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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

WESTERN WATERSHEDS PROJECT,
CENTER FOR BIOLOGICAL DIVERSITY,
FRIENDS OF THE CLEARWATER,
WILDEARTH GUARDIANS, and
PREDATOR DEFENSE,

Plaintiffs,

v.

TODD GRIMM, Idaho Director,
Wildlife Services, and USDA WILDLIFE
SERVICES,

Defendants.

No. 1:16-cv-218-EJL-CWD

DECLARATION OF KELLY E. NOKES

I, Kelly E. Nokes, declare as follows:

1. I am a resident of Missoula, Montana. I am personally aware of the matters set forth below, and if called as a witness I would and could truthfully testify thereto.
2. I received a Bachelor of Science from Northern Michigan University in May 2008 with a double-major in Outdoor Recreation, Leadership, and Management and Environmental Conservation. I received a Juris Doctor and Master in Environmental Law and Policy from Vermont Law School in May 2015.
3. I am employed as the Carnivore Advocate for WildEarth Guardians (“Guardians”) in the organization’s Missoula, Montana office and have served in this position since June 2015. Guardians is an organization dedicated to protecting and restoring the wildlife, wild places, and health of the American West with over 200,000 supporters. I came to my current position shortly after graduating from law school and after serving as a legal intern with Guardians from August through December 2014.
4. As Guardians’ Carnivore Advocate, I am responsible for carrying out our organization’s work to protect and restore native carnivores across the West. Species on which my work primarily focuses include: gray wolves, Mexican wolves, grizzly bears, Canada lynx, wolverines, bobcats, coyotes, and cougars among others. I also coordinate our efforts to rein in cruel and archaic trapping activities across the western states, and coordinate our work to curtail the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services’ (“Wildlife Services”) lethal animal damage control tactics because of the harmful impacts these activities have upon our native carnivores and the larger ecosystem. My work includes ensuring that our federal agencies are held accountable to upholding the mandates of our federal environmental laws, such as the National Environmental Policy Act (“NEPA”) and

the Endangered Species Act (“ESA”). I assist with litigation, commenting on and following administrative rulemaking, and education and outreach concerning these species and activities on behalf of Guardians and our members. An important aspect and duty of my job is to be fully informed and educated about various government programs and how they may directly or indirectly impact native carnivores throughout the West.

5. I am passionately committed to my role as the Carnivore Advocate for Guardians and truly believe in the work I do everyday to protect rare and consistently threatened species like wolves, grizzly bears, and lynx. I am proud to provide a voice for these species and for our members, staff, and board who understand the important role carnivores play in our environment and who do not want to see them eradicated from the landscape. I appreciate that Guardians is a regional leader in ensuring that our federal and state wildlife and habitat managers properly carry out their responsibilities in full accordance with the law.

6. I have a sincere professional interest in protecting carnivores such as wolves from needless and ecologically disruptive killing activities, especially at the hands of federal aerial gunners whose tactics involve chasing and harassing innocent wolves by air until the animals are exhausted, and then cruelly gunning them down with ease because the animals are so tired they can no longer fight for their own survival. Wildlife Services’ aerial gunners unfairly execute entire packs of wolves at a time using this ethically baseless and immoral hunting technique.

7. I am especially concerned that Wildlife Services has killed nearly 300 wolves in critical wolf habitats across Idaho — including in the Stanley Basin, Sawtooth National Recreation Area and the Lolo and Selway Zones — without having given the impacts of its wolf killing program necessary and appropriate environmental review under NEPA. Wildlife Services’ failure to conduct proper NEPA review of its Idaho wolf killing program harms my professional interests

in and abilities to protect and restore native carnivores to the American west. It is also impacting my ability to be fully informed and educated about Wildlife Services' wolf killing activities in Idaho and how those acts directly, indirectly, and cumulatively may impact wolves and other native species and the ecosystems they inhabit.

8. Outside of my employment with Guardians, I also have sincere recreational, educational, aesthetic, and personal interests in protecting native carnivores, including wolves, and their important contributions to the health of our natural ecosystems.

