



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY GARRISON
2837 BOYD AVENUE
FORT HUACHUCA, ARIZONA 85613-6000

ATZS-CG (7)

31 October 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: POLICY -- Fort Huachuca Deer Hunt Program for Permanently Disabled Hunters

1. Fort Huachuca has an opportunity through coordination with the Arizona Game and Fish Department (AGFD), Game Branch, to establish a hunt for permanently, physically challenged hunters. Currently Fort Huachuca has no specific policy or program for a separate big game hunt for permanently disabled hunters. United States Code, Title 16, Section 670c part B (enclosure 1) provides the legal guidelines for the establishment of such hunting opportunities. The Environmental and Natural Resources Division (ENRD), Wildlife Management Office personnel have contacted numerous sources and individuals for information that will enable this installation to establish and manage such a hunt.

2. Our intent is to provide, through the AGFD application process, ten to twenty additional deer tags in fall 2002 through 2010 (hunter will be authorized to shoot any species and any sex deer) to permanently disabled hunters qualifying for an AGFD Challenged Hunter Access/Mobility permit (CHAMP) under Commission Rule 12-4-217 (enclosure 2). This initiative fits well with Fort Huachuca's current hunting program. The most significant change will be that all permanently disabled hunters will be allowed to hunt for deer on Fort Huachuca even if they are not active duty, retired military, or DOD civilians. Other eligibility requirements for these tags will consist of the following: The permanently disabled hunter must meet the AGFD Commission Rule for CHAMP permittees. The permanently disabled hunter must complete a recognized Hunter Education Course, and obtain a valid Fort Huachuca Hunting Permit. An individual assisting the permanently disabled hunter must have an AGFD dispatch permit (enclosure 2, Section I, 1-7) and will also be required to have a valid Fort Huachuca Hunting Permit. If the hunter does not know anyone who meets these requirements, the Wildlife Management Office, or the Sportsman's Center, will seek to have a volunteer available. Although our current focus is deer hunting, this conceivably could be broadened in time to include other big game species.

3. During the November deer hunts, specific Game management Areas will be selected to best accommodate permanently disabled hunters who will be hunting from their vehicle. The number of areas selected will depend upon the number of permanently disabled and other hunters in the field at any given time. Firearms will not be loaded while the vehicle is moving and only after the vehicle has come to a complete stop and the engine is turned off. No vehicle may leave the shoulder of a road. All state hunting regulations and Fort Huachuca hunting guidelines will be adhered to by the permanently disabled hunter and their dispatch assistant.

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4. The proponent for this subject area is the DIS, Environmental and Natural Resources Division, ATZS-ISB.

2 Encls
as

//original signed//
LAWRENCE J. PORTOUW
Colonel, MI
Commander, US Army Garrison

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From US Code Title 16, Section 670c. See part (b).
Sec 670c. Program for public outdoor recreation

* (a) Program authorized

The Secretary of Defense is also authorized to carry out a program for the development, enhancement, operation, and maintenance of public outdoor recreation resources at military installations in accordance with an integrated natural resources management plan mutually agreed upon by the Secretary of Defense and The Secretary of the Interior, in consultation with the appropriate State agency designated by the State in which the installations are located.

* (b) Access for disabled veterans, military dependents with disabilities, and other persons with disabilities.

* (1) In developing facilities and conducting programs for public outdoor recreation of military installation, consistent with the primary military mission of the installation, the Secretary of Defense shall ensure, to the extent reasonably practicable, that outdoor recreation opportunities (including fishing, hunting, trapping, wildlife viewing, boating, and camping) made available to the public also provide access for persons described in paragraph (2) when topographic, vegetative, and water resources allow access for such persons without substantial modification to the natural environment.

* (2) Persons referred to in paragraph (1) are the following:

* (A) Disabled veterans.

* (B) Military dependents with disabilities.

* (C) Other persons with disabilities, when access to a military installation for such persons and other civilians is not otherwise restricted.

* (3) The Secretary of Defense shall carry out this subsection in consultation with the Secretary of Veterans Affairs, national service, military, and veterans organizations, and sporting organizations in the private sector that participate in outdoor recreation projects for persons described in paragraph (2).

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* (c) Acceptance of donations in connection with the facilities and programs for public outdoor recreation at military installations, in particular the requirement under subsection (b) of this section to provide access for persons described in paragraph (2) of such subsection, the Secretary of Defense may accept -

(1) the voluntary services of individuals and organizations; and

(2) donations of property, whether real or personal.

