



I2.1 Races, Rallies Enduros

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

Department Policy:

The Game and Fish Department will closely scrutinize and assist in regulation and control, where possible, of those activities involving all-terrain, motor-powered vehicles that may affect wildlife or create conflicts among competing users of the land resource.

Procedures:

While recognizing a segment of the population accrues enjoyment from involvement in road/trail races, rallies, enduros, and similar events, organized or otherwise, the Department's primary concern is protection of wildlife resources and habitat.

Department employees are requested to be alert to such activities and inform management.

Where these activities involve public lands, the Department requests that the agency or group involved limit such activities primarily to washes and established roads and that the use of trails be minimal and confined to trails where no habitat damage will result. Further, the Department requests that it be notified of the planned activities and offered an opportunity to review the route, comment and advise on any effects that the activity may have on wildlife and its habitat with reference to the Wildlife and Wildlife Habitat Compensation Policy and Procedure, and recommend alternate routes if considered necessary.



Permits Issued Under A.R.S. §17-238(B)

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under section 41-1033, Arizona Revised Statutes, for a review of the statement.

In recognition of the traditional role of state wildlife agencies in managing wildlife on federal lands, the Department of the Interior has adopted federal regulations at 24 C.F.R. Part 24 that require certain federal agencies to comply with state permit requirements when removing or releasing wildlife in the State. Consistent with this federal requirement, Commission rule R12-4-402(D) establishes that a federal agency or its employees are not exempt from state permit requirements for certain activities involving restricted live wildlife.

The purpose of this substantive policy statement is to inform the public of the Commission's position that the Commission will require federal compliance with state permit requirements unless (1) doing so is expressly prohibited by federal law or (2) compliance with state permits would prevent a federal agency from carrying out its statutory duties.



A2.2 Land Use Agreements on Commission Properties

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

The Commission may enter into land use agreements on Commission property for leases, licenses, rights-of-way, and easements for utility, agricultural, grazing, recreational, or other lawful purposes.

Land use agreements shall be:

1. Consistent with Commission rules, orders, and policies and in accordance with the Department's management objectives for the property;
2. Executed through the process for land use agreements in the Habitat Branch – Land and Water Program; and
3. Maintained by the Habitat Branch – Land and Water Program.

Land use agreements on Commission property shall be subject to a reservation to the State of the right to all oils, gases, coal, ores, minerals, or any other natural product or material of every kind which may be in or upon the land.

When the Commission determines a land use agreement will provide benefits to the Department or benefit wildlife, the Commission may consider those benefits in adjusting the fair rental value and may approve and execute a land use agreement, which will reflect such benefit or enhancement.

The Commission shall consider the approval of all land use agreements in a public meeting.



A2.32 Heritage Program Expenditure

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

Introduction: Management of Heritage Funds is accomplished through the Department's agency-wide Comprehensive Management System (CMS), which is designed to integrate human dimensions and financial considerations into managing Arizona's wildlife. CMS is an integrated system of planned management that includes funding and deploying all activities leading to developing and implementing goals and objectives, linking them to strategies, approaches, and activities/tasks, and assessing, reporting, and evaluating progress.

CMS provides a specific structure to planning, implementing, and evaluating wildlife conservation efforts. The structure revolves around an organizational hierarchy in which activities with common goals and objectives are administered as "Projects" that support the Department's "Programs," including Wildlife Management. The Department shall adhere to that structure by ensuring that Heritage Fund Projects are fully integrated into the Department's Wildlife Strategic Plan, and that each Project maintains Commission-approved Project Narratives and the attendant annual Job Statements and Work Plans. Each Project shall produce annual Performance Reports, and such Performance Reports shall be synthesized and appropriately abridged (summarized) in annual Department reports to the Legislature.

Heritage Funds are used to support activities in five primary areas, each of which may have one or more Projects: Environmental Education; Habitat Evaluation and Protection; Identification, Inventory, Acquisition, Protection, and Management; Public Access; and Urban Wildlife. Interest accrued from Heritage Funds supports activities in a sixth area, Interest Monies. Each of these six areas is discussed below. The issue of carry-forward funds is also addressed, immediately below.

Procedures: The following guidance shall be used to manage expenditure and granting of Heritage Fund monies received by the Department, in accordance with A.R.S. § 17-296 through A.R.S. § 17-298. In addition to the activities identified in each section below, other activities (such as administration, procurement, outreach, personnel management, and employee training) are also essential to Heritage program management and shall be legitimately charged against the appropriate funding area. Some activities, such as grants and procurement, may also be subject to formal Commission-approved "rules" that are published elsewhere (see R12-4-701 through R12-4-712).

ARIZONA GAME AND FISH DEPARTMENT
SUBSTANTIVE POLICY STATEMENT
SPS 005 - A2.32



All unexpended Heritage grant funds, and Project funds from prior budget years (carry-forward funds), shall be maintained in accounts segregated by the respective Heritage Fund categories described in A.R.S. § 17-298.

Public Access: Heritage funds shall be spent to administer a statewide Public Access Project to maintain or enhance opportunities for the public to enter and recreate on public lands and waters, and to provide consensual public access to or across private lands and waters. Project implementation shall include identification of public lands and waters that do not have sufficient public access and working cooperatively with federal land managers, state and local governments, private landowners, and other interested parties to secure, reestablish, enhance, restrict, or manage public access. All access projects shall be developed through voluntary agreements with the appropriate parties; condemnation shall not be used to provide access. Additionally, the Department shall protect existing public access by educating recreational users about the ethical use of public and privately held lands, and informing the public about legal access opportunities regarding Arizona lands and waters.