9. I am an avid mountain biker, hiker, trail runner, and backcountry snowboarder and I greatly enjoy participating in these activities in the intact ecosystems the intermountain region of the West, including Idaho, provides. Whenever I participate in these recreational pursuits I go with the hope and intention that I might see a wolf, lynx, grizzly bear, or even a bobcat, coyote, or fox, at home in the wild. I am constantly on the lookout for animal tracks in the mud while trail running and mountain biking, or footprints in the snow while skinning into the backcountry.

10. Recreating in beautiful wild places inhabited by native carnivores like wolves is what inspired me to move to Montana and follow the career path I have chosen. Spending my free time mountain biking, hiking, trail running, and snowboarding in the wild mountainous habitats where wildlife roams reminds me of why I do what I do everyday to protect these wild places and wild creatures. Playing and exploring in the wild each weekend and many days before or after work is what inspires me to do the work I do for Guardians and on behalf of all things wild.

11. I regularly recreate in Idaho's wild gray wolf habitat. I have mountain biked, split-boarded (backcountry snowboarding in which the snowboard splits in two to allow skiing with skins uphill), trail run, hiked, and/or camped in the Bitterroot National Forest, the Selway-Bitterroot Wilderness, the Nez Perce-Clearwater National Forests, the Salmon-Challis National

Forest, the Idaho Panhandle National Forests, and the Sawtooth National Forest in Idaho. I have mountain biked and camped in the Sawtooth National Recreation Area and have recreated on trails near Stanley, Idaho and within the Stanley Basin. I have also recreated throughout the public lands and wild places of Montana, Oregon, Washington, Wyoming, Utah, Colorado, and Alaska, among other states. Many of the forests and Wilderness areas in which I recreate provide some of the last remaining intact habitats for species like wolves.

12. For example, I recently participated in a mountain biking and camping adventure in the Sawtooth National Forest on July 1-4, 2016. I looked for wolves, scat and tracks along the backcountry trails I recreated on. While unfortunately I did not see any wolves or their sign, I was gratified in knowing I was on public lands where wolves live. One of my favorite things about recreating on our public forest-lands, is knowing that I am but a guest in the natural habitat the forest provides for species like wolves and other carnivores.

13. Earlier that summer, on May 27-30, 2016, I boated, camped and hiked along the Wild and Scenic-designated Lochsa and Selway Rivers, including within the Selway-Bitterroot Wilderness Area. Again I searched for signs of native wildlife, and in particular, wolves and large wild cats. Again, while I did not see any during this trip, I appreciated being in an intact, natural ecosystem and knowing that these animals roamed around me.

14. I have hiked and explored the natural hot springs in Idaho's Lolo and Selway Zones numerous times in the past two years, including most recently on January 20-22, 2017. On this most recent trip, I saw a wolf near Lolo Hot Springs on the Montana side of Lolo Pass, and just miles from the Idaho border. I looked for tracks and additional wolf sightings throughout my trip that weekend, in which I visited Weir Creek and Jerry Johnson hot springs, and spent the night in Powell, Idaho at cabins along the Lochsa River.

15. Aside from the wolf I saw on the Montana side of Lolo Pass on January 20, 2017, I have only seen one other wolf in the wild — in Yellowstone National Park in October 2015. It was at dusk, and the beautiful wild animal crossed the road ahead of me as I was driving out of the Park after a long day-hike. I have yet to see a wolf in the wild in Idaho despite my best efforts to seek them out in their natural habitats across the state.

16. I intend to continue my regular visits to central Idaho's wildlands. Specifically, I plan to return to Weir Creek hot springs and look again for wolves in the Lolo Zone in March or April of this year, as well as at least three more times this summer. Idaho's Lolo Zone, and in particular, the Lochsa River, is one of my favorite places to take my friends and family who visit me from afar because of the scenic wild beauty and critical wildlife habitat the area provides, as well as its relatively close (1.5 hours drive) location from my home in Missoula. I plan to trail run and/or go mountain biking and camping again in wolf habitat and forestlands near Stanley, Idaho in July or August of 2017 as well. All of these locations provide premier habitat for the west's iconic wild carnivores.

