

Talasi Brooks (ISB # 9712)
Laurie Rule (ISB # 6863)
ADVOCATES FOR THE WEST
P.O. Box 1612
Boise, Idaho 83701
(208) 342-7024
(208) 342-8286 (fax)
tbrooks@advocateswest.org
lrule@advocateswest.org

Kristin F. Ruether (ISB # 7914)
WESTERN WATERSHEDS PROJECT
P.O. Box 2863
Boise, ID 83701
(208) 440-1930 (phone)
(208) 475-4702 (fax)
kruether@westernwatersheds.org

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

WESTERN WATERSHEDS PROJECT,
CENTER FOR BIOLOGICAL DIVERSITY,
FRIENDS OF THE CLEARWATER,
WILDEARTH GUARDIANS, and
PREDATOR DEFENSE,

Plaintiffs,

v.

TODD GRIMM, Idaho Director,
Wildlife Services, and USDA WILDLIFE
SERVICES,

Defendants.

No. 1:16-cv-218-EJL-CWD

DECLARATION OF JON MARVEL

I, Jon Marvel, declare:

1. My name is Jonathan (Jon) Marvel. I am personally aware of the matters set forth below, and if called as a witness I would and could truthfully testify thereto.

Background and Interests in Wolves

2. I have resided in Idaho since 1969, and own property in both Custer and Blaine Counties.

3. I live and reside in Hailey, but I have owned property with a cabin near Stanley for decades, and I regularly visit and spend time there every couple weeks on average. I use my cabin as a way to easily access public lands in the surrounding areas of the Stanley Basin, Sawtooth National Recreation Area (SNRA) and Sawtooth National Forest, the Boulder-White Clouds mountains, and other areas of central Idaho.

4. I founded Idaho Watersheds Project in 1993 in order to address the degradation caused by public lands grazing in Idaho (including predator killing) that I had observed and encountered, including in and around the Stanley Basin and SNRA.

5. I served as Board President of Idaho Watersheds Project from its founding until 2001. At that time, Idaho Watersheds Project changed its name to Western Watersheds Project to reflect an expanded mission of addressing public lands management not just in Idaho but more broadly throughout the West. I served as Executive Director of Western Watersheds Project until March 2014; and I remain a member of Western Watersheds Project. I am also a member of WildEarth Guardians.

6. One of the things I most treasure about Idaho, and the West, is the large expanse of public lands and designated wilderness found here along with the many habitats and wildlife resources those public lands offer. For the last fifty-four years, I have traveled extensively

throughout Idaho to experience and enjoy the public lands and their wildlife and fisheries for aesthetic, spiritual, recreational, and professional purposes. I regularly camp; hike; boat; watch birds, fish and animals; study habitat conditions; conduct field inspections; and seek spiritual renewal through observing the spectacle of nature on the public lands.

7. As just one example of my love of the public lands and wilderness in central Idaho, every year since 1972 I have visited the central Idaho wilderness areas that were designated as the River of No Return Wilderness in 1980. In July 1972, I participated in my first wilderness rafting trip down the Middle Fork of the Salmon River. Since that first float trip through the wilderness I have completed more than 45 multi-day float trips on the Middle Fork of the Salmon River and the Main Salmon River, through what is now the Frank Church-River of No Return Wilderness.

8. On all of these float trips, I and my companions spend many hours exploring tributaries of the river in order to experience and understand the wonderful natural landscapes within the wilderness. During these explorations I have hiked for miles up every single major tributary of both the Middle Fork of the Salmon River and the Main Salmon River. On these explorations of the tributaries of these wilderness rivers, one of the most important parts of my experiences was the opportunity to see and hear the native birds and mammals of the wilderness, including wolves.

9. In 1979, while camping in Bear Valley prior to a Middle Fork float trip, I was fortunate to experience a wolf howling in Corduroy Meadows of the Elk Creek watershed that later became part of the Frank Church-River of No Return Wilderness. This first experience of hearing a wolf howl in the wild was one of my most memorable experiences in the Idaho backcountry. My experience of hearing a wolf in the wilderness happened more than 16 years

before the U.S. Fish and Wildlife Service reintroduced wolves into central Idaho. Wolves, probably dispersing from Canada, were present in central Idaho in small numbers for many years prior to the 1995-96 reintroduction.

10. Since then I have always sought to see and hear wolves whenever possible. It has been my good fortune to see and watch wolves on six separate occasions near my cabin outside of Stanley, Idaho. At no time have I ever been frightened or concerned about my safety when watching wolves. I have observed a large male wolf from my property near Stanley as close as 150 yards without fear on my part.

11. These experiences and my research and learning about wolves have made clear to me that wolves are a critically important part of the ecological health of Idaho's wild lands. Wolves are apex carnivores with many trophic benefits for the entire ecosystem. Seeing them or their sign or hearing them is an important part of my enjoyment of Idaho's public lands.

