BIA Pacific Region

2026 Natural Resources Meeting

Agriculture and Range

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Rangeland Management Specialist

April 28, 2026

Disclaimer

This is intended to provide guidance only and does not legally bind the DOI or BIA in anyway, nor diminish the sovereign authority of the tribe. If anything in the slideshow conflicts with federal laws or regulations, those laws and regulations take precedent. This includes applicable tribal law.

Grazing Permits and Leases Overview

BIA – Branch of Agriculture & Range

Focus on the conservation, protection, utilization, and management of Indian Trust Lands;

- Inventory, Assessment, & Monitoring of Range Units
- Range and Pasture Planning
- Noxious Weed/Invasive Species Management
- Rangeland Improvements Projects
- Contract Monitoring and Technical Review
- Permit and Leasing Services

Permit and Leasing Services

Services include issuance and administration of leases and permits;

Monitor management and authorized use of lessees and permittees under the lease/permit terms and conditions;

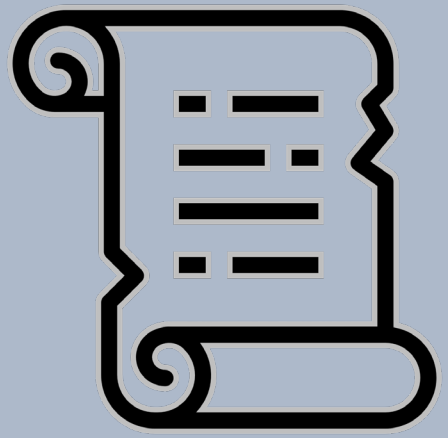
Inspect and monitor the condition of resources under lease/permit;

Response to findings and modifying leases/permits, as appropriate;

Coordinate and obtain documentation that supports the lease/permit and reviewing the proposed terms, conditions and provisions.

Authorities, Statues, and Handbooks

- **25 USC §3701** American Indian Agriculture Resource Management Act (AIARMA)
- **25 U.S.C. §415**, Leases of Restricted Lands
- **P.L. 93-638**, Indian Self-Determination and Education Assistance Act (ISDEAA) of 1975
- **25 CFR 166**, Grazing Permits
- **25 CFR 162**, Leases and Permits – Subpart B
- **54 IAM 1-H**, Agriculture and Rangeland Handbook
- **Leasing and Permitting Handbook Chapter 2** - Agricultural



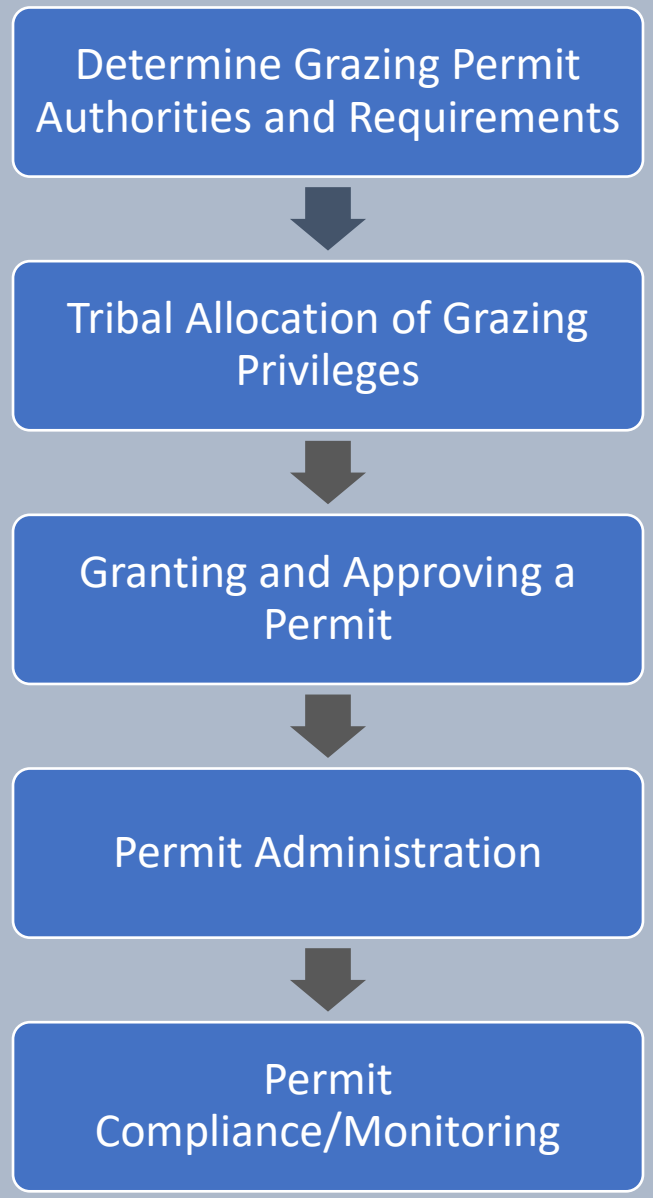
Tribal Codes, Ordinances, and Resolutions!

