groups of friends, for fear of being ostracized.

Please take these comments into consideration in voting for the change in your Rule, in order to bring it into compliance with the new State Law concerning the sale of Alcohol at the State Park Inns & Restaurants.

Sincerely,
Judy James
Valparaiso, IN 46383

Comment Received 12/1/2016 11:13:04 PM

Commenter Name Jen Woronecki-Ellis
City Hobart **County** LAKE **State** Indiana
Organization (optional) Woodland Savanna Land Conservancy
E-Mail Address Jenwildlife@gmail.com

Comments 1. The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule.

2. If both lines A and B must be kept in the rule, strike "OR" at the end of line A and replace it with "AND."

3. Alcohol sales should not be permitted during public events such as meteor shower viewing, owl banding, sledding and cross-country skiing, and optimum bird viewing times during spring and fall migration.

Comment Received 12/1/2016 11:20:24 PM

Commenter Name Diana Dycus
City Chesterton **County** PORTER **State** Indiana

E-Mail Address dited@yahoo.com
Comments Alcohol should not be allowed at Dunes State Park during swimming hours
Comment Received 12/1/2016 11:22:00 PM

Commenter Name A Harvey
City Schererville **County** LAKE **State** Indiana
E-Mail Address avharvey11@gmail.com
Comments The statement in line B that mentions the "lease" between the DNR and Pavilion Partners should be struck from the rule. If the lease determines where alcohol is permitted in the park, the two parties could privately amend the agreement to make future changes out of the public eye. The public has already been deprived of its right to protest the liquor license. Any change or expansion of where alcohol is allowed must be done in a manner that is transparent and open.
Comment Received 12/1/2016 11:40:41 PM

Commenter Name Fred Utroske
City Union Mills **County** LAPORTE **State** Indiana
E-Mail Address futroske@aol.com
Comments In respect to rule LSA Document #16-369, I encourage the NRC to TAKE NO ACTION and register a principled stand against the new law.

The restrictions listed are insufficient for Indiana Dunes State Park.

1) The Beach Pavilion is ON the beach. Therefore, according to rule, no alcohol should be able to be sold or consumed at the Beach Pavilion or proposed banquet center, also to be located on the beach.

2) Security/police/fire/emergency/search/rescue/recovery costs are to be borne by the leaseholder.

3) Liability and legal costs related to alcohol related lawsuits are to be borne by the leaseholder.

4) Any alcohol served in the park during swimming season (Memorial Day to Labor Day) should only be sold after posted swimming hours are over.

5) Immediate financial penalty as well as loss of permission to serve alcohol if an accident, drowning/near drowning, or violence occurs either on park property or is linked back to someone being served at the park. The Leaseholder will not be reimbursed if alcohol service is decreased or eliminated or park hours decreased because of such occurrence.

6) Loud music shall not be heard outside of the Beach Pavilion or proposed Banquet Center or played on the beach or in natural areas of the park.

7) No alcohol to be served before 5 pm or after 8 pm or sunset, whichever is earlier.

8) Anyone serving must be insured and bonded and an employee of the State of Indiana, DNR.

9) Dram shop liability insurance for anyone serving, to protect citizens of Indiana.

10. Minors must not be present in areas where alcohol is sold or consumed.

11. Lifeguards must be certified and over the age of 21.

Comment Received 12/1/2016 11:46:03 PM

Commenter Name Julia Roesler
City Union Mills **County** LAPORTE **State** IN
Organization (optional) Roesler Fine Art Services
E-Mail Address jroes@aol.com
Comments If alcohol is sold or consumed at Indiana Dunes State Park, Lifeguards must be at least 21 and certified.

Alcohol must not be sold or consumed in areas where children or families may be present.

At least one Conservation Officer must be present on the site if alcohol is being sold or consumed under DNR permit.

Comment Received 12/1/2016 11:52:18 PM

EXHIBIT C1

WRITTEN COMMENTS RECEIVED BY MAIL

Dunes State Park Alcohol Rule Amendment
LSA Document #16-369
Administrative Cause No. 16-080P

Dear NRC members,

Your mission is to ensure that the DNR is following their guidelines and carrying out their mission.

This mission is to protect and preserve our native landscapes, not promote drinking and private parties on the beach at Indiana Dunes State Park.

This change in rule would negatively impact the IDSP in many ways.

Besides the negative impacts on the serenity of the lakefront, the reason many visit the park, inebriated customers of the multiple alcohol outlets planned, would pose a threat to other visitors, the lifeguards, and the landscape.

Alcohol was initially banned in this park for very good reasons. It is not needed and not wanted.

The lifeguards are local teenagers. These young people should not be given the additional burden of trying to deal with inebriated adults on the beach.

The surrounding landscape is a fragile dunes ecosystem-we do not need or want drinkers climbing heedlessly over the dunes.

Other visitors to the park have a right and deserve to expect that their visit to a beautiful serene beach does not include having to deal with drunks or explain them to their children.

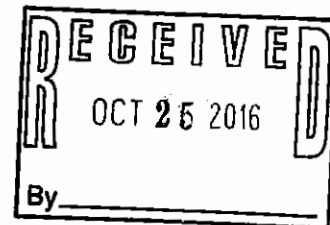
People using the parking lot should not have to deal with inebriated park visitors. The park should not be promoting, or enabling, these problems.

The only entrance into or out of the park is a State Highway-St. Rd. 49. It is terrible public policy to allow state park guests to be drinking when we know they will immediately be on a state highway.

Please vote against approving "Alcohol at Indiana Dunes State Park" (LSA #16-369).

Thank you,

John Bencie
1617 Green Meadow Lane
Chesterton, In 46304



Dear NRC members,

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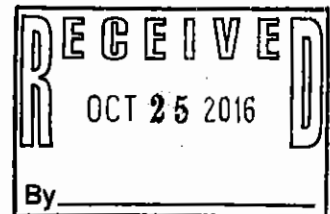
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Please vote against approving "Alcohol at Indiana Dunes State Park" (LSA #16-369).

Thank you,

Mary Bencie
1617 Green Meadow Lane
Chesterton, In 46304



To the NRC members-

I am writing you today to ask you to NOT overturn the rule. Please continue to ban Alcohol at our State Park. This is concerning Alcohol at Indiana Dunes State Park (LSA #16-369)

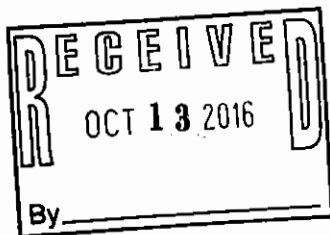
Also when you have the meetings- please have them in our area- this way you can see the real people who do NOT want alcohol on our State Park beach.

Thank you,

Pamela C. Cole
Chester ton, IN
46304



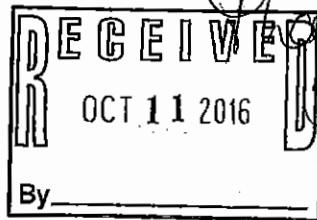
Mrs. Pamela C. Cole
980 N. 250 E.
Chester ton, IN 46304-0320



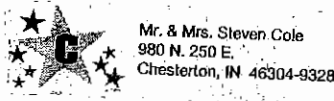
10-7-16

To Indiana Natural Resources
Commission,
Concerning Alcohol at Indiana
Dunes State Park (LSA #16-369)

Please do not change the
rule + allow Alcohol back
at our Dunes State Park.
We have a very unique area-
and it needs protected-not
exploited. We don't want the
gangs + crime that came with
Alcohol back in the 90's.
That is why they banned
the Alcohol.



Thank you-
Steven + Pamela Cole
Chesterton, IN



#2 To the Natural Resources Commission,

Dear NRC members,

I write you today to urge you to listen to the thousands upon thousands who have petitioned the local ABC board, the state ATC and you, to prevent the reintroduction of alcohol at Indiana Dunes State Park.

You can make the decision to hold the public hearing in the Indiana Dunes State Park, or in the nearby community of Chesterton, IN. Please, take to heart the wishes of the local people and park visitors to protect the natural and peaceful aspects of this park.

The mission of the DNR is to preserve and protect, not commercialize and exploit.

We, the 10,000 who have signed petitions against these proposed changes at Indiana Dunes State Park, urge you to vote to protect the visitors, protect the park and protect the wildlife here.

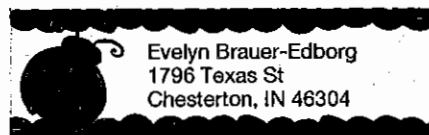
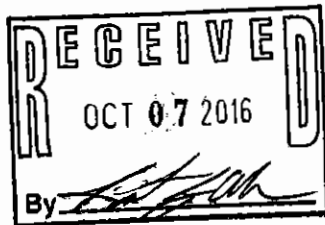
The serenity of the beach and the protection of the surrounding fragile dunes ecosystem hangs in the balance.

