

1           192. Spring runoff in Montana is projected to increase through  
2 the 21<sup>st</sup> century because of warmer temperatures and earlier snowmelt. Increased  
3 January-April runoff will lead to increasingly low streamflow in July-September.  
4 [CW 293:8-18].

5           193. The science is clear that there are catastrophic harms to the  
6 natural environment of Montana and Plaintiffs and future generations of the State  
7 due to anthropogenic climate change. [SR 105:9-21, 149:15-150:7]. The  
8 degradation to Montana's environment, and the resulting harm to Plaintiffs, will  
9 worsen if the State continues ignoring GHG emissions and climate change. [SR  
10 105:22-106:18, 137:10-15, 168:17-169:7, 169:19-21; CW 318:2-5, 316:17-317-  
11 14; DF 428:6-12; JS 712:8-12].

12 **V. CLIMATE CHANGE IS ALREADY HARMING PLAINTIFFS.**

13           194. The unrefuted testimony established that Plaintiffs have  
14 been and will continue to be harmed by the State's disregard of GHG pollution  
15 and climate change pursuant to the MEPA Limitation.

16           195. Plaintiff Rikki Held lives on her family's ranch twenty miles  
17 outside of Broadus, Montana. Broadus is a ranching community in Southeastern  
18 Montana, with a population of approximately 450 people in the town and  
19 approximately 2000 in Powder River County.

20           a. Rikki has experienced climate change-related harms  
21 to herself and her family ranch, including harms from flooding, severe storms,  
22 wildfires, and drought.

23           b. The Powder River runs through Rikki's ranch. The  
24 ranch includes five pivot fields and pine-covered hills. Rikki and her family have  
25 raised cattle on the ranch, grew crops to feed cattle, and owned horses.

1 c. Rikki started riding horses and herding livestock when  
2 she was four. Rikki grew up involved in ranching activities, working with  
3 livestock, haying, and fixing fences.

4 d. Rikki's grandparents are from Broadus and her dad  
5 grew up in Broadus.

6 e. Rikki and her family run a motel that rents rooms to  
7 travelers. Rikki often works for the family motel business. The primary source of  
8 Rikki's family's income is the ranch (currently leased) and motel business. Loss  
9 of this income affects Rikki personally.

10 f. Impacts to the climate are already harming Rikki's  
11 home, family, community, income, and way of life.

12 g. Rikki was often required to work outside on the ranch  
13 regardless of the temperatures or air quality. Rikki's physical well-being has been  
14 harmed by wildfires and wildfire smoke, as well as extreme heat.

15 h. In 2012, the Ash Creek fire burned seventy miles of  
16 power poles, causing the loss of electricity on Rikki's ranch for a month.  
17 Electricity is required to access water for both cattle and Rikki's house on the  
18 ranch, so the loss of electricity harmed both cattle and Rikki.

19 i. Climate change has impacted the snowpack on the  
20 ranch in recent years, with snow typically not lasting through the winter.  
21 Reduced winter snowpack means less natural water available for cattle. As a  
22 result, the cattle must rely on water tanks, which are far apart and expensive to  
23 install. With less water, there is also less grass available for the cattle to eat.

24 ////

25 ////

1 j. With less water and grasses, cattle travel further for  
2 water and food, and lose weight. This means the cattle are not as valuable and the  
3 ranch profits and income declined.

4 k. Wildfires have closed roads around Broadus limiting  
5 the number of people that can reach Rikki's family motel business, causing lost  
6 income for Rikki and her family.

7 l. Climate change has caused increased variability in  
8 water levels in the Powder River. Rikki's family relies on the river to water their  
9 livestock. Increasingly, the river levels are extremely low while at other times the  
10 river floods.

11 m. In 2017, the Powder River flooded and eroded the  
12 riverbank on Rikki's ranch, undercutting a fifty-year-old fence. Since then,  
13 continued flooding has eroded about fifty feet of riverbank, with floodwaters that  
14 nearly reach Rikki's home.

15 n. Rikki experiences stress and despair from how climate  
16 change impacts her well-being, the well-being of her family, and the well-being  
17 of other Montanans. Montana is Rikki's home and seeing how climate change is  
18 impacting Montana and her family ranch is a heavy emotional burden for Rikki.

