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ANGIE SPARKS, Clerk of District Court
By  Deputy Clerk

Attorneys for Plaintiffs

MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY

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| RIKKI HELD, et al., Plaintiffs, v. STATE OF MONTANA, et al., Defendants. | Cause No. CDV-2020-307 Hon. Kathy Seeley DECLARATION OF MICA K. IN SUPPORT OF PLAINTIFFS' RESPONSE BRIEF IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT |
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Pursuant to MCA §1-6-105, Mica K. hereby declares as follows:

1. I am a Plaintiff in the above-entitled action. I am making this declaration in support of Plaintiffs' Response Brief in Opposition to Defendants' Motion for Summary Judgment. I have personal knowledge of the facts I state herein and if called to testify, I would and could testify competently thereto.
2. I am a fourteen-year-old U.S. citizen and resident of Missoula, Montana.
3. I first learned about climate change when I was four years old. My parents showed me a documentary film called "Chasing Ice." My parents didn't know that I would understand the movie, but I did understand, and it made me upset and concerned about the climate crisis.
4. After that, my parents helped me send a letter to our Senator, Jon Tester, expressing my concern that climate change is an important issue for Montanans. I dictated my message, and my parents wrote it down.
5. I have been engaged in trying to make my community a better place since I was ten years old. I go to meetings and protests, sometimes missing school, as fighting for what is right is very important to me. I participated in activities to protest the Keystone XL pipeline with Sunrise Movement. In doing so, I got signatures from people at my school, I went to a protest at Senator Tester's office, and I commented on the Keystone XL Environmental Impact Statement. I was also involved with Families for a Livable Climate, and I have participated in Fridays for Future protests. While all of my activism work has been important in educating people about the climate emergency, it has not changed how my state government permits fossil fuels.
6. I talk to my friends about climate change; I teach them what I know; and I encourage them to go learn more. I am concerned about my future as climate change affects my life more and more.

7. I was eleven years old and in fifth grade when I decided to become a plaintiff in this lawsuit. I became a plaintiff because I could see how the negative impacts of climate change were harming me and my daily life, and I was learning that the dangers of climate change would keep getting worse as I grow older. Now I am fourteen years old. I know that the State of Montana needs to stop promoting fossil fuels to address the impacts of climate change. But instead, I understand that the State of Montana continues to promote fossil fuels as my state's primary source of energy and for exports.
8. Being active outdoors is important to my family and me. I enjoy mountain and road biking, hiking, backpacking, fishing, and running outside, including training for half marathons. But I have noticed that a lot is changing with how, when, and if I can do outdoor activities because of climate change. Sometimes I can't go outside at all because air pollution from wildfire smoke makes me feel sick. I understand that breathing smoke from wildfires harms my health and damages my lungs. We have stopped planning trips in Montana during the late summer because it's likely that smoke will keep us from going hiking, backpacking, fishing, floating on rivers, or mountain biking.
9. Smoke from wildfires in the summer affects my ability to trail run, which is important to me for exercise and for recreation. I train for half marathons with my dad, so it's also a good time for me to spend time with him. Usually, we start training in January and we used to be able to train through the entire summer, but now we have to stop training in June or July because of poor air quality from wildfire smoke. I can't run when it is too smoky because it makes me feel sick. When I breathe in too much air pollution, I feel lethargic and get headaches. When I was nine, I did a trail running class in the summer, but I couldn't do all the classes because the smoke from wildfires made me too sick.

10. Wildfire smoke also harms me when I'm at school. When the smoke is too thick, we can't go outside for a break. I don't like to be stuck inside, and most of the other students agree with me. When I am stuck inside it feels like I can't give my brain a break from the work at school and my brain can't focus as well on learning. A break outside lets me get my energy out and play games with my classmates. In third grade we had to stay inside at school for three weeks.
11. Wildfires are scary because flames have come close to our home. It gets very dry late in the summer, so fires start more easily. To keep our house safe, we clear brush away from the walls, but there is only so much we can do to protect our home.
12. In 2019, a fire started a mile from our house. I was terrified we would lose our house. While firefighters in helicopters were scouting the fire, I packed a bag with all my most important things in case we had to leave. I had never been forced to evacuate my own home before and it was a terrifying experience. Luckily the firefighters got the fire under control, and it didn't get to our house. I know that fires can happen naturally, but I also know that they are worse and more common now than they should be because of climate change. I am anxious that there could be a time in the future when we don't get as lucky: the more fires there are, and the larger they become, the higher the chance that my family could lose our house. I don't understand why my government continues to promote fossil fuels when they know that doing so makes wildfires worse. I wish they would want to protect me and my house instead.
13. Flooding and drought impact when and where I can fish with my family during the summer. We fish for cutthroat, rainbow, and brown trout in the Clark Fork, Blackfoot, and Bitterroot rivers. Recently, fishing has been limited by severe and worsening spring flooding, which I understand can be caused by abnormally warm spring temperatures and changing precipitation patterns. When the water is too high, we can't get to the rivers to fish. The flooding also adds

