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Daily Courier

WEEKEND
SEPTEMBER 20, 2015

Southern Oregon crime analyst's testimony under scrutiny

By Melissa McRobbie
of the Daily Courier

A second Oregon State Police crime lab worker, this one a now-retired forensic analyst from Southern Oregon, has come under public scrutiny because of concerns about his court testimony.

Jeffrey Dovci worked out of OSP's Central Point crime lab until his retirement in November 2013, and has testified in a number of Josephine County criminal cases, both as an OSP analyst and an independent expert since his retirement.

He recently testified in the double-murder trial of Gary Goins, who was convicted in May of murdering his brother and sister-in-law at a home near Hugo in 2011.

An OSP press release issued late



DOVCI

work. Dovci didn't reply to questions emailed to him by the Daily Courier.

The release stated that in December 2013, documents were found that "could potentially cast doubt on the analyst's future testimony."

The concerns about Dovci could potentially prompt a review of the cases in which he was called as a witness. It's unclear how many such cases

there are in Josephine County, but Daily Courier archives show that he testified for the prosecution in the 2011 trial of Ronald Spears, a miner who was convicted of first-degree assault for shooting another man in the arm; and the 2013 trial of Kiley Hudson, who was convicted of manslaughter for killing a neighbor near South Middle School.

The concerns about Dovci became public after allegations surfaced last week that a forensic analyst in OSP's Bend crime lab had tampered with drug evidence.

OSP is now saying that in April 2014 it notified 20 district attorneys' offices around the state about "issues surrounding the former employee," apparently a reference to Dovci. The Josephine County District Attorney's

Office didn't immediately respond to an inquiry on whether it had received a notification about Dovci.

The Deschutes County District Attorney's Office was among the offices notified.

"They told me that they determined that some of his testimony in court had been kind of inflated. He had pushed the boundaries a bit ... They contacted me because he had worked on two cases in Deschutes County and they wanted to share with me that they had found him to be untruthful," Deschutes County District Attorney John Hummel said Friday.

Hummel took issue with the way OSP informed his office about the concerns, characterizing the notification he got as "cryptic and reluctantly shared."

He contacted the Oregon Innocence Project, a Portland-based nonprofit, and asked them to review the two Deschutes cases. The organization found that Dovci's testimony did not affect the cases' outcome.

Aliza Kaplan, co-founder of the Oregon Innocence Project and a professor at Lewis & Clark School of Law, is calling for an independent audit of all OSP crime labs.

"There is certainly a problem with only OSP doing an internal investigation of their own analysts' behavior in both labs ... These two situations are very troubling and indicate a problem in our state labs. The Oregon Innocence Project has reached out to the attorney general and the governor to

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Lost Creek Dam keeps Rogue running

By Jeff Duewel
of the Daily Courier

The trickling Rogue River dipped below 1,000 cubic feet per second in Grants Pass last week, not an unprecedented event in early fall.

It's happened before and after Lost Creek Dam, 50 miles upstream, was built for flood control in 1977, and Applegate Reservoir was finished in 1980.

That's a level that leaves huge sand bars exposed below the Parkway Bridge, and causes floaters to get stuck at Clambeds Riffle less than a mile upriver, which happened this week.

But what sets the current drought apart, say water and fisheries officials, is how bad it might have been without those dams.

Without Lost Creek Dam in place, the water would have hit a paltry 1,000 cfs sometime in June in Grants Pass and never recovered, after two consecutive record-low snow years in a currently full-fledged drought, said Jim Buck, operations manager for Lost Creek and Applegate dams.

It would have been a very short Hellgate Excursions jetboat season, a treacherous if not catastrophic migration for chinook salmon, and a lot of bouncing on rocks for rafters.

A few days ago, Lost Creek's storage was still adding 150 cfs to the Rogue, and Applegate's was quadrupling the flow of the Applegate River, adding 140 cfs.

Marty Bauer, former chairman of the Rogue Basin Authority, which was formed following the disastrous 1955 flood to lobby for flood control dams, feels the dams should get their due for helping fish.

"I think it's high time people who have fisheries interests recognize that without those reservoirs fish would have been jumping from rock to rock this summer," Bauer said. "It's time for them to say we're awfully lucky to have those dams."

