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

IDAHO CONSERVATION LEAGUE,)	No. 1:18-cv-353-REB
)	
Plaintiff,)	
)	
v.)	DECLARATION OF JANICE
)	INGHRAM
SHANNON POE,)	
)	
Defendant.)	
_____)	

I, JANICE INGRAM, state and declare as follows:

1. My name is Janice Inghram, and I am a resident of Idaho County, Idaho.
2. I am a supporter of the Idaho Conservation League (“ICL”). In the 1970s, I became interested in ICL based on their work to protect streamflows, and later to protect Buffalo Gulch near Elk City from heap leach mining, and other conservation issues. After my husband and I retired, we became ICL members around March 1996, and we remain members to this day. My husband and I continue to support ICL’s work because we support ICL’s mission to protect the air we breathe, the water we drink, and the land we love, particularly ICL’s work to protect the Clearwater basin and the South Fork Clearwater River (the “South Fork”).

3. I have lived in Idaho County my entire life and currently live near Mount Idaho. I was born and raised in the Grangeville area. Growing up, I regularly visited the South Fork with my family to fish, picnic, watch birds, and otherwise enjoy this special place.

4. Historically, the South Fork watershed was heavily mined. I remember in the 1940s and 1950s, the river had so much sediment it looked like chocolate. In subsequent decades, while there was less mining, the headwaters of the South Fork was heavily logged, which continued to degrade the watershed and cause high sediment levels in the South Fork. While there is more work to be done, I am very pleased with the progress in recent decades restoring and protecting the South Fork watershed, including improving water quality in the South Fork and restoring its native fisheries.

5. The South Fork is a treasure that I want to be protected and restored. In 1972, my husband and I built a cabin near Elk City, Idaho. We visit our cabin regularly, during all four seasons of the year. When we were younger, we used to go much more often, but we still spend around 16 days there every year.

6. Our cabin is about 75 yards from the American River, which is one of the South Fork's headwater streams. We love sitting on our cabin porch in September during Chinook salmon spawning season when we can hear Chinook busy in the stream working on their redds. It is a joy and a miracle.

7. The scenery along the South Fork is to die for. I enjoy taking photographs, and my husband and I have spent countless hours along the South Fork, often in a blind, photographing bald and golden eagle, bobcat, river otter, duck, and other wildlife. We have taken, and continue to take, still pictures and videos to enjoy ourselves and to share with others, including with schools, nursing homes, senior citizen groups, garden clubs, chambers of

commerce, and historical societies. We also use our photographs to make scenic cards, which we sell at the Lochsa Lodge. One of our most purchased photos is a picture of the South Fork. It is a shot taken from the Harpster Grade along Highway 13 looking down on the South Fork and across to the surrounding mountains.

8. As I have all my life, I continue to regularly visit the South Fork every year. To get to our cabin, we drive along the South Fork. We also drive along the South Fork regularly to visit friends in Elk City. When guests visit from out of town, we love to take them on drives to the South Fork to marvel at the scenery and wildlife. On our regular drives to our cabin and to visit friends in Elk City, we drive along the South Fork for about 40 miles on Highway 14, starting around Mile Marker 9 at the bottom of the Mount Idaho Grade.

9. Just the act of driving along the river refreshes my spirit and gives me a lot of joy. On our drives, I like stopping to enjoy nature when the situation presents itself. My husband and I are always on the lookout for birds. If we see a bald eagle, for example, and a good place to pull over, we like to stop and watch and photograph it. I cherish birdwatching. It is a passion and a wonderful freeing experience. Two other birds I always look for and try to stop for along the South Fork are belted kingfisher and American dippers.

10. My husband and I also visit the South Fork through volunteer trail maintenance work we have done with the Backcountry Horsemen Organization. For example, we volunteered to maintain trails at Johns Creek (Gilmore Ranch) near Mile Marker 19 along the South Fork.

11. My husband and I also visit the South Fork to go fly fishing. We like to fly fish for trout in late summer and early fall on the South Fork. In the past, I fished more regularly. I still typically fly fish two times per year, and I plan to continue doing so as long as I can.

12. In July and August of recent years, I have frequently encountered suction dredge mining during my visits to the South Fork. I have seen many dredge miner encampments on or near the banks of the South Fork. I have also seen many miners operating dredges and watched the brown plumes of sediment they discharge to the river. I have seen suction dredging encampments and dredging in the South Fork near Mile Marker 39 on Highway 14, which I believe to be where Mr. Poe and others were dredging in 2014, 2015, and 2018 based on media reports, documents ICL has shared with me, and other information. I encountered the dredge operations near Mile Marker 39 in 2014, 2015, and 2018 about four times each year.

