

Bryan Hurlbutt (ISB # 8501)
Andrew Hursh (ISB # 12644)
ADVOCATES FOR THE WEST
P.O. Box 1612
Boise, ID 83701
(208) 730-6961 (Hurlbutt)
(208) 268-5210 (Hursh)
bhurlbutt@advocateswest.org
ahursh@advocateswest.org

Roger Flynn (Colo. Bar # 21078), *Pro Hac Vice*
WESTERN MINING ACTION PROJECT
P.O. Box 349; 440 Main St., #2
Lyons, CO 80540
(303) 823-5738
roger@wmaplaw.org

Attorneys for Plaintiffs

**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 CYNTHIA
WALLESZ**

I, CYNTHIA WALLESZ, state and declare as follows:

1. My name is Cynthia Wallesz. I am over 18 years of age. 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 reside in Boise, Idaho.

3. I am employed as the Executive Director of the Golden Eagle Audubon Society (GEAS). I have been Executive Director and a member of GEAS since 2022. I accepted the Executive Director position because I wanted to dedicate my life to GEAS's mission: to build an understanding, appreciation, and respect for the natural world in order to conserve and restore natural ecosystems for birds and other wildlife. Along with the organization, I too envision an Idaho where birds, people, and habitat flourish together.

4. GEAS is a chapter of the National Audubon Society. Our chapter covers eight counties in Southwest Idaho (Ada, Boise, Canyon, Elmore, Gem, Owyhee, Payette and Washington), which includes the Grimes Creek watershed and CuMo Exploration Project area.

5. Every year, GEAS leads dozens of outings and volunteer opportunities throughout Southwest Idaho, including many along the Boise River and its tributaries. For more than 20 years, GEAS members gathered each June in the Daggett Creek area, below the confluence of Mores and Grimes creeks, to picnic, hike, and observe birds. GEAS creates presentations and teaches classes throughout our region, including one last year at the Garden Valley Library called, "Birds of Boise County." We have more classes planned there for this year. In June 2025, we organized a trip to Mores Mountain to look for the rare Sacajawea's bitterroot, as well as birds and wildlife. GEAS is currently planning field trips and volunteer opportunities for 2026, including a June 2026 trip to Grimes Pass and the upper Grimes Creek area to look for Sacajawea's bitterroot, birds, and other plants and wildlife.

6. Among other initiatives, GEAS led the Boise River ReWild Project, which occurred mostly in 2022 through 2024 on public lands along the river. More than 2,100 volunteers of all ages dedicated 10,000 hours to improve the native habitat of more than 40 acres along the Boise River between the Boise River Diversion dam and the East Parkcenter Bridge. Partnering with 40 other organizations, work areas were divided up into 71 ½-acre plots, adopted by various community groups and individuals. Work included removing more than 300 bags of weeds, raising and planting 25,000 native seedlings, stabilizing the river banks in three places, and providing place-based environmental education and engagement opportunities. Stewardship and monitoring activities such as weeding, protecting cottonwood trees, planting, and counting birds continue each year to ensure optimal survival of the installed native plants and to respect the area where so many invested.

7. Protecting the Grimes Creek watershed, Boise National Forest, and Boise River from environmental impacts from the CuMo Exploration Project and potential mine are important to GEAS and to me personally. My understanding is that the Project, as approved by the Forest Service, allows Idaho Copper Corporation to construct up to 8.9 miles of new mining roads through the site, including up to five roads in riparian areas. Idaho Copper would construct up to 122 drill sites and drill up to 250 exploration holes. Overall, up to 72.3 acres of National Forest lands could be cleared to construct road and drill pads and other infrastructure. Each year, Project activities could occur seasonally from April 15 to December 15. Up to four drill rigs could run 24 hours per day, every day during drilling operations.

8. These activities will eliminate and degrade habitat for wildlife, fish, and plant species GEAS and I seek to protect. Multiple at-risk species have habitat at the Project site. Sacajawea's bitterroot is a Forest Service-designated "sensitive species" which grows at the site.

Sensitive species of birds, including Flammulated owl and American goshawk, have been documented in the Project area. Columbia Spotted frog, another sensitive species, have been recorded along Grimes Creek in the Project area. The headwaters of Grimes Creek supports what may be the only remaining population of bull trout (a “threatened” species) in the Mores Creek watershed. I worry that during Project activities and after, as effects linger, GEAS members and I will be less likely to observe these and other species. I also worry that during exploration, my visits and GEAS members’ visits to the area will be less enjoyable due to Project-related noise, traffic, and visual impairments, taking away from the peaceful natural setting we enjoy in this part of the Boise National Forest.

