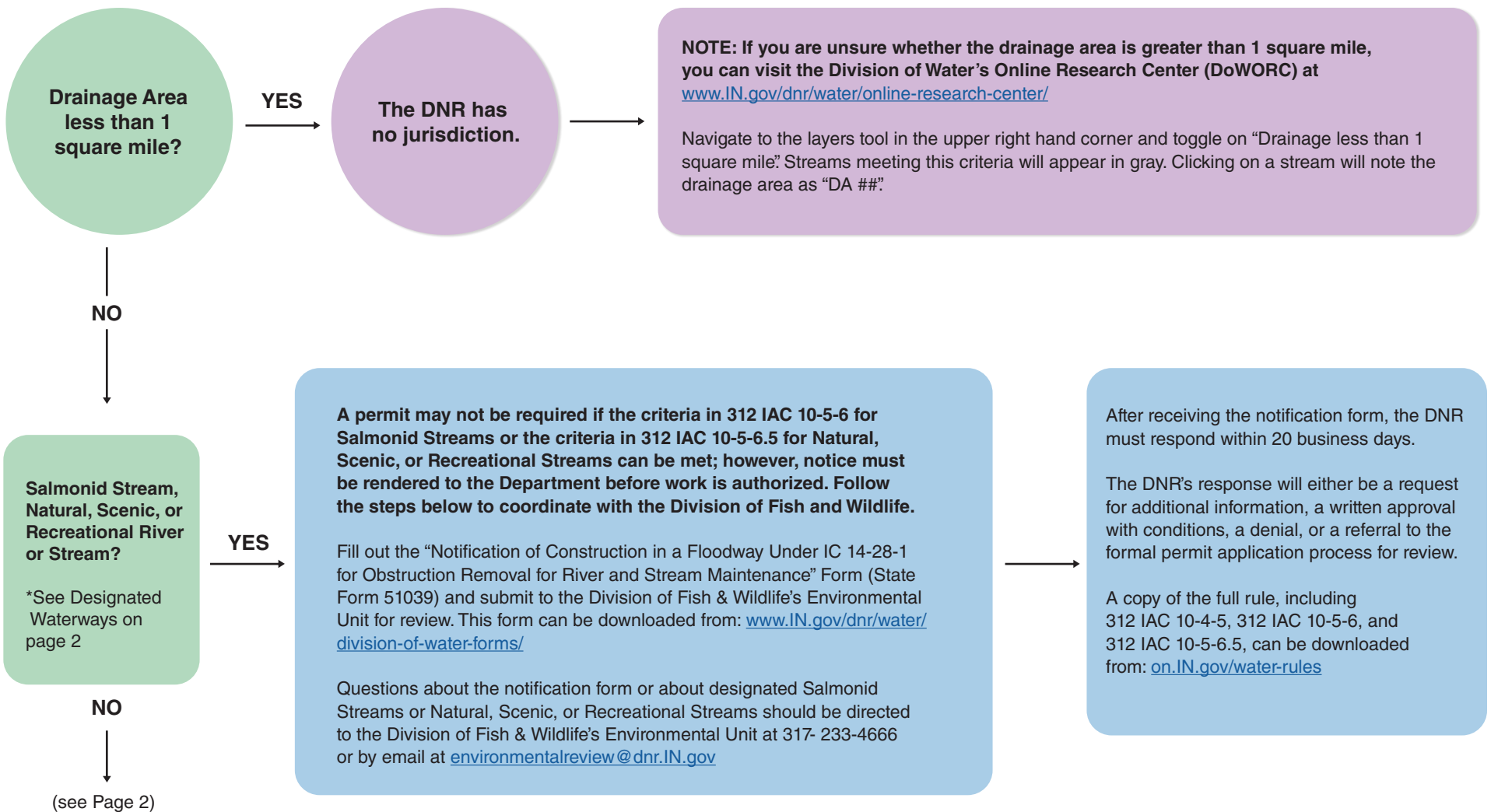


# Regulatory Guide for Removal of a Logjam or a Mass of Wood Debris from a Floodway

This document should be used as a reference to determine whether a logjam or mass of wood debris can be removed without prior written notification and approval from the DNR, with written notification to the DNR, or if a formal permit application review is needed. This document is not in reference to removal of a sandbar from beneath a bridge. The DNR does not have funds available to assist in the removal of a logjam or mass of wood debris. Permission from the landowner is needed if working on property other than your own. If you have any questions about this document, please contact the Division of Water's Technical Services Section at 317- 232-4160 option 1.



