

Gila River Indian Community
Department of Land Use Planning and Zoning

Main Location:
291 W. Casa Blanca Rd, Bldg.#2
Post Office Box E
Sacaton, Arizona 85147
Phone: 520-562-6003



Realty Services:
64 East Pima Street
Sacaton, AZ 85147
Phone: 520-562-5060
Fax: 520-562-5064

**Native Plant Permit
Application Packet
FY 2026 1st Quarter**

Revised September 16, 2025

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Department of Land Use Planning & Zoning

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Native Plant Permit Application Guidelines

FY 2026

Section 1: Introduction

In efforts to protect cacti, shrubs and trees indigenous to the Gila River area, the Gila River Indian Community has an existing Native Plant Ordinance Codified as Title 15, Chapter 3. This ordinance lists the types and names of plants and trees protected in the Community; this includes by reference those plants and trees listed in the Arizona State Native Plant Law. It is a standing practice that NO protected or harvest-restricted plant material be relocated, removed, or destroyed without a prior documented Native Plant Review and Native Plant Salvage Plan and/or Native Plant Permit.

Permits are required if Native Plant material is intended to be removed from the boundaries of the project site, harvested by Community Members or Community Entities for use in other areas of the Community, transported off the Community or destroyed as outlined in the Native Plant Ordinance.

In no instance will Native Plants or Harvest Restricted Material be removed and/or sold for use off the Gila River Indian Community except as outlined in the Native Plant Ordinance.

In all cases dealing with the Native Plants of the Gila River Indian Community, the process starts with the Department of Land Use Planning and Zoning (LUPZ). The LUPZ – Ordinance Team is available to assist and answer any questions pertaining to the Native Plant Ordinance, its associated processes and can be contacted at the following locations:

Ordinance Team
Department of Land Use Planning and Zoning
291 W. Casa Blanca Road, Building 2 (Physical Address)
P.O. Box E (Mailing Address)
Sacaton, AZ 85147
E-mail: The LUPZ Support Group at LUPZSupportGroup@gric.nsn.us and copy the LUPZ Ordinance Team at LUPZOrdinanceTeam@gric.nsn.us for assistance.
Office: 520-562-6003

Section 2: GRIC Native Plant Permit and Associated Process Fees

1. There are fees associated with a request from a Non-Community Member or Entity for a GRIC Native Plant Permit and collateral processes to collect protected Native Plants and Plant Parts on the Gila River Indian Community.
2. The fee for a native plant collection permit is five hundred dollars (\$500) and is due with the submittal packet to initiate *processing and required administrative reviews*. It is the applicant's responsibility to obtain a copy of the cashier's receipt for the \$500 fee for inclusion in the initial submittal packet.

3. Please refer to Title 15, Chapter 3 (Native Plant Ordinance) of the Gila River Indian Community's Law and Order Code and other applicable ordinances for additional fees that may apply.
4. All fees are to be paid at the cashier's window, located in the Gila River Indian Community's Governance Center located at 525 W Gu U Ki Road, Sacaton, AZ (see map included) or call 520-562-9600 for payment options.

Community Members and Community entities, corporations, departments, and programs are exempt from the fees associated with a GRIC Native Plant Permit and current tag fees listed in the Native Plant Ordinance. However, these parties are still required to comply with the other administrative requirements of this process and associated Ordinances, policies and procedures.

Section 3: Native Plant Permit Pre-Application Process

1. The applicant must identify the location or locations from where the Native Plants/Trees are to be transplanted from and the destination to where the subject plant(s) and/or tree(s) are to be moved to. You may use the Removal and Transport of Native Plants Form to accomplish this required task. Based on the information provided to the LUPZ Ordinance Team, it will be determined if the lands selected as the place where the Native Plants intended to be removed from are either Tribal Lands or Allotted Lands or a combination of both. If the lands are Tribal Lands, the applicant may proceed with this process. However, if the lands involved also include Allotted Lands or Allotted Lands Only, then permission to enter and collect Native Plants and/or Trees on affected Allotted Lands must be coordinated with the Bureau of Indian Affairs – Pima Agency and the activity authorized before the application for a GRIC Native Plant Permit for the coinciding collection of protected Native Plants and Trees on Tribal Lands will be considered. If the lands involved are Allotted Lands Only, then completion of the GRIC Native Plant Permit process becomes a necessary concurrence before proceeding with the collection.
2. All applications for a GRIC Native Plant Permit (Permit) for the collection/transporting/transplanting of protected Native Plants and/or Trees on assigned lands managed by a Community Entity must have written concurrence for the collection, transplanting and/or destruction of Native Plants from the party responsible for those affected lands and included in the Permit application documents before processing may proceed.
3. The applicant must completely fill out an LUPZ Ordinance/Livestock Request Form which will serve as the means to initiate the Permit application process.
4. The applicant shall prepare an introduction (narrative) letter to accompany the referenced Request Form. The letter must include as much information as possible (who you are, where the collection/removal/destruction will occur, what type of plants and/or trees are involved, why the activity is necessary, where is the final destination of the affected plant/tree, when will the activity occur and who will be doing the work.).
5. The applicant is to submit all documents to the Department of Land Use Planning and Zoning. The application packet shall include the LUPZ Request Form, Narrative/Letter, a copy of the GRIC Cashier's Office receipt for all fees, a Removal and Transport of Native Plants Form and any supporting documents.
6. Please refer to the Native Plant Permit Information Sheet and Example Letter on Page for additional requirements that may apply and suggestions on what to include.
7. The LUPZ Form, the receipt for payment of associated fees and all supporting documents may be e-mailed to LUPZSupportGroup@gric.nsn.us and cc: OrdinanceTeam@gric.nsn.us, mailed to the attention of the Ordinance Team – Department of Land Use Planning and Zoning, P.O. Box E, Sacaton, AZ 85147 or hand-delivered to the drop-box at the front entrance to Building 2 at 291 W. Casa Blanca Road in Sacaton, AZ.

