

STATE OF ARIZONA

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Arizona Game and Fish Department Heritage Fund 2010 Report to the Arizona Legislature

Project Year July 1, 2009 to June 30, 2010

December 22, 2010

Acknowledgments

The assistance of personnel throughout the Arizona Game and Fish Department, and our external cooperators, in preparing this report and conducting the activities reported herein is gratefully acknowledged.

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Project Funding

Article 6. Arizona Game and Fish Commission Heritage Fund

17-296. Definitions

In this article:

1. "Public access" means providing entry to publicly held lands for recreational use where such entry is consistent with the provisions establishing those lands.
2. "Sensitive habitat" means the specific areas within the geographical area historically or currently occupied by a species or community of species in which are found those physical or biological features essential to the establishment or continued existence of the species and which may require special management, conservation or protection considerations.
3. "Endangered species" means a species or subspecies of native Arizona wildlife whose population has been reduced due to any cause whatsoever to such levels that it is in imminent danger of elimination from its range in Arizona, or has been eliminated from its range in Arizona.
4. "Threatened species" means a species or subspecies of native Arizona wildlife that, although not presently in imminent danger of being eliminated from its range in Arizona, is likely to become an endangered species in the foreseeable future.
5. "Candidate species" means a species or subspecies of native Arizona wildlife for which habitat or population threats are known or suspected but for which substantial population declines from historic levels have not been documented.

6. "Urban wildlife" means the wildlife that occurs within the limits of an incorporated area or in close proximity to an urban area that receives significant impact from human use.
7. "Environmental education" means educational programs dealing with basic ecological principles and the effects of natural and man related processes on natural and urban systems and programs to enhance public awareness of the importance of safeguarding natural resources.
8. "Habitat evaluation" means the assessment of the status, condition and ecological value of habitat and subsequent recommendations of management, conservation or other protection measures, or mitigation measures, including but not limited to, recommendation of reasonable alternatives for the proposed projects that might otherwise affect the habitat under assessment.
9. "Habitat protection" means the process of protecting the quality, diversity, abundance, and serviceability of habitats for the purposes of maintaining or recovering populations of Arizona wildlife.

17-297. Arizona Game and Fish Commission Heritage Fund

- A. The Arizona game and fish commission heritage fund is established consisting of monies deposited from the state lottery fund pursuant to section 5-522 and interest earned on those monies.
- B. The fund shall be administered by the Arizona game and fish commission and is not subject to appropriation and expenditures from the fund are not subject to outside approval notwithstanding any provision of section 17-241 or 17-261 or any other statutory provision to the contrary. Monies received pursuant to section 5-522 shall be deposited directly with the Arizona game and fish commission heritage fund. On notice from the Arizona state game and fish commission, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.
- C. All monies in the Arizona game and fish commission heritage fund shall be spent by the Arizona game and fish commission only for the purposes and in the percentages set forth in this article. In no event shall any monies in the fund revert to the state general fund and monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations.
- D. The commission shall not use its rights of eminent domain to acquire property to be paid for with money from the Arizona game and fish commission heritage fund.

17-298. Expenditures from Fund; Purpose and Amounts; Annual Report

- A. Five per cent of the monies received pursuant to section 5-522 shall be spent on public access, including maintenance and operation expenses.
- B. Sixty per cent of the monies received pursuant to section 5-522 shall be spent on the identification, inventory, acquisition, protection and management, including maintenance and operations, of sensitive habitat. At least forty per cent of the monies available under this subsection shall be spent on the acquisition of sensitive habitat utilized by endangered, threatened and candidate species. The commission may dispose of any lands

acquired for use as habitat by an endangered, threatened or candidate species under this subsection when the species no longer qualifies as an endangered, threatened or candidate species. The Arizona game and fish commission shall dispose of the land in a manner consistent with the preservation of the species of concern. The disposal may include conservation easements and fee simple transfers with associated instruments of protection. The commission shall follow the guidelines established pursuant to section 37-803 relating to the disposition of real property by a state agency. In addition, disposal shall include a written agreement between the commission and the purchaser requiring the purchaser to incorporate management actions to ensure proper maintenance of the species of concern. Management actions may include maintenance of habitat, selective control of nonnative species, maintenance of genetic viability, monitoring of populations and habitat, coordinating conservation activities, funding conservation actions and assessing conservation progress.