more pollution to the water. Other times, we can't fish because the water is too low and too warm. There have been times when we have had to think about the heat before we decide to go fishing and times when we do not go fishing because the fish are too tired and die when it is too hot. Without enough cold water, fish become deprived of oxygen and can suffocate.

14. Increasing temperatures and changing weather have impacted my winter recreation. Winter is my favorite season because I like to play in the snow and growing up in Montana used to be one of the best places to do this. I build snow forts, have snow fights, and I go skiing a lot. Usually I ski at Snowbowl, and sometimes at Big Sky or Discovery. But now the ski season is shorter and less fun. It doesn't start snowing until later in the year, and the snow gets wet and mushy earlier in the spring. I don't like dirty, slushy snow because it isn't as good for skiing or playing.

15. My favorite animal is a pika. I have heard them in the bushes while hiking and I have seen what they look like in pictures. I finally saw a pika in the summer of 2021 at Our Lake, which is southeast of Glacier National Park. Pikas like to live in cool climates, so as temperatures get warmer, they move to higher altitudes. As pikas move to escape the heat, it is less likely that I will be able to see or hear them while I am out hiking or backpacking. Eventually, when it gets warm enough everywhere, I worry that pikas will have nowhere left to go and might go extinct in the wild, which would be very sad and disturbing to me.

16. The wilderness of Montana is important to me. I love to see natural features like glaciers and forests. It makes me sad to see them destroyed and all dried up, not how they were meant to be, or even how they were for older generations of Montanans. I have been to Glacier National Park three or four times. When we have gone backpacking and hiking in Glacier, we have experienced beautiful nature and views, including a hike to Iceberg Lake. I think Glacier is one

of the most beautiful spots in Montana and would love to continue to visit the area. I have planned trips there knowing the longer I wait the more the scenery will change. The glaciers I love will soon melt and disappear. It makes me sad seeing comparison photos of what the scenery at Glacier National Park used to look like and what it looks like now. I understand that if climate change isn't addressed, Glacier National Park may not have any glaciers left in it within my lifetime, which would make me very sad and decrease my enjoyment of the park.

17. Higher temperatures, wildfires, smoke, the destruction of Montana's environment, and staying inside all negatively affect my mental health and well-being. I can't sleep well when it is too hot, and the heat and lack of sleep makes me tired during the day. Wildfires near my house cause me to constantly think about whether I will have to evacuate and cause me to worry about what will happen to my family if our house burns. Smoke and pollution in the air keep me inside and make me feel restless and trapped. All these challenges build up over time and cause me to feel anxiety, increased stress, and depression. These impacts also make me worried for the future, further increasing negative effects on my long-term mental health.

18. The COVID-19 pandemic and wildfires together really affected me in 2020 when I got COVID-19. I had to quarantine alone in my basement, and because of wildfires, I couldn't even go outside. I was lonely and cooped up and felt myself getting sad and frustrated. While

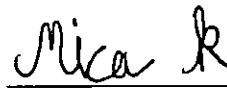
I was stuck quarantined in my basement, I wrote the following short essay:

I've been living in quarantine in my basement for a week now, separated from my family because of COVID-19. Cooking, eating, schooling . . . alone. I have another week to go. I just found out that pandemics are more likely to occur with a changing climate. And now I can't even go outside to play because another fire started near my home. It wasn't the first time and it won't be the last. According to the experts, the smoke from the forest fires makes our air too toxic to breathe and the fires will only get worse they say. Yet the climate crisis is only getting started. I'm a prisoner in my own home. Alone and wondering. What is my future? Is there one? Why is no one listening? Do they not care?

19. These impacts are all serious and they will keep getting worse. If the people with power to change things are listening, they are not acting like they care. It is my hope that the judge will agree with us and find that what my government is doing to make the climate crisis worse is wrong. I think my government should be working to protect me and Montana's beautiful natural environment and I hope that the judge will be able to hold them accountable, as there doesn't seem to be any other way to get government to stop making decisions that hurt young people like me in Montana.

Pursuant to MCA §1-6-105, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of February, 2023 in Missoula, Montana.



Mica K.