19 o. Rikki faces economic harm, including barriers to  
20 keeping family wealth and property intact and decreased future economic  
21 opportunities.

22 196. Plaintiffs Lander Busse and Badge B. are brothers, living in  
23 Kalispell, Montana.

24 a. Lander and Badge enjoy hunting and fishing.

25 ////

1                   b.     Lander and Badge hunt with their parents and  
2 grandparents. Hunting is an important family activity.

3                   c.     Lander and Badge’s ability to hunt and fish is  
4 inhibited due to climate change consequences, including extreme heat and  
5 wildfires.

6                   d.     Climate change has adversely impacted Lander and  
7 Badge’s ability to fish by rendering certain waterways impassible by raft due to  
8 low instream levels or too-warm water temperatures, which harm fish and  
9 decrease their populations.

10                  e.     Lander and Badge have had their ability to fish  
11 limited or foreclosed due to fishery closures as a result of climate change-induced  
12 conditions in Montana’s rivers. Lander and Badge have also had their access to  
13 rivers limited for other recreational activities.

14                  f.     The extreme temperatures and smoke have at times  
15 made hunting unbearable and impossible for Lander and Badge. Smoky  
16 conditions have also impacted their fishing activities.

17                  g.     Due to climate change, the wildfire smoke in  
18 Kalispell, and in other parts of Montana where Badge recreates, makes it difficult  
19 for Badge to breathe and triggers a cough, which negatively impacts his health  
20 and well-being.

21                  h.     In 2018, a wildfire near the Busse’s home forced their  
22 family to prepare to evacuate. Preparing to evacuate was a traumatic experience  
23 for Lander and Badge. Badge is worried that wildfires will continue to threaten  
24 his home.

25     ////

1 i. Lander has seasonal pollen allergies, which are  
2 worsening due to the increased pollen count and a changing climate.

3 j. Lander is an accomplished musician and theater  
4 performer and often performs outdoors. Climate change and wildfires have  
5 hampered his ability to perform music and theater at a high level and have  
6 negatively impacted his physical well-being.

7 k. Badge is named after the Badger-Two Medicine, an  
8 area where he frequently recreates and fishes. Wildfires in the Badger-Two  
9 Medicine have destroyed trees and have degraded areas important to Badge and  
10 where he enjoys visiting and recreating, which has had a powerful emotional  
11 impact on Badge. Badge experiences a sense of loss and distress knowing that the  
12 area is being damaged and degraded due to climate change. Badge feels as if a  
13 part of him were lost in the Badger Two-Medicine fire.

14 l. Badge is passionate about skiing and has skied for as  
15 long as he can remember. Climate change is reducing Badge's ability to  
16 participate in this important recreational activity.

17 m. Badge is anxious when he thinks about the future that  
18 he, and his potential children, will inherit.

19 n. Lander and Badge care deeply about protecting  
20 Montana's environment, which is an integral part of their family traditions,  
21 culture, and identity. Witnessing the current impacts of climate change in  
22 Montana is traumatic for both Lander and Badge.

23 o. Lander and Badge are experiencing the loss of ties to  
24 the land in Montana.

25 /////

1                   197. Plaintiff Sariel Sandoval is a member of the Confederated  
2 Salish and Kootenai Tribes and is from Ronan, Montana.

3                   a.       Sariel and her family have a deep connection to the  
4 natural world, and have a unique connection to the land, the natural environment,  
5 and the seasons. Climate change is harming Sariel’s culture and tribal practices.  
6 Sariel went to a Salish language immersion school called Nkwusm in Arlee. At  
7 school, Sariel was taught her native language and learned about the Salish  
8 culture.

9                   b.       Sariel was excited to receive her Salish name, which  
10 means “Person Who Brings the Cedar.” Cedar has important cultural significance  
11 because it provides a connection through the land to the Creator.

12                   c.       Sariel feels a strong sense of connection to her  
13 community. She believes that carrying on her community’s traditions is  
14 important because it is their way of life and reflects their connection to the land.

