History of Forest Tenure and Regulation in Montana:

Components of a successful non-regulatory/voluntary approach

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History: Exploration ➔ Exploitation ➔ Governance ➔ Regulation

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Montana Land Ownership:
- Federal
- Private
- State
- Tribal
- Water
Role of Federal (Central) Government

- Disposition of Land
- Management of Federal Lands
- Assistance to State
- Legislation/Regulation
  - Endangered Species
  - Clean Water
Role of State Government
Wildfire Protection
Assistance to Private Forest Landowners
Management of State Forest Lands
Forest Practice Regulation
Origins of Montana Forest Practices Regulations

- **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

- **Less Prescriptive than other states**
  - California, Washington, Oregon
Montana Regulatory Framework

Voluntary Compliance:
- Road Construction
- Timber Harvesting
- Stream Crossings

Mandatory Compliance
- Streamside Management Zones

Progressive Regulation:
- Penalties on Bad Actors
- Threat of Additional Regulation
Strengths & Weaknesses of the Montana Regulatory Model

- **Strengths**
  - Maintained Water Quality
  - Riparian Wildlife Habitat
  - Viable Forest Industry
  - 25 years of Improvement

- **Weaknesses**
  - Forest Land Conversion
  - Timber Supply Issues
  - No Reforestation Requirement
Keys to Success

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

**Non-regulatory Process**
- Emphasis on Education
- Landowner/Industry Involvement
- Consistent with Culture and Capacity to Enforce

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

- Establish Goals
- Pressure from central government
- “Progressive Regulation”
- Match prevailing culture/capacity
- Focus on “Bad Actors”
- Industry & political support
Thank You
Merci
Gracias
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