

Bryan Hurlbutt (ISB No. 8501)
Laurence J. Lucas (ISB No. 4733)
ADVOCATES FOR THE WEST
P.O. Box 1612
Boise, ID 83701
(208) 342-7024
bhurlbutt@advocateswest.org
llucas@advocateswest.org

Attorneys for Nez Perce Tribe and Idaho Conservation League

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF IDAHO**

IN THE MATTER OF AIR QUALITY)
PERMIT TO CONSTRUCT P-2019.0047)

Agency Case No. 0101-2201

OAH Case No. 23-245-01

_____)
NEZ PERCE TRIBE, IDAHO)
CONSERVATION LEAGUE, and SAVE)
THE SOUTH FORK SALMON,)

**DECLARATION OF ALLISON
FOWLE**

Petitioners,)

v.)

IDAHO DEPARTMENT OF)
ENVIRONMENTAL QUALITY,)

Respondent,)

and)

PERPETUA RESOURCES IDAHO,)
INC.)

Intervenor.)
_____)

I, ALLISON FOWLE, state and declare as follows:

1. My name is Allison Fowle. I live in Boise, Idaho, and am over 18 years of age. The following statements are based on my personal knowledge, and if called as a witness, I would and could testify thereto.

2. I am a member of the Idaho Conservation League (“ICL”). I have been an ICL member for about five years. One reason I am a member of ICL is because of ICL’s advocacy around the Stibnite Gold Project (“SGP”).

3. I visit the SGP area several times each year to hike, backpack, and flyfish. While there’s no shortage of recreation options that are closer to home, there is something quite special about the South Fork Salmon River (“SFSR”) watershed, and the Stibnite area in particular contains a unique combination of cultural history, rugged terrain, and solitude.

4. One of my favorite access points for the Frank Church–River of No Return Wilderness is the trailhead at Monumental Creek, which is only accessible by traveling directly through the SGP site. When I’m on Monumental Creek, I feel as though I’ve traveled back in time—the night sky is dark and alive with visible stars, the creek crossings are impossibly cold, and the air is fresh and clear. During my visits, I also enjoy pulling my truck over on the Stibnite Road and trekking down to the East Fork of the SFSR, which offers this same experience of solitude; though the road is close, its sound is easily drowned by the river’s whitewater.

5. I first visited the SGP area in 2018 when I backpacked from the Monumental Creek Trailhead to Big Creek. Since then, I have returned to the area at least ten times, including in August 2019, as shown in Figure 1 below. Among recent visits, in September of 2022 I visited the area to hike Parks Peak and Williams Peak, both of which offered expansive views of the area as well as a reprieve from wildfire smoke back home in Boise.



Fig 1. *My dog and I entering the Frank Church–River of No Return Wilderness at Monumental Creek to fly fish in August 2019.*

6. I plan to continue visiting the area each year to hike, backpack, and flyfish. This month (June 2023), I plan to backpack Rainbow Ridge with friends. I have also always wanted to backpack a long loop through the Frank Church starting and ending at the Lookout Mountain Trailhead near Thunder Mountain. I hope to do this in August or September this year.

7. I am concerned about the way these special places would change if the SGP moves forward. My understanding, based on ICL’s filings and comments, is that mine construction and operation would generate dust, including dust with arsenic. Dust will obscure the clear night skies and mountain views I so enjoy when I visit the area. Dust and arsenic are also unhealthy to breathe, and I worry about the effects of passing through and spending time

outside in the area while the mine is operating. I am also concerned that dust and arsenic can settle in lakes and streams and harm fish and other life.

8. It makes me sad to think about these ways that my visits would be diminished if the SGP proceeds, as approved in the Idaho Department of Environmental Quality (“DEQ”) air permit. It makes me even more sad to consider that I might not visit these special places as frequently as I would like because of air pollution from the mine. My understanding is that the Stibnite Road through the SGP area—which I have used many times—is considered by DEQ to be within the SGP boundary and will not meet air quality standards that apply outside the project boundary if the mine proceeds, even though Perpetua has indicated that the Stibnite Road will still be useable to people like me. It is also my understanding that many details about how the SGP will be conducted have not yet been decided, or are not specified in DEQ’s air permit, and will be decided later. I also understand that DEQ is not requiring monitoring at the SGP boundaries to verify the actual levels of air pollution once the SGP is underway.

9. In addition to my regular personal visits, I have visited the area as a high school teacher. I have brought two groups of high school students to Yellow Pine and Stibnite in the past five years. The area is a perfect classroom in which to study ecology, geology, hydrology, and environmental policy, and I intend to continue bringing students to the area for years to come. In the fall of 2023 or 2024, I intend to bring students to the area for a course on land management.

10. On these trips, we spent up to four days camping in the area and often engaged in fairly vigorous exercise, taking full-day hikes close off of the East Fork road, Profile Road, and Stibnite Road. Figures 2, 3, and 4 below show students on the trip I led in September 2019. These trips have been rich and productive learning opportunities and, for some students, have

been life-changing. Alumni of these trips have gone on to study biology, geology, and science education in college, as well as to work as wildland firefighters, river guides, and seasonal staff for agencies like the Forest Service.



Fig. 2. *High school students studying geology at the confluence of Johnson Creek and the East Fork of the SFSR in September 2019.*



Fig. 3. *High school students observing spawning Bull Trout in Sugar Creek in September 2019.*



Fig. 4. *September 2019. High school students engaged in field journaling on the banks of the SFSR.*

11. As a sensitive population for whom I am responsible, I am concerned about risks to the health of my students from air pollution if mining begins, and I worry that I will no longer be able to take students on these trips. Because air quality standards would not be met on the Stibnite Road through the SGP site, I would no longer feel comfortable taking students to visit Sugar Creek. Because of the uncertainties surrounding air pollution from the SGP and the lack of monitoring at the SGP boundary, I am concerned that I should not take students to other locations we have visited in the past outside of, but near, the mine area.

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

Dated this 4th day of June 2023, at Boise, Idaho.

/s/ Allison Fowle
Allison Fowle