- C. Fifteen per cent of the monies received pursuant to section 5-522 shall be spent on habitat evaluation or habitat protection.
- D. Fifteen per cent of the monies received pursuant to section 5-522 shall be spent on urban wildlife and urban wildlife habitat programs.
- E. Five per cent of the monies received pursuant to section 5-522 shall be spent on environmental education.
- F. All monies earned as interest on monies received pursuant to section 5-522 shall be spent only in the percentages and for the purposes described in subsections A through E of this section or for costs of administering the Arizona game and fish commission heritage fund in such amounts as determined by the Arizona game and fish commission.
- G. On or before December 31 each year the commission shall submit its annual report to the president of the senate, the speaker of the house of representatives and the chairmen of the senate and house of representatives committees on natural resources and agriculture, or their successor committees. The annual report shall include information on:
 - 1. The amount of monies spent or encumbered in the fund during the preceding fiscal year and a summary of the projects, activities and expenditures relating to:
 - (a) Property acquisition.
 - (b) Identification, inventory, protection and management of sensitive habitat.
 - (c) Habitat evaluation and protection.
 - (d) Urban wildlife.
 - (e) Environmental education.
 - (f) Public access.
 - 2. The number and location of parcels of property acquired during the preceding fiscal year.
 - 3. For personal and real properties acquired with fund monies during the preceding fiscal year, the amount of property tax revenue paid to each taxing jurisdiction during the last full tax year prior to acquisition.
 - 4. The amount of money spent from the fund during the preceding fiscal year for employee personal services.
 - 5. The number of full-time employees employed in the preceding fiscal year in connection with property acquisition, including survey, appraisal and other related activities.

6. The total number of full-time employees employed in the preceding fiscal year for the programs listed in subsections A through E of this section.
7. A list of the grants awarded during the preceding fiscal year including information on the recipients, purposes and amounts.

Reporting Requirement

This Heritage Program Report to the Arizona Legislature is required under, and submitted in compliance with, Arizona Revised Statutes 17-298 (G).

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IDENTIFICATION, INVENTORY, ACQUISITION, PROTECTION AND MANAGEMENT (IIAPM)

Much of Arizona's natural biological diversity is composed of nongame species, wildlife that is neither hunted nor fished in a traditional sense. The Department's successful integration of these nongame species into the totality of the Department's wildlife management program is increasingly critical to Arizona's ability to manage its future without unwarranted Federal intrusion. This is especially true with regard to the burden of Federal law and regulation and resultant litigation inherent to threatened and endangered species. IIAPM focuses on wildlife or habitat that is sensitive (imperiled), including species that are federally listed as endangered or threatened.

IIAPM funds were used to support the Department's Nongame and Endangered Wildlife program and associated support programs. IIAPM funds are also used as non-federal match to receive \$1.5 million federal State Wildlife Grant funds to implement Arizona's State Wildlife Action Plan (SWAP).

Planning and Implementation of Plans

Using Heritage IIAPM funds, the Department implemented priority actions in species recovery plans, conservation agreements, management plans, and the Department's Statewide Comprehensive Wildlife Conservation Strategies (CWCS). The CWCS identified species that are most imperiled, and refers to those species as Arizona's *Species of Greatest Conservation Need*.

Some significant accomplishments funded, at least in part, by Heritage IIAPM during the reporting period include:

- Heritage IIAPM funds have supported the ongoing development and maintenance of a Heritage Data Management System, a Web-based tool that allows project proponents to identify sensitive species in a designated area. This tool tracks occurrence data, taxonomic information, and status information for sensitive species in Arizona. An associated Online Environmental Review Tool provides developers and planners with information on known locations and status of sensitive plant and animal species. They can use the tool for environmental and National Environmental Policy Act compliance. In addition, a comprehensive GIS data management system, the SWAP System, continued to be supported by IIAPM funds. The SWAP System holds all data associated with the State Wildlife Action Plan, including species and stressor distributions, and areas of potential conservation. These products allow land use planners to evaluate the potential impacts to wildlife from projects, and inform decision-making by Arizona's land management agencies and conservation community early in the planning process.
- For more than 20 years, the Department has surveyed for and monitored Sonoran desert tortoises (SDT) in Arizona. In 1991, the Department's data were used by the U.S. Fish and Wildlife Service (FWS) when they determined not to list the SDT, shortly after listing the Mojave populations of the desert tortoise. Since then, the Department has continued to survey and monitor SDT in Arizona. Recently, the FWS was again petitioned to list the SDT. The petition suggested that tortoise populations in the Sonoran Desert were declining precipitously. Supported by IIAPM funds, Department scientists working with independent

