

Governance Structure

As the effective owner of the Elliott State Research Forest (ESRF), OSU makes all final decisions regarding the management and operations of the Elliott State Research Forest (ESRF) with the primary purpose of maintaining the integrity of all research and management activities on or associated with the forest (figure 9, under development). The terms of authority and accountability within Oregon State University will be established by the OSU Board of Trustees. An ESRF Advisory Committee provides input for OSU's long-term ESRF planning and management decisions and to assess the effectiveness of OSU's past implementation of the forest management plan and research activities. The Governor (or other state official(s)) appoints the ESRF Advisory Committee in consultation with OSU. This governance structure enables OSU to exercise all of the attributes of forest ownership while holding the property in the name of the State of Oregon and with continued public access, engagement, and accountability.

OSU Board of Trustees

Based upon the State Land Board's successful decoupling of the Elliott State Forest from its legal and fiduciary duties to the Common School Fund, the forest property and all of its assets will be transferred by legislative statute to the OSU Board of Trustees to create the Elliott State Research Forest, wherein OSU is the owner in the name of the State of Oregon and subject to a reversionary clause (conditions or threshold trigger provisions to be defined; all assets transfer), other statutory provisions, deed restrictions and/or easements (yet to be determined).

- The OSU Board of Trustees holds title (the extent and terms of transfer are yet to be determined) to the ESRF, but does not have the authority to sell, trade, or subdivide the forest
- The OSU Board of Trustees charges the College of Forestry's Dean as CEO of the ESRF with the authority to make all ESRF management and operations decisions, subject to the statutory oversight authority of OSU's Board of Trustees and the OSU President as well as accountability structure and mechanism further described below
- The OSU Board of Trustees will establish an internal financial/budgetary firewall¹ between OSU and College of Forestry operations and the ESRF in terms of harvest revenue and operational expenses
- The OSU Board of Trustees will initiate a periodic assessment (e.g., every five years; process yet to be determined) by charging an ESRF Review Team composed of experts external to OSU and the ESRF Advisory Committee who represent forest management, research, recreation, and other areas pertinent to the management and operations of the forest as well as experience and

¹ A key foundation of this intended structure is that the forest is self-sustaining as a research forest, i.e., revenue generated through the operations of the ESRF funds and advances the mission and vision of the ESRF as a research forest. Should operational expenses exceed harvest revenue, a mechanism will be established to ensure that university resources are not redirected to cover shortcomings. Should harvest revenue exceed operational expenses, a mechanism will be established to ensure excess revenue is prioritized and invested in support of the long-term feasibility and sustainability of the ESRF. This may be through the establishment of and allocations of excess revenue towards an ESRF interest-bearing endowment whose principal will be maintained in perpetuity (with a termination clause should the ESRF become infeasible as a research forest in the future), or some other revenue sharing model with the State of Oregon yet to be determined.

skills related to external audits and reviews (composition and process yet to be determined). The ESRF Review Team will make recommendations regarding the management and operations of the forest to the OSU Board of Trustees and ESRF Advisory Committee

College of Forestry Dean

The COF Dean is vested by the OSU Board of Trustees with the authority to make all ESRF management and operations decisions, subject to compliance with the research design, commitments to the public, management plans, and with relevant and applicable state and federal laws, including the federal Endangered Species Act through a Habitat Conservation Plan approved by federal listing agencies. Accountability to these plans and commitments will be as described below. The Dean's additional authority and responsibilities are for oversight of forest management, research, and HR and budgets; obligations to provide annual and other reports regarding the operations of the forest to the ESRF Advisory Committee and OSU Board of Trustees, as well as any other reporting requirements (yet to be determined). The Dean may delegate these functions and responsibilities, but maintains accountability for the outcomes.

