

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)
WESTERN WATERSHEDS PROJECT)
)
Original Plaintiffs,)
)
and)
)
THE WILDERNESS SOCIETY, GREAT OLD)
ROADS 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.)

No. 09-cv-686-BLW

**DECLARATION OF
KELLEY WESTON**

I, Kelley Boyd Weston, declare:

1. My name is Kelley Boyd Weston. I have been an Idaho resident since 1985. I now live in Hailey Idaho.

2. I was born in the mountains of Colorado and have been backpacking, climbing, skiing, and rafting since an early age. I first visited the mountains of Idaho in the summer of 1976 when I traversed the Frank Church Wilderness from north to south. Since then I have done many other long hikes, of weeks at a time, in wilderness and back country areas, including the Grand Canyon and one traverse in which I walked from Missoula, Montana to Challis, Idaho.

3. Wilderness is particularly important to me. Accessible wilderness lands untrammelled by intrusions from motorized vehicles, airplanes, helicopters, ATV's and snowmobiles are rare and becoming scarcer by the year. I believe that these lands were designated to protect and preserve a landscape and the wildlife that call it home from these mechanical intrusions and that we should honor this intent.

4. Visiting the Frank Church and other wilderness areas is deeply important to me. I find great emotional refreshment and satisfaction from experiencing the wild state of nature that I find in the Frank Church and other wilderness areas, including the solitude, quiet, and absence of human development.

5. I have personally been in the Frank Church Wilderness over 30 times in the last 33 years. My longest trip was over 6 weeks, with other trips lasting between a few day and 4 weeks. These have included day hiking trips, rafting, and extended backpacking trips. As I have grown older and busier the wilderness has become more and more important to my peace of mind.

6. I have taken many long trips in the Frank Church Wilderness in winter and early spring, including 4 trips into the Middle Fork of the Salmon River in March and April. In 2005, I skied from Cape Horn to the Big Horn Crags in early March.

7. Experiencing the Middle Fork of the Salmon in the winter is one of the highlights of my life. Animals are concentrated near the river and it is relatively easy to experience them in their native habitat. The river corridor is empty and not populated as it is in the summer when hundreds of rafters enjoy the river. It is a very unique time to be in the wilderness. Disturbing this serenity with helicopters is completely unacceptable.

8. It is my belief that the use of helicopters in the Frank Church violates the spirit and word of the Wilderness act. I visit wilderness and other wild areas to experience the peace and serenity not easily found in less remote areas. Over the years I have visited other wild areas, notably the Grand Canyon National Park where helicopters are poorly regulated, and I have experienced first hand the disruption these noisy machines causes. I have also witnessed first hand disturbance of elk by motorized vehicles. These animals live off their fat reserves all winter and any unexpected physical activity is detrimental to their well being.

9. I have witnessed wolves up close and personal, including when alone skiing near my home in Hailey, and I have absolutely no fear of them. Indeed, I find great emotional and intellectual satisfaction when I hear or see wolves.

10. I am planning to take another 7-10 day trip into the Frank Church Wilderness this winter. I will use a private plane and pilot to get access to a public landing strip at Thomas Creek bar on February 20, 2010 (weather permitting), then travel down the Middle Fork Salmon River to Big Creek, and then up Big Creek. I will be

looking for and tracking elk herds and/or wolf packs along the way, and taking detours up side canyons and ridges to look for and observe wildlife, including wolves. Depending on snow conditions, I will either fly out or ski out.

11. I am very concerned about the Forest Service's December 2009 decision allowing the Idaho Department of Fish and Game (IDFG) to operate and land helicopters in this area of the Frank Church Wilderness to locate, dart, and collar wolves. I understand that the helicopters will be operating in the same area of Big Creek and the Middle Fork Salmon where I will be, and at the same time I will be there, since that is where big game populations and wolves are likely to be found.

12. If I am subjected to IDFG helicopter operations pursuing wolves, hovering low over the ground, and landing in the wilderness, it will greatly upset me, disrupt the quiet and solitude, disturb and scare away wildlife, and irreparably taint and injure my experience of the Frank Church Wilderness during the winter.

13. I am a long-time member of Western Watersheds Project and currently the Board president. I joined Western Watersheds Project in attempt to reform the management of livestock on public lands. Wilderness provides a critical reference area for ecologists, wildlife biologists and other experts in their attempt to understand natural processes under more or less pristine conditions and should be preserved at all costs. I believe wildlife in these areas should be managed with a minimum of intrusion.

14. Because the Forest Service has approved helicopter low level flight and landings in a designated wilderness I feel I will be directly harmed by this action unless the Court issues an injunction to stop it.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct. Executed this 1st day of February, 2010, at Hailey, Idaho.

/s/ _____
Kelley Weston