



January 17, 2024

To: President Jayathi Murthy
Oregon State University Board of Trustees
From: Doug Pollock & Friends of OSU Old Growth
Subject: OSU's Stewardship of the McDonald-Dunn Research Forests

Dear President Murthy and OSU Trustees,

I am submitting the following comments on behalf of myself and the Friends of OSU Old Growth group for consideration at your upcoming board meeting.

At one of your meetings last year, board chair Schueler stated that he and president Murthy are committed to responding to questions submitted to the trustees. Unfortunately, I have yet to experience their promised responsiveness.

For years, I have submitted questions to OSU presidents and trustees, but have never received a substantive response. This includes my emails, public testimony and formal ethical complaints. I have attached one example ("Comments for OSU Trustees – 20 Jan 2023") which I submitted to you a year ago. In that letter, I referred to my original email (of August 24th, 2022) in which I informed you that the dean of the College of Forestry had violated the commitment to a *collaborative forest planning process*, promised by his predecessor on behalf of the University. I called on you to halt the biased forest planning process – in which the dean and his staff chose members of his so-called "Stakeholder Advisory Committee" (SAC) without any public notice or opportunity for citizens to apply to serve on the committee. I also described how the College's "Vision, Mission and Goals" for the research forests were developed without any public notice or involvement, contrary to the College's collaborative commitment. This document is the foundation of the dean's antiquated "working forest" management approach governing all of OSU's so-called research forests.

In my email from a year ago, I also asked six basic questions dealing with the oversight and accountability of College leaders. Here's a screenshot from that message:

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?

A year later, I have yet to receive a response to these (and similar questions) I've repeatedly asked of the president, board chair, dean and associate dean.

Other conservation advocates have experienced the same general treatment. Our many emails and public testimony are met by a "wall of silence" or, on rare occasions, a short, dismissive reply. We understand that the trustees deal with policymaking, and not the implementation of it. If we accept that at face value, the logical question is: "*Who is responsible for answering our questions?*" **When the board chair, president, dean and associate dean all refuse to even acknowledge our questions, let alone answer them, it reveals a concerted effort to control information and avoid accountability.**

As I've explained in many previous emails to you and College leaders, this type of behavior is fundamentally at odds with OSU's Core Values and the public interest. Here's a copy of the Core Values with relevant sections highlighted:

Core Values|

1. *Accountability.* We are committed stewards of the human, fiscal and physical resources entrusted to us. We are also stewards of the loyalty and good will of the people of Oregon; the university's students, faculty, staff, alumni, and donors; and the communities in which we live and work.
2. *Diversity.* We recognize that diversity and excellence go hand-in-hand, enhancing our teaching, scholarship, and service as well as our ability to welcome, respect, and interact with other people.
3. *Integrity.* We value responsible, accountable and ethical behavior in order to maintain an atmosphere of honest, open communication and mutual respect throughout the Oregon State community.
4. *Respect.* We treat each other with civility, dignity and respect.
5. *Social responsibility.* We contribute to society's intellectual, cultural, spiritual and economic progress and well-being to the maximum possible extent.

Your refusal to respond also violates provisions of state law (ORS 352.025 (2) (c) notes the trustees are to provide transparency and public accountability for the university). You cannot reasonably provide "public accountability" when no one at the administrative level of the university or College of Forestry is willing to even acknowledge our questions. If the Board feels these issues are important, it must hold the president accountable and direct her to be more responsive. **This lack of response and accountability at all levels of leadership (both in the OSU Administration and College of Forestry) is clearly contrary to the public interest.**

Rather than stewarding the "loyalty and good will of the people of Oregon; the university's students, faculty, staff, alumni, and donors; and the communities in which [you] live and work", it diminishes loyalty, good will and public trust.

To reiterate, I am again asking president Murthy and board chair Schueler for answers to the six questions I asked a year ago (listed above).

I would also like to draw your attention to ethical violations of College leaders. Both the dean and associate dean have never been willing to acknowledge (let alone answer) questions I've repeatedly sent them regarding the forest planning process and issues related to these public forests.

The dean's refusal to provide the geographical information system (GIS) data for the McDonald-Dunn (which I requested through the public records process) is a prime example. This information was previously shared free of charge on the College's website. There is wide public interest and utility in having the data available (indeed, your public records officer eventually conceded this point). Unfortunately, the dean and his staff have not been willing to provide the data at a reasonable cost. They insist it will take 32 hours to separate out the archaeological and culturally-sensitive data, when the former manager of the GIS system said it should take no more

than half an hour! This is evidence that they are deliberately padding the cost to make it unaffordable.

A member of the dean's SAC formally asked for the GIS data so it could be used for planning purposes, but she was not forthcoming. When I contacted the person managing the database to ask some basic questions, the research forest director told her not to respond. This defensive behavior by College leaders is clearly at odds with the public interest and the planning process. Having access to the forestry data for these public forests is a fundamental matter of equity and integrity. Citizens have a fundamental right to the forestry data for the public forests stewarded by the University. College leaders should stop their stonewalling and provide the information free of charge.

