

# NATIVE PLANTS

## Protected Arizona Native Plants

Nowhere in the United States are there more rare and unusual native plants than in Arizona. Most of them are many years old and cannot be replaced. Many people desire to use these "wonders of nature" in their landscaping.

However, most of these plants are **protected by law**. Also, all land in the State of Arizona belongs to someone, whether it be 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.



## Landowners' Rights

Landowners have the right to destroy or remove plants growing on their land, but 20 to 60 days prior to the destruction of any protected native plants, landowners are required to notify the Department. The landowner also has the right to sell or give away any plant growing on the land. However, protected native plants may not be legally possessed, taken or transported from the growing site without a permit from the Arizona Department of Agriculture.

**Individually owned residential property** of 10 acres or less where initial construction has already occurred is **exempt** from notification before destruction. (See A.R.S. 3-904 H.)

**Native Plant Laws and Rules** | [View the native plant rules](#) (on pages 41 - 51, starting with the section titled, "Appendix A. Protected Native Plants by Category" is the listing of protected native plants.) View the law by going to [Chapter 7](#).

## Bringing in Plants from Outside Arizona

Any person moving protected native plants obtained outside of Arizona for planting in the state, shall declare the protected native plants at the nearest permitting office during normal business hours. The permitting office will issue a Movement Permit and appropriate seals that must be attached to the plants.

## Native Plant Removal Procedures

The procedures for obtaining a permit for the removal and transportation of protected native plants include:

1. Download the application form you need:
  - [Arizona Protected Native Plants and Wood Removal Application \(PDF\)](#)
  - [Notice of Intent to Clear Land \(PDF\)](#)
  - [Application for Blue Seal Permit \(PDF\)](#)
2. The landowner must complete the application form and all information must be included. If the application form is not complete, a permit will not be issued.
3. The completed application may be presented in person or by mail to the nearest Department office for verification of the information. However, you will need to be present to obtain the permit, tags and seals. Upon request of the applicant, Department personnel will conduct a plant survey to determine the kind and number of plants on the designated property. There will be a fee for the survey, and it may be required that the landowner determine the boundaries and clearly mark the corners of the property.
4. Upon verification of all information given, the permit will be issued.

5. Prior to removal, the law requires that a native plant tag and seal be firmly affixed to each protected native plant before it is removed from its original growing site. The tags are to remain on the plants until they are permanently placed in a new growing site. After planting, the tag and seal should be removed from the plant and kept in a safe place as proof that the plant was legally obtained.

## Permit, Seal & Tag Fees

Type	Cost
Permit (one-time use)	\$7
"Salvage Assessed" Permit (annual)	\$35
"Harvest Restricted" Permit (annual)	\$35
Seal Fee (for each plant)	\$0.15
Saguaro Tag	\$8
All Other Native Plant & Tree Tags (for plants on the Department's protected native plant list)	\$6
"Harvest Restricted" Trees (cut for firewood)	\$6 per cord of wood
Pincushion, Coryphantha & Mammillaria Tags	\$0.50
Certificate of Inspection Fee (for shipments of "harvest restricted" native plants that enter or leave the state)	\$15

Type	Cost
Nolina or Yucca Parts (weighed on a state-certified bonded scale; weight certificate should be submitted with payment no later than the 10th day of the month following each harvest)	\$6 per ton

If you would like to view the specific rule language, you can [view the laws here](#) (and scroll down to "Chapter 7") or the [Native Plant Rules](#). (see pages 41 - 51) If you have any questions or concerns, please contact the Arizona Department of Agriculture, Native Plant Enforcement at (602) 364-0907 or [mangulo@azda.gov](mailto:mangulo@azda.gov).

## Locations to Obtain Permits

### Phoenix Office:

1688 W. Adams  
Phoenix, AZ 85007

(602) 542-3578

Permits sold Monday-Friday, 8:00am-4:30pm.

### Tucson Office:

400 W. Congress Ste. 124  
Tucson, AZ 85701

(520) 628-6317

Permits sold Monday through Friday 8:00am-4:00pm, but this is **BY APPOINTMENT ONLY!**

## LIST OF PROTECTED NATIVE PLANTS

Not sure if a plant is protected? Check out the complete list in this document on pages 44 - 51, starting with the section titled, "Appendix A. Protected Native Plants by Category."

[View Now](#)

### Important Documents

 [Native Plant Rules](#)

 [Native Plant Intent to Clear Land Form](#)

 *Native Plant Inventory Form*

 *Native Plant Blue Seal Permit Application*

 *Native Plant - Arizona Protected Native Plant and Wood Removal Application*

 *Native Plant Seed Collection Application*

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