I respectfully ask you to hold the public hearing here, at or near the park, and take into account the views of the stakeholders of the park--the daily, weekly and holiday users of the park.

Thank you for a vote against changing the rule to allow alcohol in Indiana Dunes State Park.

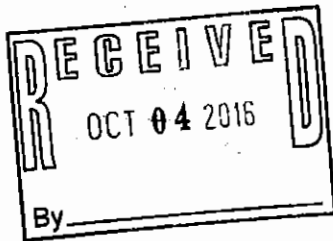
Sincerely,

*Sincerely yours,
Evelyn Edborg*



Dear NRC,

I am writing to tell you I disagree with rule LSA #16-369 and do not think it should be passed. Please consider the safety and beauty of the Indiana Dunes State Park when making your decision. Thank you,
Valerie Woitkun



Dear NRC,

I urge you to hold the public meeting regarding rule LSA #16-369 in or near the Indiana Dunes State Park.

Thank you
Valerie Woitkun



John and Valerie Woitkun
1004 West Elm Place Griffith Indiana 46319

9-26-2016

NRC members:



Your job is to protect our very valuable natural landscapes here, of which there are not very many! Why are you promoting private parties and alcohol at our Indiana Dunes State Park!? There should be no further construction and no serving of alcohol at this location. This is not only to protect the landscape, but to protect the visitors!

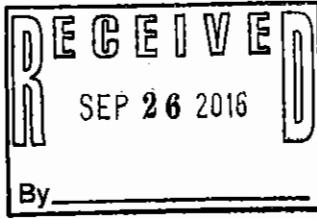
While with our grandchildren , we have seen drunks being led off the beach by rangers. One day we were there when a drunk beachgoer was screaming and shouting obscenities by the pavilion. A crowd gathered around and several men were telling him to be quiet because there were children all around. We thought a brawl was going to ensue! The park is very family friendly now, why ruin that?

The park visitors have a right to have a fun, peaceful time while visiting the park. Alcohol, families and the lake are a terrible and a dangerous combination!

Carol and Jim Banach

P.O. Box 1766

Highland, In 46322



Trent D. Pendley
Musette Lewry
285 East U.S. Highway 20
Chesterton, IN 46304
773.619-7670 Lurie773@yahoo.com

Re: LSA16-369

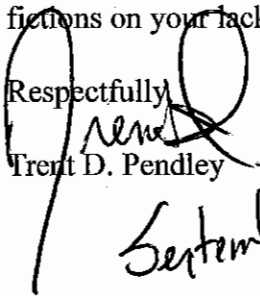
To Whom It May Concern,

The people and leadership of Indiana have from time immemorial disrespected the important movement to preserve the Indiana sand dunes of Lake Michigan as a nature reserve. Here again establishing a privately held business inside the Indiana Dunes State Park and reintroducing alcoholic beverages capitulates to those myopic interests that have never respected the spirit to save these sacred sands as the national treasure they are indeed!

The people of Indiana did very little throughout much of the last century to save the Indiana beaches and dunes and what local interests led this gallant struggle were met with every resistance from local and state morons as well as the national leadership usually represented by the Republican party. Ironically it was out-of-state money, namely \$750K from messieurs Rosenwald, Insull and also Judge Gary that commenced the paltry acreages of what we know today as the Indiana Dunes State Park. Yes, each of them visionaries from Illinois, and Pennsylvania! Each of these gentlemen, all important entrepreneurs realized that these singing sands needed preservation. Yet by 1956 the Indiana General Assembly passed a resolution recommending to the United States Congress that if the people of Illinois so desperately wanted a national park, they suggested Chicago's Loop be destroyed and Indiana would volunteer the sand to cover it! Keep in mind during this period Bethlehem Steel was secretly buying up the most beautiful acres of the Indiana Dunes, which they eventually leveled into a factory that they also bankrupted within one generation. Today those former Indiana sand dunes are owned by an overseas corporation.

This latest chapter of dirty-behind-the-scenes politics and gentleman's agreements with Mr. Chuck Williams sans public scrutiny is just another blatant example of Hoosier myopia regarding our treasured beaches. And because of the for-mentioned compromise we have less beach property today than we did a half century ago! This new chapter of your secret dealings and objections to protecting our beaches will make a fantastic epilogue for columnist Jerry Davich's forthcoming book on Indiana political crooks. Your selfish leadership also makes for good fodder for the sequel to my dunes novel, a Hoosier pride story, *Toys in the Closet*. I'm working on this sequel now and I won't hesitate to mock the fools that make up the Republican leadership that have seldom attempted to preserve the important nature scape of our Hoosier coast; Vultures and carpetbaggers that sell their souls for a buck.

The reintroducing of alcohol is a nightmare waiting to happen. This mind-altering beverage was removed for good reason in the past. Of course you folks in Indianapolis will be long gone when the horrific results return to the headlines. But, Oh what a great story I'll have to share in my historical fictions on your lack of vision.

Respectfully,

Trent D. Pendley

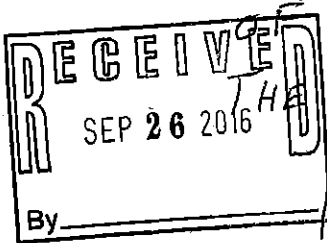
September 21, 2016

SEP 20, 2016

DEAR N.R.C.

I'M WRITING TO URGE YOU TO PLEASE VOTE AGAINST "ALCOHOL AT INDIANA DUNES STATE PARK, (LSA #16-369). I'M A 91 YEAR OLD, LIFE-LONG RESIDENT OF NW INDIANA. I HAVE ALWAYS ENJOYED THE LAKEFRONT AND TO THIS DAY, I GO OUT TO THE BEACH TO SEEK SOLACE THERE. I LIKE GOING TO THE I.D.S.P. BECAUSE IT IS THE MOST ACCESSIBLE FOR ME WITH MY LIMITED MOBILITY.

I'M VERY CONCERNED THAT THE CONSTRUCTION OF A HUGE BANQUET CENTER WILL INTERFERE WITH ACCESS TO THE LAKEFRONT FOR PEOPLE WITH DISABILITIES, AND OBSTRUCT THE VIEW FOR THOSE OF US YOU CHOOSE TO STAY IN THE CAR AND LOOK AT LAKE.



I'M DISMAYED THAT DESPITE BEING TURNED DOWN TWICE FOR A LIQUOR LICENSE, ONE PERSON WITH POLITICAL CONNECTIONS WAS ABLE TO CIRCUMVENT THE DECISION-MAKING PROCESS. THIS WAS MADE WITH HASTE THAT WILL ALLOW ALCOHOL TO BE SERVED AT THE PEOPLE'S STATE PARKS WITHOUT THE PEOPLE'S WISHES BEING TAKEN INTO CONSIDERATION. THIS IS OUTRAGEOUS!

I'M ALSO REQUESTING THAT THE N.R.C. HOLD ITS PUBLIC COMMENT MEETING AT A LOCATION CONVENIENT FOR THOSE OF US IN N.W.I. WHO WISH

TO ATTEND.

THANK YOU!

SINCERELY,

Mrs. Ruth Dimitroff

1223 REDBUD DR.
CHESTERTON, IN. 46304

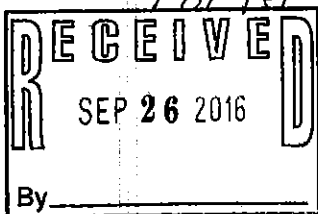
Dear NRC:

The Indiana Dunes State Park has long-represented one of the most tranquil and naturally beautiful eco-systems in the world. To introduce alcohol into this serene environment for the sake of your own political agenda and greed is shameful!

The persons most directly and adversely affected by your decision are the very people whose voice you are ignoring. Our input does matter. It has to. We have the foresight that has been sorely lacking.

Alcohol consumption not only leads to more traffic accidents, but it escalates the opportunities for violence and property destruction. Alcohol dulls ones inhibitions to the point where a person doesn't even realize they are impaired. Do I want to encounter this person within the park or on one of the many heavily travelled roads surrounding the park? Absolutely not!

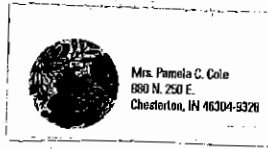
People have ample places to gather and drink: bars, sports stadiums, and their own backyards. Don't disrupt our delicate native treasure, the IDSP, by encouraging alcohol consumption. Vote against approving "Alcohol at the Indiana Dunes State Park" (LSA #16-369). Please hold the public input meeting right here in Porter County, not downstate.



