

**Document:** Proposed Rule, **Register Page Number:** 29 IR 1974

**Source:** March 1, 2006, Indiana Register, Volume 29, Number 6

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## **TITLE 312 NATURAL RESOURCES COMMISSION**

### **Proposed Rule** LSA Document #05-324

#### **DIGEST**

Amends 312 IAC 5-9, which establishes watercraft restrictions on waterways owned by public utilities, by adding a new section 312 IAC 5-9-5 to govern watercraft operations on Sullivan Lake in Sullivan County. Effective 30 days after filing with the Secretary of State.

#### **IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**

The natural resources commission has the authority to adopt the proposed amendments under IC 14-10-2-4, IC 14-11-2-1, and IC 14-15-7-3. The amendments are a codification of current practices effectuated at the county level and will not result in an additional requirement or cost under IC 4-22-2-24(d)(3). The amendments will not impose requirements or costs on small businesses under IC 4-22-2.1-5.

#### **312 IAC 5-9-5**

SECTION 1. 312 IAC 5-9-5 IS ADDED TO READ AS FOLLOWS:

#### **312 IAC 5-9-5 Watercraft operation restrictions on Sullivan Lake in Sullivan County**

**Authority:** IC 14-10-2-4; IC 14-11-2-1; IC 14-15-7-3

**Affected:** IC 14; IC 32-19-1-1

**Sec. 5. (a)** This section establishes special watercraft restrictions on Sullivan Lake in Sullivan County.

**(b)** A person must not operate a watercraft in excess of thirty (30) miles per hour.

**(c)** The following zones are established where a person must not operate a watercraft in excess of idle speed:

**(1)** Begins at a point with a buoy placed at the following:

**(A)** SPC 428092.46 (UTM 4328395.51) north and SPC 874146.32 (UTM 466950.38) east.

**(B)** SPC 427980.98 (UTM 4328283.79) north and SPC 874447.69 (UTM 467251.54) east.

**(2)** At a point with a buoy placed at the following:

**(A)** SPC 428702.73 (UTM 4329005.95) north and SPC 873717.08 (UTM 466521.85) east.

**(B)** SPC 428578.03 (UTM 4328881.34) north and SPC 873674.27 (UTM 466478.95) east.

**(3)** At a point with a buoy placed at the following:

**(A)** SPC 429732.56 (UTM 4330035.03) north and SPC 874125.04 (UTM 466930.60) east.

**(B)** SPC 429889.99 (UTM 4330192.41) north and SPC 874128.56 (UTM 466934.27) east.

**(4)** In the northern portion of the lake from a line extended shoreline to shoreline just south of the area known as the old railroad bed and more particularly described with a buoy placed at the following:

**(A)** SPC 430360.34 (UTM 4330662.94) north and SPC 873746.63 (UTM 466552.91) east.

**(B)** SPC 430375.49 (UTM 4330677.83) north and SPC 874013.26 (UTM 466819.46) east.

**(d)** The following zones are established where a person must not enter and operate any watercraft in when marked by navigational buoys, and all other times a person must not operate in excess of idle speed:

**(1)** Begins at a point with a buoy placed at the following:

**(A)** SPC 428513.44 (UTM 4328816.69) north and SPC 873767.44 (UTM 466572.02) east.

**(B)** SPC 428486.10 (UTM 4328789.25) north and SPC 873885.10 (UTM 466689.61) east.

**(2)** At a point with a buoy placed at the following:

**(A)** SPC 428387.53 (UTM 4328690.63) north and SPC 873977.69 (UTM 466782.08) east.

**(B) SPC 428284.70 (UTM 4328587.80) north and SPC 874022.02 (UTM 466826.30) east.**

**(e) The coordinates used in this section have the meanings set forth in IC 32-19-1-1, 312 IAC 1-1-27.5, and 312 IAC 1-1-29.3 and referenced as “SPC” and “UTM”. (Natural Resources Commission; 312 IAC 5-9-5)**

***Notice of Public Hearing***

*Under IC 4-22-2-24, notice is hereby given that on April 11, 2006 at 6:00 p.m., at the Sullivan County 4-H Building, 1301 East County Road 75N, Sullivan, Indiana the Natural Resources Commission will hold a public hearing on a proposed new rule concerning watercraft restrictions on waterways owned by public utilities and watercraft operations on Sullivan Lake in Sullivan County.*

*The natural resources commission has the authority to adopt the proposed amendments under IC 14-10-2-4, IC 14-11-2-1, and IC 14-15-7-3. The amendments are essentially a codification of current practices effectuated at the county level and will not result in an additional requirement or cost under IC 4-22-2-24(d)(3). The amendments will not impose requirements or costs on small businesses under IC 4-22-2.1-5.*

*Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W272 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Rick Cockrum  
Chairman  
Natural Resources Commission