Environmental Education: Heritage funds shall be spent on environmental education and other public outreach efforts. Environmental education includes those educational programs and resources that deal with basic ecological principles and the effects of natural and manmade related processes on natural and manmade systems. Public outreach is defined as programs, events, materials, and activities that enhance public awareness and understanding of the importance of managing and safeguarding natural resources, with special emphasis on wildlife and wildlife habitats.

Urban Wildlife: Heritage funds shall be spent to manage urban wildlife resources; to inform and educate the urban public about wildlife; and to encourage appreciation, use, and consideration of all wildlife resources throughout the State of Arizona. Urban wildlife, as defined in A.R.S. § 17-296.6, is wildlife that occurs within the limits of an incorporated area, or near an urban area, that receives significant impact from human use.

Habitat Evaluation and Protection: Heritage funds shall be expended on habitat evaluation and habitat protection. Habitat evaluation includes the assessment of habitat quality, status, condition, and ecological value. It also includes identification of potential changes in the quality, status, condition, and ecological value of habitat resulting from implementation of land-use and water-related projects. Habitat protection encompasses development and implementation of habitat management practices, mitigation measures, and other actions to perpetuate the quality, diversity, abundance, and viability of Arizona wildlife populations.

Identification, Inventory, Acquisition, Protection and Management (IIAPM): Heritage funds shall be spent to identify, inventory, acquire, protect, and manage sensitive habitats and the wildlife that occupy them, and sensitive habitats that are suitable or capable of being restored to enable reestablishment of species that occurred historically (post mid-1800s) on or near them, in similar habitat. Sensitive habitats shall be identified on the basis of current (and known or probable historical) presence of, or potential value to, species of wildlife. Identify means to carry

ARIZONA GAME AND FISH DEPARTMENT
SUBSTANTIVE POLICY STATEMENT
SPS 005 - A2.32



out information gathering and analysis activities necessary to name or recognize the habitats, species, and areas on which to focus conservation activities. Inventory means to gather biological and other information, through accepted scientific practices, on habitats, species, and relevant ecological, land-use, and other factors as necessary to plan, develop, implement, and evaluate conservation activities. Acquire and/or protect (i.e. acquisition is just one form of protection) means to establish a legal interest in a specific property or habitat through fee-simple (title) purchase or other means (e.g. conservation easements, special use permits), for purposes of protecting it through appropriate conservation actions. Manage means to plan, develop, implement, and evaluate activities to develop and achieve conservation goals and objectives

Heritage funds shall be expended to develop and maintain a list of “Species of Greatest Conservation Need in Arizona” (SGCNA). The Department shall also develop and maintain a list of “Sensitive Habitats in Arizona” (SHA) that identifies the specific habitats historically or currently occupied by species on the SGCNA list. Development and maintenance of these lists shall include establishment of criteria by which species and habitats are placed on these lists. The SGCNA list shall include all species of wildlife the Department considers endangered, threatened, or candidate, as these terms are defined in A.R.S. § 17-296. The Commission shall approve these lists and the criteria by which they are developed, and the Department shall revise and seek Commission re-approval of these lists of habitats and species as appropriate, but not less than every six years.

Heritage funds shall be expended to identify and conserve SHA-listed habitats and SGCNA-listed species. These activities shall include biological inventory, monitoring, status review, research, and other wildlife and habitat management efforts in the field and in laboratory or other settings; evaluation, protection (including acquisition), and management of lands and waters; publication and dissemination of information regarding the IIAPM Project, including its planning, implementation, and results; and outreach efforts to involve the public in or to enhance public awareness and understanding of IIAPM activities and the conservation needs of species and habitats on which the activities are focused.

Heritage funds shall be expended to provide IIAPM Project grants to public agencies and public institutions for activities consistent with Project goals and objectives. The IIAPM Project shall maintain a list of “Sensitive Elements” for which grant proposals may be accepted. A “Sensitive Element” shall be defined as a wildlife species, habitat, or biological community that the Department has determined needs, or may need, special management attention (including conservation or protection). The Sensitive Elements List may change from year to year to ensure that grant applications are not solicited for work that is not needed, perhaps because similar work is already underway or has been completed. In revising the list, the Department shall also consider the extent to which other agencies, organizations, or funding sources are addressing a given species, habitat, or biological community.

Forty percent of the Department’s IIAPM funds shall be spent on the protection (including but not limited to acquisition) of sensitive habitat for the present or future benefit of endangered,

ARIZONA GAME AND FISH DEPARTMENT
SUBSTANTIVE POLICY STATEMENT
SPS 005 - A2.32



threatened, and candidate species of wildlife as defined at A.R.S. § 17-296. Disposal of such lands shall be in accordance with requirements established at A.R.S. § 17-298.

IIAPM funds shall be expended to evaluate, acquire, protect, and manage lands and waters that are occupied by, or which lie within the known or likely historical range of, SGCNA-listed endangered, threatened, or candidate species. Management of lands and waters acquired and protected with IIAPM funds shall primarily address the habitat and other needs of SGCNA-listed endangered, threatened, and candidate species. However, to promote efficiency and effectiveness, management may also address the needs of such other native species, as they occur on such lands. Per A.R.S. § 17-298, management of such lands and waters may also include maintenance of habitat, selective control of nonnative species, maintenance of genetic viability, monitoring of populations and habitats, coordinating conservation activities, funding conservation actions, assessing conservation progress, and operations and maintenance activities for stewardship of properties acquired or otherwise protected with Heritage funds.

Interest Monies: Interest earned on the Heritage Fund shall be spent to administer the Heritage Fund and its programs, or be spent in the five program areas only in the percentages, and for the purposes described, in A.R.S. § 17-298. Administrative functions shall ensure accountability for planning, implementation, granting, budget, and performance evaluation for the Heritage Fund.