

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 PUBLIC 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~~ PUBLIC forests are important environmental, economic, and recreational resources; and

WHEREAS, fire suppression and lack of active management of ON SOME PUBLIC 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, INNOVATIVE PARTNERSHIPS BETWEEN TRADITIONAL ADVERSARIES IN FEDERAL FOREST MANAGEMENT DEMONSTRATE THAT CONSENSUS-BASED SOLUTIONS CAN BE REACHED ON LANDSCAPE LEVEL PROJECTS ON FEDERAL LANDS THAT INTEGRATE ACTIVE FOREST MANAGEMENT, RESTORATION, AND STEWARDSHIP; AND

WHEREAS, the Department of Natural Resources and Conservation is uniquely situated to provide expertise and guidance on the management of PUBLIC 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 1. Findings and policy. (1) The legislature finds that the sustainable management of ~~a~~ PUBLIC 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 PUBLIC forests in Montana should be SUSTAINABLY managed to maintain biodiversity, productivity, regeneration capacity, vitality, and potential to fulfill relevant ecological, economic, and social functions.

(3) THE LEGISLATURE FINDS THAT SUSTAINABLE FOREST STEWARDSHIP AND MANAGEMENT OF MONTANA'S PUBLIC FORESTS REQUIRES A BALANCED APPROACH THAT ENSURES A STABLE TIMBER SUPPLY, ACTIVE RESTORATION, HEALTHY WATERSHEDS AND FISH AND WILDLIFE HABITAT, AREAS FOR NATURAL PROCESSES, AND ALLOWANCES FOR RECREATIONAL MULTIPLE USES.

~~(3)~~(4) The legislature declares that it is the policy of this state to promote the sustainable use of all PUBLIC forests within the state through sound management and collaboration with LOCAL, state, AND federal, ~~and private~~ entities.

NEW SECTION. Section 2. Duties -- authority. To implement the policy of ~~[section 2]~~ [SECTION 1], 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,~~ INCLUDING FOREST RESTORATION, ON PUBLIC FORESTS IN MONTANA CONSISTENT WITH ALL APPLICABLE LAWS AND ADMINISTRATIVE REQUIREMENTS;

(2) provide technical INFORMATION and educational assistance to NONINDUSTRIAL, 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 AND OTHER BUSINESSES AND INDIVIDUAL ACTIVITIES THAT RELY ON PUBLIC FOREST LANDS;

(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~~ PROMOTE 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]~~ [SECTION 1] AND IN WHICH LOCAL AND STATE INTERESTS ARE CLEARLY INVOLVED;

(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].~~

(9) PARTICIPATE IN AND FACILITATE COLLABORATION BETWEEN TRADITIONAL FOREST INTERESTS IN REACHING CONSENSUS-BASED SOLUTIONS ON FEDERAL LAND MANAGEMENT ISSUES.

~~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 3. Codification instruction.** [Sections 1 through 3] [SECTIONS 1 AND 2] 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] [SECTIONS 1 AND 2].

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