8. Please refer to the 2025 NRSC Meeting Schedule in this application packet and the list below for the meeting dates of the Natural Resources Standing Committee for the current calendar year. Also, please refer to the Sign & Billboard Permit Request Timeline for information on the application process and thereby providing insight into the recommended dates for initial submittal of applications to LUPZ.
9. Applications should be submitted to LUPZ at least 15 working days prior to the dates in bold text to allow sufficient time to complete required administrative reviews and approvals;
 - a. **October 7th** Natural Resource Standing Committee meeting
 - b. **October 28th** Natural Resource Standing Committee meeting
 - c. **November 11th** Natural Resource Standing Committee meeting
 - d. **November 25th** Natural Resource Standing Committee meeting
 - e. **December 9th** Natural Resources Standing Committee meeting
 - f. **December 30th** Natural Resources Standing Committee meeting

Address Line 1
Address Line 2
City, ST 22222

Phone:
Fax:
Email: xyz@example.com
Website: http://mysite@example.com



Company Name

DATE

**Ordinance Team
Department of Land Use Planning and Zoning
291 W. Casa Blanca Rd.
Executive Ki' Bldg 2
Post Office Box E
Sacaton, AZ 85147**

RE: Sign Permit

Dear Ordinance Team Members:

This letter is to respectfully request the Natural Resources Standing Committee to approve my application for a Gila River Indian Community Native Plant Permit for the purpose of XXXXXXXXXXXXXXXXXX. The Protected Plants/Trees will be collected from location(s) identified in my application packet and delivered to the location(s) also identified in the attachments; please see my application documents for further information.

The appropriate Right of Entry Notification Documents, entry and collection approvals from the Bureau of Indian Affairs – Pima Agency and/or the party responsible for the affected lands are included in my application packet to support this application for consideration by the Natural Resources Standing Committee.

DESCRIBE AS MUCH AS POSSIBLE THE ACTIVITY, DATES, LOCATION, COMPANY WORKING FOR OR IF THERE IS A CONTRACTUAL AGREEMENT WITH A COMMUNITY ENTITY, WHO WILL BE COMING (NAME AND POSITION) AND DETAILS OF VEHICLES (MAKE, MODEL, COLOR, LIC NUMBER), ETC. Or, you may specifically reference document(s) included on your application packet that provide this information.

Sincerely,

Cc:

Attachments:

Detailed Illustration / Overhead Exhibit / Photos

Map of Location(s) where protected plants/tress are to be collected.

List of Personnel

List of Vehicles and Equipment

Copy of Project Schedule

Copy of the entrants valid GRIC Business License

Copy of Receipt for Payment of Required Fees

Copy of Right of Entry Notification and approval letters for Allotted or Assigned Lands.

Section 4: Administrative Processes for a Native Plant Permit Application

1. The applicant is to submit a filled out LUPZ Request Form, an Application for Removal and Transport of Native Plants, coinciding support documents and the appropriate fee. These documents will serve as the initial request to proceed with the established review and concurrence process with eventual presentation to the Natural Resources Standing Committee.
2. On the document request form (and/or on attachments) please include the following information:
 - A. Name / Organization of applicant or Name / Enrollment Number of applicant
 - B. Address, phone number, fax number and email address of applicant
 - C. A site map or maps (8 1/2" x 11") of where the plants/trees will be collected - including the correct District(s), Section(s), Township(s) and Range(s)
 - D. Written narrative (addressed to the LUPZ Ordinance Team) detailing the location(s) and type of project along with outlining the proposed land use activity (i.e. grading entire site for installation of building structures, public buildings or individual home beautification, etc.)
 - E. Expected time frame required to perform the plant collection, transplanting or salvage operation.
3. The LUPZ Form (and attachments if applicable) shall be sent to the LUPZ Support Group for administrative logging-in of the submittal and assignment of an LUPZ Number to this matter; please copy the Ordinance Team on the documents being submitted. A file will be established, appropriate memos and permit application forms generated with a submittal packet forwarded to LUPZ Director Kimberly Cooper for review and concurrence.
4. Following approval by Director Cooper, the submittal packet will then be processed for completion of required administrative reviews and approvals by the Office of the Community Manager (OCM) and the Executive Office with final preparation for submittal to the Community Council Secretary's Office (CCSO) by the next submittal deadline for placement on the following agenda for the Natural Resources Standing Committee (NRSC) Meeting. **It is recommended all applications for a Native Plant Permit be submitted to LUPZ at least 15 working days prior to the next regularly-scheduled NRSC Meeting to allow enough time for required application processing, administrative reviews and approvals. Please refer to the 2025 NRSC Meeting Schedule & Native Plant Permit Request Timeline provided to assist with the timing of your request.**
5. A Right-of-Entry permit is required for any company that does not have an existing contractual agreement with the Gila River Indian Community or one of its entities or Community Members. The Right-of-Entry permit is a separate process also reviewed by the Natural Resource Standing Committee and has an associated fee of \$200. Separate documentation is required to apply for a Right-of-Entry permit. The documents to assist you with this application process are available by request thru the Department of Land Use Planning and Zoning.
6. A Right-of-Entry permit is not required if a contractual agreement with one of the parties listed in 4.5. above is in place. However, a Right-of-Entry Notification is required through LUPZ. Please request a copy of the Right-of-Entry Notification Guidelines for assistance with completing this requirement.

