

Stream Bank Stabilization Permitting

The Flood Control Act

- The Flood Control Act (IC 14-28-1) was enacted in 1945 as a way to mitigate for "the loss of lives and property caused by floods and the damage resulting from floods".
- The Flood Control Act encourages wise use of the floodway to:
 - Minimize increased flood levels
 - Minimize injury or loss of human life
 - Reduce risk to private and public property
 - Minimize the loss of fish, wildlife, and botanical resources as a result of constructing in the floodway



Jurisdiction Under the Flood Control Act

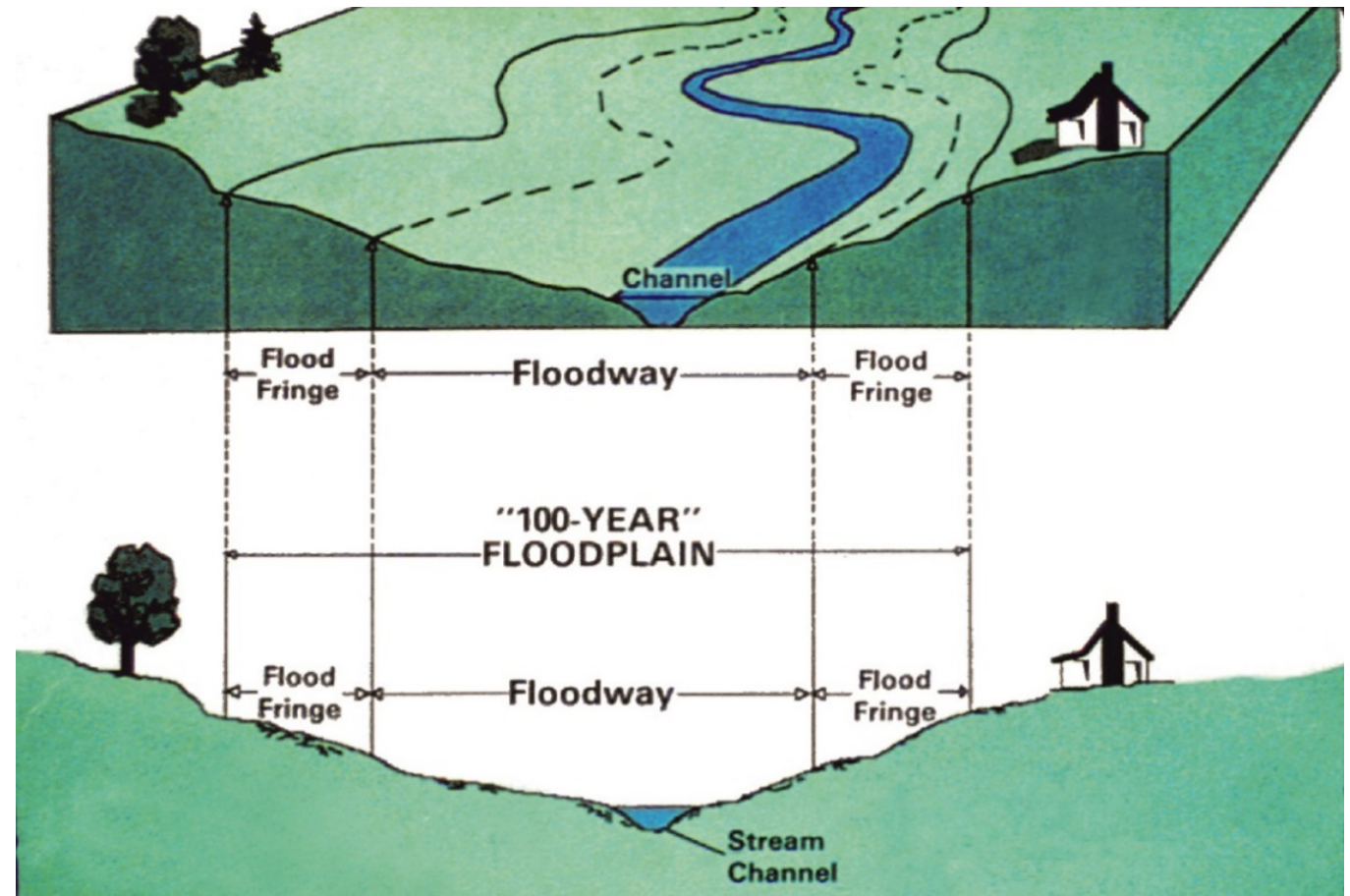
- The Flood Control Act requires the prior approval of the DNR, Division of Water for construction in the floodway including an obstruction, fill, excavation, or the construction of a building.
- Typical examples of floodway projects subject to DNR review and approval include:
 - Fill, excavation, and/or land grading
 - Bank stabilization
 - Construction of bridges and private access crossings
 - Construction or reconstruction of buildings
 - Fencing

