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UNIVERSITY OF KENTUCKY  
SENATE COUNCIL MEETING

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OCTOBER 8, 2007

3:00 P.M.

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KAVEH TAGAVI, CHAIR  
DAVID RANDALL, VICE-CHAIR  
SHEILA BROTHERS, ADMINISTRATIVE COORDINATOR

LISA E. HOINKE, COURT REPORTER  
CHAIR: Okay. I'm going to call the -- I'm going to call the meeting of the Senate to order.

The minutes of September 10th, 2007 have been distributed to you. We have not received any corrections. Are there any comments or questions regarding the minutes?  
(NO RESPONSE)

CHAIR: Okay. Hearing none, then the minutes stand approved.

I have a few announcements. First, I'd like to remind you one more time, the Senators, when you ask for permission to speak please mention your name first and your -- your college.

Brad Canon, who is a volunteer temporary Parliamentarian for us had some personal matter to attend. I wish him good luck. That's why he's not sitting at that

table today.

Is Nick Phelps here?

(NO RESPONSE)

CHAIR:

Okay. Then I won't introduce him, although I'm pretty sure most of you know who Nick Phelps is. Okay. I have one other that -- that there is a -- let me give you background regarding this last item on the screen.

As most of you should know, some of our committees have a very heavy load, perhaps one or two of them, and then some of our other committees have less of a load and sometimes they rarely meet.

There is also a question asked often, why when a proposal gets approved by the faculty, then by the college and then go to, let's say, Undergraduate Council, which is elected by the faculty to begin with, why does it have to go to yet another subcommittee of the Senate or Committee of the Senate before coming to the Senate Council and then come to the -- before the Senate?

So that's one issue -- that's the second issue. The first issue is the fact that the work is uneven; second issue whether or not we need all these committees.

And then there's the third issue. We have a Joint Committee, joint which means joined by administration and by the Senate Council, UCAPP which is a very high level planning committee that works with the Provost. Maybe some of you know about that committee.

That committee also has some subcommittees which have some overlap with our subcommittees. So the charge of this committee -- which you could see the members in addition to myself, they are charged -- they are charged with these three items and I wanted to -- because this is your Senate and your committees, I wanted to -- a lot of you are on these committees. I wanted to let you know beforehand, if you have any comments regarding the function of your committee, any criticism, any positive/negative, please let it be known. Let the Senate Council Office know, and I will update you on this as needed.

Any questions or comments on that one?

(NO RESPONSE)

CHAIR:

We have revised a couple of forms. The two -- believe it or not, it's not that easy to have a form. I thought it was very easy to have a form.

We have revised these forms and they have already been sent out. There's no substantial difference -- changes, other than what we had to do.

For example, we are including more options for course type. Used to be only

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Lecture, lab, studio. There are some other course types that we dug up from some old documents, which are not codified, per se, but they have been used in the past.

We also included a section on community and service-based learning. We are required -- the Provost Office is required to track these as we go along, and we are including a section on distance learning which is something new has come since the last time we changed our form. And there's also some formatting change. We hope it is much more friendly to everybody.

So the new course form change is -- form is changed. The course change form has changed and undergraduate program also has changed, the form has changed; mostly formatting on that one.

Look on the Senate Council or Senate web site and look at these forms if you would like.

There is also an issue of college and department rules; this is FYI. A few years ago really a lot of the change in the GR, we have to have -- both the Provost Office and the Senate web site has to have a copy of all their department and college rules.

There was a memo out by then Provost Smith that asked these to be either resubmitted or reviewed and submitted to the Provost Office, and now we're at the point that we would like to -- that the Provost Office has to approve these and to review them.

Provost very generously contacted me and said we would like to have Senate Council involved if you want, either as a subcommittee, ad hoc committee or reviewed by any shape or form at the Senate Council level.

After discussing this with my Council, the decision was that the Senate Council Chair will review all new rules, not for merit, and by the way, that's the type of review the Provost will be doing; not for merit or put his opinion instead of the faculty opinion but rather whether they are procedurally sound and they are in compliance with GRAR Senate Rules.

So I will be, as long as I'm Senate Council, the Senate Council Chair will be reviewing these and if there are any abnormalities or special concerns, then we get input from College Senators or maybe college faculty council and if need be, bring those particular rules to the Senate Council for further discussion. As I said, that was FYI.

All right. Item No. 2, UK has a new Work-Life Director, Robyn Pease. That's her telephone number for your comments. She couldn't be here today. We have a

presentation for you. It will be done by Terri Kanatzar.

Was that close?

KANATZAR:

No, that was good.

Our Director, Dr. Robyn Pease, she had a family emergency so she could not be here, and I'm here just to tell you about October Work and Family Month; and hopefully when you came in you got a front and back flyer that will tell you about all the events that we have scheduled.

We have a number of presentations around career development. I'll just highlight it here as we go along.

There's a topic, Developing a Winning Image; we have Family and Personal Relationship topics surrounding Child and elder Care. If you're a long-distance caregiver, we have a Long-Distance Care Giving presentation.

We have someone from the Human Development Institute talking about Making Sense of Support Programs for Individuals with Disabilities, Understanding Alzheimer's Disease.

We have a number of Health and Wellness topics. Living with Stress (Happily). Dr. Geza Bruckner with the College of Health Sciences is giving this presentation for us; a number of topics around Personal Money Management such as credit card, borrowing trouble, How to Pay -- Pay Your Bills and Have More Fun, which was a popular one that we had last year that we're repeating; a number of topics surround Work, Family and Personal Life Balance; Time: How to Make it Count; Family Medical Leave Act and How to Manage Work, Family, and Personal Life.

And on the back you'll see a number of special events the Health and Wellness program at UK is having, too. Wellness on Wheels, free cholesterol and health screening for employees.

The UK Family Center is having an open house and they are also sponsoring a workshop, Mastering the Magic of Love.

And this week is retirement week, and TIAA-CREF and Fidelity, they're sponsoring a number of retirement workshops. TIAA-CREF, they're bringing in national experts from U.S. News and World Report, Real Simple magazine and the Atlantic Monthly.

So if you're interested in any of these, specifically the ones that TIAA-CREF is sponsoring, you do have to go to their web site to register.

So we hope you can join us, and if you are a supervisor, if you could communicate this to your staff, just show your support in allowing some flexibility; if you can, that would be very helpful.

Thank you.

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CHAIR: Are there any -- before you leave, are there any questions that anyone wants to ask?

ELDRED: Janet Eldred, English.  
I have a comment. I notice -- I don't know what the UK Family Center Open House or the UK Family Center is, but I notice that there's one little icon next to the cradle, and the caption says, Mastering the Magic of Love, which is ideal for all couples, but apparently only if one wears a skirt and one wears a pair of pants. So just a little observation.

KANATZER: Sure. And we have gotten feedback on that. It's open for, you know, any couple so... You can also go to their web site -- the Work Life web site for a description of all these events, but I appreciate the feedback and you're always welcome to give the Work-Life office feedback so thank you.

CHAIR: Any other comments or questions?  
(NO RESPONSE)

CHAIR: Okay. Thank you very much.

KANATZER: Thank you for having me.

CHAIR: Item No. 3 is four items by our Senate Rules and Elections Committee. Just one brief note, the first two you have seen before and they are here for you to vote on and to approve so we can codify them. But you have seen them before. The other two are somewhat new.

So let me go over the first one, and then I'll ask our Chair -- Rules Committee Chair if he has any comments.

The first one is regarding missing grade language codification. As I said, you have seen this before. We had to approve this on a somewhat urgent matter because registrar came to us and said we have a designation that is for two different type of grades. That SAP people do not want to do this, therefore, we would like to create a new -- a new designation. It was somewhat innocuous so I approved it and I think I either asked you for approval or I informed you. Now the language is in front of us to be approved by the Senate.

Doug Michael, Chair of the Rules Committee, do you have anything to add to that or I said everything that you were going to?

MICHAEL: That was perfect. I'll be glad to answer questions if anybody has any.

CHAIR: The information is in front of you. It's in your packet, I believe. Does anybody have a question regarding this item?

(NO RESPONSE)  
CHAIR: If there are no questions then, I have -- the recommendations are not -- these are just a suggestion to facilitate the motion. So we don't -- we don't need a second -- or a motion or second because this is from a committee or from Senate Council,

so we'll be shortly voting on this recommendation.

Any further or final discussion on this?

(NO RESPONSE)

CHAIR: All those in favor of this recommendation please say aye.

(MEMBERS VOTE)

CHAIR: Any opposed?

(NONE OPPOSED)

CHAIR: Any abstain? Anybody abstaining from, say aye.

(NONE ABSTAINED)

CHAIR: So it is unanimous, and the motion carries. That's why it is ambiguous.

Okay. The next one, why don't I ask my good friend to introduce this one.

MI CHAEL: That would be me?

CHAIR: Yes.

MI CHAEL: Okay. Doug Michael, College of Law, Chair of the Rules Committee.

The second item is on page 11 of your packet. Basically, the Rules Committee was charged with codifying which the Senate requires and then sometimes you do it directly to rules and sometimes you don't.

If you recall, last year we extended the suspension to oral communications requirement. And to write that into the Senate Rules required more than what we thought, as a Committee, were (inaudible) or little changes in style, a little more in substance than we thought it required being brought back to the Senate Council and then to the Senate.

Basically what we've done is take what's written as a note in the Senate Rules, nobody really knows how the notes get put in the Senate Rules. We asked the chief note maker, and she didn't really know, so we moved it to a place at the end of the Rule, codify it as a rule where it can be a limited time period, which guts the Oral Communication Requirement which you can see on page 12, and suspension for students who have matriculated from the Fall semester '04 through the Fall Semester '09.

CHAIR: Okay. Are there any questions, comments regarding this item?

(NO RESPONSE)

CHAIR: As a side note and FYI, although I've said it before on this, what I'm telling you as a side note is not part of this proposal but it's a side note; and, that is, the last time we approved this at the Senate Council and then we approved it as a Senate to extend this, we also said we need a report by Spring of 2008?

BROTHERS: 7. January '07.

CHAIR: January 2007, already past.

And we also said that we will not approve any more extensions, because this extension was done a couple of times, unless

we have this report.

