

SENATE BILL No. 104

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-8-2; IC 14-31-4.

Synopsis: Designated wild areas in state forests. Provides that 13 specified areas within certain state forests are "designated wild areas". Specifies certain activities that are prohibited or allowed within a designated wild area. Establishes responsibilities for the department of natural resources (DNR) and divisions of the DNR that manage designated wild areas.

Effective: July 1, 2020.

Stoops

January 6, 2020, read first time and referred to Committee on Natural Resources.



Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

SENATE BILL No. 104

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 14-8-2-68.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2020]: **Sec. 68.3. "Designated wild area", for purposes of**
4 **IC 14-31-4, has the meaning set forth in IC 14-31-4-2.**
5 SECTION 2. IC 14-8-2-318.5 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2020]: **Sec. 318.5. "Wild area", for purposes**
8 **of IC 14-31-4, has the meaning set forth in IC 14-31-4-3.**
9 SECTION 3. IC 14-31-4 IS ADDED TO THE INDIANA CODE AS
10 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2020]:
12 **Chapter 4. Designated Wild Areas**
13 **Sec. 1. The general assembly finds the following:**
14 **(1) It is necessary and desirable that some large forested areas**
15 **of Indiana where there are few permanent improvements or**
16 **human habitations, the landscape is relatively natural, and the**
17 **imprint of human activity is not predominant, be set aside as**



1 wild areas and preserved for the benefit of present and future
2 generations.

3 (2) That the large and relatively undisturbed forested areas
4 are a part of the defining heritage of Indiana, and securing
5 these areas will provide the people of Indiana important
6 opportunities for solitude and recreation, including hiking,
7 camping, picnicking, and hunting.

8 Sec. 2. As used in this chapter, "designated wild area" means a
9 wild area listed in section 4 of this chapter.

10 Sec. 3. As used in this chapter, "wild area" means a tract of
11 relatively undeveloped state owned land that:

12 (1) has retained in significant part its natural forested
13 character;

14 (2) presents outstanding opportunities for solitude or
15 recreation compatible with the preservation of the wild
16 character of the land; and

17 (3) has at least eight hundred (800) acres of contiguous state
18 controlled land.

19 Sec. 4. The following wild areas are designated wild areas:

20 (1) The area of the Owen-Putnam State Forest known as the
21 Cataract Wild Area, containing approximately one thousand
22 six hundred eighty (1,680) acres that is contained within the
23 following property compartment and tract boundary maps
24 prepared by the department before January 1, 2020:

25 (A) Within Owen-Putnam compartment 2, tracts 1 through
26 4.

27 (B) Within Owen-Putnam compartment 4, tracts 1 through
28 14, tract 15 (partial), and tract 16 (partial).

29 (2) The area of the Harrison-Crawford State Forest known as
30 the Cold Friday Wild Area, containing approximately three
31 thousand nine hundred fifty (3,950) acres that is contained
32 within the following property compartment and tract
33 boundary maps prepared by the department before January
34 1, 2020:

35 (A) Within Harrison-Crawford compartment 7, tract 1.

36 (B) Within Harrison-Crawford compartment 23, tract 12
37 (partial), and tract 13.

38 (C) Within Harrison-Crawford compartment 24, tract 2,
39 and tracts 5 through 7.

40 (D) Within Harrison-Crawford compartment 29, tracts 1
41 through 10, and tracts 17 through 20.

42 (E) Within Harrison-Crawford compartment 30, tract 2



- 1 (partial), and tracts 3 through 11.
 2 (F) Within Harrison-Crawford compartment 31, tract 1
 3 (partial), and tracts 2 through 9.
 4 (3) The area of the Harrison-Crawford State Forest known as
 5 the Hellbender Wild Area, containing approximately two
 6 thousand four hundred sixty (2,460) acres that is contained
 7 within the following property compartment and tract
 8 boundary maps prepared by the department before January
 9 1, 2020:
 10 (A) Within Harrison-Crawford compartment 12, tract 8.
 11 (B) Within Harrison-Crawford compartment 13, tract 9
 12 (partial).
 13 (C) Within Harrison-Crawford compartment 18, tracts 3
 14 through 4.
 15 (D) Within Harrison-Crawford compartment 19, tract 1
 16 (partial), tracts 2 through 4, tract 5 (partial), tract 6
 17 (partial), tract 7 (partial), tract 8 (partial), and tracts 9
 18 through 11.
 19 (E) Within Harrison-Crawford compartment 20, tract 1
 20 (partial), tract 2, tract 3 (partial), and tracts 4 through 7.
 21 (F) Within Harrison-Crawford compartment 26, tracts 1
 22 through 3.
 23 (4) The area of the Clark State Forest known as the
 24 Knobstone Wild Area, containing approximately five
 25 thousand six hundred eighty (5,680) acres that is contained
 26 within the following property compartment and tract
 27 boundary maps prepared by the department before January
 28 1, 2020:
 29 (A) Within Clark compartment 12, tracts 6 through 9.
 30 (B) Within Clark compartment 14, tract 1, and tracts 3
 31 through 4.
 32 (C) Within Clark compartment 15, tracts 1 through 6,
 33 tract 7 (partial), tract 9 (partial), tract 10 (partial), tract 11
 34 (partial), tract 12 (partial), and tracts 13 through 14.
 35 (D) Within Clark compartment 16, tract 1 (partial), tract
 36 2 (partial), tract 4 (partial), and tracts 5 through 12.
 37 (E) Within Clark compartment 17, tracts 1 through 5.
 38 (F) Within Clark compartment 18, tracts 1 through 2, tract
 39 3 (partial), and tracts 7 through 9.
 40 (5) The area of the Clark State Forest known as the Leota
 41 Wild Area, containing approximately three thousand four
 42 hundred fifty (3,450) acres that is contained within the



