

Document: Notice of Intent to Adopt a Rule, **Register Page Number:** 27 IR 3097

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TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #04-157

Under IC 4-22-2-23, the Natural Resources Commission intends to adopt a rule concerning the following:

OVERVIEW: Amends 312 IAC 11 that governs construction activities along and within public freshwater lakes. Amendments are made to the regulation and treatment of a seawall. These include standards that distinguish a seawall placed in a manmade channel from one placed on a natural shoreline. Allows a bulkhead seawall to be permitted along the upland sides of a manmade channel; defines “natural shoreline”; and amends the definitions for “bulkhead seawall”, “area of special concern”, and “significant wetland”. Also, provides discretion to grant a permit for a seawall or other structure, which might not otherwise satisfy the rule, where public access is enhanced or where a written assessment by a qualified professional demonstrates a particular methodology is needed to control erosion or to stabilize the shoreline and that the methodology would not violate IC 14-26-2. Questions concerning the proposed rule amendments may be directed by telephone to (317) 233-3322 or by e-mail to slucas@nrc.IN.gov. Statutory authority: IC 14-10-2-4; IC 14-15-7-3; IC 14-26-2-23.