1066 N LISOW
Michigan City, IN
46360

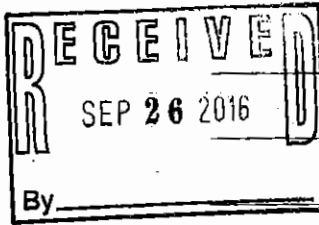
Thank You,

Elyse K. Rowley



9-10-16

To the NRC - Natural Resources
Commission,



Regarding the rule Alcohol at
Indiana Dunes State Park
(LSA #16-369)

I am requesting you to NOT
approve the rule to allow
Alcohol on the Indiana Dunes
State Park. Three times the
community voiced their concerns
and the Alcohol board voted it
down. Our community does
not want this. It is very
dangerous to have drinking
on the beach. This is why it
was banned in 1990.

Please listen to our community
and do NOT allow the rule change
to permit Alcohol again.

Pamela C. Cole - Chesterton, IN

9-26-16

Natural Resources Commission

I am writing to you because I am really concerned that if someone does not pay attention to what is going on Dunes State Park will soon not be a place for a family to go & enjoy the wonderful natural resources we have enjoyed for many years.

The Pavilion has been gutted, Restroom structures were built - ugly & not maintained - toilets leak, etc not healthy.

The person who started

B. Prange
1071 8 ledges lane
Chreston IA 46304

OK said he was going to taking care of the Pavilion
hes instead made a mess
of it.

Please have those who know how to do it fix the mess that has been made - Remove the ugly & not very useable Restrooms - Return everything to the excellent way it was.

Yes, The Pavilion needed Repair - That was ignored by those who should have taken care of it.

I think if the public had been asked - many would have helped with costs

Sincerely
Mr B. Prange



September 22, 2016

Dear NRC Commission,

I am writing to you concerning LSA#16-369 (allowing alcohol to be sold at the Indiana Dunes State Park).

I am very opposed to the DNR being given a permit to sell alcohol at the Indiana Dunes State Park, which has been for me and many others a place to enjoy swimming and nature in a safe environment. Alcohol and commercialization of this particular park will endanger what was bought, created and saved to be a place of natural beauty and safe enjoyment for the residents of Indiana and other areas.

The mission statement of the Natural Resources Commission states that the commission exists to provide leadership in the responsible management and use of the natural and cultural resources of Indiana and is committed to facilitating receipt of professional opinions and comments from the public at large for the incorporation into decision making responsibilities.

Our local ATC, which is very familiar with the Indiana Dunes State Park, its history and the dangers of alcohol being sold and served on the lakefront, denied Pavilion Partners/the DNR an alcohol permit. This was ignored and circumvented by Indiana politicians who bypassed local wisdom and passed House Bill 1247 to give the DNR in all State Parks in Indiana alcohol permits without considering that all state parks are not equal. A petition with 10,000 signatures to stop an alcohol permit for the Indiana State Park was given to Governor Pence and ignored.

I am asking you to:

- Consider seriously the dangers of alcohol being sold on this lakefront.
- With alcohol being sold, commercialization of our small lakefront will follow. Consider seriously what the commercialization of our small lakefront will mean to safeguarding and maintaining the natural beauty that means so much to us. (And was the original vision of the people who worked so hard to obtain and protect it)
- Please consider having the meeting(s) that would determine the outcome locally in Northwest Indiana.

Sincerely,
Sue Brennan
1977 David Dr
Chesterton, IN 46304
(219) 926-5245
mcbren3@yahoo.com



to the NRC:

I'm sending a hand written letter regarding the matter of alcohol at Indiana Dunes State Park (LSA #16-369) in hopes that the commission will be more attentive to my serious concerns not only about the negative impact Pavilion Partners ill-conceived plans will have on the park, but also because of my frustration over the lack of attention given to public opinion on this issue thus far. I thought it would be harder to delete a hand written letter. I believe this disregard of the public's voice is what has led to the possibility of a dangerous man becoming our next president. People are fed up with not being heard.

Now that you have read this far, I urge you to vote against approving alcohol at Indiana Dunes State Park (LSA #16-369) for the following reasons:

As you well know, the park is a unique ecosystem, unlike any other in the world, and deserves to be protected and preserved. The park acreage is relatively small but extremely popular and often over crowded as it is. On summer weekends, cars are stopped on I-49 and backed up all the way to U.S. 12 and sometimes even U.S. 20 until there is room for them to park in the lot. In the meantime, these cars are idling and contributing to poor air quality. Adding a large, adult entertainment complex in the middle of an already highly visited area could be disastrous to the fragile landscape and the character of the beautiful lake front.

If I were a young bride having a reception at this banquet center, I wouldn't want my guests to be late because they were stuck in traffic on I-49. Lines into the park are still long after 6pm on ~~the~~ summer weekends. I know, I live on the I-49 corridor and visit the park during the evening on weekends.

I'm also concerned how this Pavilion Partners/DNR deal ever came to pass in the first place. I don't see how \$18,000 a year and 2% of profits is going to have much impact on the DNR's budget. Who is profiting from this deal? It certainly isn't the state parks. I find it hard to believe the DNR is that ignorant. I wish I could rent lakefront property for \$18,000 a year!

Finally, I hope you will consider holding the public input meeting regarding this matter at or near the Dunes State Park so that the hundreds of people that attended the local liquor license hearing and thousands of people who signed a petition against this venture will have a chance to air their very valid concerns. Thank you

Jennifer Dimitroff
Porter Indiana resident

18E Burwell Dr
Porter, IN 46304

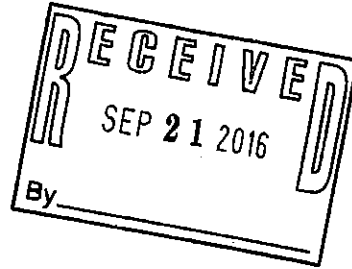
September 19, 2016

To: Natural Resources Commission

Indiana Government Center North

100 North Senate Avenue, Room N501

Indianapolis, Indiana 46204-2200



Re: Rule LSA#16-369

We do not need nor desire another pavilion at our Indiana Dunes State Park which would be built by private industry and run by private industry. Instead, let us use the one we have.

We do not need nor desire alcohol in our park. Allowing alcohol is dangerous. We had one alcohol related drowning in our park this summer.

Alcohol was banned in our park in 1990 for safety reasons .

A public comment meeting is scheduled in November. Please hold this meeting near the Dunes State Park where the people involved live.

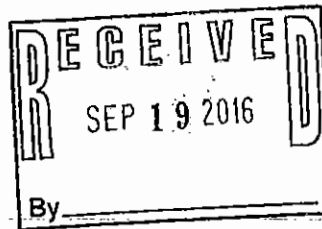
A handwritten signature in cursive script that reads "Barbara L. Miller".

Barbara Miller

500 Riverview Ln.

Porter, IN 46304

219-926-6673



Sept. 13, 2016

Dear NRC members,

Your mission is to ensure that the DNR is following their guidelines and carrying out their mission.

This mission is to protect and preserve our native landscapes, not promote drinking and private parties on the beach at Indiana Dunes State Park. This change in rule would negatively impact the IDSP in many ways.

Besides the negative impacts on the serenity of the lakefront, the reason many visit the park, inebriated customers of the multiple alcohol outlets planned, would pose a threat to other visitors, the lifeguards, and the landscape.

Alcohol was initially banned in this park for very good reasons. It is not needed and not wanted.

The lifeguards are local teenagers! These young people should not be given

The added burden of trying to deal with inebriated adults on the beach.

The surrounding landscape is a fragile dunes ecosystem - we do not need OR want drunks climbing heedlessly over the dunes. Other visitors to the Park have a right and deserve to expect that their visit to a beautiful, serene beach does not include having to deal with drunks or explain them to their children.

People using the parking lot should not have to deal with inebriated park visitors. The park should not be promoting, or enabling these problems.

Please vote against approving "Alcohol at Indiana Dunes State Park"

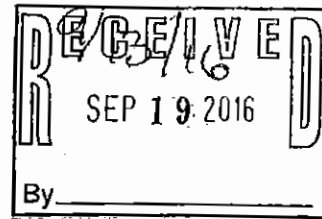
(LSA # 16-369)

Thank you,
Gene Nelson
Chesterton, Indiana

J. Nelson

2139 Dickinson Rd, #102

Chesterton IN 46304



To the NRC members

I'm writing in regard to LSA # 16-369 and asking that you please vote against approving alcohol at the Indiana Dunes State Park.