There are no fees associated with the Right-of-Entry Notification process.

7. A Business license for non-Community Entities is required. A GRIC Business License can be obtained at the GRIC Governance Center at 525 W Gu U Ki Road, Sacaton, AZ. The fee to obtain a business license is \$150; their contact information is below.

<http://www.gilariver.org/index.php/departments/26-operations/176-revenueinternal-audit-department>
Business License & Taxation Ordinance Officer
Gila River Indian Community
Revenue/Internal Audit Department
PO Box 326, Sacaton, AZ 85147
(520) 562-9550(office) - (520) 562-9558(direct)
(520) 562-9559(fax)

Section 5: Native Plant Permit Final Review and Approval

1. The Natural Resources Standing Committee will review all applications for a Native Plant Permit that meet the Community Council Secretary's Office deadline for that particular meeting. Therefore, is it important to follow the timing of your application submittal to LUPZ as outlined in 4.4. of these guidelines.
2. Meetings are typically held on the second and forth Tuesday of each
3. Attendance at the NRSC meeting for an application for a Native Plant Permit is not required but recommended in case you want to attend the meeting to support your application and field any questions asked by the committee. For this to occur, you must make it known in your application documents and/or attending message to the Ordinance Team that you want to attend and support your application. Typical attendees are;
 - A. Applicant
 - B. Ordinance Team Member
 - C. Appropriate Gila River Indian Community Departments
 - D. Concerned individuals
 - E. Committee Members.
4. The NRSC will discuss all applications and render a decision on behalf of the Community.
5. If the Native Plant Permit is approved, the applicant and an Ordinance Team Member will coordinate a time when the salvage operation is to start, thereby allowing the Land Use Ordinance Officer time to tag all plants identified on the permit or approved attachments and schedule oversight of the process to monitor for compliance. The removal of all associated tags will be conducted only by an Ordinance Team Member after recording the final disposition of the affected Native Plant Material. Any deviation from the Native Plant Ordinance or approved Native Plant Permit will result in a Violation Notice. The Violation Notice will be issued to the applicant who initiated the request and it will be their responsibility to rectify the violation to avoid punitive measures available to the Department in the Code and it administrative processes.

Section 6: Denial of Request

1. A Request for a Native Plant permit will be evaluated and at any time during the process, the request can be denied for any reason. Possible reasons for denial of the permit request are adverse impact to the natural, cultural or historical resources of the Gila River Indian Community, lack of concurrence from the District affected by the intended removal or harvesting if applicable, negative experience on previous applications, making of false or misleading statements to secure a permit, etc.

2. If denial of the request does occur, the applicant will be notified in writing.

Section 7: Termination of an Approved Native Plant Permit

1. Any Native Plant permit which has been issued can be terminated or revoked without prior notice due to unforeseen emergencies and/or disasters, or for any infractions to the terms contained in the Native Plant permit.
2. The applicant will be notified in writing if an approved Native Plant permit is terminated or revoked.



GILA RIVER INDIAN COMMUNITY

PO BOX 2138 / 525 W. GU LI KI ROAD
SACATON, ARIZONA 85147

NATURAL RESOURCES STANDING COMMITTEE

2025 MEETING SCHEDULE

**Tuesdays, 9:00 am, Conference Room A, Community Council Secretary's Office,
Governance Center, Sacaton, Arizona**

January 07, 2025
January 28, 2025
February 11, 2025
February 25, 2025
March 11, 2025
March 25, 2025
April 08, 2025
April 29, 2025
May 13, 2025
May 27, 2025
June 10, 2025
June 24, 2025

July 08, 2025
July 29, 2025
August 12, 2025
August 26, 2025
September 09, 2025
September 23, 2025
October 07, 2025
October 28, 2025
November 11, 2025
November 25, 2025
December 09, 2025
December 30, 2025

COMMITTEE MEMBERS:

Ann Lucas, Chairwoman
Franklin Pablo, Sr., Vice-Chairman
Charles Goldtooth, Member
Brian Davis, Sr., Member
Joseph Manuel, Jr., Member

Standing Committee Assistant:

Katrina Santos, (520) 562-9724

All documentation (**Reports, Resolutions, Ordinances, PowerPoints, Videos, etc**) submitted for Standing Committee review **MUST** be submitted to the Standing Committee Assistant **NO LATER THAN 12:00 NOON THE THURSDAY PRIOR TO THE STANDING COMMITTEE MEETING DATE**. Presenters are responsible for providing **ONE (1) ELECTRONIC COPY** of all material for Standing Committee review/consideration.

