

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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The Department of Natural Resources is providing this report to satisfy the requirements of the "Procedures Concerning Certain Licenses Act", IC 14-11-4, and its associated administrative rule, 312 IAC 2-3. The application files are available for public inspection at the Division of Water's office in Indianapolis. Please contact the Division's Technical Services Section at (317) 232-4160 or the toll free number 1-877-928-3755 to make an appointment for file review. Photocopies may be made for a nominal charge of \$0.10 per 8 1/2 " X 11" copy.

A pre-action public hearing on an application may be requested by filing a written petition with the Director, Division of Water:

Michael W. Neyer, P.E., Director  
Division of Water  
Room W264  
402 West Washington Street  
Indianapolis, Indiana 46204

For a petition to be considered valid it must:

1. Contain the typed or legibly printed name and complete mailing address of each petitioner;
2. Be signed by a minimum of 25 individuals who are at least 18 years old and either reside in the county where the project will take place or own real property within 1 mile of the project site;
3. Affirm that each signatory to the petition satisfies the requirements of item 2; and
4. Identify the application for which the public hearing is being requested either by the application # or the applicant's name and the project description.

A petition which does not meet these requirements will be considered invalid and the hearing request will not be granted.

A person may request that the Department provide written notice of its action on an application by filing a written request with:

Division of Water  
Room W264  
402 West Washington Street  
Indianapolis, Indiana 46204

The request must identify the application by either the application # or the applicant's name and the project description.

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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Application # : FW-25371

Stream : Clifty Branch

Applicant : Ben Miller  
10870 Cedar Ridge Lane  
Indianapolis, IN 46278-9525

Description : The proposed project consists of the construction of a 13-acre in-channel recreational pond within the Clifty Branch stream valley. The pond will be created by constructing an earthen dam across the stream valley. The dam will have a crest length of approximately 500' that will connect to the valley walls on each side of the dam. The dam crest will have a 10' width and a crest elevation of 636.0', NGVD, 6' above the normal pool elevation of 630.0', NGVD. The dam height above the existing stream channel flowline elevation will be approximately 29'. The upstream and downstream dam faces will have 3 horizontal-to-1 vertical side slopes that will be covered with grass. The stream length covered by the dam will be approximately 206' from the upstream-to-downstream toe of slope. The dam will be constructed of compacted earth taken from a borrow pit located upstream of the dam along the north overbank of the stream and within the proposed pond area. The borrow pit excavation depth will be limited to avoid penetrating the bedrock layer beneath the pit to avoid potential leakage problems. All borrow material will be sample tested to assure proper clay content and soil moisture. Top soil will be removed and used for surface finishing as needed. The dam's outlet works will consist of a principal outlet and a secondary principal/emergency spillway outlet. The principal outlet will consist of a 3' diameter horizontal orifice cored into the top of a 5' diameter manhole that will be constructed on the pond-side of the dam with an orifice elevation of 630.0', NGVD (normal pool). The 3' diameter orifice will be covered with an over-sized trash rack/anti vortex screen that will also prevent humans and critters from being sucked into the orifice. The 5' diameter manhole will connect to a 30" diameter reinforced concrete pipe at the bottom of the manhole (invert elevation = 608.08', NGVD). The 30" diameter RCP principal outlet pipe will protrude through the bottom of the dam where it will outlet water into the natural stream channel on the downstream side of the dam. The pipe will have a length of 122' and a slope of 1.0 percent, with a downstream invert elevation of 606.82'. The outlet of this pipe will be protected from scour with the construction of a concrete baffle-type energy dissipater and a rip-rapped apron downstream of the dissipater. The primary outlet will also include a draw down feature that will allow the pond to be drawn down below the normal pool elevation for maintenance or repair of the dam or pond banks. The drawdown element will consist of a slide gate that will be constructed into the upstream face of the 5' diameter manhole, just above the invert of the manhole. The gate will connect to a 12" diameter reinforced concrete pipe that will extend upstream of the manhole through the pond-side of the dam to the upstream toe-of-slope. The length of the drawdown pipe is 59' with zero slope. The entrance of the draw down pipe will be covered with a debris/fish screen to prevent the pipe from being blocked with debris or fish from being sucked through the pipe. The drawdown pipe water will flow through the 30" diameter principal outlet pipe once it reaches the manhole structure. An