15                   d.       Gathering and using sweet grass and bear root is  
16 important to Sariel culturally and spiritually.

17                   e.       Sariel is concerned about how climate change affects  
18 the seasons because her culture is very ingrained with the land and the seasons. It  
19 also affects plants and foods her tribe needs to survive, and she is concerned that  
20 these changes will change the community itself. Because of earlier-than-normal  
21 snowmelt and the consequent drying of mountain streams as a result of climate  
22 change, plants used in Salish and Kootenai medicines are becoming scarcer and  
23 more difficult for tribe members to gather.

24                   f.       Coyote Stories are a culturally important type of  
25 Creation Story that can only be told when there is snow on the ground. Sariel is

1 concerned because the snow is not staying on the ground as long, and she does  
2 not know what will happen to the stories when there is no more snow.

3 g. Climate change impacts Sariel's ability to partake in  
4 cultural and spiritual activities and traditions, which are central to her individual  
5 dignity. Climate change has disrupted tribal spiritual practices and longstanding  
6 rhythms of tribal life by changing the timing of natural events like bird  
7 migrations.

8 h. Sariel worked at Blue Bay Campground the summer  
9 after she graduated high school. Sariel lost a few weeks of work and income due  
10 to the nearby Finley Point fire (also known as the Boulder 2700 Fire) in 2021.  
11 The fire also led to the road being shut down, homes being lost, and people being  
12 evacuated.

13 i. Sariel is often unable to see the mountains near her  
14 home due to wildfire smoke.

15 j. Berry picking is a staple cultural activity for Sariel  
16 and her family. Some huckleberry bushes are not producing fruit because of  
17 drought and Sariel must travel higher up into the mountains to find healthy  
18 huckleberries.

19 k. Climate change has a profound emotional impact on  
20 Sariel, who experiences stress and despair about the impacts her community is  
21 facing due to climate change.

22 l. Sariel was greatly distressed when she learned that  
23 Montana was almost at the point of no return with respect to climate change.

24 198. Plaintiff Kian Tanner lives on his family's property in  
25 Bigfork, Montana.

1 a. Kian’s property has been degraded by wildfire smoke.

2 b. Kian is a passionate fly fisher and has fished with his  
3 dad since he was about four years old. Kian hopes he will be able to preserve this  
4 tradition and fish for the next fifty years or more.

5 c. The warmer water temperatures, lower oxygen levels,  
6 and declining instream flows due to climate disruption are harming Montana’s  
7 rivers and fish. These climate impacts have decreased fishing opportunities for  
8 Kian as he has had to cancel fishing trips due to wildfires. Not being able to fish  
9 is devastating for Kian.

10 d. Kian lives near and enjoys visiting and recreating in  
11 Glacier National Park, which is a very special place for Kian. He is distressed he  
12 will never be able to see the natural glaciers as they have historically existed, and  
13 as other generations experienced them.

14 e. Kian enjoys downhill and cross-country skiing, which  
15 is an activity he does with his mom, who taught him to ski. Kian cross-county  
16 skis on his family’s property. Impacts to the climate have reduced his  
17 opportunities to downhill and cross-country ski.

18 f. Increased smoke in the summer has harmed Kian’s  
19 ability to play soccer, fish, and otherwise recreate outside, activities which are  
20 crucial for his emotional health and foundational to his family. Kian’s soccer  
21 practices have been cancelled due to heat and wildfire smoke.

22 g. The smoke often forces Kian to seek refuge indoors,  
23 which makes him feel very claustrophobic.

24 ////

25 ////



1 h. Kian’s fears about impacts to the climate take an  
2 emotional toll on him and he feels a heavy burden to carry the mantel of the  
3 generation that must address climate change.

4 199. Plaintiff Georgianna Fischer (Georgi) is from Bozeman,  
5 Montana.

6 a. Georgi’s family has lived in Montana for generations.  
7 Goergi’s great grandmother, Mary “Polly” Wisner Renne, is someone that Georgi  
8 admires because of her work to protect Montana’s environment. Renne was a  
9 key figure in establishing protections for the Lee Metcalf Wilderness Area.