LATE MATERIAL WILL NOT GO OUT IN STANDING COMMITTEE PACKETS. THE STANDING COMMITTEE ASSISTANT IS NOT RESPONSIBLE FOR CALLING AND REMINDING DEPARTMENT/PROGRAMS, ENTITIES, OR INDIVIDUALS TO SUBMIT MATERIALS NOR IS SHE RESPONSIBLE FOR MAKING COPIES OF MATERIAL FOR THE STANDING COMMITTEE PACKETS. ABSOLUTELY NO POWERPOINTS OR VIDEOS WILL BE ACCEPTED THE DAY OF THE STANDING COMMITTEE MEETING.

****MEETING DATES AND LOCATIONS ARE SUBJECT TO CHANGE****



Native Plant Permit Request Timeline

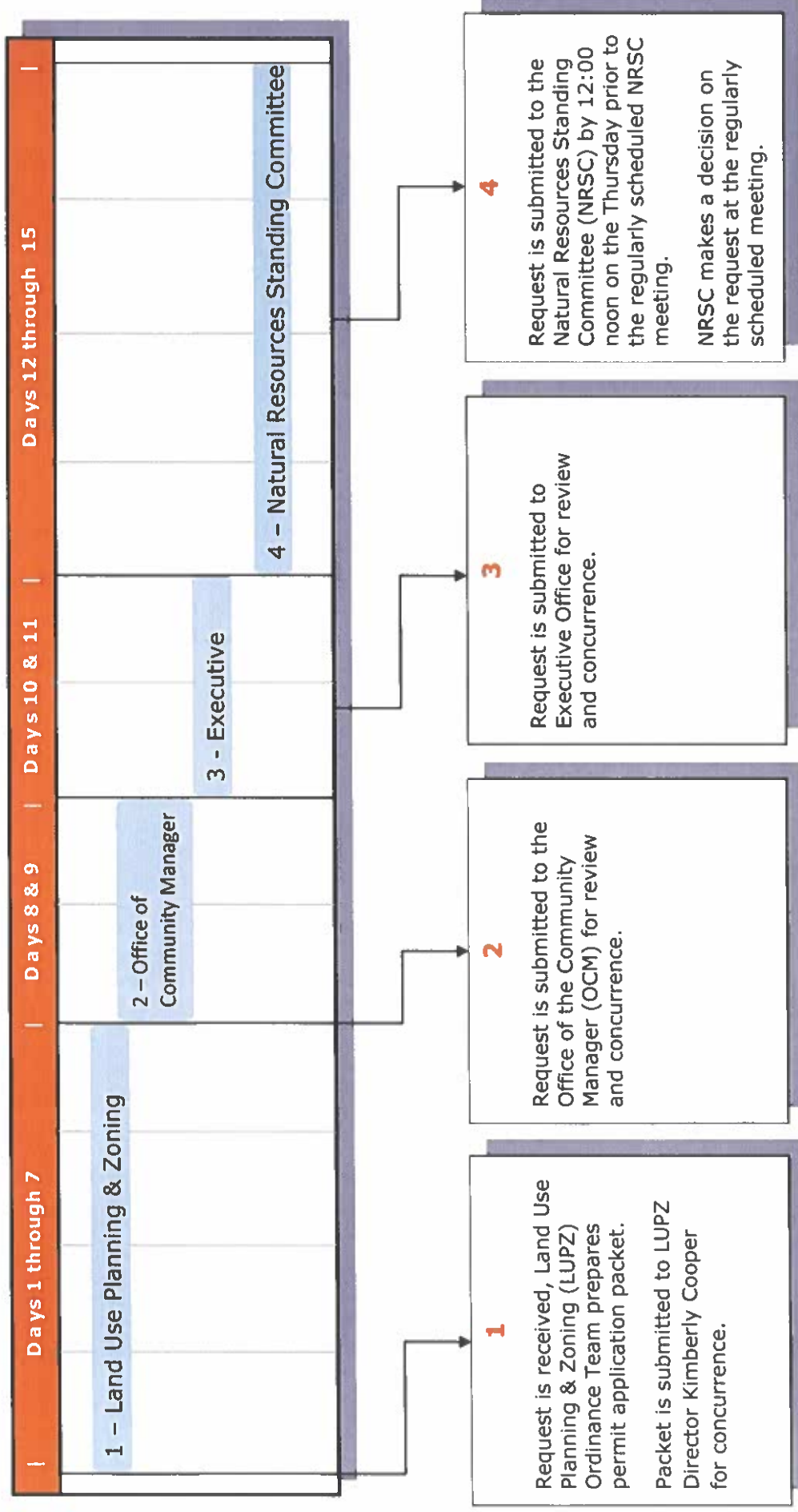


Chart reflects **working days**. Please submit your request a **minimum** of 15 working days prior to the next scheduled NRSC meeting.
*Timeframe may increase due to unforeseen circumstances. Please submit your request as early as possible to ensure placement on NRSC agenda.

