



May 15th, 2024

**To: President Jayathi Murthy
Oregon State University Board of Trustees**

From: Doug Pollock & Friends of OSU Old Growth

Subject: Comments for the May 17th, 2024 OSU Board Meeting

Dear President Murthy and OSU Trustees,

In preparation for your January 2024 meeting, I submitted extensive comments and resubmitted the many questions you've previously failed to respond to (or even acknowledge). I pointed out how chair Schueler, despite his stated commitment to respond to questions and comments received from the public, has failed to keep his word. I also provided an extensive summary of the ethical failings of College (of Forestry) leaders, including direct conflicts of financial interests in the forest planning process, as well as the secret divestment of public lands of your so-called "Research Forests" to the substantial financial benefit of one of your largest donors, Starker Forests, Inc. I noted that chair Schueler played a pivotal role in these land transactions by signing off on the "bargain and sale deeds" (acting on behalf of you, the OSU Trustees). This evidence directly contradicted the (false) information provided by associate dean Ober in an email to me.

In response to my public testimony (of January 19th, 2024), I finally received a response from chair Schueler (nearly three months later). I've included a screenshot of his reply here for your reference:

Response to public testimony at Jan. 19 OSU board meeting



Inbox x

Trustees

to me ▾

Fri, Apr 12, 3:15 PM



Dear Doug Pollock,

On behalf of the Oregon State University Board of Trustees, thank you for your interest in and feedback on OSU's management of the McDonald-Dunn Forest, which we have shared with the College. The College of Forestry balances a range of perspectives and views as they create forest management plans that encompass a variety of approaches to managing production, preservation and forest health, including reforestation, vegetation management, pre-thinning and harvesting.

With respect to the land trade transaction with Starker Forests, the College of Forestry has noted that the trade benefits OSU by consolidating respective ownerships, straightening property boundaries and facilitating management of the respective properties. The trade will increase the research and recreational opportunities on the OSU-owned McDonald Forest property. It allows OSU to better manage the unregulated recreation currently happening within the Baker Creek Tract and will reduce the environmental impacts from heavy recreation use. For Starker Forests, the trade consolidates their holdings as they border the Spaulding Tract on two sides.

For the most up-to-date information regarding the McDonald-Dunn Forest Management Planning process, please consult the [website](#), where you may also submit feedback using a webform. Questions about McDonald-Dunn Forest Management planning should be submitted to McDonaldDunnPlan@oregonstate.edu.

We strive to respond to public comment in a timely manner. Last week, the board approved amendments to its policies to include public comment and timely response. Please know that your comments were discussed with the president, the board officers and university leadership after the January board meeting. We regret that sharing this message with you was delayed.

Oregon State University

Office of the Board of Trustees

652 Kerr Administration Building | Corvallis, OR 97331

First of all, I wonder why you had to approve amendments to your policies to include a timely response to public comments. Isn't that just common sense and decency for officials of a *public* institution?! If you were to simply follow OSU's Core Values (which I cut and pasted for your benefit in my previous testimony), you wouldn't have to create amendments to make it look like you're committed to doing the right thing!

Second, most of the response is meaningless "public relations fluff": "*The College of Forestry balances a range of perspectives...*" blah, blah, blah, "*preservation and forest health...reforestation, vegetation management...harvesting.*" Of course, none of this addressed the many substantive questions I've been asking you now for years. All of this comes across as very dismissive, a smoke screen designed to give the false impression that you are responding. Knowing that other conservation advocates received a similar, canned response only underscores the insincerity of your replies.

Third, concerning the specifics of the secretive land transactions, chair Schueler's response essentially side-stepped *all* of the key issues (refer to my original questions below). We're led to believe that, "*consolidating*

ownership, straightening property boundaries, and facilitating management of the respective properties” somehow overrides selling 176+ acres of rare older, *public* forest to your private timber company benefactor for a relative pittance. As I pointed out in my testimony and [investigative blog piece](#), the \$446,000 sale price is roughly 1/10 the value of the standing timber. The supposed increase in “*research and recreational opportunities*” of the acquisition of young forest is flaunted, while ignoring the considerable loss of the same opportunities in the Spaulding Tract and older forest of the Dunn (which will almost certainly be liquidated by Starker in the years to come).

Your apparent concern about “*unregulated recreation...and the environmental impacts from heavy recreation use*” seems decidedly hypocritical when you fail to express any concerns about the egregious destruction of the public forests you steward by your dean and his rogue forest director. Even the smallest clearcut has far greater adverse impacts to the environment than the network of unauthorized trails in the Baker Tract. Besides, why should OSU take ownership for recreational concerns on private forest land? If Starker had wanted to do something about it, they could have easily posted notices. Likewise, your forest director could have posted signs on the trails leading from the McDonald Forest into the Starker Forests land. When even these basic preventative steps were not implemented, your concerns seem decidedly disingenuous.