10 b. Georgi is a competitive Nordic skier. She has  
11 competed on the national level, including Junior National Championships, U.S.  
12 National Championships, and the 2021 NCAA competition. She trains eleven  
13 months of the year, six days a week. Georgi’s ability to compete and participate  
14 in Nordic skiing has been directly impacted by climate disruption. Declining  
15 winter snowpack has inhibited Georgi’s ability to complete necessary and  
16 appropriate training and hinders her ability to continue to compete at a high level,  
17 which adversely impacts her health and mental well-being.

18 c. In recent years there has not been enough snow to  
19 groom trails or create tracks in the snow to Nordic ski race until January,  
20 although historically tracks were created in November.

21 d. Georgi’s summer Nordic skiing training has been  
22 impacted by wildfires and wildfire smoke. Practices have been cancelled or  
23 curtailed due to smoke and the smoke prevents Georgi from training at a high  
24 intensity. Georgi is increasingly worried about the long-term effects that the  
25 exposure to heavy wildfire smoke while training has on her health and respiratory

1 system. Extreme heat also harms Georgi and her ability to recreate and train  
2 outdoors. The heat has caused her to feel dizzy, nauseous, generally unwell, and  
3 has caused persistent nosebleeds that led Georgi to seek medical attention.

4 e. Georgi enjoys paddleboarding, rafting, backpacking,  
5 hiking, and other outdoor activities. Georgi's recreation on Montana's rivers has  
6 been impaired due to low water levels and stream flows. Georgi and her family  
7 have had to cancel river rafting trips, including one on the Smith River, due to  
8 low stream flow.

9 f. Georgi experiences feelings of despair and  
10 hopelessness because of the declining winter snowpack and what that trend  
11 entails for her snow-based sport.

12 200. Kathryn Gibson-Snyder (Grace) is from Missoula, Montana.

13 a. Grace's recreation on Montana's rivers and streams  
14 has been affected due to both low water levels and flooding conditions. Because  
15 of climate change, Grace's access to the Clark Fork River for recreational  
16 activities has been increasingly impaired, limiting her ability to enjoy activities  
17 important to her health and family.

18 b. Grace enjoys many outdoor activities, including long-  
19 distance biking, hiking, soccer, and kayaking.

20 c. Grace has been harmed by wildfire smoke and  
21 extreme heat; which have adversely impacted her ability to play competitive  
22 soccer. Smoke and heat have led to fewer soccer practices and the cancellation of  
23 games. Wildfires have impacted Grace's ability to go outside, enjoy outdoor  
24 activities, and have placed her safety, health, and well-being at risk.

25 //

1 d. One of Grace's environmental community education  
2 events was cancelled due to wildfire smoke.

3 e. Grace has had hiking activities impacted by wildfire  
4 smoke.

5 f. Grace experiences psychological harms, is distressed  
6 from day-to-day climate conditions, and is anxious about climate change. It is  
7 devastating for Grace to think that Montana's special landscapes, like Glacier  
8 National Park's glaciers, will not exist as they have in the past, or at all, when she  
9 is older.

10 g. Even though Grace would like to raise children in  
11 Montana, she questions whether she can morally bring children into the world,  
12 because of her knowledge and fear of the world that her children would grow up  
13 in if climate change is not ameliorated.

14 201. Plaintiff Olivia Vesovich is from Missoula, Montana.

15 a. Olivia has exercise-induced asthma and is therefore  
16 particularly vulnerable to smoke-filled air. In smoky conditions, Olivia feels she  
17 is suffocating if she spends more than thirty minutes outdoors. During smoky  
18 conditions, Olivia is forced to stay inside and reduce or eliminate the outdoor  
19 activities she enjoys. Olivia has been forced to spend recent summers away from  
20 Montana due to the smoke-filled air and her asthma.

21 b. Olivia suffers from spring pollen allergies, which  
22 force her to stay indoors and prevent her from engaging in the recreational  
23 activities she enjoys. Olivia's spring allergies cause her eyes to swell shut and  
24 can cause eye pain for weeks at a time. Olivia's allergies have become  
25 progressively worse in recent years.

