

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
RALPH MAUGHAN**

I, Ralph Maughan, hereby declare:

DECLARATION OF RALPH MAUGHAN -- 1

1. My name is Ralph Maughan, and I reside in Pocatello, Idaho. I am a Professor Emeritus of Political Science at Idaho State University, author, blogger, conservationist, avid outdoors traveler, and life-long westerner. I was born in Logan, Utah and raised there as well as in Rexburg, Idaho.

2. I am the President of the Wolf Recovery Foundation, an Idaho non-profit corporation. Our mission is to foster our heritage of wild wolf communities by advocating their presence forever in places where they have been extirpated. We accomplish our mission through our efforts in public representation, information and outreach, scientific research, networking with the agencies, organizations, tribes and universities, and through our workshops, conferences and special events. Our address is P. O. Box 444, Pocatello, Idaho 83204.

3. I am a long-time member of Western Watersheds Project, and I sit on its Board of Directors. I have in the past been on its Science Advisory Board. I have been a member of the organization since it was first formed as the Idaho Watersheds Project.

4. For many years I held offices in the Sierra Club, at one time serving as the Regional Vice President of the Club for the Pacific Northwest Region. I have been on the Board of Directors of the Idaho Environmental Council since 1972. I was an incorporator of the Greater Yellowstone Coalition in 1983. At that time it was named the Greater Yellowstone Alliance. I was President of the GYA in 1985. From 1995 to 2000 I served on the GYC's Board of Directors.

5. I am the co-author, with my spouse Jackie Johnson Maughan, of *The Hikers Guide to Idaho*, which was first published in 1984. It is now renamed *Hiking*

Idaho (Globe Pequot Press, most recent edition September 2001). I am the co-author, with Lee Mercer, of *Hiking Wyoming's Teton and Washakie Wilderness* (Globe Pequot Press, 2000).

6. In 1995, I set up a website devoted to provision of news, statistics, and a history of the reintroduction of wolves to central Idaho, Montana, and the greater Yellowstone area. Over time, the website grew to include information about other kinds of wildlife, and conservation issues in general. In 2000, the Wolf Recovery Foundation requested that my web site become a part of the Foundation's larger wolf recovery web site, at <http://www.forwolves.org>.

7. In 2006, my website became known as "Ralph Maughan's Wildlife News," and the address changed to <http://wolves.wordpress.com/>. The scope of the site was expanded considerably to encompass wildlife issues all over the American West. Two other people and I post stories on a daily basis, based on news articles in the media and our own personal travels, experiences, and knowledge of wildlife and conservation policy and biology. The website continues to have a large amount of news and commentary about wolf issues in Idaho and other western states.

8. My website receives approximately 3000 "hits" a day on weekdays, and about 2500 a day on weekends. The site is always in the top 20 politically influential Idaho blogs according to Blog Net News. It is frequently ranked number one.

9. In addition to hiking extensively on the public lands of Idaho and other states, I am an avid photographer. I regularly travel around the West to take photographs of the scenery, geology, geography, and land and water conditions I observe. I regularly post my photos on Panoramio.com, a service which allows the photos to be visible on the

DECLARATION OF RALPH MAUGHAN -- 3

Google maps website. This means that when people all over the world look at maps of the American West online using Google maps, my photographs appear on the map as small logos. Users can click on the photos to enlarge them, and even make comments on them.

10. I have had a long history with the Frank Church/River of No Return Wilderness. This includes involvement in the creation of the Frank Church Wilderness itself, active use of the Wilderness over the years continuing to the present, and interpretation of the Wilderness through the book that I co-authored with my wife, *Hiking Idaho*. This book includes a brief history of the Wilderness and detailed descriptions for people to accomplish a number of backpacking and hiking trips into the Wilderness.

11. I was one of about seven people who met at Dr. Walt Blackadar's home in Salmon, Idaho in 1974 to develop the proposed boundaries of the "conservationist" proposal for the River of No Return Wilderness to replace the old Idaho Primitive Area. Essentially the same boundaries were enacted into law in 1980 as the Central Idaho Wilderness Act, Public law 96-312 (7/23/1980). For the mark-up of the bill before the House Public Lands subcommittee that year, committee counsel Andy Wiessner and I drew most of the boundary for the south and southeastern edge of the Wilderness which was enacted into law.