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elevated catwalk will be constructed between the dam and the manhole to provide safe access to the principal orifice and draw down gate control mechanism on top of the manhole. The secondary principal/emergency weir and spillway outlet structure will be constructed at the south end of the dam structure through natural ground. The weir structure will consist of a 75' long "W" weir consisting of a concrete sill wall with a crest elevation of 630.0', NGVD (normal pool). The sill wall will be furnished with footings and cutoff walls and will be buried into the dam on the north side and the natural valley wall on the south side. Both sides of the weir will be protected from scour with rip rap. The "W" weir will be constructed between the pond surface and a natural spillway channel downstream of the weir. The spillway channel will be constructed along a natural ravine and will be underlain by natural ground. The spillway channel will have a steep slope to avoid tailwater submergence of the upstream weir structure. The spillway will be armored with large rip rap (shot rock) and will include a downstream apron that flows into a plunge-pool type rip rapped stilling basin at the downstream end of the spillway channel. The spillway will transition into a new spillway/environmental mitigation channel downstream of the stilling basin. The channel will consist of 885 lineal feet of excavated channel with a bottom width of 5' with 3:1 side slopes. The spillway channel will be constructed along the south overbank of the natural stream channel and will connect to the natural stream channel downstream of the dam. The spillway channel will be planted with DNR-approved riparian vegetation designed not to obstruct the channel capacity. The stilling basin and spillway channel will be designed to reduce the velocity of floodwaters before returning to the natural stream. The proposed recreational pond will have a normal pool elevation of 630.0', NGVD and a 13.24-acre surface area at normal pool. The pond will store approximately 130-acre feet of water below the normal pool elevation and approximately 93.5-acre feet of water above the normal pool elevation, up to the dam crest elevation of 636.0', NGVD, for a total potential storage volume of 223.5-acre feet at the dam crest elevation. The pond will extend approximately 2146' upstream of the upstream dam toe-of-slope at normal pool. The pond will reach a maximum water surface elevation of 632.1', NGVD during the 100-year flood and a maximum water surface elevation of 635.4', NGVD during the half-probable-maximum-precipitation (PMP) flood event (13.8" of rainfall in 6 hours). The dam crest will have 3.9 vertical feet of freeboard during the 100-year flood and 0.6 vertical feet of freeboard during the half PMP flood. The entire pond surface will be retained on the owner's property during all flood events. The pond banks will remain wooded and natural all of the way down to the normal pool elevation. A standing-tree wetland area will be created at the upstream limit of the pond to create habitat for the critters and aesthetics for the owner. Details of the project are contained in information received electronically at the Division of Water on June 29, 2009 and in plans and information received at the Division of Water on

Location : Approximately 1.3 miles due west of the intersection of State Road 45 and State Road 54  
at Cincinnati, Center Township, Greene County  
Section 28, T 17N, R 3W, Solsberry Quadrangle  
Quad Code: 3908617

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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IAC 10

Application # : FW-25372

Stream : St. Marys River

Applicant : City of Decatur  
Larry D Macklin  
PO Box 492  
Decatur, IN 46733-0492

Description : The existing through truss bridge will be replaced on essentially the same alignment. The proposed structure will have a 2-span through girder bridge with span lengths of 60' and 126'. The structure will have an out-to-out length of 186' and a girder spacing of 20'. The existing skewed stone abutments will be left in place to serve as a retaining wall below the abutment. The pier will be skewed 20 degrees to align with the streamflow. The bottom chord of the bridge will be raised 3.2'. The new track approach will be elevated a maximum of 2.5' above the existing approaches. The existing superstructure will be completely removed. The project is partially federally funded. Details of the project are contained in information received electronically at the Division of Water on June 29, 2009 and in plans and information received at the Division of Water on June 26, 2009.