1 c. Olivia is affected emotionally and psychologically by  
2 climate change, and experiences bouts of depression when she thinks about the  
3 dire projections of the future. Olivia would like to have children of her own, but  
4 she questions whether this is an option in a world devastated by the effects of  
5 climate change.

6 d. Olivia experiences psychological harms and is  
7 distressed from day-to-day climate conditions and is anxious about climate  
8 change. There are days when Olivia feels paralyzed by the impacts and threats of  
9 climate change and she fears that it is too late to address climate change.

10 e. For Olivia, climate anxiety is like an elephant sitting  
11 on her chest and it feels like a crushing weight. This climate anxiety makes it  
12 hard for her to breathe.

13 202. Plaintiff Claire Vlases is from Bozeman, Montana.

14 a. Claire works as a ski instructor at Big Sky Resort, and  
15 her ability to earn money is harmed by climate disruption, which is decreasing  
16 Montana's winter snowpack and the number of days Claire can work. Claire has  
17 been sent home from her job as a ski instructor without working her scheduled  
18 shift, and without pay, because of insufficient snow. Claire relies on her income  
19 as a ski instructor, so the lost income is a financial hardship for her.

20 b. Claire regularly visits Glacier National Park where  
21 she loves to hike. Seeing the loss of glaciers in Glacier National Park is terrifying  
22 for Claire and reduces her enjoyment of the park. Claire's ability to enjoy hiking  
23 in Glacier National Park has also been diminished due to increasing wildfire  
24 smoke, which obstructs the beautiful views and is harmful to her health.

25 ////

1 c. Claire has been harmed by the reduced snowpack in  
2 Montana and the related impacts to winter sports and tourism.

3 d. Claire's ability to run cross-country has been harmed  
4 by extreme heat and wildfire smoke. Claire has had cross-country practices  
5 cancelled due to dangerously smoky air quality conditions. The heat and smoke  
6 make it difficult for Claire to train and compete.

7 e. Claire's family has water rights to Bozeman Creek.  
8 Claire and her family use the water for drinking, plumbing, watering their garden,  
9 and all other water needs at their home.

10 f. Claire's water security is threatened by Montana's  
11 melting glaciers, declining snowpack, and increasing summer drought conditions,  
12 which lead to water scarcity and low water levels in Bozeman Creek.

13 g. As an individual born with a disability, Claire relies  
14 on the outdoors for recreational therapy to replace the physical therapy her  
15 insurance stopped providing when she was ten years old. The outdoors helped  
16 Claire to grow strong and she continues to rely on activities like skiing, biking,  
17 hiking, and running to maintain her physical health. Claire depends on a clean  
18 and healthful environment for her physical and mental health and well-being.

19 h. Climate change impacts harm Claire's mental health,  
20 causing her to feel stress, anxiety, and a sense of helplessness about the future.

21 203. Plaintiff Taleah Hernández is from Polson, Montana, and  
22 lives on the Flathead Indian Reservation.

23 a. Taleah has been forced to remain inside for extended  
24 periods of time during the summer because of poor air quality caused by  
25 excessive wildfire smoke. Wildfires have caused Taleah to lose electricity at her

1 home and forced her to prepare to evacuate her home. The Boulder 2700 fire in  
2 2021, forced Taleah to cut down trees around her property for fire safety.

3 b. Taleah works outdoors with horses and other animals.  
4 Dangerous air quality conditions created by wildfire smoke have caused Taleah  
5 to miss days of work, lose pay, and lose opportunities to ride horses.

6 c. Wildfires and wildfire smoke have prevented Taleah  
7 from participating in outdoor recreation activities, including hiking and  
8 paddleboarding on Flathead Lake.

9 d. Changes in weather and climate patterns, including  
10 warming winter temperatures, have reduced the number of opportunities Taleah  
11 has to ice skate on Flathead Lake in the winter.

12 e. Wildfires and wildfire smoke have caused Taleah  
13 physical and emotional distress.

14 204. Plaintiff Eva L. is from Livingston, Montana.

15 a. Eva enjoys many outdoor activities, including  
16 backpacking, climbing, and cycling, which are central to her family life.