Please continue your mission to ensure that the DNR carries out their mission to protect and preserve our native landscape.

I also request that you consider holding the public input meeting at or near the Indiana Dunes State Park so that the hundreds of people wanting to participate in this discourse may attend. Ten thousand signatures opposing the planned venture at the Dunes should account for something.

Thank you for your consideration

J Dimitroff
18E Borwell Dr
Porter, IN 46304

Jungfer Dimitroff
Porter, IN.

9-13-2016

Dear NRC members,

I am urging you to vote to prevent the re introduction of alcohol at our beloved Dunes State Park.

Our park is a lovely jewel set on a marvelous lake which draws hundreds of families and visitors yearly.

I believe they come to enjoy the sun, shore, water and Gods creativeness!

My relatives come from many states to visit and to experience the lake via the Dunes State Park.

I thank you for taking the time to read this letter and I pray you will vote your conscience.

Aue Keiser
1294 Chalmers Dr.
Chesterton, IN
46304

Sincerely
Aue Keiser

RECEIVED
SEP 19 2016
By _____

DEAR NRC MEMBERS,

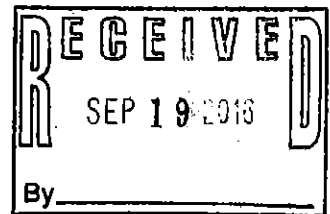
I ASK YOU TO HOLD LSA
THE PUBLIC HEARING ^{ON RULE #16-} HERE 369
IN CHESTERTON FWD. I ALSO
ASK YOU TO LISTEN TO THE
THOUSANDS OF PEOPLE WHO
ARE OPPOSED TO ALCOHOL IN
THE FWD DUNES STATE PARK.

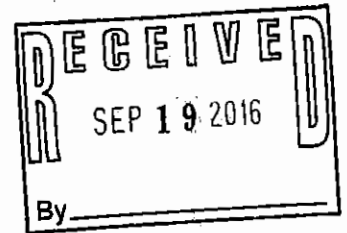
THANK YOU

GREG HEROLD

745 N 200 EAST

JALPARAISO FWD 46383





To the NRC - Natural Resources
Commission,
Regarding the rule Alcohol at
Indiana Dunes State Park -
(LSA #16-369)

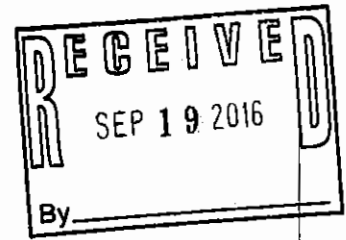
Please do not allow the
rule change and bring
Alcohol back to our State
Park.

Three times it was voted
down by the Alcohol board
to not allow Alcohol at the beach.

Over 10,000 signatures
were obtained by people who
do not want Alcohol on the beach.

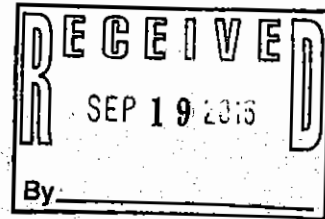
Please listen to our
community - we have spoken -
No Alcohol on the beach.

Margaret Willis
702 S. 2nd St. Chesterton IN 46304



Dear Commission Peoples: 9-15-16

This Indiana Dunes State Park ruling has been changed so many times. How about one more change in regards to the alcohol issues. Our Park has many different ethnic groups attending the beach & water & natural museum to name just a few reasons why adding the sale of alcohol won't bring more enjoyment to these paying folks. Having lived in the park and experiencing the effects of legal alcohol but not sold, alcohol is not too pleasant ^{at} but dangerous on many occasions. It is a joy to witness all the families having their outings. The park was created for families to ~~enjoy~~ ^{enjoy} its beauty & serenity. Alcohol sales need to be kept outside the park if this is to continue. Thank you for taking time to read my terrible hand writing. Also know that I appreciate all the work your office have done to come to an agreeable conclusion. Sincerely -
 Joyce Koverer 321 E. Parter Ave, Chesterton, Ind. 46304
 Phone 219-926-1803 if you have time to call.



13 Sept 2016

To the NRC - Natural Resources Commission
Regarding the rule "Alcohol at Indiana Dunes
State Park" (LSA #16-369)

Please do NOT allow the rule change and
bring alcohol back to OUR state park.

Three times it was voted down by the
Alcohol board to NOT allow alcohol at
the beach.

Over 10,000 signatures were obtained by
people who DO NOT want alcohol on the
beach.

Please listen to our community - we have
spoken -

No Alcohol on the Beach!

Thank you,
Lynne Sundwall
Valparaiso, Indiana

Lynne Sundwall
404 Jefferson St
Valparaiso, IN 46383

RECEIVED
SEP 19 2016
By _____

Lynne Sundwall
404 Jefferson St
Valparaiso, IN 46383

13 Sept 2016

Dear ~~_____~~ members,

I am writing to you to express my deep concern that to permit alcohol at the Indiana Dunes State Park Beach would be a disastrous decision.

Please vote ABSTAIN approving "Alcohol at Indiana Dunes State Park" (LSA #16-369).

Also, I urge you to hold the required public hearing here in Northwest Indiana, near or in the Park in Chesterton, in Porter County Indiana.

Public Safety, in the park and in the dangerous waters of Lake Michigan, should guide your thinking. The historic Pavilion is ON the beach. Alcohol allowed there will similarly be ON the beach.

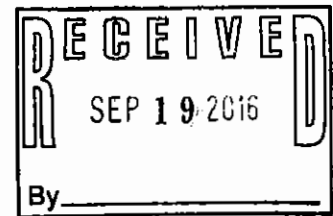
Please vote NO. Please Support and promote the mission of the State Park system - to preserve and protect our natural areas, not privatize and

commercialize them. Our future generations
deserve the tranquil beauty of the Dunes.

Thank you for your attention to these waterfalls.

Lynne Sundvall

Valparaiso, Indiana



Dear Natural Resource Comm. 9-15-16

Having lived in the Indiana State Park or near it many, many years, it has come to my attention we have some important issues to vote on. That issue to park is "Alcohol at Indiana Dunes State Park" - LSA #16-369. Having lived in the park when alcohol was permitted but not sold, I have experienced many sad happenings. It appears there is to be a public hearing in our area in tentatively in or near November. Could that meeting possibly be in our Chesterton area? We had 500 attend a past meeting on this alcohol issue. Some very important problems need to be answered!

Thank you for reading this 2 page handwriting, as it is, my address is Joyce Ferrare - 321 E. Porter Ave - Chesterton, Ind. if you have time to reply. You are a very busy office but thanks for permitting me to write to you. Sincerely,

Joyce Ferrare

Phone is 219-926-1803 if you have time. Thanks again

RECEIVED
SEP 19 2016
By _____

9-15-16

To: NATURAL Resources
COMMISSION

I am writing to you in
regard to a new rule
called "ALCOHOL at
Indiana Dunes State Park
(LSA #16-369)

Please - it is just NOT
a good idea to have
alcohol at the Park.
currently it is a family
friendly place - those
of all ages can gather
& enjoy the water, beach,
sand & serenity of our
Park. When my daughter
is able to visit with me she
always says "this does
Restore my soul". To find

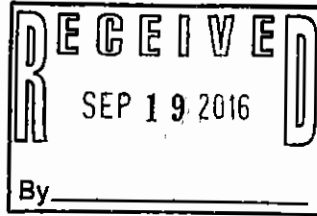
Just being able to be there helps me in many ways also. It is hard to explain to you what the park means to my family & many other people also - I can only say it is a wonderful place for many people. I am truly afraid that alcohol is allowed at the park it will change many things & we will no longer have this wonderful place to go regardless of our age or ability.

Come & walk the beach with us & experience what we have. Perhaps that will help you understand.

Sincerely -

Barbara Prange

Mrs Barbara Prange
1071 Gladys Ln
Chesterton, IN 46304-3307



9-16-2016

to : Natural Resources
Commission

I am writing to you
to request that you not
allow alcohol at our
Indiana Dunes State
Park.

This is a Family Park,
many young families with
young children.

We do not need to
have people drinking
alcohol - perhaps having
a large amount - causing
a problem or worse going
into the lake - needing
help.

Please, if these people
must have alcohol have
them get it somewhere
besides the Ind. Dunes
State Park. It would be
dangerous for them and

is not safe for the other
people visit the park.

then, if the person has had one
then he or she should
it is necessary to call security
how long would it take to
get someone & what
kind of examples that
for the young people that
with their family?