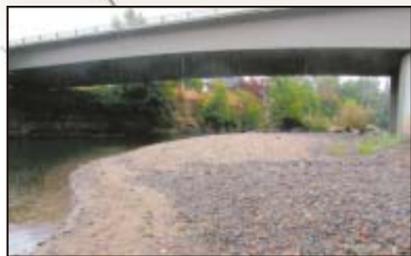
The Oregon Department of Fish and Wildlife benefited from 230,000 acre feet of water dumped out of the dam during the summer — 50,000 more than average as "carryover" water was dipped into, Buck said.

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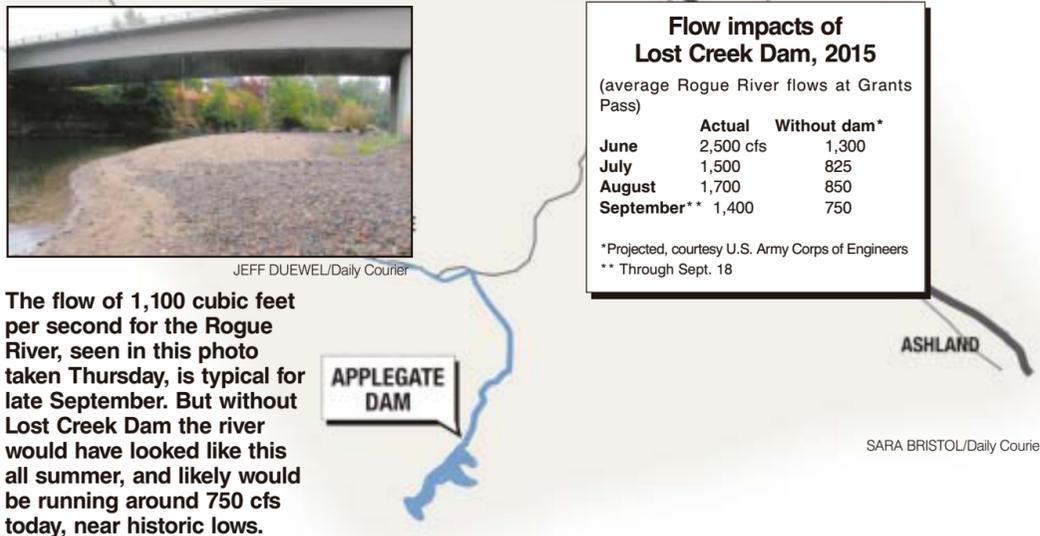
TIMOTHY BULLARD/Daily Courier

Lost Creek Dam, 50 miles upstream of Grants Pass, is the only reason the Rogue River hasn't been a trickle all summer.



JEFF DUEWEL/Daily Courier

The flow of 1,100 cubic feet per second for the Rogue River, seen in this photo taken Thursday, is typical for late September. But without Lost Creek Dam the river would have looked like this all summer, and likely would be running around 750 cfs today, near historic lows.



Inundation maps show flood zones

By Jeff Duewel
of the Daily Courier

If Lost Creek Dam ever failed, the Rogue would start flooding Shady Cove in about an hour, and rise to 100 feet in three hours.

In 10 hours, Grants Pass would see a 60-foot rise in the river. That would be similar to stacking the 1955 and 1964 floods on top of each other, and in a hurry.

It's not something the U.S. Corps of Engineers even has odds on, the chances are so remote. The same goes for Applegate Dam.

But the policy for emergency management includes producing inundation maps just in case, said Scott Clemans, a spokesman for the Corps in Portland.

The most recent maps were produced in 2013.

"We've had inundation maps for as long as we've had dams. They're part of our emergency action plans," said Clemans, explaining the maps are helpful "just to understand what the risk to downriver residents is."

People who live within a mile of the river might be interested in seeing them, and may do so at public meetings Monday in Grants Pass, from 3 to 8:30 p.m. at the Anne Basker Auditorium.

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TIMOTHY BULLARD/Daily Courier

Chris Byers recently opened River City, a medical marijuana dispensary at 115 Galice Road in Merlin.

New Merlin pot shop in a 'good spot'

By Jim Moore
of the Daily Courier

MERLIN — A heart condition sold Chris Byers on the merits of medical marijuana. Now he's about to become a seller.

In July, Byers and his fiancée opened River City, a licensed medical marijuana dispensary at 115 Galice Road, across from Victoria's Station.

With a new state law allowing recreational sales temporarily at dispensaries set to take effect Oct. 1, Byers said he is ready to serve the North Valley market.

