

Indiana Department of Natural Resources  
Indiana Stream and Wetland Mitigation Program  
Calendar Year 2020 Annual Report

Prepared in Accordance with the approved Final Instrument  
US Army Corps of Engineers I.D. Number LRL-2014-100-lcl

February 2021



Division of Land Acquisition

<http://on.in.gov/inswmp>

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## **Introduction**

This report provides information on the Indiana Stream and Wetland Mitigation Program (IN SWMP), an in-lieu fee (ILF) program sponsored by the Indiana Department of Natural Resources (DNR), for calendar year 2020 (CY20) as required by the 2008 federal mitigation rule (specifically 33 CFR §332.8(i)(3) & (q)(1)), and the DNR's approved IN SWMP Instrument. The Instrument was approved by the U.S. Army Corps of Engineers (USACE) Louisville, Detroit and Chicago Districts and the Interagency Review Team (IRT) on May 3, 2018, officially authorizing the DNR to sell mitigation credits for stream and wetland impacts authorized by permits issued by USACE and the Indiana Department of Environmental Management (IDEM). This is DNR's third annual report since receiving program approval.

The Instrument defines roles and responsibilities of the USACE, DNR, and an Interagency Review Team (IRT) composed of USACE Louisville, Detroit, and Chicago Districts within Indiana, the U.S. Environmental Protection Agency (USEPA), IDEM, U.S. Fish and Wildlife Service (USFWS), and the U.S. Department of Agriculture's Natural Resource Conservation Service (NRCS).

The Indiana Natural Resources Foundation (INRF) is serving as the DNR's fiscal agent for IN SWMP. The INRF is a quasi-governmental organization supporting the DNR as its official non-profit partner. The INRF and DNR have a memorandum of understanding (MOU) outlining roles and responsibilities for the management of the IN SWMP account and the funds within the account and any sub-accounts. The NRF currently receives 2 percent of each credit sale as their administrative fee for the management of the IN SWMP funds. Information about the Indiana Natural Resources Foundation can be found at <https://www.indiananrf.org/>.

## **Purpose of an In-Lieu Fee Program**

The DNR's IN SWMP was developed in accordance with 33 C.F.R. 332.8. The approved Instrument allows the DNR to sell stream and wetland mitigation credits to permittees that can be used for compensatory mitigation for unavoidable impacts to waters of the United States and isolated wetlands in the State of Indiana. Permits are required by USACE in accordance with Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) for work in or affecting traditionally navigable "waters of the United States" (WOTUS), Section 404 of the Clean Water Act (CWA) (33 U.S.C. §1251 et seq.) for the discharge of dredged and/or fill material into WOTUS, and by IDEM under Section 401 Water Quality Certification of the CWA and state isolated wetland impacts under the Indiana Isolated Wetlands law (Indiana Code 13-18-22).

An ILF program provides one option for mitigating unavoidable impacts to waters of the U.S. and/or waters of the state regulated by USACE and/or IDEM. This involves purchase of credits (or payment of a fee) to an entity approved by USACE to conduct the mitigation in-lieu of performing the mitigation themselves (permittee-responsible mitigation). This additional method of mitigation is termed "in-lieu fee mitigation". An ILF program involves restoration, establishment, enhancement and/or preservation of aquatic resources after impacts have occurred on the landscape. Therefore, an ILF program sells "advanced credits" to permittees who

purchase these credits in lieu of performing permittee responsible mitigation because the credits are purchased in advance of the program sponsor building mitigation projects on the landscape. The legal obligation to provide the compensatory mitigation required by the authorized permits is then transferred to the sponsor of the ILF program upon receipt of funds for credits sold to permittees for stream and/or wetland mitigation in a service area.

**Annual Program Summary**

As of the end of CY20, stream and/or wetland credits have been sold in all eleven (11) Service Areas (SA). Credit sale letters from DNR along with receipts from the INRF have been provided to permittees, regulatory project managers, USACE IRT members and USACE Regulatory In-lieu fee and Bank Information Tracking System (RIBITS) administrators upon the completion of each credit sale. A credit sale ledger has been provided to the USACE Louisville, Detroit and Chicago Districts and to IDEM on a monthly basis since program approval. **Table 1** below shows a summary of credit sales for stream and wetland credits and total revenue for CY18, CY19 and CY20.

Year	Total Advanced Wetland Credit Sales	Total Advanced Stream Credit Sales	Total Credit Revenue
2018	15.69	1,159	\$1,818,060.00
2019	51.44	7,131	\$7,299,830.00
2020	77.03393	38,943.65	\$23,426,421.37
<b>Total</b>	<b>144.16393</b>	<b>47,233.65</b>	<b>\$32,544,311.37</b>

**Table 1.** Program Credit Sales and Revenue for CY 18, CY19 and CY20.

CY20 credit sales were significantly greater than CY19 and CY18. CY18 was the year the program was approved (May 2018) and the first credit sale was at the beginning of the last quarter of the calendar year. The increase in credit sales in CY20 is primarily due to two credit purchases from the Indiana Department of Transportation for impacts associated with interstate improvement projects to (1) expand and widen I-465 between I-65 and South East Street and between Mann Road and I-70 (credit purchase = \$4,012,540.00), and (2) upgrade SR 37 to interstate for approximately 20 miles from Martinsville to Indianapolis (I-69; credit purchase = \$5,435,100.00).

In general, implementation of IN SWMP mitigation projects will occur after sufficient funds are available in a service area to undertake a project. Unless the Corps determines more time is needed to plan and implement an IN SWMP project (33 CFR §332.8(n)(4)), all advanced credits sold within a calendar year in each respective service area will accumulate, and the delivery of permanent protection and initial physical and/or biological improvements for the sum of those credit sales shall be due three (3) years from the end of the given calendar year.

**Table 2** below shows the distribution of permitted projects in which the permittee purchased IN SWMP mitigation credits in CY20 by each of the three USACE Districts in Indiana. **Table 3** also shows the number of permits authorized by IDEM where there were only impacts to state isolated wetlands with no jurisdictional waters of the U.S. were impacted.

<b>USACE Districts and State Isolated Wetland Only</b>	<b>Number of Projects</b>
Louisville District*	57
Detroit District**	10
Chicago District	12
Isolated Only***	22
<b>Total Projects purchasing ILF credits in CY20</b>	<b>101</b>

**Table 2.** Total number of permitted projects in which ILF credits were purchased in CY20 per either Corps District, State Isolated Wetland jurisdiction, or combined federal and state isolated jurisdiction.