Please - Let us keep our
family friendly park

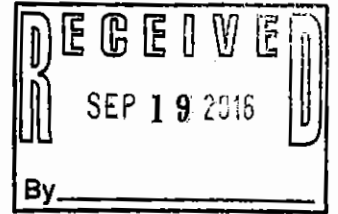
Sincerely

Barbara Prange

Mrs Barbara Prange
1071 Gladys Ln
Chesterton, IN 46304-3307

September 15, 2016

Natural Resources Commission
Indiana Government Center - North
100 N Senate Avenue Room N501
Indianapolis, Indiana 46204-2200



To the Commissioners,

We have lived in Valparaiso Indiana - Porter County - for over 50 years. We are very much against proposed rule LSA # 16-369 - as are most people living in this area. A state park is a place for families to enjoy the natural setting - not a place for alcohol and the problems that come with that.

Please locate your public hearing on this matter in our local area - Chesterton or Valparaiso - so you can hear for yourself how opposed the citizens are to this rule.

Thank you for your service to our state.

Sincerely,
Bob + Ruth Harbrecht
782 N 400 E
Valparaiso, IN 46383

9-13-16

To the Natural Resources Commission
 Regarding the rule - (LSA #16-369)
 Alcohol at Indiana Dunes State Park

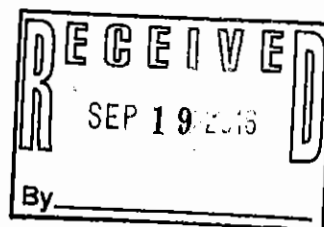
We are responding to the public comment period concerning the rule change to allow alcohol on the beach. Please do NOT change the rule - our community does NOT want the fights, gangs and bad behavior from alcohol on the beach.

There are no lifeguards present all the time - especially after the summer season ends. This is dangerous and will increase the drownings at the beach. This will be a burden to our emergency services from Chesterton.

Please listen to our community - 3 times it was voted DOWN by the Alcohol Board!

Nelson
 2139 Dickinson Rd. #102
 Chesterton, IN 46304

Jim & Jim Nelson
 Chesterton, IN



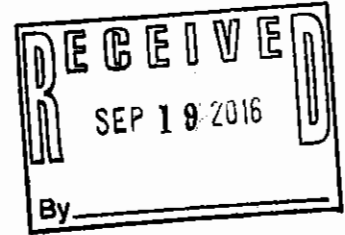
Indiana NRC

This is why alcohol is such a serious issue in the area.

Please reject the new rule LSA #16-369

We don't need and don't want booze in our park

**James Shilling
Dyer, Indiana**



Chicago Tribune

Indiana Dunes Park Bans Liquor Permanent Policy Helps Drive Out Street Gang Members

By Ronald Koziol.

May 25th, 1989

A total ban on alcohol and heavy fines for violators are now a permanent policy of Indiana Dunes State Park as the first long holiday weekend of the summer begins. "If you get caught with a can of beer, the fine is \$70, and it costs another \$200 to post bond," Ken Ellis, assistant manager of the park, said Thursday. "That's a lot of money for a beer."

A temporary ban on alcoholic beverages in the park was put in effect last July in an effort to curb violence by several Chicago street gangs trying to make the park their summer home. The action was taken after a Chicago man was severely beaten by street gang members in the park.

Statistics compiled by Ellis also showed that disorderly conduct, vandalism and gang-related problems all were directly connected to drinking. In addition, thousands of beer cans and bottles make litter an expensive problem.

But the ban, combined with increased enforcement in the 2,000-acre recreational site, has so far proved an effective weapon in driving out the street gang members, Ellis said. Signs posted at the park entrance announce the regulation, and gate attendants also hand out leaflets printed in English and Spanish.

State police have been assigned to the park to enforce the no liquor rule and more officers of the Indiana Department of Conservation also will be on hand. The restriction includes the park's five picnic shelters and its campsite area.

Three years ago, park officials prohibited alcohol in the beach area and its adjacent parking. Indiana's 20 other state parks are not affected by the ban. 323 "Chicago street gang members are now avoiding the park, according to the information we've received from the Chicago police," Ellis said. "We also have identified many of the gang members (who were regular park visitors), and we'll be on the lookout for them if they return. It won't be any fun for them if they come back to the park."

Ellis also is finding that young families with children and older couples are returning to the park. "They can see the problems are gone, and they are all receptive to the alcohol ban," he said. "Admissions have even been up slightly this year."

All 305 of the park's campsites are reserved for the weekend and have been for weeks, and Ellis expects up to 50,000 visitors before the end of the Memorial Day holiday. With Chicago just an hour's drive away, the park's 3 miles of Lake Michigan beaches and its sandy dunes have made it a popular summer meeting spot for Chicago area residents.

The park's newest attraction a 6,000-square-foot nature center will be opened this weekend by Indiana Gov. Evan Bayh. The center, which makes extensive use of videos and animal displays, has been 10 years in the making, Ellis said.

-end-

Chicago Tribune

Dunes Loses Appeal to Gangs Alcohol Ban Makes Park Less Attractive, Say Officials

By Ronald Koziol.

July 13, 1989

Chesterton Indiana -- Street gangs from Chicago and northwest Indiana apparently have abandoned Indiana Dunes State Park as a result of last week's total ban on alcohol at the 2,000-acre recreational site, park officials said Wednesday.

Park officials ordered the ban after a Chicago man attending a 4th of July picnic was severely beaten by a street gang at the park. Roberto Mesarino Jr., 22, of 2901 S. Throop St., apparently was mistaken for a rival gang member, park officials said. Mesarino is listed in fair condition at Mercy Hospital and Medical Center in Chicago after being transferred from Porter Memorial Hospital in Valparaiso.

Two brothers from Chicago's South Side have been charged with the beating and are in the Porter County Jail awaiting trial. "The gangs haven't shown up at all," assistant park manager Ken Ellis said. "And with no gangs, there were no gang-related problems. So far, the alcohol ban has been effective."

Ellis said a family atmosphere was evident again at the park during the past week and added, "It was just very enjoyable." Although no accurate figures are available, Ellis said attendance was down to about 7,000 a day over the weekend. Average visitor attendance is about 10,000 a day on a non-holiday weekend and double that for a long holiday weekend. Just how long the gangs will stay away remains to be seen.

Ellis said that since the ban was initiated, 28 extra state conservation officers were assigned temporarily to bolster the Dunes' 4-man security staff. "We'll just have to wait and see if this element comes back to claim its turf, so to speak," Ellis added.

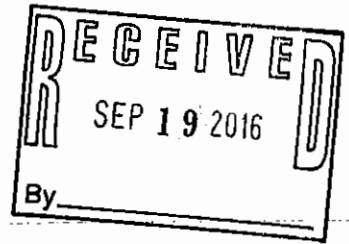
According to Ellis, 115 people were arrested during the first weekend of the liquor ban on a variety of charges, including bringing alcohol into the park. He said this represented an increase over other weekends, but noted the large police force on duty as the main reason. Signs have been posted at the park entrance announcing the new regulation, and gate attendants also hand out leaflets written in English and Spanish.

Ellis said most people with alcohol readily complied with the rule, either by turning around and leaving or emptying their alcohol on the ground before entering the park. With Chicago just an hour's drive away, the park's 3 miles of Lake Michigan beaches and 385 overnight campsites have made it a popular meeting and partying spot during the summer for young crowds from the city.

Even before the 4th of July incident, Ellis and McKibben had recommended an alcohol ban be considered by the Indiana Natural Resources Commission for implementation next year. A study of park violations for the last five years showed that disorderly conduct, vandalism and gang-related problems were all directly connected to drinking, Ellis said.

Charged with felony battery in the Mesarina beating incident are Gerardo Manteca, 22, of 4818 S. Winchester St., and his brother, Benjamin, 20, of 4852 S. Loomis St. They will appear in court Friday in Porter County.

-end-



9/14/16

Dear NRC Commission

I write to you today to
oppose LSA #16-369 that is
now posted.

Alcohol at the IDSP would
damage the cultural + environmental
setting at the Park

There are so many many bad
implications on this law

10,000 people are opposed to this

Please hold the public
hearing here in Chesterton
or at the Park -

Expect 100's of park advocates
at this hearing

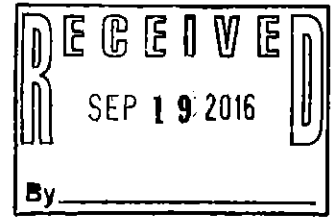
Thank you so much for your
consideration

Dan Moore

Mr. & Mrs. Steven Cole
980 N. 250 E.
Chesterton, IN 46304-9328

NRC,
Indiana Govt. Ctr. North
100 N. Senate Ave., Rm. N-501
Indianapolis, IN 46204-2200

Sept. 13, 2016



Dear NRC Members,

I am writing to urge you to vote against rule LSA #16-369, "Alcohol at Indiana Dunes State Park". Over 10,000 of us, who live near Dunes State Park and would be adversely affected by passage of this rule, signed a petition which was submitted to the governor's office prior to his signing of the legislative bill giving initial endorsement to the sale and consumption of alcohol in our park.

