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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

**NATIVE ECOSYSTEMS COUNCIL, MONTANA ECOSYSTEMS DEFENSE
COUNCIL**

Plaintiffs,

vs.

**FAYE KRUEGER, Regional Forester of Region One of the U.S. Forest Service,
UNITED STATES FOREST SERVICE, an agency of the U.S. Department of
Agriculture, and UNITED STATE FISH & WILDLIFE SERVICE, an agency of
the U.S. Department of the Interior,**

Defendants.

CV 14-00196-DLC

DECLARATION OF JOHN GATCHELL

I, John Gatchell, in accordance with the requirements of 28 U.S.C. § 1746, declare that:

1. I am a resident of Helena, Montana.
2. I am the Conservation Director of, and a member of, the Montana Wilderness Association (“MWA”). MWA’s mission is to protect Montana’s wilderness heritage, quiet beauty, and outdoor traditions, now and for future generations.
3. On behalf of MWA, I have been extensively involved in U.S. Forest Service projects and planning affecting the Ten Mile Watershed, located on the east slope of the Continental Divide, much of which is managed by the Helena National Forest.
4. In 1998, I worked with the City of Helena to successfully convince the U. S. Forest Service to protect the Ten Mile Watershed by withdrawing National Forest lands within the municipal watershed from federal oil and gas leasing.
5. In 2008-2009, I served as co-chair of the Ten Mile Watershed Collaborative Committee, instituted and entrusted by the Helena City Commission to review forest management in the Ten Mile Watershed to mitigate fire risk and “to prevent damage to the City’s public water supply structure.” (City Resolution No. 19605)

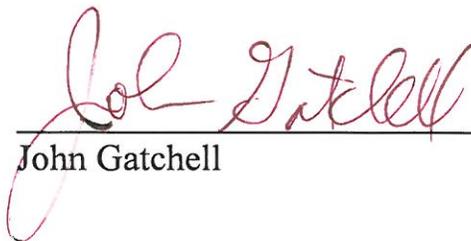
6. The Ten Mile Watershed Collaborative Committee included 28 members, from very diverse backgrounds from fire mitigation experts like Patrick McKelvey to Michael Garrity, board member of the Alliance for the Wild Rockies. Committee members agreed to operate by consensus, rather than majority rule, allowing any member to block recommendations they did not support.
7. For 8 months between October 2008 and June 2009, Committee members met to collaboratively review watershed conditions, gather input from scientists and resource experts and formulate recommendations. The committee worked closely with the City of Helena, Lewis and Clark County, MT Fish Wildlife and Parks, the U. S. Forest Service, private landowners and local fire districts to develop recommendations for managing the Ten Mile Watershed.
8. After 8 months of scientific counsel, dialogue, and debate — all in open meetings — Committee Members hammered out an agreement with goals and management recommendations for the Ten Mile Watershed. All members of the Committee voted to accept and forward the final recommendations to the City Commission.

9. In July 2009, the unanimous recommendations of the Ten Mile Watershed Collaborative Committee were reviewed and subsequently adopted by the Helena City Commission, which forwarded the recommendations to the U. S. Forest Service.
10. The Committee recommendations ranged from very specific actions “to protect the City’s water supply infrastructure, including the flume delivery system” to long-term management with the goal of restoring wetlands, native fisheries and long-term watershed health. Committee recommendations also included a goal to “protect and improve long term quality of wildlife habitat” by reducing roads.
11. Specific actions recommended by the Committee included implementing the Red Mountain flume proposal to treat national forest lands in close proximity to the city water flumes and to “prioritize defensible/survivable space around the city water supply infrastructure” such as Chessman Reservoir.
12. The Red Flume Chessman Reservoir Project is entirely consistent with specific actions recommended by all members of the Committee and subsequently endorsed by the City of Helena in 2009.

13. I am aware that the Helena National Forest, consistent with the Committee Recommendations, removed roads in the area prior to this project to mitigate the effects of ½ mile of temporary road to be used during the project.
14. For the past 29 years I have hiked, hunted, skied and recreated in the Ten Mile Watershed, including the area near Chessman and the water flume. I have often gone hiking, sledding and snowshoeing there with my children, who were raised in Helena, drinking city water from Ten Mile Watershed.
15. This project will not construct any permanent new roads nor increase vehicle traffic, nor in any way negatively affect our family's outdoor recreation on national forests within the Ten Mile Watershed.
16. Prescribed logging and burning is limited, carefully targeting the small area immediately upslope and in proximity to the City water delivery infrastructure, much less than 2% of the Ten Mile Watershed.
17. As a life-long conservationist, I feel this small project will benefit the Ten Mile Watershed.

Pursuant to the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 13 day of August 2014.



John Gatchell