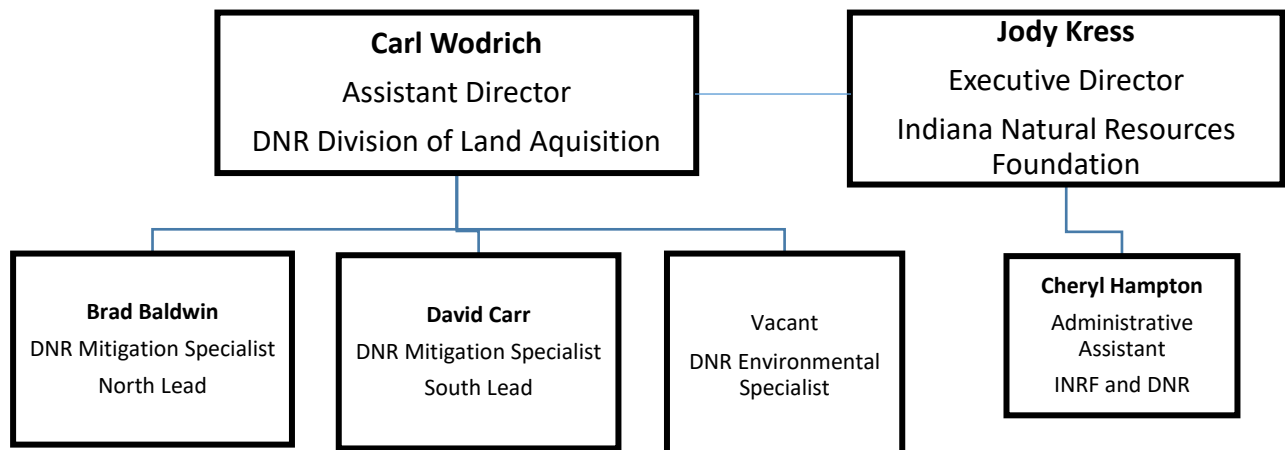
\*Six (6) permitted projects in the Louisville District also had state isolated wetland impacts with ILF mitigation

\*\*One (1) permitted project in the Detroit District also had state isolated wetland impacts with ILF mitigation

\*\*\*Projects with only isolated wetland impacts requiring ILF mitigation

### IN SWMP Staffing and Organizational Structure

**Figure 1** below shows the organizational structure of DNR and INRF IN SWMP team. **Figure 2** shows the Indiana ILF program service areas and the DNR IN SWMP staff coverage for the state.



**Figure 1.** IN SWMP Organizational Chart.

# Indiana Stream and Wetland Mitigation Program (IN SWMP)

<https://on.in.gov/inswmp>

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## IN SWMP Service Areas

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

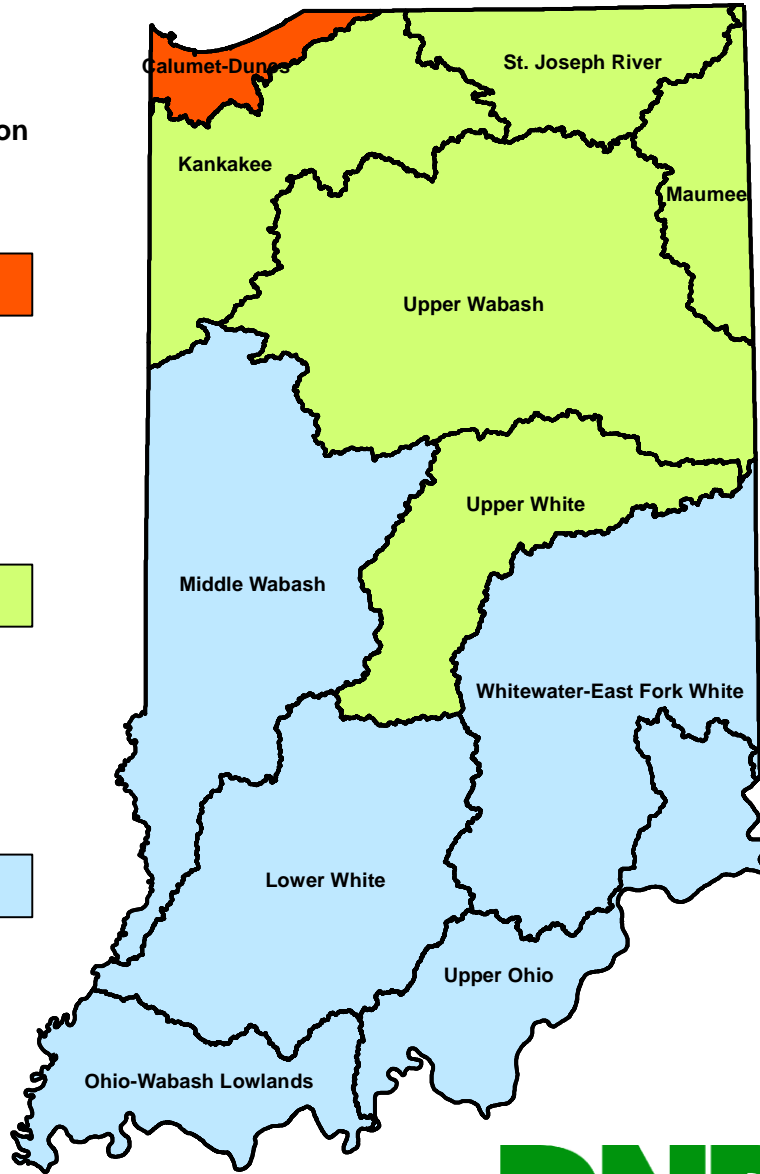


Figure 2. Current IN SWMP Staff and Service Areas Map.

