Current Wetland Policy in Indiana

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US Army Corps of Engineers Criteria

- Hydrology
- Soil type
- Vegetation

Wetland Functions

- Store 1 – 1.5 million gallons per acre
- Reduce flooding
- Recharge groundwater
- Purify water
- Filter out sediment
- Reduce erosion
- Habitat

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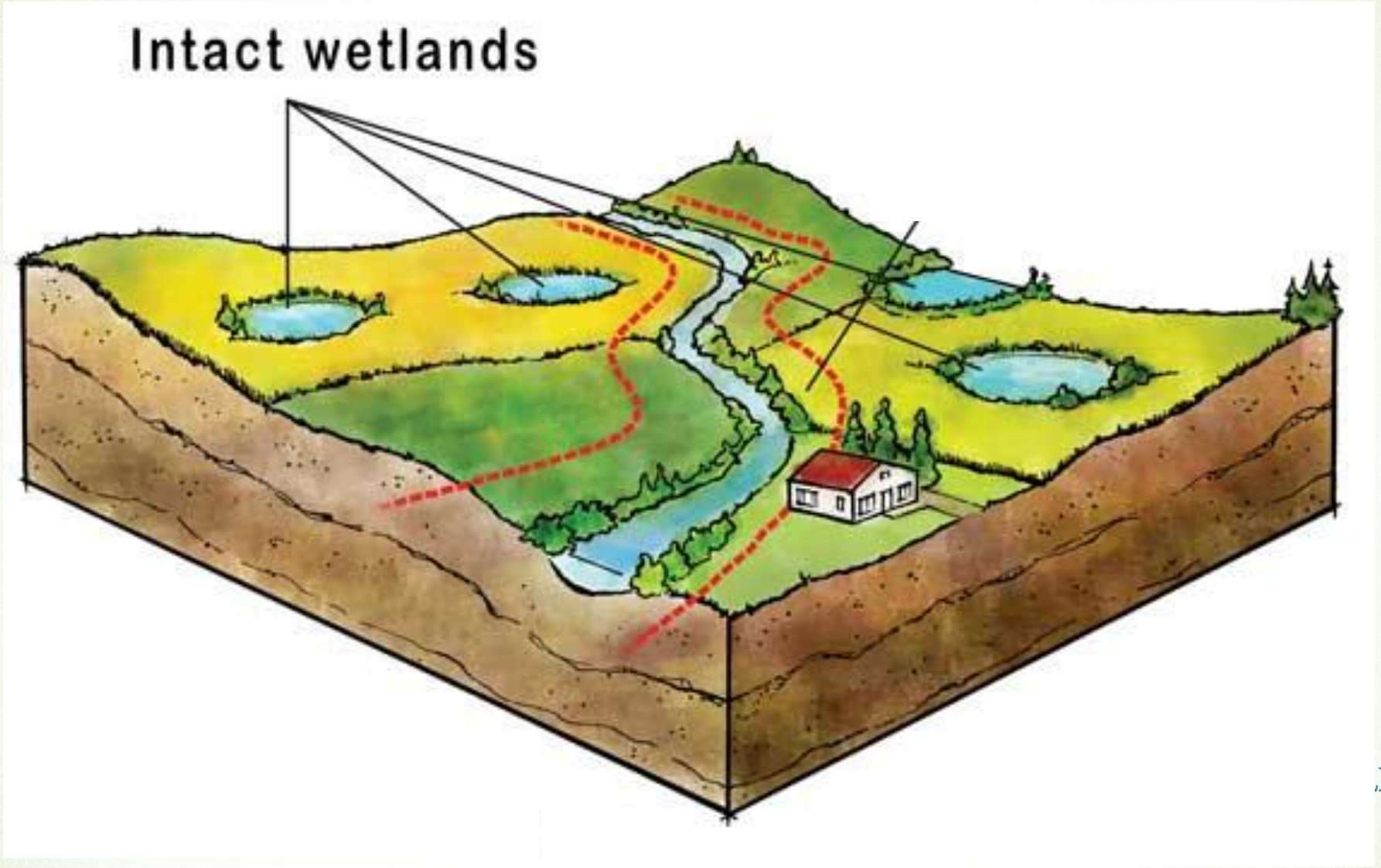
50% of Indiana's species with small or declining populations depend on wetlands