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R12-4-217. Challenged Hunter Access/Mobility Permit

A. The Department shall issue to qualified individuals a Challenged Hunter Access/Mobility Permit, also known as a CHAMP, that allows the following activities by the licensed hunter to whom the CHAMP is issued:

1. Discharge of a firearm or other legal hunting device from a motor vehicle when, under Existing conditions, the discharge is otherwise lawful and the motor vehicle is motionless, is not on any road as defined by A.R.S. 17-101, and has its engine turned off.
2. Discharge of a firearm or other legal hunting device from a watercraft (except a sinkbox), including those propelled by a motor, sail and wind, or both; when the motor has been shut off, the sail furled, or both; and progress has ceased. The watercraft may be drifting as a result of current or wind action, beached, moored, resting at anchor, or propelled by paddle, oars, or pole. A watercraft under power may be used to retrieve dead or wounded wildlife but no discharge of a firearm is permitted while the watercraft is underway.
3. Access to off-road locations in a motor vehicle when the access is not in conflict with other law and the motor vehicle is used as a place to wait for game. A motor vehicle shall not be used to chase or pursue game.
4. Designation of an assistant to track and dispatch a wounded animal, and to retrieve the animal, in accordance with the requirements of this rule.

B. A qualified individual who possesses a CHAMP shall comply with all legal requirements governing method of take and licensing.

C. An applicant for a CHAMP shall apply on an application form available from any Department office. The applicant shall provide the following on the application form:

1. Applicant's name, identification number, mailing address, and telephone number.

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2. A statement from an M>D>, doctor of medicine, licensed under A.R.S. 32-1421 et seq. Or a D.O., doctor of osteopathic medicine, licensed under A.R.S. 32-1821 et seq., that includes the physician's printed or typed name, business address, and signature, attesting that the applicant is permanently disabled as follows:

a. Has a disability or combination of disabilities creating a minimum impairment of function of or equivalent to no less than 90% loss of function 1 leg or no more than 10% maximal functional use in 1 leg regardless of the functional level of the other leg; or

b. Has a visual field of no more than 20% in the better eye; or

c. Has vision in the better eye of 20/200 or less after best correction.

D. All information and documentation provided by the applicant for the CHAMP is subject to verification by the Department.

E. The Department shall return, without denial or approval, an incomplete application for a CHAMP unless the Department is able to obtain the information needed to complete the application. The Department shall attach a letter to a returned application that explains why the application is returned.

F. When an application is able to provide verbally the information that caused an application for a CHAMP to be incomplete, the Department shall add the information to the application, note where each change is made, date each change, and indicate the source of the added information.

G. The Department shall provide written notice to an applicant whose application for a CHAMP is denied. The applicant may appeal the denial to the Commission as prescribed in A.R.S. 41-1092.02 through 41-1092.12.

H. While a motor vehicle or watercraft is in use under subsection (A), the CHAMP permittee shall display on the motor vehicle or watercraft the CHAMP vehicle placard issued by the Department with the CHAMP.

I. The Department shall provide CHAMP permittees with a dispatch permit that the CHAMP permittee may use to designate a licensed hunter as an assistant to dispatch and retrieve or to retrieve an animal wounded or killed by the CHAMP permittee. The CHAMP permittee shall designate the assistant only after the animal is wounded or killed. The CHAMP permittee shall ensure that designation on the permit is in ink and includes a description of the animal, the assistant's name and hunting license number, and the date and time the animal was wounded or killed. The CHAMP permittee shall also ensure compliance with the following requirements:

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1. The site where the animal is wounded and from which tracking begins is marked so it can be identified later.
 2. The assistant possesses the dispatch permit while tracking and dispatching the wounded animal.
 3. The CHAMP permittee is in the field while the assistant is tracking and dispatching the wounded animal.
 4. The assistant does not transfer the dispatch permit to anyone except the CHAMP permittee.
 5. Dispatch is made by a method that is lawful for the take of the particular animal in the particular season.
 6. The assistant attaches the dispatch permit to the carcass of the animal and returns the carcass to the CHAMP permittee, and the tag of the CHAMP permittee is affixed to the carcass.
 7. If the assistant is unsuccessful in locating and dispatching the wounded animal, the assistant returns the dispatch permit to the CHAMP permittee who strikes the name and authorization of the assistant from the dispatch permit.
- J. A dispatch permit is void when all space for designation of an assistant are filled or the dispatch permit is attached to a carcass.
- K. A CHAMP is valid as long as the criteria for obtaining the permit are met, unless the Commission revokes the permit.
- L. When acting under the authority of the CHAMP, the permittee shall be in possession of and exhibit the CHAMP upon request to a peace officer.
- M. A CHAMP permittee shall not transfer the permit to another individual or allow another individual to use the permit issued to the CHAMP permittee.

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N. After a hearing and upon sufficient cause showing, the Commission shall revoke the CHAMP of a permittee who transfers the permit to another individual or allows another individual to use the permit, or upon conviction of violating A.R.S. 17-312 or any law governing the take of wildlife, or for violation of this rule. An individual whose CHAMP permit is revoked by the Commission may petition the Commission for rehearing in accordance with R 12-4-607.

O. This rule is effective January 1, 2000.

Historical Note

Adopted effective October 9, 1980 (Supp. 80-5). Former Section R12-4-59 renumbered as Section R 12-4-310 without change effective August 13, 1981 (Supp. 81-4). Former Section R12-4-310 renumbered as R 12-4-217 and amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-310 renumbered as R12-4-217 and amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Section repealed, new Section adopted effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Amended by final rulemaking at 6 A.A.R. 211, effective January 1, 2000 (Supp. 99-04).