Floodplain = Floodway + Flood Fringe

- What is a floodplain?
 - The floodplain can be defined as “the area adjoining a river or stream that has been or may be covered by floodwater”.
 - The floodplain is divided into two parts: floodway and flood fringe.
 - The amount of flooding used to establish permitting jurisdiction is known as the regulatory flood.
- What is the floodway?
 - The floodway includes the channel of a river or stream; AND
 - The parts of the floodplain adjoining the channel that are reasonably required to efficiently carry and discharge the peak flow of the regulatory flood of any river or stream”.

Floodplain = Floodway + Flood Fringe

- The state's jurisdiction under the Flood Control Act is limited to the floodway.
- A floodway exists for all waterways, even if it has not been mapped.
- If a project is proposed in an unmapped area, consultation with the Division of Water staff is advised.



Flood Control Act

Exemptions & General Licenses

Exemptions (IC 14-28-1-22)

- Work along a stream with an upstream drainage area less than 1 mi²
- State or County Rural Bridge Projects where the drainage area < 50 mi²
- Certain County Drainage Board projects along streams < 10 miles in length
- Certain Surface Mining Activity
- Development and maintenance of: crops, pastures, forests, and park and recreational uses (312 IAC 10-4-2)
- Removal of Logjams and Woody Debris

General Licenses (312 IAC 10-5)

- Utility Line Crossings
- Wetland Restoration
- Outfall Structures
- Creek Rock Removal
- Recreational Prospecting (panning for gold)
- Removal of Logjams and Woody Debris from a Salmonid Stream or a Natural, Scenic, or Recreational River or Stream

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- Permit Information:
<http://www.in.gov/dnr/water/2455.htm>
- Statutes and Rules:
 - Flood Control Act
<https://iga.in.gov/legislative/laws/2015/ic/titles/014/articles/028/>
 - Floodplain Management Rules:
<http://www.in.gov/legislative/iac/T03120/A00100.PDF>

Division of Water Online Research Center (DoWORC)

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Division Of Water

Is your house in a floodway?

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Floodplain & Permits

- [Division of Water Online Research Center \(DoWORC\)](#)
- [Flood Control Act Permit Renewal Requirement Guide](#)
- [Regulatory Permits](#)
- [Floodplain Portal](#)
- [Floodmaps.IN.gov](#)
- [Operation Stay Afloat](#)

Water Rights & Use

- [Driller/Pump Installer Licensing & Education](#)
- [Significant Water Withdrawal Facility Registration](#)
- [Ground Water Rights Emergency Regulation](#)
- [Water Well Record Database](#)

Resource Assessments

- [Water Shortage Plan](#)
- [Great Lakes Compact](#)
- [Ground Water Basics](#)
- [Basin Studies](#)
- [Aquifer Systems Mapping](#)

Community Assistance

- [Dikes, Dams and Levees Regulations](#)
- [Living with Dams](#)
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- [Conservancy Districts](#)
- [River Basin Commissions](#)

