



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Draft Land Use Requirements <i>Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)</i>	Process Number UM.1.5
--	--

1. Process Definition *Provide an overview of the process and define its starting and ending points*

1.1 Starts With	<p>Review MU baseline, suitability assessment, and site-specific clearances for operational requirements.</p>
1.2 Process Overview	<p>All requirements, terms and conditions for use of the land and natural resources within the Management Unit are defined. For example, if an agricultural lease term will be more than five years, the contract usually allows for one or more rental adjustments during the term of the lease. Additionally, agricultural leases are generally executed in connection with the crop season while expiration dates for long term residential and business leases are generally staggered throughout a year. Agricultural leases may not exceed 10 years unless there is a substantial investment in the production of a specialized crop, in which case the maximum term cannot exceed 25 years. Residential leases may run for a primary term up to 50 years. All other long term leases, such as business leases, cannot exceed 25 years but many include provisions for a renewal or extension for an additional 25 years. However, there are few specific tribes that can legally execute business leases for terms not to exceed 99 years. Residential leases generally include single-family homes or housing for public purposes. However, some use contracts for residential purposes are processed as business use contracts, such as for income producing condominiums.</p> <p>Conservation, operation, enhancement and reclamation measures required to ensure the ongoing viability and best use of the MU are included. The approval and execution of a lease activates the policies of the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) requiring compliance. Stipulations and agreement requirements, such as how access is provided to the leased property, are also documented in conformance with applicable wide-area and/or program plans.</p> <p>Land use requirements include all or some of the following, as appropriate for the land use and type of lease to be advertised or negotiated:</p> <ul style="list-style-type: none"> • Legal description and title verification document • Land schedule in cases of unitized leases/permits • Stocking rate • Purpose of the lease and intended use of the land and natural resources • Lease term or duration • Improvements and ownership of same • Encumbrance instruments, such as mortgages, assignments or assessments • Potential tenants and parties to the lease • Rental amount • Payment terms and conditions • Fees, both tribal and administrative • Tribal resolution • Renewal • Subleases



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Draft Land Use Requirements	Process Number UM.1.5
<i>Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)</i>	

	<ul style="list-style-type: none"> Ingress and egress to the property Site plan, if for residential purposes Suitability of purpose in relation to the land Insurance requirements and types Bonds to reasonably assure performance of contractual obligations Business plan, marketing study and/or feasibility analysis Environment, cultural, archeological and historical compliance Delegation of Authority or Authority of Officers to Execute Papers
1.3 Stops With	Land use requirements have been drafted.

2. Trust Business Objectives *Identify the Comprehensive Trust Model strategic goals and business objectives to which this process contributes.*

Goal/Objective
GOAL 4: LAND AND NATURAL RESOURCES MANAGEMENT THAT MAXIMIZES RETURN WHILE MEETING BENEFICIARY DESIRES
OBJECTIVE 4.1: LAND AND NATURAL RESOURCE ASSET PLANS AND STEWARDSHIP STRATEGIES Develop land and natural resource asset plans and stewardship strategies.
OBJECTIVE 4.2: PRESERVATION AND PROTECTION OF LAND AND NATURAL RESOURCE ASSETS Preserve and protect the long-term viability of land and natural resource assets consistent with fiduciary duties and with the beneficiaries' intended use of the as-sets.
OBJECTIVE 4.3: LAND AND NATURAL RESOURCE ASSET BUSINESS MANAGEMENT Manage land and natural resource assets effectively and proactively to obtain fair market value for beneficiaries and to incorporate beneficiary requirements.
OBJECTIVE 4.4: APPRAISALS Obtain appraisal information, as needed, on trust and restricted lands for tribal and individual Indian owners, using methods and techniques that meet professional standards.

3. How should Beneficiaries be involved in this process?

Beneficiary Involvement
None



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Draft Land Use Requirements	Process Number UM.1.5
<i>Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)</i>	

4. Organizations, Offices and Roles. *Identify the DOI organizations and related roles that should be involved in performing the process.*

4.1 DOI Organizations. *Identify the DOI organizations, offices and individual roles that contribute to this process. DOI organizations include the Office of the Secretary, BIA, OST, BLM, MMS, OHA, OSM among others. Offices include Central Offices, Regional Offices, Agency(Field) Offices, etc. All individual roles that contribute, in a significant manner, should be identified.*

Organization	Office	Role	Contribution
BIA	Agency		Compile draft of use agreement requirements. Draft advertisement content and schedule.
Compacted or Contracted Tribe	Tribal Office		Perform all DOI functions except those considered inherently federal.