Your mandate is to preserve and protect the small areas of Indiana designated as state park land, so that the general public and out-of-state visitors can enjoy and gain inspiration from our unique natural beauty and our wildlife.

The construction of Pavilion Partners' banquet center, and the accompanying remodelling of our unique old 1920's pavilion, will be just part of the long-term, broad, negative impact on tourism, and the revenue it generates, at the park and in our towns.

Alcohol was previously banned at Dunes State Park in 1990, following alcohol-driven violence in the park. We earnestly believe that violence, disturbance of the peace, littering and severe parking problems will result from passage of LSA #16-369. There is only a single park entrance. Any rapid response to violence, drownings at night and other disturbances is virtually impossible in the park.

Thank you very much for your attention to my letter.

J. NELSON
2134 Dickinson Rd #102
CHESTERTON, IN 46304

Sincerely, James P. Nelson
Chesteron, Ind.

Natural Resources Commission
Regarding rule on alcohol at
Indiana Dunes State Park
LSA #16-369

I am requesting that you do not
approve the rule to allow alcohol
in the Indiana Dunes State Park
three times the community
voiced concerns and the alcohol
board voted it down.

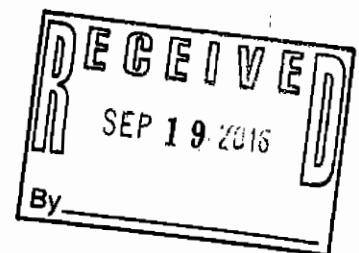
It is very dangerous to have
drinking on the beach. This is why
it was banned in 1990. The lake
is 170 feet from the pavilion &
lifeguards are not present all the
time.

Please listen to our community
and do not allow the rule change
to permit alcohol again.

Thank you

Sally Wallace

Sally Wallace
1165 Fieldstone
Porter, Indiana
46304



*Dear N.R.A. members,
To whom it may concern,*

Indiana Natural Resources Commission

Re: LSA #16-369

I strongly oppose this rule that would allow the Indiana DNR to sell alcohol on the beach at the Indiana Dunes State Park. They say they will not allow alcohol on the beach but note that the old pavilion and the new proposed banquet center ARE ON THE BEACH.

This is why you should reject this rule:

- The rule is not restrictive enough. It could allow expansion of alcohol sales and consumption into any part of the State Park at the DNR's will and without public notification or input.
- Allowing more alcohol at this particular park is dangerous, especially when lifeguards are not present. There was an alcohol-related drowning at the park this summer.
- The DNR has stated that it will not add conservation officers to control the use of alcohol. This increases the possibility of harm to the general public.
- Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license.

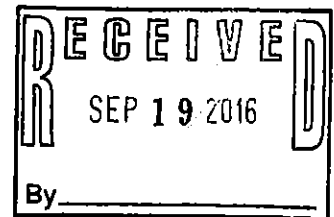
Please reject this rule.

If there is to be a public hearing on this rule regarding the Dunes State Park, it should be held in northern Porter County. *It would be greatly appreciated if people living in this area, & will be affected by the outcome, could attend & express their concerns.*

(Your name and address)

Thank You.

*Dorothy J. Vasulko
186 Summer Tree Dr,
Chesterton, In. 46304*



1

To the Natural Resources Commission,

Dear NRC members,

I am writing to you to express ^Mmy deep conviction that to permit alcohol at the Indiana Dunes State Park Beach would be a disastrous decision.

Please vote against approving "Alcohol at Indiana Dunes State Park" (LSA #16-369).

Also, I urge you to hold the required public hearing here in Northwest Indiana, near or in the Park in Chesterton, in Porter County Indiana.

This new rule would overturn good public policy. The ban on alcohol implemented in 1990, was put in place for very good reasons.

Public safety, in the park and in the dangerous waters of Lake Michigan, should guide your thinking.

Founder of the Indiana State Park system, Richard Lieber, urged protecting the wild, rustic and natural aspects of our parks.

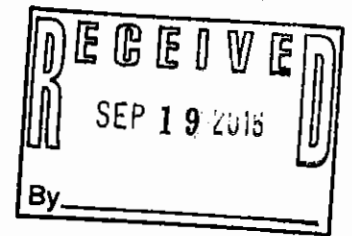
Just as you would never approve alcohol consumption out on the falls at McCormick's Creek or Clifty Falls, in the canyons of Turkey Run, or in the spectacular preserved portions of Spring Mill, for instance so too should alcohol be prohibited on the beach and in other natural areas of Indiana Dunes State Park.

The historic Pavilion is ON the beach. Alcohol allowed there will similarly be ON the beach.

Please vote no. Please support and promote the mission of the State Park system--to preserve our natural areas, not privatize and commercialize them.

Thank you for your attention to these concerns,

Bonnie Grossem
6457 Savannah Ave
Portage In 46368



September 13, 2016 -

I am opposed and have been opposed to the rule titled "Alcohol at Indiana Dunes State Park." (LSA #16-369) Alcohol has been banned since 1990 for Indiana Dunes State Park. It's just that way - I want the IDSP to remain alcohol free and family friendly. I want you to know that the DNR does not and has not enforced the current no alcohol rule - on any given day - (over)

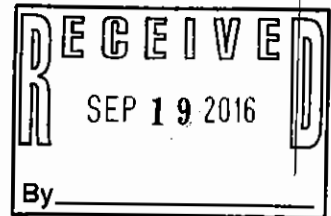


The beach is calling... and I must go.

you can be sitting next to people drinking openly beer, wine, liquor at add on IDSP beach front - Please cancel request to allow (LSA # 16-369).

Rose Aaron
Chesterton, IN
146304

Resident, Toppage, Park
800 DuneWood Drive



Mr & Mrs Willis
402 S. 2ND St
Chesterton IN 46304

9/13/16

Dear NRC Commission Members,

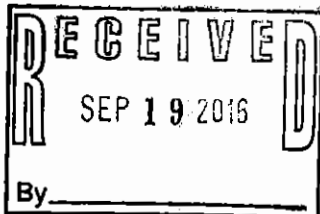
I am writing to ask you, urge you, to vote against LSA#16-369, a rule to re-introduce alcohol at Indiana Dunes State Park.

Alcohol was banned at IDSP for very good reason.

I visit the park at least once a week, sometimes more often. The quiet serenity, the natural setting, the family friendly atmosphere, would all be shattered by alcohol use at the beach.

The Pavilion is ON THE BEACH; the proposed banquet center is ON THE BEACH.

You would never consider putting such a venue on ~~the~~ the falls at McCormick's Creek or IN



a canyon at Turkey Run.

The reason people visit this spectacular natural setting is for quiet reflection, the sound of the waves, the call of the birds, the beauty of a sunset.

Privatization, commercialization, structures on the beach have no place here.

Please vote NO on LSA #16-369 and help keep the beach a natural place to visit.

The pavilion, restored, is a great idea.

Alcohol on the beach is a terrible idea and is not needed or wanted.

Thank you for your
NO VOTE. Margaret S. Willis
762 S. 2ND S. Chesterton IN
46304

P.S. Any public meeting on this issue should be held in Chesterton, the adjacent community, in a venue large enough for 500 people at an evening hour.

2013 Laura Lane
Chesterton, IN
46364

September 13, 2016

To National Resources Commission:

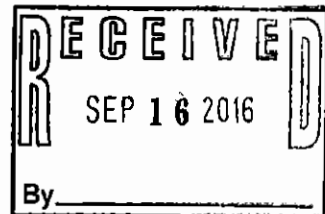
I am writing to express my
concern about LSA# 16-369.

The Indiana Dunes State Park
is a place families come
for a relaxing experience in
a beautiful setting. The sale
of alcohol will alter the
family-friendly atmosphere.

What about little girls in
their polka-dot bikinis?
The teenage life guards?

Drinkers driving in parking-
lot? Please say no to alcohol
in our park!