13. It saddens me to see this suction dredge mining in the river I love so much. Seeing the plume of sediment drifting behind a dredge reminds me of the 1940s and 1950s when the South Fork ran chocolate. I believe that sediment discharges from Mr. Poe's suction dredge are degrading water quality in the South Fork and harming the fish, birds, and wildlife that depend on the river, which harms my interests in preserving these values and ensuring the ecological integrity of the South Fork.

14. Because of the disturbing sediment plume and other noise and activity I have witnessed at dredge sites, including sites near Mile Marker 39, driving along the South Fork is less enjoyable to me during dredge season. Dredging encampments and dredging operations, including Mr. Poe's, disrupt the ecosystem, disturb fish and wildlife, and take away from the scenic beauty I enjoy on the South Fork. As a result, during dredge season, my husband and I drive through the South Fork without stopping as much as we would like to enjoy nature, gaze at and photograph the South Fork, or look for and photograph birds and wildlife.

15. The belted kingfisher that I am always on the lookout for burrow in banks. Where dredge miners camp near banks, and regularly move equipment to and from the river along

dredge trails, they can disrupt or even destroy burrows. In my experience, where there is a dredge trail to the river, the kingfisher will not be there. The American dippers I also look for like fast, rippling water. But where there is a dredge in the water, dippers are less likely to be around.

16. I would like to fly fish more on the South Fork, but during the dredge season I refrain from fishing as much as I would like. I have seen dredges operating in or near areas where I would like to fish, but the sediment plume, noise, and activity make fishing in those areas undesirable. I worry that fish throughout the South Fork are being stressed during dredge season when they encounter sediment plumes, dredge nozzles, and disturbed riverbeds and streambanks. While I practice catch and release fishing, I worry that even my careful practices may be too much for fish during dredge season, so I do not fish as often as I would like because of dredge mining activity, including by Mr. Poe's.

17. I also worry that dredging, including Mr. Poe's, adversely impacts "threatened" Chinook salmon and steelhead and impedes their chance of recovery. While the dredge season on the South Fork is timed to avoid spawning season, young salmon and steelhead are still present in the river at that time. They can be harmed dredge nozzles, sediment plumes, and degraded riverbeds and streambanks. Furthermore, by disturbing riverbeds and streambanks, dredging impacts extend beyond the dredge season and impact fish during spawning and other times. Protecting these fish from extinction and ensuring their long term recovery is important to me because I personally enjoy seeing and hearing spawning near our cabin. These fish are indicator species of the health of the entire ecosystem. Additionally, I feel that protecting native fish is critical for future generations but I worry that Mr. Poe's dredging decreases native fishes' chances of survival and recovery.

18. My experiences on the South Fork are also harmed by Mr. Poe's suction dredge mining outside of dredge season. I have seen places along the South Fork where dredging encampments continue to mar the landscape after the dredge season ended. I have seen where dredgers haul their equipment to and from the river, destroying vegetation and degrading streambanks. As a result, places I would otherwise enjoy viewing and photographing are no longer scenic and no longer support wildlife as they did before. As a result, I do not photograph these areas or see as much wildlife as I would like. These degraded riverside areas, having lost vegetation, also continue to add sediment to the South Fork after the dredging season.

19. A court decision ordering Mr. Poe not to engage in suction dredge mining unless he obtains a Clean Water Act permit will help redress these harms. I have read news articles in the Idaho County Free Press and the Lewiston Tribune featuring Mr. Poe. Mr. Poe has been very vocal that he will not obtain a Clean Water Act permit. Therefore, if the Court orders him to either get a permit or not dredge, Mr. Poe might stop dredging on the South Fork which will alleviate the harms I experience from his dredging.

20. It is my understanding that Clean Water Act permits are designed to protect water quality by imposing pollution limits, best management practices, and monitoring and reporting requirements to reduce sediment pollution and other impacts of dredging to fish, water quality, and aquatic habitat. Therefore, if Mr. Poe does obtain and comply with a Clean Water Act permit, he will have to follow restrictions and requirements to protect the values that make the South Fork so special to me.

21. Additionally, a court decision imposing financial penalties on Mr. Poe, as the Clean Water Act requires for unpermitted pollution discharges, will help protect the South Fork. So far, Mr. Poe has purposefully ignored the law, but financial penalties will deter Mr. Poe from

dredging without following the law in the future. I also expect other suction dredge miners will become aware of the penalty imposed on Mr. Poe, which should deter them from dredging except in compliance with the Clean Water Act.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of January, 2019, at Idaho County, Idaho.

/s/ Janice Inghram
Janice Inghram