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64 East Pima Street, Sacaton
Phone: (520) 562-5060
Fax: 520-562-5064

Inventory of Protected Native Plants/Trees for Collecting, Transporting & Transplanting

Date Applied

LUPZ No.

Ordinance Team No.

GENERAL INFORMATION

Name of Person or Organization: _____

Address: _____

Tel. No.: _____

Name of Individual Responsible for Removal & Transport & Contact No.: _____

Community Member? Yes ☐ No ☐ GRID No.: _____

PURPOSE, LOCATION OF REMOVAL AND DESTINATION

Purpose: Community Use ☐, Retail ☐, Landscape Contractor ☐, Personal Use ☐

Location of Removal: _____

Legal Description: _____

Tribal Land ☐, Allotted Land ☐, District _____

Destination: _____

Legal Description: _____

Tribal Land ☐, Allotted Land ☐, District _____

Off-Community Address: _____

City: _____ County: _____

State: _____

Gila River Indian Community

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Inventory of Protected Native Plants/ Trees for Collecting, Transporting & Transplanting

NATIVE PLANT INFORMATION

(Title 15, Chapter 3 as amended)

No. of Plants	Plant Type	Tag Numbers
_____	Cholla	From _____ to _____
_____	Hedgehog	From _____ to _____
_____	Ocotillo	From _____ to _____
_____	Prickly Pear	From _____ to _____
_____	Saguaro	From _____ to _____
_____	Barrel	From _____ to _____
_____	Agave	From _____ to _____
_____	Other _____	From _____ to _____
_____	Other _____	From _____ to _____
_____	Other _____	From _____ to _____

ACKNOWLEDGEMENT

I hereby acknowledge receipt of Title 15, Chapter 3 as amended and I will abide by all provisions of this ordinance.

Applicant Date

FOR OFFICE USE ONLY

Received On: _____ LUPZ No. _____

NRSC Action: _____

Fees Collected: \$ _____ ☐ Waived for Community Member or Community Entity

Received By: _____ Title: _____

Date: _____

Approved By: _____ Title: _____

Date: _____

CHAPTER 3. NATIVE PLANT LAW

15.301. Protected Groups of Plants; Botanical Names to Govern; Power to Add or Remove Plants.

A. The botanical (Latin binomial) names of the plants referred to in this article shall in all cases govern in the interpretation of this article. Protected native plants shall be any plant or part thereof, to include fruit, but not seeds, of plants in the named protected groups, which is growing wild on trust land of the Gila River Indian Reservation, to include Community trust and allotted land, without being propagated or cultivated by human beings.

B. The following shall constitute certain named protected native plants that are prohibited from being dug up, collected and/or removed from their original growing sites, or destroyed or mutilated, except by permit approved by the Natural Resources Standing Committee of the Gila River Indian Community Council:

<i>Bursera microphylla</i> :	elephant tree;
<i>Peniocereus greggii</i> :	night blooming cereus;
<i>Tumamoca mcdougalli</i> :	tumamoc globe berry;
<i>Neolloydia erectocentra</i> var. <i>acunensis</i> :	Acuna Valley pineapple cactus;
<i>Cheilanthes pringlei</i> :	pringle lip fern;
<i>Bacopa rotundifolia</i> :	disk water hyssop;
<i>Castela emoryi</i> (<i>Holocantha emoryi</i>):	crucifixion thorn;
<i>Atriplex hymenelytra</i> :	desert holly;
<i>Fouquieria splendens</i> :	ocotillo;
<i>Mammillaria thornberi</i> :	thornber fishhook cactus;
<i>Colubrina californica</i> :	California snakewood;
<i>Euphorbia trachysperma</i> :	roughseed spurge;
<i>Selaginella eremophilla</i> :	desert spikemoss;
<i>Dalea spinosa</i> :	smoke tree;
<i>Cereus giganteus</i> :	saguaro cactus;
<i>Ferrocactus acanthodes eastwoodiae</i> :	golden barrel cactus;
<i>Olneya tesota</i> :	ironwood tree;
<i>Juniperus monosperma</i> :	one seeded juniper;
<i>Cercidium microphyllum</i> :	little leaf paloverde;
<i>Cercidium floridum</i> :	blue paloverde;

C. The following shall constitute the protected group of plants, whose member species, whether named or not, shall be prohibited from being dug up, collected and/or removed from their original growing sites except by permit:

1. All species of the following families:
 - Liliaceae (lilies, including yucca and sotol);
 - Agavaceae (agaves);
 - Orchidaceae (orchids);

Crassulaceae (orpines);

Cactaceae (cactus).

2. All species of the following genera:

Lobelia (lobelia);

Aquilegia (columbine).

3. The following plant assemblages, whether or not their individual component species are in the protected group:

Rare, unique or sensitive plant assemblages of scientific value, to include relict or undisturbed natural areas, and plant assemblages which provide essential habitat for rare, threatened or endangered wildlife species.

Mesquite bosques, considered "sensitive" habitat necessary to the survival of a number of wildlife species, the white winged dove among them.

