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**TITLE 312 NATURAL RESOURCES COMMISSION**

**Notice of Public Hearing**  
LSA Document #13-213

**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on August 29, 2013, at 6:30 p.m., at the North Webster Community Center, Party Room, 301 North Main Street, North Webster, Indiana, the Natural Resources Commission will hold a public hearing on proposed amendments to [312 IAC 5-6-9](#) to eliminate a portion of the special boating zone, remove the expiration date of the rule, and make other technical corrections.

The Lake Tippecanoe Property Owners Association may be impacted by this rule because it has traditionally installed the buoys denoting the boundaries of the restricted zones in the spring and removed them in the fall at the end of the boating season. The cost for hiring this task done would be minimal (less than \$1,000 per year) although the Association has always used members to volunteer their time for installation and removal of the buoys. Boaters on Tippecanoe Lake and James Lake will be impacted because areas once allowed for high speed boating (prior to 2009) are being restricted. The restricted area has been reduced compared to the original rule adopted in 2009 through the removal of one zone that encompassed the shoreline of residences due to the notion that these boating restrictions impinged on private property rights. The restricted areas in this rule are shallow portions of these two lakes that are a safety hazard for high speed boating. In addition the restrictions are needed to prevent further deterioration of the Ball Wetland that was likely caused by wave action from high speed boating. With the restrictions, it is likely that the wetland area will recover naturally or revegetation projects could be undertaken to speed the recovery. Improvements in the plant community have been observed in this area over the four growing seasons that the current restrictions have been in place and it is fully expected that those improvements will continue with lasting protection. All requirements or costs by the rule amendments on regulated entities under [IC 4-22-2-24\(d\)\(3\)](#) are reasonably necessary for the implementation of [IC 14-15-7-3](#).

Copies of these rules are now on file at the 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

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