Sections of 25 CFR Part 166

- Purpose, Scope and Definitions
- Tribal Policies and Law
- Permit Requirements
- Land Operations & Management
- Grazing Rental Rates/Fees
- Bonding & Insurance, if applicable
- Permit Compliance & Enforcement
- Record keeping

Grazing Permitting Process

- Review lands, secure landowner consent, establish grazing capacity, season of use, determine rental rates.
- Allocation of privileges (non-competitive), Competitive bid or negotiated permits if unallocated.
- Prepare permit, attach land schedule & map, verify conservation plan, NEPA compliance, obtain signatures and bonds (if required), forward to LTRO for recordation.
- Approve modifications; manage payments; adjust rental rates; update land schedules; ensure improvement requirements.
- Ensures compliance with permit terms, laws, and conservation requirements. Conducts inspections and monitoring of grazing operations. Investigate and issues notices of violations.



Actions Required Before Issuing a Permit

These apply whether the new permit is expiring or is a newly requested authorization

Timelines and actions can vary with who is granting, who is receiving, permit requirements, and approval (Tribal Laws)

After all needed steps are completed, BIA will review, approve, and record

- Land/Program/Permit Review
- Rental Market Survey/Appraisals
- Tribal/Landowner Consultation
- Landowner Consent
- Confirm Stocking Rate
- Review Rental Rates
- Complete Allocation/Bid
- Conservation Plan/NEPA
- Permit Requirements

Actions with Timelines before Permit Approval

- At least 12 months prior;
  - Review all lands to be included & Rental Market Survey (if applicable)
- At least 8 months prior;
  - Obtain Tribal Authorization for Tribal Lands – Resolution
- At least 6 Months prior;
  - Notify allotted landowners and obtain consent – 90 days to complete & return
- At least 4 months prior;
  - Notification of rental survey results and Tribal allocation criteria requirements – Tribe has 60 days to set allocation criteria/eligibility
- Tribal Resolution;
  - Authorizing grazing privileges and use of range units before next grazing cycle

How Grazing Permit Privileges may be Granted

Tribal Allocation

Tribe assigns grazing privileges directly

- Tribal eligibility/criteria
- No competitive bid – application (5-5524)
- Tribal Rate
- Tribal decision; BIA processes

Competitive Bid

Unallocated range units remain or Tribal policy requires bidding

- Advertised Publicly
- Competitive (5-5514)
- Bid ≥ Minimum Rate
- BIA Approval with Tribal Preferences

Negotiated

Competitive bidding produces no bids or no acceptable bids

- No Competition
- Direct negotiations
- Rate may be below fair rental rate
- BIA processes/approve

Sections in 25 CFR Part 162, Subpart B

- Definitions
- BIA Objectives & Responsibilities
- Tribal Functions and Law Applicability
- Obtaining a Lease
- Lease Requirements
- Bonding & Insurance, if applicable
- Lease Administration
- Compliance and Enforcement

Agriculture Lease Steps for Natural Resources

- **Pre-Lease Activities** – Notify Natural Resource/Land Operations to start conservation planning/NEPA
- **Negotiate Lease Prep** – Review the lease proposal for regulatory requirements, NEPA, and management plans
- **Lease Amendment, Assignment, and Sublease** - Review proposed amendment, assignment, or sublease for required consents. Ensure continued compliance with rent, bonding, and conservation requirements.
- **Lease Compliance** – Conducts annually on-site inspections and monitoring of grazing operations. Investigate and issues notices of violations.

