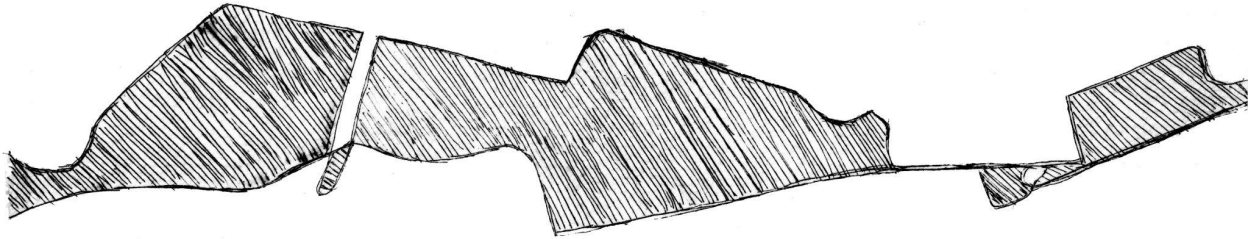


SHORE LAND | CALUMET PARK

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GINA ROXAS: I grew up on the far southeast side, so as close to Lake Michigan as you can get without going into Indiana. We were walking distance to Calumet Park, Calumet Beach. One of my earliest memories is fishing with my dad off the piers there. Nothing fancy, just a bamboo fishing pole and some worms, and just sitting there all day on the beach, fishing and people watching. Really, I think that was one of the greatest experiences for me, is to be able to have access to that lake, being able to go to the lake whenever I felt like it.

Articles of a treaty made and concluded at Camp Tippecanoe, in the State of Indiana, this twentieth day of October, in the year of our Lord 1832, between Commissioners on the part of the United States of the one part, and the Chiefs and Headmen of the Potawatamie Tribe of Indians of the Prairie and Kankakee, of the other part.

GINA ROXAS: My name is Gina Roxas. I am a citizen of the Prairie Band Potawatomi Nation. I was born and raised on the southeast side of Chicago, but I did spend lots of extended time back and forth on the Prairie Band Potawatomi reservation where my

grandmother and uncles live today. We've always had this connection to the reservation, but also to Chicago. My grandmother was born on the Prairie Band Potawatomi reservation, her mother was as well, and her mother's mother. And we can trace back to a relative who was on the original forced removal from this area to Kansas. They settled on the reservation, and then my grandmother survived two boarding schools. And the last boarding school she went to, when she graduated, they sent her to Chicago, it was the 1920s. She settled in Chicago and had her family, but then she returned back to the reservation. Yeah, so again, you know, these migrations back and forth, you know, we didn't remain static.

The said Potawatamie Tribe of Indians cede to the United States the tract of land including within the following boundary: Beginning at a point on Lake Michigan ten miles southward of the mouth of Chicago river; thence, in a direct line, to a point on the Kankakee river, ten miles above its mouth; thence, with said river and the Illinois river, to the mouth of Fox river, being the boundary of a cession made by them in 1816; thence, with the southern boundary of the Indian Territory, to the State line between Illinois and Indiana; thence, north with said line, to Lake Michigan; thence, with the shore of Lake Michigan, to the place of beginning.

GINA ROXAS: You know, the lake also helps formulate my own identity as a water person or as a person who is connected to the water historically. Not just me as an individual being plopped on to this place next to a lake, but historically, my people have walked this lake and have used this lake not just for recreation, but for their livelihood, for fishing and living off the land.

In testimony whereof, the commissioners and the chiefs, headmen and warriors of the said tribe have hereunto set their hands at the place, and on the day aforesaid. Jonathan Jennings, John W. Davis, Mark Crume, Ah-be-te-ke-zhic, his x mark, Shaw-wa-nas-see, his x mark, Wah-pon-seh, his x mark, Caw-we-saut, his x mark, Shab-e-neai, his x mark, Pat-e-go-shuc, his x mark, Aun-take, his x mark, Me-she-ke-ten-o, his x mark, Shay-tee, his x mark...

– leodo Sana folk song in Korean –

Approved May 14, 1903. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the land including all submerged and artificially made land lying within the south boundary line of Jackson park and the south line of Seventy-ninth street as extended one thousand feet into Lake Michigan, and also the land including all submerged and artificially made land lying within the north line of Ninety-fifth street extended to its intersection with the boundary line of Indiana and Illinois as extended and the shoreline of Lake Michigan, all of such lands are hereby, granted and conveyed to the Board of South Park Commissioners and their successors in office, to be held, managed and controlled by them.

Plan of Chicago, prepared under the direction of the Commercial Club, by Daniel H. Burnham and Edward H. Bennett, 1909. The building of parks along the shore is dictated by considerations of health and enjoyment. The ease with which the work can be accomplished become apparent when one considers that the refuse of the city seeks a dump which cannot be found anywhere else than on the lakefront. Probably one million cubic yards of waste are annually conveyed to the lakefront from Evanston to

South Chicago, enough to fill twenty acres of ground, raising it seven feet above the surface in twenty feet of water. The necessary breakwaters having been built, this constantly growing amount of waste material can be put in place cheaply. Therefore, it is wise to provide now for the disposition of it and to design beautiful and extensive park strips along the entire shore.