17 b. Eva has been harmed by wildfire smoke in Montana  
18 on numerous occasions, and Eva has suffered eye, nose, and throat irritation and  
19 headaches because of the smoky air.

20 c. Eva and her family had a family trip to Glacier  
21 National Park negatively impacted by excessive wildfire smoke, which posed  
22 risks to Eva's health and safety.

23 d. Eva has been harmed by the impacts of extreme  
24 flooding. In 2018, flooding along the Shields River damaged a bridge and  
25 rendered impassable for more than a year the primary route from Eva's home to

1 the town of Livingston. A temporary bridge was also washed away due to  
2 extreme flooding. Eva's family eventually decided to relocate because of this  
3 hardship. Being cut off from town was very stressful for Eva and her family.

4 e. Eva moved to Livingston and now lives near the  
5 Yellowstone River. Eva feels a strong connection to the river. In 2022, there was  
6 major flooding along the Yellowstone River, including in Livingston. [CW-41;  
7 JS-11]. Eva helped fill sandbags to hold back the flood waters. [P108, P109]. A  
8 park near Eva's home was underwater. [P110]. Eva saw her community and close  
9 friends lose property due to flooding.

10 f. The 2022 flooding in Livingston caused Eva acute  
11 emotional distress, panic, and dread. Parks and other public places she often  
12 visits were significantly damaged, preventing her enjoyment of them.

13 g. Eva's access to the Yellowstone River in summer  
14 2016 was significantly curtailed, as a 180-mile portion of the river was closed for  
15 several weeks due to a parasite growth in cutthroat and rainbow trout perpetuated  
16 by abnormally high air temperatures and historically low river flows.

17 h. Eva has experienced forced relocation and the loss of  
18 ties to the land.

19 i. Eva has had her ability to access Montana's rivers for  
20 other recreational activities limited due to river conditions.

21 j. Wildfire smoke has impacted Eva's ability to hike and  
22 spend time outdoors with her family.

23 k. Eva is anxious about how she, her family and  
24 community can adapt to the devastation of public resources and infrastructure as  
25 the impacts of climate change worsen. Eva is increasingly anxious about the

1 climate change impacts she and her family are experiencing. She is distressed  
2 that climate change will worsen if action is not immediately taken.

3 205. Plaintiff Mica K. is from Missoula, Montana.

4 a. Rising temperatures and wildfires resulting from  
5 climate change make it difficult for Mica to recreate outdoors and participate in  
6 activities he loves, and which are important to his health and well-being.

7 b. Mica has been forced to spend extended periods of  
8 time indoors and has lost school recess time because of wildfire smoke. In 2019,  
9 a forest fire started approximately one mile from Mica's home, and Mica is  
10 anxious that, as climate change worsens, he may lose his family home.

11 c. Wildfire smoke has impacted Mica's training as a  
12 long-distance runner. Mica is an avid runner, running his first half-marathon  
13 when he was nine. He runs regularly with his dad. Running is a way for Mica to  
14 be in nature and relieve stress. Running in smoke makes Mica feel sick, so he  
15 cannot run as much due to increasingly smoky summers in Missoula. Smoke has  
16 limited Mica's ability to train and compete in sports.

17 d. Mica gets frustrated when he is required to stay  
18 indoors during the summer because of wildfire smoke.

19 e. Mica's family now avoids camping and other outdoor  
20 activities in August and September due to wildfire smoke and its negative effect  
21 on Mica's health.

22 f. Mica was recently diagnosed with exercise-induced  
23 asthma, which puts him at greater risk for respiratory hardship when the air is  
24 smoky.

25 ////



1 g. Mica’s favorite animal is the pika. Mica understands  
2 the pika is uniquely vulnerable to climate impacts, and its survival is in jeopardy  
3 due to climate change.

4 h. Mica’s outdoor recreation activities such as enjoying  
5 the views of glaciers in Glacier National Park are disrupted by climate change.  
6 Seeing the glaciers recede in Glacier National Park is depressing for Mica.

7 i. Climate change causes Mica to feel anxious, stressed,  
8 and depressed, and makes it hard for him to sleep at times.

