

# Prescribed Fire on Private Lands



## WHAT IS PRESCRIBED FIRE?

Prescribed fire is the intentional and planned use of fire to reach land management objectives. Prescribed fire can reduce hazardous fuels, mitigate insects and diseases, recycle nutrients back into the soil, promote growth of desired vegetation, manage invasive weeds, and improve wildlife habitat. Fire experts carefully plan out each burn to make sure conditions are most suitable, usually during the spring and fall. There is a lot of work and planning that goes into implementing a prescribed burn to ensure the application is as safe and successful as possible, including monitoring site and weather conditions, prepping the site, and creating a detailed plan that everyone involved understands and can communicate to neighbors and the public.

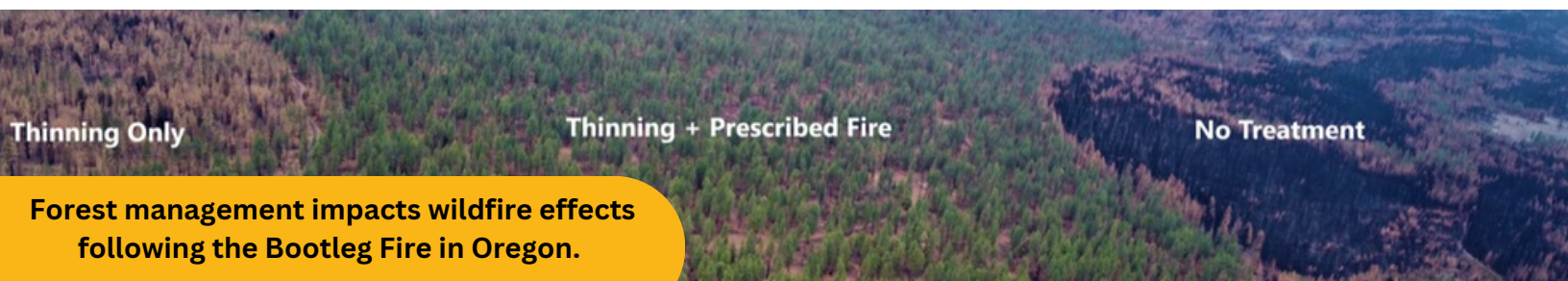
## WHY IS PRESCRIBED FIRE NEEDED?

Historically, Montana's lower elevation forests experienced low-severity fires every 10 to 25 years on average. Grasslands in eastern Montana burned every 3-20 years. Due to these historical fire regimes many of Montana's plant species are adapted to or depend on fire to stay healthy and productive. While suppression is often necessary to protect lives, homes, and livelihoods, attempting to completely remove fire from the landscape has had adverse effects on our ecosystems.

Without frequent, low-severity fires Montana's forests have increased in density. This overcrowding has led to a decline in forest health and an increase in outbreaks of insects and diseases, allowing dead fuels to accumulate. Lack of historic fire regimes on grasslands has led to a decrease in diversity of native grass prairie species, increase in invasive grasses, and conifer encroachment. **The result: unhealthy ecosystems and large, uncontrollable wildfires.**

**Active landscape management is necessary restore ecosystem health and reduce wildfire risk in Montana. Prescribed fire is one of the most cost-effective management tools we have to reduce hazardous fuel loads and increase resilience of our forests and grasslands. Low elevation forests that have been both mechanically thinned and burned are proven to be most resistant to high-severity wildfire.**

**TO LEARN MORE ABOUT THE BENEFITS OF PRESCRIBED FIRE AND WHY WE BURN SCAN THE QR CODE:**



Thinning Only

Thinning + Prescribed Fire

No Treatment

**Forest management impacts wildfire effects following the Bootleg Fire in Oregon.**

# DUE TO THE MANY BENEFITS THAT FIRE PROVIDES, WE ARE SEEING AN INCREASED INTEREST IN THE USE OF PRESCRIBED FIRE ACROSS MONTANA.

## CHALLENGES

Most often, prescribed burns are occurring on public lands in Montana by agencies such as the U.S. Forest Service and Bureau of Land Management and on Indigenous lands by First Nations, such as the Confederated Salish and Kootenai Tribes. Many private landowners are interested in applying prescribed fire to reach their management goals but without proper qualifications and training worry about risk and liability. Our liability standards in Montana are currently unclear, meaning that there is no defined liability law for prescribed fire. Without a clear liability standard, we can't answer questions around who and to what extent someone would be held liable in the event a prescribed fire escaped and caused damage.

FOR MORE INFORMATION ON  
PRESCRIBED FIRE LIABILITY  
VIEW THE FOLLOWING RX FIRE  
LIABILITY FACTSHEET BY  
SCANNING THE QR CODE:



## OPPORTUNITIES

Organizations, First Nations, agencies, and landowners are working to carefully and successfully reintroduce fire to reduce wildfire risk and restore the health of our forest and grasslands. For example, the Blackfoot Challenge has established the Blackfoot Prescribed Fire Work Group to support and increase the use of prescribed fire across private and public lands in the Blackfoot watershed. This group helps to facilitate discussion and collaboration on liability and resource sharing to assist private landowners interested in returning fire to their land.

There is also interest on passing legislation that addresses regulations to burn and reduces liability to the prescribed burner if they complied with all regulations, which could clarify liability standards for the state. Through legislation, many states have changed their prescribed fire liability laws. While the laws vary, they generally establish certain training and certification standards for landowners to complete in order to conduct a prescribed burn. Once a landowner is properly trained and certified, they can only be held liable for damages from a prescribed burn if they did not do the burn diligently.

To promote the use of prescribe fire, states also have created Prescribed Fire Councils. These councils assist private landowners and organizations with partnership and collaboration, addressing barriers, answering questions, and provide information to help get prescribed fire on the land. Montana is in the process of creating a Prescribed Fire Council, which would work to address liability and training for private landowners.



If interested in learning more about how Montana DNRC is supporting prescribed fire initiatives, please contact: Jack Rinck, Montana DNRC Prescribed Fire Council Coordinator, 406-542-4220, jack.rinck@mt.gov