Carl Wodrich, Assistant Director for the DNR's Division of Land Acquisition, is responsible for the overall administration and management of the program, and the Calumet-Dunes Service Area. DNR IN SWMP has two (2) Mitigation Specialists, David Carr and Brad Baldwin, each responsible for the implementation of restoration and mitigation projects in five (5) of the program's service areas in addition to continued programmatic responsibilities. IN SWMP staff responsibilities include but are not limited to:

- Ongoing assessment of IN SWMP internal and external procedures and documentation in coordination with program, division, and agency management;
- Develop and maintain conservation partnerships, to include federal, state and local governments, and land trusts;
- Identification and initial assessment of potential mitigation project sites through GIS, other data sources, and field visits as well as through working with internal and external conservation partners and potentially interested landowners;
- Coordination and oversight of contractors assisting the DNR with site selection, design, permitting/regulatory approvals, site visits, construction, maintenance, and project performance monitoring;
- Execute credit sales and coordinate with permittees, regulatory agencies and the Indiana Natural Resources Foundation as necessary to complete sales;
- Maintain credit ledgers and draft annual reports to USACE;
- Outreach and marketing to public, non-profit and private sectors.

The Environmental Specialist position, when filled, will process all credit sales, keep the program ledger updated, provide contract administration support for the program, be responsible for much of the program's annual reporting, and will assume other duties for the program as assigned and as the program grows and evolves in the coming years. This position will also manage projects associated with the natural resources damage program which will be paid for with monies other than IN SWMP administrative funds.

DNR is planning to add a third Mitigation Specialist to the program staff in 2021.

### **Credits, Pricing and Status**

**Table 3** below provides the stream and wetland credit prices per service area as initially established and approved in the Instrument. Stream and wetland credit prices have not been adjusted since the program's approval. DNR will be evaluating credit pricing for each service area based upon changes in federal and state regulations in 2021 to ensure that the agency is charging the appropriate price per credit in order to meet the requirements laid out in the program's approved instrument as well as the 2008 federal mitigation rule.

Service Area	Stream Credit Price (lf)	Wetland Credit Price (acre)
Calumet-Dunes	\$600	\$95,000
St. Joseph River (Lake MI)	\$600	\$120,000
Maumee	\$450	\$80,000
Kankakee	\$500	\$95,000
Upper Wabash	\$400	\$80,000
Middle Wabash	\$400	\$80,000
Upper White	\$450	\$80,000
Whitewater-East Fork White	\$400	\$80,000
Lower White	\$400	\$80,000
Upper Ohio	\$400	\$80,000
Ohio-Wabash Lowlands	\$400	\$80,000

**Table 3.** Stream and Wetland credit pricing per service area for CY20.

**Table 4 (stream) and Table 5 (wetland),** below and on the following page, provide an overview of the advance credit allocation as approved in the Instrument, available advance credits at the beginning of CY20, advance credits sold in CY20, available advance credit balance at the end of CY20, and the percent of advance stream and wetland credits available from the initial allocation at the end of CY20. There are currently no released credits to report.

Service Area	Base Allocation Advance Stream Credits	Advance Stream Credit Available at beginning of CY20	Advance Stream Credits Sold in CY20	Advance Stream Credits Available at end of CY20	% of Advance Stream Credits Available
Calumet-Dunes	45,000	45,000	8	44,992	99.98%
St. Joseph River (Lake MI)	45,000	45,000	941	44,059	97.91%
Maumee	45,000	45,000	740	44,260	98.36%
Kankakee	45,000	44,615	97	44,518	98.93%
Upper Wabash	45,000	44,410	3,038	41,372	91.94%
Middle Wabash	45,000	44,229	438.3	43,790.70	97.31%
Upper White	60,000	58,347	23,786.25	34,560.75	57.60%
Whitewater-East Fork White	45,000	43,365	1,239.50	42,125.50	93.61%
Lower White	45,000	44,751	5,826	38,925	86.50%
Upper Ohio	45,000	42,366	1,222	41,144	91.43%
Ohio-Wabash Lowlands	50,000	49,627	1,607	48,019.40	96.04%

**Table 4.** CY20 Stream Credits.

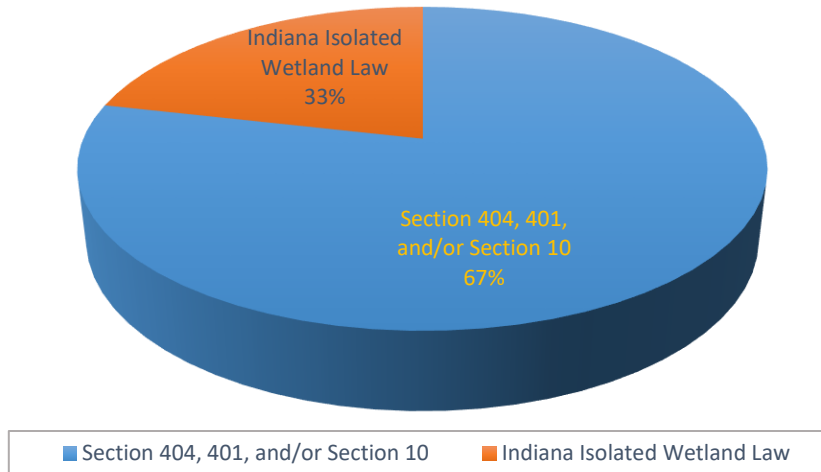


Service Area	Base Allocation Advance Wetland Credits	Advance Wetland Credits Available at beginning of CY20	Advance Wetland Credits Sold in CY20	Advance Wetland Credits Available at end of CY20	% of Advance Wetland Credits Available
Calumet-Dunes	90	82.84	10.69763	71.49437	79.44%
St. Joseph River (Lake MI)	90	87.275	3.166	84.109	93.45%
Maumee	90	90	11.5985	78.4015	87.11%
Kankakee	90	86.22	1.006	85.454	94.95%
Upper Wabash	90	89.249	2.12	87.309	97.01%
Middle Wabash	90	85.96	0.3992	85.5608	95.07%
Upper White	120	110.912	28.8436	82.0684	68.39%
Whitewater-East Fork White	90	74.998	9.549	65.449	72.72%
Lower White	90	90	1.795	88.205	98.01%
Upper Ohio	90	72.505	2.115	70.39	78.21%
Ohio-Wabash Lowlands	115	107.75	5.744	102.006	88.70%

**Table 5.** CY20 Wetland Credits.

**Figure 3.** on the following page depicts the percentage of the total statewide wetland credits, by jurisdiction, that resulted in the sale of IN SWMP advanced credits in CY20.

