

APPENDIX E.5

IDNR Obstruction Removal Notification Form

**NOTIFICATION OF CONSTRUCTION IN A FLOODWAY UNDER IC 14-28-1
FOR OBSTRUCTION REMOVAL FOR RIVER AND STREAM MAINTENANCE**

Submit To:
Division of Fish and Wildlife
Environmental Unit
Department of Natural Resources
402 West Washington Street, Room W273
Indianapolis, Indiana 46204-2748
Telephone: (317) 232-4080

Application # _____

REQUIREMENT FOR ADDITIONAL INFORMATION AND PERMITS

Notification made to the Department of Natural Resources does not in any way relieve the notifier of the necessity of securing easements or other property rights, permits and approvals from affected property owners and other local, state, and federal agencies.

NOTIFIER INFORMATION

Name of Notifier: _____ Name of Contact Person: _____
Address(street, P.O. Box or R.R.): _____ Telephone:(_____) _____
FAX: (_____) _____
City, State, and Zip Code: _____

PROPOSED PROJECT INFORMATION

Name of Watercourse: _____ Name of USGS Quadrangle Map (include a copy with project site circled): _____
County: _____ Quarter Section (check): Section Or Grant: _____
NE NW SE SW
Nearest City or Town: _____ Township: _____ Range: _____
N S E

Additional Location Information: Reference readily discernable landmarks such as major roadways, bridges, dams, etc. Use a separate sheet to provide a narrative description of these locations. These locations must also be designated on a USGS Topographic Map and National Wetland Inventory Map completed for the following: 1) Project terminal points; 2) Access routes to obstructions; and 3) Debris disposal sites.

PERMISSION TO ENTER UPON THE PROJECT SITE AND PERFORM OBSTRUCTION REMOVAL

1. Demonstrate proof that the notifier is the owner of the stream or river(or sole riparian owner along a navigable river or stream), or demonstrate another basis by which the notifier has permission to enter upon the project site and to perform the obstruction removal.
2. Demonstrate proof that the notifier has permission for any access route and site where logs and other debris will be secured following removal from the stream or river.
3. The notifier must show participation or agreement by other interested persons in the following circumstances: 1) by the Drainage Board with respect to a regulated drain; 2) by all beneficiaries to the drain with respect to a mutual drain; and 3) by the governing body of any municipality or conservancy district in which the project is located.

DESCRIPTION

1. Anticipated start date of the project: _____
 2. Provide photographs and/or video tapes or other graphic documentation of the obstruction and access route to the obstruction, and demonstrate that the following conditions exist on the stream or river:
 - a. Accumulations of logs, root wads, and other debris that occasionally span the waterway and may be interlocked.
 - b. Large amounts of fine sediments have not covered nor become lodged in the obstruction.
 - c. Accumulations are extensive enough to cause bank erosion and upstream ponding damages.
 3. Provide a narrative describing the obstruction removal project and the purpose for the project.
 4. Circle the type of equipment that will be used for the obstruction removal:
 - Hand operated equipment: axes, chain saws, portable winches, other.
 - Heavy equipment: trucks, tractors, backhoes, dozers, log skidders, other(describe): _____
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TERMS AND AGREEMENTS

1. Hand-operated equipment will be used for the obstruction removal.
2. Where hand-operated equipment is impracticable, heavy equipment must not be equipped for excavation. Examples are small tractors, a backhoe with a hydraulic thumb, a dozer with the blade up, and a log skidder.
3. Any free logs or affixed logs that are crossways in the channel will be cut, relocated, and removed from the flood plain, unless the logs are piled and secured by cables in an area not threatened by the flow of the water. Logs will be removed with minimal damage to vegetation and placed outside of any wetlands.
4. Isolated or single logs that are embedded, lodged, or rooted in the channel, and which do not span the channel or cause flow problems, will not be removed unless they are associated with or in close proximity to larger obstructions, or they pose a hazard to navigation.
5. A severely damaged, leaning, or other tree which is in immediate danger of falling into the waterway may be cut and removed, but only if the tree is associated with or in close proximity to an obstruction. The root system and stump of the tree will be left in place.
6. No access road will be constructed that will destroy more than one acre of trees in the floodway, traverse a wetland indicated on the National Wetland Inventory Map unless pads are used, raise the elevation of the flood plain, or cross a river or stream.
7. All work will be conducted exclusively from one(1) side of the river or stream.

I hereby submit this notification for construction in the flodway under IC 14-28-1 for obstruction removal as described above, and swear and affirm, under the penalties for perjury, that the information submitted herewith is to the best of my knowledge and belief, true, accurate and complete, and that this project for obstruction removal for river or stream maintenance in a floodway will be in compliance with the provisions of IC 14-28-1.

Signature of Notifier or Authorized Representative: _____

Date: _____

DEPARTMENT REVIEW

The obstruction removal for river and stream maintenance will require a permit under IC 14-28-1 if:

1. The project does not satisfy the performance standards of IC 14-28-1.
2. The Department of Natural Resources determines there is a documented occurrence of any of the following:
 - a. Within a river or stream listed at 16 IR 1677 in the Outstanding Rivers List for Indiana.
 - b. Within 1/2 mile of the project area:
 - I) A species listed in the Roster of Indiana Animals and Plants which are Extirpated, Endangered, Threatened, or Rare.

Yes No
 - ii) A known mussel resource.

Yes No
 - iii) An Outstanding Natural Area.

Yes No

Description of occurrence: _____

DEPARTMENT DECISION

_____ This project for obstruction removal for river or stream maintenance does not qualify for exemption to IC 14-28-1 for the following reason:

_____ This project for construction removal for river or stream maintenance is exempt from the requirements of IC 14-28-1 if the following conditions are followed:

Environmental Coordinator: _____

Division of Fish and Wildlife:

Date Received

Date of Response

If a permit under IC 14-28-1 is required contact the Division of Water for additional information:

Permit Administration Section
Division of Water
402 West Washington Street, Room W264
Indianapolis, Indiana 46204-2748