Indiana Dept of Natural Resources, *Connecting Wetlands, Wildlife, and You*


Intact wetlands

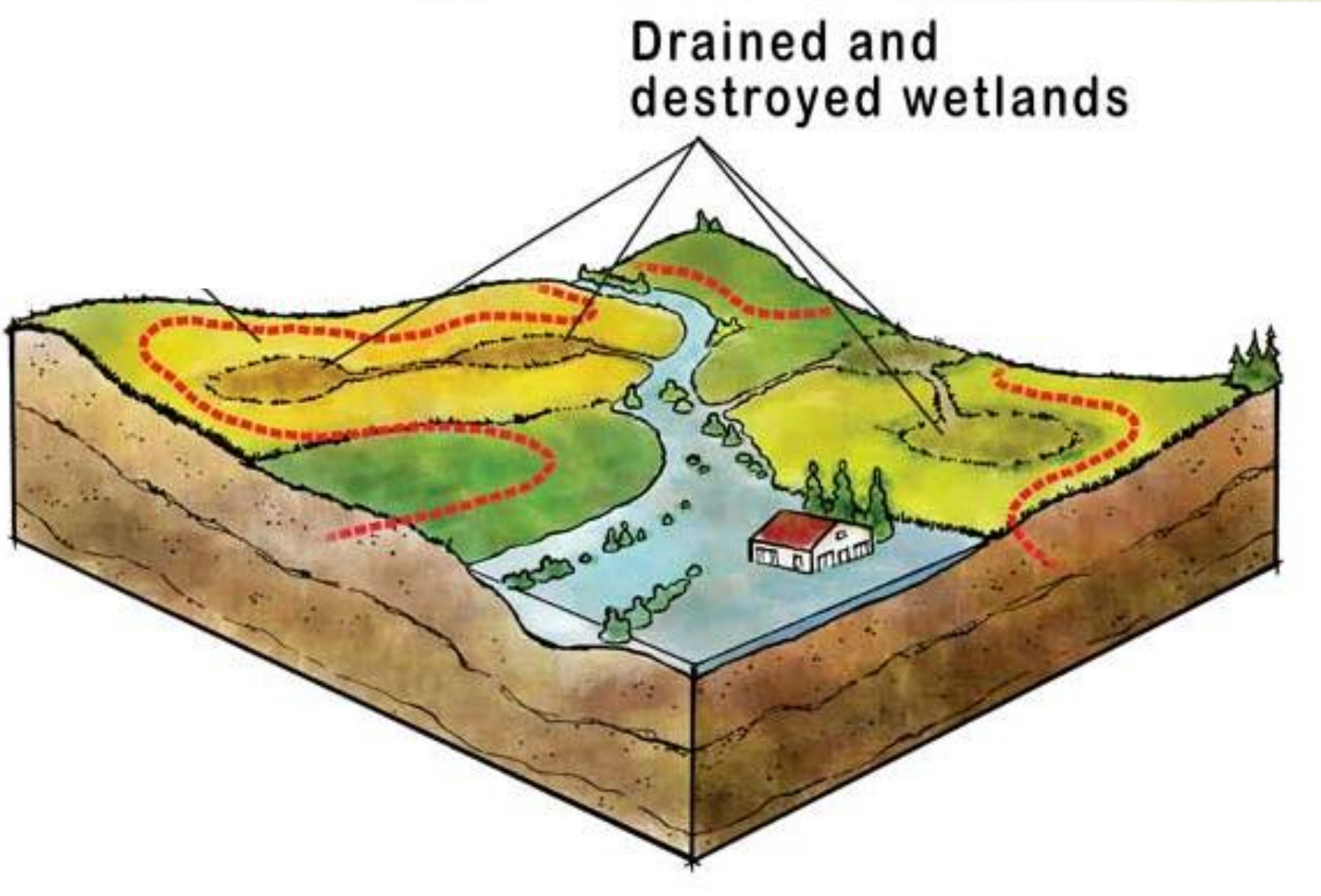


Image adapted from Aquatic Science Texas

More than 85% of Indiana's original wetlands have been lost