researchers at the University of Arizona demonstrated that survivorship in populations of desert tortoises was typically more than 90 percent. They provided to the FWS a thorough, credible and unbiased scientific discussion of biologists' current understanding of tortoise biology. Ensuring that decisions under the Endangered Species Act are supported by the best scientific data available helps prevent misuse of the Act.

- Heritage IIAPM funds were used to manage the state's bald eagle conservation efforts, including Arizona's nationally recognized Nestwatch program. The Department used IIAPM funds directly and as match to conduct monthly bald eagle occupancy and reproductive flights from January to June with helicopter assistance from Salt River Project, Arizona Public Service and the U.S. Bureau of Reclamation. These flights, in conjunction with ground visits, helped the Department determine that 52 of the 62 known breeding areas were occupied in 2010, and 27 of the 48 pairs that laid eggs were successful in fledging 44 nestlings. Department biologists also discovered or confirmed three new breeding areas and seven new alternate nest locations. Twenty-three bald eagle fledglings were banded for future identification. These efforts have provided data to the FWS supporting removal of Arizona bald eagles from the Endangered Species List.
- The Department used Heritage IIAPM funds to continue the Safe Harbor Agreement (SHA) program. These agreements provide protections for non-federal landowners who wish to assist in the recovery of species listed under the Endangered Species Act. Additional sites were enrolled under the statewide SHA for Gila topminnow and desert pupfish during the reporting period, making a total of nine sites now participating in this agreement. IIAPM directly funded one and was used as required match for the others.
- IIAPM funds supported the recent renovation of Stillman Lake, at the headwaters of the Verde River. Department and FWS biologists recently completed two renovations of the lake, to remove undesirable nonnative fishes and improve habitat conditions for the restoration of endangered native fishes. The Department and numerous partners identified Stillman Lake as essential to reestablishing a robust native fish community in the Upper Verde River. This renovation, and future stockings of roundtail chub and razorback sucker, are priority tasks to reduce the potential for roundtail chub to be listed under the Endangered Species Act and to help attain recovery goals for the razorback sucker.
- The effort to reintroduce black-tailed prairie dogs continues on State Trust Lands in the Las Cienegas National Conservation Area in southern Arizona. Using IIAPM funds as match, the Department continued to augment the population of black-tailed prairie dogs to preclude the need to list the species under the Endangered Species Act. A second translocation area was established and populated with 68 prairie dogs, and 41 were released to augment the existing population at the first release site. The goal is 7,500 occupied acres.
- Using Heritage IIAPM funds, the Department continued to manage endangered Sonoran pronghorn both in the wild and through captive breeding efforts to help restore their populations and habitats. The Department used IIAPM funds directly and as match to complete 24 aerial telemetry monitoring flights for these animals in the United States and three flights in Sonora, Mexico, and continues to manage the Sonoran pronghorn captive

breeding pen. During the fawning season, 32 fawns were produced in the pen, bringing the total number of pronghorn in the pen to 76. The Department radio-collared, released and monitored 23 pronghorn from the captive breeding pen during the reporting period; 11 survived and have joined wild pronghorn herds. The Department maintained and irrigated four forage enhancement sites. The total U.S. population of Sonoran pronghorn has grown to a minimum of 137 from the 21 that occurred before the Department instituted an active management program.