Activities Timelines Before Lease Expires

- At least 360 days prior;
  - Review and generate list of expiring leases and idle tracts to be leased
- At least 30 – 240 days prior;
  - Perform on-site field inspection, improvements, review management (crop rotations, grazing, etc.), best if done end or near of growing season
- At least 30 – 120 days prior;
  - Finalize conservation plans/stipulations – 30 days prior to advertisement
- At least 30 days prior;
  - Final field inspection, if needed to ensure all obligations or deficiencies have been completed. Inform lessee and bonding entity of deficiencies to be resolved prior to expiration

Permit – Lease Comparison

	25 CFR Part 166	25 CFR Part 162, Subpart B
Type of Agreement	Permit (revocable, non-possessory, for grazing livestock)	Lease (possessory, for farming, grazing, or other agriculture)
Purpose	Regulates grazing of livestock on Indian rangelands	Regulates farming, grazing, and other agricultural uses on Indian land
Who May Apply	Indian landowners, tribes, non-Indians (with consent)	Indian landowners, tribes, non-Indians (with consent)
Consent Requirements	Majority interest of landowners; BIA may act for certain owners (e.g., minors, unknown heirs)	Majority interest of landowners; BIA may act for certain owners (e.g., minors, unknown heirs)
BIA Approval	Required for all permits	Required for all leases (except certain tribal leases)
Term Limits	Up to 5 years (with possible extensions for conservation or improvement)	Up to 10 years, or up to 25 years if substantial investment is required

Management Plans & Environmental Compliance

Grazing Permits – 25 CFR 166

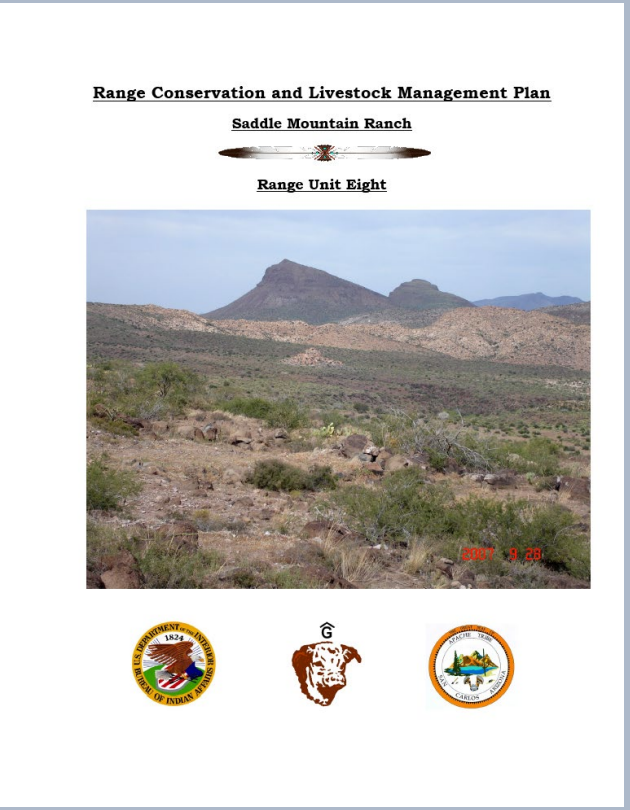
- Conservation plan must be developed for each permit with the permittee and approved by us prior to the issuance of the permit. (§ 166.312)
- The BIA under the regulations in this part must comply with NEPA, applicable regulations of the CEQ and applicable tribal laws and regulations. (§ 166.313)

Grazing Leases – 25 CFR 162

- Stipulations or conservation plans must be developed and incorporated in all agricultural leases. (§ 162.231)
- Identify potential environmental impacts and ensure compliance with all applicable environmental laws, land use laws, and ordinances. (§ 162.214)

Conservation Plans

- The purpose of a conservation plan is to identify goals and objectives and to prescribe specific management actions and conservation practices that address current resource concerns and ensure sustainable and renewable forage production.
- Should include a map showing the approximate location of improvements, conservation measures, stocking rates and any other applicable stipulations/provisions.
- Align with the Tribal ARMP or IRMP when applicable.
- Include the permittee in development whenever possible.