We were just recently informed that due to changes to USP, which is forthcoming, potentially, that such a report is not going to come because it might be a duplication of their report.

However, our Senate Council stands that we will not extend this any more should there be no USP Reform or should we require an extension we will not grant an extension.

So that was a side note. Because it's relevant to this, I thought I'd mention it to you.

Keith Johnson.

JOHNSON: I haven't attended a Senate Council Meeting in which this was approved; attended subsequent meetings. I don't recall that a blanket statement that it wouldn't be extended, although it could in connection with an audit. It should be highlighted that the proposal that's currently circulating through USP had no specific provision really to Oral Communication.

CHAIR: I will ask Sheila to send you a copy of the Senate minutes that said that we will not extend this anymore. Of course, we can always change our mind but as of now the last position that we took.

And the report, just to be -- to clarify, the report was suppose to come to us from the Associate Provost for Undergraduate Study Department, just to clarify that.

Now back to -- as I said, the side note has nothing to do with the item in front of you. Are there any questions on the item in front of you?

(NO RESPONSE)

CHAIR: Then we are recommending that the Senate approve the proposed changes to SR 5.4.3.3 University Studies Requirements and make the changes effective immediately without any further codification since it's already been codified by the Senate Rules Committee.

And we don't need a motion or second for that, are we ready to vote?

(NO RESPONSE)

CHAIR: All those in favor of this recommendation please indicate so by saying aye.

(MEMBERS VOTE)

CHAIR: All opposed the same sign.

(NONE OPPOSED)

CHAIR: Abstain?

(NONE ABSTAIN)

CHAIR: It's unanimous again and the motion carries.

Now these two items, as I said, they are new items.

Doug Michael, would you like to introduce this item, please?

MI CHAEL:

Sure.

This is is -- begins on page 13 of

your handout. We are bringing this back to the Senate Counsel and to the Senate. As many of you probably recall, the Senate approved extending the withdrawal period from nine weeks to 12 weeks for the first time according to (inaudible) Senate Rules. The Senate Rules Committee then undertook to codify it.

If you spend very much time on the Senate Rules you know that once you get into them, sometimes you try to fix one thing and you see other problems that need fixing. What became apparent to us is the word drop is used in many different ways in these rules and we cleaned up the rules to use drop in a way we thought most faculty and students understood it, meaning the three week period at the beginning of the semester in which you may remove yourself from the course (inaudible) without it ever appearing on your transcript. And so all the changes that we made here are to -- refer to everything else, that used to be called being dropped as withdrawing. And then because this was not within the original charge the committee was given, we (inaudible) back to the Senate Council. And you can see that, with other changes that appear on pages 14, 15.

CHAIR: Are there any comments or questions regarding this item?  
(NO RESPONSE)

CHAIR: So we are going to go ahead and vote on the recommendation, which will be in front of you in a second.

All those in favor of this recommendation please indicate by saying aye.  
(MEMBERS VOTE)

CHAIR: Opposed the same sign?  
(NONE OPPOSED)

CHAIR: Abstain?  
(NONE ABSTAIN)

CHAIR: It's unanimous and the motion carries.

The last item under item 3 is duplicate credit and repeat clarification.

MI CHAEL: Doug, will you please help again?  
All right. The -- the story of this one begins on page 17 of your handout. This was sent to the committee from the Senate Council, and I have to confess I don't know how it wound up on the desk of the Senate Council. Perhaps it was a smooth spontaneous discussion; perhaps, Kaveh can fill you in on that. In any event, we were giving the job of figuring out what to do with the duplicate credit rule.

As you may or may or not know, it is possible for a student to enroll in any course at any time even though it's not designated in the catalogue as repeat or the consequences that -- help me if I get it wrong, only one set of credit hours appears and it does -- the second and third and



fourth attempts do not change your grade point average, but nonetheless, the grades do appear on your transcript.

CHAIR: The only thing that I can add to how it got to us, and my memory is also a bit weak on that, but I think we had a proposal initially -- not, in fact, this proposal from somebody in Advising.

BROTHERS: The Duplicate --

CHAIR: Do you know the name of the person?

BROTHERS: Mike Shanks.

CHAIR: Mike Shanks. There's a question here.

CALVERT: Ken Calvert, College of Engineering.

I just wanted to clarify, it did come through the Admission and Academic Standard Committee last year also before it went to the Senate Council. That's where this first revision came from.

CHAIR: Thank you for that.

MICHAEL: So it was given to us to fix the language. At the bottom of page 17 you see how it was given to us from the Senate Council, and then we were asked to make that consistent with the repeat option. Well, that was pretty straightforward, so what you have on page 18 is just simply adding on the list, unless the student exercises the Repeat Option with which you're probably familiar, (inaudible) and all we've done otherwise is clean up the language and add some changes to the styles and the rule...

CHAIR: This recommendation does not require a motion or a second. It's in front of you. Are there any or further discussions? Questions?  
(NO RESPONSE)

CHAIR: Let's go ahead and vote. All those in favor of this recommendation please indicate so by saying aye.  
(MEMBERS VOTE)

CHAIR: All opposed the same sign?  
(NONE OPPOSED)

CHAIR: Abstain?  
(NON ABSTAIN)

CHAIR: It's unanimous and motion carries. the next item is revision to AR 11-4.0-4 titled Research Conflict of Interest and Financial Disclosure Policy.

This is not an item that requires Senate approval so we thought using the word approval or disapproval really is not appropriate. Mostly our guests are here for getting our input. After the questions are asked inputs are given. It's totally up to you. The Senate Council did not decide to make necessarily an endorsement. We wanted to hear from you what is the will of this body.

Any Senator could make a motion and endorse. I would like to (inaudible) the Senate endorse and -- endorse this proposal,

and I will convey that endorsement to the administration.

We -- our guests are Debbie Davis, Director of Office of Sponsored Projects for the Research, and Marcy Deaton, who is Associate General Counsel. So the two of you or whichever you want, please come.

DAVIS:

I'll be very brief because Marcy has done a very good job of giving you a summary of the revisions on page 19 of your handout.

Essentially, there are two main things that we've done in this revision. One is to make an active Central Conflict of Interest Committee, and this committee is in keeping with kind of national trend. There's nothing wrong the way we've done this. And by the way, we have these regulations at UK because of Federal Regulations that apply to the research grant that we receive at UK.

So there's nothing wrong with the way we have been doing it, but it's certainly -- what most universities do is have a Central Committee that does review conflicts of interest that pertain to research and who will review how we are going to manage those conflicts, to almost every (inaudible) allow the research to continue. So this is an active committee that will be composed of mainly or maybe entirely of faculty along with some administrative executives.

The other changes that we've made are to address specifically some references to human subjects research, and this is due to two things. One is an accreditation that we were seeking and have since received from AAHRPP, and that's an accrediting body of our Human Protection Program at UK. So we had to incorporate some changes to get that accreditation.

Even if we didn't and were not seeking that accreditation, there is a national trend to place higher standards on managing conflicts that involve -- research that involves human subjects.

So there is -- there are simply some references in here that basically have a zero threshold for disclosure of a financial interest, and I can explain that if it is not clear in the revision.

So those are the two main things; to provide a higher standard for research that involves human subjects and to have an active central institutional research committee for conflict of interest.

CHAIR:

Do you have any questions for guest

--

HAYES:

Jean Hayes, College of Engineering. I just want to make sure that I understand. Does this apply to the form that we fill out when we're doing our internal paperwork now on the financial disclosure form? Are we going to sign not only that we don't have a

financial interest or a conflict of interest but that we're also following the IRB process?

DAVIS: I'll answer what I think is your question. When this is approved -- when this AR is approved, we're also going to revise the form. We have -- we're going to add a couple of questions that pertain directly to human subjects, so you'll answer the same core questions that you do now and then there will be a couple more that says, if you have human subjects, please answer these additional questions. You also -- did that answer or I'm not quite there am I?

HAYES: Well, so to me I guess it doesn't necessarily make sense for those two things to be together because to me the IRB has its -- this whole life of its own.

DAVIS: Yes. I totally agree.

HAYES: And we answer a question about that elsewhere on the internal paperwork so, to me, conflict of interest and financial disclosure, IRB, (inaudible) subject.

HAYES: Yes. And I couldn't agree more. What we're trying to work out is how -- and we will. We'll work out is how these two committees work together but essentially the conflict of interest committee will complete its work before the IRB gives final approval to anything that has human subjects and there is a financial conflict, so they can consider the management plan in their work, which is are subjects adequately protected in this research.

I feel like I still haven't gotten to what you're --

HAYES: Okay. So here's what I'm worried about. I already have to meet these IRB Regulations over here because I'm working with human subjects, and this before was just kind of a checkmark. Oh, I'm not worried because I'm not getting any money from NASA on the side so I can check that. Okay.

But now what I'm worried about is here's this new wording about human subjects that's going to be put in this financial disclosure policy, so now I don't have to just worry about what I was reading over here on IRB, which is when I have my human subject hat on, now I have to worry about looking for hidden language about human subjects over here in this financial disclosure policy which goes with a different form.

Does that make sense?

DAVIS: It does, and I think -- you know, I think we've doing this already so if you haven't noticed a change... Hopefully it will be transparent because we have already made a move to being more sensitive to human subject research and we have already been coordinating with the IRB to -- to try make this smooth so that you're -- you aren't bounced back and forth; that you're not

having to do more work.

How the logistics of that will work out as we go through this process, we'll just -- we don't know yet, but we're going to try to make it as smooth as we can.

GROSSMAN: Bob Grossman, Arts & Sciences.

Just a couple clarifications.

First of all, this applies only to conflicts of interest in research, so if you're -- if you're moonlighting in some other activity that has nothing to do with research, none of this would apply; is that correct?

DAVIS: Are you talking about external consultant?

Yeah.

GROSSMAN: It does not. Some institutions include that, but UK does not.

GROSSMAN: Okay. Another question is when I was reading through this to try to find out exactly how will I know when there is -- if I might have a conflict of interest and what do I need to do? I noticed in Part Six, where it says conflicts of interest, it says a potential or actual conflict of interest exists when the significant financial interest would reasonably appear to be affected.

It's a little bit vague, and it's in passive tense. And so to decide whether you need to start the creaking university machinery turning over or not, is also -- you know, pretty much comes down to this.

