

**INDIAN AFFAIRS  
DIRECTIVES TRANSMITTAL SHEET**

(modified DI -416)

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FOR FURTHER INFORMATION Office of Trust Services, Branch of Ag & Rangeland Management (Division of Natural Resources)		DATE <b>SEP 09 2014</b>

**EXPLANATION OF MATERIAL TRANSMITTED:**

These chapters establish the policies, authorities, and responsibilities for the protection, planning, administration, and monitoring of trust and restricted Indian land used for agricultural purposes under Bureau of Indian Affairs (BIA) jurisdiction.



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Director, Bureau of Indian Affairs

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**FILING INSTRUCTIONS:**

Remove: None

Insert: All 6 new IAM chapters

# INDIAN AFFAIRS MANUAL

Part 54

Agriculture Resources

Chapter 7

Management of Noxious Weeds on Indian Lands

Page 1

- 1.1 Purpose.** The purpose of this policy is to document Indian Affairs (IA) roles and responsibilities related to the management of noxious weeds on Indian Lands.
- 1.2 Scope.** This policy applies to all tribal and individually held trust and restricted Indian lands as well as government lands under Bureau of Indian Affairs (BIA) jurisdiction, and to all IA programs, offices, and staff charged with the management of said lands. Although the Bureau has no authority to manage Indian lands held in fee status, this policy should serve as guidance for the management of noxious weeds on tribal fee lands, especially where conversion to trust status is planned.
- 1.3 Policy.** It is the policy of IA to implement IA programs with the goal of preventing the introduction and spread of noxious weeds, to monitor for and rapidly respond to the presence of noxious weeds, and to promote the restoration of native species and habitat conditions in ecosystems that have been impaired by noxious weed infestation.
- 1.4 Authority.**
- A. Statutes and Regulations.**
- 1) 7 USC § 2814, Management of Undesirable Plants on Federal Lands
  - 2) 7 USC § 7701 *et seq.*, The Plant Protection Act of 2000
  - 3) 7 USC § 7781-7786, The Noxious Weed Control and Eradication Act of 2004
  - 4) 25 USC § 3701 *et seq.*, American Indian Agricultural Resource Management Act of 1993, as amended
- B. Executive Orders.**
- 1) Executive Order 13112, Invasive Species, February 3, 1999
- C. Guidance.**
- 1) 517 DM 1, Department of the Interior (DOI) Integrated Pest Management Policy

# INDIAN AFFAIRS MANUAL

## 1.5 Responsibilities.

A. **Director, BIA** is responsible for:

- 1) Planning, funding, implementation, and oversight of such programs and activities as may be required to accomplish the goals and objectives of the DOI Integrated Pest Management Policy, 517 DM 1; and the other Authorities noted in Section 1.4 of this policy.
- 2) Advancing cooperative weed management efforts across all Bureau programs, addressing conflicts and areas of concern, maintaining working relationships and approving agreements with other federal agencies, and negotiating with tribes and tribal organizations.
- 3) Naming a BIA member/representative to the Federal Interagency Committee for the Management of Noxious and Exotic Weeds (FICMNEW) and to the Technical Advisory Group for Biological Control Agents of Weeds (TAG).
- 4) Recommending candidates to serve as Native American representatives on the Invasive Species Advisory Committee (ISAC) of the National Invasive Species Council (NISC).

B. **Deputy Bureau Director, BIA Office of Trust Services (OTS)** supports weed management budget and staffing needs, and coordinates weed management activities across all OTS programs.

C. **Deputy Bureau Director, BIA Office of Indian Services** supports weed management budget and staffing needs, and through performance planning, coordinates weed management activities across all Indian Services programs.

D. **BIA Regional Directors (RD)** are responsible for:

- 1) Providing regional guidance; addressing appeals from decisions issued by Agency Superintendents; and meeting the responsibilities listed under Section 1.5 E. of this policy for programs administered at the regional rather than agency level.

## INDIAN AFFAIRS MANUAL

- 2) Through consultation with state, tribal, local officials, and weed specialists, making official regional and/or individual reservation weed designations, as appropriate.
- 3) Designating a regional staff member to act as the noxious weed management and control contact/coordinator and Interdisciplinary Team member for this activity.
- 4) By and through agreements with rights-of-way (ROW) holders, ensuring that noxious weeds are managed on ROW through Indian lands, including utility, pipeline, and state and local transportation corridors.
- 5) Ensuring that all individuals and entities authorized by RD action to occupy and/or take possession of trust and/or government lands comply with all weed management stipulations and requirements contained in authorizing documents.
- 6) Ensuring compliance with all statutory, regulatory, and policy requirements applicable to noxious weed management on Indian lands is enforced on Bureau of Indian Education-occupied lands and facilities.

**E. BIA Agency Superintendents (AS) are responsible for:**

- 1) Ensuring all Agency programs are in compliance with all statutory, regulatory, and policy requirements applicable to noxious weed management on Indian lands.
- 2) Ensuring that noxious weed management activities advance goals expressed in tribal planning documents.
- 3) Instructing all agency program managers to address noxious weed management and control in both the planning and implementation of program activities.
- 4) Organizing and assigning agency staff and resources to coordinate weed program activities with other agency responsibilities.
- 5) Designating a staff member (or officially recognizing a tribally appointed staff member) to act as the noxious weed management and control contact/coordinator and Interdisciplinary Team member for the reservation or program activity.
- 6) Ensuring that leases and permits authorizing use or occupancy of trust and/or government land under agency jurisdiction address the weed management concerns associated with subject lands.

# INDIAN AFFAIRS MANUAL

- 7) Ensuring that all individuals and entities authorized by AS action to occupy or take possession of trust and/or government lands comply with all weed management stipulations and requirements contained in authorizing documents.

**F. BIA Agency Program Managers** are responsible for:

- 1) Educating themselves on the various ways that program activities affect the introduction, spread, and/or control of noxious weeds.
- 2) Ensuring that program planning and implementation, particularly where soil disturbance is expected, incorporate specific measures that prevent the introduction and/or spread of noxious weeds.

## 1.6 Definitions.

- A. Noxious weed** means a plant species that has been officially declared by a federal, state, tribal or county government entity to be injurious to native ecosystems and wildlife habitats, cropland and rangeland agriculture, and/or humans, livestock, and wildlife, and to be the target of recommended or mandatory management efforts.
- B. Noxious weed management** means an integrated effort to inventory for the presence of noxious weeds, to prevent their introduction and spread, and to contain or reduce the extent of current infestations and their detrimental effects.
- C. Program** means the organizational subdivision and/or the set of activities and processes (i.e., Transportation, Facilities Management, Forestry) IA has established to accomplish specific functional-area administrative and management goals and objectives.