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**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO**

IDAHO CONSERVATION LEAGUE; and
GOLDEN EAGLE AUDUBON SOCIETY,

Plaintiffs,

vs.

U.S. FOREST SERVICE,

Federal Defendant,

and

IDAHO COPPER CORPORATION,

Intervenor-Defendant.

Case No: 1:25-cv-329-AKB

**DECLARATION OF RICHARD A.
RUSNAK JR.**

I, RICHARD A. RUSNAK JR., state and declare as follows:

1. My name is Richard A. Rusnak Jr., I live in Boise, Idaho. 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 am a retired cardiovascular technologist. I have lived in Idaho since May 1993.

3. I am an avid backcountry traveler, photographer and birder who relies on backcountry roads and trails to follow my wild lands recreational pursuits.

4. One of the reasons I live in Boise is the proximity of publicly-owned wild lands, including National Forest lands. I visit these public lands for recreation and for my physical and mental wellbeing.

5. One such area that I have visited many times is the Boise National Forest in and around the headwaters of Grimes Creek. The mountainous landscape in the headwaters of Grimes Creek provides me with convenient access to relatively intact and accessible forest habitat, which is home to numerous endemic and migratory species I care about.

6. I first became familiar with the general area as I traveled there in the late winter of 1993 and witnessed many elk in the Payette River Valley. Because the area was rich in wildlife I would occasionally return during summer to bird watch along Alder Creek and Forest Service Road 382.

7. I am currently a member of the Idaho Conservation League (ICL). I have been a member periodically since the late 1990s. I am also a member and volunteer with the Golden Eagle Audubon Society and the Idaho Sierra Club. I have been a part of the Sierra Club's volunteer elected leadership and field trip outings team. I am a member of these organizations

because I share their goals of protecting and restoring Idaho's natural environment, ecosystems, biodiversity, and public lands.

8. In 2015, I attended one of the Forest Service's public information events about the CuMo Exploration Project. This was the first time I learned about the proposed exploration—and the potential mine—to be located in the headwaters of Grimes Creek and in the Boise National Forest.

9. At the Forest Service event, I learned about the extensive road and drill pad construction, 24/7 exploration drilling, and regular hauling of fuels, chemicals, workers, and supplies on narrow, steep and circuitous routes into and out of the Project site proposed during exploration. I became concerned about the amount of forest, other vegetation, and habitat that would be cleared and fragmented by Project construction activities. I also became concerned that the Project would disturb and displace wildlife and risk chemical spills, affecting fish and wildlife throughout the Grimes Creek watershed. I became concerned about the loss of access to these public lands, and the risk of losing or degrading the diverse forested ecosystem, game animals, rare carnivores, migratory songbirds, and an Idaho endemic flowering plant known as the Sacajawea's bitterroot that inhabit the Project site.

10. I also became concerned about the potential mine, which Idaho Copper has indicated could be a 3,500-foot deep open pit. Such a massive mine, and its associated mine waste storage facility, would transform the area. It would eliminate a large swath of habitat, and could degrade and significantly threaten water quality downstream, all the way to Boise and the Treasure Valley during and far beyond my lifetime.

11. Motivated by these concerns, I volunteered my skills as a former deer and elk hunter, trail camera operator, and avid backcountry traveler. I started a multi-year project to

monitor public lands in the proposed exploration and mining area with trail cameras. My goal was to spend years learning the game trails and the comings and goings of the resident species, and migratory songbirds occupying the forested site and its riparian feeder streams. I used 6 cameras total to capture images from National Forest lands along game trails and perennial springs starting in early June 2015 and continuing through September 2021.

12. Over those years, and with the help of approximately 2 dozen volunteers to keep the wildlife documentation continuous, we maintained the cameras by camping and hiking into the camera sites for battery and memory card replacements. This project required overnight stays and multiple days of foot travel by myself and other volunteers, 2 to 3 times a year. We collected thousands of images of wildlife.

13. Among the 11 species of mammals photographed at the Project site were dozens of elk, mule, and white tailed deer; several black bear; a cougar; multiple bobcats, wolves, coyotes, and red foxes; a few snowshoe hares; cottontail rabbits; and many red pine squirrels. Some of these are shown in the images below.

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Fig. 1, Black Bear in Project area.



Fig. 2, Elk in Project area.



Fig. 3, Wolf in Project area.



Fig. 4, Bobcat in Project area.

