



City of Bloomington Common Council

Legislative Packet – Addendum

Posted on Tuesday, 27 February 2024

Wednesday, 28 February 2024

Regular Session at 6:30 pm



**NICOLE BOLDEN
CLERK**

CITY OF BLOOMINGTON

401 N Morton St, Ste. 110
Bloomington, IN 47404

OFFICE OF THE CITY CLERK

812.349.3408
clerk@bloomington.in.gov

To: Members of the Common Council

From: Clerk Nicole Bolden

Date: 27 February 2024

Re: Interview Committee Recommendations for Board and Commissions (UPDATED)

The council interview committees have made the following recommendations for appointment to the following boards and commissions:

Interview Committee Team A Recommendations:

- For the Commission on the Status of Black Males - to reappoint Herbert Caldwell to seat C-2.
- For the Commission on Aging - to reappoint Wendy Rubin to seat C-1 and to reappoint Robert Deppert to seat C-2.

Interview Committee Team B Recommendations:

- For the Bloomington Digital Underground Advisory Committee - to appoint Andy Koop to seat C-1.
- For the Community Advisory on Public Safety Commission -to reappoint Nejla Routsong to seat C-5.
- For the Environmental Commission - to reappoint Shannon Gayk to seat C-4.

Interview Committee Team C Recommendations:

- For the Bloomington Arts Commission - to appoint Paul Anderson to seat C-2.
- For the Parking Commission - to reappoint Eoban Binder to seat C-3 and to appoint Stephen Volan to seat C-5.
- For the Environmental Commission - to reappoint Shannon Gayk to seat C-4.

Contact

Jennifer Crossley, Deputy City Clerk, 812-349-3838, jennifer.crossley@bloomington.in.gov
Clerk Nicole Bolden, 812-349-3408, clerk@bloomington.in.gov



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MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

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

Updated: February 27, 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

Synopsis

This resolution, sponsored by Councilmembers Dave Rollo and Andy Ruff, 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

Update & Statement from City of Bloomington Utilities (CBU)

After distribution of the materials in the council packet but before council consideration of the item, Councilmember Ruff requested to co-sponsor the resolution. In addition, the Utilities Department (CBU) provided a statement regarding the resolution, which is provided below.

CBU generally supports preservation, restoration, and conservation of the forested watershed that we are so fortunate to have surrounding Lake Monroe. CBU would like to receive more information detailing the proposed legislation so that a more informed decision can be made regarding what long term impacts such measures might have on the water quality of Lake Monroe. At this time, CBU does not have enough information or understanding about the current state of the parcels in question or the impact this legislation might have on future forest management plans to fully support any statement in the resolution that would unequivocally state that the proposed legislation “is important to maintain the water supply of Monroe County”. CBU is simply not informed on many of the variables that would support such a statement. Specifically, it would be important to review any and all plant community surveys or floristic quality assessments that indicate the current forest health and age of the parcels being designated as wilderness. If no such surveys or assessments currently exist, CBU wants to know whether there are plans to conduct any plant community surveys or floristic quality assessments?

Such information would be valuable in helping understand how this legislation would impact future water quality since the designation of wilderness could impose strict restrictions on future forest management. It would also be important to review any information on how this legislation might impact future management plans in the National Recreation Area. The proposed legislation would establish a Management Plan within five years for the long term management of these parcels. CBU would be interested in knowing whether the US Forest Service, who has historically been working on management plans for these areas, would be asked to contribute to these plans. Information such as this would help inform CBU of the true impact of this proposed legislation on Lake Monroe and in turn, whether it would benefit CBU in its daily manufacture of potable water for its customers.