Stream Bank Stabilization Projects

2-11-3 Minimum Required Information by Project Type

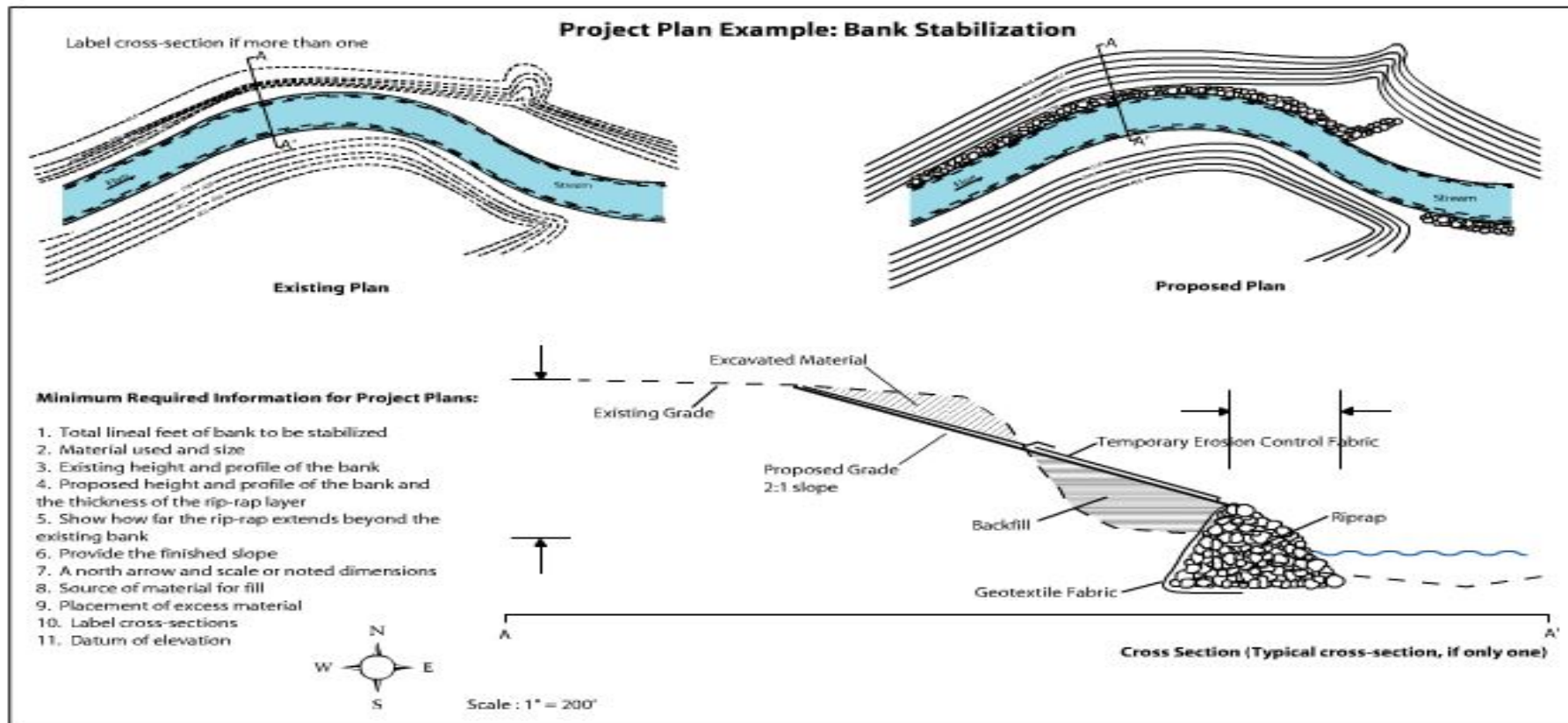
Bank Stabilization - [View Example Plan](#)

Minimum Required Information for Bank Stabilization Plans:

- Total lineal feet of bank to be stabilized
- Material used and size
- Existing height and profile of the bank
- Proposed height and profile of the bank and the thickness of the riprap layer
- Show how far the riprap extends beyond the existing bank
- Provide the finished slope
- A north arrow and scale
- Source of material for fill
- Placement of excess material
- Label cross-sections
- Datum of elevation

BANK STABILIZATION

[View example project description](#) | [View list of items required for all plans](#)





Contact Us

Web: <http://www.in.gov/dnr/water/>

Email: water_inquiry@dnr.IN.gov

Phone: 877-928-3755 (toll-free)

Questions about permitting requirements can be directed to the Technical Services section of the Division of Water.

See the [Statutes/Rules section](#) for specific information on the DNR's permitting jurisdiction.