- Heritage IIAPM funds supported endangered California condor recovery efforts. IIAPM funds allowed the Department to continue to participate as a member of the Arizona condor field team, monitoring and managing released and wild-hatched California condors. Since the project's beginning in December 1996, 123 condors have been released in Arizona, with an additional 13 chicks hatched in the wild. As of July 2010, there were 73 free-flying condors in Arizona, with two chicks in nests and 13 birds awaiting release. The Department continued encouraging voluntary lead reduction efforts to help conserve this species and remedy one of the greatest challenges to recovering condors. IIAPM funds were used to provide free non-lead ammunition to hunters with big-game tags within condor range for the fifth year. Approximately 1,850 big game hunters were eligible for the program, which resulted in voluntary participation from approximately 85 percent of successful hunters on the Kaibab Plateau, with 66 percent using non-lead ammunition and 19 percent using other actions to remove the potential for lead exposure to condors.
- The Department used Heritage IIAPM funds to monitor the recovery of endangered black-footed ferrets in the Aubrey Valley. A total of 26 ferrets were released, 22 from captive breeding centers and four wild-captured young. During the March 2010 spotlighting effort, the crew captured 42 individual ferrets, 17 of those in a single night, establishing new highs for the project. Of the 42 individual ferrets, 29 had never before been trapped.
- IIAPM directly funded and was used as match to complete occupancy surveys for Gunnison's prairie dogs populations to preclude the need to list the species under the Endangered Species Act. These surveys are done every three years. Results indicate stable occupancy rates, with 25 occupied sites in 2010 (26 were occupied in 2008).
- IIAPM also provides funding for the Department's Sensitive Habitats Project, which works to improve the status of sensitive wildlife and restore sensitive habitats for at-risk species.

Other Accomplishments

The Department worked with landowners to complete six new habitat agreements, of which two were focused on directly benefitting species that are federally listed as endangered or threatened. Some examples include:

- Babocomari Ranch riparian fencing project: This collaboration between the Department, Natural Resources Conservation Service (NRCS) and the landowner constructed a fence to protect more than 250 acres of riparian habitat and three miles of perennial streams on the Babacomari River from overuse by cattle. IIAPM funds were matched with \$33,216 in NRCS funding and \$23,216 from the landowner. This project will provide habitat to several

native fish species, including Gila topminnow and species that are listed as Species of Greatest Conservation Need.

- Davis Ranch grassland restoration: This collaborative effort between the Department, NRCS and the landowner is to reclaim more than 630 acres of grassland invaded by mesquite, benefitting several species that depend on grassland habitat. Department funds were matched with more than \$26,800 in federal funds and \$1,000 from the landowner.
- Marks Ranch wolf project: In a collaborative effort to reduce conflicts between wolves and cattle, the Department provided IIAPM funding to the landowner to purchase forage to keep cattle in a safe pasture during calving season, and protect wolves from harm and harassment. IIAPM funds were matched with \$11,000 from the Mexican Wolf Conservation fund and \$15,000 from the landowner.

Property Acquisition

By statute, Heritage acquisition funds may be used only for qualifying property acquisitions. Five property offers eligible for Heritage IIAPM funds were examined during this reporting period. Of these, two have been purchased; one placed in escrow; one appraised; and one is being reviewed. The Department considered the quality and value of wildlife habitat and assessed water rights, the opportunity for public enjoyment for hunting, fishing, viewing wildlife, and other recreational activities, educational opportunities, the ease of public access, easements and potential conflicts while evaluating potential Heritage Fund acquisitions.

Two Heritage funded properties totaling 180 acres were acquired at a total cost of \$1,488,983.70:

Acres	Parcel	County
171 acres	Arlington Wildlife Area— Gable Acquisition	Maricopa
9	Coal Mine Springs and Canyon Phase IV	Santa Cruz

For these two personal and real properties acquired with fund monies during the reporting period, the amount of property tax revenue paid to each taxing jurisdiction during the last full tax year prior to acquisition was:

Parcel	Tax Paid
Arlington Wildlife Area—Gable Acquisition	\$174.08
Coal Mine Springs and Canyon Phase IV	\$467.26

The three properties placed in escrow, appraised or otherwise reviewed were:

Property Name	Amount	Purpose
Horseshoe Ranch	\$2,656,389	Placed in escrow
Planet Ranch	\$15,000	Hydrological and Geomorphology Services
Sonoita Ranch	\$4,700	Appraisal