Thank you, Suzanne Keldsen
Suzanne Keldsen



2013 Laura Lowe
Chesterton, Indiana
46304

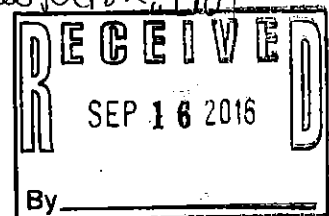
9-10-16

To the Natural Resources Commission -
Regarding the rule - (LSA #16-369)
Alcohol at Indiana Dunes State Park,

We are responding to the public comment period concerning the rule change to allow alcohol on the beach. Please do NOT change the rule - our community does NOT want the fights, gangs and bad behavior from alcohol on the beach.

There are no lifeguards present all the time - especially after the summer season ends. This is dangerous and will increase the drownings at the beach. This will be a burden to our emergency services from Chesterton.

Please listen to our community -
3 times it was voted down by the Alcohol Board.
Steven + Pamela Cole - Chesterton, IN



1

To the Natural Resources Commission,

Dear NRC members,

I am writing to you to express by deep conviction that to permit alcohol at the Indiana Dunes State Park Beach would be a disastrous decision.

Please vote against approving "Alcohol at Indiana Dunes State Park" (LSA #16-369).

Also, I urge you to hold the required public hearing here in Northwest Indiana, near or in the Park in Chesterton, in Porter County Indiana.

This new rule would overturn good public policy. The ban on alcohol implemented in 1990, was put in place for very good reasons.

Public safety, in the park and in the dangerous waters of Lake Michigan, should guide your thinking.

Founder of the Indiana State Park system, Richard Lieber, urged protecting the wild, rustic and natural aspects of our parks.

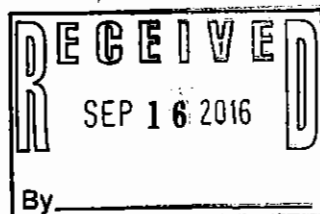
Just as you would never approve alcohol consumption out on the falls at McCormick's Creek or Clifty Falls, in the canyons of Turkey Run, or in the spectacular preserved portions of Spring Mill, for instance so too should alcohol be prohibited on the beach and in other natural areas of Indiana Dunes State Park.

The historic Pavilion is ON the beach. Alcohol allowed there will similarly be ON the beach.

Please vote no. Please support and promote the mission of the State Park system--to preserve our natural areas, not privatize and commercialize them.

Thank you for your attention to these concerns,

I AM THE FATHER OF A SON WHO GRADUATED HIGH SCHOOL IN 1987. WHILE HE WAS GROWING UP WE WENT ON MANY "FAMILY" CAMPING TRIPS. IN THE MIDDLE 1980'S WE HAD TO GIVE UP GOING TO THE DUNES PARK DUE TO THE GROWING DISTURBANCES WHICH FINALLY LEAD TO THE 1990 BAN. DO NOT LET HISTORY REPEAT ITSELF.



James W Miller
JAMES W MILLER
764 N 500E
VALPARAISO IN 46383

September 8, 2016

Natural Resources Commission
Indiana Government Center North
100 North Senate Avenue, Room N501
Indianapolis, IN 46204-2200

RE: A Rule Titled – “Alcohol at Indiana Dunes State Park” (LSA #16 -369)

There have been over 10,000 signatures collected and my signature is one of them.

From my understanding the local Alcohol Board denied alcohol to be sold at the Indiana Dunes State Park. Then somehow there was a new law, docket or rule that was written to circumvent that ruling not only for our Park but for all State Parks in Indiana. But I live in the Porter/Chesterton area so this would affect me and I also oppose alcohol being sold at any Indiana State Park.

I always thought the purpose of going to a State Park was to get away and relax and be in a family friendly environment that did not involve alcohol. Alcohol has been banned from our park I believe since 1990 and for good reason.

The Indiana Dunes State Park is unique because of Lake Michigan. We are blessed to have a sanctuary so close by and people who drink are no more responsible than they were in the past...read the papers – someone is always getting arrested for a DUI.

Saying that alcohol will only be sold in the Pavilion (when it gets renovated) is a joke and that it won't be allowed anywhere else in the State Park. Who will be responsible for those that drink once they leave the Pavilion?

Come and see where the Pavilion is and then maybe you will understand why this should not be allowed it is very close to Lake Michigan a few steps away and there is the lake.

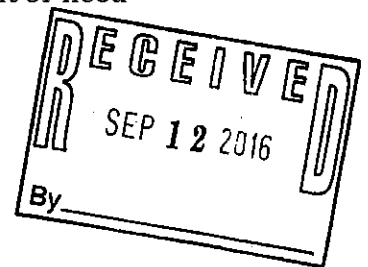
Our Pavilion does need to be restored – but no alcohol should be allowed and no banquet center either.

It has been well documented that the public in our area does not want or need alcohol at the Indiana Dunes State Park.

Please do not allow alcohol at the Indiana Dunes State Park.

Thank You.

Julie Petrites – 1498 Port Cover Drive, Porter, IN 46304



Julie Petrites
(OVER)¹³⁷

They say this is an underused PARK;
why would they want to put ALCOHOL
IN if that was true.

It is not under used AND the
ONLY REASON they want to re-introduce
ALCOHOL is because of some deal
that was supposedly made without
the knowledge of public input.

AND

money AS WE KNOW IS the
root of all evil.

my question: who stands to profit
if this deal goes thru AND how
MANY were involved that will
ALSO profit FROM it?

Re: LSA 16-369

Alcohol at Indiana Dunes State Park

As a dunes dweller whist for onto 70 years...it is more than depressing to continue trying to convince elected/appointed non residents of this northern beach frontage area that alcohol is not only not needed...but would be a detrimant to the beach front environment.

Looking at just even one photo example is enough...

(imagine each of these locations from the persepcitve of first responders to 911 !)

When the water is not in use..the sand is shifted amongst the toes by all ages and most diverse populations of people. There are so many options for people to just play...relax...walk...run....romp and feel joy...

The beauty of the dunes in and of itself..preserved by natural changes...presents a changed scene daily.

The imposition of alcohol not only interferences,it drags with it trash pollution of leftovers and impairs the consumers experience.

Further it impairs the person departing thea rea who uses very busy roadways.

If the persistence of drowning victims is not enough casualty..then add destruction of what is left of Indiana's minimal beach front to a commercialized collection of vendors.

The Indiana Dunes State Park (IDSP) and

'contracted facility management'

struggle to keep up maintenance of the park in its current status. The swimming is most often canceled due to lack of life guards at the peak ending dates of the season.

Stretching the staff to further tasks by allowing alcohol with out supervision, without 'policing' help is simply stupid. This action reflects a lack of regard for the future..primarily the next generations of dunes visitors.

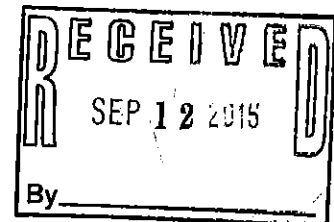
The IDSP a simple place of natural beauty. People who frequent the IDSP do so to get away from their routine. They want to enjoy nature. When these same folk want to indulge in adult beverage and food..there are many options already available.

If beach front restaurant/banquet service is desired...why not utilize the previously popular locations...now swallowed by either the National Lakeshore or privately owned business.

Opinions/views most sincerely offered by:

Marcia A Griswold
M. A. Griswold
1248 Chalemel Dr.

Chesterton, IN 46304-1478



9-14-16

To From of My car,

Do not permit alcohol be
permitted of Alcohol Dunes State Park
The historic Park on the beach.
No Boog on the beach.

It was a life goal on
Lake Michigan for 3 years.

Booz is a danger.

Sincerely,

John Souler Rosen
319 EUS Hwy 20 42
Turnersville, IN 46304

RECEIVED
SEP 16 2016
By _____

Indiana Natural Resources Commission

Re: LSA #16-369

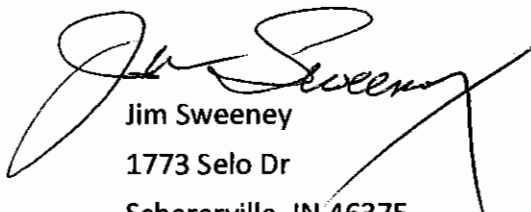
I strongly oppose this rule that would allow the Indiana DNR to sell alcohol on the beach at the Indiana Dunes State Park. They say they will not allow alcohol on the beach but note that the old pavilion and the new proposed banquet center ARE ON THE BEACH.