17. And, unfortunately, I am aware that the Lolo Zone is where Wildlife Services conducts annual aerial gunning operations purportedly to bolster elk populations at the request of the Idaho Department of Fish and Game.

18. I am saddened at the fate of the wolves shot by Wildlife Services. As I described above, aerial gunning is not a humane practice. I am also saddened because my chances of sighting a wolf in the wild in and near Idaho—in particular, in the places where I regularly visit in the Lolo Zone—are lessened by the Wildlife Services wolf killing program in Idaho.

19. I am aware that Wildlife Services kills significant numbers of wolves in the Lolo Zone (about twenty each year for years, for a total of over 100), and far more in the state as a whole. I

am troubled by the unanalyzed cumulative impacts of this killing in combination with Idaho's lengthy wolf hunting and trapping season. I believe that, combined, these factors impede my ability to see a wolf in the Lolo Zone and elsewhere in Idaho.

20. My recreational and professional pursuits have instilled in me a strong appreciation for the role wild animals play in the ecosystem. My personal and professional interests in species like gray wolves and other native carnivores are harmed when these rare and essential animals are needlessly killed without consideration for the impacts such killing may have on the broader environment. Removing wolves, a top predator, from the ecosystem has cascading impacts on the whole natural system. Removing wolves disrupts ungulate populations, which in turn disrupts riparian vegetation, which causes further damage down the line of the entire ecosystem.

Removing wolves disturbs trophic cascades and the natural balance.

21. The government has a responsibility and duty to ensure that programs carried out under its authorization give due consideration to the full environmental consequences of its actions. Wildlife Services' program of lethal wolf control to benefit Idaho Department of Fish and Game's elk objectives and the interests of private livestock ranchers is a federal action worthy of full environmental review via an Environmental Impact Statement ("EIS"). Among other things, the cumulative impacts of the project are significant and lethal predator control is highly scientifically controversial, as well as controversial with the public. NEPA requires that consideration of the impacts of this program be properly afforded through an EIS.

22. I have a special interest in ensuring Wildlife Services complies with NEPA's procedural requirements and conducts a proper environmental analysis. My concrete professional and personal interests in wolves and in being fully informed of the impacts of Wildlife Services'

Idaho wolf killing program upon these species, and in being allowed to participate in the NEPA process are being harmed absent such review.

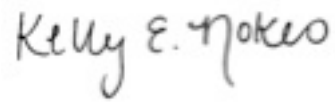
23. I believe that if Wildlife Services is required to take a hard look at the impacts of its Idaho wolf killing program as required by NEPA, the harm to my interests in protecting native wildlife, keeping species like wolves from being needlessly killed, and my interest in being fully informed about the nature and impacts of removing hundreds of wolves from Idaho's wild public landscapes will be lessened. I believe that full consideration of the environmental impacts of the program, if conducted fairly, would result in meaningful changes to Wildlife Services' Idaho wolf killing program, and perhaps even its end. In addition, if Wildlife Services is prohibited from continuing its Idaho wolf killing program pending necessary and appropriate NEPA review, as it should be, the harms to my personal and professional interests in wolves will be alleviated because less killing of the species will directly result.

24. My interests in protecting and viewing native carnivores, protecting native carnivores from needless extermination, and interest in being fully educated and informed about Wildlife Services' Idaho wolf killing activities is harmed when the government allows a program that encourages wolves to be killed to proceed without proper compliance with our nation's foremost environmental law, NEPA.

25. Pending proper environmental review, numerous wolves might be saved from falling victim to Wildlife Services' aerial gunners and sharp-shooters operating at the request of state wildlife managers or livestock ranchers. My chances for viewing wolves in the wild in Idaho while pursuing my favorite recreational activities and carrying out my professional duties will be enhanced with a proper environmental analysis of the impacts of Wildlife Service's Idaho wolf killing program.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 9th day of February, 2017 in Missoula, Montana.

A handwritten signature in dark ink, reading "Kelly E. Nokes". The signature is written in a cursive, slightly slanted style.

KELLY E. NOKES