Clean Water Act – federal wetlands

Indiana Isolated Wetlands Law – all non-federal

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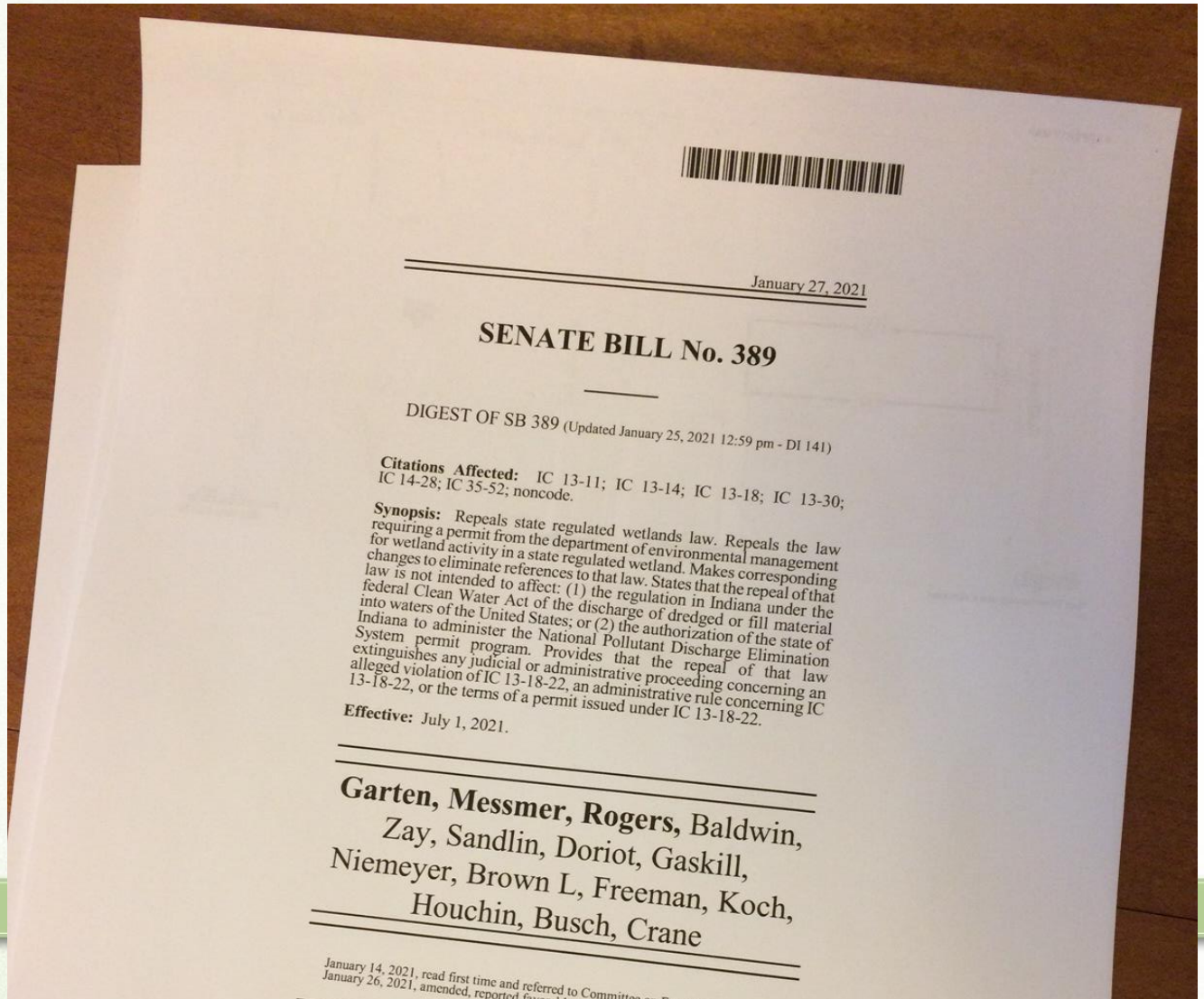
Bill in 2021 Reduced State Wetland Protection



