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Oregon Supreme Court Rules Elliot Forest Land Sale Illegal

by [Cassandra Profita](#)

The Oregon Supreme Court has ruled the state's 2014 sale of 788 acres of the Elliott State Forest to a private timber company was illegal.

In a decision issued Wednesday, the court sided with three environmental groups in concluding the land must remain in public ownership.

The West Fork Millicoma River is part of the tract of land within the Elliott State Forest that was sold to a private timber company in 2014.

Courtesy of Cascadia Wildlands

The Audubon Society of Portland, Center for Biological Diversity and Cascadia Wildlands argued the state erred in selling the East Hakki Ridge parcel to Seneca Jones Timber Company because it used to be part of the Siuslaw National Forest.

According to the lawsuit, that parcel was transferred from the U.S. Forest Service to the state of Oregon in 1913, and a 1957 Oregon law prohibits the sale of any lands within the Elliott State Forest that were formerly national forestland.

A circuit court ruled against the environmental groups, but they [won their case on appeal](#). The Supreme Court decision affirms a similar ruling by the Oregon Court of Appeals last year.

Another parcel, the 355-acre Benson Ridge tract, was sold in 2014 to Scott Timber Company and is also currently subject to litigation by the same plaintiffs.

"Oregon's highest court has spoken, and it is illegal for the state of Oregon to sell off the treasured Elliott State Forest," said Josh Laughlin, executive director of Cascadia Wildlands. "Those who appreciate clean water, stately forests and access to our public lands are the big winners today."

The lawsuits stemmed from a longstanding controversy over the marbled murrelet, a protected seabird that has triggered extensive logging restrictions in Oregon's Elliott State Forest. A reduction in timber sales in the forest to protect the bird created a budget shortfall that the land sale was intended to rectify.

The Supreme Court ruling could have implications for the ongoing discussions of what the state should do with the rest of the Elliott State Forest, which was offered up for sale in 2016. The State Land Board [canceled the sale in 2017](#), and is now exploring a new option of creating a research forest with Oregon State University.