

FOR IMMEDIATE RELEASE

November 28, 2022

NCCC Sues to Stop Twisp Logging Project

Contact: *Phil Fenner, North Cascades Conservation Council, (360) 298-8792 — philf@northcascades.org; Ric Bailey, (509) 449-8482 — icilybear@gmail.com*

On November 23, 2022, the North Cascades Conservation Council (NCCC) filed suit in federal district court against the proposed Twisp Restoration Project (TRP) a logging and burning operation scheduled for 24,000 acres of the Methow Ranger District on the Okanogan-Wenatchee National Forest.

“This litigation is a last resort to pursue equitable public process and objective analysis of wildfire science,” said Ric Bailey, a resident of Winthrop and a member of NCCC.

NCCC participated in the public involvement process in good faith, submitting comments, meeting with Forest Service officials, and filing an administrative objection. “Our concerns were brushed off, and no explanations were given to justify the unbalanced public process,” said NCCC President Phil Fenner.

The lawsuit alleges Forest Service violation of the National Environmental Policy Act (NEPA), the Administrative Procedures Act (APA), and the Federal Advisory Committee Act (FACA). There are five primary legal issues:

- 1) Segmentation of the TRP from the upcoming “Midnight Restoration Project,” which was originally a part of the TRP. The Environmental Analysis (EA) fails to consider the cumulative ecological and social impacts of the TRP and Midnight.
- 2) Inclusion of only one alternative in the EA and refusal to consider a citizen’s alternative offered by NCCC.
- 3) Failure to prepare a full Environmental Impact Statement, and issuing an unjustified “Finding of No Significant Impact.”
- 4) Failure of the Forest Service to pre-determine which trees will be cut, relying instead on “Conditions-Based Management,” which allows logging contractors to remove trees at will under vague guidelines.
- 5) Violation of FACA based on the Forest Service’s refusal to provide project information to all publics, instead giving privileged access to information and influence to the North Central Washington Forest Health Collaborative, a collection of timber companies, county government and other select public interests.

“The Forest Service claims that logging can emulate wildfire and prevent unnaturally large fires, while new studies are showing this is not the case,” Bailey added.

Logging on the first timber sale scheduled as part of the TRP is not expected to begin until spring. If necessary, NCCC will seek an injunction barring logging until the case is heard.

END