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**TITLE 312 NATURAL RESOURCES COMMISSION**

**Notice of Public Hearing**

LSA Document #23-425

**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on August 23, 2023, at 1:00 p.m., the Natural Resources Commission will hold a virtual public hearing using Webex on proposed amendments to [312 IAC 10-1-2](#) to accurately reflect a statutory reference by adding [IC 14-27-7.5](#), and to [312 IAC 10-2-28](#) concerning coastal high hazard areas.

Individuals may join the public hearing in two ways:

**To join by phone using only audio**, please dial 1-240-454-0887. When prompted, enter access code 23123192339 ##.

**To join using video**, please use the website address, meeting number, and password provided below. Please Note: If you have never used Webex, we suggest that you begin the process at least 10 minutes early because you will be prompted to download Webex before joining the meeting.

<https://indiana.webex.com/indiana/j.php?MTID=ma2a374c558d6415ed26cd09c2e757b82>

Meeting number (access code): 2312 319 2339

Meeting password: yUCJrj2XG63

If you need technical assistance, please contact Scott Allen at (317) 232-4699 or [sallen@nrc.in.gov](mailto:sallen@nrc.in.gov).

[IC 4-22-2-24](#)(d)(3) Justification Statement (with Impact):

The Department of Natural Resources (DNR) is proposing amendments to [312 IAC 10-1-2](#) to accurately reflect a statutory reference by striking [IC 14-27-7](#) and adding [IC 14-27-7.5](#), and [312 IAC 10-2-28](#) to address recent updates to FEMA Flood Insurance Rate Maps along Lake Michigan in Indiana.

Any requirements or costs for these amendments under [IC 4-22-2-24](#)(d)(3) are reasonably necessary for the regulation of dams under [IC 14-27-7.5](#) and the regulation of the lowest floor for structures proposed in the floodway under [IC 14-28-1](#).

The amendment to [312 IAC 10-1-2](#) makes an update to a statutory reference in the rules. The amendment to [312 IAC 10-2-28](#) adds to the definition of "lowest floor" for coastal high hazard areas on FEMA's recently updated Flood Insurance Rate Maps for the state of Indiana along Lake Michigan.

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 pursuant to [IC 14-10-2-4](#) and also under [IC 14-28-1-5](#) for rules related to flood control.

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, IN 46204-2273, 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

*[Notice of Intent was published in the manner set forth in [IC 4-22-2](#), before its amendment July 1, 2023]*

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