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Attorneys for Plaintiffs

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

WOLF RECOVERY FOUNDATION, and)
WESTERN WATERSHEDS PROJECT)
)
Original Plaintiffs,)
)
and)
)
THE WILDERNESS SOCIETY, GREAT OLD)
BROADS FOR WILDERNESS, IDAHO)
CONSERVATION LEAGUE, WINTER)
WILDLANDS ALLIANCE, WILDERNESS)
WATCH, and SIERRA CLUB,)
)
Co-Plaintiffs On Third Claim For Relief)
)
v.)
)
U.S FOREST SERVICE and USDA APHIS)
WILDLIFE SERVICES,)
)
Defendants.)

No. 09-cv-686-BLW
**DECLARATION OF
GARY MACFARLANE**

I, Gary Macfarlane, declare:

1. I am a Board Member for Wilderness Watch (“WW”), and reside in Moscow, Idaho.
2. Wilderness Watch, is a national nonprofit wilderness conservation organization based in Missoula, Montana. Wilderness Watch advocates for the proper protection and stewardship of all existing wilderness areas in the National Wilderness Preservation System, including the Frank Church-River of No Return Wilderness. Wilderness Watch has more than 1,000 members across the United States, including many in Idaho. I have been a member of Wilderness Watch for more than a decade, and assisted the organization in its efforts through the administrative process leading up to the Forest Service decision to authorize the project.
3. Since Wilderness Watch's inception in 1989, it has been actively involved in working to protect and preserve the Frank Church-River of No Return Wilderness (FC-RONRW). Wilderness Watch has commented on a wide range of management actions and proposals, has participated in numerous field trips with the Forest Service, commented extensively on the development of the FC-RONRW management plan, including filing an administrative appeal of that plan, and has on at least two occasions successfully sought judicial relief against ill-advised agency decisions that would harm the FC-RONRW. Wilderness Watch has sought and achieved protection for the Wilderness through the courts.
4. I and many other WW members are very concerned and disturbed about the Forest Service's recent decision allowing Idaho Fish and Game to land helicopters

into the Frank Church-River of No Return Wilderness in winter 2010 in order to dart and collar wolves in the wilderness.

5. WW has closely tracked land management decisions in the Frank Church-River of No Return Wilderness. We have challenged management decisions made by the US Forest Service for the Frank Church-River of No Return Wilderness in court. We have also commented on numerous management plans, including the Wilderness Management Plan, the weed plan, and previous and current requests by the Idaho Department of Fish and Game (IDFG) to land helicopters to collar wolves in the Frank Church-River of No Return Wilderness.

6. WW members ascribe great value to the Frank Church-River of No Return Wilderness. Our members use the Wilderness in a variety of ways, including day hiking, backpacking, photographing, nature studies, field sketching, bird watching, wildlife watching, hunting, fishing, camping, skiing, snowshoeing, and rafting. Because of our unique focus on stewardship of the National Wilderness Preservation System, even members who do not visit the Frank Church-River of No Return Wilderness still assign value to its existence.

7. Based on our experience reviewing hundreds of proposals within Wilderness areas, we concluded that the current proposal from IDFG to land helicopters to collar wolves does not meet the Wilderness Act. We believe that helicopter use of this nature will indeed seriously detract from the wilderness character of the area.

8. We conclude that the Forest Service erred by analyzing IDFG's proposal under an expedited Categorical Exclusion. In our opinion, proposals with this level of attention and controversy and complexity are best handled through an Environmental

Assessment or Environmental Impact Statement. In addition, Wilderness Watch uses the administrative appeals process to resolve outstanding issues of disagreement without resorting to litigation. We were not afforded such opportunities in this instance.

9. Wilderness Watch is also concerned that by authorizing a special use permit for this proposed activity, the Forest Service will be setting a precedent that will allow further use of mechanized equipment in the entire Wilderness System and will grant similar proposals from other agencies and entities.

10. I have personally visited the Frank Church-River of No Return Wilderness on a number of occasions during all seasons of the year. I worked for a winter for the University of Idaho as the caretaker at the Taylor Ranch field station, which is located on Big Creek in the Wilderness.

11. The opportunity to watch and track wildlife, including wolves, and the solitude provided by the Frank Church-River of No Return Wilderness are key reasons I visit the area. The Big Creek drainage is an important wildlife wintering area and I have observed wildlife there in the past.

12. I am planning to go into the Big Creek area in the third week of February, 2010, on foot, specifically to look for wolves and other wildlife. If IDFG is allowed to conduct helicopter operations in the Wilderness to pursue wolves and land within the Wilderness to collar wolves, it will degrade and injure my ability to observe and enjoy wolves and other wildlife in the wilderness setting.

13. Another reason to visit the Wilderness in the winter is because of the increased opportunities for solitude. Again, if IDFG conducts the low-level helicopter hovering and landings for its proposed wolf collaring operations, it will substantially

impair my experience and ruin the wilderness values of quiet, solitude, and natural setting that I am seeking.

14. Unless the Court issues an injunction to stop the helicopter operations in the Wilderness, I will thus suffer irreparable harm.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 2nd day of February, 2010, in Moscow, Idaho.

/s/
GARY MACFARLANE