A little more guidance on when you -- when you need to make a disclosure I think would be helpful.

DAVIS: It is -- first of all, we try not to be creaky. A lot of University Regulations comes from the Federal. In fact, some of it we just plagiarized and we made it part of our own.

The distinction that is trying to be made, and it is kind of gray, the regulation doesn't require that you disclose or that you consider all of your financial -- your personal financial holdings.

So you may have, you know, some GM stock your grandfather willed to you that has absolutely nothing to do with your research. And so what this is trying to get at in a way that almost necessitates it being kind of vague is, does it have anything to do with your project? Does it have anything to do with what you (inaudible). So to draw kind of hard lines -- we don't want you to disclose anything you don't have to, but we're trying to get at those things that could have some relationship to what you're doing.

Also on that note, we are going about some educational campaigns this next year, so I think in those smaller groups within colleges and departments we should be able to hone in on circumstances that

individuals have.  
CHAIR: Any other questions before I present this?  
(NO RESPONSE)  
CHAIR: Okay. Now as I mentioned before --  
SAWAYA: Motion to endorse.  
CHAIR: Did somebody say something?  
SAWAYA: I made a motion to -- Peter Sawaya, College of Medicine. I will endorse this new policy --  
CHAIR: We have a motion to endorse this policy. Is there a second?  
GROSSMAN: I'll second it.  
CHAIR: Bob Grossman second. Any further discussion?  
(NO RESPONSE)  
CHAIR: All those in favor of this endorsement, please indicate so by say aye.  
(MEMBERS VOTE)  
CHAIR: Opposed, same sign?  
(NONE OPPOSED)  
CHAIR: Abstain?  
(MEMBERS VOTE)  
CHAIR: We have one abstain.  
BROTHERS: Two.  
MEMBER: Two abstain.  
CHAIR: And no opposition, so the motion carries. Thank you very much.  
Next item, what I'm going to show you in the next two overview you might -- I already completed that. I have over prepared, but I -- we would -- we like to be over prepared rather than be under prepared.  
Nevertheless, I'm going to quickly go over those. We decided that only Senators and panelists -- (inaudible) will be allowed the privilege -- given the privilege of speaking, and any non-Senators or University committee or citizens of Lexington, Kentucky, if they have a question -- Michelle, could you show yourself?  
(MICHELLE COMPLIES WITH REQUEST)  
CHAIR: Okay. Michelle is there with some paper. If you indicate you need a piece of paper or you have your own paper, you just write your questions on those pieces of paper, if you are not a Senator, then we screen those, we will look at those questions and if time permits, which I have feeling time is not of issue today, we will then address those questions.  
Okay. I also would like to ask -- this is the way Robert's Rules of Order actually dictates for all suggestion -- all discussions, although we have -- we have always been lax over this. But today I'd like to see if I could do this if I had to do it. And that means, I want you to pose the question to me. Please do not pose the question directly to the panel members, or to our guests.  
This Robert's Rules of Order. This is not Kaveh's Order, okay. It's Robert's

Rules of Order. Pose the question to me, I will then -- I might then pose that question, re-read it for everyone to hear it and pose it to our panelist or to our guests.

Well, this is not going to happen but again, as I said, I have over-prepared. This is a -- I know for sure people on both of -- both sides of this issue are very passionate about their -- their position, and they are very sincere and passionate. But this is an academic setting, and I'd like to keep this an academic discussion.

So I was going to say no signs, but I don't see any signs so that probably would be a moot point. Please don't applaud or show your dissatisfaction.

That's what I mean by an academic discussion.

Okay. A little bit of a background. On September 21, 2004 the Board of Trustee's meeting, Board of Trustees voted to endorse the Robinson Forest Sustainable Management Guidelines, associated research plan, and the proposed allocation of future timber revenue.

On October 1st, '07 Senate Council meeting, having heard from her constituents, other faculty members, concerned faculty members, one of our Council members, Judith Lesnaw, asked Senate Council if this was an issue that the Senate should discuss.

After some discussion the Senate Council members thought that it should be, and we voted unanimously to include an informational discussion on Robinson Forest on the Senate agenda.

I'd like to repeat that this has already been approved by the Board of Trustees, but that doesn't mean we cannot give our opinion or send to the Senate.

So what I did was then, I asked the Senate Council member, Judith Lesnaw, who brought the concern of our faculty colleagues to the Senate Council, I asked her to recommend a couple of names to be invited here to give one side of the issue, and we were given the names Randall Roorda and David Maehr.

Then I went to the administration and I asked who would be here to give the other side of the issue. We were told it would be Dean Smith.

Immediately we contacted Dean Scott Smith, Dean of the College of Agriculture. He immediately said he had a very severe conflict. In fact, as we speak right now he's in a faculty meeting, and after that there is a session. However, he said he will try to be here by 4:30, but we might not. So we'll see.

I then asked Dean Smith if he would recommend somebody to come and give this side of the issue, and he mentioned Forestry Chair

Stephen Bullard and he also had some of his other colleagues, Chris Barton, John Cox and Jeff Stringer.

So what I'm going to do is, after I invite these five, six or seven -- let's see, one, two, three, four, five, six people that I mentioned to come over here. They can sit at that table. I will ask first a statement by those who are supporting this extension for logging.

Then I will ask those who do not necessarily support or maybe in the same way support. Somebody might have a happy medium position on those extension of logging.

Then what I would do, I would ask questions from Senators and then I would go question from others if time permits. Non-senators who have questions, I would ask that those questions be written on a piece of paper and be given to Michelle and then it will come to me.

Okay. So here are the panelists again: Steve Bullard, Chair, Department of Forestry and Department of Forestry Faculty, Dave Maehr, Conversation Biology, Jeff Stringer, Hardwood Silviculture and Forest, Steve Barton, Forest Hydrology and Watershed Management and John Cox, Conservation Biology and the Department of English faculty member Randall Roorda.

So I hope you're all here. Please, come on over.

(PANELISTS COMPLY WITH REQUEST)

- CHAIR: Okay. See if I could ask starting from here, if you would introduce yourself, please.
- BULLARD: I'm Steve Bullard, Chair of the Department of Forestry.
- COX: John Cox, faculty member in Forestry.
- BARTON: Chris Barton, Research Hydrologist.
- MAEHR: Dave Maehr, Professor of Conservation Biology.
- ROORDA: Randall Roorda, Associate Professor of English, Director of the University Writing Program, Co-Director of the Summer Environmental Writing Program and Kentucky Master Logger.
- CHAIR: Okay. So Professor Bullard, would you please start? Please go with the same order.
- BULLARD: Okay.
- CHAIR: And then we just go on down the line, please.
- BULLARD: I think that Dean Smith is prepared to come a little later. He's -- he's bringing a PowerPoint, so actually I think he is coming to present an administrative view on this.

As I look in your packet I see that you have a copy of what the Board approved on Page 31, and then a document starting on page 33 described as a Robinson Forest White Paper

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which was developed by members of our faculty recently in answer to some of the questions that have been raised recently, and -- and I think we've the Senators -- or we're --

BROTHERS:

Yes.

BULLARD:

So you have that information. I don't think Dr. Stringer is here, although he plans to be here so I assume that he might show up at any time. If he comes, we'd like to invite him to the front also.

CHAIR:

Absolutely.

BULLARD:

Our -- our main point is that sometimes in the confusion on this people haven't realized that there have been -- there are two documents out of there.

When the Board approved, back three years ago, when they made the approval, there was the set of Management Guidelines, which is a specific document, and then there's another document that we refer to as the SMZ Study or sometimes the Research Plan is the title if that's -- or referred to as a Research Plan.

That's a specific study involving hydrology work for stream-side management zones. And, again, if you've read the background on this, I think everyone knows that -- that language.

Basically what I'd like to do is -- is allow our folks to say whatever they would like to say, and then entertain any questions because, you know, it certainly is, in the interest of our time, to go through the items that are in this list of questions and address each one individually.

Thank you.

CHAIR:

Okay. Next person?

COX:

I guess I have the -- maybe a unique perspective on -- on the whole Robinson Forest issue.

CHAIR:

Can everyone hear?

(NO RESPONSE)

CHAIR:

Okay.

COX:

It was only about four years ago that I was a student here, and we were heavily involved in trying to prevent the University from considering additional mining in the main block of the forest for the purpose of generating funds for the Robinson Scholars' Program.

And we fought to stop the -- that consideration, and I guess we were somewhat successful in persuading the administration to -- to at least not consider it for the time being.

Shortly after that -- about six months after that, we were asked to write a position statement on what we thought -- or I guess what our viewpoint would be on this SMZ Project, and we considered a number of things collectively when we looked at this research project.

And we considered, first, the --



first of all, the perception about research in Robinson Forest, and when we -- when we fought to try to stop the mining in '03, a perception, whether real or perceived, was that there wasn't enough research going on in Robinson Forest, at least enough serious research, and that really there wasn't, I guess, a great deal of justification for preserving that forest when you consider that half a billion dollars worth of coal is estimate to -- to lie underneath of the forest.

So there was that perception that there's really not much going on there, and it seemed like a well thought-out study where we would have real results that could be applied to improve environmental conditions in the State.

We looked at the experiment in terms of how it fell within the original trust stipulations, which were the practical demonstration of reforestation and agricultural experimentation, those sort of conditions that E.O. -- E. O. Robinson put forth to the University.

And even if we were opposed to that, to the SMZ cut, at that time, we didn't feel like that we had any legal standing in terms of trying to challenge that because that was essentially what E.O. Robinson asked the University to do.

In terms of how the results would be applied, we view that as, well, if you mine the place you've essentially taken the resources out of there and left it in more or less ruins for the next few hundred years or centuries or millennium or whatever; whereas, the results of this study could be applied throughout the region in terms of how -- improving quality of timber harvest. And we're talking about 800 to 1,000 acres, and how that could be applied over -- over hundreds of thousands of acres within Appalachia.

So we saw the timber harvest and logging are really a key long-term and important (inaudible) industry within the region, and coal mining is not.

We look at it from a relative threat perspective. The logging proposal called for 800 to 1,000 acres of forest to be harvested. That's 8 to 10 percent of the main block of forest.

And given that the forest was cut 80 years ago and it's -- and it's becoming mature, if you want to call that, at this point, it was -- it was not even on the same radar to surface mining.