"I think this is a good spot, on the way to the river," Byers said. Indeed, locals and tourists alike travel through Merlin on their way to the lower Rogue River. The route passes by the green cross in front of River City that symbolizes medical marijuana.

Byers, a 2002 graduate of North Valley High School, said he has a heart condition which requires treatment. Prescription medications he was taking created even more problems because of side effects.



Wondering where to find local medical marijuana dispensaries? See Page 7A

When he was 17, Byers began using marijuana behind his parents' back. The negative side effects from his other medication disappeared and his condition improved.

"For the last 14 years I've been able to experience the benefits," he said.

Subsequently, he obtained a medical marijuana card and a grower's permit and eventually began growing for another

medical marijuana card holder.

"The one person I do grow for is a cancer patient, and the more I saw the benefits of (medical marijuana) the more I thought about a business," Byers said.

So he and his fiancée, who prefers not be named, mulled over the notion of opening a medical marijuana dispensary.

"We thought about it off and on for a little bit," Byers said. "I had the property and decided to open a dispensary."

Whether it's the location or some other reason, business is booming.

Byers said River City has well over 300 clients and is growing.

"We get a few more every single day," he said. "They saw we are here or heard about us. Other shops have referred people to us."

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New panels 'revolutionize' timber use

By Craig Reed

of the Roseburg News-Review

RIDDLE — A two-year project at D.R. Johnson Lumber Co. to develop a new wood product has come to a successful conclusion.

The family-owned, Riddle-based company has constructed a production line for cross laminated timber, or CLT, and the product is now being made to fill two orders. The company's mill has been certified by the American Plywood Association to produce wood panels that can be used to replace steel and concrete in tall buildings.

The panels are being produced in the Riddle Laminators mill, an affiliated company of D.R. Johnson. That mill was built in 1967 to manufacture glue-laminated beams, a product it continues to turn out.

D.R. Johnson is producing 24-foot-long CLTs that will be used in a new education center building at Western Oregon University in Monmouth and in the four-story Albina Bank project in northwest Portland.

"The reaction from the market is showing there are projects ready to design with CLTs," said Valerie Johnson, co-owner of D.R. Johnson. "Having a source now where the product can be bought will help build the market for it."

Johnson said the company is in design conversations involving CLTs with over a dozen projects along the West Coast.

"Demand is there, and we expect other manufacturers may enter the market soon," she said. "Competition would give the market more confidence and it would make more supply available."



Photo courtesy of USNR

Workers at D.R. Johnson Lumber in Riddle align boards before sending them into a press that produces cross laminated timber panels.

The contracted CLTs and the projected ones represent nearly a half-million square feet of the panels. Johnson said an additional shift of workers may soon be added to fill the orders.

At a celebration held last week in Portland, Gov. Kate Brown recognized the efforts of several partners in the development of the product. In addition to D.R. Johnson, the partners included Oregon BEST, an economic development arm of the state of Oregon, and Oregon State University, which had researchers help in the development, testing and marketing of CLT products.

In 2014, Oregon BEST put up \$150,000 to support CLT research at Oregon State University in Corvallis and to help speed up the development of a CLT production line at the Johnson mill in Riddle.

The panels are made by

pressure-gluing multiple layers of dimensional wood, such as 2-by-4s, 2-by-6s or other sizes, with each layer being crosswise to the next.

"CLT presents a milestone moment for Oregon," Brown said at last week's Oregon BEST FEST, an annual clean tech innovation conference.

While CLT has been produced and used in structural projects in Europe for years, D.R. Johnson received the first U.S. certification to manufacture the panels under a new standard approved last year by the American National Standards Institute.

Lech Muszynski, a professor in the OSU Department of Wood Science and Engineering, called CLT "an entirely new building technology that is revolutionizing the use of timber in construction and dramatically cutting the overall time for construction projects."

Dam From Page 1A

As a result, mortality of spring and fall chinook salmon was negligible.

By comparison, in the summers of 1992 and 1994, when Rogue flows were below 900 cfs at times in Grants Pass, more than half the salmon runs on the Rogue perished when warm water caused gill disease. Those kills were directly responsible for the biologists changing policy to release more water from Lost Creek Dam during migration.

Which was crucial this year. "After three years of drought, Lost Creek Reservoir provided a fisheries benefit that was huge," said Buck. "We heard reports of fish kills in the Klamath River, and even in the Columbia, but we haven't had that in the Rogue River. It's because of the stored water."

