



MONTANA FISH, WILDLIFE & PARKS

Public Access Land Agreements | open or improve public access to inaccessible public lands

Overview

Montana Fish, Wildlife & Parks' Public Access Land Agreements program seeks to open or improve free public access to isolated parcels of state or federal land for public recreation.

Program at a Glance

The Public Access Land Agreement program is a creative way for landowners to provide public access to public lands, in exchange for a payment and other negotiated improvements to facilitate public access to public lands.

Who is Eligible

To be eligible for a Public Access Land Agreement private landowners, must be willing to provide public access to either inaccessible public lands or improve access to under-accessible public lands, or both.

Inaccessible land means public land wholly surrounded by private land by which there is no other legal access via public road, trail, right of way or easement; public waters; adjacent federal, state, county, or municipal land that is open to public use; or adjacent private land for which that landowner has not granted permission to cross.

Under-accessible land means public land for which there is no other legal access point within one mile via public road, trail, right of way or easement; public waters; adjacent federal, state, county, or municipal land that is open to public use. A distance of less than one mile may be eligible if the department determines that it improves public access to lands based on site specific considerations.

Landowners who wish to enter agreements must also hold the lease for grazing/farming on the public land.

Landowner Liability

Landowners enrolled in the Public Access Land Agreement program are provided liability protection under state law through 70-16-302, Montana Code Annotated (MCA) as long as no fees for access/trespass are charged. Landowners are also possibly eligible for reimbursement through FWP's Livestock Loss Reimbursement Program.

Landowner **Compensation and** Benefits

Landowners who enroll parcels, roads or trails in the Public Access Land Agreement program are eligible for an annual payment of up to \$15,000 per agreement. Landowners and the department may also negotiate improvements up to \$1,000 per agreement year needed to facilitate access.

Fish, Wildlife & Parks may provide hunter management assistance dependent upon need, property rules and program availability as well as may provide and post signs with associated maps and rules for each property, road or trail enrolled in the program.

Agreement Details

Potential agreements will be reviewed by the Private Land/Public Wildlife Advisory Committee for a recommendation to the Department whether to fund the agreement.

The agreement will be between private landowners and Fish, Wildlife & Parks for a minimum of one year up to ten-years with payments made annually.

Landowner in collaboration with FWP determines when, where, and how the public may access public land in accordance with program guidelines including the possibility of limiting travel to foot traffic only.

How to **Apply**

Landowners should contact their local Fish, Wildlife and Parks' Regional Access Manager or FWP biologist or warden or visit fwp.mt.gov/pala to obtain an application.

Applications are available in late January and must be received by March 15 in order to be reviewed by the Private Land/Public Wildlife Advisory Committee. Landowners must also submit evidence they are the leaseholder on the public land to be accessed- if there is a lease.