- The COF Dean appoints and oversees an Executive Director for the ESRF
- The COF Dean, on behalf of OSU, will decide what scientific research projects are conducted on the ESRF and nested within the research design. As such, the COF Dean appoints a Science Advisory Committee (ala the Science Advisory Panel; terms and membership yet to be determined) that is composed of scientific experts representing a variety of disciplines internal and external to OSU. An internal to OSU Research Advisory Committee (terms and membership yet to be determined) may also be established by the COF Dean to provide guidance and advice on research projects to be undertaken on the ESRF, and to support research autonomy and academic freedom for scientific investigations on the ESRF. The external and internal science/research advisory committees will review all proposed research on the ESRF and provide feedback to the COF Dean, including their integration with other research projects or landscape treatments, feasibility, and propensity to generate new knowledge.
- The COF Dean charges each advisory committee (including the ESRF Advisory Committee detailed below) to interact with each other in order to ensure the integration of science, economics, and social issues and to effectively communicate across disciplines and stakeholders.

ESRF Executive Director

The ESRF Executive Director reports to and is overseen by the COF Dean, and is responsible for delegated duties including the following: long-term planning, implementing research and other allowable (e.g., timber harvesting, recreation, conservation, and education/outreach) activities, overseeing forest management and operations (including facilities, staff, and contractor management), performing fiscal accountability duties (budget development and fundraising), assisting the ESRF Advisory Committee and other committees, advancing partnership opportunities, and engaging the public.

- The Executive Director is an OSU employee who is hired / appointed by and reports directly to the Dean of the College of Forestry
- The Executive Director is stationed at the ESRF (i.e., lives in the surrounding community)

- The Executive Director directly supervises management/operations staff (figure 10) who are also stationed at the ESRF (number and type yet to be determined; does not include research scientists, FRAs, and Graduate Assistants or others engaged in active research and teaching)
- The Executive Director submits an annual ESRF status report to the OSU COF Dean and ESRF Advisory Committee. This annual report will address activities associated with harvest and forest operations, finances, research initiatives conducted on the forest, recreation and public access, and community outreach and education.
- The Executive Director develops and implements a forest management plan with input from the ESRF Advisory Committee, OSU research faculty, and any relevant parties and the public.
- The Executive Director is responsible for working with the ESRF Advisory Committee, OSU staff, and related partners and publics in developing management plans, including forest management, recreation, education and outreach (process yet to be determined)
- The Executive Director shall regularly engage with the public and communicate about proposed actions and intended outcomes on the ESRF. While the process is yet to be defined, it will include notice of public meetings, posting of materials and minutes, and public comment (oral and written) that will be considered in substantial management actions undertaken on the forest
- Oversight of the Executive Director is the responsibility of the COF Dean who will seek input from the ESRF Advisory Committee in annual performance reviews of the director

ESRF Advisory Committee

The ESRF Advisory Committee is established as an executive branch, non-senate confirmed body that is appointed by the State (yet to be determined; figure 9). The ESRF Advisory Committee is intended to partner with OSU College of Forestry on delivery of the vision and mission of the ESRF by providing an active, diverse forum for input on all matters associated with planning future activities on the forest and for assessing past implementation of management and research activities in the context of accountability to the ESRF's articulated goals, commitments, terms of transfer, plans, or applicable laws.

The ESRF Advisory Committee is intended to provide a pathway for public dialogue, accountability, and communication on matters relating to the management of the research forest, and to surface issues for constructive discussion with OSU concerning management of operations or research programs on the forest. In this way, the ESRF Advisory Committee will help shape the future direction of the forest as well as provide accountability to the broader public. ESRF Advisory Committee members will broadly represent the various interests concerned with the ESRF, including local governments, recreation groups, environmental/conservation groups, underrepresented local community members, educational interests, timber / forest product sector, and Tribal governments.