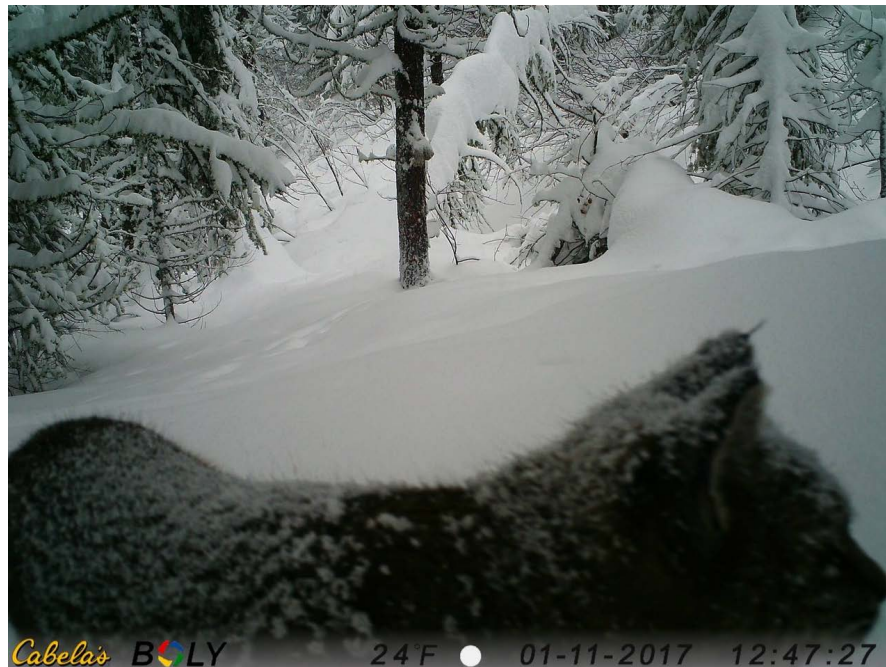


Fig. 5, Snowshoe Hare in Project area.



14. During the camera project, bird species observed with binoculars and then documented on eBird, totaled 48 species, including: Bald eagle, Peregrine falcon, red-tailed hawk, Cooper's hawk, American kestrel, Long-eared owl, Northern saw-whet owl, turkey vulture, Ruffed grouse, Lewis's woodpecker, Black-backed woodpecker, pileated woodpecker, Williamson's sapsucker, hairy woodpecker, downy woodpecker, Common Raven, Clark's nutcracker, Stellar's jay, dark-eyed junco, Cassin's finch, Pine siskin, Red crossbill, Hammond's flycatcher, Olive-sided flycatcher, Dusky flycatcher, warbling vireo, Townsend's warbler, Yellow rumped warbler, MacGillivray's warbler, Nashville warbler, Townsend's solitaire, Hermit thrush, Swainson's thrush, Western tanager, American robin, Ruby-crowned kinglet, Golden-crowned kinglet, mountain chickadee, Brown creeper, red-breasted nuthatch, Black-capped chickadee, White breasted nuthatch, Mountain bluebird, Calliope hummingbird, Chipping sparrow, White-crowned sparrow, and House wren.

15. During the monitoring period, 2 cameras were damaged by the jaws of bears, one was stolen, and one was destroyed by the 2016 Pioneer Fire, which swept through the area and is shown in the image below.

Fig. 6, Pioneer Fire in Project area.



16. This spring, I plan to install another round of cameras and coordinate monitoring with other concerned citizen volunteers on public lands in and near the Project area. The area is a priceless biologically rich headwaters. I look forward to spending time and effort to reveal its beauty and richness and share wildlife images with the public.

17. I plan to continue regularly visiting places in the Grimes Creek watershed that could be affected by the CuMo Exploration Project as I have in the past, including through resuming my remote camera project. For example, in June 2026, I plan to lead a Golden Eagle Audubon Society field trip to survey the bird species and discuss the environmental impacts of the exploration and the potential mine. We plan to drive to Grimes Pass and to Forest Service

road 382C, to hike and to look for Sacajawea's bitterroot, birds, and other wildlife. While there I plan to install at least two trail cameras for wildlife documentation. I also plan to return to the same area in September to camp, look for birds and wildlife, and retrieve the camera memory cards.

18. I look forward to sharing this beautiful Idaho backcountry area with others who join the trips and with the public who I hope see the photos. I appreciate the natural ecosystem, with all its parts intact, providing resilience and adaptability in an ever rapidly changing planet for fish, wildlife, and plants. I am concerned, however, that we could encounter Project activities, such as vehicle traffic, land clearing, and exploration drilling, that will prevent or take away from the peaceful experience I seek in the area and reduce the chances of seeing birds and other wildlife. I also worry that the exploration will reduce and degrade habitat and will harm or displace the species I care about and enjoy looking for around the Project area over its duration and beyond.

I declare under penalty of perjury that the foregoing is true and correct.

Dated February 11, 2026, at Boise, Idaho

/s/ Richard A. Rusnak, Jr.
Richard A. Rusnak, Jr.