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TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule

LSA Document #01-283

DIGEST

Amends 312 IAC 5-9-2 that provides restrictions for the operation of watercraft on Geist Reservoir to reduce the area of the idle speed zone at Devil's Elbow in Marion County. Effective 30 days after filing with the secretary of state.

312 IAC 5-9-2

SECTION 1. 312 IAC 5-9-2, AS ADDED AT 24 IR 2380, SECTION 1, IS AMENDED TO READ AS FOLLOWS:

312 IAC 5-9-2 Geist Reservoir

Authority: IC 14-15-7-3

Affected: IC 14-15

Sec. 2. (a) This section establishes restrictions on the operation of watercraft in Geist Reservoir in Hamilton County, Marion County, and Hancock County.

(b) A person must not operate a watercraft at greater than idle speed in any of the following locations:

(1) East of a line seven hundred (700) feet west and parallel to the Olio Road causeway.

(2) South of the Fall Creek Road bridge and causeway to a line one hundred (100) feet south and parallel to the western prolongation of the center line of 96th Street.

(3) In an area known as Devil's Elbow and more particularly described as east, south, and upstream from a line extended shoreline to shoreline six hundred (600) feet northwest of and parallel to a line defined by the following points:

(A) Commencing at the northeast corner of section 21, township 17 north, range 5 east, thence three thousand one hundred (3,100) feet west along the north line of the section to point 1:

(B) Again commencing at the northeast corner of section 21, township 17 north, range 5 east, thence three thousand three hundred (3,300) feet west along the north line of the section, thence two hundred (200) feet south to point 2: **beginning at a point described as latitude 39° 54' 42.0021756" north and longitude 85° 58' 12.826398" west; extending east northeasterly to a point described as latitude 39° 54' 43.20567" north and 85° 58' 5.5123356" west; and, extending north northeasterly to a point described as latitude 39° 54' 47.1218976" north and 85° 58' 2.3784852" west.**

(4) In an area known as the Indianapolis Yacht Club Harbor and located east and southeast of a line within the southeast quarter of section 10 and part of the southwest quarter of section 11 in township 17 north, range 5 east, being more particularly described as beginning at a point which lies one hundred eighty (180) feet southeast from the east corner of the southeast abutment of the most westerly bridge over the reservoir, which point lies nineteen (19) feet northeast of the centerline of the pavement (assumed bearing of north fifty-four (54) degrees, ten (10) minutes west) of Fall Creek Road, thence across a bay of the reservoir north fifty-three (53) degrees, seventeen (17) minutes east one thousand one hundred eighty-six (1,186) feet, to the shoreline of the reservoir.

(5) In an area known as the Indianapolis Sailing Club Harbor, within the southeast quarter of section 10, township 17 north, range 5 east, and being more particularly described as commencing at the southeast corner of section 10, thence west along the south line of the section a distance of three thousand five hundred (3,500) feet, thence north at right angles to the south section line a distance of three hundred eighty (380) feet to the point of beginning of the description in this subdivision (assumed bearing of north twenty-three (23) degrees, thirty-seven (37) minutes west), thence a distance of seven hundred forty-six and four-tenths (746.4) feet to the north end of a retaining wall along

the shoreline of the reservoir, thence following the meanders of the shoreline of the reservoir northeasterly, southerly, and southwesterly to the point of beginning.

(6) In an area known as Mast Head Bay, within the southeast quarter and part of the northeast quarter of section 9, township 17 north, range 5 east, and more particularly described as upstream and north of Fall Creek Road and east of Geist Road.

(7) In an area known as Cocktail Cove.

(8) North of 96th Street and west of Olio Road in Fall Creek Township, Hamilton County. The zone is the area east of an arc formed commencing at the point where the idle zone described in subdivision (4) intersects the east shoreline, then extending northward and connecting with the chain of islands and including the embayments east of the chain of islands, to a point four thousand (4,000) feet from the point of beginning.

(c) A person must not operate a watercraft within a rectangular area within the reservoir three hundred (300) feet and parallel to the concrete crest of the dam spillway and extending one hundred (100) feet along the dam from the east and west abutments of the dam spillway. The overall dimensions of the zone created by this subsection are three hundred (300) feet by seven hundred (700) feet.

(d) No person shall anchor a watercraft or tie a watercraft to another watercraft (except to tow a watercraft from one (1) point to another) in a traveled portion of the reservoir so as to do either of the following:

(1) Interfere with the safe passage of another watercraft.

(2) Create a safety hazard to any person.

(Natural Resources Commission; 312 IAC 5-9-2; filed Mar 23, 2001, 2:50 p.m.: 24 IR 2380, eff Jan 1, 2002)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on February 11, 2002 at 5:30 p.m., at the Geist Clubhouse, 12549 Old Stone Drive, Indianapolis, Indiana the Natural Resources Commission will hold a public hearing on proposed amendments that provide restrictions on the operation of watercraft on Geist Reservoir to reduce the area of the idle speed zone at Devil's Elbow in Marion County. 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.

Michael Kiley
Chairman
Natural Resources Commission