

Indiana Lakes Management Work Group focusing on key issues
By Nate Long

The most recent meeting of the Indiana Lakes Management Work Group (ILMWG) on May 4, 2009, summarized the progress made by the 2009 Indiana General Assembly on various lake issues and focused on issues for the future. The meeting represented the fourth and final one for fiscal year 2008-09, chaired by State Senator Marlin Stutzman. The first meeting for fiscal year 2009-10 will be in late August 2009. Representative Nancy Dembowski will take over chair duties in July 2009.

Legislative Activity

HB1381 was passed that authorized the Natural Resources Commission to set flexible dates for the life of various lake construction permits. A bill to incorporate the concept of public trust and the word "wildlife" into the definition of natural resources within public freshwater lakes was not passed. An effort will be made next year to clarify the intent of adding wildlife considerations to permit decisions regarding lake protection laws.

Shoreline Structures

The proliferation of shoreline structures (piers, boat lifts, aerators, etc) will likely continue to be the main focus of the recreation subgroup. Terry Archbold of the Indiana Marine Trade Association gave a presentation on the various types and components of piers, the degree of difficulty with installation and removal of piers in relation to location and bottom substrate. Bob Johnson of SePro Corporation provided information on various types of aerators, aerator operation, the benefits of using aerators, and potential problems.

Disputes over Riparian Rights

Steve Lucas, an administrative law judge for the Natural Resources Commission (NRC), reported that disputes over riparian rights involving piers have become the most common issue he faces, and that cases in general involving public freshwater lake law are now the "hottest item we've got" among all NRC issues. Lucas also indicated additional concerns exist with the current emergency rule affecting group piers.

Biology Subgroup Tasks

Key topics that that biology subgroup will likely work on in upcoming meetings include the continued destruction of natural shoreline areas through development, toxic algae, and some additional concerns related to dredging, lake levels, and communication between various agencies and local government.

Thanks to Jim Ray

Jim Ray, the administrative facilitator of the LMWG since its inception, was thanked for his years of public service and his contribution to the success of the LMWG. Ray, chief of the DNR Lake and River Enhancement Program, retired in May.