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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

WILDEARTH GUARDIANS, WESTERN)
WATERSHEDS PROJECT, and KETTLE)
RANGE CONSERVATION GROUP,)

Plaintiffs,)

v.)

GLENN CASAMASSA, Pacific)
Northwest Regional Forester, U.S.)
FOREST SERVICE; RODNEY)
SMOLDON, Forest Supervisor, Colville)
National Forest, and U.S. FOREST)
SERVICE,)

Case Number: 2:20-cv-00223-RMP

**DECLARATION OF TIMOTHY
COLEMAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

1 Defendants,

2 and

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4 Diamond M Ranch, a Washington General)
5 Partnership,)

6 Defendant-Intervenor.)
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9 I, TIMOTHY J. COLEMAN, declare and state as follows:

10 1. The following facts are personally known to me, and if called as a witness, I
11 could and would truthfully testify to these facts.

12 2. I am a resident of Ferry County, Washington, where I live north of the town
13 of Republic, in a house my family and I built that sits on 80 acres and that shares a
14 boundary with the Colville National Forest. I have lived here for 35 years. I have
15 observed wolves and other wildlife that likely also use habitat on the Colville National
16 Forest from my property and am personally invested in the well-being of these species
17 and the ability of the Colville National Forest to support their habitat.

18 3. I am the executive director for Kettle Range Conservation Group (KRCG),
19 a 501(c)(3) federal non-profit charitable conservation organization founded in 1976
20 with a mission to defend wilderness, protect biodiversity and restore ecosystems of the
21 Columbia River Basin. I have worked for Kettle Range Conservation Group since 1993
22 and also served as its Board president from 1988 until 1993.

1 4. I am a member and cofounder of the Northeast Washington Forest
2 Coalition. Founded in 2003, NEWFC is a recognized national leader in forest
3 collaboration in the Colville National Forest. As chair of the Education & Public
4 Relations Committee of NEWFC, I organized and participated in a meeting of Colville
5 National Forest ranger permittees to discuss wilderness management and its potential
6 impacts to permittees.
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8 5. I have been actively involved in wildlife, forest and wilderness
9 conservation activities in the Colville National Forest since 1982, including NGO
10 oversight of federal forest, recreation, and range management since 1990. My
11 professional career includes managing a 501(c)(3) organization & staff, project
12 monitoring, a two-year mapping project of the Colville National Forest for National
13 Audubon Society, wildlife habitat remediation projects, seven years working for
14 Conservation Northwest as director of the Columbia Highlands Initiative,
15 collaborating with the Forest Service on forest restoration and livestock grazing
16 management on federal lands.
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18 6. I frequently travel into and throughout the Colville National Forest for
19 business and pleasure. I have climbed mountains, hiked, camped, fished, hunted and
20 skied in the Forest since 1982. I love the wilds of the Colville National Forest and
21 especially for a chance to see rare wildlife like lynx, wolf and grizzly bear. I also
22 appreciate the plant diversity the Colville National Forest supports, including whitebark
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1 pine, a tree species recently proposed for listing under the Endangered Species Act
2 whose seeds are an important food source for the imperiled grizzly bear.

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4 7. I am personally and professionally involved in wolf recovery in
5 Washington. I have dedicated countless days in meetings, on calls, and in front of
6 computer screens to this end, including serving on the state Wolf Advisory Group
7 (“WAG”) to the Washington Department of Fish & Wildlife (“WDFW”) from 2015 to
8 August 2020. Kettle Range Conservation Group strives to facilitate wolf, lynx,
9 wolverine, grizzly bear and other wildlife recovery in the Colville National Forest by
10 minimizing the circumstances in which carnivores are intentionally killed by humans at
11 the behest of and in service to the private commercial livestock industry. I believe
12 killing large carnivores on our National Forests for the livestock industry is
13 representative of the threat to endangered wildlife recovery in the state and especially in
14 the Colville National Forest.

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16 8. I am a member of WildEarth Guardians a non-profit organization
17 committed to the preservation, protection, and restoration of native species and the
18 ecosystems upon which they depend.

