

# State lands: Some ambiguity in Elliott proposal

By **CLAIRE WITHYCOMBE**  
Capital Bureau

SALEM — The Oregon Department of State Lands said in a report Tuesday that if the sale of the Elliott State Forest is to go through, there are some details that need to be ironed out about how key conditions of the sale will be enforced.

Lone Rock Resources, LLC, a Roseburg timber company, in partnership with the Cow Creek Band of the Umpqua Tribe of Indians, was the only entity to submit an acquisition plan for an 82,500-acre swath of the forest in southwestern Oregon.

The price of the forest was fixed at \$220.8 million in July.

Although the plan is financially viable and included mechanisms for enforcing the state's public benefit requirements of the sale, some issues require more clarification, according to the department.

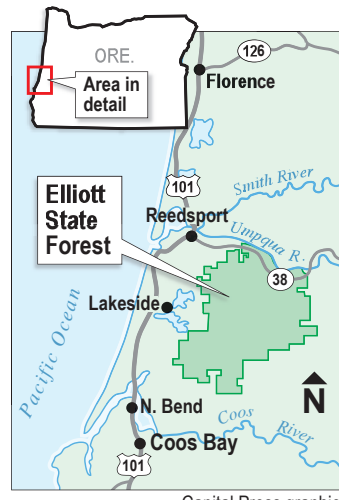
DSL staff said "gaps, uncertainties and ambiguities" remain in the proposed buyer's plan when it comes to the four public benefits.

Those public benefit requirements are: the buyer of the land has to allow public access to half of the land, maintain 25 percent of old forest stands, preserve riparian areas and for 10 years provide 40 direct or indirect jobs.

According to an announcement from Lone Rock detailing the proposal last month, the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians would hold a conservation easement for the public access, maintenance of old stands and the riparian areas requirements, which are supposed to remain in perpetuity.



**Fires in the Elliott State Forest. The Oregon Department of State Lands said in a report Tuesday that if the sale of the Elliott State Forest is to go through, there are some details that need to be ironed out about how key conditions of the sale will be enforced.**



Capital Press graphic

The department said Tuesday that details about those perpetual public benefits, such as public access rights, need to be clarified.

For the jobs requirement, the Confederated Tribes of Coos,

Lower Umpqua and Siuslaw Indians have expressed interest in holding another type of easement called an easement in gross, according to the department's report.

The department said Lone Rock's plan needs "firm identification" of who holds the conservation easement, and that among other details, the state and the prospective buyers will need to address possible "obstacles to enforcement" of the easement due to tribes' sovereign immunity.

The three members of the State Land Board are expected to make a decision about whether to proceed with the sale at their meeting Dec. 13.

The state's plans to sell this swath of the forest got underway in late 2015. It's already sold other, smaller areas of the Elliott.

This area of the forest is supposed to provide timber revenues for K-12 schools through the Common School Fund, but from fiscal year 2013 through 2015, the forest lost \$4 million, according to DSL.

The department says it needs to sell the forest because it is in the best interest of the Common School Fund.

State Lands officials blame the Common School Fund's losses in part on harvesting limitations, which they say are the result of lawsuits filed by environmental groups.

Those lawsuits objected to the state's logging in areas populated by animals protected under the Endangered Species Act.

Environmental groups have objected to the sale of the forest, advocating for it to stay in public hands.

# Man linked to gun in Seaside cop's killing pleads guilty

By **STEVEN DUBOIS**  
Associated Press

PORTLAND — A felon whose pistol was used in the February slaying of a Seaside police sergeant will spend at least five years in prison after pleading guilty to federal charges Wednesday.

Jamie Lee Jones, 46, admitted to U.S. District Judge Michael Simon that he possessed about 20 grams of methamphetamine with intent to sell and had a firearm while selling heroin.

Other charges are being dropped in a plea agreement, including allegations he threatened witnesses to keep them from cooperating with investigators after Sgt. Jason Gooding was shot underneath his ballistic vest while trying to make an arrest in downtown Seaside.

Gooding's fellow officer returned fire, killing Phillip Ferry, a 55-year-old transient and drug user.

Investigators linked the gun to Jones by happenstance the morning after the Feb. 5 shooting. Police responded to Jones' house on a noise disturbance and noticed a single round of ammunition on the ground. It was the same brand used to kill Gooding.

"Eyewitnesses reported that on the night Sgt. Gooding was killed, Mr. Ferry took one of two firearms from Mr. Jones — who at the time was passed out — and headed to town," Assistant U.S. Attorney Gary Sussman said.

When he awoke, Jones noticed the pistol was gone along with some meth.

"Mr. Jones became very angry," Sussman said. "There was an outburst in which he punched one of his drug customers in the face and fired a second firearm in the direction of several others."