Range Conservation and Livestock Management Plan

Saddle Mountain Ranch

Range Unit Eight

Grazing Management - Permit/Lease

- Livestock kind, numbers, brands, and stocking rate (AUMs)
- Authorized season of use and rest/recovery periods
- Plan rotations based on rate of plant growth, forage utilization, or target plant height (stubble height)
- Manage grazing in accordance with site limitations and productivity
- Distribute adequate livestock water throughout period of use
- Conduct monitoring annually to ensure trust resource protection

NEPA

Environmental Assessment

Range Unit Grazing Permits Approval
Umatilla Indian Reservation
Umatilla County, O

December 2021

***Lead Agency*:**

USDI Bureau of Indian Affairs
Umatilla Agency
P.O. Box 520
Pendleton, OR 97801

***Cooperating Agency*:**

Confederated Tribes of the
Umatilla Indian Reservation
46411 Timine Way
Pendleton, OR 97801

***Responsible Official*:**

Michael T. Jackson, Superintende
Umatilla Agency
P.O. Box 520
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For Further Information Contac

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Range Agriculture, and Forestry P
Department of Natural Resources

Draft Programmatic Environmental Assessment

Grazing Permits and

Improvements for Range Units on the

San Carlos Apache Reservation

June 2008

PREPARED BY:

Bureau of Indian Affairs
San Carlos Agency
Range and Agriculture Program
And
Bureau of Indian Affairs
Western Regional Office
And
The San Carlos Apache Tribe

Final

Programmatic Environmental

Assessment for the Range Unit

Grazing Permit Process on the

reek Reservation

May 2007

PREPARED BY:

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t Plains Regional Office
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deen, South Dakota 57401
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reau of Indian Affairs
Box 139
ompson, South Dakota 57339

CATEGORICAL EXCLUSION EXCEPTION REVIEW (CEER) CHECKLIST

Project:	**Date:**
Letter and Text of category (BIA - 516 DM 10.5 ; DOI - 43 CFR46-210)	

Evaluation of Extraordinary Circumstances (43 CFR 46.215):

