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**TITLE 312 NATURAL RESOURCES COMMISSION**

**Notice of Public Hearing**

LSA Document #22-350

**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on February 28, 2023, at 1:00 p.m., at The Garrison, 6002 North Post Road, Roosevelt Ballroom, Indianapolis, Indiana, the Natural Resources Commission will hold a public hearing on proposed amendments to [312 IAC 1-1-26](#) and [312 IAC 6-7-5](#), regarding the definition of "ordinary high watermark".

[IC 4-22-2-24\(d\)\(3\)](#) Justification Statement (Impact): Any requirements or costs for this amendment under [IC 4-22-2-24\(d\)\(3\)](#) are reasonably necessary for the regulation of the ordinary high watermark of Lake Michigan under [IC 14-26-2.1-2](#). [312 IAC 1-1-26](#): This amendment removes reference to Lake Michigan shoreline at 581.5 due to codification of [IC 14-26-2.1-2](#). Therefore, the earlier rule conflicts with later codified state statute and must be amended to remove an out-of-date lake level. [312 IAC 6-7-5](#): This amendment removes reference to Lake Michigan shoreline at 581.5 due to codification of [IC 14-26-2.1-2](#). Therefore, the rule conflicts with later codified state statute and must be amended to remove an out-of-date lake level. The DNR has the statutory authority to adopt rules in [IC 14-11-2-1](#). The Natural Resources Commission has the statutory authority to adopt rules under [IC 14-10-2-4](#) and [IC 14-26-2.1-5](#) for rules related to Lake Michigan. Sources of information for determining costs and benefits were obtained from staff of the DNR Division of Water.

Individuals requiring reasonable accommodations for participation in this event should contact the Natural Resources Commission at:

Indiana Government Center North  
100 North Senate Avenue, Room N103  
Indianapolis, IN 46204-2273  
Attn: ADA Compliance

or call (317) 232-4699. Speech and hearing-impaired callers may contact the Commission via the Indiana Relay Service (711) or (800) 743-3333. Please provide a minimum of 72 hours notification.

The proposed rule amendments may be inspected and copied at the Natural Resources Commission, Division of Hearings, Indiana Government Center North, 100 North Senate Avenue, Room N103, Indianapolis, Indiana or may be obtained upon request by calling (317) 232-4699. Written comments may be submitted to the same mailing address or electronically through <https://www.in.gov/nrc/rules/rulemaking-docket/>.

Bryan W. Poynter  
Chairman  
Natural Resources Commission

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