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Julie L. Thomas, President Lee Jones, Vice President Penny Githens, Commissioner

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Monroe County Government and Environmental Groups Challenge Logging and Burning in the Hoosier National Forest
United States Forest Service Sued for Alleged Environmental Violations

BLOOMINGTON—Monroe County government and two statewide environmental groups are suing the U.S. Forest Service over its plan to log, burn and apply herbicides to a large section of the Hoosier National Forest. The plaintiffs are being represented by the public-interest law firm Eubanks & Associates, LLC.

The lawsuit filed Wednesday in U.S. District Court in New Albany alleges the plan could create runoff that pollutes Lake Monroe, the drinking water source for the Bloomington region, and disrupt recreation along the Knobstone Trail, a 160-mile trek through some of Indiana's most pristine and rugged forests.

The plaintiffs say the plan violates the National Environmental Policy Act because the U.S. Forest Service refused to consider alternatives that would have mitigated the impact on the region's environmental resources. Among those filing the suit are the Monroe County Commissioners, the Monroe County Environmental Commission, the Indiana Forest Alliance, the Hoosier Environmental Council and Dr. David Simcox.

"After nearly 18 months of commenting, asking for key reports, and objecting to this project and the U.S. Forest Service's dismissal of all the important concerns, Monroe County and the plaintiffs were left with no other recourse but to file this suit," said Monroe County Commissioner Julie Thomas. "We are taking this action to protect our forest and the sole source of drinking water for 140,000 citizens in our region."

Separately, the plaintiffs also have notified the U.S. Forest Service of their intent to sue the agency over alleged violations of the Endangered Species Act. They allege the logging and burning plan fails to properly take into account the impact on the endangered Indiana bat and the deeply threatened northern long-eared bat.

The plaintiffs' claims center on a U.S. Forest Service plan that would directly impact the Houston South area of the Hoosier National Forest in Lawrence and Jackson counties. The Houston South Vegetation Management and Restoration Project would impact 13,500 acres of the forest through logging, burning or herbicide treatment.

"The U.S. Forest Service has seemed hell-bent on doing this project regardless of its dramatic impact on people, wildlife and the forest ecosystem in general," said Jeff Stant, executive director of the Indiana Forest Alliance. "We're taking a stand to show that refusing to consider alternatives is against the law."

"It's unfortunate that the Forest Service discarded a collaborative approach for this project, and instead chose to push ahead with a plan that needlessly increases the likelihood of damage to wildlife habitats, recreational trails, the waters of Lake Monroe, and which will boost the spread of invasive plants," said Tim Maloney, senior policy director for the Hoosier Environmental Council.

The lawsuit asks the court to halt the project and send the issue back to the U.S. Forest Service for further analysis and a decision-making process consistent with the requirements of the National Environmental Policy Act.

If you have questions, please reach out to Nick Lawton, Senior Associate, Eubanks & Associates LLC, at nick@eubankslegal.com or Margie Rice, Monroe County Attorney, at mrice@co.monroe.in.us.