

**ARIZONA GAME AND FISH DEPARTMENT**  
**SUBSTANTIVE POLICY STATEMENT**  
**SP.004 - A2.1**



**A2.1 Appeals, Reports, and Public Hearings Relative to Relocation Assistance on Federal Aid Land Acquisition Programs**

*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 relocation assistance program of the Arizona Game and Fish Department is established to operate in conjunction with and is governed by the federal relocation assistance program instituted by the U.S. Department of Interior in accordance with Public Law 91-646.

Authorization for implementation of federal aid relocation assistance programs on the state level was enacted by the 1972 Arizona Legislature in Title 11, Chapter 7, Article 4.

Authorization for relocation and replacement assistance in federal aid land acquisition programs is covered by Arizona Revised Statutes 11-961 through 11-974. The purpose of the federal relocation assistance program is to provide relocation payments and services to individuals, families, businesses and other landowners displaced by federal aid land acquisition programs.

All procedures contained in this policy are applicable to all persons regardless of race, religion, color or national origin. All persons affected by these procedures are to be treated in accordance with Title VIII of the Civil Rights Act of 1968.

**Procedures:** When a displacee is not satisfied with the eligibility or payment determination as set forth in the Game and Fish Department's offer letter to the displacee and displacee wants to file an appeal thereto the State, the Department's Wildlife Land Projects Coordinator will instruct the displacee to submit a written request to the Department accompanied by any supporting information which would justify the request.

The Wildlife Land Projects Coordinator will promptly acknowledge receipt of the appeal request in writing and will inform displacee that his case will be reviewed and that he will be notified of the results of the review when such is concluded. At this point the Wildlife Land Projects Coordinator will obtain the relocation parcel file from the Department's land records and will conduct a complete review of the parcel data.

If the review reveals that an error may have been made in the original determination and that the displacee is entitled to a change in eligibility, or in payment, either because of an error or because of new information developed by the review, the relocation parcel file will be given to the Supervisor of the Development Branch for review with a request from the Wildlife Land Projects Coordinator that a new determination in eligibility, or in payment, be made.

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When the new determination has been made and a new offer letter has been prepared, the offer letter will be processed and delivered to the displacee in writing. If the above review reveals no error was made in computing and preparing the original determination, or, if the displacee is not satisfied with the eligibility or payment of the new determination and displacee has filed a request for appeal based on the new determination, the request and the relocation parcel file will be submitted by the Wildlife Land Projects Coordinator directly to the Review Board consisting of the Regional Supervisor of the region where the disputed land is located, the Division Chief of the Special Services Division and the Deputy Director. The matter will then be considered by the Review Board.

If the Review Board finds in favor of the displacee the relocation parcel file will be returned to the Wildlife Land Projects Coordinator with written instructions requesting that a new determination be made based on the findings of the Review Board.

When the new determination has been made and a new offer letter has been prepared, the offer letter will be processed and delivered to the displacee in writing.

If the Review Board concludes that a new determination is not justified, or if the displacee is not satisfied with the eligibility or amount of the new determination as requested by the Review Board and displacee has filed a request for appeal based on the Review Board's conclusion or the new determination, the request and the relocation parcel file, or permanent parts thereof, will be promptly forwarded by the Director's office to the Arizona Game and Fish Commission for final adjudication of the appeal.

Note: Former Commission Policy J2.5, effective 08-04-1973; renumbered to E3.1 on 01-01-1991; revised by motion of the Commission on 03-15-1991, and renumbered to A2.1.

This substantive policy is also published in the:  
Arizona Game and Fish Department Operating Manual  
Section A: Information and Commission Policies  
Chapter 2: Commission Policies  
Policy 1: Appeals, Reports, and Public Hearings Relative to Relocation Assistance on Federal Aid Land  
Acquisition Programs