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24 **COLVILLE NATIONAL FOREST**

25 9. I often travel into the Kettle River Range and Selkirk Mountains in the
26 Colville National Forest for business and recreation purposes. I generally work in
27 the Colville National Forest from May through November, as I did in 2020, doing
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1 timber sale and range monitoring, attending Forest Service workshops, and setting up
2 remote cameras to observe wildlife and livestock operations. From December through
3 May, I am in the Forest regularly doing telemark skiing and also maintaining remote
4 cameras.
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6 10. The Kettle River Range within the Colville National Forest is 40 minutes
7 from my house. It is the place I go to frequently to recreate, which includes skiing,
8 hiking, hunting, wildlife observation, bird watching, and mushroom hunting. I do so
9 for physical exercise but also to maintain my mental health by connecting with
10 nature. In particular, I have spent a great deal of time hiking and skiing throughout
11 the Kettle Range hoping to see wolves and signs of wolves, lynx and grizzly bear and
12 I was lucky enough to see and photograph a wolf (below) in October 2017. It is
13 common for me to observe wolf tracks and scat in the Kettle Range. While I visit areas
14 throughout the Forest, areas of the Kettle Crest where I frequently recreate include
15 lands apportioned into the Midnight Mountain, Copper Butte, Scar Mountain, Twin
16 Sisters, King Mountain, Mac Mountain, CC Mountain and other grazing allotments in
17 these areas.
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11. I have hiked and camped in the Kettle River Range and Selkirk Mountains for over 38 years. On an annual basis, I and my organization have led free guided hikes, in the Colville National Forest. Participants in these hikes most often state their interests are seeing wildlife and enjoying wild forest landscapes.

12. Beginning in 2017, I worked on a cost-share restoration project for the U.S. Forest Service restoring whitebark pine trees, which live at high altitude, generally above 6,000 feet. Whitebark pine seeds are an important food source for

1 grizzly bears and I hope my work to restore whitebark pine will also promote
2 grizzly recovery in the Kettle Range, including on the Colville National Forest.

