

SENATE BILL NO. 293
INTRODUCED BY R. LAIBLE

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE MONTANA SUSTAINABLE FORESTS USE ACT; ESTABLISHING A STATE POLICY FOR MANAGEMENT OF FOREST LANDS; REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO SUPPORT RESTORATION AND SUSTAINABLE FOREST MANAGEMENT PRACTICES; REQUIRING PROMOTION OF FOREST MANAGEMENT ACTIVITIES WITHIN AND ADJACENT TO THE WILDLAND URBAN INTERFACE; AND GRANTING AUTHORITY TO INTERVENE IN LITIGATION OR APPEALS OF FEDERAL FOREST MANAGEMENT PROJECTS."

WHEREAS, Montana's state, federal, tribal, and private forests are important environmental, economic, and recreational resources; and

WHEREAS, fire suppression and lack of active management of forests has led to overstocked stands, unnatural distribution of tree species and age classes, and an increased susceptibility of forests to insect and disease epidemics and uncharacteristic wildfires that threaten Montana communities and watersheds; and

WHEREAS, two-thirds of the forests in Montana are managed by the federal government and include some of the most important environmental, economic, and recreational resources in the state; and

WHEREAS, more than one-quarter of the forests in Montana are privately owned and help provide clean air and water, timber and agroforestry products, fish and wildlife habitat, functional and intact watersheds, recreational opportunities, aesthetics, and open space amenities; and

WHEREAS, successful forest management is hampered by political boundaries when different public and private entities work independently and not cooperatively in promoting forest health and protection; and

WHEREAS, the Department of Natural Resources and Conservation is uniquely situated to provide expertise and guidance on the management of forests in Montana.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title.** [Sections 1 through 3] may be cited as the "Montana Sustainable Forests Use Act".

NEW SECTION. Section 2. Findings and policy. (1) The legislature finds that the sustainable management of all forests in Montana is vital to conserving the state's natural resources and their economic and ecological potential for the benefit of all Montanans.

(2) The legislature finds that forests in Montana should be managed to maintain biodiversity, productivity, regeneration capacity, vitality, and potential to fulfill relevant ecological, economic, and social functions.

(3) The legislature declares that it is the policy of this state to promote the sustainable use of all forests within the state through sound management and collaboration with state, federal, and private entities.

NEW SECTION. Section 3. Duties -- authority. To implement the policy of [section 2], the department of natural resources and conservation shall:

(1) support forest restoration and sustainable forest management practices on private, state, and federal forests in Montana;

(2) provide technical and educational assistance to private forest landowners;

(3) promote forest management activities within and adjacent to the wildland urban interface and promote the implementation of community wildfire protection plans;

(4) promote the maintenance of a viable forest and wood products industry;

(5) represent the state's interest in the federal forest management planning and policy process, including establishing cooperative agency status with federal agencies;

(6) provide information and assistance for the development of an independent, long-term sustained yield calculation on Montana's federal forests;

(7) have the authority to intervene in litigation or appeals on federal forest management projects that comply with the policy in [section 2];

(8) have the authority to enter into agreements with federal agencies to participate in forest management activities on federal lands; and

(9) coordinate with government entities, nongovernmental organizations, and private entities to comply with the provisions of [sections 1 through 3].

NEW SECTION. Section 4. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

NEW SECTION. **Section 5. Codification instruction.** [Sections 1 through 3] are intended to be codified as an integral part of Title 76, chapter 13, and the provisions of Title 76, chapter 13, apply to [sections 1 through 3].

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