



ADMINISTRATIVE RULES OF MONTANA



36.25.1209 INTERAGENCY LAND MANAGEMENT AGREEMENTS

- (1) State trust land may be enrolled in a block management area or wildlife management area established by the Department of Fish, Wildlife and Parks pursuant to a written agreement executed by the department. No state trust land is included in a management area unless a written agreement is executed by the department.
- (2) The department may enroll state trust land into a block management area only if it finds that:
 - (a) enrollment is in the best interest of the public and the trust;
 - (b) inclusion would not result in damage to the land;
 - (c) the proposed block management area contains private land;
 - (d) the state trust land is contiguous to other land included within the proposed block management area; and
 - (e) the proposed block management agreement does not conflict with the rights of holders of leases, licenses, or easements.
- (3) To request enrollment of state trust land into a block management area, the Department of Fish, Wildlife and Parks must submit a proposal to the department that includes:
 - (a) a legal description of the affected state trust land;
 - (b) a description of legal access;
 - (c) the terms, conditions, and restrictions to be applied to the lands enrolled in the proposed block management area; and
 - (d) a map of the proposed block management area that identifies state trust land, adjoining public land, and open roads.
- (4) A public review process is required only if the proposed block management agreement:
 - (a) would impose restrictions on recreational use that are more stringent than those contained in ARM 36.25.1204; and
 - (b) contains state trust land that is:
 - (i) accessible by open road, public right of way or easement, public waters, or contiguous government-owned land that is open for public use; or
 - (ii) contiguous at some point to land that is not included within the proposed block management area.
- (5) If a public review process is required pursuant to (4):

- (a) the department and the Department of Fish, Wildlife and Parks shall give public notice in the newspaper in the area of the proposed block management area and provide a 21-day public comment period;
 - (b) the department will review and prepare written responses to all substantive comments and shall provide copies to each person who submitted a substantive comment; and
 - (c) the department may, at its discretion, hold a public hearing in the area of the proposed block management area if it finds that a public comment or a request for a hearing raised a significant question as to whether the proposal is in the best interest of the public or the trust.
- (6) A block management agreement that includes state trust land must contain the following provisions:
- (a) A recreational use license pursuant to ARM 36.25.1203 is required for general recreation.
 - (b) Motorized vehicle use on state trust land is restricted in accordance with 77-1-804(6)(c), MCA.
 - (c) If the state trust land meets the criteria in (4), the Department of Fish, Wildlife and Parks shall post signs on state trust land at customary access points that include information about special block management restrictions on recreational use and how access may be obtained.
 - (d) If a complaint is not resolved to the satisfaction of the department, the department may withdraw state trust land from the block management area.
- (7) The department may agree to renew a block management agreement if the agreement continues to meet the criteria in (2) and contain the provisions in (6).
- (8) Renewal requires the public review process under (5) only if:
- (a) the department determines that a complaint received by Department of Fish, Wildlife and Parks has not been adequately resolved;
 - (b) public comments or complaints have been received by the Department of Fish, Wildlife and Parks that:
 - (i) raise significant concern regarding compliance with the agreement; or
 - (ii) indicate that continued enrollment may not be in the best interest of the public or the trust; or
 - (c) changes in the agreement impose more stringent restrictions than those contained in the existing agreement.

Authorizing statute(s): 77-1-804, MCA

Implementing statute(s): 77-1-804, MCA

History: NEW, 2025 MAR, Notice No. 2025-91, Eff. 11/8/25.