HABITAT EVALUATION AND PROTECTION

The Department used Heritage Habitat Evaluation and Protection funds to work with government and private entities on habitat projects and land and resource planning issues. Funded activities included:

- Collaborate, coordinate, and partner with federal, state, municipal, and other land and water management agencies as well as private landowners and law enforcement authorities, to ensure that the needs of wildlife and wildlife habitats are considered during long and short range planning, and during project implementation. Highlights include:
 - Cooperating agency status with Bureau of Land Management on six projects.
 - Cooperating agency status with Bureau of Reclamation on 2 projects.
 - Review and/or comment on 253 commercial and residential development plans.
 - Continued work with Arizona Department of Transportation and Federal Highway Administration to identify important movement corridors for wildlife, and reviewed numerous highway projects to develop mitigation measures to limit impacts to wildlife. Measures included infrastructure design and placement, wildlife crossings, culverts, and fencing.
 - Development of Wind Energy Guidelines.
 - Development of Solar Energy Guidelines.
- Develop policies, initiatives and/or plans to address invasive species through collaboration with federal, state and local agencies and non-profit organizations, and provide outreach to Department employees and external entities regarding invasive species.
 - Initiation, development, and implementation of the DRAFT Arizona Aquatic Invasive Species Management Plan for 2011.
 - Coordination and facilitation of the Arizona Invasive species Advisory Council.
 - Development and coordination of the 2009-10 “Don’t Move A Mussel” outreach campaign in Arizona..
 - Development, coordination and implementation of the current AGFD Aquatic Invasive Species Director’s Orders, per A.R.S. §17-255.

HERITAGE URBAN

To minimize human-wildlife interaction and conflicts in urban areas, Heritage Urban funds are used to respond to and help in remediating human-wildlife conflicts in urban areas through customer service, partnerships with local governments, and educational programs and activities.

During the reporting period, the Department worked with Navajo County officials to develop and enact a countywide ordinance to address public safety issues associated with provision of food to nuisance wildlife via direct means or inadvertently (such as by improper storage of household garbage). Primary nuisance wildlife species are bears, coyotes and javelina. Subsequently, the town councils of Show Low and Pinetop-Lakeside, supported by both towns’ police departments, passed similar ordinances, which will assist in a uniform approach to public education and

enforcement. The Department also conducted two training efforts about venomous animals for local businesses in Kingman.

The Department coordinated with the National Park Service and ADOT on signage for the Highway 93 bighorn sheep overpasses and with the City of Bullhead City and the Bureau of Land Management on a three-panel kiosk for the Colorado River Nature Center in Bullhead City.

The Department conducted in-depth wildlife-viewing programs for the public in Arizona on a variety of subjects, including:

- Bald eagles, migratory birds, elk and Mexican wolves in Pinetop-Lakeside (attendance: about 150 people).
- Five bat-watching workshops in central Phoenix (attendance: more than 600 people).
- Bighorn sheep. One workshop was held in cooperation with the Steamboat Dolly at Canyon Lake (attendance: 75 people). Two additional desert bighorn sheep workshops were held in Kingman.
- Two black-footed ferret spotlighting events and an eight-part series of summer wildlife presentations in Kingman.

In addition, Heritage Urban funds were used to support the following efforts that help Arizona's economy through increasing outdoor recreation:

- Personnel collaborated with numerous communities to partner on annual nature festivals and related workshops, including Tres Rios Nature Festival, Payson Wildlife Fair, Verde Valley Birding and Nature Festival, Yuma Birding Festival, Southwest Wings, Woodland Wildlife Festival, Fall into the Wild Festival, Springerville-Eagar High Country Hummers Festival, Wings Over Willcox, Wings and Wildlife Festival, Kids' Day at Kingman Regional Medical Center, Public Lands Day at Colorado River Nature Center, and International Migratory Bird Day Celebration. The Department also hosted its annual Outdoor Expo. These activities allowed the respective rural and urban communities to realize economic benefits from wildlife recreation and related tourism.

Heritage Urban funds helped support law enforcement activities to protect urban fisheries, wildlife populations and habitat. Urban natural resource enforcement helps maintain safe, equitable allocation of natural resources, including angling, in urban areas.