12. Some of my other favorite wolf sightings have been in Blaine County. I recreate on public lands and try to observe wildlife in Blaine County on a nearly constant basis, and intend to continue to do so as long as I am able. Around 2007, a pack of wolves known as the Phantom Hill pack took up residence in the Wood River Valley, north of Ketchum. The wolves in the pack were a distinctive black. Because of their location so close to Ketchum, they became quite a media sensation. The local media published their photos and chronicled their comings and goings, such as an incident when they killed a mountain lion. Citizens lined the streets to watch the wolves and take photos when they made an appearance. I saw members of the pack twice from the highway north of Ketchum. It was wonderful to see wolves so close to home. I was very gratified that wild wolves were flourishing in the Sawtooth National Forest.

13. For the last several decades, and continuing into the future for as long as I am able, I

have extensively hiked and camped in and around the SNRA and Stanley Basin, as well as the nearby Boulder-White Clouds Mountains, East Fork of the Salmon River, and many other parts of the public lands in and around central Idaho where wolves live. When I hike and camp in these lands, I am always looking and listening for signs of wolves, and I feel great excitement and wonder at the prospect of seeing and/or hearing wolves as I enjoy the public lands of central Idaho.

14. I have been keenly interested in wolf recovery in general, and particularly the Northern Rockies wolf reintroduction program that began in 1995-96. I have reviewed many of the environmental studies and reports issued by U.S. Fish and Wildlife Service and other agencies regarding wolf reintroduction efforts and subsequent reports on Idaho wolf populations and control actions. I am also familiar with much of the emerging science about the ecological role played by wolves as an apex predator in the Northern Rockies.

15. The wolf recovery program in Idaho focused initially on reintroduction of wolves into the Frank Church Wilderness, which acts as a wolf population stronghold from which wolves have dispersed to other locations, including the SNRA/Stanley Basin, Boulder-White Clouds, Copper Basin, East Fork Salmon River watershed, and other locations that I frequently visit and where I hope to see and hear wolves in the wild.

16. I strongly support wolf recovery in these central Idaho areas for many reasons – including that wolves are essential to proper ecological functioning, I personally love seeing and hearing wolves, and I believe that wolf recreation can become a major economic force in central Idaho, not unlike what has occurred in the Yellowstone National Park.

17. Wildlife Services' killing of wolves in these areas harms my personal, aesthetic, emotional, scientific, and other interests, including my deep desire to see central Idaho having

both a healthy ecosystem in which wolves are fully present and a vibrant wolf watching recreation economy.

18. As WWP's Executive Director for many years, I am very familiar with livestock grazing management on public lands of central Idaho; and I know that wolf/livestock conflicts have been responsible for the unnecessary killing of many wolves, and destruction of wolf packs, in central Idaho areas that I treasure, including the SNRA/Stanley Basin, East Fork Salmon, and many other local areas. There are many non-lethal options for reducing or avoiding livestock/wolf conflicts and for preventing wolf depredation on livestock, thereby avoiding the need to kill wolves. Yet as I have personally observed for years in central Idaho, Wildlife Services has routinely failed even to consider, much less utilize, non-lethal wolf control measures; and it has blatantly violated the National Environmental Policy Act (NEPA) by failing ever to publicly disclose and analyze its Idaho wolf control programs through any Environmental Impact Statement (EIS). Indeed it publishes very little about what it does. It operates in a veil of secrecy.

Wildlife Services' Wolf Killing Actions

19. Ever since wolves were reintroduced to Idaho two decades ago, Wildlife Services has regularly undertaken lethal control actions aimed at eliminating wolves and wolf packs in and around the Stanley Basin, SNRA, Boulder-White Clouds, East Fork Salmon, and other areas that I regularly visit and where I always seek to observe or hear wolves.

20. The wolf packs seen in the SNRA, Stanley Basin, Boulder-White Clouds, East Fork Salmon, and other areas that I frequently visit are generally believed to have originated as wolves dispersing from the Frank Church Wilderness and establishing their own packs. Wildlife Services' actions in killing most of these wolves and destroying most of the wolf packs sets back

the ecological recovery of these areas, and greatly upsets me and many other WWP members that I personally know.

21. In 2000-01, Wildlife Services eradicated all three of the wolf packs that began occupying the SNRA after the reintroduction program in the area. That prompted WWP to bring litigation in this Court, in which we won injunctive relief against further wolf killings in the SNRA until the Forest Service completed NEPA and other analysis of grazing management. *Western Watersheds Project v. Sawtooth National Forest*, No. 01-cv-389-BLW (D. Idaho).

