

Moving Protected Native Plants

Landowners have the right to sell or give away any plant growing on their land. However, no person may legally transport protected native plants for commercial sale from any land without first obtaining a permit from the Arizona Department of Agriculture. The native plant law requires that a person must have a permit to be in possession of any protected native plant taken from its habitat. Moreover, it is unlawful to destroy or mutilate any protected native plant.

ADA Environmental Services Division (ESD) investigation staff issue Interstate Shipping Certificate for native plant shipments leaving the State. Pursuant to ARS Section 3-909, "...shipment of plants being transported out of the state shall bear a certificate of inspection issued by the department." Plants of the protected group that are shipped out of state shall be accompanied by all permits, tags and seals which are required by law.

The Interstate Shipping Certificate ensures that the plants were collected legally and that the plant material has been visually inspected and found free of injurious pests and disease.

Likewise, plant species or varieties similar to Arizona's protected native plants, not grown in Arizona and imported into this state, shall be transported directly to a department office at which a movement permit and seals must be obtained before the plants are distributed in Arizona.



Saguaro cacti being prepared to be shipped out of state.



Four Saguaro cacti being shipped to a private atrium in New York State.

HOW TO OBTAIN A PERMIT TO REMOVE PROTECTED PLANTS

All land in the State of Arizona belongs to or is controlled by someone, whether it is a government agency or a private citizen. Plants cannot be removed from any lands without permission of the owner and a permit from the Department of Agriculture. Lessees of state or federal land must obtain specific authorization from the landlord agency to remove protected native plants or other resources.

- Contact the department office in Phoenix or Tucson or the website to obtain an application form.
- The landowner must sign and date the application form.

- The application may be mailed or taken to the Phoenix or Tucson office, where the landowner information will be verified. After verification of land ownership, a permit will be issued.
- The permit fee is \$7. Tag fees are: \$8 for each Saguaro; \$6 for other protected native plants and trees; \$6 for each cord of wood; \$.50 for pincushion cactus such as *Coryphantha* and *Mammillaria*.