Regulation of State and Private Forests in Montana
Montana State Trust Land Management

- **Total Ownership:**
  - 5.1 million ac. (2.1 million ha.) surface
  - 6.2 million acres (2.5 million ha.) mineral rights
  - 4.4 million acres agriculture/grazing
  - 700,000 acres forested

- **Mission:** “Produce revenues for trust beneficiaries while considering environmental factors and protecting the future income-generating capacity of the land.”

- **Beneficiaries (9 total):**
  - Common schools (K-12) – 90%
  - Universities – 5%
  - Other – 5%

- **Governance:** State Land Board
  - 5 top elected officials

- **5-yr Avg. Annual Revenue:** $103.6 million
  - Forest Management: $12.2 million
Montana Forest Statistics

- **Total Area:** 381,000 sq. km.  
  - 4th largest state in U.S.

- **Population:** 1 million

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

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

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

- **Annual Value of Wood/Paper Products:**  
  - $750 million US
Origins of Montana Forest Practices
Regulatory Framework

• 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

• Unlike other states
  – California, Washington, Oregon
Goal: Improve Forest Practices

From this........

To this.....

From this........

To this.....

Emphasis:

- Road Construction
- Timber Harvesting
- Stream Crossings
- Hazardous Substances
- Streamside Management Zones
Focus 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 when justified by audits
  - 1991 Streamside Management Zone Law
BMP Audit Process:

- Interdisciplinary Audit Teams
- Review 45 sites statewide
- Rate BMP Application and Effectiveness
- Publication of results
- Continual process improvement
Results: BMP Audit Trends
1990 vs. 2008

<table>
<thead>
<tr>
<th>Category</th>
<th>1990</th>
<th>2008</th>
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<tbody>
<tr>
<td>Successful Application of All BMPs</td>
<td>78%</td>
<td>97%</td>
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<tr>
<td>Successful Application of High Risk BMPs</td>
<td>53%</td>
<td>90%</td>
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<tr>
<td>% Sites with Major Departure</td>
<td>61%</td>
<td>19%</td>
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<td>Average Number of Impacts per Site</td>
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Role of State Government

**Educate:**
- Loggers
- Landowners

**Coordinate:**
- Technical Committee
- Audit Process

**Monitor/Report:**
- State Legislature
- Public
Keys to 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
Applying the Model in Other States/Countries

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