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

Councilmember Dave Rollo, rollod@bloomington.in.gov, (812) 349-3409

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**

- WHEREAS, the restoration of our natural forest ecosystem requires that as many examples of that ecosystem of landscape scale in size be protected to return to the old growth condition as possible; and
- WHEREAS, while the Hoosier National Forest is one of America’s smallest national forests, the Hoosier National Forest is by far Indiana’s largest public forest; and
- WHEREAS, the Hoosier National Forest is Indiana’s only national forest, and it contains the largest tracts of wild, undeveloped forest among the public lands in Indiana with several of those tracts located adjacent to each other in the northern Pleasant Run Purchase Unit of this public forest; and
- WHEREAS, the Charles C. Deam Wilderness (Deam Wilderness) and many thousands of adjacent acres of national forest land comprise an area of deep, uninterrupted hardwood forest of incomparable wild beauty in the nation’s industrial heartland; and
- WHEREAS, most of the land within the Deam Wilderness and adjacent national forest land to the southeast, east, and north of this Wilderness is rugged hills with steep slopes and deep hollows that drain to streams and creeks that feed Monroe Reservoir, a public water supply for more than 130,000 people; and
- WHEREAS, on September 28, 2023, U.S. Senator Mike Braun of Indiana introduced Senate Bill 2990, legislation that would expand the Deam Wilderness to the north, east, and southeast by designating 15,300 acres of National Forest System land as “Wilderness”, as well as establish the Benjamin Harrison National Recreation Area consisting of 29,382 acres of National Forest System land; and
- WHEREAS, such designations endeavor to protect public national forest lands by law from activities that may adversely impact the water quality of Monroe Reservoir, which is the sole water supply of residents of the City of Bloomington; and
- WHEREAS, the aforementioned public national forest lands include Nebo Ridge, Bad Hollow, Porter Hollow, Will Hay Branch, Panther Creek, Deckard Ridge, Eel Creek, Hickory Ridge, Fleetwood Branch, Combs Branch and Moses Ray Branch, and other national forest lands within the Pleasant Run Purchase Unit of the Hoosier National Forest; and
- WHEREAS, these national forest lands have been set aside from commercial timber harvest for the past 32 years under the 1991 and 2006 Hoosier National Forest Land and Resource Management Plans; and
- WHEREAS, the designation of these national forest lands to the north, east, and southeast, of the Deam Wilderness as Wilderness should facilitate returning large tracts of old forest to old growth condition on a landscape scale and assist in providing an ample habitat for species such as the cerulean warbler, timber rattlesnake, Indiana bat, northern long eared bat, tricolored bat, and other forest dependent animals, plants, and fungi that are endangered or rare in the state and which have been identified present in these forests by recent Indiana Forest Alliance surveys; and
- WHEREAS, the Hoosier National Forest is heavily enjoyed by Hoosiers for its recreational value, and the establishment of the Benjamin Harrison National Recreation Area aligns with this interest; and

WHEREAS, combined with the adjacent Brown County State Park, the expansion of the Deam Wilderness to include these national forest lands to the southeast, east and north will create a large sanctuary for the enjoyment of wild nature and native hardwood forest that is unparalleled in the states of Indiana, Ohio, and Illinois.

NOW, THEREFORE, BE IT RESOLVED BY COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

Section 1. The Bloomington Common Council hereby endorses and respectfully urges the passage and expeditious enactment of S. 2990, known as the Benjamin Harrison National Recreation Area and Wilderness Establishment Act of 2023, introduced in the U.S. Senate by U.S. Senator Mike Braun of Indiana, that extends the boundaries of the Deam Wilderness to include approximately 15,300 acres of additional National Forest land, and establishes the Benjamin Harrison National Recreation Area consisting of approximately 29,382 acres of National Forest land that surrounds the expanded Wilderness area.

Section 2. The City Clerk shall send a copy of this resolution, duly adopted, to the Indiana Congressional delegation.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2024.

ISABEL PIEDMONT-SMITH, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2024.

NICOLE BOLDEN, Clerk

SIGNED AND APPROVED by me this _____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution, sponsored by Councilmembers Dave Rollo and Andy Ruff, 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.

Note: This resolution was revised after distribution in the Legislative Packet but before introduction at the February 28, 2024 Regular Session in order to list Cm. Andy Ruff as a co-sponsor.