



---

## **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.