January 27, 2021

SENATE BILL No. 389

DIGEST OF SB 389 (Updated January 25, 2021 12:59 pm - DI 141)

Citations Affected: IC 13-11; IC 13-14; IC 13-18; IC 13-30; IC 14-28; IC 35-52; noncode.

Synopsis: Repeals state regulated wetlands law. Repeals the law requiring a permit from the department of environmental management for wetland activity in a state regulated wetland. Makes corresponding changes to eliminate references to that law. States that the repeal of that law is not intended to affect: (1) the regulation in Indiana under the federal Clean Water Act of the discharge of dredged or fill material into waters of the United States; or (2) the authorization of the state of Indiana to administer the National Pollutant Discharge Elimination System permit program. Provides that the repeal of that law extinguishes any judicial or administrative proceeding concerning an alleged violation of IC 13-18-22, an administrative rule concerning IC 13-18-22, or the terms of a permit issued under IC 13-18-22.

Effective: July 1, 2021.

Garten, Messmer, Rogers, Baldwin, Zay, Sandlin, Doriot, Gaskill, Niemeyer, Brown L, Freeman, Koch, Houchin, Busch, Crane

January 14, 2021, read first time and referred to Committee
January 26, 2021, amended, reported

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Final Version of SEA 389

- Removed protection for more than half of state-jurisdictional wetlands
- Eliminated state protection for ephemeral streams
- Created the Indiana Wetlands Task Force

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More than 100 organizations openly opposed SEA 389:

- Conservation/Environmental
- Wildlife
- Hunting & fishing
- Civic
- Religious
- Professional
- Cities

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Water-related bills in the 2022 Indiana legislative session

- Tax credit for wetland preservation
- Watershed development commissions
- Wastewater utilities
- Construction-in-a-floodway

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What can you do?

Talk to your state legislators!

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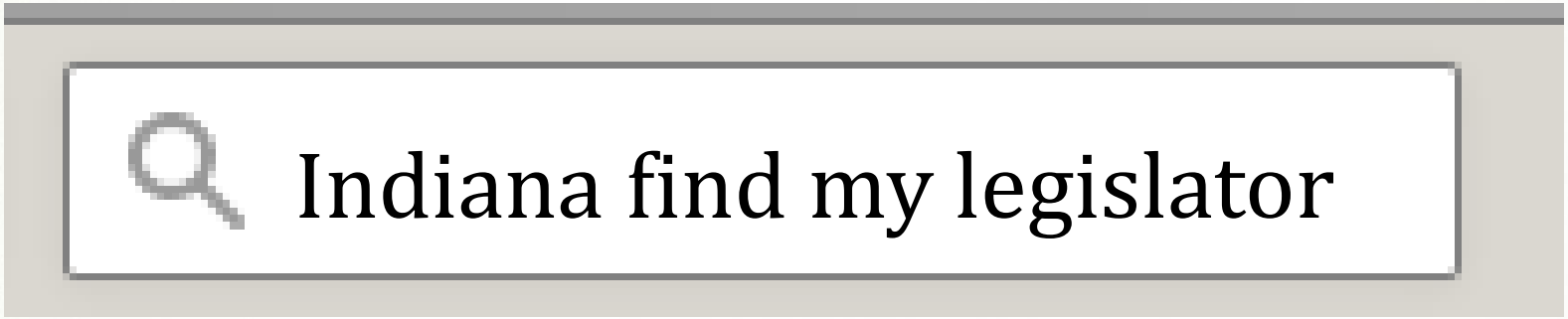
To find your state legislators

Do an internet search for . . .