Location : Approximately 450' upstream of the US 27/33 stream crossing near Decatur, Root Township, Adams County  
SW¼, SW¼, Section 27, T 28N, R 14E, Decatur Quadrangle  
Quad Code: 4008478  
UTM Coordinates: Downstream 4524010 North, 673998 East

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312 IAC 10

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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- Application # : FW-25374
- Stream : Unnamed Tributary Little Pigeon Creek
- Applicant : Norfolk Southern Railroad  
Chris Bennett  
1200 Peachtree Street, NE  
Atlanta, GA 30309-3579
- Description : The existing rail bridge carrying a single Norfolk Southern rail line over an unnamed tributary of Little Pigeon Creek will be replaced with a new structure on essentially the same alignment to correct structural and safety deficiencies. The new structure will be a concrete ballast deck bridge with four sets of concrete-filled steel pilings. The structure will have an out-to-out length of 91' and a width of 23'. The abutments will have 2:1 to 3:1 sideslopes armored with rip rap. The abutments and pilings will be aligned with the streamflow. The existing top of rail elevation will be elevated 0.58' and the low cord elevation will be lowered by a maximum of 0.25' from the existing conditions. The existing structure will be completely removed, except for the pilings which will be cut at ground level. New pilings will be relocated from within the channel to at or above the mean high water line. A temporary (60 to 90 days between July and November, 2009) culvert and clean rock fill or a wooden pallet may be placed within the channel for pile driver and crane access. The project is not federally funded. Details of the project are contained in information received electronically at the Division of Water on June 29, 2009 and in plans and information received at the Division of Water on
- Location : Spanning unnamed tributary of Little Pigeon Creek 1/2 mile east of County Road 350 East and 1/2 mile south of the Town of Dale near Dale, Carter Township, Spencer County NW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, Section 20, T 4N, R 5W, Dale Quadrangle Quad Code: 3808628
- Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312 IAC 10

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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Application # : FW-25375

Stream : Cool Creek

Applicant : INDOT  
Joshua Mott  
100 North Senate Ave  
Indianapolis, IN 46204-2251

Description : The proposed project will consist of installing soil encapsulated lifts with natural rock toe along 158 linear feet of stream bank of Cool Creek below the ordinary high water mark (OHWM). 108 linear feet of the stream will be used as mitigation and 50 linear feet will be additional treatment. The rock toe will not extend more than two feet into the existing channel and will consist of approximately 50 cubic yards of fill below the OHWM of the stream channel. The rock toe will be used in combination with vegetated soil encapsulated lifts consisting of compacted soil wrapped in biodegradable fabrics. Each lift will have bare root shrubs installed on two foot centers and will be seeded with a native seed mix for permanent stabilization. Point bar excavation will occur on the east bank of the stream and will provide some soil for the lifts. Any unused excavated material will be hauled off-site. The rock toe will extend from the point bar excavation to the bridge on the southern bank of the stream. The rock toe will extend along the entire 158 linear feet on the north bank of the stream. Erosion control blanket will be placed on the banks of the stream above the soil lifts where it will be seeded with a native seed mix and contain bare root, containerized, and balled and burlap tree and shrub planting. The planting area will extend approximately 30' on each bank from the centerline of the stream. Additionally, invasive species will be removed within the project limits. Project details including planting plans and cross-sections of the areas along the stream to be stabilized are included in the Figures. Details of the project are contained in information received electronically at the Division of Water on June 29, 2009 and in plans and information received at the Division of Water on

Location : The Cool Creek restoration project is located in Cool Creek Park at 2000 151st Street in Hamilton County, just northeast of the intersection of U.S. 31 and 151st Street

near Westfield, Washington Township, Hamilton County  
Section 18, T 18N, R 4E, Noblesville Quadrangle  
Quad Code: 4008611

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312 IAC 10

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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Application # : FW-25377

Lake : East Lake

Applicant : East Lake Lot Owners Association Inc  
Greg Robison  
8720 South Nash Drive  
Nineveh, IN 46164-9768