22. However, the injunctive relief granted in that case was lifted in 2005, and Wildlife Services has undertaken many wolf control actions since that time. Packs located in or around the SNRA that have had wolves killed by Wildlife Services include, but are not necessarily limited to the following: Stanley Basin, White Cloud, Whitehawk, Pass Creek, Buffalo Ridge, Galena, and Basin Butte packs, as well as B283 and other individual wolves. In the last two years, wolves have been killed by Wildlife Services in Anderson Creek in the Sawtooth Valley as well.

23. Around 2006 or 2007, a wolf pack known as the Basin Butte Pack took up outside of Stanley in the Stanley Basin. I was able to observe members of this pack on four occasions. I remember one memorable incident watching five wolves for about half an hour, while right in Stanley. The wolves were on the hillside just outside of town, 600 feet above Lower Stanley. Wildlife Services killed them in late November 2009 because they had allegedly preyed on livestock. I was deeply upset when I heard this news, especially since I had observed them. Wildlife Services' action took away my ability to see wolves in Stanley for a long time. In fact, I have never seen or heard wolves in or around Stanley since then.

24. The delisting of wolves under the ESA has resulted in the State of Idaho allowing

extensive private hunting and trapping of wolves in central Idaho, which has cumulative impacts with Wildlife Services' wolf control actions that together have greatly reduced wolf presence and sharply diminished my ability, and that of other members of the public, to see and hear wolves in the wild in Idaho. Virtually all wolf packs that have inhabited the SNRA to date – since the wolf reintroduction program began some 15 years ago – have been eradicated or had individual wolves killed due to livestock conflicts. Moreover, wolf packs around the SNRA – including packs that inhabited the East Fork Salmon River area, where WWP manages the Greenfire Preserve (and on which the wolves were frequently seen by WWP staff, members and supporters) – have been destroyed or decimated by Wildlife Services as well.

25. I personally, and many other WWP members whom I know well, are deeply involved and interested in the recovery of wolves in central Idaho, and in the return of wolves to the SNRA and other parts of central Idaho. My interests, and those of other WWP members, have been harmed and injured by the constant killing of wolves and the destruction of wolf packs throughout central Idaho.

26. Wildlife Service's campaign of killing wolves in Idaho greatly harms my interest in wolves and ability to observe wolves in Idaho, and if it continues to do so, it will continue to harm those interests. As noted above, Wildlife Services has killed packs of wolves in places that I visit regularly, care about, and recreate in. This has greatly injured my ability to enjoy the areas. It has perceptibly reduced the number of wolves in the areas and reduced my ability to see or hear them.

27. I am afraid that on all my future trips into the Idaho backcountry, my opportunities to see and hear wild wolves will continue to be harmed by Wildlife Services' efforts to kill wolves. Without wild wolves being present in the wild lands of Idaho, my enjoyment of these lands will

be harmed and diminished in dramatic and unwelcome ways.

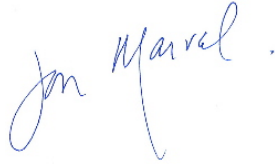
28. I am personally harmed by Wildlife Services' violation of NEPA in never preparing a full, accurate and NEPA-compliant EIS for its Idaho wolf killing activities, because I have been deprived of information about the scope, extent, and impacts of those wolf killing activities, even as Wildlife Service has expanded its wolf killing from removing wolves deemed threats to livestock into the new "mission" of aiding the State of Idaho's elk management objectives.

29. The 2011 Environmental Assessment (EA) that Wildlife Services issued for its Idaho wolf killing activities failed to provide necessary information for me and other WWP members to understand the scope, extent, and impacts of Wildlife Services' expanding Idaho wolf control actions, and it failed to thoroughly disclose and evaluate alternative management options such as non-lethal control actions. The 2011 EA was grossly deficient in failing to evaluate impacts of Wildlife Services' wolf killing activities, including cumulative impacts with State of Idaho-approved private hunting and trapping of wolves, and impacts on local wolf populations, such as in the Sawtooth, Lolo or Selway zones.

30. As indicated above, I have personally been affected and injured by the continuous killing of wolves in the Sawtooth zone where the SNRA and Stanley Basin are located, and in nearby areas such as Blaine County and the East Fork of the Salmon River, where I frequently visit. The direct, indirect and cumulative impacts of Wildlife Service's wolf killing activities there have never been disclosed by the agency in any NEPA document, including the 2011 Idaho Wolf EA; and these impacts must be addressed in a full EIS. The remedy for my injuries, and those suffered by other WWP members, is for this Court to order Wildlife Services to prepare a fully NEPA-complaint analysis through an EIS, and to halt Wildlife Services' wolf killing program in the meantime.

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

Executed this 9th day of February, 2017, at Hailey, Idaho.

A handwritten signature in blue ink that reads "Jon Marvel". The signature is written in a cursive style with a period at the end.

Jon Marvel