1 following property compartment and tract boundary maps
2 prepared by the department before January 1, 2020:

3 (A) Within Clark compartment 2, tracts 1 through 14, and
4 tract 15 (partial).

5 (B) Within Clark compartment 3, tracts 1 through 6, tracts
6 8 through 10, and tract 12.

7 (C) Within Clark compartment 4, tract 2, and tract 14.

8 (6) The area of the Morgan-Monroe/Yellowwood State Forest
9 known as the Low Gap Wild Area, containing approximately
10 three thousand seven hundred fifty (3,750) acres that is
11 contained within the following property compartment and
12 tract boundary maps prepared by the department before
13 January 1, 2020:

14 (A) Within Morgan-Monroe compartment 9, all tracts.

15 (B) Within Morgan-Monroe compartment 15, tracts 1
16 through 10.

17 (C) Within Yellowwood compartment 13, tracts 1 through
18 4, tracts 6 through 8, tract 15, and tract 16 (partial).

19 (D) Within Yellowwood compartment 14, tract 1, tract 2
20 (partial), tract 3 (partial), tract 6 (partial), tract 21, tract
21 22 (partial), tracts 23 through 25, tract 26 (partial), and
22 tract 28 (partial).

23 (7) The area of the Yellowwood State Forest known as the
24 Miller Ridge Wild Area, containing approximately two
25 thousand three hundred thirty (2,330) acres that is contained
26 within the Yellowwood property compartment and tract
27 boundary map prepared by the department before January
28 1, 2020, within Yellowwood compartment 3, tract 2, tracts 4
29 through 19, tract 20 (partial), tracts 21 through 22, tract 23
30 (partial), tract 24 (partial), and tracts 25 through 34.

31 (8) The area of the Yellowwood State Forest known as the
32 Mossop Ridge Wild Area, containing approximately two
33 thousand eighty (2,080) acres that is contained within the
34 Yellowwood property compartment and tract boundary map
35 prepared by the department before January 1, 2020, within
36 Yellowwood compartment 2, tracts 2 through 5, tracts 7
37 through 18, tract 20 (partial), tracts 21 through 27, tract 29,
38 tract 32 (partial), tracts 33 through 35, and tract 37 (partial).

39 (9) The area of the Jackson-Washington State Forest known
40 as the Orchard Ridge Wild Area, containing approximately
41 one thousand two hundred seventy (1,270) acres that is
42 contained within the following property compartment and



1 tract boundary maps prepared by the department before
2 January 1, 2020:

3 (A) Within Jackson-Washington compartment 3, tract 19
4 (partial), tract 20, tract 21 (partial), and tracts 22 through
5 23.

6 (B) Within Jackson-Washington compartment 4, tract 3
7 (partial), tract 4, tract 5 (partial), tracts 6 through 7, tracts
8 9 through 10, tract 11 (partial), tract 12 (partial), tract 13
9 (partial), tract 14, tract 15 (partial), tract 16, tract 18
10 (partial), and tracts 19 through 21.

11 (10) The area of the Morgan-Monroe State Forest and
12 Yellowwood State Forest known as the Scarce-O'-Fat Wild
13 Area, containing approximately three thousand six hundred
14 eighty (3,680) acres that is contained within the following
15 property compartment and tract boundary maps prepared by
16 the department before January 1, 2020:

17 (A) Within Morgan-Monroe compartment 17, tract 12
18 (partial), tracts 9 through 11, tract 18, and tract 23.

19 (B) Within Yellowwood compartment 8, tract 6 (partial),
20 tract 7, tract 8 (partial), tract 9 (partial), tract 10 (partial),
21 tracts 11 through 29, tract 30 (partial), and tract 31
22 (partial).

23 (C) Within Yellowwood compartment 9, tract 1 (partial),
24 tracts 2 through 15, and tract 16 (partial).

25 (11) The area of the Ferdinand State Forest known as the
26 Siberia Wild Area, containing approximately nine hundred
27 ninety (990) acres that is contained within the Ferdinand
28 property compartment and tract boundary maps prepared by
29 the department before January 1, 2020, within Ferdinand
30 compartment 15, tracts 2 through 10.

31 (12) The area of the Jackson-Washington State Forest known
32 as the Spurgeon Hollow Wild Area, containing approximately
33 four thousand (4,000) acres that is contained within the
34 following property compartment and tract boundary maps
35 prepared by the department before January 1, 2020:

36 (A) Within Jackson-Washington compartment 9, tract 6
37 (partial), tract 8 (partial), tracts 10 through 14, and tracts
38 16 through 26.