We looked at how much confidence that we had in the principal investigators at the time, and we felt like that we had confidence in those -- the two -- the two principle investigators; there was a

significant outreach to try to get other people like the Environmental Protection Agency, other members of the faculty to try to -- to try to leverage other -- other studies and to try to find out what the impacts would be on several different taxon in that system.

As I mentioned, the underlying use it or lose it threat; whether or not that's very real -- whether that's a real threat or whether that's perceived, that's -- we felt like that -- that given the current threat that we had just overcome, that this was really not that significant.

Now whether -- if the acreage had been 2 or 3,000 acres of the forest, our position might have been different despite the fact that we didn't think we had any legality in challenge, we may have still opposed that. But it just didn't cross, I guess, our threshold at that time.

And -- and I think -- we circulated this plan around among all the students that formed those groups, many of which had graduated by that time, and I think the reason that there wasn't any opposition to the plan at that time and -- and none -- none of those people have come back and said we're opposed to it now that I'm aware of, is that a large proportion of those students were forestry and natural resource professionals, and so they understood that there was a need to try to create guidelines to help improve the timber industry out there. We need very region specific guidelines.

So we considered all of those things collectively and carefully before we made that statement three and a half years ago.

Thank you.

CHAIR:  
BARTON:

Next?

As PI on this project, one of the questions I get often is why Robinson Forest, and I'd kind of like to talk a little bit about that, you know, given this opportunity.

Robinson Forest is the ideal location to do this type of research. This is a controlled research experiment, and this is a long-term research experiment.

The SMZ study is what we call a classic paired-watershed experiment, and in a paired-watershed experiment you essentially look at two or more watersheds and you compare them and you calibrate them and study their behavior over some period of time, and then after this period of time is sufficient you implement some sort of treatment in one or more of the watershed and you evaluate the response to those treatments.

So the Streamside Management Zone Project is essentially looking at various widths that we use to protect stream quality and biota, and in Kentucky we have a

regulation and this regulation deviates depending on the topographic region you're in.

But in the mountainous regions of Eastern Kentucky, essentially, influx greater than 15 percent, we have a 55-foot buffer on either side of the stream protecting it from forest harvesting activities.

Within this buffer you can do some limited amount of harvesting, but no more than 50 percent of the canopy can be removed.

We feel that this is a good recommendation, best management practice for these perennial streams, but it's never really been tested in this state. We have some information that suggest that the use of the BMPs is much better than no BMPs, but we really don't have any information to tell us if 55 foot is an adequate width; do we need more; do we need less.

And also some of the logging restrictions in other parts of these headwater systems, such as ephemeral and intermittent streams, currently we don't require any regulations as far as removing timber in those streamside areas.

So we do try to keep skidders and dozers out of the ephemeral streams, and we don't allow for people to drop materials in those streams but you can cut the trees all the way up through the headwater of those systems.

So this is an attempt, actually, to evaluate whether or not the regulation we have in Kentucky is adequate and whether or not we need to actually look at, I guess, more of enhanced type of protection in the headwater stream systems.

So, back to why Robinson Forest? Once again, this is a controlled experiment, and we need to have control of the land where we do this research.

Robinson Forest, the University owns it. We basically regulate who gets to use those lands and how they are used. I can put half a million to a million dollars worth of equipment out there in Robinson Forest and I don't really worry too much about it. Every now and then we get a hunter come by and shoot something, but, you know, in the greater scheme of things it's not too bad.

This is also a long-term experiment. Results from this project will easily go on for 10, 15, even 20 years after we do this harvest. So it's important to maintain the integrity of these research areas and also have access -- unlimited access to these areas over time.

And then the last thing goes into sort of the theory behind a paired-watershed study. For paired-watershed studies to really be effective you have to have as many variables between the different watersheds to

be as similar as possible prior to implementing this treatment.

So we want the size of the watersheds to be similar; we want the geology within these watersheds to be similar; the soils within these sites to be similar; the vegetation composition and age to be similar. And I think most importantly -- or I guess, two most importantly things, is that they have a similar land use and that the treatments that you're implementing are done in a similar fashion through each watershed.

So at Robinson Forest we have all of those conditions; soils, water, vegetation, geology -- and over the last three or four years we've actually determined that the response of those watersheds to rain events and other types of things are very similar.

So we've calibrated these systems. Statistically we know that they're similar, so when we go in and we do these treatments we'll be able to determine whether or not it was due to the treatment effect or due to some other erroneous or external variable.

The last item I mention is very important in the fact that we treat all of these systems similar. We conventionally do this research on private land, but you do have issues with the long-term access and control.

But I think the biggest issue is trying to find two operators or a group of operators who are going to do what we need to do similarly and not deviate from our research plan. It's very important that we stick to the plan and it's undertaken the way that we would like for it to be.

I think that's about all I have. Dave?

CHAIR:

Professor Maehr.

MAEHR:

Again, my name is David Maehr. I'm a Professor of Conservation Biology in the Department of Forestry.

When I was called by Sheila about this, I can't remember if she asked me to speak on behalf of the SMZ Study or against it. I'm -- did you even tell me which side I was supposed to be on?

CHAIR:

Can you do both sides?

MAEHR:

No, I'm going to my own side.

CHAIR:

Okay.

MAEHR:

And I'll start right off by saying I'm in favor of Robinson Forest, pure and simple. I also need to define what Conservation Biology is.

I'm sort of in an enviable -- unenviable position being the only person on campus as a full-time faculty member with that term in the title. And Conservation Biology is a crisis discipline. It deals with the random loss of species by adversity which is an accumulation of all the

information relating to life on the planet.

Issues like global climate change, the emanate loss of the Polar bear and other species that happen on a daily basis are the things that I'm concerned about, as well as the ecological and evolutionary processes that take place in places like Robinson Forest, large biotic reserves, if you will.

And notice I'm not using the word preserve here. That's a problematic term in this -- in this situation.

My experience in Robinson Forest goes back about a decade. It's been used by my former graduate students for research. I've been involved there in various teaching activities and outreach as well so I know it very well, and I think it's a most incredible -- most incredible resource.

About seven years ago the Chair of the Forestry -- or former Chair of the Department, Bob Muller, and I put together a piece for the journal BioScience that addressed the question of stewardship of university lands throughout the country.

Were universities, particularly the land-grant universities, good at maintaining what we felt was a very important mission, that was, maintaining biological diversity on these lands. This paper I can make available to you if you send me an e-mail, I can send you the PDF.

What I'd like to do is mention a couple of things, maybe read a couple of paragraphs out of this to sort of capsule where I'm coming from and where I think our responsible conservation biologist comes from on this issue.

So the lack of a shared vision among faculties and administrators for the conservation of undeveloped lands stems not just from failure of conservation biology, that's people like myself, to influence university policy, but also from conflicting public perceptions of the role of the university in today's society.

To some, universities are bastions of knowledge and learning. They are the centers of scholarship by which we define our history, ourselves, and our future.

To others, universities are engines of economic development. They're the brain trusts that will enable society to move into new realms of scientific understanding, social well-being and economic prosperity.

However, neither view incorporates the role of universities as conservators. While universities have a long tradition of honoring their libraries and art museums, their commitment to stewardship of undeveloped lands and the vast information contained in their biological diversity is only now beginning to emerge.

And as a side, I have a student

Looking at this right now, that will soon be publishing for thesis, on universities across the country; where they are, what their policies are; and what we can -- how we can incorporate them into continental conversation systems.

Stanford's -- this is one of the case studies being examined, final commitment to the Jasper Ridge Biological Preserve was not made until 1973 after about a decade of controversy in the wake of Earth Day.

Given these widely differing perspectives, it would be difficult for universities to critically evaluate and plan for undeveloped lands unless specific policies are established.

The University of Kentucky really doesn't have such policies. In fact, I'd go one step further and say the University of Kentucky has not very seriously embraced the conservation of bio -- or biological diversity here or anywhere.

I want to conclude from this expert -- excerpt with this short paragraph. Non-governmental organizations such as Nature Conservancy acquire and hold endangered lands until other agencies can assume land-management responsibilities.

The Audubon Society and the National Wildlife Federation influence Government and private land stewardship by strategic lobbying, expenditure of membership dues and fund-raising campaigns.

Do these activities absolve universities, with their many competing responsibilities, of the obligation to manage and conserve the biological heritage of undeveloped land they may own?

We contend that in a world that is increasingly cognizant of environmental degradation, ecosystem dysfunction and species loss, universities cannot afford to ignore responsibilities for the natural resources that they own. These lands are potentially too extensive and frequent -- and frequently because of prior benign management, potentially too biologically important to ignore.

I don't think the SMZ Study ignores these issues. In fact, there are ancillary activities that will be in place when the work goes in. For example, one of the concerns that I raised in an internal faculty memo a couple of weeks ago, that mysteriously found its way out around the world, suggested a concern for the invasion of exotic species and, in particular, the potential impact to the reintroduced elk herd that we now have in Kentucky; some -- somewhere between 6,000 and 7,000 elk now roam Eastern Kentucky.

They browse, which means they like to eat woody vegetation, they eat grass; they're generalists and they'll go where ever

the best food is available. Recent clear cuts are wonderful places for elk to go to get lots of good things to eat. So we will be in a position to respond to those changes, major respond, to vegetation as a result of (Inaudible) by elk and deer and see how that may change the trajectory of the regrowth of that forest. So this will be some adaptive management and research that will take place as that study goes forward.

From a conservation quality standpoint, regeneration of the spores within a large context of a mature forest and ecosystem is very much of interest in this day and age of different threats to forests from exotic species. We've had a number of insects that are moving in this way that will impact the future of forests, not to mention global climate change.

My concern here is not so much with the SMZ Study. If you seen the memo that was sent to my faculty, my concern is for the longer term stewardship of the forest. What will become of that forest as we think more and more about using it for income, under the guise of research that may have significant impact; so this is where I think we're at an interesting crossroads to change or at least develop some -- some guidelines that help maintain mature forest conditions that are there, perhaps even move towards the majority of the forest existing as an old-growth system.

Part of that e-mail -- or, yeah, it was an e-mail. Part of that e-mail for faculty talked about the harvest of individual trees of large and mature size to help maintain the mature and eventually old-growth structure of the forest. It talked about the potential for developing commercial ginseng production.

