

---

**TITLE 312 NATURAL RESOURCES COMMISSION**

**Final Rule**

LSA Document #22-349(F)

**DIGEST**

Adds [312 IAC 5-6-3.5](#) to set standards for temporary structures and special boating zones on Clear Lake. Effective 30 days after filing with the Publisher.

**[312 IAC 5-6-3.5](#)**

SECTION 1. [312 IAC 5-6-3.5](#) IS ADDED TO READ AS FOLLOWS:

**[312 IAC 5-6-3.5](#) Clear Lake; special boating zones and temporary structure standards**

Authority: [IC 14-10-2-4](#); [IC 14-15-7-3](#); [IC 14-26-2-3](#)

Affected: [IC 14-26-2-4](#)

Sec. 3.5. (a) Notwithstanding [312 IAC 11-3-1\(b\)\(5\)](#), a temporary pier or boat lift is authorized on Clear Lake in Steuben County by a general license under [IC 14-26-2](#) if the structure conforms with both of the following:

- (1) Satisfies [312 IAC 11-3-1\(b\)\(1\)](#) through [312 IAC 11-3-1\(b\)\(4\)](#) and [312 IAC 11-3-1\(b\)\(7\)](#) through [312 IAC 11-3-1\(b\)\(9\)](#).
- (2) Extends not more than either of the following:
  - (A) One hundred fifty (150) feet from the shoreline or water line and satisfied [*sic, satisfies*] [312 IAC 11-3-1\(b\)\(6\)](#).
  - (B) Two hundred fifty (250) feet from the shoreline or water line and does not extend over water that is continuously more than three (3) feet deep from a point at the shoreline or water line 16 T 0680132 (UTM 46220900) clockwise to a point at the shoreline or water line at 16 T 0680436 (UTM 4622968).

(b) A person must not operate a boat in excess of idle speed within three hundred (300) feet of the shoreline or water line for the area identified in subsection (a)(2)(B).

(c) As used in this section, "shoreline or water line" means the line formed under [IC 14-26-2-4\(1\)](#) at one thousand thirty-seven and thirty-eight hundredths (1037.38) feet, National Geodetic Vertical Datum of 1929 (NGVD-29).

(Natural Resources Commission; [312 IAC 5-6-3.5](#); filed May 10, 2023, 10:05 a.m.: [20230607-IR-312220349FRA](#))

LSA Document #22-349(F)

Notice of Intent: [20221123-IR-312220349NIA](#)

Proposed Rule: [20230111-IR-312220349PRA](#)

Hearing Held: February 16, 2023

Approved by Attorney General: May 1, 2023

Approved by Governor: May 9, 2023

Filed with Publisher: May 10, 2023, 10:05 a.m.

Documents Incorporated by Reference: None Received by Publisher

Small Business Regulatory Coordinator: Erick Bolt, Lieutenant, Division of Law Enforcement, Department of Natural Resources, 1353 South Governors Drive, District 2, Columbia City, IN 46725, (260) 244-3720, [ebolt@dnr.in.gov](mailto:ebolt@dnr.in.gov)

Posted: 06/07/2023 by Legislative Services Agency

An [html](#) version of this document.