Senate Bill number 284, approved June 15, 1909. Be it enacted by the People of the State of Illinois represented in the General Assembly: That the right, title and interest of the State of Illinois in and to the lands now and heretofore submerged beneath the waters of Lake Michigan, and described as follows, shall be granted, quit-claimed and conveyed to the Illinois Steel Company: Commencing at a point at the intersection of the south line of Seventy-ninth street extended, in the city of Chicago, with the present shore line of Lake Michigan, and running thence east along said south line ...

Senate Bill Number 523, approved June 15, 1909. Be it enacted by the People of the State of Illinois represented in the General Assembly: That the right, title and interest of the State of Illinois in and to the land now and heretofore submerged beneath the waters of Lake Michigan, and described as follows, shall be granted, quit-claimed and conveyed to American Smelting and Refining Company: Beginning at a point in the northeasterly face of breakwater on the northeasterly line of dock one (1) in Calumet and Chicago Canal and Dock Company's subdivision

Senate Bill number 396, approved June 15, 1909. Be it enacted by the People of the State of Illinois represented in the General Assembly : That the right, title and interest of the State of Illinois

in and to the land now and heretofore submerged beneath the waters of Lake Michigan, and described as follows, shall be granted, quit-claimed and conveyed to the Iroquois Iron Company. Said steel company shall have free and unobstructed access from such of said lands, as may be filled in and reclaimed, as aforesaid, to Lake Michigan.

GINA ROXAS: I lived on Buffalo Street. So it was us, another house and then this ginormous wall, and US Steel. Growing next to that industrial area also shaped the way I look at land and wanting to learn more about land. We would play in this dirt in the front of the house, and we would get our hands covered in dirt. And then we walked around like we were fairies because there was all that steel shards in the soil. I thought that was just natural, and the dirt would just be jet black, with these glowy, glittery things. And we're sprinkling it on everyone and walking around like, I'm a fairy, I'm a pixie. It was just like, what are we thinking? But yeah, I didn't realize like, wait a minute, that's not the way it's supposed to be. I didn't know that dirt wasn't supposed to be so black, and that it doesn't shine. I just thought that's how Chicago is. But it really didn't click until I was in my high school years, like wait a minute, that's not really how it's supposed to be.

The People ex rel. William J. Scott, Attorney General et al. v. Chicago Park District et al., Supreme Court of Illinois, 1976. The General Assembly passed Senate Bill 782 on June 17, 1963, providing for the conveyance of 194.6 acres of land submerged in the waters of Lake Michigan, to the United States Steel Corporation. The defendant steel company plans to construct an additional facility, which will extend its South Works plant some 194 acres into Lake Michigan. It is obvious that Lake Michigan is a

valuable natural resource belonging to the people of this state in perpetuity, and any attempted ceding of a portion of it in favor of a private interest has to withstand a most critical examination. The defendant argues that a public purpose will be served in that the plant facilities which will be erected on the reclaimed land will provide a large number of jobs and will boost the economy of the city of Chicago and of the state. We judge these arguments to be unpersuasive. In order to preserve meaning and vitality in the public trust doctrine, when a grant of submerged land beneath the waters of Lake Michigan is proposed under the circumstances here, the public purpose to be served cannot be only incidental and remote. The claimed benefit here to the public through additional employment and economic improvement is too indirect, intangible and elusive to satisfy the requirements of a public purpose.

GINA ROXAS: My mom and my sister still live on the southeast side. And it's so sad to see there's still this disrespect for the water and the land there, with all of these different folks coming in and trying to take advantage of that area and the people in that area. "It's the southeast side, no one really is there. Let's have a waste disposal center there. Let's have a scrap yard there." Nobody really realizes how beautiful the space is and how it's connected to Chicago and to everywhere else.

Approval of Redevelopment Plan for Chicago Lakeside Development, Phase One Tax Increment Financing Redevelopment Project Area, Chicago City Council, May 12, 2010. The Area is the former location of the South Works steel mill, which was in operation from the 1880s until 1992. Before United States Steel began scaling back at Chicago operations, the entire USS South Works plant contained 6 million square feet of plant space,

employed 15,000 people, produced 4 million tons of steel annually, and generated more than \$12 million in annual property taxes. 1972 was the first year of major reduction in operations at the South Works site. By the early 1980s, the South Works plant was reduced to 5 million square feet. During and through the 1980s, continued downsizings took place at the USS South Works plant until it contained only 3 million square feet and employed 1000 people. In 1992, USS closed the plant.

