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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 KIAN T. IN SUPPORT OF PLAINTIFFS' RESPONSE BRIEF IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
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FILED

FEB 16 2023

ANGIE SPARKS, Clerk of District Court
By  Deputy Clerk

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Pursuant to MCA §1-6-105, Kian T. 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 seventeen-year-old citizen of the United States, and a resident of Bigfork, Montana.
3. An early memory I have of learning about climate change is when I was seven or eight and I watched my dad's non-profit, Conservation Hawks, shoot video of hunters and anglers around an outdoor fire pit as they discussed climate change. I also participated in a documentary film called Cold Waters with Yvon Chouinard, Craig Mathews, and other important figures in the fly-fishing community that talked about how climate change is affecting the ability to fly-fish in Montana. Both of these experiences were influential in my life and helped educate me from a young age about the dangers of climate change and how it is and would impact me and the places I love in Montana.
4. I started Tae Kwon Do when I was five and gradually worked my way up to earning a black belt. Tae Kwon Do has always influenced my perspective on the world and how to live my life. Every time I went to practice, we had to recite the five tenets, which are courtesy, integrity, perseverance, self-control, and indomitable spirit. For me, those are five core parts of my life that I try to live by and that I try to represent through my actions and my words. I connect each one of those tenets in my fight against climate change and being a plaintiff in this case.
5. I try to do my part in combating climate change by limiting my travel and carbon footprint, but the Defendants' continued practices of promoting fossil fuels offset my efforts because what they are doing exacerbates the harmful effects of climate change and causes harm to me and

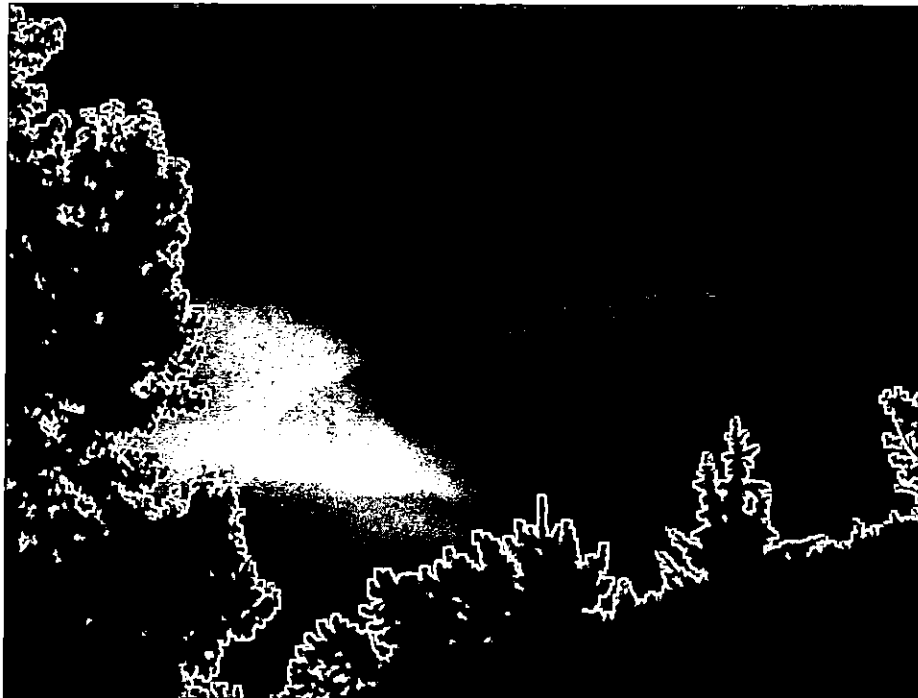
future generations of Montanans. I believe that if we win this lawsuit, it will send the message to the state government that what they are doing violates my constitutional rights and that they have to reduce the use of fossil fuels in Montana to protect my future from the worsening dangers of climate change.

