

HOUSE BILL No. 1830

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-29-6.

Synopsis: Prohibit impoundment of scenic rivers. Requires the director of the department of natural resources to maintain rivers in the Indiana natural, scenic, and recreational river system free of impoundments at all times.

Effective: July 1, 1999.

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January 26, 1999, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1830

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 14-29-6-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. As used in this
3 chapter, "scenic river" means a river that:
4 (1) is free of impoundments **at all times**;
5 (2) is accessible in several places; and
6 (3) has minimal pollution and shoreline developments.
7 SECTION 2. IC 14-29-6-8 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) As used in this
9 section, "natural river" means a river that **is** free of impoundments **and**
10 is generally unpolluted, undeveloped, and inaccessible.
11 (b) The director may study and periodically submit to the
12 commission proposals for the inclusion of a section of a river into the
13 system that, in the director's judgment, falls within at least one (1) of
14 the following categories:
15 (1) Natural river.
16 (2) Scenic river.
17 (3) Recreational river.



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1 (c) In recommending a river or section for inclusion in the system,
2 the director shall prepare a detailed report on the factors that, in the
3 director's judgment, make the river worthy of designation for inclusion
4 in the system. This report shall evaluate among other categories the
5 following:

- 6 (1) Length of segment.
- 7 (2) Condition of naturally occurring vegetation.
- 8 (3) Stream scenic view.
- 9 (4) Physical modification of stream course.
- 10 (5) Human developments along stream.
- 11 (6) Unique or special features of area.
- 12 (7) Water quality.
- 13 (8) Paralleling roads.
- 14 (9) Number of stream crossings.

15 (d) Specific criteria for each of these natural river, scenic river, and
16 recreational river categories shall be selected after having given due
17 consideration to the categories specified in subsection (c) and any other
18 categories that are considered to be important.

19 SECTION 3. IC 14-29-6-12 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 12. (a) The director
21 shall prepare and maintain a plan for the establishment, development,
22 management, use, and administration of rivers in the system. The river
23 system plan shall be included and becomes an integral part of the
24 comprehensive state plans for water management and outdoor
25 recreation.

26 (b) When a river is proclaimed a part of the system, the river
27 becomes an administrative responsibility of the director. The director
28 shall take the necessary action in keeping with the policy of this
29 chapter to acquire, develop, maintain, and preserve the river and
30 authorized related land area in accordance with the director's powers
31 and duties with respect to parks, fish and wildlife areas, reservoirs,
32 forests, and miscellaneous areas. The director may seek assistance in
33 the development, operation, and maintenance of scenic rivers from
34 other governmental units and agencies.

35 (c) **The director shall, at all times, maintain the rivers in the**
36 **system free of impoundments, including natural and unnatural**
37 **obstructions and debris.**

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