There are places that have been -- they've actually documented raising between 10,000 and \$70,000 per acre annually in raising commercially grown, but forest grown ginseng; very lucrative market in Asia and a growing market here in the United States.

On just a hundred acres we're talking about perhaps a million dollars a year of income from that sort of semi-agriculture use on a very small portion of the forest.

I talked about the use of these individual trees that would help us maintain the forest structure and (inaudible) ecological overgrowth integrity, and then supporting a profit-making center at our Wood Center down in Quicksand, Eastern Kentucky, not far from Robinson Forest.

If you want to come over and look at some wonderful oak cabinets that we have in our new conference room in the department, I can show you the potential for production

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that we could be talking about and making even more -- more profit to help offset the cost of management of Robinson Forest.

I really believe there is an economic issue here, one that we need to fully raise if we are to keep the away the specter of surface mining well into this century and future centuries.

Finally, some of you may have seen in the Saturday's newspaper an article in the City & Region Section entitled: UK Looks Forward to the Next Billion. I think we need to more seriously consider endowments in terms of maintaining the infrastructure at the Forest and making it less likely that we will go in there thinking that we need to impact vast areas of the forest and disregard or compromise the ecological integrity and bio diversity in that forest.

By my calculation, a mere three percent of the one billion dollars that it can raise is 2.1 something times what we expected starting in 1997. We would have what we need to run entirely the infrastructure, personnel cost at Robinson Forest. A little bit more, we could help fund some of the potentially lucrative sort of capitalistic opportunities that exist at the forest.

My view is we can have both of these things. My vision is a forest that continues to grow and reach full growth but maintain the constant income that keeps us from doing things that are irreversible, at least in terms of individual human lifetime.

So I'll stop there and let my figurative and literal next door neighbor be next.

ROORDA:

Again, I'm Randall Roorda. I work in the Department of English. I'm a little embarrassed to be put in this situation or position as sort of a representative of all the people who know a lot more than I do about the sciences, the research designs, the alternatives to it.

A lot of people who have studied this made -- made a life out of studying these sorts of things, I can't represent their knowledge. I'm on a little firmer ground, although still not representative in my ability to represent everybody who's not in the Department of Forestry and works for this University, may have an interest in Robinson Forest, even a research interest in Robinson Forest. I'm on a little firmer ground there, but even then my -- my situation is very partial.

What I'm going to speak about -- and I'm going to -- I'm speaking, but I'm going to read what I have here because otherwise I don't know where to start and I don't know when to finish.

What I want to make are some points



with respect to language used, certain rhetoric that we -- that we employ or fall into (inaudible) represent, how each question is framed. And I will give you remarks on my own position, specialized position as a non-scientist; a language professional who nonetheless likes to hang out with scientists.

Dave is the one I hang out with most; John Cox here, who's been with our summer program every year that we've been out for days at a time most often. Chris Barton, Jeff Stringer have both been forthcoming and generous with my students in the forest. Daniel Bowker, the resident forester, has been most gracious, informative and companionable. I'm most -- most appreciative of their presence and their input.

I'm fortunate to be able to agree to disagree with these people, and I would not impugn them or their expertise, but I have my own as well.

I acknowledge that Robinson Forest may be the best place for this research as contemplated. I question whether this research is the best thing for Robinson Forest.

With respect to the opening section of the White Paper will be the first point I want to (inaudible), on the purpose of the Robinson Forest and what it is that Dean Smith said there.

The purpose of the forest, as Dean Smith discussed, how was given to the University in trust and is managed to conform to its legal requirements and then later on quotes Mr. Robinson as providing more insight into his intentions.

So the purpose is framed in terms of the terms of the trust and the bequest of E.O. Robinson for education and research, especially on reforestation.

I have little doubt that this logging project would fall would fall within in this charge as narrowly construed, yet I say this with strict instruction of the terms of the bequest.

Of course, we have to abide by the legal requirements of the trust but it does not follow that we need to peruse Mr. Robinson's writings or do anything at all in order to discern his intents.

So Robinson is the founding father here. We need to deal (inaudible) -- or actually wonder what would E.O. do.

He's the guy that stuck to the (inaudible) in the first place. Then (inaudible) that we had an attack of bad conscious. Thomas Jefferson was a slave owner. E.O. Robinson was a clear cutter. Education, research, welfare of Eastern Kentuckians, and even reforestation. All these terms are subject to reinterpretation

and reconstruction in light of present contingencies.

The fact that this project may be construed to fill these terms does not mean that it ought to be deemed as doing so optimally or even adequately. That's my first point.

My second point is very much the point that Dave has made in discussing (inaudible) said, there are there are alternatives to this project both in scope and type that will fulfill the terms of the trust just as well, perhaps even in visionary fashion.

Wendell Barry an expert at division (inaudible) has ideas working in this regard. Following Wendell's ideas in forestry, I got ideas of my own, which I have students at the time (inaudible) the ideas that and Dave has just expressed to you. At the time I said, well, what we ought to do there is take out single trees, full-grown trees, take photographs of them, plot them on site, take them to the forest facility at Quicksand, make products out of them and then mark them with publications and registrations and photographs and things, marking them as made from this tree at this place in Robinson Forest the way they do at Single Vineyards Wines in Madison and Owen county; just like Berea. It would be a beautiful thing.

But I'm just an English Professor. I don't know about these things. It's nice to hear some of these ideas more or less corroborated by people in a better position than I.

I found out that my decidedly non-specialized ideas -- specialized ideas turn out to be not so bizarre (inaudible) these notes are circulating, but because the forest has flown under the radar, as a de facto property of the Forestry Department alone; a non-shared resource of a major university. Alternatives have not been entertained or even invited.

With respect to the contention that this project was discussed in public deliberations and approved in an open forum, again, this may be true in a narrow sense but it's no where near the case in a broader view.

The research proposal was asked by a pair of foresters, individuals operating out of their own specialized set of professional interests; what John Lebrum (phonetically) called their occupational psychoses.

And it was vetted on up the chain of command within Forestry and Agriculture. It was not discussed in a series of forums, not even within Forestry and Agriculture as far as I can tell, at least until (inaudible); certainly not with the

University's constituencies at large. To call this public and open, (inaudible) of what these words mean.

Now the discussions are finally advancing (inaudible) conflict. The operation is approved already, and indeed the Agriculture and University President seem bent on letting it unfold. This is sad for reasons surpassing the particularities for this proposal.

If you get a -- if you get a State of Kentucky highway map, an approved highway map and look in that part of the world, you see the green blocks of Robinson Forest; the most visible part of this University, and you won't see POT.

Some other terms I would like to call attention to. One is the term clear cutting. Even Andy Mead in this article of -- was it yesterday in the Herald-Leader says in his article there, he's saying that there are some misconceptions here; that, in fact, it's not clear cutting that's being proposed of a old growth forest.

Well, I suppose it doesn't, depending on how it's defined. When Daniel Bowker, the resident forester there, was describing this project to my students in the forest, that was the term he used and he contrasted it with other forms of clear cutting. There was basically the distinction between best management kinds of clear cut and logger's choice, which means they can go in and mow down anything. So it's like the lesser of two clear cuts, basically what it is. But this was the term, so these terms evidently shift.

Likewise, Sustainable Management Practices, as defined by the Dean for Research principles, they seem confined to mean the forest will grow back and the water, of course, will not be degraded that terribly. I think that's true. No one disputes that a forest will grow back there. The water will keep flowing and it will be less murky in time than it is initially.

Will it be this forest, the forest that's there now? This is not E.O. Robinson's world any more. Now there are invasives that defy eradication in any sustainable way. Now there are elk in the (inaudible) of the strip job, waiting to infiltrate and nip away young trees that grew uncontested after Robinson logged the place off.

Now there are issues of carbon sequestration in the face global climate change. This would be the sort that (inaudible). What stands to be sustained with this project given these uncertainties. I don't think we can (inaudible) as the principle investigators do about the prospects for recovery, in just the manner

that they present. I don't see why we shouldn't be the informed objectors of those who, unlike me, who know the science involved in such considerations even if these people do get lumped together as preservationists and their concerns thus deemed irrelevant.

Which leads me to my next concern which I'll state in passing. My concern over how such words as preservation and conversation are used to dichotomize perspectives on the subject. How the place gets defined as a research forest in opposition to an identity as a nature preserve as if it had to be one or other through some platonic (inaudible) of types.

How such yes/no questions as are these streams pristine and is this forest old growth, that is the subject that even the White Paper tend to close off rather than open up discussion of the phenomena at hand.

And I'll close instead with an observation about such terms as research and education as sort of a force to charter going in. This is my own occupational psychosis. I have one too. We all do. As one who's taken students to the forest to (inaudible) and write. I've done some research, so to speak, in my own place. An article on the Summer Writing Program. There was the publishing and collection on Teaching Nature and Environmental Literature, that would be published by Anna (inaudible) for you all literate cognizants.

A book that will stand as a model in this field for another couple of decades as its predecessors (inaudible). If this project goes forward big chunks of the forest will be trashed most accessible to students by the time the book sees print and word of these (inaudible) gets out.

As for education, it's true that plenty of demonstration will still take place, if you're asking (inaudible) development demonstrate. And it's true that the view from Camp Robinson Proper won't be affected. But it will be -- to overstate here somewhat. It will be something of a (inaudible) forest. You won't need to go to far to see the damage. Areas to be treated are among those most accessible by students (inaudible) Camp Robinson.

Opportunities for experiential education will indeed be impaired, notwithstanding claims to the contrary, and these sorts of opportunities have hardly been (inaudible) for this place. We have no idea what we might do with this place and these other research and these other educational terms.

(Inaudible) program is just a spit in the bucket. Who knows what else might happen in this place if this project is (inaudible). (Inaudible)...

CHAIR: Okay. I thought we had too much time, but we don't so you might notice Professor Stringer came and then after that Dean Smith has arrived, and I want to thank him to (inaudible) hear people from the other (inaudible) conflicts. I really appreciate that.

Professor Stringer, can we use you when questions are asked or do you have --

STRINGER: Yes.

