

Lauren M. Rule (ISB # 6863)
ADVOCATES FOR THE WEST
PO Box 1612
Boise ID 83701
(208) 342-7024
(208) 342-8286 (fax)
lrule@advocateswest.org

Laurence ("Laird") J. Lucas (ISB # 4733)
PO Box 1342
Boise ID 83701
208-424-1466 (phone and fax)
llucas@lairdlucas.org

Attorneys for Plaintiffs

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

WOLF RECOVERY FOUNDATION, and	)	No. 09-cv-686-BLW
WESTERN WATERSHEDS PROJECT	)	
	)	DECLARATION OF
Original Plaintiffs,	)	JOHN McCARTHY
	)	
and	)	
	)	
THE WILDERNESS SOCIETY, GREAT OLD	)	
BROADS FOR WILDERNESS, IDAHO	)	
CONSERVATION LEAGUE, WINTER	)	
WILDLANDS ALLIANCE, WILDERNESS	)	
WATCH, and SIERRA CLUB,	)	
	)	
Co-Plaintiffs On Third Claim For Relief	)	
	)	
v.	)	
	)	
U.S FOREST SERVICE and USDA APHIS	)	
WILDLIFE SERVICES,	)	
	)	
Defendants.	)	

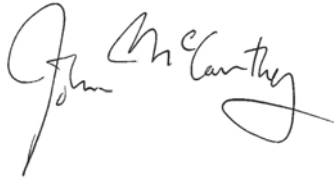
I, John McCarthy, declare:

1. My name is John McCarthy and I reside in Boise, Idaho. I have been an Idaho resident since 1977.
2. I moved to Idaho to work for the U.S. Forest Service in the Selway-Bitterroot Wilderness, where I worked out of the Moose Creek Ranger Station, in the heart of the wilderness 25 miles from the closest road, from April 23, 1977 to Dec. 16, 1977. I also worked at Moose Creek for the Forest Service from April to October in 1978. I also worked in the Gospel-Hump Wilderness and Hells Canyon Wilderness for the Forest Service in the May to October 1980 field season. During these field seasons I worked on trail crew and range crew. I am very familiar with field conditions working in the wilderness of Idaho. In the years I worked on trail crew in the Selway-Bitterroot Wilderness, we worked in teams of two carrying all our tools and gear, including a crosscut saw, for 10 day work hitches, often carrying backpacks of more than 70 pounds.
3. I have worked as a professional conservationist in Idaho since 1993, for 13 years with the Idaho Conservation League and for the last four years with The Wilderness Society. I am now employed by The Wilderness Society to work on National Forest management. I have been a member of The Wilderness Society since 1987 and a member of the Idaho Conservation League since 1980.
4. As part of my work and my personal interests, I spend extensive time in the Idaho backcountry, including designated Wilderness. I have been in the Frank Church River of No Return Wilderness (FCRNRW) dozens of times in the last 20 years. I have hiked and backpacked on numerous trips, including four backpack trips with my children who are now all grown. My backpack trips have been from two to seven days. I have also hiked and backpacked in all six of the other Idaho wildernesses. I did a 10 day winter ski trip in February 1988, in the Selway-Bitterroot Wilderness.
5. In the course of my work as a conservationist and as a Forest Service field staff in wilderness I have direct knowledge of physical and logistical challenges in working in wilderness. I am familiar with the Minimum Requirements Decision process or minimum tool analysis. In my estimation, the Forest Service did not do a thorough evaluation of other options to capture and collar wolves in the FCRNRW, and did not give full consideration of the known successes of the Nez Perce Tribe wolf management program in capturing wolves on the ground, using backpack and stock supported small crews. My own experience working and traveling in wilderness convinces me there are other, less intrusive options to study wolves in wilderness, even in winter, than the proposed helicopter capture and landings.

6. I have seen wolves three times in the FCRNRW. In 2006, I saw a pack of nine wolves in Corduroy Meadows in the headwaters of Bear Valley Creek, which is the headwaters of the Middle Fork Salmon River, in the southwest corner of the FCRNRW. I also saw members of another pack of wolves on two consecutive days in the Cache Creek Lakes basin in 2007, which is also a Middle Fork Salmon River tributary in the FCRNRW. I have heard other wolves on numerous occasions in the FCRNRW, and have seen many wolf tracks on many trails. I have also observed hundreds of elk and deer in the FCRNRW, and remarked last year after two multiple-day hikes that I saw more elk than ever before, including herds of 40 or more and a group of four large bulls. My personal and professional interests are to see wildlife interact in as natural setting as possible in the vast forest wildernesses of Idaho. The intrusive actions of landing a helicopter to capture and collar wolves inside the wilderness conflict with my appreciation and understanding of the natural processes.
7. The Wilderness Society mission is: “to protect wilderness and inspire Americans to care for our wild places.” In our organization’s evaluation on how to respond to the Forest Service plan to allow helicopters to pursue wolves and to land inside the wilderness, I spoke to Dr. Jim Peek, wildlife biology professor emeritus at the University of Idaho, and Dr. Gary Kohler, a former student of Dr. Peek with a doctorate in wildlife biology from the University of Idaho. They both assert the Forest Service plan for capture of wolves does not have a comprehensive study plan. The Forest Service and Idaho Fish and Game Department have not established a research protocol or research project, acting among the two agencies or in the larger scientific community including universities and tribes. The Wilderness Act requires any research project to benefit the wilderness resource and the Forest Service has not made an adequate showing of how this proposal will benefit the wilderness resource.
8. Acting on behalf of The Wilderness Society, I have spoken to dozens of people – our members and members of partner conservation groups - who are committed to protecting the wilderness, caring for our public lands and experiencing the wilderness this winter in 2010. Every year as part of my job and as part of my interest in seeing people appreciate the wilderness, I assist people in discovering appropriate ways to hike, camp and backpack in the wilderness. This year I have spoken to dozens of people about their interests in going into the FCRNRW to observe wildlife during the winter months in the Middle Fork Salmon River basin. These people assure me they do not want to see wildlife disturbed by helicopter chasing or landings; and that their trips will be irreparably harmed by IDFG helicopters chasing wolves and landing to collar them in the Wilderness.

9. The Forest Service's approval of the IDFG proposal to use helicopters this winter in the FCRNRW to dart and collar wolves threatens irreparable harm to myself and many members of TWS and ICL and other organizations that seek to protect and preserve the wilderness values of the FCRNRW. Not only will the helicopter operations irreparably injure the wilderness experiences of our members and supporters who are traveling into the Wilderness to seek and observe wolves and other wildlife this winter; but the effect of the project may include allowing further helicopter intrusions in the future, such use of helicopters to locate and kill wolves in the wilderness – which is an objective publicly announced recently by an Idaho Fish and Game Commissioner.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of February, 2010, at Boise, Idaho.

A handwritten signature in cursive script, reading "John McCarthy". The signature is written in dark ink and is positioned above a horizontal line.

John McCarthy