ESRF guiding principles:

- The ESRF Advisory Committee is not charged with responsibility for day-to-day or project-specific management or operations of the forest – that responsibility rests with the Dean of the College of Forestry as delegated through the Executive Director
- The ESRF Advisory Committee will meet no less than every 6 months. Meetings may be conducted in person or electronically

- The ESRF Advisory Committee may request information be provided to them by the Executive Director and Dean of the College of Forestry, including any records, plans, reports, or other information pertaining to the forest's management and operations

ESRF Advisory Committee's responsibilities:

- Author and submit an annual independent assessment of activities on the ESRF to the State (to be determined) and OSU. This assessment will be a consensus statement for the ESRF Advisory Committee (procedure for accounting of minority opinions is yet to be determined)
- Provide timely and constructive input on decisions impacting the long-term management trajectory of the forest and operations consistent with Forest Management, Recreation, Education / Outreach, and Research plans adopted by the COF Dean
- Collaborate with the COF Dean on a plan to address recommendations made by its independent assessment and / or the ESRF Review Team in their periodic assessments of the forest's management and operations
- As a condition of appointment, each member will work to support the ESRF vision and foundational documents, including its research design, public commitments, and related foundational elements captured in the State Land Board decision or statutory framework establishing the ESRF, regardless of whether they were part of their construction or the beneficiary of their intent
- The ESRF Advisory Committee is charged with substantively participating in the following activities associated with the ESRF in an advisory capacity to the Executive Director, COF Dean, and OSU Board of Trustees:
 - Participate in development, review, and comment on forest management planning activities conducted by the College before those plans are adopted and implemented
 - Review and comment on annual plans stating activities to be conducted by the College pursuant to the adopted forest management plan. The annual plan will address activities associated with harvest and forest operations, recreation, public access, and community outreach
 - Review annual budget planning documents prior to the start of the fiscal year
 - Review and provide comments on reports to federal and or state agencies associated with implementation of HCP terms and conditions
 - Receive biannual updates on financial matters associated with forest operations
 - Review and provide comments on the Dean's annual ESRF Status Report prior to submission to the OSU Board of Trustees
 - Adopt an approach, under the oversight of the Dean and Executive Director, for the ESRF Advisory Committee's ongoing and constructive engagement with OSU faculty and staff on the above matters as well as the matter of research development, opportunities and implementation as it affects forest management, operations, and adherence to the ESRF's articulated goals, research design, public commitments, and related foundational elements
- Appointments and membership criteria include:
 - Composition - the size and composition of this committee will be a continuation of or patterned after the DSL Advisory Committee that is in place to guide the creation of an Elliott State Research Forest
 - The committee will consider expanding its current membership to include one additional recreation representative, one youth natural resource/environmental education representative, and two at-large representatives.
 - Bylaws are yet to be developed and adopted, and may include:

- Terms and conditions; e.g., four-year terms with option for renewal (conditions and term limits to be determined)
- Nomination process for open positions on the committee (yet to be determined)
- Selection process for filling open positions on the committee (yet to be determined)
- Removal for cause procedures

Public

The ESRF remains in public ownership that guarantees access for recreational and educational purposes, among other allowable uses. Therefore, it is important that the public be empowered to provide input and influence on the overall operations of the ESRF in a transparent and meaningful way. The public is represented through membership on the ESRF Advisory Committee, its ability to access ESRF public records and to attend public meetings, and its elected representatives. The Executive Director regularly engages and informs the public. Formal processes and structures (yet to be defined) will be established for engaging with and informing the public, including public notices, comment periods, a website that provides the management plans and updates, and annual local open public meetings. Individuals may also engage in forest activities that contribute to its overall goals and objectives, including volunteering in research (citizen science), recreation, education, and contractors in harvesting activities and vehicle/facilities maintenance (figure 10).

Accountability and restrictions

OSU commits to ensuring accountability to the integrity and transparency of the ESRF's management and operations in several ways, including the following.

