



FIRE HAZARD REDUCTION FACT SHEET

History has shown that forest fires starting in or burning into slash or other logging residues are much harder to control, cause more damage, and cost much more to suppress. Montana State Law, Sections 76-13-401 through 76-13-414 MCA, requires that forest fire hazards resulting from logging, thinning, post cutting or right-of-way clearing on private forest lands in Montana be reduced or managed. The following are frequently-asked questions regarding the Hazard Reduction Law.

Q. WHAT ARE MY RESPONSIBILITIES UNDER THE LAW?

A. As a landowner, logger or mill, you must:

1. Obtain a Fire Hazard Reduction Agreement or Master Fire Hazard Reduction Agreement from the State before cutting any timber.
2. Ensure all purchasers have a copy of the Agreement prior to delivering logs or other products.
3. Treat the slash and other hazards as prescribed in the Agreement.
4. Comply with all terms of the Agreement.

Q. HOW DOES THE FIRE HAZARD REDUCTION AGREEMENT WORK?

A. The law requires that the person responsible for actually treating the hazard (landowner, logger, or purchasing mill) enter into a Fire Hazard Reduction Agreement (Agreement) with the State's DNRC Forestry Division **BEFORE** cutting any forest product from private forest lands in Montana. The Agreement is a legal and binding contract between the State and the contractor. You need to understand all parts of it completely before signing it.

The Agreement requires that the contractor—the person who signs the Agreement—pay a \$25.00 non-refundable application fee and post a performance bond to guarantee that they will comply with the terms of the Agreement. This bond is usually a cash payment that the purchasing mill withholds from log delivery payments and forwards to the State. Currently, the bond is \$6.00 per thousand board feet. An additional \$1.15 per thousand board feet is withheld to cover administrative and MSU Extension Forestry fees.

Q. WHAT HAPPENS TO THE BOND?

A. The State holds the bond in a uniquely numbered account for each particular agreement. After the hazard reduction is completed as prescribed by the Agreement, the State returns \$6.00 per thousand board feet and retains \$0.85 per thousand board feet for program costs. The final \$.30 per thousand board feet is sent to Montana State University Extension Forestry for landowner education programs.

If the contractor cuts more than 500,000 board feet in a calendar year under a single Agreement, the State will refund the fee withholdings for the added volume.

Q. WHAT METHOD OF HAZARD REDUCTION IS USUALLY PRESCRIBED?

- A. Prescribed treatments depend on the type of logging being done, the volume of slash created, the amount of bond posted and other factors.

Some commonly accepted methods are:

1. Piling and burning.
2. Lopping and scattering remaining tree tops and limbs
3. Crushing
4. Broadcast burning.
5. Chipping the slash.
6. Burying the slash.
7. A combination of two or more of these methods.

Q. WHAT IS AN ACCEPTABLE LEVEL OF HAZARD REDUCTION?

- A. You must reduce slash to a level at which a fire would burn with a flame length of 4 feet or less. Specific hazard reduction standards are required for high value and special management areas, including areas around residential structures, public campgrounds, high value communication structures, precommercial thinning units, steep slope/partial cut units, wet areas, and property boundaries. The inspecting Service Forester will determine if the contractor has carried out the prescription and met the necessary standards.

Q. WHAT HAPPENS IF THE CONTRACTOR DOESN'T DO THE HAZARD REDUCTION WORK?

- A. The contractor is to complete the required hazard reduction work within 18 months of the completion of harvest operations. If they fail to do so, the State may take over the hazard reduction responsibilities and do the work at cost plus twenty percent (20%) as a penalty. The State may also assign the responsibility to another party or elect to provide additional forest fire protection in the area until the hazard has been naturally reduced to an acceptable level.

For further inform action about hazard reduction, contact your local Montana Department of Natural Resources and Conservation office or see our website at <http://dnrc.mt.gov/divisions/forestry/forestry-assistance>.