Description : The project will consist of constructing a 125' wide x 11' high concrete labyrinth type spillway in the left side of the existing East Lake Dam set at elevation 775.0 MSL. This will also include a concrete spillway chute, chute blocks and an impact basin followed by an earthen channel lined with class 1 and 2 riprap. The new structure will be backfilled with compacted clay and topsoil. A metal sheet pile cutoff wall will also be installed below the spillway and in the left side of the embankment to help control seepage. The new spillway will also include a 10' x 5' weir gate located to the left of the labyrinth. A new aluminum stop log gate matching the existing size and weir elevation of 774.68 will be installed in the existing primary spillway to control normal flows. Details of the project are contained in information received electronically at the Division of Water on June 30, 2009 and in plans and information received at the Division of Water on

Location : The dam is located near Roszell Drive along an unnamed tributary to Mud Creek in the Town of Prince's Lake  
near Nineveh, Nineveh Township, Johnson County  
SW $\frac{1}{4}$ , Section 33, T 11N, R 4E, Nineveh Quadrangle  
Quad Code: 3908631

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312 IAC 10

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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- Application # : FW-25379
- Lake : Wildwood Lake
- Applicant : Wildwood Dam Conservancy District  
Karla Hench, President  
12046 North Wildwood Lane  
Camby, IN 46113-8579
- Description : Lower Wildwood Lake Dam (#55-29), an existing earthen dam approximately 630' long and 25' high, and its appurtenances will be repaired. A downstream berm and toe drain will be added to increase the stability of the dam. In addition, the principal spillway pipe will be replaced with a reinforced concrete pipe, lake drain, and enlarged emergency spillway to pass the PMF and provide freeboard for the dam. The structure impounds a lake of 25.5 acres at an elevation of 699.0', has a crest elevation of 709.0' with 2:1 and 3:1 sideslopes upstream and downstream, respectively. Details of the project are contained in information and plans received at the Division of Water on June 29, 2009.
- Location : Lower Wildwood Lake Dam (#55-29); approximately 600' upstream of the County Road 1100 North intersection with Unnamed Tributary Sinking Creek near Mooresville, Madison Township, Morgan County  
E½, SE¼, SW¼, Section 3, T 13N, R 2E, Mooresville East Quadrangle  
Quad Code: 3908653  
UTM Coordinates: Downstream 4382608 North, 560284 East
- Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312 IAC 10

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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- Application # : PL-21291
- Lake : Big Chapman Lake
- Applicant : David and Peggy Wihebrink  
45 EMS C 28 C Lane  
Warsaw, IN 46582
- Description : A new concrete seawall will be constructed across 200' of the applicant's frontage. The lakeward face of the wall will be located along the lake's legal shoreline. A 30' by 20' underwater beach will be constructed by placing a uniform layer of pea gravel on the lakebed. The beach will be placed in front of 30' of the new seawall on the northeast side of the property. In addition, a concrete boat ramp will be constructed along 8' of the applicant's 200' frontage. The ramp will extend approximately 8' lakeward of the lake's legal shoreline. Details of the project are contained in information received electronically at the Division of Water on May 15, 2009 and in plans and information received at the Division of Water on May 20, 2009, June 18, 2009 and June 30, 2009.
- Location : 45 EMS C28C Lane; Lots 50 and 51 of Chapman Lake Park  
near Warsaw, Plain Township, Kosciusko County  
SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 26, T 33N, R 6E, Leesburg Quadrangle  
Quad Code: 4108537  
UTM Coordinates: Downstream 4571739 North, 601279 East
- Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake Rule, 312 IAC 11

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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Application # : PL-21305

Lake : Oliver Lake

Applicant : Jerald and Pat D Grosenbacher  
0460 East 495 South  
Wolcottville, IN 46795-9269

Description : A new concrete seawall will be constructed across 53' of the applicant's frontage. The lakeward face of the wall will be located along the lake's legal shoreline. A 25' by 37' underwater beach will be constructed across 25' of the applicant's frontage by placing a uniform 6" layer of pea gravel on the lakebed. Details of the project are contained in information and plans received at the Division of Water on June 5, 2009 and June 29, 2009.