9. For the last 11 years, I have regularly spent time cross country skiing and hiking around looking for plants, birds, fish, insects, and wildlife in the Boise National Forest. One of my favorite things to do is stay overnight in backcountry yurts to ski, hike, and explore, including the Elkhorn, Banner Ridge, Skyline, and Stargazer yurts, which are east of the Project area. Over the last 11 years, I have been on about eight ski trips to these yurts. Most recently, in spring of 2025, I harvested a few morel mushrooms near one of the yurts. I look forward to continuing to regularly visit these yurts in the future. I love the big trees and life supported by the healthy ecosystem of mountains, forests, and streams that surround the area.

10. I visited the Intermountain Bird Observatory (IBO) on an overnight trip on September 28 and 29, 2024. The Executive Director of the IBO took us to a hilltop there to get a lay of the land and to learn why this was an ideal spot for studying raptors that move through the area, as it is perched up high at the transition zone from the sagebrush sea to the south to the mountainous forest to the north. The trip was amazing. I watched as raptors were caught and

banded. I also watched song-bird and owl banding. I definitely want to go back. I am trying to organize GEAS partnerships with and outings to the IBO.

11. I also regularly hike trails along Lucky Peak Reservoir and have kayaked there too. I backpacked into Grouse Creek a few years ago, which I access via the Black Creek Road, where I saw a black bear in camp, deer and lots of birds. I hike the Boise River Wildlife Mitigation Area extensively each fall winter and spring where I have seen hundreds of ungulates, including mule deer, elk and antelope, various raptors, California quail, Hungarian partridge, and chukar partridge. I intend to continue visiting these places.

12. On May 5, 2025, I visited Grimes Creek and the CuMo area with colleagues to get a better understanding of the exploration and the potential mine. On this visit, I was astounded by the scope and potential environmental impacts of the potential open-pit mine, and I became very concerned about environmental impacts of the exploration with its dense web of proposed roads and around-the-clock drilling. We drove to the confluence of Mores and Grimes creeks to note that if the water in Grimes Creek is contaminated, it will flow into Mores Creek and then into Lucky Peak Reservoir on the Boise River. We also drove up Grimes Creek Road, winding and climbing in elevation as we traveled along Grimes Creek and finding patches of snow closer to the Project site. We stopped along a ridgeline adjacent to the Project site near Grimes Pass, where the South Fork of the Payette River is on one side and Grimes Creek is on the other. We walked over to the Grimes Creek side for a viewpoint down towards the creek and across to the forested mountain where the Project would occur. This area was very beautiful and peaceful. We looked for wildlife tracks, listened to birds, and enjoyed the scenery of forest and mountains. It was disturbing to imagine the area riddled with roads, truck traffic, and exploration drilling.

13. I intend to continue regularly visiting the Boise National Forest, the Grimes Creek watershed, and other areas affected the Project as I have in the past. For example, this spring I plan to go back to Grimes Creek and the Grimes Pass area to look for morel mushrooms, Sacajawea's bitterroot, and birds, such as the American Goshawk. However, I am concerned that the Project will prevent me from returning as planned or will diminish my experiences. If I encounter a flurry of exploration traffic or noise from construction or drilling, I might turn around, or might not stay long. If I do stay, my experience will be much less enjoyable, as exploration noises and activity will take away the peace, quiet, and natural beauty I enjoy. Exploration noise and traffic will also disturb and drive away birds and other wildlife I care about and like to look for. Clearing forest to construct roads and drill pads will eliminate or degrade wildlife habitat, including in riparian areas important to many birds and wildlife. Constructing, maintaining, and using roads in riparian areas decreases water quality by delivering sediment to streams and creates the risk of fuel spills, which can harm fish, like bull trout, and other aquatic species, which are important parts of the ecosystem I enjoy. Exploration activities will also harm Sacajawea's bitterroot plants and degrade its habitat at the Project site, decreasing the resilience of this species I hope to see.

Dated February 17, 2026, at Boise, Idaho

/s/ Cynthia Wallesz
Cynthia Wallesz