



January 26, 2024

2024 Indiana General Assembly

Bills of INAFSM Interest

Senate Bill 105: *Update the Indiana Drainage Handbook*

Senate Bill 140: *Logjam Removal*

Senate Bill 184: *Removal of Debris from Streams*

Senate Bill 246: *Assessment of Wetlands Classified as Wildlands*

House Bill 1383: *Wetlands*

House Bill 1394: *IDNR Best Available Flood Hazard Data*

House Bill 1401: *Various Natural Resource Matters*

House Bill 1403: *Wetlands*

House Bill 1417: *Update the Indiana Drainage Handbook*

Important Dates for the 2024 Session of the Indiana Legislature:

Tuesday January 9, 2024 – Deadline for filing Senate Bills

Thursday January 11, 2024 – Deadline for filing House Bills

Monday February 5, 2024 – Last day for Third Reading of House Bills in the House.

Tuesday February 6, 2024 – Last day for Third Reading of Senate Bills in the Senate.

Monday March 4, 2024 – Last day for Third Reading of Senate Bills in the House

Tuesday March 5, 2024 – Last day for Third Reading of House Bills in the Senate.

Thursday March 14, 2024 – Last day for Adjournment of both Houses.

Senate Bill 105 *Update the Indiana Drainage Handbook*

<https://iga.in.gov/legislative/2024/bills/senate/105/details>

House Bill 1417 *Update the Indiana Drainage Handbook*

<https://iga.in.gov/legislative/2024/bills/house/1417/details>

An update of the Indiana Drainage Handbook, originally produced in 1996 and updated in 1999, was a recommendation of the Indiana Drainage Task Force. These two bills direct the Indiana Department of Agriculture to select a contractor to update the handbook under the direction of an advisory board of at least eight members.

Senate Bill 105 was passed 8-0 by the House Committee on Natural Resources on January 18, 2024.

House Bill 1417 was assigned to the House Committee on Agriculture and Rural Development and a hearing on the bill will take place Monday January 29, 2024 at 10:30 a.m.

Senate Bill 140 *Logjam Removal*

<https://iga.in.gov/legislative/2024/bills/senate/140/details>

Senate Bill 184 *Removal of Debris from Streams*

<https://iga.in.gov/legislative/2024/bills/senate/184/details>

House Bill 1394 *IDNR Best Available Flood Hazard Data*

<https://iga.in.gov/legislative/2024/bills/house/1394/details>

House Bill 1401 *Various Natural Resource Matters*

<https://iga.in.gov/legislative/2024/bills/house/1401/details>

Although some logjam and debris removal activities can be accomplished with little to no permitting requirements by the Indiana Department of Natural Resources (IDNR), Senate Bills 140 and 184 were proposed based on testimony to the Indiana Drainage Task Force. The bills would allow some instream logjam/debris activities without the need for IDNR permits.

Senate Bills 140 and 184 were passed 8-0 by the Senate Committee on Natural Resources on January 18, 2024.

House Bill 1401 is the IDNR agency-sponsored bill for this session. It includes some cleanup language on various IDNR matters and includes language similar to that in Senate Bills 140 and 184. House Bill 1401 also provides further direction to IDNR when reviewing a floodplain determination request by a private property owner and directs IDNR to notify property owners when information published on the Floodplain Information Portal is updated. IDNR worked with Representative Lindauer on the drafting of the bill and supported the bill in the House Committee on Natural Resources where it passed 10-0 on January 17, 2024. The funding for the STREAM Act Fund (for acid mine drainage abatement, subsidence abatement, etc.) triggered a hearing with the House Ways and Means Committee which took place on January 24, 2024 where the bill passed 22-0.

House Bill 1394 deals again with published floodplain data by the IDNR at the Indiana Floodplain Information Portal. The bill again allows an applicant for a floodplain development permit to choose which data the local floodplain administrator will use in evaluating the permit application; requires IDNR to, upon request, review the IDNR Best Available Data using detailed methods and potentially ground truthed verification and to complete the review within 120 days. The bill will also require IDNR to notify landowners when new information is added to the Best Available Data and when a new Flood Insurance Rate Map (FIRM) is published based on IDNR Best Available Data. Public Meetings may also be requested.

House Bill 1394 does not yet have a hearing scheduled with the House Committee on Natural Resources.

Senate Bill 246 *Assessment of Wetlands Classified as Wildlands*

<https://iga.in.gov/legislative/2024/bills/senate/246/details>

House Bill 1383 *Wetlands*

<https://iga.in.gov/legislative/2024/bills/house/1383/details>

House Bill 1403 *Wetlands*

<https://iga.in.gov/legislative/2024/bills/house/1403/details>

Senate Bill 246 will allow tax credits for wetlands classified as wildlands. The bill passed the Senate Committee on Natural Resources 8-0 on January 18, 2024.

House Bill 1383 was presented as compromise legislation worked on by staff of the Indiana Department of Environmental Management (IDEM) and the Indiana Homebuilders Association. In general, the bill will allow more wetlands to be classified as Class 1 and Class 2 Wetlands and less wetlands to be classified as Class 3 Wetlands. The Class 1 and Class 2 Wetlands are far less protected and impacts to these wetlands may not require permitting or mitigation. This bill will result in the loss of wetlands. After much testimony and the offering of a significant amendment that was not allowed to be heard by the committee chairperson, House Bill 1383 passed the House Committee on Environmental Affairs 8-4 on January 17, 2024, passed Second Reading in the House on January 22, 2024 and passed Third Reading in the House on January 23, 2024 by a vote of 64-30. The bill has been assigned to the Senate Committee on Environmental Affairs and a hearing for the bill has been scheduled for Wednesday January 31, 2024 at 10:30 a.m.

House Bill 1403 would significantly modify the State Regulated Wetlands Program by mirroring more of the federal wetlands program for definitions, permitting criteria, mitigation requirements. It is very similar to the amendment offered but not heard in the January 17, 2024 committee hearing. House Bill 1403 does not yet have a hearing scheduled with the House Committee on Environmental Affairs.