6. The effects of climate change have directly impacted my family's 27-acre property in Bigfork, Montana in a number of ways. Many of the trees on our property have died, both from beetle infestations brought on by milder winters, and extreme wind and weather events. Birch trees and conifers of all age classes are dying because of these climate change impacts. When I look around our property, I see dead trees in all directions. These dead trees are dangerous, and it is very upsetting to see our property being degraded in a way that never happened before.
7. Smoke from wildfires in the summer obscures views from the property and forces me to stay inside. The pictures below show what our property looks like when it is not smoky (left) and when it is smoky (right). These pictures don't convey the stark difference in air quality and how hard it is to breathe when it's smoky outside.



8. In September, 2022, there was a fire in the mountains near our home. As you can see in the picture below, the smoke was clearly visible from my home. While the fire thankfully did not

reach our property, it was stressful to see a fire so close. I am worried that as fires get increasingly severe, our property will be impacted by a wildfire in the future. Not everyone's property or home is threatened by wildfire like mine is.



9. The earlier snowmelt caused by climate change has diminished the flow of our property's creek, Wolf Creek, where I like to recreate, in the summer and fall. I have noticed in my lifetime that the gravel bar on the creek where I sometimes swim has grown more exposed over the years.
10. My father taught me to fish when I was four years old, and I consider fly fishing a part of my cultural heritage and family traditions. Climate change has resulted in warmer water temperatures and diminished flows on the rivers where I fish, impairing my ability to engage in this personally meaningful activity. My favorite river to fish in Montana is the Missouri, but I also fish on the Flathead River. The rainbow and cutthroat trout I fish for are severely impacted by warming water temperatures and diminished flows. The warmer water holds less oxygen, which places excessive strain on the fish population, making fishing difficult and

dangerous for the fish. I have also had to cancel fishing trips because smoke from wildfires have made it unsafe to be outside. This is a picture of me fishing with my dad on the North Fork of the Flathead River in 2010 and I hope to continue to fly-fish throughout my lifetime. If the judge agrees with us in this case, it will help to ensure that I can continue to fly-fish far into the future.



11. My family often utilizes the public lands in and around Glacier National Park for hiking and camping trips. Climate change has substantially impaired my ability to recreate, both on my family's property, and on the surrounding wilderness and public lands. The effects of climate change have impacted Glacier National Park, which I try to visit every summer, because it is not far from my house. Forests in Glacier have been severely damaged by beetle infestations, brought on by warmer winters, and increased wildfire activity. Glacier National Park is a significant place for me personally, and it is difficult for me to see these forests destroyed. Warming winters have also led to dramatically increased melting of the glaciers and decreased

seasonal snow in the park. I have seen snowfields substantially recede, and it upsets me to see these important aspects of Glacier National Park disappearing in my lifetime.

12. Extreme heat, and smoke from increased wildfires, have made it difficult for me to pursue many of my favorite pastimes, especially playing soccer. In the summer, the smoke is often so thick that it becomes unsafe to spend time outdoors, and in 2017 I was unable to go outside for two months. That year we had to cancel our annual camping trip to Fernie, British Columbia, because the smoke was so bad we would not have been able to do anything outside. Even when there is no smoke, the extreme heat extends into the fall and makes playing soccer difficult, and potentially dangerous. It gets so hot that sometimes it is hard to breathe, and even players on the bench are barely able to rest because the sun and heat are so intense. I know that playing soccer outside in the heat and smoke isn't good for my health.

13. While I may not be a scientist, I understand climate change enough to know that it is caused by excessive levels of greenhouse gas emissions from the burning of fossil fuels. The choices my state government makes that favor fossil fuels makes climate change worse and makes it clear to me that they are not taking their job seriously. It is important that we get a win in this case to make sure that the state understands that they must change course and stop exacerbating the climate crisis.

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

Executed this 11th day of February, 2023 in Bigfork, Montana.



Kian T.