

National Memorandum of Understanding  
Among  
USDA-NRCS, USDA-FSA, and DOI-BIA  
signed December 06, 2006



# PURPOSE

- BIA, NRCS, and FSA have common objectives:
  - Communication, Collaboration, Cooperation, and Consultation with Agricultural Producers, Indian landowners, and Indian Tribes
  - Managing and Conserving Natural Resources on Indian Lands.

# PURPOSE

- MOU identifies the Federal responsibilities that must be coordinated
- Recognizes the role of tribes, as sovereign entities, as the land owners and users of their land.



# Guiding Federal Laws and Policies

- The MOU was preceded by many federal regulations and executive directives:
  - American Indian Agricultural Resource Management Act of 1993 (25 USC Chapter 39)
  - Executive Order 13175 of November 6, 2000 (Tribal Consultation process)
  - 25 CFR (Range and Agriculture Regulations)
  - 2008 Farm Bill

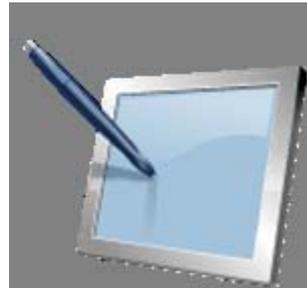
# What is the Scope of BIA's tasks?

- Nationally:
  - Administer 55.7 million acres held in trust by the USA for American Indians, Indian Tribes and Alaska natives
  - There are 561 federally recognized Tribes



# How will we work together under the MOU?

- NRCs will:
  - Provide Technical Assistance and USDA programs Indian Tribes
  - Make monetary payments
  - Utilize IRMP's where available
  - Provide NR Spatial Data of Indian lands to BIA and Tribes
  - Make FOTG available to BIA regional offices and Tribes
  - Advise BIA of available conservation programs and training



# How will we work together under the MOU?

- NRCS will:
  - Assist with development of conservation plans
  - Consult with BIA during conservation planning to confirm landowner or permittee and ensure regulations are complied with.
  - Consult with BIA Irrigation Managers on plans within BIA Irrigation Projects
  - Provide annual progress reports to the Director of BIA
  - Certify design and construction of planned and mutually reviewed conservation practices delivered through NRCS

# How will we work together under the MOU?

- NRCS will:
  - Perform spot checks and status reviews jointly with BIA staff on NRCS-administered conservation contracts located on tribal lands
  - Work with BIA and Indian tribes to identify technical training needs and provide training
  - Conduct and maintain soil surveys under NCSS program in cooperation with BIA and tribes on Indian lands

# How will we work together under the MOU?

## ■ BIA will:

- Review conservation plans affecting Indian lands to ensure consistency and compliance with current leases.
- Provide TA for needs assessments and feasibility determinations for conservation programs on Indian lands
- Work with NRCS to coordinate grazing capacity recommendations by sharing production data and permit and lease information
- Advise NRCS and FSA of existing programs, leases, ROW or other encumbrances which may affect proposed projects



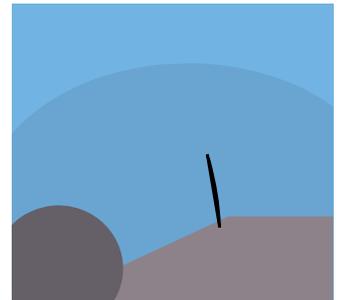
# How will we work together under the MOU?

## ■ BIA will:

- Assist Indians and tribes in developing conservation plans to protect natural resources and comply with NRCS program provisions
- Perform surveys and investigations of designs and conservation practice layouts that meet NRCS FOTG specifications
- Certify completion of practice implementation to NRCS standards
- Maintain files and documentation of conservation practices
- BIA will assist in implementation of joint agency projects



# How will we work together under the MOU?



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## ■ BIA will:

- Advise NRCS and FSA of changes in tribal law affecting USDA programs
- Provide land ownership and NR Spatial Data of Indian lands to NRCS and FSA
- Provide NRCS and FSA with IRMP's when available
- Provide easement and landowner info for NRCS and FSA conservation practices
- Notify NRCS and FSA of changes of lease holder under conservation contracts
- Cooperate with NRCS and tribes in conducting and maintaining soil surveys under the NCSS Program on Indian lands

# We Mutually Agree That:

- We will communicate, collaborate, cooperate and consult to ensure all practices and plans comply with all applicable tribal and Federal laws and regulations