9 206. Plaintiffs Jeffrey K. and Nathaniel K. are brothers who grew  
10 up in Montana City, Montana.

11 a. Jeffrey K. has pulmonary sequestration and is  
12 uniquely susceptible to respiratory complications, such as infections. Nathaniel  
13 K. also has respiratory issues. Both Jeffrey and Nate are therefore especially  
14 vulnerable to poor air quality, such as smoke-filled air caused by wildfires. [LB  
15 487:21-488:11, 505:4-25].

16 b. The increasing length and severity of the wildfire  
17 season harms Jeffrey’s and Nathaniel’s health, especially given their young age  
18 and pre-existing respiratory health conditions. It has forced their family to make  
19 changes in daily activities. [LB 487:21-488:11, 505:4-25].

20 207. Plaintiffs Ruby D. and Lilian D. are from Bozeman,  
21 Montana. Shane Doyle is their father and he testified on their behalf.

22 a. Ruby and Lilian are members of the Crow Nation.  
23 Ruby and Lilian regularly travel to the Crow Reservation to visit family members  
24 and engage in traditional cultural activities.

25 ////

1                   b.     Ruby’s Crow name is Biachagata, which means  
2 “Pretty Woman.” Lilian’s Crow name is Malesch, which means “Loved by  
3 Many.”

4                   c.     Abnormal and extreme weather conditions caused by  
5 climate change have impacted Ruby’s and Lilian’s ability to engage and  
6 otherwise partake in cultural practices that are central to their spirituality and  
7 individual dignity.

8                   d.     Ruby and Lilian visit their family on the Crow  
9 Reservation several times a year. Ruby and Lilian attend Crow Fair on the Crow  
10 Reservation every year. Crow Fair takes place each August and is a large  
11 gathering to celebrate cultural activities and events. Many people, including  
12 Ruby and Lilian, stay in teepees. Attending Crow Fair is a highlight for Ruby and  
13 Lilian. Ruby and Lilian love dancing at Crow Fair, and enjoy the parades, the  
14 rodeo, and doing family events.

15                  e.     In recent years, increasing temperatures at Crow Fair  
16 have made it hard to wear traditional regalia and participate in cultural activities  
17 because it is dangerously hot, sometimes over 100 degrees.

18                  f.     Wildfire smoke has also made it difficult for Ruby  
19 and Lilian to enjoy the Crow Fair.

20                  g.     It is a huge disappointment to Ruby and Lilian when  
21 they are unable to dance or participate in other events at the Crow Fair due to  
22 heat or smoke.

23                  h.     Crow Fair used to coincide with when chokecherries  
24 were ripe, which was important because many meals eaten at Crow Fair involved  
25

////

1 chokecherries. In recent years chokecherry harvest has become much harder to  
2 predict, and drought has meant there are less chokecherries available for the  
3 festival.

4 i. Ruby and Lilian pick chokecherries with their family  
5 as part of the Crow tradition. They enjoy participating in the process of picking  
6 the berries, processing them into syrup, and eating them. But due to drought and  
7 heat, fewer chokecherries are available and some stands that usually have berries  
8 had none. Increased wildfire frequency has impacted the ability of Ruby and  
9 Lilian to participate in these traditional cultural practices.

10 j. Ruby was diagnosed with asthma when she was eight  
11 years old and had an acute form of pneumonia. As a result, Ruby stays inside  
12 when it is smoky, and Lilian often stays inside too. This is a disappointment for  
13 Ruby and Lilian.

14 k. During the Bridger fire, which burned near Bozeman  
15 in 2020, Ruby and Lilian were worried to see a fire so close to their home and it  
16 brought up concerns about whether they were safe.

17 l. Climate disruption has impacted Ruby and Lilian's  
18 outdoor recreation activities, such as rafting, swimming, and floating. Drought  
19 has created low river conditions that have impacted Ruby and Lilian's ability to  
20 enjoy recreating on the river because it has such low flow.

21 m. Ruby and Lilian believe that protecting Montana's  
22 environment and natural resources is important because in their culture taking  
23 care of the Earth is their responsibility.

24 208. The testimony of the Youth Plaintiffs and their guardian was  
25 credible and was undisputed.