Finally, justifying the donation of 160 acres of public forest land to a timber company on the grounds that it, “consolidates their [Starker’s] holdings, as they border the Spaulding Tract on two sides” is downright silly. Using that same basis, ALL of the research forests’ public lands could be donated to private landowners (since private lands essentially adjoin all of the lands you steward on behalf of Oregonians).

As the governing board of our public university, I would like you all to consider the message you send by your repeated failure to respond to public critique and questions in any meaningful way. It has taken many generations for university leaders to concede that you have some modest responsibility to respond to the public you serve (though you still won’t openly engage with us).

Now, we see how this works in practice. The deliberate and lengthy delays seem designed to relegate issues to historical insignificance. I am sure it’s no coincidence that chair Schueler’s email response came *after* your last board meeting, thus preventing me from sharing it with you in a timely manner. Any objective reader can see that his response is largely meaningless. The few specifics offered don’t stand up to any logical critique. I am also compelled to point out that the questions I submitted to you previously (which I again presented in my testimony for your Jan. 19th meeting) - remain unanswered and unacknowledged.

What are we to make of your stubborn reluctance to provide any meaningful and honest answers to the important questions I have repeatedly asked of you? What should one think of a president who brags about her engagement efforts, but won’t meet with local conservation leaders? How should the public judge you when you so clearly fail to demonstrate thoughtful oversight for the public lands you steward? What message does it send when you allow your dean, associate dean, and forest director to divest public lands in a secret,

lucrative deal for one of your largest donors? How are we to judge you when you refuse to hold your dean, associate dean, and forest director accountable for their ethical violations and refusal to answer questions?

The underlying message you (the trustees, chair Schueler, and president Murthy) are sending is clearly dismissive, disrespectful, and demeaning. It is as if you're saying,

“We don't have to answer (or even acknowledge) your questions in any meaningful way. We can do what we want and there's nothing you can do about it!”

It is fundamentally a message of arrogance, power, and control. What I find so amazing and profoundly disappointing is you all seem to have no qualms about any of this, despite the fact that you are supposed to serve Oregonians and the public interest. How can you possibly think it serves the public interest to operate in such a brazenly cavalier manner? Your failure to respond and demonstrate stewardship for our public forest lands only diminishes public trust.

Since you're failed to acknowledge or answer the questions I submitted previously, I am including them below and resubmitting them. I am also submitting my testimony from two previous meetings for reference. I would like to point out that you again failed to respond to any of the allegations of ethical violations by College leaders. That would seem to indicate your complicity in these matters.

Thanks for your thoughtful consideration,

Doug Pollock (founder, Friends of OSU Old Growth – www.friendsofosuoldgrowth.org)

Questions (submitted to the OSU Trustees in January, 2023) regarding the oversight and accountability of College leaders:

- 1) I would like a response to my request (made on August 24th) to halt the forest planning process until changes are made to meet the collaborative commitment.
- 2) Are you willing to acknowledge that the current planning process with its traditional approach violates the collaborative commitment made by Dean Davis in 2019? If so, what will you do about it?
- 3) How does the Board justify the dean and his staff choosing who gets to represent the public (in a secretive, exclusive process)? Do you really feel this is consistent with the collaborative commitment and OSU's core values?
- 4) How does the Board respond to criticism about the "Vision, Mission, and Goals" document for the Research Forests (that was also developed in a closed-door process, without public notice or input)? Do you feel this is consistent with collaborative governance of public forests?
- 5) Do you support the dean and associate dean's refusal to acknowledge basic questions about the planning process (and other forestry issues)?
- 6) How can we get basic information (like how to contact the planning committees, meeting schedules, and videos of past meetings) when the dean and associate are not responsive?

Questions (submitted to chair Schueler and the OSU Trustees in January, 2024), regarding the recent land transactions:

I am requesting a formal response from the board chair to the following questions:

- 1) Did the president delegate the authority for these decisions to the dean, associate dean and research forest director?
- 2) Did the OSU trustees collectively or individually consider this land swap? If so, when did those considerations take place and are there public records available?
- 3) Did the board chair sign off on the bargain and sale deeds without any consideration of the details and ramifications of these transactions with other trustees?
- 4) How do the trustees respond to the apparent violations of the ORS involving these land transactions?
- 5) How do the trustees justify giving away older forest/old growth in return for younger forest (when these age classes are among the rarest and most threatened in the McDonald-Dunn)?
- 6) How do the trustees justify these transactions when their bylaws require them to preserve and protect university assets in perpetuity?
- 7) Why was there no public notification and opportunity for comment provided prior to the disposal of the Spaulding Research Forest and Dunn Forest parcel (as called for by ORS 270.105)?