### % of Total Wetland Credits Sold CY20 by Jurisdiction



**Figure 3.** Percentage of the Total Wetland Credits Sold by Jurisdiction for CY20 (rounded to whole number).

**Table 6 (stream) and Table 7 (wetland)** provide information on the statewide cumulative impact quantities per stream type, wetland type and regulatory jurisdiction for permits in which ILF mitigation credits were purchased in CY20. For additional details, see **Appendix A**.

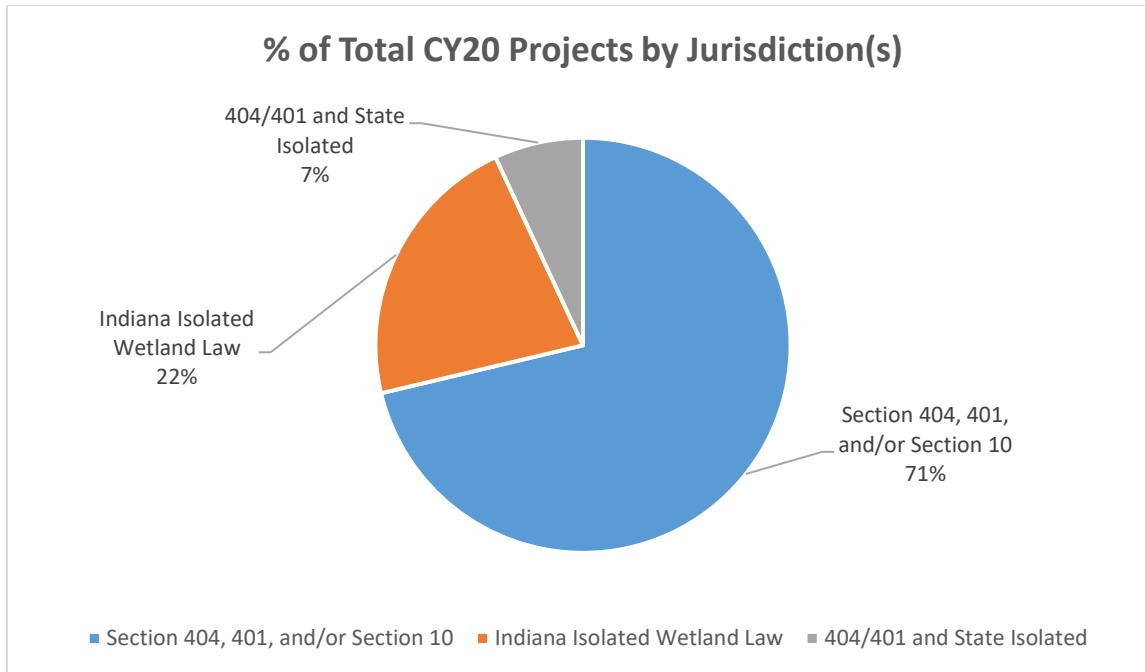
Linear Feet of Impact per Stream Type			
Ephemeral	Intermittent	Perennial	Total Linear Feet Impacts
18,777.9	12,198.55	6,249	37,225.45

**Table 6.** Statewide cumulative stream impact quantities by stream type (flow regime) for permits in which ILF mitigation credits were purchased in CY20.

Acres of Impact per Wetland Type							
Emergent	Scrub-Shrub	Forested	Isolated Class I Non-Forested	Isolated Class II Non-Forested	Isolated Class II Forested	Isolated Class III Forested	Total Impact Acreage
18.7091	1.696	12.101	9.221	0.117	4.072	2.16	48.0761

**Table 7.** Statewide cumulative wetland impact quantities by wetland type and jurisdiction for projects in which ILF mitigation credits were purchased in CY20.

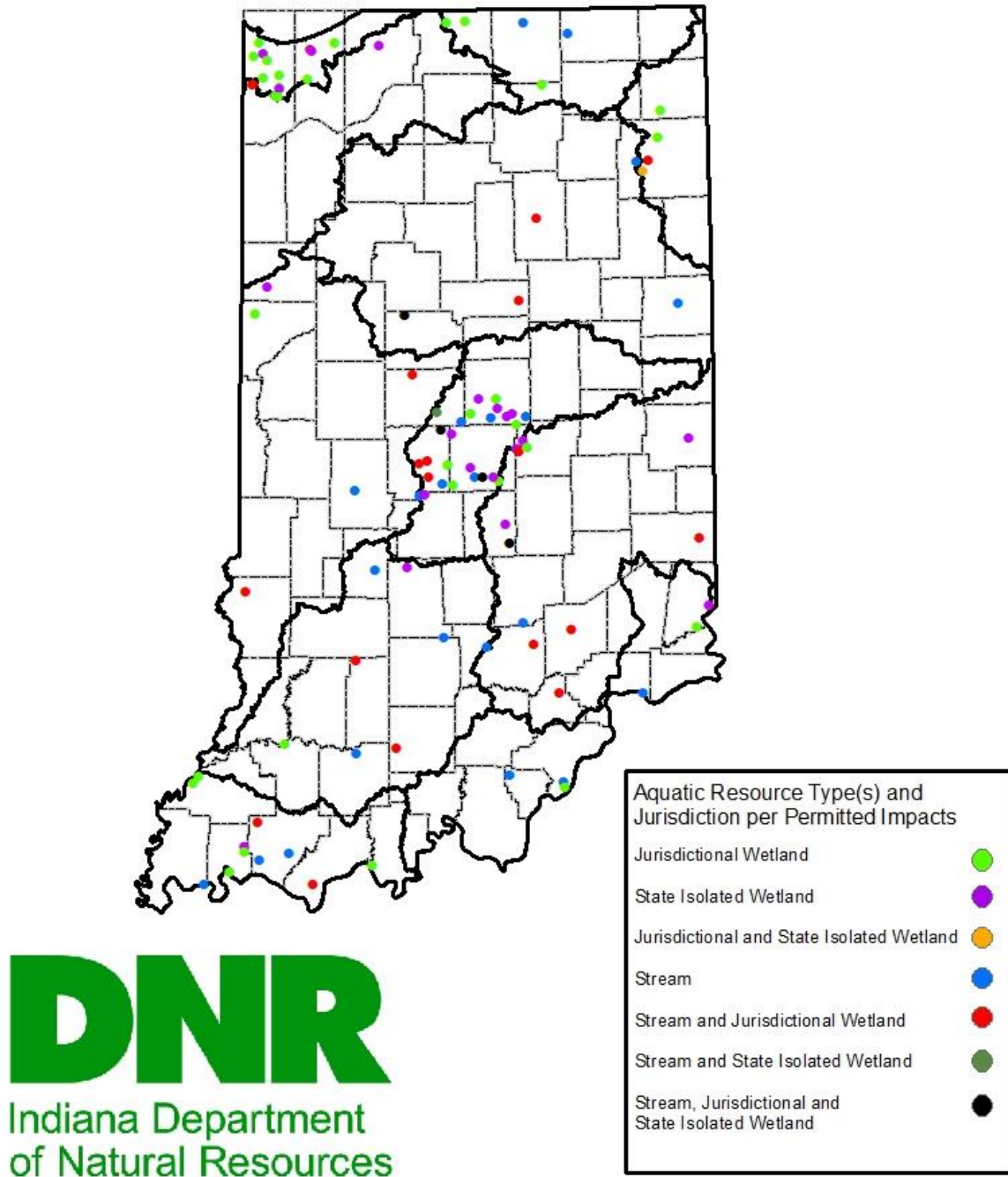
**Figure 4** on the following page depicts the jurisdiction(s) of cumulative permitted projects statewide that required purchase of IN SWMP advance credits in CY20.



