

DNRC Land Use Guidelines

This document is for providing general guidance relating to the use of MT DNRC Trust Lands for fire purposes such as an ICP/camp/dip site, etc.

- 1) Identify lands as state trust lands via cadastral (if a site has not already been identified by the Line Officer / local DNRC office.)
- 2) Lands identified as other state agency lands must be addressed by the appropriate person within that agency. DNRC office staff may be able to assist with contact information within their own management areas.
- 3) Contact appropriate DNRC Area or Unit office. DNRC office information can be found at: <http://dnrc.mt.gov/divisions/trust/docs/trust-lands-forestry-offices.pdf>
- 4) Local DNRC Office determines suitability of site for proposed purpose.
- 5) Local DNRC office to contact Lessee of record to identify any areas of issue for proposed use.
 - a. Is land being farmed currently? Loss of Crop? *CRP lands may not be used.*
 - b. Is land currently carrying livestock? Livestock to be moved as needed?
- 6) If the answer to 5 is No on both accounts, Letter of Agreement (LOA) with the DNRC can be completed for use.
 - a. The agreement is to be completed by the DNRC office. Contact the Real Estate Management group for the assigned LOA number and the appropriate form to use.
 - b. If this is considered a mutually beneficial use there is no fee involved.
 - c. Insure appropriate language is included in the LOA such as any needed restoration or weed mitigation.
- 7) If the answer to 5 above is Yes on either account, or a fee is involved at any time, a Land Use Agreement (LUA) with the DNRC will be needed.
 - a. There may be situations where it is in the best interest of the state to charge a fee for the use of the state land.
 - b. The unit office may need to work with the lessee to calculate crop loss value or any needed value regarding livestock relocation. This may result in a settlement of damages to the lessee of record.
 - c. Insure appropriate language is included in the LUA such as any needed restoration or weed mitigation.
- 8) If water is to be used in the course of the incident, any LOA or LUA is to be set up for "access to the water source only" and the use is to cease as soon as possible. Water is not to be sold unless the appropriate Water Right is produced/verified which provides for the sale of the water.