Jones did not make a statement in court, other than answering questions from the judge.

Prosecutors and defense attorney Gerald Needham plan to jointly recommend a sentence of five years on the gun charge. The government will recommend an additional seven years on the drug charge. Needham will seek a lighter punishment.

Jones was born in Las Vegas and has an extensive criminal record in Nevada, including convictions for grand larceny auto, possession of a stolen vehicle, possession of a firearm by a felon, attempted possession of stolen property and escape.



Jones

# Medford ponders if pot grown in greenhouses is 'outside'

MEDFORD (AP) — Medford officials are considering whether the city's ban on outdoor marijuana cultivation also applies to greenhouses.

The city council on Thursday will hold a study session to discuss what constitutes a legitimate structure in the city and where marijuana can be grown, *The Mail Tribune* reported.

"I don't know what the definition of a greenhouse would be," councilor Tim Jackle said.

"I'd be interested to hear about it."

Voters in November ruled that cannabis should only be grown indoors in the city, but a resident contacted councilor Kevin Stine asking what inside really means.

"In my mind, it counts as indoors," Stine said.

Councilor Michael Zarosinski said he hadn't really considered the issue, but in general he would be inclined

to believe a greenhouse is a legitimate structure if it had a steel frame and panes of glass. He said something made of plastic sheeting doesn't seem like a structure.

"There would have to be some sort of permanency to the structure that qualifies it as indoor," Zarosinski said.

Deputy city attorney Kevin McConnell said the ordinance was not intended to go after grows in structures or acces-

sory dwellings. He said the council will likely consider the questions "what is a greenhouse?" and "what makes a structure?"

Even if marijuana is being grown indoors or in a greenhouse, growers are at risk of violating the city's odor ordinance. If a neighbor complains about the smell and police determine it is offensive, the grower would need to address the issue or risk a fine.

## Corrections

The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.

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— Founded Oct. 16, 1875 —

211 S.E. Byers Ave., Pendleton 541-276-2211  
333 E. Main St., Hermiston 541-567-6211  
Office hours: Monday through Friday, 8 a.m. to 5 p.m.  
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East Oregonian (USPS 164-980) is published daily except Sunday, Monday and Dec. 25, by the EO Media Group, 211 S.E. Byers Ave., Pendleton, OR 97801. Periodicals postage paid at Pendleton, OR. Postmaster: send address changes to East Oregonian, 211 S.E. Byers Ave., Pendleton, OR 97801. Copyright © 2016, EO Media Group

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## AccuWeather.com Forecast

TODAY	FRIDAY	SATURDAY	SUNDAY	MONDAY
Cold with snow, slick roads	Snow and ice, roads slippery	Periods of sun with snow showers	Morning snow and ice possible	Cloudy, a bit of snow; cold

### PENDLETON TEMPERATURE FORECAST

24°	21°	30°	27°	35°	28°	37°	26°	31°	21°
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### HERMISTON TEMPERATURE FORECAST

26°	23°	28°	26°	36°	20°	36°	23°	32°	22°
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### ALMANAC

**PENDLETON**  
through 3 p.m. yesterday

TEMPERATURE	HIGH	LOW
Yesterday	25°	7°
Normals	40°	27°
Records	64° (1938)	-7° (1972)

**PRECIPITATION**  
24 hours ending 3 p.m. Trace  
Month to date 0.21"  
Normal month to date 0.32"  
Year to date 11.51"  
Last year to date 8.99"  
Normal year to date 11.83"

**HERMISTON**  
through 3 p.m. yesterday

TEMPERATURE	HIGH	LOW
Yesterday	32°	15°
Normals	41°	28°
Records	68° (1938)	-7° (2013)

**PRECIPITATION**  
24 hours ending 3 p.m. 0.01"  
Month to date 0.07"  
Normal month to date 0.37"  
Year to date 7.97"  
Last year to date 6.04"  
Normal year to date 8.87"

### SUN AND MOON

Sunrise today 7:23 a.m.  
Sunset tonight 4:11 p.m.  
Moonrise today 1:10 p.m.  
Moonset today 12:35 a.m.

Full	Last	New	First
Dec 13	Dec 20	Dec 28	Jan 5

### REGIONAL FORECAST

**Coastal Oregon:** Breezy today and tonight with occasional rain. Periods of rain tomorrow.

**Eastern and Central Oregon:** Snow at times today, turning to rain across the south, roads will be slick in many areas.

**Western Washington:** Cloudy today with snow spreading from south to north this afternoon and evening.

**Eastern Washington:** Mostly cloudy and cold today, snow will start across the south this afternoon.

**Cascades:** Snow today, heavy at times, across the north. Rain and snow south with snow levels rising to 6,500 feet.

**Northern California:** Rain at times today; snow above 6,500 feet in the mountains. Rain and rising snow levels tonight.