When I appealed to president Murthy to have College leaders provide the data free of charge (as the law indicates it should be), she did not respond. Her tacit approval has clearly empowered the dean and associate dean to behave in these unscrupulous ways.

College leaders are tasked with the *implementation* of university policies and programs. It is therefore entirely appropriate and expected that they respond in a substantive manner to questions from the public, especially from leaders of community groups. Their repeated failure to respond is a fundamental ethical failure that reflects poorly on the College and university as a whole. College leaders have failed to follow the highlighted provisions of OSU's Core Values time and time again.

Both the dean and associate dean have also failed to address basic conflicts of interest in the forest planning process. In an email sent by associate dean Ober to a member of the "Stakeholder Advisory Committee" (SAC) on November 28th, 2023, she wrote:

"As mentioned before, we currently have "all hands on deck" with the research forest staff engaging in various aspects of the development of the new plan."

The direct involvement of research forest managers and staff (whose salaries come from logging revenue) in the forest planning process is a clear conflict of interest. I raised this concern in emails to both the dean and associate dean early in the planning process when it became clear that the research forest director had assumed a dominant role in the SAC meetings.

The associate dean's email provides recent evidence that *OSU employees with a direct financial conflict of interest have been playing a primary role in the development of the new plan.* It is

inconceivable that these individuals can claim to be objective (or fairly consider the diverse set of non-economic values and research opportunities) when their salaries depend on continued exploitation of these public forests. As a former associate dean in OSU's College of business, Donald O. Neubaum, explained in The Oregonian:

“Perceptions of fairness and ethical behavior are just as much about confidence in the process as they are about fairness of outcomes. If there is the potential for the appearance of unfairness in the process, it should be changed to make it more transparent or to reduce the perceived source of bias or unfairness.”

The conflicts of interest we see on OSU's forest planning team further diminish public trust. By deferring to the dean and associate dean on these matters, OSU Administrators are revealing their own glaring ethical deficiencies.

Turning to forestry matters, **I would like to again draw your attention to the continued destruction of the public forest of the McDonald-Dunn by College leaders.** Since the early 1990's we have witnessed the systematic destruction of most of the older stands of the Dunn Forest and now, increasingly, those of the McDonald Forest. This included the [2019 cutting of 16 acres of ancient forest](#), as well as [13 harvests in violation of OSU's 2005 plan](#). Literally dozens of other older stands have been cut without even a facade of research in the past few decades. It appears that College leaders are focused on cutting these older forests with revenue foremost in mind, before growing public awareness and outrage force them to change their outdated practices. **Cutting older forests is the opposite of “leadership in forestry education”.** How much longer are you willing to tolerate these environmentally-destructive practices promoted by leaders of the College?

I have prepared an animated image showing the result of OSU's logging over a 38-year time period in the Dunn Research Forest. Since the PDF format of this letter does not accommodate the image, I'll provide a screenshot and link below:

[Link to Logging in the Dunn Research Forest \(1984-2022\)](#)



3 2004 2005 2006 2007 2008 2009 2010 2011 2012

Landsat photo of OSU's Dunn Forest (outlined in blue) from 2008. OSU's agricultural lands are outlined in green.

You should know that OSU's forest managers routinely cut stands that are 2-3X older than the average industry rotation (harvest age). A good example is the recent 'Pleco harvest', a ~16-acre clearcut of an 89 year-old stand located near a popular recreation corridor in the McDonald Research Forest (see photos below). OSU's forest managers describe this as a "clearcut with structural and visual tree retention", as if we should appreciate their thoughtfulness and generosity in leaving a handful of trees (which are likely to blow down in the coming years).

Our federal agencies largely stopped cutting forests 80 years and older more than a quarter of a century ago. **With national efforts underway to identify and protect mature and old-growth forests (MOG), it is appalling that College leaders are continuing to destroy these older forests.**



OSU's 'Pleco harvest' December 2023. It will take several generations for the ecosystem to recover.

Finally, I would like to express grave concerns about the recent transactions involving research forest lands (which I first communicated to you in my email of December 1st, 2023). These transactions consisted of the following:

- 1) Starker Forests donating to OSU their (~277-acre) McDonald Forest inholding (now called, "The Baker Tract")
- 2) OSU giving Starker Forests the (160-acre) Spaulding Research Forest located in the Corvallis Watershed near Marys Peak (terminating this public forest dating back over 100 years).
- 3) OSU selling Starker Forests (~176 acres of) older forest in the Dunn Research Forest for a relative pittance (a small fraction of the value of the standing timber value).



Older forest in the Dunn, sold to Starker Forests for a small fraction of its value.

In my email, I wrote:

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 forests/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)?

It has been more than six weeks since you received my message and neither the president nor board chair has responded. In addition, the associate dean has been unwilling to provide

the most basic details about the transactions (e.g. she wouldn't even disclose the location of the Dunn Forest tract or its age class). This is despicable behavior that violates OSU's Core Values. **I am reiterating my request for answers to these questions by asking the board chair for a response to my questions submitted on December 1st, 2023.**

As I described in my email, the associate dean made the remarkable claim that you, the Board, did not consider these transactions (and were not required to do so). This conflicts with the fact that the board chair signed off on the transactions (on behalf of the Board) – as well as your fiduciary responsibilities!