CHAIR: Do you need everyone to --

STRINGER: No, it's -- since I wasn't here for the other presentations, I'd rather yield to Dr. Smith and I'll -- I'll be here if need --

CHAIR: Dean Smith told me he will do a presentation as long and as short as I want; and you have two minutes. Please come.

SMITH: Thank you, Kaveh, and I can be very brief because my position has been carefully stated in the editorial (inaudible) of the Herald-Leader this morning. I would also refer you what I felt was a very capable and accurate and fair job of reporting by Andy Mead on Sunday for an analysis of the circumstances.

I just want to say that we welcome this interest in the forest. We welcome the debate about the future of the forest.

I want to only make one important point, and that is that as we conduct this debate please remember that the participants that -- all the people at the front table and many others are people who deeply value the forest and not just as an economic resource or not just as a research and education resource but also for its intrinsic values.

We have a dispute here not between strip miners and preservationists or not between bad people and good people, but we have a disagreement about what is the appropriate use of this particular piece of property and we have a disagreement about the -- to some extent the value of what is proposed as a research function of this particular piece of property.

I am dismayed that the research value has been attacked in what I feel to be not a particularly accurate or helpful manner. I'm dismayed that the debate has led to the implication that there is, in the words of one student, a secret plan to mine Robinson Forest. And I want to simply emphasize that none of us that I am aware of in the College of Agriculture support that or claim that it is consistent with our mission or the intended purposes of the forest.

So I hope the debate will be kept in perspective, and linked to reality and I would be happy to answer any questions about it if you have any time.

CHAIR: Okay. All right. So let me tell you how we like to (inaudible) today. At 4:45 I will stop so that we could do the

Senate business. By Senate business I mean statements from Senators. Senators have every right to get up and make statements or ask questions. But what I'd like to do from now till 4:45 is to ask Senators not to make any statements, rather to ask questions of our panel.

So having done that, now let me ask Senators first. I remind you, if you are not a Senator and you have a question, please write it on a piece of paper and give it to Michelle and it will eventually come to me and I will try to have enough time for them, to read them.

So questions from Senators. I'll try to go, kind of sweep it this way to Senators.

SAWAYA:

Peter Sawaya, College of Medicine. This is apparently a well thought out research project. There is a PI on it. The question is: Who reviewed this project? Was it peer-reviewed by somebody that has looked into the pros and cons of it in depth?

And, secondly, is this a positive research or would that research may possibly lead to something in the future that would prevent us from damaging or lead to something that will push us to -- the result of that study itself may lead us to conserve the forests nationwide?

Could that be possible that this research lead to such a conclusion?

CHAIR:

I have trained you well. Thank you for asking me the question. I appreciate that. Thank you.

So there are two questions. One is: Was this research project peer-reviewed and who peer-reviewed it? Anybody want to address that question?

BARTON:

I'll address that.

BROTHERS:

Can you state your name, please?

BARTON:

This is Chris Barton, PI on the project.

To date we have I guess four grants that have been funded for various aspects of this project. Each one of those grants went through a peer-review panel, and we were selected for funding.

And for those of you who are familiar with research panels, there's generally, what, three people per that provide input on those --

CHAIR:

I have to accommodate everybody for questions, so I would like to ask brief answers. And I think you did answer --

BARTON:

Well --

CHAIR:

It has been reviewed by --

CI BULL:

By who?

CHAIR:

By whom? What is the --

BARTON:

Okay. So it has been reviewed by the USDA several times; it's been reviewed internally by the group that represents

Senate Bill 271 for the State and also the Precision Agriculture & Resource Management Review Teams. Twice, we've received funding from them.

We've also had letters of support from individuals such as Dr. Wayne Swank, who is the research hydrologist at the Coweeta, USDA Forest Service, Southern Research Station. It's a long-term ecological research site for forest hydrology. Dr. Swank is renown for studies in forest hydrology. He was also once the Program Director of Ecosystem Studies for the National Science Foundation. We have letters from Dr. James Shepherd, who was with the National Council for Air & Stream Improvement; we have project leaders from various Southern Research Stations, arm of the USDA Forest Service. We have --

CHAIR: I'm going to interject. That's enough --

BARTON: I can go on and go on.

CHAIR: Yeah, I bet you could --

BARTON: I got about 12 letters --

CHAIR: But I think that that's more than enough --

BARTON: Okay. And then the second part of the question --

CHAIR: The second part, please.

BARTON: -- I'll let Dr. Stringer answer.

CHAIR: Dr. Stringer, will you please be as brief as possible.

STRINGER: Yes. I will try.

Jeff Stringer. I am an Extension Specialist, and I have responsibility for continuing education and developing programs for forest operations throughout Kentucky.

This experiment is put in place to try to determine if the level of stream protection now afforded, mandated legislatively in the State, is adequate or not.

The results of this will provide us with information where we can make that determination. If the results indicate that further protection is needed above and beyond what we currently have as standards in the State then we have the very unique ability in Kentucky to make that law and make that legally mandated.

And that is -- most states don't have that. We just happen to be in a situation where we could get maximum benefit from the study because of it.

CHAIR: Okay. Next question. I have to -- I have to do the best I can at remembering who raised their hands first.

ARNOLD: Yes, please.  
Susanne Arnold, College of Medicine.

Are there stringent rules in place for early stopping of the study if environmental impact is too severe? And are there continuous management of the -- or

continuous evaluation of the impact of the study and studies, I guess, on this project?

CHAIR: So the question is: Are there continuous evaluation of the project? Anybody who would like to respond to that?

BARTON: Yes. To answer it simply, yes. This is a, once again, a long-term experimental research project. We have several master loggers on the ground that will be present for when these harvesting activities do occur, and we'll have the ability, within the contract that we've written up, we specifically put language in there that would allow us to stop a harvesting operation if we saw something we didn't like.

ARNOLD: But how frequent are those -- those evaluations? Are they scheduled and regular or are they just --

CHAIR: I need you to --

BARTON: We will have people on the ground with these, you know, contractors every day that they're out there. And then the long-term monitoring, as I stated, we have funding for five years and then after that this information will go into the long-term hydrological program at Robinson Forest and, as I stated, it could go on 20, 30 years, well past my time at UK.

CHAIR: Thank you. Next.

FINKEL: Raphael Finkel, College of Engineering. Two specific questions about possible dangers. One: Is there any danger that having logged this area it will then become attractive to coal mining? The second question: Is there any danger that having logged this area it will not grow back because of the elk?

CHAIR: Okay. The first question is -- and that's one of the questions written from a non-senator so very good question. Here's the question: Is there a danger that having logged this would then change the status of this -- Robinson Forest being unsuitable for mining?

SMITH: As you know, the forest -- the main block of the forest is designated lands unsuitable for mining on the basis of its unique research value. If that research value is sustained, that -- that status remains protected. There is a disagreement. Tom Fitzgerald, for example, has said that he sees this is as simply a first step that would remove the research value of the forest. I believe that all of us who are involved in the study would argue on the contrary that it enhances the research value of the forest; that it becomes more of an asset and allows a greater intensity of research and, therefore, if anything solidifies the protective status.



ROORDA:

Can I --

CHAIR:

The next question was --

ROORDA:

Let me just respond to that very briefly.

CHAIR:

Shortly, please.

ROORDA:

Put yourself in the position of people who think in dichotomous terms about the pristine as opposed to the non-pristine. Take a look at this map, the blue areas, and you'll see that this area has been nibbled at the edges.

Okay. Put yourself in the position (inaudible) look at that, say this part's been logged, and you got that dichotomous thing, that and the fact that this is not necessarily the only research endeavor which could be imagined (inaudible).

MAEHR:

Maybe John can answer that. He's studied elk out there for about eight years, so maybe you can --

COX:

There's already elk in Robinson Forest. Primarily they either transition through from different surface mine areas or they go in through the ridge top just adjacent to the surface mine and just rest there during the day.

So it is my feeling elk will have some impacts on the area, but that really just depends on the quality of forage that's available from a year-to-year basis on the surface mines.

Elk are -- are large bodied species that are primarily grazers. They graze on low quality forage, unlike deer. So it's likely the deer may have more of an impact than elk would in that area.

But -- and it may have some -- some minor impact in terms of species composition in terms of what grows back and what doesn't. But within about ten years, after the cut, then most of that -- most of those trees will be unavailable to many of the -- to the deer and the elk in terms of forage.

So I would say that the impacts will probably be negligible.

CHAIR:

Okay. Next question. Over there.

HALLMAN:

Diana Hallman, College of Fine

Arts.

I'm wondering if there's a potential that a significant fraction, as defined in the document put forth to the Board of Trustees, significant fraction of the forest, could that be increased from the amount that we -- I see in the White Paper 1100 --

STRINGER:

We need -- we need a clarification on -- I don't understand --

HALLMAN:

Is there a potential that that -- the fraction that -- that's going to be designated for this type of research, could that be expanded in the future and how would that -- I mean, what would be the -- the restrictions on that because it seems to me

CHAI R: -- The question is: Could the reported fraction be increased?  
May I ask you, please give the shortest answer possible.

STR I NGER: Yes. There are areas of the -- of the forest right now, under the current plan, that would allow for other types of active research. Okay. And those research projects would -- would -- would be approved, as they normally have up to this point in time, so you could have other active research in other parts of Robinson Forest.  
We have other areas now where we have demonstration areas and other research in, smaller than the Streamside Management Zone, that are in place throughout.

CHAI R: Any other questions?  
Dean Smith, did you want to say something?

SMI TH: Yeah. Could I just briefly add that the plan that we allude to was approved and reviewed by the Board of Trustees in 2004. We are more than willing and happy to consider a revision of that at the request of the Board of Trustees and, in fact, have had internal conversations about at some point down the road reviewing and updating the plan ourselves.

CHAI R: My system is not working --  
SMI TH: And submitting it to the Board of Trustees.

CHAI R: I'm going to go this way and then I'm going to come back again that way.  
All right. Do you have a question?

BHATT: I have a --  
CHAI R: Name?  
BHATT: My name, Ramesh Bhatt, Arts & Sciences. I have a couple of questions about this.  
How much effort was made to see if there are other areas that research could be done? Maybe in the Daniel Boone National Forest, working with the U.S. Forest Service or some private land owners that -- that have large areas owned by private land owners, maybe they would be amenable to this research?