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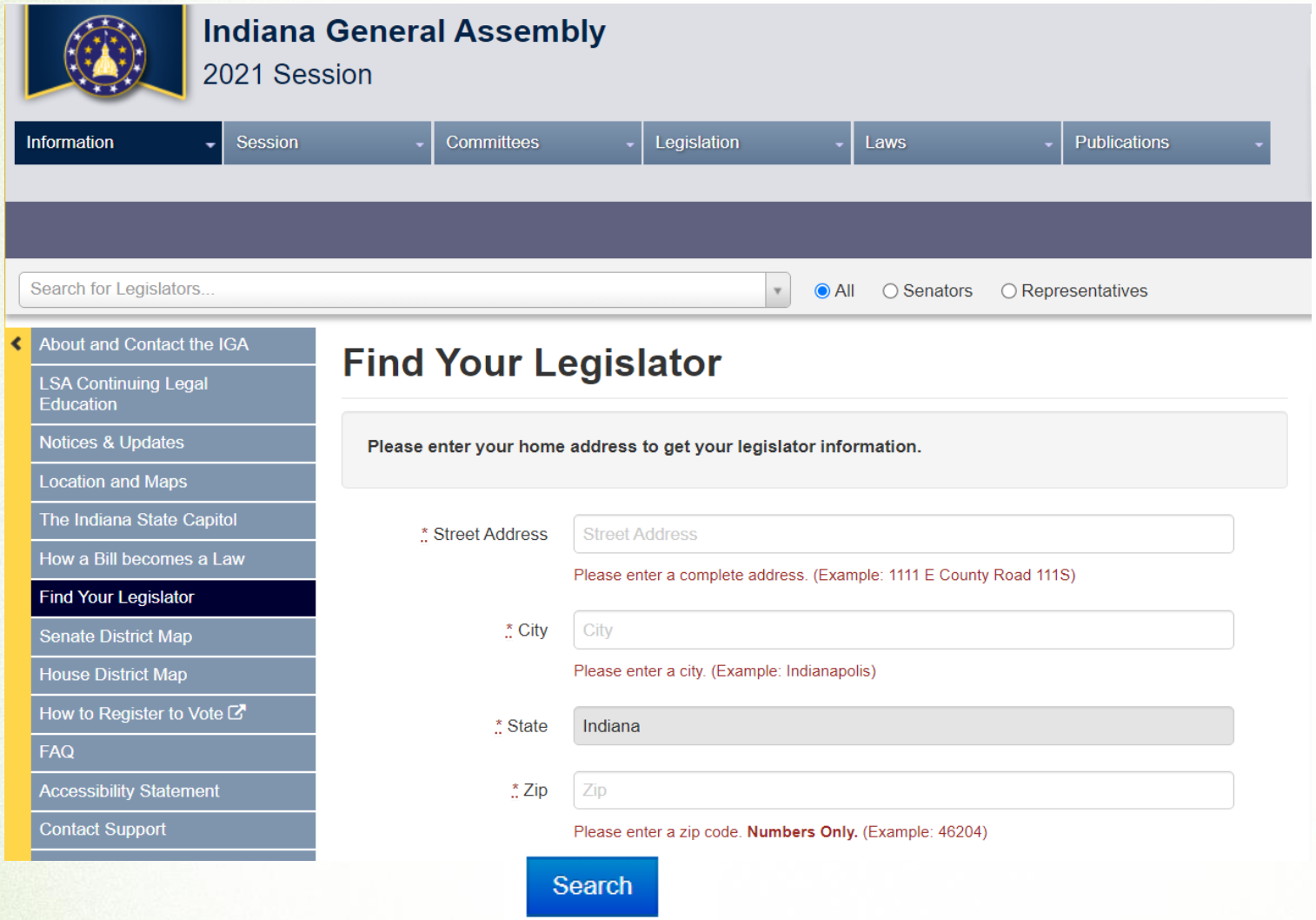
http://iga.in.gov/legislative/find-legislators/



