Forest Regulation in Montana

“Rethinking Forest Regulation“
Rights and Resources Initiative
Montana Department of Natural Resources - Forestry Division
University of Montana - Lubrecht Forest
October 17-22, 2010
Montana Forest Statistics

- **Total Forest**: 22 million ac (9 million ha.)
  - 60% National Forest
  - 24% Small Private
  - 8% Corporate
  - 8% State or Tribal

- **Average Timber Harvest**: 1.0 million cubic meters

- **Forest Products Industry**:
  - 14 large wood products mills
  - 10 log home/post-rail plants
  - 600 logging professionals

- **Annual Value of Wood Products**: $750 million
Origins of Montana Forest Regulation

1989: Forestry at a Crossroads
- Federal Clean Water Act
- Potential of Federal Enforcement
- Pressure for Forest Practices Act

Non-Regulatory Approach
- Montana Best Management Practices (BMP) Law
- Landowner/Logger Education
- Monitoring
- Continuous Improvement

Less Restrictive Than Other States
- California
- Oregon
- Washington
Goals: *Improve Forest Practices Minimize Regulatory Burden*

From this....... To this.....

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Forestry Best Management Practices (BMPs):
Minimum standards for protecting soil/water quality

- Road Construction
- Timber Harvesting
- Stream Crossings
- Hazardous Substances
- Streamside Management Zones
Emphasis on: Education & Monitoring

**Loggers**
- Accredited Logger Professional Program
- Stewardship Education for Loggers

**Landowners**
- Forest Stewardship Program
- Individual on-site advice

**Monitoring**
- Field audits every two years
- Report to state legislature
- Additional regulation if needed
  - 1991 Streamside Management Zone Law
- Continuous improvement
BMP Audit Process: Interdisciplinary Audit Teams

- Review ~45 sites statewide (1-2%)
- Rate BMP Application and Effectiveness
- Publication of results (Present results to State Legislature)
- Continuous improvement
# Results: BMP Audit Trends
## 1990 vs. 2010

<table>
<thead>
<tr>
<th>Category</th>
<th>1990</th>
<th>2010</th>
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<tbody>
<tr>
<td>Successful Application of All BMPs</td>
<td>78%</td>
<td>97%</td>
</tr>
<tr>
<td>Successful Application of High Risk BMPs</td>
<td>53%</td>
<td>93%</td>
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<tr>
<td>% Sites with Major Departure</td>
<td>61%</td>
<td>11%</td>
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<tr>
<td>Average Number of Impacts per Site</td>
<td>8.0</td>
<td>0.6</td>
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Role of State Government

Educate:
- Loggers
- Landowners

Coordinate:
- Technical Committee
- Audit Process

Monitor/Report:
- State Legislature
- Public
Critical Factors for Success

Government Involvement
- Federal Pressure
- State Legislation
- Agency Education & Coordination

Non-regulatory Process
- Emphasis on Education
- Landowner/Industry Involvement
- Self-Regulation

Proven Results
- Monitoring/Audits
- Biennial Report
Application to Other Countries

- Establish clear goals
- Pressure / incentives from central government
- “Progressive Regulation”
- Match the prevailing culture
- Locally driven
- Industry & political support
- Transparency