CHAI R: I'll come back to you.  
So the question is: What other areas have been considered for this research?  
Who would like to respond to that?

BARTON: I'll respond to that. As I stated earlier, Robinson Forest is the ideal location for this research for all the reasons that I mentioned.  
There's potentially other sites where you could do this type of research but, once again, you run into problems with unlimited access, you run into problems with just keeping it as a controlled experiment. When you're dealing with landowners, when you're dealing with other entities, you

really don't have control over it, and it makes really examining the effects of the research project more difficult.

One of the things that we can do and we are doing is going out in the public sector and looking at BMPs as they're actually applied on the ground right now, and are people actually utilizing the BMPs that we recommend and that is the law, and also how effective are those.

So that's a part of an ongoing research project not only within our State but within the region. There's a definite interest in evaluating how effective the BMPs that we're currently recognizing are.

And as a research project, what we're trying to is determine whether or not that BMP is actually adequate or not.

Once again, are we doing a good job of protective these streams and associated biota or do we need to do things to enhance our protection.

CHAIR: Okay. What was Professor Maehr -- or Roorda, would you like to discuss this --

ROORDA: Yeah, I want to say something brief. I agree I think the research design is really elegant, and it does -- will provide for a lot of control of circumstances, of treatments controls that were -- and such.

I would point out with respect to the first question that was posed as to how widely could these findings be applied; that the more ideal research design, in a sense, the less applicable it becomes, the more specific to this particular set of circumstances.

This could not be applied nationwide. It could be applied to some people in Kentucky, obviously. To what degree it could or would be applied is subject to debate.

But there's lots of complications involved here, which I really can't (inaudible) at the time, but it's not a sure thing by any stretch.

CHAIR: Your next question.

BHATT: I understand the area around it -- around Robinson Forest is strip mined already. How is that going to affect the, you know, study in a fundamental sense; that is, whatever results you find about forest regeneration here, how would apply to other areas not involved (inaudible) in strip mine areas?

STRINGER: The forest heights at Robinson and those that are going to be involved in this study are very similar to what is -- what is typical on private lands throughout a lot of sections of the State.

Tomorrow -- or the day after the tomorrow we've got thirteen Directors of the Division of Forestry throughout the Southeast

that are going to be there that are specifically wanting information on this study because there are so few of these type studies done because of the difficulty in doing them, that we have a distinct lack of information on this situation and there's a lot of people that are looking at the results -- that will look at the results of this study, evaluate it to see the -- the protection that's afforded in a lot of different states right now is very similar to ours. We're all working off the same old data sets. This will be an opportunity for us to get new data, and I think it will be widely evaluated and ultimately widely used because there is such a -- such a depravity of information because of the difficulty of putting a study in. So I think it'll have a wide applicability.

The forest systems and the logging methods that will be used and those kind of things to put the treatments in are very similar to a lot of acreage in Kentucky.

CHAIR:

Professor Maehr.

MAEHR:

I think I need to add to this discussion that habitat fragmentation, particularly in forest systems, is probably the biggest global threat to biodiversity.

I believe there will be impacts of elk, (inaudible) affects with regards to regeneration of this forest. What they are, I don't know. This is why we have certain research projects in place to measure those -- measure those processes and how it may differ from what we would expect.

So we understand it is an island and in all periods of (inaudible) geography (inaudible) impacts, but we know there will be some and we're in a position to measure those changes.

CHAIR:

Any questions? All right. Any other questions?

GROSSMAN:

Bob Grossman, Arts & Sciences. I heard a lot of talk about how unique Robinson Forest is, and I was just wondering how unique is it? Most of Eastern Kentucky was clear cut in the early part of the last century, and I was wondering: Are -- are there other things like Robinson Forest around Eastern Kentucky --

STRINGER:

Well, let me --

CHAIR:

Let's go --

GROSSMAN:

-- in a private -- in private --

STRINGER:

Let me -- let me --

CHAIR:

Question is: How unique is Robinson Forest?

STRINGER:

Right. Right. Robinson Forest is unique from the standpoint that it -- that it is a large -- it involves large intact watersheds. The watershed that -- where the Streamside Management Zone study is in is roughly 4,000 acres. Okay. And that's pretty much intact. We have one other

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watershed that's the same size that's intact.  
The value of that is and the  
uniqueness is that it allows us to do  
research like this at the watershed scale  
whereas when you move to private grounds you  
don't have that, unfortunately.

BARTON: Or the forest itself is not --

CHAIR: How unique --

STRINGER: Yeah. I mean, it's been -- the  
uniqueness of the forest is -- the vast  
majority of Kentucky was cut over in the  
early 1900s. We do have remnants of old  
forests -- Blanton Forest, for example,  
Lilley Cornett, that were not touched. There  
are others as well.

(Inaudible) and Robinson did a  
pretty good job of taking all the timber out.  
I very much wish they would have left some.  
That would have been nice, but they didn't.  
And so we're faced with a forest that's  
second growth, 80 to 100 years old. Some of  
the area had been farmed, which is  
subsistence level farming, which is very  
typical for the region.

And so from that standpoint it's  
had a -- it's -- if it was truly old growth,  
okay, we -- we wouldn't be doing this  
experiment there. We would be doing other  
things with it. But because it is fairly  
typical, that gives us the opportunity to do  
this study.

CHAIR: Okay. I would like to go to the  
next question.

WOOD: Connie Wood, College of Arts &  
Sciences.

My question is: Has there been a  
financial impact statement done with regard  
to future timber revenues and what are the  
expectations in terms of yearly future timber  
revenue?

CHAIR: The question is: Impact on  
financial -- potential fina -- future  
financial revenue?

WOOD: Net proceeds.

CHAIR: Net proceeds.

STRINGER: The only thing that has been done  
to this point is determining what might be a  
reasonable timber revenue from the forest.  
In the planning guidelines that were approved  
by the Board of Trustees, all activities have  
to be teaching, research or demonstration  
oriented like this study is.

If progress are put on -- are put  
in like this one is that has the ability to  
generate income, we do have a amount  
calculated that could come from that so that  
is -- that -- that amount has been  
calculated. It wasn't a cost benefit  
analysis and it wasn't necessarily a  
projection. It was an estimation of revenues  
if a certain amount of the land was subjected  
to harvest.

CHAIR: Yes?

WOOD: I'd like a follow-up question.  
Well, under the proposed research proposal, what are the estimated -- what is the estimated cost of the analysis?

CHAIR: Are there any cost analysis in the research proposal?

STRINGER: Yeah. The research gets no money from this.

WOOD: But that was not my question.

STRINGER: Well, I -- I don't mean to be coy. I don't understand your -- I don't understand the question then.

CHAIR: Does anybody else understand the question who wants to answer. Dean Smith.

SMITH: The research will cost more than the income. The income is -- in a crest timber market, we would wildly guess that it will be over \$500,000 but less than \$750,000. Am I getting some nods on that?

STRINGER: Right.

SMITH: That is split 50/50 between the Robinson Scholars and maintenance and operations of the forest to repair the bathhouse and the bunk room and so on.

CHAIR: Okay. I'm going to ask the last --

SMITH: But it does not go to support the research operations, which are supported by extra --

WOOD: But you're talking five hundred to seven hundred thousand profit yearly?

SMITH: No, no, no.

STRINGER: No, no.

SMITH: Just for this -- the SMZ project is, at this point in time, the only proposed logging operation in the forest, and we have not had a history of selling timber from the forest. Given the discussion that has gone on about this project already reviewed and approved by the Board, we would probably want to consult with the Board before we (inaudible) --

CHAIR: Okay. I'm going to ask one more -- Let's allow one more question from the Senators then we will go to people who are not Senators who have submitted a question. I am going to read two of these questions and then we have to go to the discussion phase otherwise we will not have time to do the --

REMER: Yes, please.  
Rory Remer, Education.  
In the worse case scenario that the forest gets wiped out by whatever reasons, what's the impact of not having Robinson Forest to the region?

CHAIR: So, worst case scenario question: If for whatever reason the Robinson Forest is wiped out, what is the impact on the region? Anybody want to answer that question?

BARTON: We'll take that.

MAEHR: What -- how would it be wiped out, meteor --

REMER: I could see the Board of Trustees

-- well, (inaudible) on slippery slope kind of thing, giving more and more access to various industries in the forest and eventually there would be no more forest.

MAEHR: Well, let's say the worse case is that we approve mining, and we lose it all and revert to (inaudible) successional rotten grass land. We know you can grow trees on those places, but not of the type and quality that we have at Robinson Forest today. That would be part of the loss.

We (inaudible) and lose biodiversity in the forest; we'd lose it as a stopover migratory place for near tropical migrant song birds; we lose it as a biodiversity center for things like amphibians and -- and reptiles and -- if you're asking me about Kentucky, there's nothing unique in terms of species but Robinson Forest represents a very large, intact tract of forest with second growth though it may be, it makes it very unique.

I mean, we would lose both ecosystem services, biodiversity and economic potential that I think would carry forward for centuries, if not millennium.

CHAIR: Okay. I'm going to be read -- I will read -- please go ahead.

SMITH: Erik Reece in his book says the worse question you can ask is what is it worth or what is good for.

I think that the answer is who is experiencing the loss. I believe it's not just the Forestry Department or the English Department's access, possibly the people in Eastern Kentucky are experiencing an oppor -- or losing the opportunity to see a demonstration of the system of the forest.

CHAIR: Let me ask one or two questions from what I have from non-senators.

What are the predictions on disturbances outside the research zone?

Have there any estimate on that or any -- any study on that?

BARTON: What I --

CHAIR: Anyone want to answer that --

STRINGER: On the stream maybe. I mean, is that --

BARTON: Well, one of the things that we will be examining are cumulative watershed impact, so not only are we going to be examining what's happening in these particular catchments or watersheds where we are performing these activities but we're also going downstream and seeing what impact, if any, they may have from a larger watershed perspective.

So unfortunately in Robinson Forest you can only go so far before you run into an impaired stream, but we can at least evaluate it from, say, this 100-acre watershed up to the 4,000 acre watershed and see what impacts you have on that.

The other thing that we'll be evaluating, Dr. Cox and Maehr, will be what affect this may have on some of these wildlife species and as far as distribution of these species and I guess response to these treatments.

