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District Court Finds Forest Service Violated Law in Sanpoil Case

Spokane, WA. The Kettle Range Conservation Group is celebrating today's decision by U.S. District Court Judge Stanley Bastian finding that the U.S. Forest Service violated the National Environmental Policy Act and the National Forest Management Act in adopting the 2019 Colville National Forest Land Management Plan (Forest Plan) and deciding to proceed with the Sanpoil timber project.

Judge Bastian found the Forest Service did not provide adequate support for its decision to abandon protections for old growth trees in the Forest Plan and did not adequately analyze the environmental impacts of the Sanpoil project.

The Sanpoil project would have allowed commercial logging of trees over 8,400 acres in the Kettle River Range of the Colville National Forest. The Court found the Forest Service did not adequately analyze the cumulative impact of this logging when combined with other past and planned logging projects in the region, and that it did not provide a meaningful examination of the project's impacts on several species, such as gray wolves, wolverine, and sensitive birds and bats. The Court held that the Forest Service must complete a full Environmental Impact Statement before proceeding with the project.

“We are grateful that the Court recognized that the Sanpoil project will have a significant impact on old-growth trees, sensitive wildlife species, and the recreational and scenic value of the Kettle Range,” said Tim Coleman, executive director of the Kettle Range Conservation Group. “If it had been allowed to go forward, the Sanpoil project would have a large impact on the forests of the Kettle Range, which have already been damaged by prior logging projects over the past several years.

“It is hard to overstate the importance of protecting the forests of the Kettle Range,” said Coleman. “Unlogged wild forests are a primary source of clean water, contributing significantly to the health of fish and wildlife. Recreation, wildlife viewing and scenic beauty attract tourism supporting main street businesses, a high quality of life, and solitude and beauty valued by both residents and visitors alike.”

The impact of today's court decision goes far beyond just the Sanpoil project, as the Court also found the Forest Service did not adequately analyze the impacts of revoking the “Eastside Screens” rule in its 2019 Forest Plan. The Eastside Screens rule had protected all trees over 21 inches in diameter from being logged, but the Forest Plan replaced this bright-line rule with a flexible standard that allows broad leeway for cutting old growth trees. Specifically, Judge Bastian found the Forest Service had not sufficiently examined the impact this change might have on the viability of diverse species in the Colville Forest that depend on old growth habitats to survive.

“The Service’s decision to replace the Eastside Screen rule was reckless and could have done irreparable damage to the old growth forests in the Kettle Range,” said Coleman. “We have already lost most of our old growth trees, and with them, vital habitat for many species. These trees are irreplaceable, and we cannot afford to lose any more.”

The Forest Service has been taking advantage of the looser standards in the 2019 Forest Plan to authorize other projects that allow logging of old-growth trees, including the Chewelah A to Z project and the Bulldog project.

“We hope the Forest Service voluntarily re-examines these projects in light of today’s ruling, Coleman said. “Kettle Rangers have not litigated a Colville timber sale in over 20 years because the Forest Service listened to our concerns. Unfortunately, all that changed a few years ago. We hope that today’s ruling will lay the framework for returning to an era where the Service worked cooperatively with both conservation groups and logging interests to design a sensible logging plan that would maintain the integrity of the Colville Forest.”

Kettle Range Conservation Group was represented by Claire Loeb Davis of Animal & Earth Advocates.