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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

**GENESIS B.**, a minor, by and through  
her Guardian, G.P.; et al.

**Plaintiffs,**

**vs.**

**The UNITED STATES**  
**ENVIRONMENTAL PROTECTION**  
**AGENCY**; et al.

**Defendants.**

**Case No.: 2:23-CV-10345-MWF-  
AGR**

**DECLARATION OF PLAINTIFF  
NOAH C. IN SUPPORT OF  
PLAINTIFFS' MEMORANDUM  
OF POINTS AND AUTHORITIES  
IN OPPOSITION TO  
DEFENDANTS' MOTION TO  
DISMISS (ECF No. 62)**

Date: September 30, 2024  
Time: 10:00 a.m.  
Judge: Hon. Michael W. Fitzgerald  
Courtroom: 5A

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**DECLARATION OF PLAINTIFF NOAH C. IN SUPPORT OF  
PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS**

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1 I, Noah C., hereby declare and if called upon would testify as follows:

- 2 1. I am a Plaintiff in the above-entitled action. I make this Declaration in  
3 support of Plaintiffs' Opposition to Defendants' Motion to Dismiss. I have  
4 personal knowledge of the facts stated herein, and if called to testify, I  
5 would and could testify competently thereto.
- 6 2. During our first court hearing in our case it was suggested to us that we  
7 could do lobbying and volunteering to make a difference. Having to lobby  
8 and volunteer avoids the very thing we are trying to do with this lawsuit—  
9 which is to protect our constitutional rights to be treated fairly. It is  
10 upsetting to have the main question we are asking to be resolved avoided:  
11 Do we have equal rights that must be protected despite what the political  
12 figureheads in power decide?
- 13 3. I am 15 years old and cannot vote. Despite my inability to vote, during my  
14 childhood since I was 9 years old, I have tried to do what the Court  
15 suggested to us—to advocate for policies that address climate change and  
16 its effects. I have been involved doing lobbying with an organization,  
17 Schools for Climate Action, that helps students engage with the  
18 government to address climate change. During the pandemic when I was  
19 going into sixth grade, I also lobbied for a Congressional Resolution,  
20 S.Con.Res.13/H.Con.Res., recognizing children's fundamental rights and  
21 climate recovery.
- 22 4. In their First Motion to Dismiss, Defendants stated the Court should not  
23 hear my case because these constitutional issues should be brought to the  
24 political branches of government. Yet I have brought these issues to the  
25 attention of Congress for several years. Students, including myself, have  
26 been telling our stories to Congress for years, yet we have not been heard

1 and our rights are not being protected because the government keeps  
2 pursuing policies that make climate change worse and treat me and other  
3 children unfairly, like the ones involved in our case.

4 5. In 2020, when I was around 9 years old, I participated in my first lobbying  
5 experience over Zoom to members of Congress. During one call, I felt like  
6 no one was listening to us, which made me cry and I had to leave the room  
7 to calm down.

8 6. Last year, in 2023, along with other students, I went out to Washington,  
9 D.C. to meet with members of Congress from both political parties to try  
10 to convince them to pass two resolutions, including a non-binding  
11 resolution stating that the climate crisis was harming youth mental health.  
12 This issue affects me personally because, as I put in our Amended  
13 Complaint, I have mental health struggles that have been caused by and  
14 are worsened by climate anxiety. Our group visited the offices of different  
15 representatives. This experience was extremely frustrating to me because  
16 several of these members of Congress treated us like a brief calendar item  
17 in their scheduled day that they had to endure and conclude as soon as  
18 possible. No meaningful climate change policies, or even non-binding  
19 resolutions, resulted from our work in Washington, D.C.

20 7. Despite hearing the stories of other students and me, very few members of  
21 Congress signed on to the non-binding resolution. The unwillingness of  
22 these members of Congress to listen to young people like me is extremely  
23 discouraging. Lobbying takes an emotional toll on me, to see firsthand that  
24 politicians won't do anything to stop what is happening to us, and it's  
25 disappointing when nothing comes from our efforts. When these members  
26 of Congress refuse to really listen to me, unlike an adult, I have no way to

1 vote them out of office. To protect my mental health, I have turned to other  
2 outlets outside of the political process to combat climate change, like  
3 choosing to be a Plaintiff in this action to stand up for my rights where I  
4 actually have a chance to be heard.

5 8. Though being shut out of the political process is discouraging, and having  
6 no right to legally participate in voting, I know my rights can still be  
7 protected through the courts, which is why I joined in filing this case.

8 9. In my experience, adults don't listen to children as much as they listen to  
9 other adults because they think we aren't mature enough to know what's  
10 going on in the world and what should be done. I have experienced getting  
11 the "pat on the head" and then shoved aside by politicians in favor of other  
12 priorities. We, as children, are not treated equally in our government's  
13 policies. EPA makes decisions about pollution based on who is in power  
14 and not based on science or what is best for children.

15 10. Watching big political figures make decisions about pollution and the  
16 world that I have no control over because I can't vote increases my climate  
17 anxiety. I would jump for joy if EPA was required to recognize us as a  
18 group of people with valid and equal concerns. It would make me less  
19 anxious about my future. We would have equal representation if we were  
20 listened to and taken into account fairly.

21 11. I don't want to have to keep lobbying Congress for my health and my  
22 future and if the court helped protect our rights, I wouldn't have to spend  
23 my childhood doing that. But it would also be a lot less stressful to go and  
24 lobby if our rights were protected through our lawsuit because the  
25 politicians I've lobbied in front of are made up of a lot of older men who  
26

1 weren't interested in what we have to say. If they had to listen because our  
2 rights were protected, it would make a big difference.

3 12. If I didn't need to worry about my government's treatment of us and  
4 climate pollution, I would be less anxious and do the things I love to do  
5 with my family and friends and in nature. It would also be easier to focus  
6 on school. It is very difficult to sit in Algebra class one minute and have  
7 my rights ignored and the climate crisis worsen the next.

8 13. All of the facts I stated in the Amended Complaint about my injuries are  
9 true.

10 14. I understand that the Court cannot, on its own, solve the entire climate  
11 crisis. But if the Court at least tells EPA that it cannot discriminate against  
12 me and other young people, that will make a significant difference, and  
13 give us a chance at a life with less harm.

14  
15 I declare under penalty of perjury under the laws of the United States of  
16 America that the foregoing is true and correct. Executed on August 9, 2024.

17  
18   
19 Noah C.