

**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.



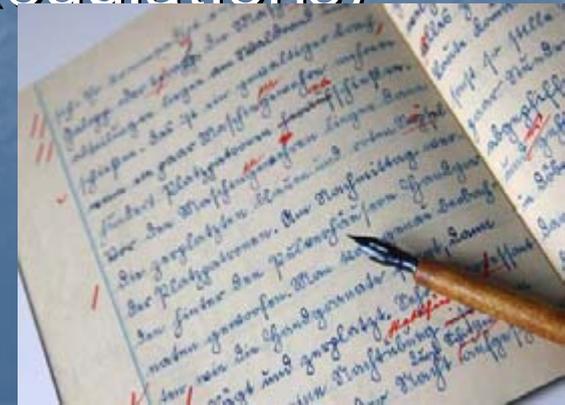
PURPOSE

- 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?

■ BIA will:

- Include provisions for long-term maintenance of conservation practices within permits and leases.
- Accompany and assist NRCS and FSA personnel in quality reviews and spot checks
- Advise NRCS and FSA of existing BIA programs and amendments
- Assist NRCS and FSA to ensure all statutory compliance prior to conservation practice implementation



How will we work together under the MOU?



■ 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

