



# MONTANA FISH, WILDLIFE & PARKS

## Unlocking Public Lands v. Public Access Land Agreement Landowner Fact Sheet

Montana Fish, Wildlife & Parks is pleased to offer a variety of programs and incentives to landowners who are willing to allow public access to inaccessible public lands. Two of these options are the Unlocking Public Lands program and the Public Access Land Agreement program. This fact sheet is intended to explain the main program differences and assist landowners in determining which program may be the right option. Interested landowners are encouraged to visit with their local FWP Regional Access Manager, Biologist or Warden or contact the FWP Parks and Outdoor Recreation Office in Helena with any questions. Landowners can also visit [fwp.mt.gov/hunt/landownerprograms](http://fwp.mt.gov/hunt/landownerprograms) for more information. Application periods open in January and close March 15.

### Unlocking Public Lands (UPL)

Program runs on calendar year.

Public access must be available for most of the year-typically June 30-December 31. One-year agreement only.

Landowner must have lease if providing access to State Land. No lease required if offering access to Federal Lands.

Access must be allowed for all recreations as permitted on public lands.

Provides \$750 State of MT Income Tax Credit-maximum of 4 credits.

Landowners could also be considered for an agreement if they own land adjacent to the point where the corners of two parcels of public land meet. The landowner shall grant access through the landowner's land to establish a corridor between the two parcels of public land if one of the parcels of public land is accessible by a public road, waterway, or access granted by a landowner.

Public land cannot be accessed by: public road, right-of-way, or easement; public waters; adjacent federal, state, county, or municipal land that is open to public use; adjacent private land because a landowner has granted permission to cross. Also does not include a corridor established between two or more parcels of public land when the public land parcels are surrounded by private land.

Landowner cannot enroll private land in program if outfitting or commercial hunting restricts public hunting on private land. Cannot enroll in any other FWP program- such as Block Management.

### Public Access Land Agreement (PALA)

Program runs on state fiscal year. July 1-June 30.

Public access is dependent upon landowner terms (duration, location, restrictions, etc). Dependent upon available funding, agreements may be up to 10-years in length.

Landowner must have State and/or Federal lease to public land- if the public land has a lease.

Public land must be open for hunting and/or fishing, but landowner can allow public access to cross private for all recreations as permitted by the public land.

Landowner is compensated based on value set by FWP and recommended by the Private Land/Public Wildlife (PL/PW) Advisory Committee. Landowner may also request reimbursement for improvements that facilitate public access to public land.

Public land under consideration must be 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.

Public land to be accessed must not have another 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.

Landowner cannot enroll in the Unlocking Public Lands program or DNRC MT-PLAN program.

Landowner can enroll in PALA program and Block Management.



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