

For Immediate Release

DNR Plans to Clearcut Old Forest on Steep Slope Near Oso Landslide

Legacy Forest Defense Coalition and North Cascades Conservation Council filed a lawsuit last week in Snohomish County Superior Court, alleging multiple violations by the Washington State Department of Natural Resources (DNR) of the Forest Practices Act, and its own Habitat Conservation Plan and Policy for Sustainable Forests.



Snohomish County, WA — The fate of over 150 acres of rare, mature and old growth forests in Snohomish County hangs in the balance as DNR, under the leadership of Commissioner Hilary Franz, prepares to hand them over to commercial logging companies to be clearcut.

On July 2nd, the Legacy Forest Defense Coalition (LFDC) and North Cascades Conservation Council (NCCC) filed the second of two lawsuits in Snohomish County against DNR, in an attempt to stop the Stilly Revisited Timber Sale. The area to be logged is located just two miles downstream from the site of the tragic 2014 Oso landslide. Despite the risks, DNR has proceeded with plans that could further destabilize steep slopes on the north side of the river valley, and pose a new threat to the lives and properties of local residents.

This lawsuit alleges multiple violations of environmental laws and policies, including DNR's own Habitat Conservation Plan and Policy for Sustainable Forests. These plans and policies require DNR to protect and restore older forests in the North Puget Sound region. The Stilly Revisited Timber Sale does the opposite, by clearcut logging some of the oldest and most biologically diverse forests that remain in the North Puget Sound lowlands.

"Natural lowland forests have all but disappeared from the Puget Sound lowlands," said Stephen Kropp, Director of the Legacy Forest Defense Coalition. "Protecting the few old, natural or 'legacy' forests is critical to preserve the natural genetic and biological diversity of the region, improve the resilience of our forests to climate change, and reduce the risk of wildfires."

DNR Ignoring Risks of Another Catastrophic Landslide

On March 22, 2014, the Oso landslide sent a torrent of mud and debris into the Stillaguamish River valley, killing 43 people and destroying 49 homes. DNR paid \$50 million to settle resulting lawsuits, which alleged that actions on state land and nearby logging caused an increase in runoff above the slide that led to the tragedy. The Stilly Revisited Timber Sale is located only two miles from the Oso landslide, on the same side of the river, and on both higher and steeper ground. A major landslide here could send an even larger torrent of mud and debris into the river valley, potentially damming the river, flooding and/or burying a portion of the valley, and threatening lives and properties located adjacent to and across the river.

Yet DNR does not even mention the Oso landslide in its geologist's report, SEPA checklist, or Forest Practices Application for the Stilly Revisited Timber Sale, or give any consideration of the similarities between the two sites, or the role that timber harvest played in causing the landslide near Oso.

DNR's failure to consider the risk of another catastrophic landslide shows a reckless disregard for the life and safety of residents of the Stillaguamish River valley and their property.

DNR Violating Its Own Permit and Policies

Old growth forest management targets are the primary means provided in the HCP and DNR's Policy for Sustainable Forests for achieving older forest objectives in the North Puget Sound region. Federal permits require that DNR maintain or restore between 10 to 15 percent of state forestlands to old growth conditions by the year 2096. DNR has not met these goals in any part of the state.

Currently, DNR is behind in meeting its old-growth forest targets in the North Puget Sound region. The Legacy Forest Defense Coalition has presented dozens of documents, letters, and reports, and a trove of supporting data to DNR that clearly demonstrates DNR's permit requirements and policy objectives cannot be met if the State continues logging the very forests that need to be protected to meet its old growth targets.

In this lawsuit, LFDC is asking the Court to invalidate the Board's approval of the Stilly Revisited timber sale based on DNR's failure to account for the timber sale's probable and significant adverse impacts to the environment.

“Our interest is in seeing DNR manage its land in a manner that is consistent with the objectives of its Habitat Conservation Plan (HCP), and existing policies that are intended to conserve biodiversity and prevent the future listing of endangered species,” said Kropp.

Protecting the Future

The Legacy Forest Defense Coalition and North Cascades Conservation Council are committed to protecting our natural heritage and ensuring that the failures of the past are not repeated. Through this lawsuit, they aim to hold DNR accountable for its actions and safeguard local communities.

LFDC and NCCC are represented by Washington attorney Toby Thaler, and Oregon attorney Alicia LeDuc Montgomery.

For more information about this case, or to support our lawsuit, visit the Legacy Forest Defense Coalition website at: www.wlfdc.org/stilly-revisited.

The Legacy Forest Defense Coalition filed a parallel lawsuit against DNR June 13th to stop the Bologna Timber Sale, which would clearcut large portions of the Pilchuck River valley. More information on that lawsuit can be found at: www.wlfdc.org/bologna.

About Legacy Forest Defense Coalition

[The Legacy Forest Defense Coalition](http://www.wlfdc.org) is a science-based nonprofit organization leading the fight to save Western Washington's last legacy forests through precedent-setting lawsuits, comprehensive timber sale reconnaissance, effective community organizing, powerful tribal and county partnerships, and cutting edge research and GIS analysis.

About North Cascades Conservation Council

[The North Cascades Conservation Council](http://www.nccc.org) is a non-profit organization dedicated to the conservation of the North Cascades' natural beauty, biodiversity, and recreational opportunities by taking action to stop damaging timber sales, supporting responsible forestry, and protecting forestlands from conversion to non-forest uses.

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