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4 13. It is obvious that cattle grazing in the high Kettles is degrading whitebark
5 pine because cattle habitually use shade provided by these pines, churning soils and
6 depositing manure. These disruptions support fast-growing subalpine fir and spruce that
7 crowd out slow-growing whitebark pines by reducing their access to sunlight, water,
8 and wind and increasing humidity that supports whitebark pine blister rust—an
9 existential threat to the trees. It is inspiring that just the presence of wolves in this
10 area is helping cows move off the Kettle Crest and that is indirectly protecting
11 whitebark pine trees and subalpine sensitive plants. This is a part of the Colville
12 National Forest which includes but is not limited to the U.S. Forest Service grazing
13 allotments known as CC Mountain, Lambert and Copper Mires and adjacent
14 allotments.
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17 14. During my work and recreation in the Kettle Range, I frequently meet
18 people who are interested in the return of wolves, lynx and grizzly bear and who are
19 anxious to see signs of them. When I recreate on public lands I am always on the
20 lookout for signs of these rare forest carnivores, as well as other imperiled birds,
21 wildlife, and plants.
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24 15. My wife and I love to climb mountains, backpack and camp in wild places
25 where wildflowers, clean flowing streams and breath-taking silence are abundant. The
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1 summer and fall of 2020, we backpacked in and climbed mountains in the wilderness
2 every weekend, and even in this time of an epic worldwide pandemic, we found solace
3 and peace of mind in those wild places.
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5 16. I believe we are guardians of the Public Lands and it is obvious that
6 without those of us who will stand up and be guardians protecting the endangered
7 wildlife that are emblematic of wilderness of the Colville National Forest, animals such
8 as lynx, wolves and grizzly bear will disappear forever. Without plants that support a
9 robust forest ecosystem capable of supporting these species and their prey, these
10 species cannot persist.
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13 17. The recovery of wolves, lynx and grizzly bear are important to me from
14 an ecological, ethical, and spiritual standpoint. Apex carnivores belong on our
15 public lands and are critical to healthy functioning ecosystems.
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18 18. Livestock grazing on our public lands is no different than logging or other
19 commercial activities. Cows are raised on the Colville National Forest for money, to
20 send to slaughter. Cows eat grass and shrubs and then are transported off the Forest in
21 Fall. Trees are logged from the Forest and hauled to a mill and cut into boards. The
22 practical difference between logging a forest and denuding vegetation for livestock
23 fodder – both a product of sunlight, water and carbon storage -- is the way the Forest
24 Service manages them. Every logging project goes through detailed NEPA review
25 during which the public is asked to participate. No timber sale or the ground upon
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1 which forest grow is sold to the timber industry in perpetuity. Livestock grazing
2 management rarely if ever goes through a detailed public review. Livestock grazing
3 authorizations are annually granted without public engagement, and even permits—
4 which allow operators to graze the public lands for a ten year period—are frequently
5 renewed without NEPA analysis.
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8 19. Livestock grazing significantly and deleteriously degrades public
9 recreation resources – especially recreation trails. Cattle trampling creates braided
10 trails that mislead hikers. The Colville National Forest promised to correctly sign trails
11 in their Boulder Complex Grazing Allotment EA Decision (2013), but I have yet to see
12 one sign posted in this regard. And despite my decades of mountain climbing and
13 hiking experience, I too have gotten lost on braided trails in the Kettle River Range.
14 The costs are to public trails, public wildlife and public welfare and this threat to public
15 safety is not being addressed by the Forest Service.
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19 20. Livestock grazing degrades deer, elk and moose habitat, and degrades
20 riparian zones, in turn harming fish and riparian vegetation. The Forest Service is held
21 to manage fish & wildlife habitat, but in practice these take a backseat to livestock
22 grazing.
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25 21. Livestock grazing also directly harms carnivores like wolves, which are
26 killed when they eat domestic livestock encamped on their native habitat on public
27 lands.
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1 22. Livestock grazing damages what I value most about Public Lands. Just to
2 know wolves, lynx and bear are there is important to me. Wolves especially are
3 emblematic of healthy ecosystems. Cow feces on trails and in streams smells like a
4 feedlot – not a National Forest – this leaves me frustrated and denies me the nature I so
5 deeply value.
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8 23. I have a strong interest in having the Forest Service comply with laws that
9 protect imperiled species like wolves, grizzly bears, lynx, and whitebark pine, including
10 by imposing procedural requirements on agency decisionmaking.
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12 24. I am personally harmed, and Kettle Range Conservation Group is harmed,
13 by the Forest Service's failure to address livestock conflicts on the Forest that reduce
14 the abundance of wolves and other forest carnivores at the Forest Plan level, through
15 annual grazing authorizations, or otherwise.
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18 25. I've reached out to Forest Service officials responsible for managing the
19 Colville National Forest and the livestock grazing that it authorizes to occur across the
20 Forest, on a number of occasions. In the summer of 2014, I discovered a dead female
21 wolf pup that had been shot in the Lambert Creek Allotment and I immediately called
22 the Forest Service to report it. After the Profanity Peak pack moved into the Kettle
23 River range in 2016, I asked the Colville's lead Range Manager about modifying
24 grazing in that area and how the agency might protect den sites. I urged local Forest
25 Service officials to consider conservation measures to help avoid or reduce conflicts
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1 between wolves and cattle, including those recommended by the U.S. Fish & Wildlife
2 Service, *see e.g.* AR01920 (July 29, 2016 email). On August 29, 2017, I organized a
3 WAG / Forest Service joint field visit to the Copper Mires Allotment to look at a just
4 completed forest thinning that could be a model for improving observability of
5 livestock and keep them bunched up to mitigate wolf-livestock conflicts. In August
6 2019, I spoke with USFS range staff attending a WAG meeting and again in January
7 2020, I spoke with Robert Garcia, Region 6 USFS range manager during a WAG
8 meeting, to discuss options for placing GPS ear tags on livestock in the Kettle Range to
9 help ranchers locate strays calves to mitigate wolf-livestock conflicts. Often I have
10 communicated concerns to Forest Service range managers regarding problematic
11 grazing practices such as salt block placement near wolf den and rendezvous sites,
12 vulnerable young calves isolated from their mothers, underweight calves that even in
13 October were tiny compared to calves nearby or in adjacent allotments and cow / calf
14 pairs cornered in dense thickets of lodgepole pine saplings with no way out and lack of
15 range rider monitoring.

