

# Public Notice

**US Army Corps  
of Engineers**

Louisville, Detroit, and  
Chicago Districts ®

Public Notice No.  
LRL-2014-100

Date:  
June 12, 2018

Closing Date:  
July 13, 2018

Please address all inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Mr. Laban C. Lindley  
Indianapolis Regulatory Office  
8902 Otis Avenue, Suite S106B  
Indianapolis, Indiana 46216

Phone: (317) 543-9424

NOTICE ANNOUNCING APPROVAL OF THE INDIANA DEPARTMENT OF NATURAL  
RESOURCES IN-LIEU FEE PROGRAM INSTRUMENT

This notice announces that on May 3, 2018, the Louisville, Detroit, and Chicago Districts of the U.S. Army Corps of Engineers (the “Corps”), approved the Indiana Department of Natural Resources (IDNR) In-Lieu Fee Program Instrument. The final instrument was submitted by the Sponsor, IDNR, to the Corps on February 16, 2018, and is consistent with 33 CFR Part 332 “Compensatory Mitigation for Losses of Aquatic Resources” (“Mitigation Rule”), as published in the Federal Register (FR) ((FR Vol. 73 No. 70, p 19670-19705(33 U.S. C.401 et seq.; 33 U.S.C 1344; and Pub. L. 108-136)) on April 10, 2008.

USE OF IDNR IN-LIEU FEE PROGRAM:

In-Lieu Fee (ILF) mitigation occurs in circumstances where a permittee purchases credits from an ILF Program instead of completing project-specific mitigation or purchasing credits from an approved mitigation bank. The IDNR ILF Program is authorized to provide mitigation associated with Department of Army (DA) Permits pursuant to Section 404 of the Clean Water Act and Section 10 of the River and Harbors Act of 1899 (33 U.S.C. 401), and Indiana Department of Environmental Management (IDEM) permits pursuant to Section 401 of the Clean Water Act and Indiana State Isolated Wetlands Law (IC 13-18-22), within the State of Indiana.

Permittees wishing to purchase mitigation credits from the IDNR ILF Program, should contact IDNR by calling Mr. Carl J. Wodrich at (317) 232-1291, emailing at [cwodrich@dnr.in.gov](mailto:cwodrich@dnr.in.gov), or by writing to Mr. Wodrich at Indiana Department of Natural Resources, 402 W. Washington Street, W255A, Indianapolis, Indiana, 46204, to determine mitigation credit availability and credit fee structure. Please note that, in accordance with the Mitigation Rule, the cost per mitigation credit is set by the Sponsor.

EFFECTIVE DATE:

For projects proposing purchase of mitigation credits from the IDNR ILF Program, all applications submitted on or after the date of this notice shall be subject to the terms and conditions set forth in the approved IDNR ILF Instrument.

SERVICE AREA:

There are eleven Service Areas for the IDNR ILF Program covering the entire State of Indiana (Exhibit 1). An exhibit depicting the 11 Service Areas can also be found on page 4 of the IDNR ILF Instrument.


CONTACT INFORMATION:

Please be advised that the Corps is not seeking public comments on this notice. The IDNR ILF Instrument is available on the Corps “Regulatory In-Lieu Fee and Bank Information Tracking System” (RIBITS) internet site <https://ribits.usace.army.mil> or by requesting at the address listed above. Questions regarding the IDNR ILF Instrument should be directed to Mr. Laban Lindley, at the address noted above and should refer to the Public Notice Number LRL-2014-100.

# Indiana Stream and Wetland Mitigation Program Service Areas

USACE Public Notice  
LRL-2014-100  
Exhibit 1.

## IN SWMP Service Areas:

-  Calumet-Dunes
-  St. Joseph River
-  Maumee
-  Upper Wabash
-  Kankakee
-  Middle Wabash
-  Upper White
-  Whitewater-East Fork White
-  Lower White
-  Upper Ohio
-  Ohio-Wabash Lowlands