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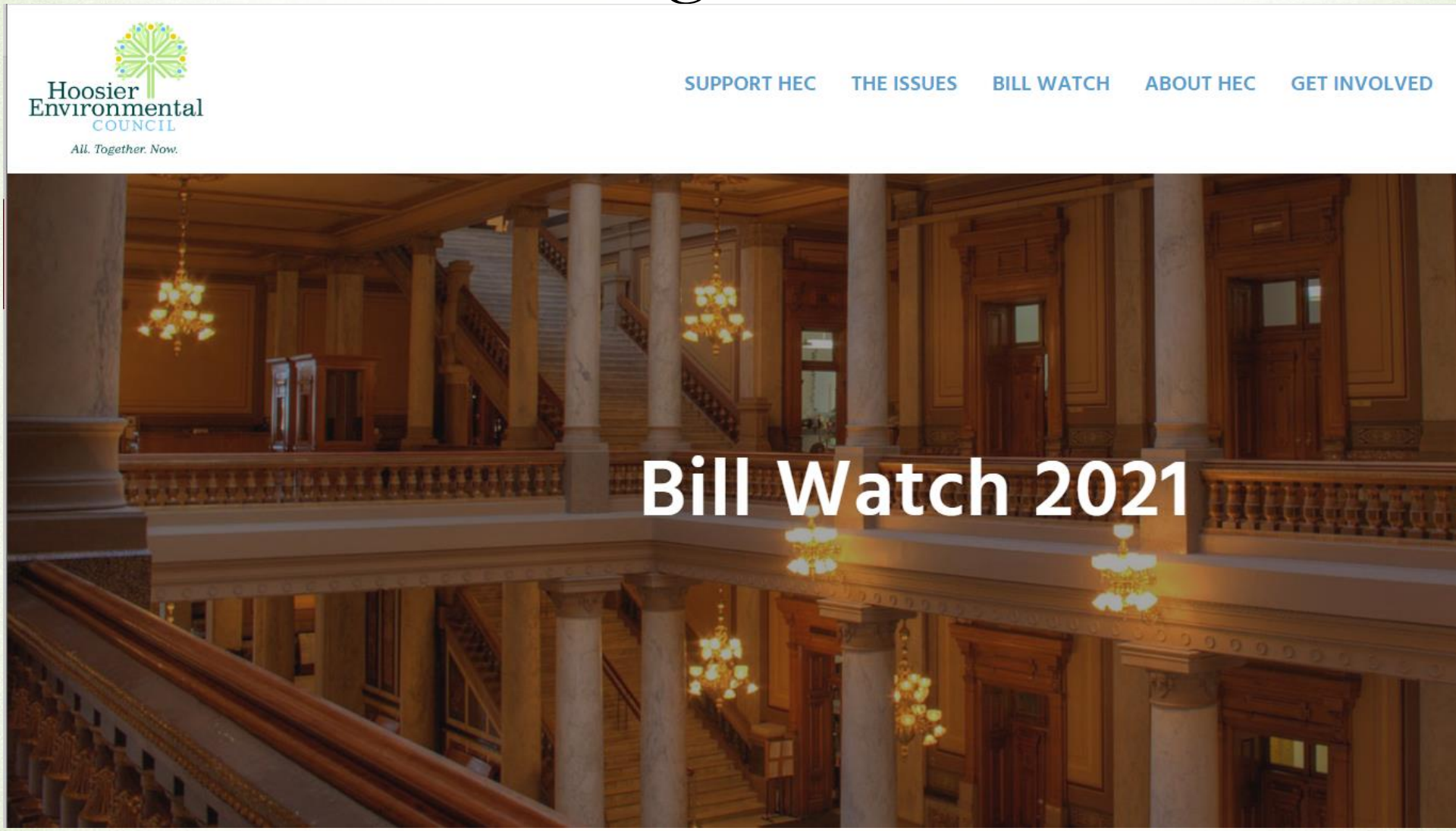
www.hecweb.org/bill-watch-2021/



Thank you!

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