Citizens File Lawsuit to Stop Illegal Sale of Public Land to a Canadian Company for a Heavy Industrial Silicon Smelter

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June 7, 2018 - Spokane, WA - Two citizen groups have joined forces to file an action in State Superior Court, seeking to set-aside a series of illegal land sales from Pend Oreille County and the Pend Oreille Public Utility District (PUD) to a Canadian Company, HiTest Sand, Inc. HiTest has proposed building a Silicon Smelter on the property, which is located just south of Newport, Washington, on the Washington-Idaho border.

Citizens Against Newport Silicon Smelter (“CANSS”) and Responsible Growth\*Northeast Washington (“RG\*NEW”) have filed a lawsuit, making good on their previous ‘Demand Letter’ to the PUD, in which the citizen groups requested that the illegal land sale to HiTest Sand, Inc. be unwound and the public land be returned. Instead of declaring the land transactions void, the PUD responded by hiring an attorney and adopting a resolution, seeking to ‘cover up’ its illegal actions after the fact. Hundreds of individual residents of Pend Oreille County and PUD customers joined the two citizen groups in filing the complaint in the state court.

“It is a sad day when constituents of a local PUD have to take their District into litigation in order to have a voice in a public land transaction where their rights to vote were clearly violated,” said CANSS Board Chairman Deborah Barker, referring to a Washington State statute that requires an election to be held when a PUD seeks to sell non-surplus land. The Pend Oreille PUD did not hold an election before selling the property to HiTest.

“Pend Oreille County tax paying citizens had to file a legal complaint against their county in order to have a voice regarding life - altering decisions made by those whom they felt were trustworthy by voting them into public office,” added Barker. “Pend Oreille County sold property to the PUD, with full-knowledge that it would simply be passed-through to HiTest by the PUD for the planned smelter.”

“HiTest Sand, Inc. , a Canadian Company, has been given a green light by a so called environmentally-minded Governor, State Senator and local officials to build a heavy industrial silicon smelter within feet from a dense rural residential area.” Barker said.

“But when those ‘back room’ deals – the ones that were kept on the *‘down low’* were revealed - citizens became outraged and rallied to fight for their rights, fight for their community and fight for their lives,” Barker concluded.

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