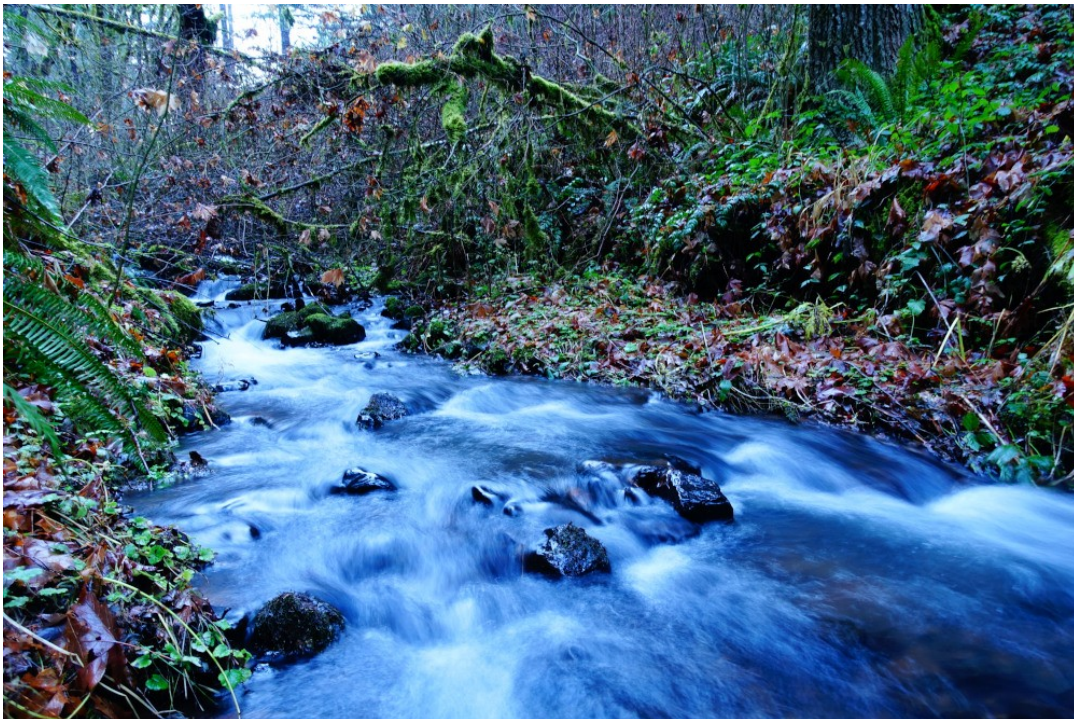
I have provided a substantial amount of information about the land transactions in a 3-part blog series which I highly recommend you read. I've posted it on the Internet and have shared it with my many supporters. I have attached PDF versions of the blog pieces as part of this public testimony. You can find read the on-line versions at the following links:

[**The College's Secret Land Deal: Part 1 – Into the Maze**](#)

[**The College's Secret Land Deal: Part 2 – Lost Opportunities in the Spaulding Research Forest**](#)

[**The College's Secret Land Deal: Part 3 – Dunn Forest Deal Benefits Timber Industry Donor**](#)

While I do not yet have all of the information, it appears **the amount paid for the Dunn Forest parcel (\$446,000) was a tiny fraction of the value of the standing timber. OSU also ended up with ~59 fewer acres of research forest land, with substantially younger forest.**



The North Fork of Berry Creek in the middle of the Dunn Forest parcel sold to Starker Forests (photo Vern S.)

As I summarized in my third blog piece:

Without knowing the exact details of the land deals, we should all be deeply concerned by *how* OSU did this and the precedent it sets. **The trustees have clearly failed to demonstrate the transparency and public accountability called for by state law. They have clearly violated provisions of their own bylaws which hold them to high ethical standards. They have failed to “protect and preserve...for posterity” these public lands not just by selling relatively rare older forest to a timber company for a ridiculously low price, but also by signing off on a deal that diminished the research forest lands by 59 acres. In short, they have shown a supreme dereliction of their fiduciary responsibilities.**

By allowing College leaders to get away with their unethical behavior, the trustees have also set a very dangerous precedent. The future of all of these public forests is now in question. What's to stop OSU from the wholesale divestment of other public forests on behalf of their timber benefactors? **These unethical dealings profoundly undermine trust in OSU and further erode the integrity of College leaders.** When will they understand the importance of public trust and follow their own ethical standards (and the law)?

We live in a time of great upheaval. Political discord, wars, and climate change threaten to disrupt our lives in ways most people probably couldn't imagine a decade or two ago. As leaders of our public university, you have the opportunity to make a substantial positive difference – or perpetuate the status quo. You can choose to prioritize things like human health and well-being, learning, equity, diversity, integrity, the public interest, and forest ecosystems over the self-serving drive for profit. If you honestly wish to advance the university's mission, you must chart a better future for the public forests you steward.

Sincerely,

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



This Starker Forests property is directly adjacent to the Dunn Forest land that was recently sold to the timber company. The decision of College leaders to sell this older forest virtually ensures it will be destroyed. (photo Vern S.)