**Figure 4.** Percentage of the Number of Projects by Jurisdiction for CY20 (rounded to whole number)

**Figure 5** on the following page shows the location, jurisdiction(s), and type(s) of permitted aquatic resource impacts requiring IN SWMP advance credit purchases that were sold in CY20.

Indiana Stream and Wetland Mitigation Program  
 Statewide Impacts by  
 Aquatic Resource Type and Jurisdiction

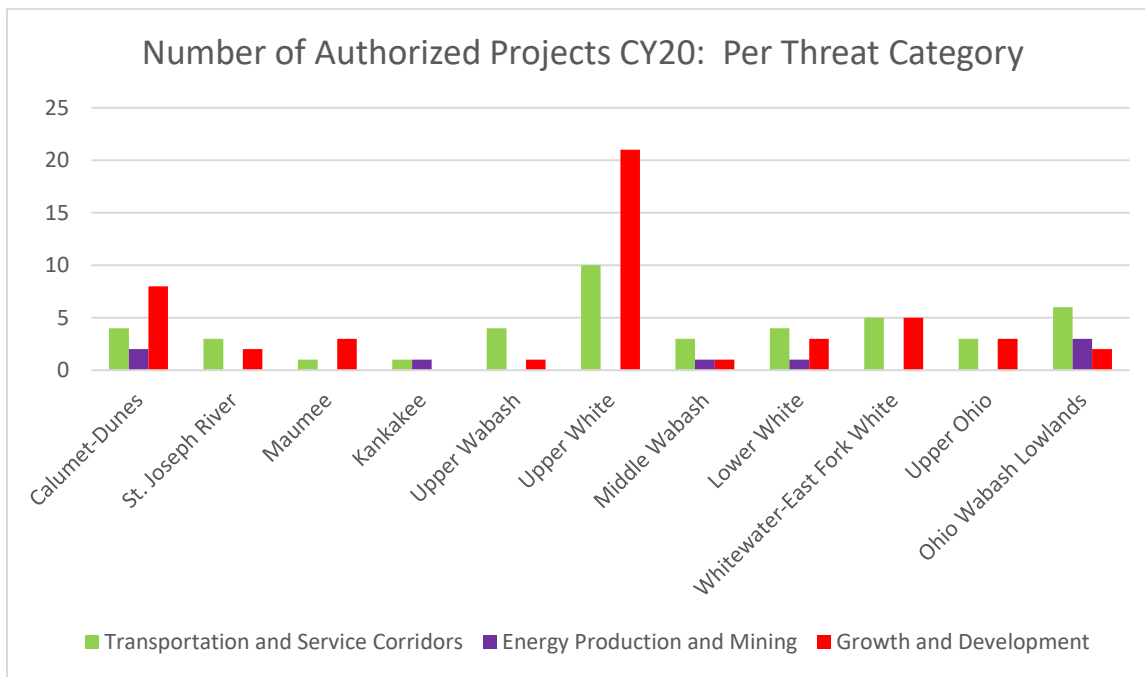


**Figure 5.** Aquatic resource type(s) and jurisdiction per permitted project for CY20 (Note: linear projects are shown as a single point).

The DNR’s IN SWMP Compensation Planning Framework (CPF), appendix B to the Instrument, identified the major anthropogenic categories of activities, both historic and ongoing, that result in the threats and impacts to the chemical, physical and biological integrity of aquatic resources and habitats across Indiana which include, but are not limited to, the following: 1) Growth and Development; 2) Agricultural Land Use; 3) Dams, Levees and Non-Levee Embankments; 4) Energy Production and Mining; and 5) Transportation and Service Corridors.

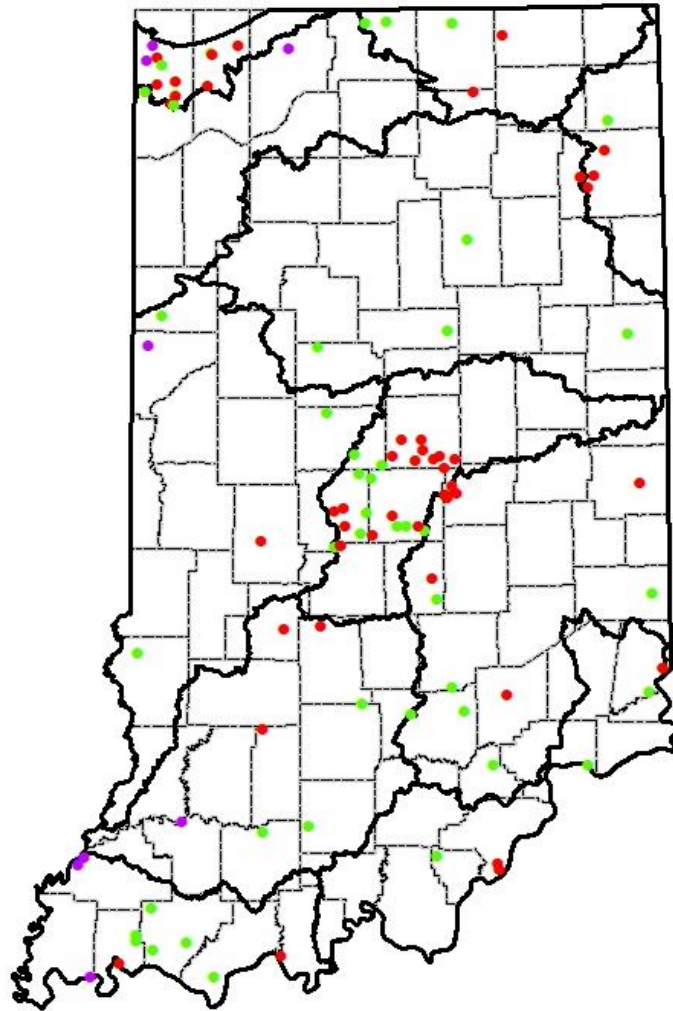
There were no agricultural land use, or dams, levees or non-levee embankment projects requiring ILF mitigation in CY20.

