

## MEMO FROM COUNCIL OFFICE:

**To:** Members of the Common Council

**From:** Ash Kulak, Deputy Administrator / Deputy Attorney for Common Council

**Date:** February 23, 2024

**Re:** Resolution 2024-03 – Resolution Urging Passage of United States Senate Bill 2990, Regarding the Expansion of the Charles C. Deam Wilderness and the Establishment of the Benjamin Harrison National Recreation Area

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### Synopsis

This resolution, sponsored by Councilmember Dave Rollo, would endorse and urge the passage and enactment of United States Senate Bill 2990, which would establish the Benjamin Harrison National Recreation Area, as well as expand the Charles C. Deam Wilderness through designation of 15,300 acres of National Forest System land. If passed, this resolution would direct the city clerk to send a copy of it to the Indiana Congressional delegation.

### Relevant Materials

- Resolution 2024-03
- United States Senate Bill 2990
- United States Forestry Service Map of Proposed Boundaries
- Fact Sheets from Indiana Forestry Alliance

### Summary

This resolution urges members of the United States Congress to pass and enact Senate Bill 2990, known the Benjamin Harrison National Recreation Area and Wilderness Establishment Act of 2023. The Monroe County Board of Commissioners passed a similar resolution on December 20, 2023.

U.S. Senator Mike Braun, of Indiana, introduced S. 2990 to the U.S. Senate on September 28, 2023. If passed, the act would establish a National Recreation Area of 29,382 acres of National Forest System (NFS) land, as well as expand the Charles C. Deam Wilderness by designating 15,300 acres of NFS land.

The recreation area would promote recreational activities such as hiking, camping, horseback riding, and mountain biking. The act states that the area will be managed to ensure the protection of the water supply of the Monroe Reservoir under the Healthy Forests Restoration Act of 2003.

The expanded wilderness areas would be managed in accordance with the federal Wilderness Act, which places higher restrictions on timber removal and management. The act also authorizes the implementation of restrictions on hunting, fishing, and trapping for species management and protection under the Endangered Species Act of 1973.

The act would also establish an advisory committee to advise on the management of the recreation area, and it would require the development of a comprehensive management plan within five years of its enactment.

Note that this wilderness designation would absorb the lands included in the United States Forest Service [Houston South Vegetation Management and Restoration Project](#), which would restrict the use of machinery or other forest management activities that are not permitted by law within wilderness areas.

The Houston South Project has been the subject of vigorous dispute and litigation between the Indiana Forest Alliance, Monroe County Board of Commissioners, and Friends of Lake Monroe against the United States Forest Service (USFS). The dispute centers on the fact that the Project includes intensive forest management activities, such as prescribed burns and timber harvest. Houston South Project documents, with maps on prescribed burns and proposed silvicultural treatments, are available on the USFS website: <https://www.fs.usda.gov/project/?project=55119&exp=overview>.

The USFS believes that the use of these forest management tools through the Houston South Project would fulfill the Forest Plan's goals of maintaining and restoring sustainable ecosystems. The IFA, Monroe County Commissioners, and Friends of Lake Monroe believe that these tools would cause more harm by disrupting the ecosystems of endangered species like the Indiana bat, as well as have adverse impacts on environmental resources, including the drinking water at Lake Monroe. The environmental impacts of the Houston South Project are not yet fully known and are the subject of the currently pending litigation on appeal at the Seventh Circuit.

Should S. 2990 pass, the designation of portions of the Houston South Project as wilderness areas would prevent the implementation of the Houston South Project's more intensive proposed forest management activities and restoration efforts, which could impact the long term biodiversity and sustainability of forests within those wilderness areas. Similarly, the environmental impact of such a wilderness designation is not yet fully known.

City staff have noted these concerns from an environmental perspective about biodiversity and how such a designation would impact restoration efforts, without knowing more about the current condition of the forests in the area proposed to be designated Wilderness. Other concerns about the Deam Wilderness expansion have come from Indiana University staff at Outdoor Adventures, noting the impact such a designation would have on education programs in areas of the forest that would no longer be allowed without additional permits or other restrictions.

If passed, this resolution would direct the City Clerk to send a copy of the resolution to the Indiana Congressional delegation.

### **Contact**

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