ADAM KESSEL: My name is Adam Kessel. I am of Lakota, Italian and German ancestry. My family's from Chicago. My mother's a south sider, my dad's a north sider. One of the phrases that is used in prayer is Mitákuye Oyás'iy, or we are all related. And while that phrase "we are all related" can be perceived as a relationship between me and you, it includes our nonhuman relatives too. And when you start thinking about perspective to land and to water and to air as an extension of family, it makes decisions a lot easier. You wouldn't make a decision for your grandma that would be at the detriment of her health. If we think about these places as these ancient beings that are extensions of our own family, then Lake Michigan, we're going to make decisions in her best interest.

Most of the site is a "fill site," which means it was originally part of Lake Michigan which was filled in over time by slag in the early 20th century. Slag is a steel production by-product. The vacant parcel contains building materials from the prior steel production operations such as dumped asphalt, concrete slabs, rusty and broken fence posts, broken concrete bricks, broken glass, broken cinder blocks, broken wooden beams, broken pipes, loose paving materials, railroad ties, iron ore, exposed electrical wires, and wooden debris strewn throughout the vacant parcel.

ADAM KESSEL: I see Lake Michigan, I see water as being essential to our health and an extension of our own families. We're recording in what used to be a steel mill. I'm hopeful that as things change, and we start looking differently at land use, thinking about sustainability, thinking about climate change, and thinking about these places as being an extension of ourselves, then it feels different. It feels different than what it was during the Industrial Revolution when these places were created to do something very different.

The historic owners of the Area conducted an initial Phase I environmental site assessment at the South Works site to identify areas of potential contamination associated with former steel plant operations. Total petroleum hydrocarbons and polychlorinated biphenyls were detected at several soil sampling locations above the ranges normally expected for the iron and steel plant film materials. The remaining subsurface structures and other debris in the area render the area unsuitable for redevelopment without a huge investment of funds for site preparation and the construction of basic infrastructure. These conditions have a negative impact on the city's ability to create and maintain a high quality residential and commercial environment in the area and the surrounding neighborhood. Funds necessary to pay for redevelopment project costs are to be derived primarily from incremental property taxes.

ADAM KESSEL: Land itself can facilitate conversations that you don't always expect. Now we're starting to see oh, well, you know, people physiologically reap benefits from just being out in natural spaces. You don't have to do anything, you just need to be, and that being present and being in these places is a part of building those

relationships. For me, there's hope. We're seeing a lot more people asking, asking of Native perspectives, asking for knowledge, right? Because this relational approach, the way of living in relationship with the land, I'm hopeful that it's changing to be one of a positive relationship, where we're no longer here to just manipulate the land but we're living in relationship with the land.

Chicago Area Waterway System Dredged Material Management Plan and Integrated Environmental Impact Statement, US Army Corps of Engineers, 2020. Commercial navigation activities at the Calumet Harbor and River and Cal-Sag Channel are locally and regionally significant, supporting more than 3,700 jobs and \$600 million in annual sales in the Chicagoland area. Since 1984, maintenance dredging associated with Calumet Harbor and River has been made possible by the operation of the Chicago Area Confined Disposal Facility (CDF) where dredged material is safely confined. The Chicago Area CDF was built out into Lake Michigan at the mouth of the Calumet River in 1984. In the years since the CDF was constructed, it has been filled with dredged material and is now at the same grade as the lake shore. This facility will reach full capacity in 2022. The dredged material is generally composed of fine grained silty clay sediment that contains certain contaminants of concern. Local residents and community advocacy groups generally oppose construction of a new dredged material disposal facility. This opposition appears to be based primarily on environmental justice concerns, based on the legacy of industrial development in southeast Chicago. These stakeholders have repeatedly stated a desire to see a recommended plan that includes treatment of contaminated sediment. However, this technology is unproven at the scale of this study, and would not represent the least-cost, environmentally acceptable, and

technically feasible alternative. The Recommended Plan is the vertical expansion of the existing Chicago Area Confined Disposal Facility. It includes construction of a 530,000 cubic yard capacity Dredged Material Disposal Facility on top of the existing Chicago Area CDF.

GINA ROXAS: Having multiple voices in decision making, in changemaking, is really important and integral, but also understanding the Native voice and why we are so strongly connected to the land and to the water here. It's in our origin stories, it's in our teachings, it's in our guidance, it's in our DNA, the land and the water here. Our perspective and our view of what land is and what water is, you know, these are living beings, these are sacred elements and to have such a disregard for them, and such a disregard for the people that have respected them. We're never going to improve our own humanity without bringing in that understanding and that, bringing back that sacredness. And involving the people whose origin stories are from here, involving them in the storytelling, and involving the plants and all the other life as well. These plants that have been here for so long and so many years. Me as a Potawatomi and my Potawatomi people, they have been communicating to these lands for so many years, we can't even pinpoint how far back it goes. If I was a plant, or if I was the water, and I was being called by my name, my Native name and never heard that again – you know, how many times has the land heard the drum or heard them called in their Native name, heard the Native people walking on the land? We miss that, I wonder if the water and the land misses that as well, if they miss us as well.

– Nibi Water Song in Anishinaabe –