Stream and/or wetland ILF mitigation credit purchases based on the major anthropogenic aquatic resource threat categories in the IN SWMP CPF are shown below in **Figure 6** with the impact locations shown in **Figure 7**.



**Figure 6.** Number of authorized permits by project threat category that required IN SWMP credits that were purchased in CY20.

Indiana Stream and Wetland Mitigation Program  
Statewide Impacts by  
Major Anthropogenic Threat Category



**Figure 7.** Location and major anthropogenic threat category of each permitted impact (Note: linear projects are shown as a single point). There were no agricultural land use, or dams, levees or non-levee embankment projects requiring ILF mitigation in CY20.

**Program Financial Status**

The INRF IN SWMP Account has four sub-accounts as laid out in appendix A of the approved Instrument as follows:

- (a) Administrative Fund
- (b) Service Area Funds (in-lieu fee project funds for Section 10, 404, and 401 permitted impacts)
- (c) Service Area Funds (from credits sold for IDEM-permitted isolated wetland impacts)
- (d) Reserve Fund

**Table 8** below provides an overview of all income into the INRF IN SWMP account for DNR’s ILF program. For additional details, see **Appendix A (IN SWMP Ledger) and B (INRF IN SWMP Financials)**.

	<b>Amount</b>
IN SWMP Income through end of CY19	\$9,158,643.83
Admin Funds Received in CY20	\$3,513,963.21
Service Area Funds (WOUS) Received in CY20	\$14,993,503.95
Service Area Funds (Isolated) Received in CY20	\$1,404,991.00
Reserve Funds Received and Interest in CY20	\$3,544,549.00
<b>Total Funds Received in CY20</b>	<b>\$23,426,421.37</b>
<b>Total IN SWMP income through end of CY20</b>	<b>\$32,544,311.37</b>

**Table 8.** All income for DNR IN SWMP since program approval for CY18, CY19 and CY20.

**Administrative Fund**

Pursuant to the Instrument, the credit costs include an amount to fund the administration of the program. Fifteen (15) percent of each credit sale was deposited into this fund to carry out administrative tasks including, but not limited to, tasks completed by DNR staff, INRF staff, and/or professional services required to carry out operation of the IN SWMP program.

DNR may make withdrawals from the Administrative Fund at their discretion without the approval of USACE or the IRT to perform the tasks necessary to carry out the program. Administrative funds are being tracked separately from the service area funds and the reserve funds.

A total of \$3,513,963.21 in administrative funds were received in CY20 into the INRF IN SWMP Account. **Table 9** on the following page provides the details of the administrative funds during CY20, leaving a year-end balance of \$3,807,583.15 in the INRF IN SWMP administrative fund.

<b>Transactions – INRF INSWMP Administrative Fund</b>	<b>Amount</b>
Total Admin funds received from credit sales in CY20	\$3,513,963.21
Total Admin fees paid to INRF in CY20	-\$404,681.97
Total Admin funds transferred to DNR in CY20	-\$310,000.00
IN SWMP Admin Fund Balance End of CY20 in INRF	\$3,807,583.15
<b>Admin Transactions – DNR Dedicated INSWMP Fund</b>	<b>Amount</b>
Admin funds in DNR Dedicated INSWMP Fund end of CY19	\$83,282.37
Admin funds deposited into DNR Dedicated INSWMP Fund CY20	\$310,000.00
Admin expenses by DNR in CY20	-\$216,392.75
Admin funds remaining in DNR Dedicated Fund end of CY20	\$176,889.62

**Table 9.** Administrative Funds details through end of CY20

### Service Area Funds

Pursuant to the Instrument, service area funds to implement DNR IN SWMP mitigation projects shall be deposited into the DNR IN SWMP account and tracked by service area. Funds from credits sold for state isolated wetland impacts are deposited into a separate sub-account from credits sold for Section 10, 404 and 401 impacts. When funds are moved from the INRF to the DNR IN SWMP fund, these funds will be co-mingled but will be tracked when deposited into the DNR fund, however, the expenses for a project will not be tracked from cradle to grave since all wetlands restored will be considered WOTUS and it is not feasible to do so.

The service area funds will be used to implement compensatory mitigation projects including locating and identifying potential sites, planning, acquisition and/or site protection, design, construction, performance monitoring, adaptive management, financial assurances, long term management funding mechanisms, anticipated contingencies and/or other activities necessary for project approval and construction. Each individual mitigation project’s finances will be tracked within each service area using a project number in the financial system.

As of the end of CY20, stream and/or wetland credits have been sold in all of the eleven (11) Service Areas (SA). Contributions to the service area funds come from 70% of each credit purchase and are tracked per service area. **Table 10** shows, by service area, the total amount of stream and wetland credit sale revenue that was deposited into the service area fund in CY20. Additionally, **Table 10** shows the amount of funds deposited by service area that resulted from the sale of credits for isolated impacts permitted by IDEM in CY20.



