Working Around Waterbodies
An overview of IDEM permitting for work in Waters of the State

October 14, 2011
IDEM’s Programs

- 401 Water Quality Certification Program
- State Isolated Wetlands Program

**NOTE:** IDEM is only one of three agencies (others are the IDNR and the USACE) to potentially regulate a project proposing impacts to Water Resources
Who Regulates What?

Public Freshwater Lake: IDNR, USACE, IDEM
Navigable Water: IDNR, USACE, IDEM
Non-wetland floodway: IDNR
Adjacent wetland: USACE, IDEM
Isolated wetland: IDEM
Tributary: IDNR, USACE, IDEM
Stream with <1 sq. mile drainage area: USACE, IDEM
What Activities Does IDEM Regulate?

• IDEM regulates the placement of dredged or fill material into Waters of the U.S. and non-exempt Waters of the State
What Constitutes Fill?

- Dirt, rock, sand, gravel, riprap, etc.
- Pipes and culvert structures (new and replacement structures)
- Dirt or rock placed into an old stream channel if the stream is relocated
- Mechanized land clearing in wetlands (bulldozing) involving removal of stumps
- Sidecasting of dredged material into wetlands
- Damming up streams/pump arounds
- Bank stabilization (streams and lakeshores)
Typical Projects

• Typical regulated projects:
  – Pipe or culvert placement/replacement in streams
  – Streambank armoring (including riprap) for bank stabilization or storm water outfalls
  – Stream relocations or stream piping
  – Wetland fill
Application Review Criteria

- IDEM evaluates all aspects of a proposed project to determine if there will be detrimental effects to water quality.

- IDEM staff assess applicants’ efforts to:
  - Avoid impacts to water resources
  - Minimize unavoidable impacts
  - Provide mitigation
Common Regulatory Myths

• Blue line vs. non-blue line streams
• Confusion over which agencies regulate streams
• Accuracy of the National Wetland Inventory Maps
Recurring Problems with Stream Projects

• Unauthorized and improperly sized structures
• Unsuitable materials for coffer dams, pump-arounds, etc. Improperly installed or no sediment or erosion controls
• Using streams as a water pollution control device
Avoid Permitting “Surprises”

• Avoid problems:
  – Avoid impacts to wetlands and streams, if possible
  – Have a wetland delineation completed for all sites

• Call for early coordination!
  – Applicants are encouraged to contact IDEM staff to set up an early coordination site visit or field meeting
IDEDEM Online

Applications
• IDEM Application Forms - [www.idem.IN.gov/4388.htm](http://www.idem.IN.gov/4388.htm)
• Regulatory Service Portal - [www.idem.IN.gov/5964.htm](http://www.idem.IN.gov/5964.htm)

Program Staff
• Project Manager Map - [www.idem.IN.gov/4395.htm](http://www.idem.IN.gov/4395.htm)

Volunteer Mitigation Map
• IDEM Volunteer Mitigation Map Web Tool - [http://idemmaps.idem.IN.gov/apps/MitigationVolunteer](http://idemmaps.idem.IN.gov/apps/MitigationVolunteer)

IDDEM Wetlands Information
• All About Wetlands - [www.wetlands.IN.gov](http://www.wetlands.IN.gov)
Arm Yourself with Info!