EXHIBIT 11
DATE 3/22/2011
SB 301

Senate Bill 301
March 22, 2011
Presented by Joe Maurier
House Fish, Wildlife and Parks Committee

Mr. Chairman and members of the committee, I am Joe Maurier, Director of the Montana Department of Fish, Wildlife & Parks (FWP). I support the amendments the Senate placed on Senate Bill 301 to enable the Department to acquire fishing access sites and reduce the term of the moratorium from four years to two, but I still rise in opposition to the bill.

I recognize that fee title acquisition of land by government generally, and FWP in particular, is a sensitive public policy issue about which there are divergent philosophies and approaches. This is an issue that not everyone will agree upon, but I do think we all need to remember what happened last legislative session, and the events that lead up to FWP's acquisitions this past biennium.

Entering the 2009 Legislature, 300,000 acres of Plum Creek Timber Company land in Montana was for sale. For several decades, Montanan's have had the opportunity to hunt, fish, hike, camp and snowmobile on these lands, due to the good graces of Plum Creek Timber Co. In addition, some of these lands are among the most critical fish and wildlife habitat in the state. These lands could have been sold to developers, a Wall Street tycoon who made billions selling derivatives, a Timber Investment Management Organization from New England or an out-of-state timber company with a different attitude towards public use of their land. If the land had been sold to one of these buyers, then local communities faced an uncertain future as to how lands critical to their culture and economy would be managed, and recreational opportunities Montanans were accustomed to in all likelihood would have been lost.

As we all know, The Nature Conservancy stepped in and bought this land instead, so that Montanans could develop a made-in-Montana outcome for the lands' future. The 2009 Montana Legislature recognized the threat to these lands, and acted overwhelmingly when it passed legislation to create $21M of bonding authority for Department of Natural Resources and Conservation (DNRC) to purchase some of these lands. HB674, carried by Rep. Chas Vincent, passed third reading in the House on an astounding 98-2 vote and in the Senate by a 37-13 vote. Statewide polling completed by a bi-partisan polling team found that 73% of Montanan's supported the state purchasing these lands.

I remind you of this story because the majority of the land that FWP has purchased in the last two years was former Plum Creek Timber Company land owned by The Nature Conservancy. So let's look at FWP's acquisitions a little more thoroughly:

1) FWP purchased Fish Creek along the Clark Fork downstream from Missoula. Fish Creek receives lots of recreational pressure but isn't very productive timber land. Besides FWP, the other potential buyers were the US Forest Service or DNRC. Mineral County indicated that the one buyer they could accept was FWP, because we were the only buyer required by state law to pay property taxes, and thus would maintain the county's tax base.

2) FWP acquired land around the site of the former Milltown Dam on the Clark Fork River near Missoula. The city and county of Missoula saw these lands as critical to their economic and recreational future, and FWP purchased these lands with NRD funds at their request. This was the local community's idea, not FWP's, but we believed in their vision and saw a role we could play in achieving their desired future.

3) FWP acquired the Marshall Block, which is significant timberland to the west of Seeley Lake. FWP received 39 comments on this acquisition, and all but one supported the project. Supporters included the county commission, Seeley Lake Community Council, Swan ATV Club and Pyramid Lumber, which stated in its letter that: *"I and Pyramid Lumber strongly support FWP acquiring these lands. FWP has been a good neighbor and supporter of the Seeley community. "*

Taking us back to the bill before you, what would have happened if the 2009 Legislature had chosen to enact legislation like SB301? If that had happened, the Legislature would have foreclosed the option of FWP purchasing Fish Creek, Milltown Dam and the Marshall Block. Where would that leave Mineral County, the city and county of Missoula, Pyramid Lumber and the Swan ATV Club, in addition to the tens of thousands of Montanans who recreate on these properties each year? Can you honestly tell me that they'd all be better off today? Would Montana be better off today if a Wall Street tycoon had purchased the Marshall Block as his own little private play ground? I think not.

I understand the philosophy behind preventing FWP from acquiring land, but these are the practical, community-based, broadly supported outcomes that you foreclose for the next two years by passing SB301.

For these reasons, I ask you to vote "no" on SB301.