4. All plants protected under the Arizona Native Plant Law are included in the protected group under this chapter, whether named in this chapter or not.
5. Plant species and critical habitats protected under the Federal Endangered Species Act are protected on trust lands, and are included in the protected group under this chapter, whether named in this chapter or not.
6. Plant species and assemblages may be added to or deleted from protected status by the Community Council.

D. Fuelwood cutting/gathering is a right reserved exclusively for Community members. Cutting/gathering of fuelwood by persons other than Community members is a violation of this chapter. In particular, mesquite (*Prosopis* spp.) is protected under Subsection 15.301.C.4. Fuelwood cutting/gathering by persons other than Community members is also a violation of the GRIC Code, Title 8, Chapter 2.

The sale of fuelwood to non-tribal members off the Reservation of the Gila River Indian Community is hereby prohibited; non-resident Community members are given the privilege to obtain fuelwood for domestic purposes only, and shall be required to obtain a special permit to transport wood off the Reservation, from the Land Use Planning and Zoning Department office, located at Sacaton. Proof of residence must be supported by both a utility bill and a current tribal identification card.

No permit is required for the sale of domestic wood to other members of the Gila River Indian Community, however, the sold wood shall not be allowed to leave the boundaries of the Gila River Indian Reservation. Only the non-resident Community member shall be allowed to transport wood to his/her place of residence provided that the above special permit is obtained. Resale of domestic wood by non-resident tribal members shall be considered a violation of this chapter, Section 15.308.

The amount of fuelwood which may be cut by non-resident Community members as set forth in this chapter shall be one cord per month. One cord of wood shall measure four feet by four feet by eight feet; an eight-foot bed pickup load with side boards is accepted to be approximately one cord of wood.

No amount limit shall be set for the domestic use of mesquite wood for Community members.

15.302. Delegation of Community Council Authority; Permits, Tags and Fees.

A. The Community Council shall delegate to the Natural Resources Standing Committee the authority to approve requests for permits to collect protected native plants, or parts thereof.

1. The fee for a collection permit shall be \$500.00. The Natural Resources Standing Committee shall have the right to waive the fee if collection of plants is to be performed by a non-profit organization for scientific and/or educational purposes. Permit fees are non-refundable. No permits shall be issued to non-members of the Gila River Indian Community for the purpose of collecting plants for resale.
2. Members of the Gila River Indian Community wishing to collect plant parts for their personal use and Community groups wishing to collect plants for non-commercial beautification projects are exempt from the \$500.00 permit fee, and are exempt from all other fees specified in this chapter; however, members of the Community and Community groups wishing to collect native plants protected by this chapter must abide by all other provisions of this chapter, including application to the Natural Resources Standing Committee for permission to collect.
3. The Community lease compliance officer shall issue collection permits and tags and shall collect fees as applicable. The permits will specify the name or business name of the permittee, the kind(s) and numbers(s) of plant(s) to be collected, will define as precisely as possible the geographic area from which they are to be removed, and will specify the term for which the permit is valid. A permit is invalid unless it bears on its face the tag identification numbers of the plant(s) to be collected legally. A permit to take, transport, or possess protected native plants is non-transferrable.
4. Plant identification tags for each plant to be removed will be issued by the Community lease compliance officer and affixed to plants. The non-refundable fee for each tag will be \$3.00. Tags will identify the permittee, project (if applicable), date of issue, location of collection site, plant species to which they will be affixed, and place(s) to which the plant will be moved. Each tagged plant will be assigned an identification number. It will be the responsibility of the Community lease compliance officer to issue, record and affix the tags to the plants to be removed from their original growing sites.

No tag is valid unless it is issued under a valid permit, and no plant may be moved from its natural growing site until the Community lease compliance officer has affixed a tag to the plant. It is unlawful to alter or deface any permit or tag.

5. No person, except as provided in this article, shall take, transport or have in his possession any protected native plant removed from its original growing site on the Gila River Indian Reservation unless he has a valid permit on his person at the time of taking, and unless each plant in his possession has a valid collection tag affixed to it.
6. Permits and/or tags shall be made available for inspection upon request of any member of the Gila River Indian Community or any of its authorized agents, or federal or State of Arizona peace officers or agents charged with enforcing laws and statutes protecting native flora of Arizona, as provided in cooperative agreements between local police agencies and the Gila River Indian Community.
7. After any protected native plant has been taken legally as provided by this chapter, it shall be unlawful to remove the affixed tag until the plant has been replanted in its permanent site.

If the permanent site is within the boundaries of the Gila River Indian Reservation, the tag shall be removed only by the Community lease compliance officer, who shall record the permanent site of the tagged plant(s) by tag identification number(s), and will store the tags as proof of legal taking under the provisions of this chapter.

If the permanent site of the plant(s) is outside the boundaries of the Gila River Indian Reservation, State of Arizona or federal agents, as appropriate, shall have authority to inspect the plants in their permanent location, and shall remove the tags and return them to the Community lease compliance officer, who shall then issue a letter of ownership itemizing the plants in the legal possession of the ultimate owner. The fee for issuing a letter of ownership is \$10.00.