12. Later my spouse and I wrote the first of two editions of the *Hikers Guide to Idaho* (Falcon Press, 1984, 1990). The Guide contained many hikes in the new Frank Church Wilderness area, that my wife and I personally hiked, covering virtually all areas of the Wilderness. This was followed by 2 editions of *Hiking Idaho* (Falcon/Globe-Pequot Press, 1995, 2001). The earlier hikes were redone and more were added.

13. My visits to the Frank Church Wilderness have continued since the completion of the last edition of Hiking Idaho. I continue to hike, observe wildlife, and photograph nature within the Frank Church Wilderness, and will do so for the foreseeable future (as long as I am able to hike).

14. One trip that I have taken many times is to drive to the end of the Salmon River road (beyond Shoup, Idaho), to the Corn Creek Bar area, which is near the confluence of the Middle Fork and Main Salmon Rivers, and which lies right on the edge of the Frank Church Wilderness. From there, I hike into the Wilderness, in an area where wildlife – including elk and bighorn sheep – congregate in the winter and early spring because of suitable habitat. This hike is especially attractive in the winter and early spring, because it is relatively easily accessible from the Salmon River road; and I have done this hike several times in the past in April and May.

11. The first wolves to be restored to Idaho were released at Corn Creek Bar in the winter of 1995 – exactly 15 years ago. They quickly ran downstream into the vast wild country of the Frank Church Wilderness.

12. My spouse and I are planning a trip into the Frank Church/River of No Return Wilderness around the period Feb.18 to 24, from the Corn Creek Bar area. (Depending on weather and access to the vicinity of Corn Creek, we may park further upriver and enter the Wilderness from there). We want to celebrate the release of the wolves by looking for them and their prey in the wild, quiet, unmodified setting of the Frank Church Wilderness, as described in the Wilderness Act:

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is

a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

13. The use of helicopters to chase wolves, hover close to the ground to dart them, and land in the Frank Church Wilderness is completely contrary to the Wilderness Act. I hike into the Frank Church in order to observe wolves and wildlife in their natural setting, free from impacts of human actions – especially use of motorized vehicles and aircraft. If Idaho Fish and Game Department is allowed to proceed with their plans to land helicopters in the Frank Church Wilderness this winter to dart and collar wolves, I expect them to be operating in the area where I will be hiking – since that is one place where wolves and elk congregate – and those operations will disrupt and destroy my enjoyment of the peace, quiet and solitude of the Wilderness and my ability to view wolves and other wildlife in their natural setting there.

14. The argument that IDFG must use helicopters to dart and collar wolves in the Frank Church Wilderness lacks scientific justification, and should have been thoroughly assessed by the Forest Service in a NEPA-compliant Environmental Impact Statement, with full public and scientific scrutiny, before the Forest Service approved this ill-advised project. I and many other conservationists who care deeply about wolves and protection of wilderness values would certainly have commented on a draft EIS; and I am

injured by the fact that the Forest Service did not follow NEPA here.

15. Moreover, had the Forest Service adhered to NEPA, it would have learned from me and others that IDFG's proposed use of helicopters to collar wolves in the Frank Church Wilderness is certainly not the minimum tool necessary to monitor wolves in the Wilderness, and hence the Forest Service could not lawfully approve the IDFG proposal under the Wilderness Act.

16. For instance, the Wolf Recovery Foundation has spent thousands of dollars supporting scholarly research by David Ausband to develop less intrusive and more cost-effective methods of ascertaining wolf populations, pack sizes, and the characteristics of individual wolves. Ausband has worked with the University of Montana, Nez Perce Tribe, University of Idaho, Idaho Department of Fish and Game, Montana Fish, Wildlife, & Parks, and the U.S. Fish & Wildlife Service on the perfection of "howl boxes" and "rub pads," to monitor wolves. Howl boxes play wolf howls and record the replies of actual wolves for computer analysis and tabulation. Rub pads attract wolves and snag their fur for DNA analysis.

17. At the least, the Forest Service should have fully evaluated these alternative methods, which are exactly the less Wilderness-intrusive methods we wish were to be deployed to track wolves in the Frank Church Wilderness.

18. If the Court does not enjoin the Forest Service and IDFG from using helicopters in the Frank Church Wilderness this winter to dart and collar wolves, it will cause irreparable harm to myself and many others, because of the Forest Service's violations of NEPA and the Wilderness Act in approving this intrusive, unnecessary, and unscientific proposal.

DECLARATION OF RALPH MAUGHAN -- 7

I declare under penalty of perjury that the foregoing is true and correct. Executed
this 31st day of January, 2010, at Pocatello, Idaho.

/s/ _____
Ralph Maughan