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7 IN THE UNITED STATES DISTRICT COURT
 8 FOR THE DISTRICT OF ARIZONA
 9 PRESCOTT DIVISION

10 Center for Biological Diversity, et al.,

CASE NO. 3:12-cv-08176-PCT-SMM

11 Plaintiffs,

12 vs.

DECLARATION OF SUSAN RECCE IN
 SUPPORT OF MOTION FOR LEAVE
 TO INTERVENE

13 United States Forest Service,

14 Defendant, and

15 National Rifle Association of America
 16 and Safari Club International,

17 Proposed Defendant-
 Intervenor.

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DECLARATION OF SUSAN RECCE

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2 I, Susan Recce, declare as follows:

3 1. I am over the age of eighteen and not a party to this action. I have personal
4 knowledge of the facts stated in this Declaration and, if called to testify, could and would
5 testify competently and under oath to these facts.

6 2. I am Director of Wildlife, Conservation and Natural Resources in National
7 Rifle Association's ("NRA") Institute for Legislative Action. I am responsible to NRA
8 regarding all laws, policies, regulations, actions and legislation affecting wildlife
9 conservation, hunting, and recreational shooting on Federal lands, as well at times, on
10 state-managed lands. I address issues that arise over the application of Federal and State
11 environmental laws to shooting ranges and track general wildlife conservation and
12 environmental issues. I am chair of the Public Lands Hunting and Shooting Sports
13 Roundtable created by a memorandum of understanding signed by 4 Federal agencies and
14 42 NGOs. The Roundtable MOU addresses hunting and recreational shooting access
15 issues on Federal lands.

16 3. The principle agencies I work with are: USFWS, USFS, BLM, NPS, EPA,
17 CoE. I represent NRA in the American Wildlife Conservation Partners ("AWCP")
18 coalition, which is made up of 47 national hunting, wildlife conservation and shooting
19 sports NGOs, and I have served as chair of AWCP. I also serve on several other hunting
20 and wildlife-based coalitions.

21 4. NRA is an Internal Revenue Code Section 501(c)(4) nonprofit corporation,
22 incorporated in the State of New York in 1871, with principal offices and place of business
23 in Fairfax, Virginia. NRA's membership includes approximately 4,000,000 individuals,
24 with many members in Arizona.

25 5. I have worked with the attorneys at Michel & Associates, P.C., a law firm
26 located in Long Beach, California, to assist me in my efforts described above.

27 6. Working in part on behalf of and with its client NRA, Michel & Associates
28 has spent several years accumulating information via independent research and formal

1 requests to governmental agencies pursuant to state public record access statutes (e.g., the
2 California Public Records Act, “PRA”), and the federal Freedom of Information Act
3 (“FOIA”).

4 7. Michel & Associates attorneys have to date sent out more than nineteen (19)
5 initial requests for documents (either PRA or FOIA requests), and numerous follow up
6 requests, to nearly a dozen different state and federal agencies.

7 8. Additionally, Michel & Associates oversaw the expert analysis of the
8 information accumulated.

9 9. As a result of Michel & Associates’ PRA requests, FOIA requests, and
10 independent research, NRA has compiled an electronic database of records (consisting of
11 approximately 10,000 documents) that includes, but is not limited to, necropsies, raw data,
12 and other relevant documents related to the alleged link between lead ammunition use and
13 condor illness/mortalities. Thousands more pages of documents are currently being
14 processed.

15 10. The process of requesting, obtaining, and reviewing the documents referred
16 to above has taken hundreds of hours and is ongoing because we continue to find evidence
17 that tends to refute the scope of the alleged threat lead ammunition use poses to condors.

18 11. Using the documents referred to above, scientific experts working with
19 Michel & Associates drafted reports, later presented to the California Fish and Game
20 Commission (the “Commission”) for review, that pointed out the lack of credible scientific
21 analysis underlying the supposed link between condor mortalities and hunter-shot lead
22 ammunition. On August 6, 2009, the Commission decided to reject proposed regulations
23 intended to expand California’s “Condor zone” ban on lead ammunition, with some
24 Commissioners expressly attributing their decisions to the abovementioned reports,
25 accompanying documents, and related testimony. One of the Commissioners described the
26 science previously relied on (which purported to establish a link between hunter-shot lead
27 ammunition and condor mortalities) as “pseudo-science” in light of the documents, reports,
28 and testimony provided by NRA, Michel & Associates, or those working with NRA.

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of November, 2012, I electronically transmitted the document Declaration Susan Recce in Support of Motion for Leave to Intervene to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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/s/ C.D. Michel
C.D. Michel