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FILED

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ANGIE SPARKS, Clerk of District Court
By: *[Signature]* Deputy Clerk

Attorneys for Plaintiffs

MONTANA FIRST JUDICIAL DISTRICT COURT
LEWIS AND CLARK COUNTY

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

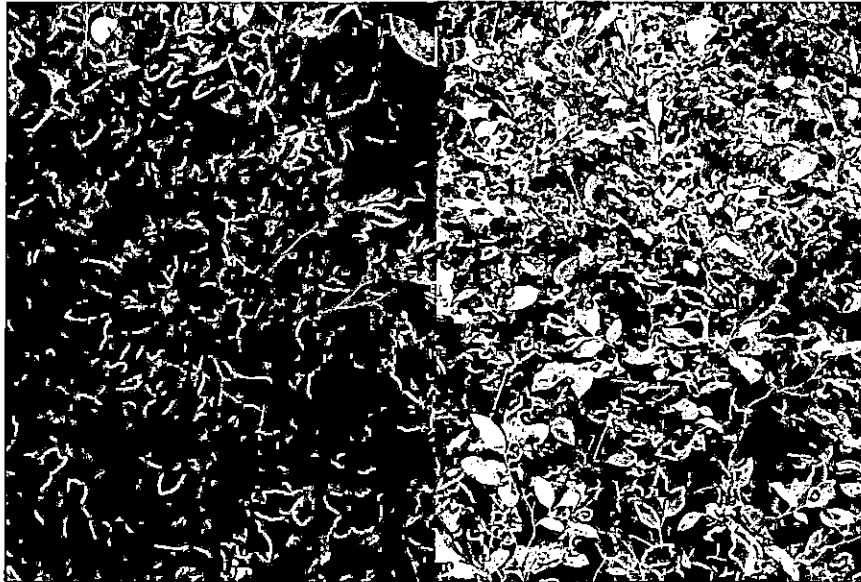
1. I am a Plaintiff in the above-entitled action. I am making this declaration in support of Plaintiffs' Response Brief in Opposition to Defendants' Motion for Summary Judgment. I have personal knowledge of the facts I state herein and if called to testify, I would and could testify competently thereto.
2. I am a twenty-year-old member of the Confederated Salish and Kootenai Tribes ("CSKT"). I am a U.S. citizen and a resident of the Flathead Indian Reservation in Ronan, Montana. I currently attend the University of California at Berkeley and return home to Montana on breaks. While I'm unsure of my ultimate career path, I plan to return to my home on the Flathead Indian Reservation when I graduate and contribute to my tribe and community.
3. Climate change has been an ongoing conversation in my family and in my community. In high school is when I really began to understand more about how climate change was impacting me and my tribe. I now understand that climate change is already causing great harm to my tribal community and to me. I want to do everything within my power to be part of the solutions to climate change and being a plaintiff in this lawsuit is one way in which I am trying to address climate change and hold the state of Montana responsible for their actions that make climate change worse and that harm me and my community.
4. My community, my family, and I have taken steps to mitigate the effects of climate change. For example, the tribe owns and harnesses energy from the CSKT dam, which is a renewable energy source. The tribe also has a food sovereignty program where they find locally sourced food and distribute it to tribal members. That program also provides tribal members with their own resources to grow their own foods. As for my family, my mother drives a hybrid car, and

my sister who is about to buy a car, is also looking at hybrid cars. We make efforts to recycle and to compost food waste.

5. Despite these efforts, I have seen and experienced the worsening impacts of climate change on my tribe and our land, and felt the intangible effects on my tribe's spiritual, cultural, and familial traditions and ways of life. While I am doing everything I can to address climate change, I know that it is not enough. The state of Montana needs to stop its actions that allow the extraction and burning of fossil fuels to address the climate crisis. Only a court order in this case can and ensure that the state of Montana does not continue to violate my constitutional rights.
6. My tribe and its culture are deeply tied with the environment and its seasonal changes. This body of knowledge, cultural practices, and traditions is passed on by Elders and family to me and younger generations so that we can preserve our culture. We base what we use to harvest, what we use for clothing, and every aspect of our lives around these seasonal changes. Some of our practices, ceremonies, and stories are tied to the environment and seasonal changes. So, when those seasons are disrupted by climate change, which is happening more frequently, it disrupts my tribes' cultural practices and my ability to participate in them.
7. Some of my cultural traditions involve snow. I have seen snowfall progressively decrease over the years. One tradition affected by less snow is the annual telling of the Coyote and Creation stories, which are important stories for our tribe. Those stories are told by our Elders, and they are only told when there is snow on the ground. When there's no snow, these stories can't be told so less people hear them and learn them and pass them it on to the next generations. As climate change increases temperatures, there is less snow in the winter months, which means there are fewer opportunities for me to hear the Coyote and Creation stories from Elders.

8. There has also been an increase in wildfires in our area. Breathing the smoke from wildfires put my health and safety at risk. I have had to stay indoors during the wildfire seasons and have experienced scratchy throat, headaches, and tiredness during the wildfires. Some of my family members don't have strong lungs, and the increased wildfire smoke makes me worry about their safety when they go outside. I also worry about members of my tribe. In 2022, there was a big fire near Elmo, the northern part of the reservation and many homes had to evacuate. The year before, in 2021, there was a fire by my work in Blue Bay and they had to evacuate the entire campsite. All the workers had to go home, homes were burned, and shelters had to be set up for those who were evacuated. Seeing homes, trees, and my reservation so directly harmed by wildfires is devastating to me and very scary because I know it can happen again in the future unless something is done to address climate change.
9. Foraging for berries and roots is an important part of my cultural and family traditions. For example, my family picks huckleberries which we dry, freeze, and then make into jam, syrup, and other foods. We use these berries every year to make cheesecake for my birthday. In recent summers, the changes in climate have resulted in a smaller yield of berries. We used to have several gallons, and last year, 2022, we barely picked two gallons of berries. The berry season has moved later and later into the year. We used to start picking in June, but now the berries are not ripe until August. We also have to go further up the mountain than years past to find berries that are not dried up. Likewise, other berries like chokecherries, raspberries, and strawberries have been affected by changes in the climate, as well as roots like the bare root and bitter root. I worry that finding berries and roots will be continually more difficult with climate change and we will not be able to continue this cultural practice and lose a source of


food and medicine. The pictures below show what a healthy huckleberry bush looks like (left), and what a huckleberry bush looks like when impacted by heat and drought conditions (right).



10. I fear deeply the losing of my culture and traditions as a result of climate change. Colonization already threatens the longevity of our traditions, and fewer and fewer people are able to speak our native language, Salish. My people and culture are deeply intertwined with the environment, and climate change comes as yet another threat that prevents us from passing our culture and traditions on to today's youth, like me, and future generations. I feel like the leaders in the state of Montana don't care about the ways in which I am impacted by climate change. But I'm grateful for this opportunity to have a judge sit and listen to the ways in which I am harmed by climate change. I believe that if we win this case, it will help protect my future, and the future of my tribe, from the devastating impacts of climate change.

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

Executed this 8th day of February, 2023 in Berkeley, California.



Sariel Sandoval