"There's no question we would have had a lot of dead chinook (without stored water)," said Dan Van Dyke, district fisheries biologist for the ODFW in Central Point. "It would have been tens of thousands."

Van Dyke said analysis by former ODFW biologist Tom Satterthwaite concluded that if flows dropped as low as 1,100 cfs in Agness, 70 miles downstream from Grants Pass, 90 percent mortality of fall chinook would occur.

The fishery has benefited from the beginning, when language was written in the authorizing documents for the dams to make fisheries enhancement the second-highest priority after flood control.

"We definitely think that's

unique in Oregon, maybe nationwide," Van Dyke said. "On a year like this, with record temperatures and drought, that stored water really provided a lot of dividends."

Van Dyke said the downside is Lost Creek also blocks off the majority of spawning grounds for spring chinook — hence the annual production of over 1 million chinook fry at Cole Rivers Hatchery — and raises water temperature in winter.

"There are downsides to dams, no question about that," he said. "But if you're going to have dams, at least we have a pretty good deal for the fish here on the Rogue."

Low water can also be a bad deal for humans.

At the Grants Pass municipal water filtration plant, Superintendent Jason Canady said the plant would have been operational below 800 cfs, but restrictions could be implemented at that level.

"We would potentially be limited on how much water we could legally draw," he said. "Although we would still have more than enough water to supply the city."

The city needs 35 cfs to operate.

The Grants Pass Irrigation District's giant pumping station

five miles east of Grants Pass would be operational at river flows of 800 cfs, said former Manager Dan Shepard, who was around when the pump station was built in 2009, when the aging Savage Rapids Dam was demolished to help fish runs.

The old water-driven turbines at Savage Rapids Dam that pumped water into canals would have been severely taxed at those low flows, he said. The turbines needed 800 to 900 cfs, so likely only one would have been used at a time in that event.

As the Rogue Basin water supply shrinks more this fall — Lost Creek Reservoir is close to 30 feet below its so-called "minimum pool," — everyone's hoping for a robust winter.

And many are thankful for the operation of those dams.

"I think we owe a lot of thanks to everyone who fought hard for this river back in the '50s and '60s," Van Dyke said. "I think it was the concern of people who care about the river and its fish that helped shape the deal we have now at the Corps dams."

"People who care about the river need to continue to be active stewards into the future."

Reach reporter Jeff Duewel at 541-474-3720 or jduewel@thedailycourier.com



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Maps From Page 1A

The inundation maps will be shown to small groups, one at a time. To reserve a spot at the Sept. 22 map viewing in Grants Pass, visit rogue-maps-grants-pass.eventbrite.com. For more information, call Clemans at 503-808-4513.

The maps are not like other flood maps the public may be familiar with, said Jim Buck, operations manager for the Corps' Rogue River Basin Project, which operates Lost Creek and Applegate dams.

"We want to make sure people have enough time and infor-

mation to fully understand what they're seeing, so we'll be admitting small groups of people by advance reservation only," he said.

The maps also don't include any emergency response information.

"These are designed for managers, who would have to plan and implement a disaster response," Clemans said.

Buck and Clemans both said growing attention being paid to the potential for another Cascadia Subduction Zone earthquake has prompted more questions

from the public to the Corps of Engineers.

Buck pointed out that during the large Japanese earthquake in 2011, only one small dam of 230 in the region failed.

Other potential causes for failure include erosions, or "piping" from water leaking through the dam, or biblical flooding.

Buck said Applegate and Lost Creek Dams are frequently inspected and are in very good condition. "The chance of a complete dam failure is extremely small," he said, "but the consequences are extreme."

GP school board to discuss discipline, attendance issues

District attendance, discipline and suspension policies are on the agenda for a third and final read at Tuesday's meeting of the Grants Pass School Board.

The meeting will get underway at noon in the boardroom of the district administration building, on the campus of Grants Pass High School at 725 N.E. Dean Drive.

Additional agenda items include reports on: Smarter Balanced assessment results; South Middle School's Outdoor School; the high school yearbook; and an SAT score summary.

The board also is expected to approve a first and final reading of a revised administrative regulation for the Talented and Gifted program; and, nondiscrimination and discrimination complaint procedures.

An executive session is scheduled at the end of the meeting to discuss negotiations and employment of a public officer. Executive sessions are closed to the public.



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