

# Regulations/Permits that may be Applicable to Forest Management Projects



Permitting can be a challenging process for landowners and operators especially those new to forest management. DNRC Service Foresters administer the SMZ Law and have access to a broad spectrum of educational resources. DNRC recommends landowners utilize Accredited Logging Professional membership of the Montana Logging Association (<https://www.logging.org/>) who are trained in implementing Forestry Best Management Practices and the Streamside Management Zone Law to implement their projects.

Descriptions of a few of the most frequently used regulations and rules are listed below. Your local Montana DNRC Service Forester is a great resource for additional information. To find your local Service Forester please visit: [dnrc.mt.gov/serviceforestry](https://dnrc.mt.gov/serviceforestry).

## Streamside Zone Management Law (SMZ)

**Streamside Zone Management Law (SMZ)** (77-5-301 through 307 MCA) protects streams and adjacent lands during timber harvest activities. The SMZ law establishes buffers along streams where activity is regulated, yet limited timber harvesting is permitted. The SMZ law allows for activities that are prohibited by the SMZ law but meet the intent of the law. Requests for Alternative Practices ("Alternative" to management standards stated in 77-5-303(1) MCA) are given site visits, technical review, and MEPA review. If a request is granted, the Alternative Practice contains required mitigation measures and appropriate sideboards to protect the SMZ and the stream. For more information on the SMZ Law or to access an AP application please visit: <https://dnrc.mt.gov/Forestry/Forest-Management/DNRC-service-foresters>.

## Natural Streambed and Land Preservation Act

**Natural Streambed and Land Preservation Act** (310 Permit): (75-7-101 through 75-7-125 MCA) This permit is required by any private, nongovernmental person or entity that proposes to work in or near a stream on public or private land. The permit is necessary for any activity that physically alters or modifies the bed or banks of a perennially flowing stream. Due to the varying rules and jurisdiction of local Conservation Districts, landowners and operators should contact their local CD before implementing work that may need a 310 permit. To find your local CD please visit: <https://mtdnrc.maps.arcgis.com/apps/dashboards/b1591a779f9a45208782e1b6c8cef737>.

**Note: the SMZ Law and 310 Law can have overlapping jurisdiction especially in some Conservation Districts.**

## Forestry Best Management Practices (BMP)

**Forestry Best Management Practices (BMP)** (76-13-101 (2) & 76-13-420 through 76-13-424 MCA) is a non-regulatory program that uses education and monitoring to minimize soil and water effects from timber harvest and associated forest management operations. This program provides operators and landowners practical guidelines and technical assistance to protect soil and water resources while they conduct forest management operations and enables biennial field reviews to monitor and report compliance. For more information on Forestry BMPs please visit Montana DNRC's BMP Page at: <https://dnrc.mt.gov/Forestry/Forest-Management/best-management-practices>.

## Control of Timber Slash and Debris Law (HRA)

**Control of Timber Slash and Debris Law (HRA)** (76-13-401 through 415 MCA) requires a Hazard Reduction Agreement (HRA) to be in place to ensure the slash generated from any commercial timber harvest operation is treated to minimize the resulting fire hazard. Landowners, loggers, and/or other forest operators are subject to this law and must enter into a Hazard Reduction Agreement with DNRC. The HRA requires a performance bond to be held by the DNRC until a certificate of clearance is issued. The application for the HRA can be found at <https://dnrc.mt.gov/Forestry/Forest-Management/logging-slash-reduction> or from your local DNRC office.