### REGIONAL CITIES

	Today			Fri.		
	Hi	Lo	W	Hi	Lo	W
Astoria	41	39	r	50	43	r
Baker City	23	20	sn	35	21	sn
Bend	32	28	sn	40	31	r
Brookings	54	47	r	51	44	r
Burns	24	20	sn	40	24	sf
Enterprise	25	22	sn	37	29	sn
Eugene	45	41	sn	49	41	r
Heppner	23	19	sn	32	27	sn
Hermiston	26	23	sn	28	26	sn
John Day	30	28	sn	43	33	sn
Klamath Falls	40	35	i	44	31	pc
La Grande	27	24	sn	39	34	sn
Meacham	25	22	sn	36	32	sn
Medford	49	44	r	52	40	r
Newport	49	45	r	50	43	r
North Bend	56	47	r	53	45	r
Ontario	28	23	sn	34	21	sn
Pasco	29	20	sn	31	23	sn
Pendleton	24	21	sn	30	27	sn
Portland	35	32	i	45	41	r
Redmond	27	23	sn	42	31	r
Salem	38	37	sn	48	42	r
Spokane	22	16	c	24	22	sn
Ukiah	25	21	sn	38	30	sn
Vancouver	33	31	i	45	41	r
Walla Walla	28	21	sn	33	28	sn
Yakima	27	20	sn	30	20	sf

### WORLD CITIES

	Today			Fri.		
	Hi	Lo	W	Hi	Lo	W
Beijing	48	22	s	41	19	s
Hong Kong	74	64	s	75	65	s
Jerusalem	58	39	pc	55	39	s
London	58	50	c	57	49	pc
Mexico City	75	51	pc	65	48	pc
Moscow	27	18	sf	29	23	i
Paris	50	37	pc	51	38	pc
Rome	58	39	s	59	42	s
Seoul	46	32	pc	38	21	pc
Sydney	86	64	t	77	64	s
Tokyo	57	44	s	63	46	s

### WINDS

(in mph)	Today	NE 4-8
<b>Boardman</b>	NNE 7-14	NE 4-8
<b>Pendleton</b>	NNE 6-12	SSW 6-12

### UV INDEX TODAY

0 0 0 0 0 0

8 a.m. 10 a.m. Noon 2 p.m. 4 p.m. 6 p.m.

0-2, Low 3-5, Moderate 6-7, High; 8-10, Very High; 11+, Extreme

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

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### NATIONAL WEATHER TODAY

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

**National Summary:** Lake-effect snow will ramp up over the Midwest and Northeast today. Rain will fall on parts of the Deep South and coastal mid-Atlantic. A major storm with rain, ice and snow is in store for the Northwest.

**Yesterday's National Extremes:** (for the 48 contiguous states)  
**High** 86° in Opa Locka, Fla. **Low** -31° in West Yellowstone, Mont.

### NATIONAL CITIES

	Today			Fri.		
	Hi	Lo	W	Hi	Lo	W
Albuquerque	41	28	s	49	30	c
Atlanta	48	27	c	43	25	s
Atlanta City	50	31	pc	43	30	s
Baltimore	48	26	pc	42	25	s
Billings	7	-3	pc	10	2	sf
Birmingham	48	23	c	42	22	s
Boise	29	27	sn	41	32	sn
Boston	44	30	c	38	22	pc
Charleston, SC	65	36	c	51	28	s
Charleston, WV	38	21	pc	31	20	c
Chicago	25	19	sf	25	11	pc
Cleveland	30	25	sf	33	22	sf
Dallas	42	26	s	45	34	s
Denver	21	6	s	46	22	pc
Detroit	32	25	sf	34	21	sf
El Paso	48	28	pc	53	33	s
Fairbanks	-16	-23	s	-11	-19	s
Fargo	-15	-3	f	-4	-12	c
Honolulu	78	65	sh	81	69	sh
Houston	50	33	r	51	35	s
Indianapolis	28	19	c	30	16	pc
Jacksonville	67	40	pc	57	32	pc
Kansas City	26	11	s	28	18	s
Las Vegas	55	40	pc	59	43	pc
Little Rock	41	20	pc	36	22	s
Los Angeles	67	54	pc	68	56	pc
Louisville	37	22	pc	34	20	pc
Memphis	40	22	pc	37	22	s
Miami	83	67	t	72	66	c
Millwaukee	28	20	sf	26	13	pc
Minneapolis	24	10	sn	16	7	c
Nashville	40	19	pc	36	20	s
New Orleans	54	38	c	48	35	s
New York City	45	32	c	40	28	pc
Oklahoma City	37	16	c	40	26	s
Omaha	20	7</				