4.2 External Organizations. *Identify the non-DOI organizations that support the execution of or contribute to this process.*

External Organization	Contribution
None	

5. Event(s) *Identify the events or conditions that start the process. Describe each event and indicate the frequency (daily, monthly, quarterly, etc.) in which each event is expected to occur. An event may be an external interaction (a beneficiary submits an application), the expiration of a period of time (a lease is due to expire in 90 days), or the realization of some pre-defined threshold (an IIM account reaches the automatic disbursement threshold).*

Event	Description	Estimated Frequency
Suitability Assessment completed with decision to proceed to contract land use		



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Draft Land Use Requirements

Process Number
UM.1.5

Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)

6. Inputs and Outputs. *Identify and describe all inputs and outputs related to this process. Inputs are information or materials used during the execution of the process; outputs are materials or information produced by the process.*

6.1 Inputs

Input	Description
MU Suitability Assessment	Recommendations for the priority, schedule, operational plans, adjustments to estimated MU use value, use capacity and required land or use improvements. A decision is documented on whether to proceed in developing a land use agreement, and the rationale for this decision. The assessment also includes a recommended priority of methods to be used to select an operator and finalize a land use agreement, for each Management Unit (e.g. bid, negotiation, tribal allocation, etc.)
MU Baseline Report	Compilation of collected data, with a summary of impacts and requirements relevant to developing a land use agreement for the MU(s).
Environmental Assessment	Conservation, operation, enhancement and reclamation measures required to ensure the ongoing viability and best use of the MU.
Environmental Clearances	Clearance and any mitigation specifications to be included in the land use requirements.

6.2 Outputs

Output	Description
Draft MU Requirements	Land use requirements as appropriate for the proposed land use and type of lease.
Draft Advertisement	Public notice of lands available for contracting.
Draft MU Plan	Plan of operations for Management Unit, dates, initial valuations and expected value to be received, location boundaries for use, constraints of use, operator selection criteria and preferences, method of operator selection



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Draft Land Use Requirements	Process Number UM.1.5
<i>Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)</i>	

7. Fiduciary and Legal Obligations and Controls

7.1 Obligations

Identify and describe the legal and fiduciary obligations that impact this process. For each obligation, indicate the document or commitment that defines the obligation and the citation (paragraph or section) within the document that pertains to this process.

Obligation	Source	Business Impact
See attached Schedule 1		

7.2 Controls

Identify and describe any controls (enforcement mechanisms) that may be used to ensure that the process adheres to obligations and internal process requirements. Controls may be reviews, audits, segregated duties, etc. Indicate the reason that each control should be introduced (name the obligation that a control is intended to enforce; indicate any controls required to ensure consistency or reliability).

Control	Reason	Description
Bureau of Indian Affairs Manual (IAM)	Internal control	BIA policies and procedures

8. Mechanisms (Systems of Record) *Identify the mechanisms, or systems, that are needed to support the process (ex: Ownership, Leasing, Workflow Management, Office Filing System, etc.). Indicate the information and activities, relevant to this process, that each system supports.*

System Name	Support
Land Management system	Supports traceable history of information, consent, assessments, and decisions required to put the Management Unit up for development of a land use contract.
GIS System	Ability to spatially represent land for planning purposes, integrated with ownership and other realty information related to the land base (interfaced via a land tract ID number).
Workflow Engine System	Supports procedural handoffs between processes and geographically disparate offices. In this case, hands off the completion of draft information from the program specialist to the line official for approval of the MU plan and use requirements



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Draft Land Use Requirements	Process Number UM.1.5
<i>Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)</i>	

9. Inter-Process Relationships *Identify other trust processes that are related to this process (either predecessors or successors). If applicable, indicate the condition under which the processes are related.*

9.1 Predecessors. *Predecessors are processes that either produce information required by this process or that result in the need to execute this process.*

Process No.	Name	Condition of Relationship
UM.1.3	Assess Land Use Suitability	MU suitability assessment is available for review.
UM.1.4	Obtain Site-Specific Environmental Clearances	A MU or site-specific environmental assessment and clearance has been granted.

9.2 Successors. *Successors are processes that either use information produced by this process or that must be executed as a result of performing this process.*

Process No.	Name	Condition of Relationship
UM.3.1	Define Support Activity Criteria	Supplemental activity not addressed by existing land use contract or control processes will be determined.
UM.2.1	Solicit Land Use Contracts	MU land information by target market for promotion of land is available.
P.2.2.2	Collect Pertinent Data	Land use requirements provide planning with necessary information for consideration in the development of a wide-area plan.

10. Comments *Summarize any discussion, problems, issues or recommendations that should be considered when reviewing process performance. Category Values (Note, Best Practice, Decision, Problem, Issue, Recommendation)*

Category	Comment
	None