Do they go and never come back or is it just a temporary shift in successional stages. That's one of the things we'll be looking at.

CHAIR: Okay. And I have one more question, if Dean Smith could answer this one. How can you guarantee the proceeds of the SMZ study will fund the Robinson Scholar when such promises have been made before and broken?

SMITH: Well, I don't have the money. The University will receive the income and make the division. There is a committee chaired by Vice-President Butler that allocates that income from the forest. And he'll -- he'll be the one who will presumably be held to the action made Board of Trustees in 2004.

Now if there's some perception that this fully funds the Robinson Scholars Program I want to (inaudible) of that. The price tag for Robinson Scholars is well above half of what the income would be for the SMZ project.

CHAIR: Okay. Now I know you have some other -- questions, but I'd like to go to the discussion phase. So at this point I want to thank the panel. You are more than welcome to stay, sit there or join the audience; but our questions to you are now ended and we would like to discuss this among ourselves.

So now is time for those statements that you have been waiting to make. Let me give you the ground rules. Let's go for about eight, nine minutes and then at the end of the discussion it would then be our (inaudible) -- I'm not inviting it, I just want to put this ground rule, to try not (inaudible)...

But we are entitled to our opinion and to a sense of Senate (inaudible) motion and second and vote.

GRADY: So discussion. Over there. Yes. I have a question, first I wanted to thank you for bringing --

CHAIR: Could you please introduce yourself?

GRADY: I'm Garrett Grady, and I'm in the Geography Department. I represent a department that both physical and human geography are interested in using the forest and in future research projects, so I'm thankful for the larger discussion of using this forest beyond just for logging projects.

But in terms of -- this is showing an appendix of a project -- this project, there's two quotes that struck me as important to bring up because they challenge



the environment -- the environmentality that this project kind of uses as, you know, this is an environmentally stable project and it's going to prove environmentally sustainable results.

And the first is: That these lands will be clear cut because clear cutting was chosen as the harvest type because they want to test conditions that present the largest potential impact to water quality.

So there is a knowledge of how destructive this is going to be to the biodiversity, to the water quality. And in this day and age, with so few reference streams, that is a huge decision to make, to jeopardize the water quality since these streams are used as the standard keepers for all of Appalachia and Kentucky.

CHAIR: And the second one is that --  
Let's move on, to try and give other people a chance.

GRADY: Okay.

CHAIR: I should have also mentioned, I would like to limit this to Senators, this discussion.

So are there any Senators who would like to -- there is no more questions to the panel. This was the way I arranged it, and I want to stay with it.

So are there any comments by Senators?

ARNOLD: Yes? I'm going to go this way.  
Susanne Arnold, College of Medicine.

To me the most striking problem that I heard today, and I'm pretty naive as to the forest study other than what's in the newspaper, is that we don't have a plan for any regulation in the future of any of our environmental land-grants. And I think as a Senate, although we can't vote on this, we can certainly make a motion to charge the President of the University to develop such a plan and to appoint some of the members that are here today or at least strongly suggest, and I don't know if that's appropriate or not, but I would make that motion.

CHAIR: Over there.

BOLLINGER: Chris Bollinger, College of Business.

What she said: Well, me too.

CHAIR: Okay.

ARNOLD: Thank you.

CHAIR: Over there.

HALLMAN: Yeah, this sort of goes along. It just seems to say that the Department of Forestry --

CHAIR: Name, please.

HALLMAN: Diana Hallman, College of Fine Arts.

To say that the Department of Forestry is the sole steward of these lands I think is (inaudible). Although I think that

the view points are solid, but I just think that there should be some kind of environmental protection from the wider University.

CHAIR: Over here.

ARNOLD: I'd just like to say also --

CHAIR: Okay. Go ahead.

ARNOLD: -- with respect to my comment, no offense to anyone the panel. I know you all love this work, every single one of you. I know that.

CHAIR: Over there.

CIBULL: Mike Cibull, Pathology.

I guess I don't know enough about what Mr. Robinson intended when he gave this large bit of land to the University.

If -- if what this last -- the paragraph on, What's the Purpose of the Robinson Forest, that last quote is true, he wanted -- you know, details aside, he wanted this -- his gift to be used to the betterment of this region both economically and socially as a forest, and it's hard to imagine maximizing that kind of benefit without doing something to parts of the forest to see what happens.

I think we tend to have -- and this is -- the most unique thing about this forest is, is that it's ours. Otherwise, I don't see much unique about this forest except that it's big. And it's already been cut and it's grown back.

So I -- I think that we tend to have a very negative opinion of anything that cuts down a tree, and I -- I must say, I love trees and I don't like to see them cut down either but I would like to see Eastern Kentucky and Appalachia benefitted in some way from this and it sounds like that this project at least has the stated goal of doing that.

So I'd just like to put it into that perspective. If the research is valid, and I can't comment on that because I'm not an expert in forestry but if the research is valid then I don't think this is necessarily a bad use of this forest.

CHAIR: Anybody else want to make a statement. Over here.

AKEN: Stephanie Aken, Library.

I would like to hear what the individual from Geography, who has clearly done a lot of homework on this, I would like to hear what she has to say.

CHAIR: Okay.

GRADY: Thank you. I just have one quick thing --

CHAIR: And let me -- I make that decision, but I just made it, so please ahead and make your statement.

GRADY: I quoted as a question but --

BROTHERS: Your name one more time?

CHAIR: The Department of Geography --

GRADY:  
CHAIR:  
GRADY:  
CHAIR:  
GRADY:

Yes.  
Student or (inaudible)?  
TA (inaudible).  
TA, okay.  
There's a quote saying in -- this

is also the -- the -- given the current variability of (inaudible) zones some are currently excessive so that this project could prove that the current BMP are excessive and that would set the standard for reducing BMPs.

And that is something that we ought to be taking into account because one of the other funders is Weyehouser (Phonetically) Timber Company. So we have to really take into account what is going on in this and what would be the repercussion because Robinson Forest is so intact, it could withstanding the cutting perhaps better than forests that are like the rest of Kentucky which are a generation old.

So this could actually withstand something and then prove that the water quality might not be impaired as much; and that could actually lessen BMPs throughout the State.

SMITH:  
GRADY:  
CHAIR:  
ATWOOD:

Factual error: This project is not funded by Weyehouser.

\$5,000 is --

I'm going to again go this way, so please go ahead.

Thank you. David Atwood, College of Art & Sciences.

I think we do have to make a fairly clear distinction between a nature preserve, which Robinson clearly did not intend with the original gift, and a forest that can be used for research. And I think the Forestry Department has to be commended for being brave enough to try to open that up, begin those possibilities, (inaudible) on many things down the road being possible on the research project.

And despite the enormous barriers and obstacles, continuing with this in a well thought out plan.

CHAIR:  
WILLIAMS:

Over there.

Yes. David Williams, College of Agriculture.

Just very briefly -- not the Department of Forestry, I might add, but it's hard for me not to feel full support for my colleagues. These are not bad guys. I don't know any of them personally, but this is -- they make an excellent case that this is a very -- very much needed research and it -- it's the mission of the University of Kentucky as a land-grant institution to conduct studies in good solid science to provide information to the general public and, you know, that's exactly what they're trying to do.

So I just make statement in full

support.

CHAIR: Anybody else?

BOLLINGER: I just want to clarify, I think it's very important that we establish going forward guidelines and procedures at the university level for this use of this kind of resource. This isn't saying that I think the use is poor. In fact, I think this is exactly the kind of use.

And the problem that I see here is we really shouldn't be having this discussion at all. This is not really the forum to evaluate your research. I'm not qualified. We need to have -- we need to have procedures in place for dealing with research in conversationally important areas because this kind of thing can be handled in a pro forma way.

This is really a waste of a good researcher's time, if you ask me, and proper procedures put into place ahead of time, guidelines established, would make this much simpler and we wouldn't have to deal with these kinds of relatively touchy issues in places that really aren't appropriate for it; but thank you for coming.

MOLITERNO: David Moliterno, College of Medicine.

I personally agree with that point, but those things may all be in place already, we just don't, you know, we didn't take the time to entertain those things but I would like to say that I'm sure that this research has been thought through, whether or not to our satisfaction as individuals or Senators, but these grants just didn't evolve, you know, quickly or seamlessly, but they were reviewed, I'm sure, on multiple levels and by multiple people. The question is: Is it to our satisfaction? Kind of like what we do in the medical world with IRBs and data safety monitoring. I assure you we do far more interesting/judgmental/risky/whatever, things with human beings on a near daily basis. But we do those with great rigor and oversight, and so those things may already be in place and they probably are for this group here.

CHAIR: One last comment, and then we will stop.

GROSSMAN: Bob Grossman, Arts & Sciences.

One thing that -- I agree with -- with most of what's been said before, but one thing that did strike me is that -- and I don't think it's been addressed in a satisfactory way, is that the Robinson Forest is being treated as the exclusive property of the College of Forest -- Department of Forestry and the College of Agriculture, and I was personally involved in a prior controversy about another prop -- University property that was also viewed exclusively as the property of the College of Agriculture, when a much larger constituency and come to love and appreciate

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that property. That's the Arboreta.

And so when it comes to things like the Arboreta and the Robinson Forest that are -- that have come to be appreciated by a much larger group than the ones who are officially in charge of it, it seems to me like we do need some procedures for bringing more groups in from the beginning in discussions so that they don't end up here in the Senate or in the newspaper.

CHAIR: Okay. Friends, we are five minutes past 5:00, and so thank you very much. We are adjourned.

\* \* \* \* \*

THEREUPON, the University of Kentucky Senate Council meeting for October 8, 2007 was adjourned at 5:05 p.m.

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STATE OF KENTUCKY )

COUNTY OF FAYETTE )

I, LISA E. HOINKE, the undersigned Notary Public in and for the State of Kentucky at large, certify that the facts stated in the caption hereto are true; that at the time and place stated in said caption the UK Senate Council Meeting was taken down in stenotype by me and later reduced to computer transcription under my direction, and the foregoing is a true record of the proceedings which took place during said meeting.

My commission expires: January 26, 2011.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office on this the 17th day of November, 2007.

\_\_\_\_\_  
LISA E. HOINKE, CCR  
NOTARY PUBLIC, STATE-AT-LARGE  
K E N T U C K Y