8. No permit or tag is transferable by the permittee or his agents, nor shall it be used by anyone except the person or institution to which permit and tags were issued, nor shall permit and tags be applicable to any more native plants than indicated by species and number on the permit.
9. Any permittee shall be responsible for the acts of any other person or persons acting under any authority expressed or implied by the permittee.
10. It is unlawful for any person or institution to misuse a permit or tag in any manner, or to falsify any paper or document issued to any person to take native plants of the protected group or to take more native plants than authorized by the permit. Misuse of a permit or tag or falsification of documents will result in forfeiture of the right to collect native plants on the Gila River Indian Reservation both for the time remaining before expiration of a permit (if any) and at any future time.

11. The portion of the permit authorizing collection of native plants shall expire when the Community lease compliance officer completes affixing tag(s) with identification number(s) to the plant(s) to be removed from their natural growing site(s), or on the date of expiration, whichever comes first.

After the time the affixing of tags is complete, no further collection shall occur, and the Community enforcement official shall stamp EXPIRED on that portion of the permit authorizing collection. Portions of the permit authorizing storage and transportation shall remain valid until the expiration date of the permit.

Any permit to collect plants shall become null and void when the land on which the plants are growing, as described in the permit, changes ownership, unless the new owner certifies in writing that the permittee may continue taking such plants as are specified in the permit.

12. Plants which are to be transported on the Reservation, except within the boundaries of an allotment, must be issued a permit to ship issued by the Community enforcement official, and an accompanying certificate of inspection identifying by permit number and tag identification number the plants to be shipped. No fee will be charged to Community members.
13. Native plants imported onto the Reservation which are under the protection of federal and/or State of Arizona law must be cleared for compliance with applicable non-Community regulations by the Community enforcement official before they can be planted in their permanent installation site. The Community enforcement official shall reinspect the plants after permanent installation and shall at that time record the tag identification numbers, remove any non-Community tags and return them to the issuing agency, and shall issue a letter of clearance certifying that the plants itemized by species and tag identification number were permanently installed on the Gila River Indian Reservation, giving date and location. The fee for issuing a letter of clearance will be \$10.00.
14. Fees are to be collected by the Community lease compliance officer and deposited in the Community permits and business license account.

B. When any power or authority is given by any provision of this chapter to any person or institution, it may be exercised by a deputy, inspector or agent duly authorized by such person. Persons charged with enforcing this chapter must be commissioned by the Community. Persons duly commissioned by the Community shall have the power to enforce any provision of this chapter.

C. Application for permits, payment of fees, and compliance with inspection which may be required by the State of Arizona for collection and/or transport of native plants protected under State of Arizona statutes shall be the responsibility of the individual permittee. Compliance with applicable Gila River Indian Community regulations regarding collection of native plants protected in this chapter does not imply compliance with applicable State of Arizona regulations.

Application for permits, payment of fees, and compliance with the Federal Endangered Species Act which lists protected species and critical habitats, some of which may occur on the trust lands of the Reservation, shall be the responsibility of the permittee. Compliance with applicable Gila River Indian Community regulations regarding collection of native plants protected in this chapter does not imply compliance with applicable federal regulations.

15.303. Permit Required for Native Plant Activities on Allotted Lands; Exceptions.

A. No person or institution shall dig up, destroy, mutilate, or remove plants from allotted land without obtaining written permission from the allottee and a permit authorized by the Natural Resources Standing Committee and tags issued by the Community enforcement official.

B. Nothing in this chapter pertaining to collection of plants on Community land shall be construed to prevent an allottee or his agent from taking the following actions on his allotment: clearing land, or clearing or removing protected native plants from a canal, lateral, ditch, survey line, building site, road or other right-of-way, unless such protected native plants are to be transported from the allotted land and/or offered for sale, or if the allotted land is to be developed for any purpose other than residential use by the allottee or agricultural use.

1. Community entities, lessees of Community lands and non-Indian lessees of allotted land are specifically excluded from this exemption, and must follow the permit procedures prescribed in this chapter when clearing land, or clearing or removing protected native plants from a canal, lateral, ditch, survey line, building site, road, or other right-of-way.
2. If plants are to be transported from allotted land or offered for sale, the person or institution who transports or purchases the plants from the allottee must have a valid permit and tags obtained through the procedures specified in this chapter. The permit fee and tag fees may be waived at the discretion of the Natural Resources Standing Committee. An allottee moving protected plants from one of his properties to another must obtain a valid permit and tags, transportation permit and certificate of inspection, but is exempt from fees for the permits, tags, and certificate of inspection provided no protected plants are to be offered for sale.

C. Protected native plants may be moved from their natural growing sites to remove them from the path of construction projects which cannot be designed to allow them to remain in place. Protected plants may also be moved to allow necessary pre-construction activities including survey lines, access roads and other rights-of-way. Permits and tags must be obtained as prescribed by this chapter. Plants which must be moved out of the path of construction or construction-related activities shall be salvaged to the greatest extent feasible and relocated to other growing sites on Community lands, or salvaged and used to revegetate disturbed areas after construction is completed, insofar as such salvage and relocation or reuse is feasible.

