



Resolution 26-01

Resolution type: Legislative Directive

A Resolution Supporting Legislation Allowing Conservation Districts the Option to Opt Out of the Administration of the Montana Natural Streambed and Land Preservation Act (310)

Submitted by: Valley County CD

BACKGROUND DESCRIBING ISSUE

WHEREAS, the Montana Natural Streambed and Land Preservation Act of 1975 commonly referred to as the “310 Law” establishes a permitting process administered by local conservation districts for projects that may affect the beds and banks of perennial streams; and

WHEREAS, conservation districts are locally governed entities with varying staffing levels, limited to very unknowledgeable legal representation, and

WHEREAS, local control includes the ability of locally elected conservation district supervisors to determine whether participation in certain state-administered regulatory programs is appropriate and sustainable for their district; and

WHEREAS, allowing conservation districts the option to opt out of administering the 310 law would provide flexibility while allowing the Legislature and State of Montana to establish alternative administration mechanisms where necessary; and

WHEREAS, providing an opt-out option would respect local governance and acknowledge differing conditions and priorities among Montana Conservation Districts;

LANGUAGE TO BE INCLUDED IN LEGISLATION DRAFTED BY MACD

NOW, THEREFORE BE IT RESOLVED that the Valley County Conservation District supports legislation allowing conservation districts the voluntary option to opt out of administration and enforcement responsibilities under the Montana Natural Streambed and Land Preservation Act (310 Law).

BE IT FURTHER RESOLVED that any legislation establishing such as opt-out process should provide for clear transition procedures and designation of an alternative permitting authority to ensure continuity and regulatory certainty.

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the Governor, members of the Legislature, and other appropriate state officials.

SPONSOR(S) ACTIONS TO DATE

It has been brought to the attention of our local state representatives and legislators.

HOW WILL YOUR DISTRICT CONTINUE TO SUPPORT, BE INVOLVED WITH, AND TRACK THIS RESOLUTION BEFORE AND DURING THE UPCOMING LEGISLATIVE SESSION?

Valley County Conservation District will stay in contact and communicate with our state representation to the Montana Legislature.

ARE THERE ANY EXISTING MACD POLICIES THAT THIS WOULD IMPACT OR INTERACT WITH?

Yes, administration of the 310 permits.

HOW WOULD THIS POLICY IMPACT MACD?

Yes, there will be a decrease in MACD and DNRC staffing and legal services.

WOULD THIS POLICY STATEMENT IMPACT THE STATE BUDGET? IF SO, HOW?

Yes, budgetary commitments would decrease based on the potential decrease of 310 considerations.

MEETING AND DATE ADOPTED BY SPONSORING ENTITY

Valley County Conservation District monthly meeting, June 5, 2026

AUTHORIZED SIGNATURE(S) AND TITLE(S)

Gene Granada, Valley County Conservation District Chairman

Jeff Pattison, VCCD Vice Chairman

Jody Mason, VCCD Secretary

John Bach VCCD Treasurer

Tyler Thieven, Ron Stoneberg, Jeff Sather, VCCD Supervisors