

ORDER 2011-202

AN ORDER REGARDING BELTERRA RESORT INDIANA LLC'S PROPOSAL FOR CONVERSION TO A PERMANENTLY MOORED VESSEL

On July 1, 2011, Senate Enrolled Act 47 went into effect. This law, among other things, contains a provision that allows riverboat licensees to submit to the Commission a plan to convert a "self-propelled" riverboat into a "permanently moored craft" and gives the Commission the authority to approve submitted plans.

Permanently moored vessels may disable propulsion and navigation equipment that is required to be maintained as a self-propelled riverboat. In addition, permanently moored vessels are not required to employ personnel that are necessary in order to operate as a self-propelled vessel.

On May 31, 2011, Belterra Resort Indiana, LLC ("Beltterra") submitted its plan in accordance with the new law. Commission staff sent the plan to ABS Group, which is the Commission's marine structural and life safety contractor. ABS Group has recommended approval of Belterra's plan based on its analysis of how the plan addresses structural and safety standards.

The proposal submitted on behalf of Belterra will not remove their propulsion or navigation systems, but they will no longer be enabled or inspected. The room containing the navigation equipment will continue to be temperature controlled to prevent humidity from causing corrosion on the electrical components. Belterra is working with Lay Pitman and Associates, a naval architectural firm, to ensure that their moorings are adequate. Some duties will be shifted from the marine department to individuals in other departments, who would receive any necessary training. The team of Engine Room Techs will be retained in order to maintain the equipment on the vessel. A full time Vessel Manager, with marine training and experience, will also be retained.

The Commission has consulted with the United States Army Corps of Engineers as required under IC 4-33-4-13, notified both the United States Coast Guard and Indiana Department of Homeland Security of the plans, and provided an opportunity to comment.

COMMISSION ACTION

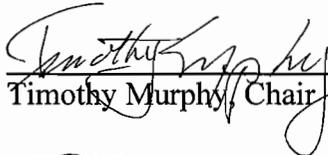
After reviewing the foregoing and in accordance with IC 4-33-4-13(b), and (1) conditioned upon the subsequent submission of an amended Emergency Response Plan reflecting necessary changes following the conversion to a permanently moored vessel; (2) conditioned upon successful completion of emergency drills as described under an amended Emergency Response Plan within thirty (30) days from this date, which may be extended by Commission staff with good cause shown, and (3) pending additional consultation with the United States Army Corps of Engineers and compliance with any subsequent requests, the Commission hereby:

APPROVES

the plan submitted by Belterra Resort Indiana, LLC to convert its self-propelled riverboat into a permanently moored craft.

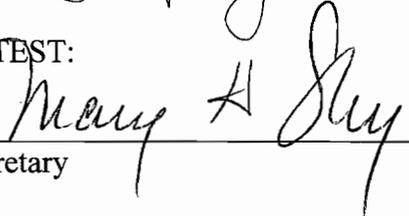
IT IS SO ORDERED THIS THE 15TH DAY OF SEPTEMBER, 2011.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Secretary