If salvage and relocation or reuse on Community lands is not feasible, the Governor or Lieutenant Governor, or his designee, is authorized to arrange for disposal of protected plants by either of the following methods:

1. Allow Community members or Community groups to remove such plants as they may use beneficially to beautify their homes, buildings or recreation areas, provided the plants are not to be transported from the Reservation or offered for sale;
2. Allow non-profit institutions to remove plants that can be used for educational or scientific purposes, provided the plants will not be offered for sale.

If relocation to Community lands, reuse, or beneficial use by Community members or non-profit organizations is not feasible, the Governor, Lieutenant Governor, or his designee is authorized to dispose of protected plants growing in the path of construction by accepting bids for sale of the protected plants to dealers in native plants, who shall remove only those plants specified by the Governor, Lieutenant Governor, or his designee. Plants to be salvaged or sold must be collected under the direction and supervision of the Community lease compliance officer.

In the event of an emergency which requires removal of protected plants from their growing sites, the Governor, Lieutenant Governor, or his designee may authorize disposal of the protected plants as appropriate to the circumstances.

15.304. Disposal of Confiscated Plants.

Confiscated plants become the property of the Gila River Indian Community, and may be disposed of as appropriate to circumstances by the Governor, Lieutenant Governor or his designee.

15.305. Use of Plants by Community Members.

A. Community members may collect seeds, plant parts and fruit for personal use if such collection does not cause the death of the plant, or so severely deplete its reproductive parts that it cannot generate replacement plants necessary to the perpetuation of its species, with the exception of wood cut for fuelwood.

B. If a Community member wishes to collect protected plant parts, seeds, or fruit for resale to non-members in any form, except woven baskets and other such traditional artifacts, such collection will require authorization by the Natural Resources Standing Committee, which shall specify areas of the Reservation to which such collection shall be confined, and shall set limits to the quantity of seeds, plant parts or fruit which can be collected.

C. The Natural Resources Standing Committee may issue a permit to a person or scientific or educational institution to take seeds, fruit or plant parts to be used for plant propagation, provided that collection of propagation materials will not cause the death of the plant, or so severely deplete its reproductive parts that it cannot generate replacement plants necessary to the perpetuation of its species.

15.306. Shipment of Plants; Transportation Permit; Certificate of Inspection.

No person or common carrier shall transport a plant, or any part thereof, belonging to the protected group, nor receive or possess a protected native plant for transportation within or without the Gila River Indian Reservation unless the person offering the plant for shipment exhibits to the person or common carrier a valid written permit for the transportation of the plant or parts thereof, and has securely and properly attached thereto a valid plant tag. If the plant or plant parts are for transport to places outside the Reservation boundaries, the carrier shall be required to bear a certificate of inspection issued by the Community lease compliance officer.

15.307. Enforcement; Arrest; Confiscation of Plants.

A. Law enforcement officers duly authorized to enforce the laws and regulations of the Community may in the enforcement of this chapter make arrests without warrant for a violation of this chapter which he may witness, and may confiscate plants or parts thereof belonging to the protected group when unlawfully taken, transported, possessed, sold, or otherwise in violation of this chapter, and may confiscate archaeological and other specimens or objects if unlawfully excavated or collected. Possession of such archaeological or other artifacts is a separate offense punishable under the GRIC Code.

B. Duly authorized law enforcement officers are empowered and directed to enter in or upon any premises or other place, train, vehicle, or other means of transportation within or entering the Reservation which is suspected of containing or having present therein or thereon protected native plants in violation, or suspected to be in violation, of this chapter.

C. The Arizona Commission of Agriculture and Horticulture may, upon request of Community officials and upon being duly empowered, assist in enforcing any provision in this article.

15.308. Violations; Criminal Penalty; Forfeiture; Revocation of Permit.

A. A person subject to the criminal jurisdiction of the Community violating any provision of this chapter is guilty of a public offense punishable by a fine of not less than \$50.00, nor more than \$500.00 and/or six months imprisonment. Each violation constitutes a separate offense; each and every protected plant found in the illegal possession of a person or persons violating any provision of this chapter shall be counted as a separate punishable offense. Persons who are not Community members who violate any provision of this chapter are also subject to prosecution under Title 8, Chapter 2, of the GRIC Code. Unauthorized use of Community member status to benefit non-Community members, or collusion by Community members to violate or assist in violation of any provision of this chapter will be punishable by a maximum fine of \$500.00 and/or six months imprisonment, and forfeiture of privileges to collect native plants as a Community member.

B. Vehicles and equipment used to commit acts which violate any provision of this chapter are subject to confiscation, impoundment, and forfeiture pending appearance to answer a complaint or citation, and may be used to satisfy fines or penalties which may be assessed by the Community Court.

C. Upon conviction of a violation of this article, all permits issued to the person convicted shall be revoked and the permittee shall become ineligible for future permits and prohibited from acting as an agent for any other permittee. Any member of the Community who is convicted of falsely applying for a permit to enable a non-member to collect plants protected in this chapter without paying fees applicable to non-members shall be subject to penalties as applicable, and shall forfeit the right to collect protected native plants, and shall be ineligible to apply for a permit to collect native plants. Moreover, any Community member found guilty of acting as an accomplice to any person found guilty of violating the provisions of this chapter shall be subject to the maximum applicable penalties, and shall forfeit the right to collect protected native plants and shall be ineligible to apply for a permit to collect protected native plants.