HERITAGE ENVIRONMENTAL EDUCATION

The Department conducts extensive public outreach at numerous fairs and festivals statewide to educate the public about Arizona's wildlife. Education and outreach opportunities during the reporting period included:

- Department staff and volunteers provided live wildlife education and hands-on learning experiences to more than 102,815 people at nearly 94 events, workshops, expos and fairs.
- Approximately 8,184 4th-grade students in 281 classrooms across Arizona received a live wildlife education program correlated to Arizona's Academic Content standards.
- Approximately 5,830 educators received training on and used Focus Wild Arizona's educational resources, potentially providing 168,000 K-12 students with wildlife education.
- 1,400 K-12 students and 600 chaperones participated in the department's Youth Day at the Outdoor Expo, where students gained hands-on experience in outdoor recreation and wildlife education activities.
- More than 4,200 K-12 students participated in hands-on wildlife education activities throughout the state through summer camps, classroom programs and field-based research events.
- Department staff serves on a variety of boards and committees that provide community support and resources throughout the state: State Testing chair for the Envirothon, Arizona Council for Social Studies board member, Be Outdoors Arizona Board member and the AIMS content and bias review committee.
- The Adobe Mountain Wildlife Center provided immediate triage and care for more than 1,000 sick, injured or orphaned wildlife brought into the facility.

PUBLIC LANDS ACCESS

The Department's Public Lands Access program works collaboratively to enhance opportunities for the public to enjoy wildlife and wildlife-related recreation by identifying and opening lands and waters that are closed to the public or that do not have sufficient access.

Heritage Access funds were used during the reporting period to complete a number of significant projects. The Department's Landowner Relations program completed nine recreational stewardship agreements with private landowners, using Heritage Access funds as match (25 percent) to receive additional federal funds (75 percent). In addition, the Department's Respect program worked with approximately 300 landowners, and the Department assisted with 36 Adopt-A-Ranch programs where volunteers partnered with the Department and private landowners to help ensure that recreationists respect private land. Adopt-A-Ranch programs involved 1,173 volunteers, who gave a total of 11,313 volunteer hours.

Some project examples include:

- Babbitt Ranches Access Extension located near Flagstaff: Heritage Access funds contributed \$50,000 toward this project in exchange for unlimited recreational access to three ranches in northern Arizona. This agreement ensured unlimited recreational access to nearly 1.5 million acres of land that could have been closed due to scattered private landholdings throughout the

ranch. The Access funding was matched by \$125,000 of Arizona Department of Agriculture (ADA) grant funding and \$125,000 in landowner cash, to clean out 50 dirt tanks to improve water availability for wildlife on more than 500,000 acres of rangeland.

- D’Ambrose Pond located near Kingman: Heritage Access funds were provided in exchange for five years of fishing access for four youth fishing clinics per year to ponds stocked with sport fish. This project will help improve the Department’s ability to provide a quality experience for young anglers and help encourage people to try fishing.
- Yellow Pine Ranch Access Project located southeast of Kingman: Heritage Access funds were used to work with the rancher to provide funding to upgrade a windmill to a solar pumping system, which will provide year-round water for wildlife and ensure recreational access to more than 45,000 acres managed by the Bureau of Land Management. The Access funding was matched by \$3,000 in landowner cash and in-kind efforts in exchange for two years of hunter access to the ranches.

OTHER REPORT REQUIREMENTS

The following information represents Department expenditures:

- Spent for:

(a) Property acquisition	\$2,571,182
(b) Identification, inventory, protection and management of sensitive habitat	\$2,459,272
(c) Habitat evaluation and protection	\$890,000
(d) Urban wildlife	\$957,202
(e) Environmental education	\$406,125
(f) Public access	\$302,175
- Spent \$2,766,389 for employee personnel services, and \$1,083,686 for employee-related expenses.
- Four employees charged time to Heritage funds, when involved with potential Heritage funded property acquisition. However, these employees also charge other non-Heritage fund sources.
- Employed 65 full-time employees for all of the Heritage-funded programs.
- \$1,335,100 was the total legislatively transferred from the Heritage Fund in FY2010 to help address fiscal shortfalls in state general fund supported programs.

The Arizona Game and Fish Department did not award Heritage-funded grants for this fiscal year.