



Prescribed Burning Agreement

TRACT NAME: _____

UNIT/PARCEL: _____

The Department of Conservation and Recreation, in an effort to manage Virginia's natural areas and state parks, enters into an agreement with the landowner(s) as follows:

IT IS MUTUALLY AGREED _____ (landowner) on behalf of themselves, and the Director on behalf of the Department of Conservation and Recreation (Department), that the landowner does hereby give permission to the Department to carry out a prescribed burning project for natural area or state park lands management purposes, on approximately _____ acres of land of the landowner, known as the _____ tract(s), located _____ in _____ County/City, Virginia. These lands are described above and shown on the attached project map which is made part of this document.

A. THE LANDOWNER WILL:

Accept full responsibility for damage to landowner's own property and for injuries to landowner's person. Accept full responsibility for and hold the Department harmless from and against payment of all civil damage claims arising out of the performance of this agreement including, without limitation, claims for injury to persons (including death) or damage to property made by third parties and by agents or employees of the landowner. Certify that he/she has inspected the above described lands and that there are no buildings or personal property on the areas where fire management activities are planned which would be damaged by the proposed fire management activities. Acknowledge that the Virginia Tort Claims Act (Code of Virginia, Section 8.01-195) is the instrument for any landowner or third party liability claim.

B. THE DEPARTMENT OF CONSERVATION AND RECREATION WILL:

Prepare a written prescribed burn plan (prescription), including a smoke management plan, utilizing current and expected weather forecasts. Prepare or supervise the preparation of interior and/or exterior fire lines. Provide a supervisory Department employee(s), other Department employees, necessary hand tools, water handling equipment, and all other equipment for the prescribed burning operation. Exercise the necessary skills, professional judgment, and responsible care required for prescribed burning, but gives no warranty, expressed or implied, as to the effectiveness or control of the prescribed burning operation.

LANDOWNER SIGNATURE	LANDOWNER NAME (PRINT)	DATE

DCR EMPLOYEE SIGNATURE	DCR EMPLOYEE NAME (PRINT)	DATE

I, _____ owner of the parcel of land referred to in this agreement, hereby authorize the Department to conduct fire management activities including but not limited to prescribed burning and fire control line construction. If deemed advisable and necessary, I also name _____ of _____ to act as my agent in my absence on matters associated with the prescribed burning operation.

LANDOWNER SIGNATURE	DATE	WITNESS SIGNATURE	DATE