Service Area	Stream Receipts CY20	Total Stream Receipts	Jurisdictional Wetland Receipts CY20	Isolated Wetland Receipts CY20	Total Wetland Receipts	Total Service Area Funds
Calumet-Dunes	\$3,360.00	\$3,360.00	\$539,157.40	\$172,235.00	\$1,214,664.40	\$1,218,024.40
Kankakee	\$33,950.00	\$168,700.00	\$58,919.00	\$7,980.00	\$318,269.00	\$486,969.00
Lower White	\$1,631,280.00	\$1,701,000.00	\$95,088.00	\$5,432.00	\$100,520.00	\$1,801,520.00
Maumee	\$233,100.00	\$233,100.00	\$596,876.00	\$52,640.00	\$649,516.00	\$822,616.00
Middle Wabash	\$122,724.00	\$338,604.00	\$21,963.20	\$392.00	\$248,595.20	\$587,199.20
Ohio-Wabash Lowlands	\$450,128.00	\$554,568.00	\$313,376.00	\$8,288.00	\$727,664.00	\$1,282,232.00
St. Joseph River	\$395,220.00	\$395,220.00	\$265,944.00	\$0.00	\$494,844.00	\$890,064.00
Upper Ohio	\$342,160.00	\$1,079,680.00	\$106,064.00	\$12,376.00	\$1,098,160.00	\$2,177,840.00
Upper Wabash	\$850,640.00	\$1,015,840.00	\$115,920.00	\$2,800.00	\$150,696.00	\$1,166,536.00
Upper White	\$7,492,668.76	\$8,013,363.76	\$528,281.60	\$1,057,728.00	\$2,094,937.60	\$10,108,301.36
Whitewater-East Fork White	\$347,060.00	\$804,860.00	\$449,624.00	\$85,120.00	\$1,374,856.00	\$2,179,716.00
<b>Totals</b>	<b>\$11,902,290.76</b>	<b>\$14,308,295.00</b>	<b>\$3,091,213.20</b>	<b>\$1,404,991.00</b>	<b>\$8,472,722.20</b>	<b>\$22,781,017.96</b>

**Table 10.** Service Area Funds<sup>1</sup> for Stream and Wetland (Jurisdictional WOTUS and state isolated) per Service Area. CY20 receipts and total receipts through end of CY20 since program approval.

**Table 11** on the following page shows the funds that were transferred from the INRF IN SWMP account to the DNR's dedicated fund utilized for the operation of the program for paying for expenses related to administration and operation of the program for the agency including paying for consultant contracts to assist the IN SWMP staff with mitigation site selection and conceptual planning. All of these funds are obligated in contractual agreements.

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<sup>1</sup> This does not include administrative or reserve funds.

<b>Service Area Funds Transferred to DNR IN SWMP Dedicated Fund in CY20</b>	<b>Amount</b>
Service Area Funds in DNR dedicated fund – end of CY19	\$275,000.00
Calumet-Dunes Service Area funds transferred – Wetland (WOUS)	\$113,850.00
Calumet-Dunes Service Area funds transferred – Isolated	\$1,150.00
Kankakee Service Area funds transferred – Wetland (WOUS)	\$39,823.00
Kankakee Service Area funds transferred - Stream	\$21,635.00
Upper Ohio Service Area funds transferred – Wetland (WOUS)	\$41,233.50
Upper Ohio Service Area funds transferred – Stream	\$43,766.50
Ohio-Wabash Lowlands Service Area funds transferred – Wetland (WOUS)	\$114,180.00
Ohio-Wabash Lowlands Service Area funds transferred – Stream	\$50,820.00
Upper Wabash Service Area funds transferred – Wetland (WOUS)	\$7,713.00
Upper Wabash Service Area funds transferred – Stream	\$43,707.00
Whitewater-East Fork White Service Area – Wetland (WOUS)	\$39,695.04
Whitewater-East Fork White Service Area – Isolated	\$11,856.96
Whitewater-East Fork White Service Area – Stream	\$33,477.50
Middle Wabash Service Area expenses in CY20	-\$10,536.05
Upper White Service Area expenses in CY20	-\$45,046.00
<b>Service Area funds remaining in DNR dedicated fund - end of CY20</b>	<b>\$836,665.45</b>

**Table 11.** Service Area Funds transferred to DNR’s dedicated fund for IN SWMP operations.

### **Reserve Fund**

Pursuant to the Instrument, the reserve fund shall be used for contingency actions, to provide program and project-specific financial assurances, long-term management, permanent protection activities (legal fees, encroachment repairs, boundary signage, etc.), and extra mitigation as may be necessary based upon the interest accrued on the account. As funds used for financial assurances for IN SWMP projects are released, those funds will remain in the Reserve Fund.

Contributions to the Reserve Fund for CY20 came from 15% of each credit sale and the accumulated interest on all IN SWMP account funds. The contributions to the Reserve Fund during CY20 included \$3,513,963.21 from credit sales and \$30,585.79 from interest. **Table 12** on the following page provides a full accounting of the Reserve Fund. There were no expenditures from the reserve fund in CY20.

Service Area	Stream Reserve Receipts CY20	Wetland Reserve Receipts CY20	Total All Reserve Receipts
Calumet-Dunes	\$720.00	\$152,441.23	\$261,005.23
Kankakee	\$7,275.00	\$14,335.50	\$104,350.50
Lower White	\$349,560.00	\$21,540.00	\$386,040.00
Maumee	\$49,950.00	\$139,182.00	\$189,132.00
Middle Wabash	\$26,298.00	\$4,790.40	\$125,828.40
Ohio-Wabash Lowlands	\$96,456.00	\$68,928.00	\$274,764.00
St. Joseph River	\$84,690.00	\$56,988.00	\$190,728.00
Upper Ohio	\$73,320.00	\$25,380.00	\$466,680.00
Upper Wabash	\$182,280.00	\$25,440.00	\$249,972.00
Upper White	\$1,605,571.88	\$339,859.20	\$2,166,064.58
Whitewater-East Fork White	\$74,370.00	\$114,588.00	\$467,082.00
Subtotal	<b>\$2,550,490.88</b>	<b>\$963,472.33</b>	<b>\$4,881,646.71</b>
Interest Earned on Reserve in CY20 <sup>2</sup>			<b>\$30,585.79</b>
<b>Total in Reserve Fund End of CY20<sup>3</sup></b>			<b>\$4,947,634.33</b>

**Table 12.** Reserve Funds Received in CY20 and the total of all Reserve funds received to date from each SA.

### **Project Planning Activities**

DNR IN SWMP continues to evaluate potential initial project credit delivery targets based on CY18, CY19 and CY20 credit sales and any projected sales the DNR is aware of through monitoring public notices from USACE and IDEM as well as through coordination with the Indiana Department of Transportation’s Environmental Services staff. As part of that effort, DNR IN SWMP has met with a number of conservation partners and landowners across the state to collaborate on potential projects. These relationships will continue to be fostered, especially with those partners who have shared potential mitigation sites for consideration with DNR staff. Specifically, Indiana land trust organizations, county parks and DNR land holding divisions have been particularly interested and willing to share potential project sites in their regions of the state. DNR will continue to reach out to additional conservation partners across Indiana to educate them on the program and discuss opportunities for partnering on future mitigation projects. The DNR also continues to meet with, and/or present to, many organizations and government entities for short and long-term planning purposes.