- OSU communications regarding the ESRF are subject to the Oregon Public Records Act unless otherwise subject to non-disclosure protections under State law
- ESRF Advisory Committee and any subcommittee meetings will honor the spirit of Oregon statutes relating to meetings laws, regardless of whether they are deemed to be applicable to OSU
- Public input and dispute review (accountability and enforceability mechanisms yet to be developed)

OSU or the State (prior to title transfer) may advance a deed restriction, forest conservation easement, and/or protective covenant that ensures the following (exact language and additional restrictions are yet to be determined):

- OSU cannot sell, partition, trade or otherwise transfer any portion of the Elliott State Forest / ESRF property without legislative approval. While this document would not prohibit additional acreage from being added to the ESRF over time, it would ensure the ESRF is not reduced from its status at the time of State transfer to OSU
- The ESRF cannot be used as direct collateral for a loan (although the ESRF would be part of OSU's asset base and available for purposes of supporting bond capacity)
- Prohibition of lease or sale of any mineral resources (including hardrock minerals such as gold or fluid minerals such as oil, gas, geothermal resources), except for rock quarry activity to support the road system or for direct use in the operations of the forest
- The reserve-dedicated acreage on the ESRF will not be reduced

- Prohibition of commercial-scale energy development, including, but not limited to, wind, solar, or hydro, with potential exception for on-site use (including sale of energy to the grid) or for approved research purposes

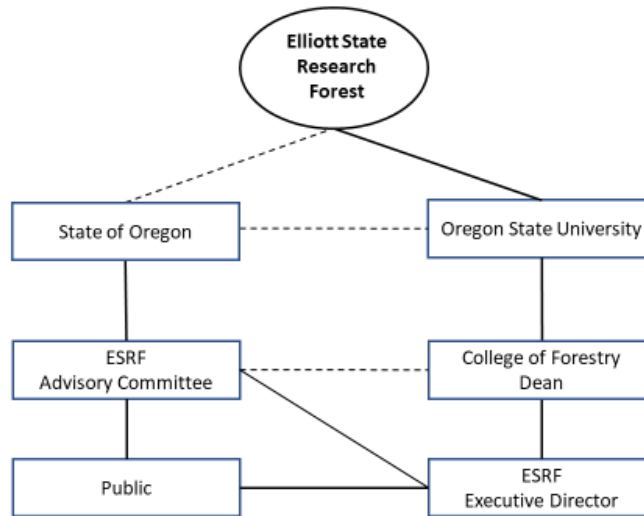


Figure 9. Governance structure for the Elliott State Research Forest (solid lines show direct relationships and the dashed lines show indirect relationships).

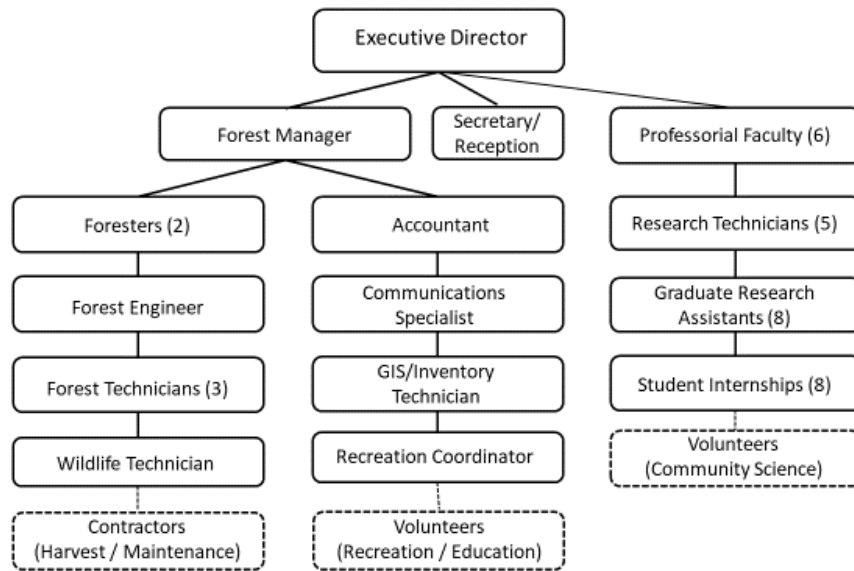


Figure 10. Staffing for the Elliott State Research Forest (solid lines/borders show payroll relationships and the dashed lines show non-payroll relationships).