26 26. When the Final Environmental Impact Statement (“FEIS”) for the revised
27 Colville Forest Plan was released, I was incredibly disappointed that the Forest Service
28 barely mentioned wolves at all and made no effort to consider Forest Plan directives for
29 protecting them against conflicts with livestock so as not to result in their continued
lethal removal from the Forest. I submitted a joint objection, with Western Watersheds

1 Project and The Lands Council outlining numerous concrete, science-backed measures
2 the Forest Service could incorporate into the revised Forest Plan to address the
3 recurring conflicts which the Forest Service completely failed to address during the
4 objection resolution meeting. Knowing that nearly 90% of the wolves killed by WDFW
5 to date have been in response to conflicts with cattle authorized by the Forest Service to
6 graze the Colville National Forest, without the Forest Service ever publicly evaluating
7 and carefully considering measures to prevent these conflicts from happening, in the
8 Forest Planning process or in other grazing authorizations, harms my interests in seeing
9 a long-term viable wolf population maintained on these public lands. The Forest
10 Service has the authority to require grazing permittees to take measures such as herding
11 techniques that keep cattle moving away from core wolf areas, avoiding habituation
12 that harms vegetation and wildlife, requiring GPS component to ear tags the agency
13 already requires to make calves more easily locatable and by providing daily and near
14 daily human presence particularly during evening, night and early mornings when
15 wolves are most active to prevent predation of livestock.

22 27. I am also harmed by the Forest Service's failure to consult with the U.S.
23 Fish and Wildlife Service over impacts to imperiled species that are known to occur or
24 may be present on the Colville National Forest grazing allotments, including the
25 Copper-Mires, Lambert, and C.C. Mountain allotments, from authorizing grazing
26 within those species' native habitats.

1 28. My injuries would be redressed if the Forest Service adopted adequate
2 measures to protect wolves and other forest carnivores from livestock conflicts as a
3 result of this litigation. My injuries would also be redressed if the Forest Service
4 consulted with the U.S. Fish and Wildlife Service over impacts to imperiled species
5 from grazing as a result of this litigation. My injuries would be redressed if the agency
6 undertook NEPA analysis at least considering the effects of its decisions to authorize
7 grazing on these species. Even if the agency did not adopt protections for wolves and
8 other forest carnivores and imperiled species through completing NEPA analysis or
9 ESA consultation sought through this litigation, my injuries would still be alleviated
10 because the agency would be complying with its legal duty to consider the habitat
11 needs of the myriad of species and uses that the public lands support in its
12 decisionmaking—not solely the economic interests of commercial livestock operators.
13 The bottom line is that if the Forest Service complied with its legal duty to consider
14 wolves and other forest carnivores in making decisions regarding grazing, not only
15 would more high-quality information be available to the public, but there would likely
16 be more opportunities for public participation around these grazing authorizations—all
17 results that could improve substantive outcomes of the Forest Service’s decision
18 processes.

19 29. I grew up in Iowa, spending summers working on my Uncle Bob and Aunt
20 Elaine’s farm near Algona. Bob raised 300 head of Herefords all on the feed he raised.
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1 I loved working on the farm, baling hay, cleaning up the barn, and weeding soybeans. I
2 worked one summer for Pioneer seed detasseling corn.

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4 30. When I was young my family always had dogs and I learned at a young
5 age that canines have a strong spirit and sense of playfulness. They are loyal, beautiful,
6 intelligent and so emblematic of life, understanding and enjoying the importance of
7 play. Wolves teach us humans to take time to enjoy the world around us.

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9 31. I appreciate the Native American perspective and connection with wild
10 carnivores as educator to teach how to hunt. I even took a class on how to hunt like
11 a wolf. How to quiet my footsteps, listen and be patient. There is value in being
12 present, living in the moment, being silent, looking at things close to you. The wolf is
13 a wonderful teacher in that regard. All wildlife is.

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16 32. I believe we are guardians of Creation. It is obvious that without those of
17 us who are environmental activists that this world we live in would not be as wild as it
18 still is. Some people seem to think God made a mistake when wolves were created. I
19 do not agree. I think we have the responsibility to protect the health of this planet
20 so future generations can inherit a healthy planet. We all share the same ecology. It is
21 our role as scientists and activists to stand up and say this is what balance means and
22 that most certainly includes protecting wildlife and its habitat.

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25 I declare under penalty of perjury under the laws of the State of Washington
26 that the foregoing is true and correct to the best of knowledge.
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1 DATED this 21st day of January, 2021 in Republic, Washington.

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5 Timothy J. Coleman
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