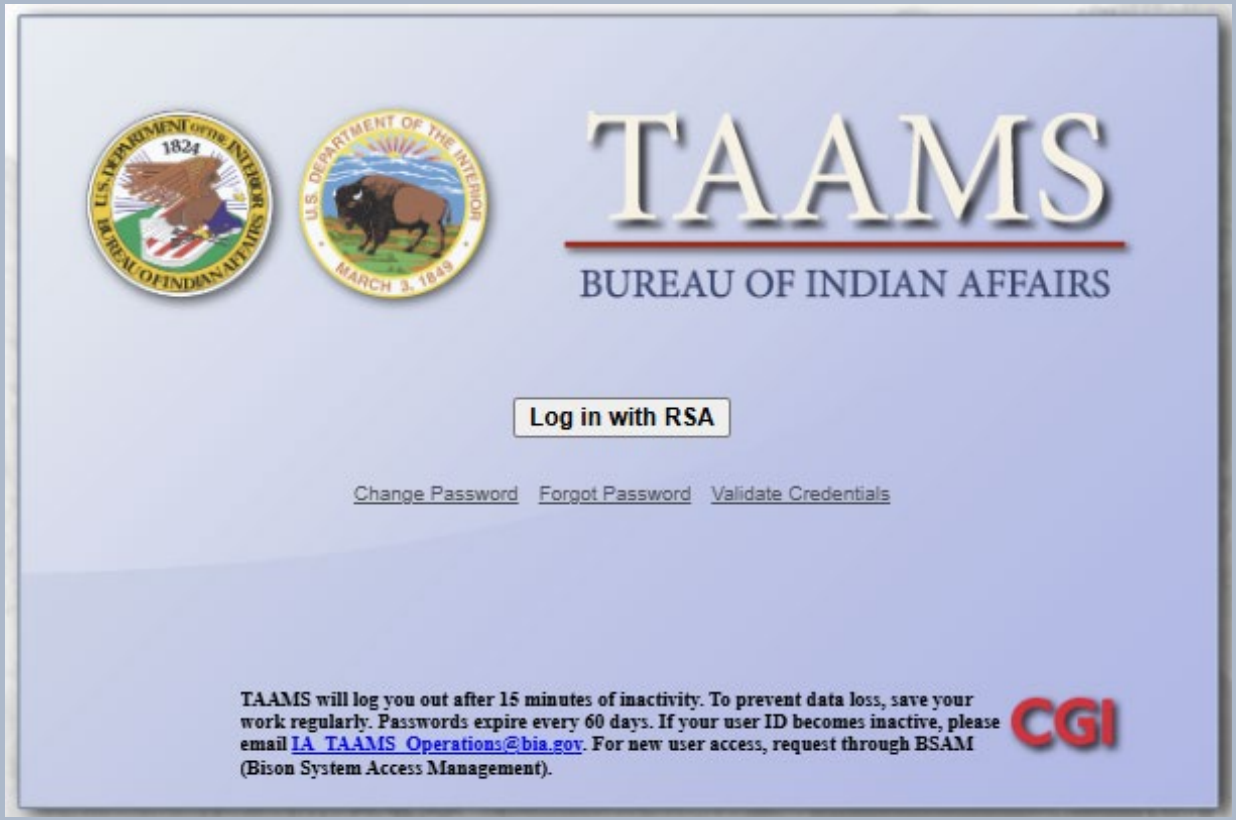
1. This action would have significant impacts on public health or safety.	**NO**	**YES**
2. This action would have significant impacts on: natural resources & unique geographical features as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild & scenic rivers; national natural landmarks; sole or prime drinking water aquifers; prime farmlands wetlands; floodplains; national monuments; migratory birds; and other ecologically significant areas.	**NO**	**YES**
3. This action would have highly controversial environmental effects or unresolved conflicts concerning alternate uses of available resources.	**NO**	**YES**
4. This action would have highly uncertain environmental effects or involve unique or unknown environmental risk.	**NO**	**YES**
5. This action will establish a precedent for future actions.	**NO**	**YES**
6. This action is related to other actions with individually insignificant but cumulatively significant environmental effects.	**NO**	**YES**
7. This action will have significant impacts on properties listed or eligible for listing in the National Register of Historic Places.	**NO**	**YES**
8. This action will have significant impacts on a species listed or proposed to be listed as endangered or threatened, or Critical Habitat of these.	**NO**	**YES**
9. This action violates federal, state, local, or tribal law or requirements imposed for protection of the environment.	**NO**	**YES**
10. This action will have a disproportionately high and adverse effect on low income or minority populations.	**NO**	**YES**
11. This action will limit access to, and ceremonial use of, Indian sacred sites on federal lands, by Indian religious practitioners, and/or adversely affect the physical integrity of such sites.	**NO**	**YES**
12. This action will contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or may promote the introduction, growth, or expansion of the range of such species.	**NO**	**YES**

A "yes" to any of the above exceptions will require that an environmental assessment be prepared.

NEPA Action: CE EA

Records in the TAAMS

- ❑ Land Description, Ownership and History
- ❑ Encumbrances
- ❑ Landowner Information
- ❑ Permit and Lease Holder Details
- ❑ Terms of Legal Instruments
- ❑ Payment/Income Records
- ❑ Program Activity & Documentation



Handbook References

Chapter 4: Range Management (Grazing Permits)

AGRICULTURAL AND RANGELAND MANAGEMENT HANDBOOK

54 IAM 1-H

PROCEDURAL HANDBOOK

Leasing and Permitting
Chapter 2 – Agricultural Leasing

Issue Date
March 6, 2006

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