**For projects along streams with an upstream drainage area of 1 square mile or greater and not along one of the designated waterways listed in this guide, if the project meets the conditions in IC 14-28-1-22 (b) (7) (C) through (L), no correspondence with the DNR is required:**

- (C) Except as otherwise provided in Indiana law, the following apply to logs that are crossways in the channel:
- (i) Free logs must be relocated and removed from the floodplain. A free log includes a log that is still attached to a root system that is no longer in the ground.
  - (ii) Affixed logs must be cut, relocated, and removed from the floodplain. An affixed log includes a log that is still attached to a root system that is still in the ground. If the root system is still in the ground, the log must be cut so as to allow the root system to remain in the ground. However, cutting and removing the affixed log is not required if, in the opinion of the individual removing the log, the cutting and removing would create an unreasonable risk of bodily harm to the individual.
- Logs may be maintained in the floodplain if properly anchored or otherwise secured so as to resist flotation or dislodging by the flow of water and placement in an area that is not a wetland. Logs must be removed and secured with a minimum of damage to vegetation.
- (D) Isolated or single logs that are embedded, lodged, or rooted in the channel, and that do not span the channel or cause flow problems, must not be removed unless the logs are either of the following:
- (i) Associated with or in close proximity to larger obstructions.
  - (ii) Posing a hazard to agriculture, business, navigation, or property.
- (E) A leaning or severely damaged tree that is in immediate danger of falling into the waterway may be cut and removed. The root system and stump of the tree must be left in place.
- (F) To the extent practicable, the construction of access roads must be minimized, and should not result in the elevation of the floodplain.
- (G) To the extent practicable, work should be performed exclusively from one side of a waterway. Crossing the bed of a waterway is prohibited.
- (H) To prevent the flow of sediment laden water back into the waterway, appropriate sediment control measures must be installed.
- (I) Within 15 days, all bare and disturbed areas must be revegetated with a mixture of grasses and legumes. Tall fescue must not be used under this subdivision, except that low endophyte tall fescue may be used in the bottom of the waterway and on side slopes.
- (J) A logjam or mass of wood debris that is removed from a river or stream may be burned so completely as to eliminate the risk that the resulting ash and remnants will not cause another logjam, unless a local ordinance specifies otherwise.
- (K) Subject to clause (L), a person removing a logjam or a mass of wood debris from a river or stream under this subdivision without obtaining a permit:
- (i) May use the means that the person believes to present the lowest risk of physical injury to individuals performing the removal work; and
  - (ii) May, subject to clause (G) use mechanical equipment appropriate to the task of removing the logjam or mass of wood debris.
- (L) A person removing a logjam or a mass of wood debris from a river or stream under this subdivision must comply with the following:
- (i) Section 404 of the federal Clean Water Act (33 U.S.C. 1344)
  - (ii) IC 13-18-22 (state regulated wetlands)

**If the project cannot meet the criteria above, a formal permit application review is required. A permit application form and additional information about the permit application process can be found at: [on.IN.gov/water-permits](https://www.IN.gov/water-permits)**

#### **IC-14-28-1-3.5 Logjam Definition**

An accumulation of lodged trees, root wads, or other debris that impedes the ordinary flow of water through a waterway. The term does not include the development of sandbars, sedimentation, or accumulations of stone or gravel. Logjams are evidenced by a blockage that does any of the following: (1) Traverses the waterway, (2) Causes upstream ponding, (3) Results in significant bank erosion.

#### **IC 14-28-1-3.7 “mass of wood debris” Definition**

An accumulation of lodged trees or other woody debris that does any of the following: (1) Causes or threatens to cause flooding on a road or private property, (2) Impedes navigation by boat, (3) Reduces the capacity of a waterway to transport water.

#### **Designated Waterways**

##### **SALMONID STREAMS**

- (A) Trail Creek and its tributaries downstream to Lake Michigan.
- (B) East Branch of the Little Calumet River and its tributaries downstream to Lake Michigan via Burns Ditch.
- (C) Salt Creek above its confluence with the Little Calumet River.
- (D) Kintzele Ditch (Black Ditch) from Beverly Drive downstream to Lake Michigan.
- (E) The Galena River and its tributaries in LaPorte County.
- (F) The St. Joseph River and its tributaries in St. Joseph County from the Twin Branch Dam in Mishawaka downstream to the Indiana/Michigan state line.
- (G) The Indiana portion of the open waters of Lake Michigan.
- (H) Those waters designated by the Indiana Department of Natural Resources for put-and-take trout fishing. (Refer to [www.IN.gov/dnr/fish-and-wildlife/fishing/indiana-fish-stocking](https://www.IN.gov/dnr/fish-and-wildlife/fishing/indiana-fish-stocking) for listing of put-and-take trout fishing locations.) Further details can be found at <http://www.in.gov/legislative/iac/T03270/A00020.PDF>.

##### **NATURAL, SCENIC, or RECREATIONAL RIVER or STREAM**

Blue River – Harrison, Crawford and Washington counties  
Cedar Creek – Allen and DeKalb counties  
Wildcat Creek – Tippecanoe and Carroll counties  
Further details can be found in 312 IAC 7-2, at: [www.in.gov/legislative/iac/T03120/A00070.PDF](https://www.in.gov/legislative/iac/T03120/A00070.PDF)