39 (B) Within Jackson-Washington compartment 10, tracts 1
40 through 9, tract 10 (partial), tracts 11 through 25, tract 26
41 (partial), tracts 27 through 32, and tracts 37 through 41.

42 (13) The area of the Jackson-Washington State Forest known



1 as the Starve Hollow Wild Area, containing approximately
2 one thousand five hundred (1,500) acres that is contained
3 within the following property compartment and tract
4 boundary maps prepared by the department before January
5 1, 2020:

6 (A) Within Jackson-Washington compartment 5, tract 3
7 (partial), and tracts 4 through 14.

8 (B) Within Jackson-Washington compartment 6, tracts 1
9 through 4, tract 5 (partial), tract 6 (partial), tracts 7
10 through 8, tracts 10 through 11, tract 12 (partial), and
11 tract 13 (partial).

12 Sec. 5. Before January 1, 2021, the department shall prepare
13 and keep on file accurate maps and legal descriptions of each
14 designated wild area.

15 Sec. 6. The department shall manage a designated wild area in
16 a manner that preserves the area's natural values and relatively
17 undisturbed character.

18 Sec. 7. (a) Any division established under IC 14-9-4 that
19 managed a wild area before its designation as a designated wild
20 area shall continue to manage the designated wild area unless the
21 duties to manage the designated wild area are transferred by the
22 commission.

23 (b) Subject to the requirements of this chapter, a division that
24 manages a designated wild area may continue to use the land for
25 the purposes and activities, including hunting, fishing, and
26 trapping, for which the land was initially held. The division may
27 place limits on access to or equipment used in a designated wild
28 area as needed to protect the designated wild area from
29 deterioration or overuse.

30 (c) A designated wild area must be managed in a manner to
31 preserve its natural values and relatively undisturbed character.

32 Sec. 8. If a wild area provided an easement or access to private
33 property or a cemetery either into or through a wild area before
34 becoming a designated wild area, the department shall continue to
35 allow the easement or access to the private property or the
36 cemetery.

37 Sec. 9. (a) The department shall post conspicuous signs on the
38 perimeter of the designated wild area indicating that the area is a
39 designated wild area.

40 (b) The department may post signs in a designated wild area
41 summarizing permitted and prohibited activities and marking
42 trails.



1 **Sec. 10. (a) Subject to subsection (b), the following are**
 2 **prohibited in a designated wild area:**

3 **(1) Removing, cutting, picking, or altering vegetation, except**
 4 **with the written consent of the department:**

5 **(A) to create or maintain public access;**

6 **(B) to maintain easements that were created before the**
 7 **area became a designated wild area;**

8 **(C) for scientific or educational purposes; or**

9 **(D) as permitted in section 11 of this chapter.**

10 **(2) Exploring for or extracting minerals.**

11 **(3) Logging.**

12 **(4) Energy development, including wind energy, solar energy,**
 13 **oil and gas development, and gathering or harvesting wood**
 14 **for biomass combustion.**

15 **(5) Use of motorized vehicles.**

16 **(6) Building roads. However, the department is not prohibited**
 17 **from maintaining a road that existed before the area became**
 18 **a designated wild area.**

19 **(7) Granting utility easements.**

20 **(8) Commercial enterprises, except for guided hikes or field**
 21 **trips.**

22 **(9) Use of motorized equipment.**

23 **(10) Use of permanent structures other than those necessary**
 24 **to minimize damage from trail use, including erosion bars,**
 25 **steps, and bridges.**

26 **(11) Use of herbicides.**

27 **(b) Subsection (a) does not prohibit activities needed to:**

28 **(1) provide emergency medical assistance;**

29 **(2) conduct search and rescue;**

30 **(3) control a fire;**

31 **(4) monitor and control invasive species; and**

32 **(5) monitor and control plant and wildlife diseases.**

33 **However, the department shall use methods that are the most**
 34 **narrowly directed to the situation and as least intrusive to the**
 35 **designated wild area as possible.**

36 **Sec. 11. (a) Any recreational use in a designated wild area must**
 37 **be managed to maintain the area's wild character. The department**
 38 **may allow the following recreational uses in a designated**
 39 **recreational area:**

40 **(1) Mountain biking and horseback riding on trails that allow**
 41 **those uses.**

42 **(2) Hiking.**



- 1 **(3) Gathering of edible and medicinal plants and mushrooms**
- 2 **when in season and as permitted by law.**
- 3 **(4) Overnight camping at campsites identified by the**
- 4 **department with appropriate limits regarding term of**
- 5 **occupancy.**
- 6 **(b) The department may require a permit to enter a designated**
- 7 **wild area or to engage in an activity listed in subsection (a) in a**
- 8 **designated wild area.**
- 9 **Sec. 12. The commission shall adopt rules under IC 4-22-2**
- 10 **concerning the management and use of designated wild areas**
- 11 **consistent with the requirements of this chapter.**

