

SENATE JOINT RESOLUTION NO. 31

INTRODUCED BY M. PHILLIPS

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA PROVIDING FOR A STUDY OF THE VALUE OF LIGHT DETECTION AND RANGING DATA TO THE STATE OF MONTANA; AND PROVIDING RECOMMENDATIONS FOR A PROGRAM TO PROVIDE LIGHT DETECTION AND RANGING DATA COVERAGE OF THE ENTIRE STATE.

WHEREAS, Article IX, section 1, of the Montana Constitution mandates that:

- (1) the state and each person maintain and improve a clean and healthful environment in Montana for present and future generations; and
- (2) the Legislature provide adequate remedies for the protection of the environmental life support system from degradation and provide adequate remedies to prevent unreasonable depletion and degradation of natural resources; and

WHEREAS, Title 10, chapter 3, part 1, MCA, declares that because of the existing and increasing possibility of the occurrence of disasters or emergencies of unprecedented size and destructiveness resulting from enemy attack, sabotage, or other hostile action and natural disasters and in order to provide for prompt and timely reaction to an emergency or disaster, to ensure that preparation of this state will be adequate to deal with disasters or emergencies, and generally to provide for the common defense and to protect the public peace, health, and safety and to preserve the lives and property of the people of this state to the fullest extent practicable, it is declared to be necessary to:

- (1) reduce vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural or human-caused disasters; and
- (2) authorize and provide for coordination of activities relating to disaster prevention, preparedness, mitigation, response, and recovery by agencies and officers of this state and similar state-local, interstate, federal-state, and foreign activities in which the state, its political subdivisions, and tribal governments may participate; and

WHEREAS, Montana is otherwise mandated to provide for wise stewardship of natural resources, protection of wildlife and habitat, and protection of citizens from natural disasters; and

WHEREAS, the emergence and growth of light detection and ranging (LIDAR) technology is creating a



1 new wave of sophisticated and accurate environmental tools to help scientists and resource managers cope with
 2 changing land use, changing climate, changes in biodiversity, risk management, extreme weather events,
 3 resource inventory, facilities siting, GEOLOGIC HAZARDS, GROUND WATER MONITORING, and other issues; and

4 WHEREAS, LIDAR data is such a significant improvement for science-based management of natural
 5 resources that several states have established goals of acquiring LIDAR coverage for the entire state: Oregon
 6 designated funding toward this goal, which is provided to the Oregon Department of Geology and Mineral
 7 Industries for the Oregon Lidar Consortium; the Minnesota Geospatial Information Office established a Clean
 8 Water, Land and Legacy Amendment through a voter referendum, allowing funds from state sales taxes to be
 9 used for LIDAR mapping; and the State of California Ocean Protection Council has established a Coastal
 10 Mapping Program using LIDAR to map coastal areas; and

11 WHEREAS, LIDAR data has the potential to provide a means for improving the management of Montana
 12 resources and to provide a basis for improving risk management and assessment and disaster preparedness by
 13 state agencies including the Departments of Agriculture, Natural Resources and Conservation, Fish, Wildlife, and
 14 Parks, Environmental Quality, Public Health and Human Services, Commerce, and Transportation, as well as
 15 the Montana Bureau of Mines and Geology, the University System, and the Judicial Branch; and

16 ~~WHEREAS, The Craighead Institute has been a leader in applying geospatial technologies to wildlife~~
 17 ~~conservation, is currently conducting a pilot study in the Bridger Canyon area of Gallatin County to acquire LIDAR~~
 18 ~~data using a business plan based on the Oregon Lidar Consortium, and is an independent, nonprofit organization~~
 19 ~~that can coordinate with all stakeholders, both public and private, and is therefore highly qualified to serve as the~~
 20 ~~lead agency for this study resolution.~~

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 22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
 23 STATE OF MONTANA:

24 That the Legislative Council be requested to designate an appropriate interim committee or statutory
 25 committee, pursuant to section 5-5-217, MCA, direct sufficient staff resources, or award a contract to an
 26 independent research institute to:

27 (1) evaluate the value of LIDAR data to Montana for ~~those uses described above~~ ANY AND ALL USES THAT
 28 MAY BE BENEFICIAL TO THE STATE AND ITS INHABITANTS;

29 (2) assess the costs of acquiring LIDAR data and compare alternative sources of data provision; and

30 (3) investigate the feasibility of forming a Montana LIDAR Consortium to share those costs among the

1 various stakeholders to whom LIDAR data would be useful.

2 BE IT FURTHER RESOLVED, that if the study is assigned to staff or contracted with an independent
3 research institute, any findings or conclusions be presented to and reviewed by an appropriate committee
4 designated by the Legislative Council.

5 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
6 requirements, be concluded prior to September 15, ~~2015~~ 2014.

7 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
8 comments, or recommendations of the appropriate committee, be reported to the 64th Legislature.

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