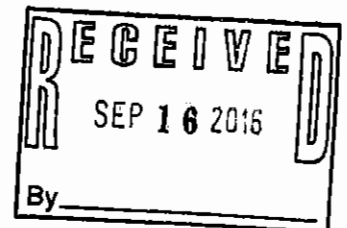
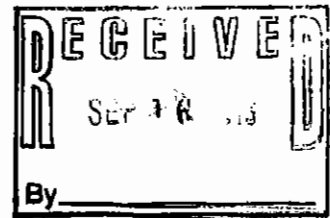
This is why you should reject this rule:

- The rule is not restrictive enough. It could allow expansion of alcohol sales and consumption into any part of the State Park without public notification or input.
- Allowing alcohol at this particular park is dangerous, especially when lifeguards are not present. There was an alcohol-related drowning at the park this summer.
- Indiana Dunes State Park banned alcohol in 1990 for reasons related to the safety and comfort of its patrons. These reasons are still valid.
- The DNR has stated that it will not add conservation officers to control the use of alcohol. This increases the possibility of harm to the general public.
- Area taxpayers will be forced to pay for local law enforcement to respond to alcohol-related incidents at the park, although they now have no recourse to protest the DNR's liquor license.

I am sure there are more reasons to oppose this but this is good for now. Please reject this rule.

If there is to be a public hearing on this rule regarding the Dunes State Park, it should be held in northern Porter County.


Jim Sweeney
1773 Selo Dr
Scherverville, IN 46375
9/13/16



September 9, 2016

National Resource Committee
Indiana Gov. Center North
100 N. Senate Ave. Room N501
Indianapolis, Indiana 46204-2200

I am writing about the alcohol bill, Indiana Dunes State Park LSA-369.

I urge the commission to hold the public meeting place either in or near the Dunes State Park. I disagree with this rule and it should not be passed

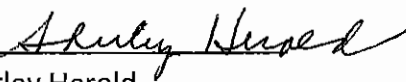
Allowing alcohol at the Dunes State Park will negatively effect a family friendly place.

Allowing any alcohol at this park is dangerous, selling alcohol near the beach will risk drownings. There was one this summer

No additional conservative people will be added, so police will be involved with more burden on the tax payers.

Its been documented that the public does not want or need alcohol at this park.

Thank you for reading this letter and please use your heart when making a decision on such an important subject.


Shirley Herold
1930 Kennedy Ave.
Schererville, In. 46375

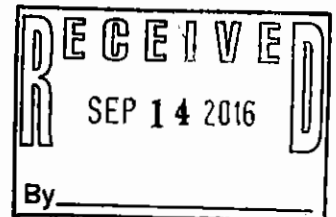


EXHIBIT D

DEPARTMENT DIVISION OF PARKS RESPONSE

Dunes State Park Alcohol Rule Amendment
LSA Document #16-369
Administrative Cause No. 16-080P



Michael R. Pence, Governor
Cameron F. Clark, Director

December 15, 2016

Ms. Dawn Wilson
Administrative Law Judge
Natural Resources Commission, Division of Hearings
Indiana Government Center North
100 North Senate Avenue, Room N501
Indianapolis, Indiana 46204

Dear Ms. Wilson:

The Indiana Department of Natural Resources ("DNR") supports the Proposed Rule Amendment to 312 I.A.C. 8-2-5 ("Amendment") to allow the possession or consumption of alcoholic beverage(s) at Indiana Dunes State Park ("Dunes"), as authorized by I.C. 7.1-3-17.8. In support of the Amendment, and in response to the comments submitted at the public hearing held on November 29, 2016, as well as written comments tendered to the Natural Resources Commission ("NRC"), the DNR respectfully states the following for consideration:

The purpose of this Amendment is to ensure and fulfill the legislative intent of I.C. 7.1-3-17.8. The DNR believes the Amendment is necessary in light of recent changes to the statute, which took effect July 1, 2016. In the absence of the Amendment, 312 I.A.C 8-2-5 cannot be applied in a manner consistent with Indiana law as it applies to the sale of, and consumption of alcohol in the Indiana State Parks. Specifically, and as it applies to Dunes, the Amendment provides that alcohol may now be possessed or consumed in locations identified in a permit issued pursuant to I.C. 7.1-3-17.8. While 312 I.A.C 8-2-5 currently provides that alcohol may be possessed or consumed "on the licensed premises of a pavilion authorized by I.C. 14-18-2-3," the Amendment serves to clarify that such permission may be designated in a lease and contract, or issued in a permit pursuant to IC 7.1-3-17.8. As such, the Amendment serves only to echo and acknowledge existing Indiana law.

With respect to the specific public comments and concerns voiced during the public hearing on November 29, 2016, and the written comments submitted to the NRC, there seems to be a general misconception that the Amendment would expand existing alcohol rights at Dunes and/or create a right that does not presently exist. Such comments regarding the broader issue of whether alcohol should be permitted at Dunes are misdirected and are not presently before the NRC. As noted, the sale and consumption of alcohol is permitted in all the Indiana state parks, including Dunes. The sale of, and consumption of alcohol was prohibited at Dunes until 2014, at which time the NRC amended 312 I.A.C 8-2-5 to allow alcohol "on the licensed premises of a pavilion authorized by IC 14-18-2-3." It is worth noting that in 2014, there was little to no public comment against lifting the blanket prohibition of alcohol at Dunes.

There were also several comments made concerning the location of the pavilion, specifically, that it is located "on the beach," and therefore should not be permitted to serve alcohol pursuant to 312 IAC 8-2-5. The pavilion is not located on the beach; it is situated upon concrete and there will be no encroachment onto the beach as a result of any planned construction. While alcohol may be permitted within 100 feet of the pavilion, it will continue to be prohibited on the beach.

Several people commented that the Amendment should contain more restrictions, which would have the practical effect of prohibiting all alcohol sales or consumption at Dunes. As noted, the proposed change is to bring the rule in line with new legislation. The decision to allow alcohol at the Dunes was addressed by the NRC in 2014. Such restrictions are not advisable and would only serve to nullify the legislative intent of I.C. 7.1-3-17.8. Individuals are welcome to file a petition for rule change pursuant to NRC Information Bulletin #7. The DNR has, and will continue to give due consideration to such petitions.

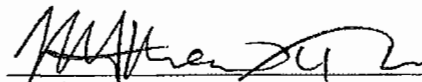
There were comments that were critical of the fiscal analysis and justification statement submitted by the DNR. Again, it should be stated that the effect of the rule change is not to allow alcohol at the Dunes; rather it is to bring the rule in line with the current statute. Fiscal analysis regarding the allowance of alcohol at the Dunes was submitted and reviewed in 2014, when the decision was made, via rule, to allow alcohol at the Dunes. The fiscal analysis at hand addresses whether there are any additional costs in allowing alcohol service to be performed pursuant to a new state law. DNR believes the analysis provided is accurate and on two occasions, the Office of Management and Budget has reviewed and approved said analysis. It has also been suggested that there would be an increase in costs for state or local government, specifically in the area of law enforcement. The premise for such comments is that there would be a dramatic increase in alcohol-related crimes at Dunes, resulting in the need for additional law enforcement and emergency personnel. An increase in such costs is highly speculative, and relies on the attenuated logic that allowing alcohol to be served in a restaurant-style setting will inevitably lead to a dramatic increase in crime. The DNR does not believe this is accurate, and would offer that Dunes will continue to have the most restrictive alcohol regulations of any state park property.

It was suggested that there may also be increased administrative and compliance costs associated with issuing liquor permits pursuant to I.C. 7.1-3-17.8. DNR staff is well versed in the rules and regulations addressing the service and consumption of alcohol and can handle such responsibilities with no new additional costs. It is not anticipated that any additional DNR staff will be required in order to do so. It was also suggested there would be additional sewage and/or water expenses as a result of the Amendment. That is, when the businesses at the pavilion are operational, there will be an increase in utility and waste water expenses. Given the Dunes' large volume of yearly visitors, any effect on water or sewage resources will be nominal. The sale and consumption of alcohol alone, or an amendment to acknowledge a new state law, will not cause an increased use in these resources.

Lastly, it was suggested that the Amendment should not be adopted because it conflicts with DNR's Mission Statement. The DNR's mission is "to protect, enhance, preserve and wisely use natural, cultural and recreational resources for the benefit of Indiana's citizens through professional leadership, management, and education." The mission of Indiana's Division of State Parks and Reservoirs is "to manage and interpret our properties' unique natural, wildlife, and cultural resources using the principles of multiple use and preservation, while sustaining the integrity of these resources for current and future generations." DNR submits that the proposed Amendment is consistent with these goals.

As a result of the foregoing, the DNR requests the NRC adopt the Proposed Rule Amendment to 312 I.A.C. 8-2-5. Thank you for your consideration.

Respectfully Submitted



Matthew L. Rea
Staff Attorney
Indiana Department of Natural Resources
402 West Washington Street
Indianapolis, Indiana 46204