Location : 460 East 495 South; Lot 4 of Oliver Lake Sunset Resort  
near Wolcottville, Johnson Township, LaGrange County  
SW¼, SE¼, Section 18, T 36N, R 10E, Oliver Lake Quadrangle  
Quad Code: 4108554  
UTM Coordinates: Downstream 4603163 North, 632208 East

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake Rule, 312 IAC 11

Application # : PL-21324

Lake : Westler Lake

Applicant : Earl Martin  
1417 East 720 South  
Wolcottville, IN 46795-8944

Description : A new seawall will be constructed across 87' frontage of the applicant along Westler Lake channel to deter shoreline erosion. The wall will consist of vinyl sheetpiling which will be anchored to deadmen 12 into the property from the OHWM. Details of the project are contained in information received electronically at the Division of Water on June 25, 2009 and in plans and information received at the Division of Water on

Location : 1417 East 720 South; Westlers Lake Hoovers 2nd add Terrace Hill Lot 47+48  
near Wolcottville, Johnson Township, LaGrange County

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake Rule, 312 IAC 11

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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Application # : PL-21326

Lake : Smalley Lake

Applicant : Janet Eloph  
428 Meadow Lane  
Decatur, IN 46733-2428

Description : We have an existing waterfront beach and would just like to put down more rocks and pea gravel. The beach is approximately 36' long and 10' to the waterline. The pea gravel area would only be approximately 20' long and to the waterline. Details of the project are contained in information received electronically at the Division of Water on June 29, 2009 and in plans and information received at the Division of Water on

Location : 2884 South Mellwood Park East; Mellwood Park Lot 21  
near Kimmell, Washington Township, Noble County

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake Rule, 312 IAC 11

Application # : PL-21327

Lake : Witmer Lake

Applicant : Craig M Davis  
7287 South 185 East  
Wolcottville, IN 46795-9592

Description : The existing 60" diameter x 25' long metal pipe culvert carrying 185 East will be replaced with a new 60" diameter x 30' long corrugated metal pipe. Minor channel shaping will occur in direct vicinity of culvert pipe for improved flow. The reshaped areas over/around culvert pipe will be stabilized with limestone rip rap. The roadway will be elevated for a smoother transition to/from Road East 720 South. Details of the project are contained in information received electronically at the Division of Water on June 29, 2009 and in plans and information received at the Division of Water on

Location : Culvert pipe under South 185 East, just South on South 185 East of East 720 South  
near Wolcottville, Johnson Township, LaGrange County

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake Rule, 312 IAC 11

# Indiana Department of Natural Resources / Division of Water

## 30 Day Public Notice Report

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Application # : PL-21329

Lake : Atwood Lake

Applicant : Dale H Stillman  
0091 West Northport Road  
Rome City, IN 46784-9733

Description : An existing concrete seawall will be refaced across a portion of the 50' frontage of the applicant on Atwood Lake to prevent deterioration. The refacing will consist of 4000 PSI concrete which will be tied to the existing wall with 1/2 rods 12" o.c.e.w. The refacing will have a maximum thickness of 12" and will be sloped on the lakeward side. A 48" wide concrete walkway will be constructed on top and landward of the lakeward face of the refaced wall. Details of the project are contained in information received electronically at the Division of Water on June 30, 2009 and in plans and information received at the Division of Water on

Location : 0500 East 700 South  
near Wolcottville, Johnson Township, LaGrange County  
Section 30, T 30N, R 10E

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake Rule, 312 IAC 11

Application # : PL-21332

Lake : Big Chapman Lake

Applicant : Frederick J Bazeley  
52 EMS C 29 A Lane  
Warsaw, IN 46582-9164

Description : A new seawall will be constructed across 225' of the 225' frontage of the applicant along Big Chapman Lake to deter shoreline erosion. The wall will consist of reinforced concrete which will be sloped on the lakeward side. It will be 42" high and will vary uniformly in thickness from 13" to 30" from the base to the top. The lakeward face of the wall will be at the legal shoreline. Details of the project are contained in information received electronically at the Division of Water on July 1, 2009 and in plans and information received at the Division of Water on

Location : 52 EMS C29A LN; northeast side of Big Chapman Lake  
near Warsaw, Wayne Township, Kosciusko County

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake Rule, 312 IAC 11