Coalition Takes Legal Action to Stop Logging in the Elwha River Watershed

Timber Sale threatens drinking water access, wildlife habitats, and biodiversity – Washington DNR ignores community requests to pause logging.

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Port Angeles, WA – On June 30, 2023, a coalition of groups–Earth Law Center, the Center for Whale Research, and the Keystone Species Alliance–filed a notice of appeal to challenge the “Power Plant” timber sale, currently set to be auctioned on July 26th, 2023, by the Washington Department of Natural Resources. The proposed “Power Plant” timber sale is a 126-acre timber sale that borders popular recreation routes such as the Olympic Adventure Trail, the Colville MBT, the trail to access the old lower dam site, and nearby climbing areas.

The forest is in close proximity to the Elwha River with a diverse mix of Douglas fir and Western redcedar, many at least a hundred years old, and a diverse, naturally regenerated understory. This timber sale is incompatible with the restoration of the iconic Elwha River, which underwent the largest dam removal in US history, completed in 2014. $327 million of federal funding has been invested in the river’s restoration to date. The legal action alleges that DNR has systematically engaged in extensive logging of older legacy forests in the Elwha River Watershed without studies or consideration of impacts to instream flows, groundwater recharge, and water temperature. Past, current, and future planned timber sales will remove hundreds of acres of forest.

The lawsuit also alleges that DNR failed to consider how the logging could impact this critical riverine wildlife corridor, soil health, salmon and orca populations, and ongoing Elwha river restoration. The Elwha River is City of Port Angeles’ residents only source of drinking water.

The forest is in the headwater area for Colville Creek and small tributaries of the Elwha River, areas critical for the recharging of groundwater to feed these streams. The Forest, its streams, and the rejuvenating Elwha River work together to support two keystone species: returning salmon populations and the critically endangered Southern Resident Orcas, who depend upon consuming
salmon for their survival. Given their proximity to the Elwha River, these older forests provide critical habitat for endangered and threatened species, including Southern Resident orcas, Chinook salmon, and the Marbled murrelet. In fact, a juvenile Marbled murrelet was recently found just miles from the proposed harvest.

The legal action specifically identifies Public Lands Commissioner Hilary Franz’ pattern of skirting community input to push through unlawful timber sales, including the Power Plant sale. This forest could be saved today if Public Lands Commissioner Hilary Franz directed the harvest to stop.

Community groups launched an ambitious campaign today to raise funds to negotiate for the protection of the forests from imminent logging. Pledged funds from the “Elwha Forest Fund” will go solely to replace the revenue that would have come from the extractive timber harvest auction.

This legal action is by no means the first action taken by community groups in opposition to timber sales in the Elwha watershed. In addition to public comments formally submitted to DNR, community members have come out in droves to DNR’s meetings to speak during the open comment periods in opposition to this timber sale. Additionally, on March 5, 2023, over a hundred community members, largely from Port Angeles, the lower Elwha Klallam Tribe, the Jamestown S’klallam Tribe, the Lummi Nation, and surrounding areas in the Olympic Peninsula, joined together in a peaceful rally at the Elwha River Observation Area near an active timber harvest site called “Aldwell.” Aldwell was logged earlier this year by the DNR.

The Port Angeles City Council in particular submitted letters to DNR to plead for the “Aldwell” auction to be put on hold. Despite community advocacy, DNR and Commissioner Hilary Franz did not adhere to local concerns and logged “Aldwell” without meaningfully considering community input. The city once again wrote to Franz to request delaying the auctions for “Power Plant” and “TCB23,” along with letters from many concerned local residents. For example, see the Mayor’s June 1, 2023 letter about the Power Plant sale.
“As we become aware of the interconnections of living things inherent throughout the natural world, the mosaic of life in mature forests stands out as essential to nurture healthy rivers and salmon. Southern Resident orcas depend on those fish for their sustenance and reproductive health. We disrupt and erode those delicate relationships at our peril and theirs.” – Howard Garrett, Center for Whale Research (CWR) Board Chair

“Our city’s water supply is solely supplied by the Elwha, and negative impacts to the larger Elwha ecosystem affect our water citywide. We already experience drought conditions each year and logging these important forests will likely worsen the already existing challenges we are facing.” – Navarra Carr, Port Angeles City Councilmember

“As the Elwha River comes back to life post-dam removal, it is a source of hope for many - not only in Washington, but around the world – that dismantling structures of colonization can lead to a more balanced relationship with Nature, rooted in reciprocity rather than resource extraction. People are shocked to learn that extractive logging continues in this beloved river valley.” – Elizabeth Dunne, Esq., Director of Legal Advocacy, Earth Law Center & Port Angeles Resident

“As Indigenous Peoples – stewards of the lands and rivers here since time immemorial – we know that all life is interconnected. A river needs a healthy forest, and salmon need a healthy river. As Wy-Kan-Ush-Pum or “Salmon People”, we know that our own well-being is inseparable from healthy ecosystems.” – Honorable Paulette Jordan

“Protecting and preserving the Elwha Forest from further damage is necessary to restore diminishing populations of vital keystone species in the region, such as the Chinook salmon and the Southern resident orcas. Keystone species are markers of ecological and cultural function in a given habitat. The population of these species is indicative of habitat health, ecosystem functionality, and species composition. The extractive logging on habitat connectivity has drastically reduced the population of Chinook salmon in the region, directly impacting the Southern Resident Orcas’ health with the Chinook salmon as their exclusive prey.” – Pooja Sharma, Director of Legal Advocacy & Policy, Keystone Species Alliance
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Caption: Popular hiking trail to Lower Dam site and Elwha River banks, along the Power Plant proposed sale site.

Caption: Aerial view of Power Plant sale, depicting proximity to Elwha River and popular hiking trail (Olympic Discovery Trail Adventure Route (OAT)).

Caption: Residents admire trees at the site of Power Plant sale, depicting healthy canopy & critical habitats.

Caption: Washington residents & Indigenous leaders campaign to protect the Aldwell Parcel of legacy trees, unfortunately, clear cut in early 2023.