



Indiana Department of Environmental Management

Protecting Hoosiers and Our Environment Since 1986



Indiana Wetlands Regulatory Overview and Update

Indiana Department of Environmental Management
Office of Water Quality
Waterways Section





What IDEM Regulates

- The discharge of dredged or fill material into wetlands, streams, and lakes
- Fill material includes soil, rock, sand, gravel, riprap, articulated mats, pipes, culverts, tile, tile outlets, and mechanized land clearing





Regulatory Framework

- Section 404 of the Clean Water Act – U.S. Army Corps of Engineers dredge and fill permit
- Section 401 of the Clean Water Act – State Water Quality Certification
- State Regulated Wetlands Law (IC 13-18-22)
- Food Security Act Administered by the Natural Resource Conservation Service (unrelated to the CWA)



Clean Water Act Section 404(f)

Exemptions and State Regulated Wetlands

Exceptions IC 13-18-22-1(b)

- Normal farming, silviculture, and ranching activities within an established (*i.e.*, ongoing) farming, silviculture, or ranching operation
- Construction or maintenance of farm/stock ponds, irrigation ditches, and maintenance (but not construction) of drainage ditches
- Construction or maintenance of farm roads, forest roads, or temporary roads for moving mining equipment, where such roads are constructed and maintained in accordance with best management practices (BMPs)



Coordination with the Natural Resource Conservation Service (NRCS)

- Wetland determinations solely for the 1985 Farm Bill and Food Security Act
- NRCS wetland determinations do not affect IDEM or USACE jurisdiction
- Work in wetlands, streams, and lakes that do not fall under CWA Section 404(f) or IC 13-18-22-1(b) will require USACE and IDEM coordination



New Regulatory ePortal

- Waterways Section has implemented a new online application system <https://waterquality.idem.in.gov>
- Now only one application form for general permit verifications and individual permit authorizations
- Able to submit Waters of the State Determinations and Pre-Filing Meeting Request in the ePortal.



Waterway Inquires

- IDEM and the Indiana Department of Natural Resources (DNR) partnered to create the **Waterways Inquiry Request** to help Indiana citizens determine if a permit is needed to complete a project that may impact a water,
 - The Waterways Inquiry Request and more information can be found at waterways.IN.gov
- Staff from both agencies provide a single response to the user





Section Updates

- Name change from Wetlands Section to Waterways Section, not to be confused with the Waterways Inquiry Tool
- Moved away from Project Manager territories
- Use the Waterways Inquiry Tool for general project questions, for more specific questions email us at WetlandsProgram.@idem.IN.gov or call at (317) 233-8488