<sup>2</sup> Interest earned in 2020 included interest on credit sales where funds were received into the INRF IN SWMP account towards the end of December 2020, but the credit sale letters were not processed and sent by DNR IN SWMP to the permittee until after January 1, 2021, were not recorded on the ledger as a CY20 transaction, nor were those credit sale funds included in any other calculations of funds reported in this report (**Appendix A**).

<sup>3</sup> Similar to the interest earned, the end of CY20 reserve fund balance includes funds received in 2020 but the credit sale letters were not processed and sent to the permittee until after January 1, 2021 and were not recorded on the ledger as a CY20 transaction, nor were those credit sale funds included in any other calculations of funds reported in this report (**Appendix A**).

DNR has met with private, public and non-governmental property owners in several service areas to assess potential stream and/or wetland mitigation sites for consideration. Determination of suitability for some of these sites is still ongoing.

The DNR has been working diligently with these partners and its consultant contractors to identify, evaluate, and develop conceptual plans in 10 of the 11 eleven service areas.

The DNR submitted the first conceptual plan for a project in the Upper White Service Area to the USACE Louisville District IRT lead on November 16, 2020, for a proposed stream and wetland mitigation project in the Upper White Service Area in partnership with Hamilton County Parks and Recreation. The pre-application site visit with members of the IRT, Hamilton County Parks and DNR IN SWMP was conducted on January 12, 2021. DNR IN SWMP and Hamilton County plan to move the project forward in 2021, working through the Letter of Permission (LOP) process with the IRT, which will include land acquisition, permanent protection, final design and permitting before the project can be constructed.

DNR has developed a conceptual plan for a stream and wetland mitigation project in the Upper White Service Area in partnership with Red-tail Land Conservancy in Henry County that will be submitted to the USACE and IRT in early 2021, initiating the LOP process for review, permitting and mitigation plan approval.

In the Calumet-Dunes Service Area, DNR is working with the Shirley Heinze Land Trust on a potential project in Porter County. It is a parcel they more recently acquired as an addition to Enquist Nature Preserve that has potential wetland and stream restoration opportunities on the property and was identified in the East Branch Little Calumet River conservation planning efforts that have been taking place for the past several years. This property also adds the growing complex

In the Ohio-Wabash Lowlands Service Area, DNR is working with Lochmueller Group and have identified 62 parcels that have strong mitigation potential. In response they have mailed 50 separate letters to property owners associated with these parcels and continue to receive strong interest from interested parties.

In the Upper Ohio Service Area, Stantec has identified 143 parcels with high probability for successful restoration. Based on prioritization of current mitigation needs, they have contacted 5 property owners, which has resulted in two interested property owners responding to the initial inquiry. In the Whitewater-East Fork White Service Area, Stantec has 16 potential mitigation sites that are under consideration and being prioritized for meeting the programs mitigation needs within the Service Area.

As credit sales continue to compound and project prioritization efforts continue, similar approaches will be deployed throughout each Service Area. The multifaceted approach to identify and prioritize successful restoration projects is an important tool used to grow the DNR IN SWMP's project portfolio and meet project delivery requirements.

**Appendix C** provides a summary of DNR IN SWMP project site investigation throughout the state to date. The table indicates the extent to which a site has been evaluated to date, and its general location. This list is comprised of sites that have potential for stream and/or wetland restoration and are being further evaluated to determine which sites meet each Service Area's mitigation needs.

There are many sites across the State that were evaluated and have been ruled out of consideration based on factors such as risk to project success, project cost, insufficient ecological lift, or not meeting the goals and objectives, and/or prioritization strategy of the DNR IN SWMP CPF.

Additionally, site location and ownership specifics are not recorded in the table for the purposes of this report for the privacy and/or confidentiality of the property owner or conservation partner. Site specific information will be provided at the time projects have been chosen to develop a conceptual plan to be submitted to the IRT for consideration per the LOP.

In addition to the summary of projects provided in Appendix C, the DNR has directed its consultants to identify and contact property owners to gauge interest in the sale of their property and/or conservation easements for targeted restoration projects.

To date, DNR has executed contracts with eight (8) consulting firms through the Indiana Department of Administration's Division of Public Works process for consultant/designer services to assist the DNR with a range of services that will be essential to DNR to deliver successful, high-quality mitigation projects. These contractors will provide a full suite of services in order to draft conceptual project plans for DNR to submit to the USACE and IRT for review and consideration. Additionally, these contractors will provide real estate services; assist with coordination between DNR and other state and federal agencies; development of a full mitigation design and plan; drafting permit applications; drafting specifications for construction; and providing construction oversight.

As of the end of CY20, DNR IN SWMP has executed change orders to these contracts with detailed scopes-of-work and budgets with Cardno in the Middle Wabash and Upper White Service Areas, CHA in the St. Joseph and Upper Wabash Service Areas, Lochmueller Group in the Ohio-Wabash Lowlands Service Area, Stantec in the Whitewater-East Fork White and Upper Ohio Service Areas, Soil Solutions in the Calumet-Dunes Service Area, and KCI in the Kankakee Service Area. DNR will be executing change orders and/or new contracts for consultant services in the Maumee Service Area and the Lower White Service Area in the first half of 2021. DNR will likely enter into additional contracts for future project needs, especially in the Upper White Service Area in 2021, as the program needs evolve in order to deliver timely, high-quality mitigation projects in Indiana to fulfill advance credits sold as efficiently as possible.

### **Additional Information**

Additional Information related to the Indiana Stream and Wetland Mitigation Program can be found by visiting the following website: <http://on.in.gov/inswmp>.

**Appendix A**  
**IN SWMP Credit Sales Ledger**

**Appendix B**  
**Indiana Natural Resources Foundation**  
**IN SWMP CY20 Financial Report**



**Appendix C**  
**DNR IN SWMP List of Potential Project**  
**Sites for Investigation**