

INDIAN AFFAIRS MANUAL

- 1.1 Purpose.** This chapter provides an overview of the Bureau of Indian Affairs' (BIA) Agriculture and Rangeland (Ag & Range) Management program, including documenting the authorities and responsibilities for the protection and beneficial use of trust and restricted Indian lands managed for agricultural production. For the purposes of this policy, "agriculture" means both farm/pasture and grazing activities.
- 1.2 Scope.** This policy applies to BIA programs participating in the management, accountability, and/or protection of trust and restricted Indian agricultural lands and resources. This policy may also apply to entities carrying out activities on behalf of Indian Affairs (IA) under contracts or other agreements if expressly agreed to in the contracts or agreements, or if the requirement to abide by such policy is otherwise required by law. These entities may include contractors or Tribes operating through contracts issued pursuant to Public Law (P.L.) 93-638. Compacted Tribes may not be required to abide by the policies contained in this chapter (depending on individual compact language), but are encouraged to use IA policy as guidance.
- 1.3 Policy.** It IA's policy that the management of Indian agricultural lands and related resources be undertaken with the participation of the beneficial owners of the land in a manner consistent with the trust responsibility of the Federal Government; to protect and conserve Indian agricultural resources; and to promote the sustained-yield use of Indian agricultural resources.
- 1.4 Authority.**
- A. Statutes and Regulations.**
- 1) 7 U.S.C. § 136 et seq., Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended
 - 2) 7 U.S.C. § 2801 et seq., Federal Noxious Weed Act of 1974
 - 3) 25 U.S.C. § 415, Leases of Restricted Lands
 - 4) 25 U.S.C. §§ 3701 et seq., American Indian Agricultural Resource Management Act (AIARMA), as amended
 - 5) 25 CFR 162, Leases and Permits
 - 6) 25 CFR 166, Grazing Permits [General Grazing Regulations]
 - 7) P.L. 93-638, Indian Self-Determination and Education Assistance Act (ISDEAA) of 1975, as amended

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B. Handbooks.

- 1) 54 IAM 1-H: Agricultural and Rangeland Management Handbook

1.5 Responsibilities.

A. Director, Bureau of Indian Affairs (BIA) is responsible for:

- 1) overseeing the BIA Ag & Range Management program to ensure compliance with statutes, regulations, and Department of the Interior (DOI) guidance and policy;
- 2) maintaining working relationships and approving agreements with other federal agencies; and
- 3) negotiating with Tribes and Tribal organizations to determine areas of concern and to address conflicts.

B. Deputy Bureau Director (DBD), Office of Trust Services (OTS) is responsible for coordinating Ag & Range Management program activities with other OTS programs, and supporting program budget and staffing.

C. Chief, Division of Natural Resources, OTS is responsible for monitoring policies, standards, and procedures for the Ag & Range Management program.

D. Regional Directors are responsible for providing regional guidance for the Ag & Range Management program, and addressing appeals from decisions issued by BIA Agency Superintendents.

E. Agency Superintendents are responsible for:

- 1) ensuring that Ag & Range Management program activities are in compliance with all applicable statutory, regulatory, and policy requirements;
- 2) ensuring that program activities advance goals expressed in Tribal planning documents; and
- 3) organizing and assigning BIA agency staff and resources to coordinate program activities with other agency responsibilities.

F. Approving Officials are responsible for the determination of the contractibility of the Ag & Range Management program, service, function, and/or activity pursuant to statute and requirements outlined in 25 CFR 900.

- G. Awarding Officials (AOs)** are responsible for the operation and application of P.L. 93-638, as designated, and for the oversight, monitoring, and award of Ag & Range Management program contracts and grants.
- H. Awarding Officials Technical Representatives (AOTRs)** are responsible for providing programmatic and administrative support as trained/designated by the AO(s) for a specific contract/grant.

1.6 Standards and Requirements.

Through direct implementation as well as through Tribal programs under self-determination agreements, BIA's Ag & Range Management program provides oversight and technical assistance to Tribal programs and to individual Indian landowners and land users in the following ways:

- 1) **Inventory** – Rangeland inventories are necessary to determine current forage productivity, range condition, and ecological trends. Each inventory is conducted to enable managers to make informed recommendations concerning proper stocking rates, seasons of use, and livestock class. Inventories are also used to evaluate the results of previous management decisions.
- 2) **Programmatic and Permit/Lease-level Planning** – Programmatic management plans are developed and implemented to identify the agricultural resources of a Tribe; express the critical values and resource goals of the Tribe; and outline actions to be taken to reach those goals in a sustainable, multiple-resource-focused manner. Conservation plans are written to define landowner, land user, and land administrator objectives, activities, and responsibilities at the permit/lease level.
- 3) **Rangeland and Cropland Improvements** – Increases in agricultural productivity and improvements in soil and moisture conservation are achieved through the planning, design, and implementation of rangeland and cropland improvements. Technical and administrative assistance are provided to Tribal and individual landowners and to land users.
- 4) **Resource Protection** – Rangeland and cropland resource protection activities include fuels management, fire suppression, and burned area rehabilitation; insect and disease monitoring and control; and investigation and response to trespass agricultural and grazing activity, and other unlawful actions on Indian agricultural lands.
- 5) **Leasing and Permitting Services** – Services include issuance and administration of leases and permits; monitoring of the activities of lessees and permittees under the lease/permit; monitoring the condition of resources under lease/permit; acting in

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Part 54
Chapter 1


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response to findings; and modifying leases/permits, as appropriate.

- 6) **Contract Oversight** – Contracts and grants issued or proposed under P.L. 93-638 are reviewed to ensure that the full range of program responsibilities are addressed in contracted or retained responsibilities, and that contractor performance requirements are specified.
- 7) **Noxious Weed Management** – In compliance with the AIARMA, the Federal Noxious Weed Act, and the FIFRA, technical and cost-share support is provided for cooperative inventory, prevention, and control of noxious weeds in Indian country.

Approval

Darryl LaCounte  Digitally signed by Darryl LaCounte
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Darryl LaCounte
Director, Bureau of Indian Affairs

Date