

Dear Chairman Bevo and fellow Regents,

I write in response to recent calls for the redevelopment of one of the University of Texas' most valuable land holdings, commonly referred to as the Brocklehurst Territory. I feel strongly that this Board bears the responsibility to carefully examine all relevant concerns over the current and future utilization of the land prior to approving any plans for its restructuring.

As such, this letter attempts to offer a brief overview of the Territory's history and contemporary features, highlight the major ethical and practical concerns governing its use, and present my own personal recommendations for the treatment of the Brocklehurst Territory.

In 1907 Major Gregory Brocklehurst, a longtime member of the Board of Regents and benefactor of the UT System, deeded 604 acres to the University. The land, located west of Austin on the banks of the Colorado River, was expressly intended to "support the educational mission of the University of Texas" for the benefit of "all future generations of UT students," according to a letter from Brocklehurst to the Board of Regents.

Although not stipulated in the deed, Brocklehurst wished for the University to be relocated to the land. When presented to the Texas State Legislature, however, the plan to move the main campus was rejected, leaving the Board of Regents to determine the best alternative utilization of the Territory.

Over the subsequent century, 300 acres of the Territory south of the Colorado River were sold, and the north bank land was divided between University and commercial uses. Today, the Brocklehurst Territory is primarily shared by the UT Biological Sciences Experimental Field Laboratory and a park and recreation center leased by the City of Austin.

The Biological center, called the Brocklehurst Field Lab, covers 94 acres of the Territory and was established in 1967 to provide facilities for ecological research in a more natural environment. Today its greenhouses, aviaries, fish tanks, and indoor laboratories support the research of 17 faculty and more than 20 graduate students, primarily in the nationally recognized Department of Integrative Biology. The Brocklehurst Lab also provides field experience in courses on ecology, evolution, and animal behavior for hundreds of undergraduates each year.

Another 190 acres are taken up by a city-managed park, swimming pool, and tennis courts, first established in 1935 and collectively known as the Tiger Park and Recreation Center. The Tiger pool is famous as the training ground for two Olympic swimmers, and has recently been given even greater historical importance by the revelation that it was the first integrated swimming pool in the state.

The remaining land has been leased for various interests, including restaurants, a marina, and the Lower Colorado River Authority headquarters. A 2005 report concluded that in

the 70 years that land on the Brocklehurst Territory has been leased, both to the city and commercial interests, it has earned the UT system \$28.2 million. This money has funded endowments for academic positions, student scholarships, and other University programs.

Possible redevelopment of the Brocklehurst Territory demands evaluation of a variety of competing concerns. Foremost among these, in my opinion, are an allegiance to the original intent of Major Brocklehurst's gift, a determination of the unique worth of the Biological Field Laboratory currently on site, and an evaluation of the potential financial benefit of repurposing the land.

In deciding the fate of the Territory, the Board of Regents must not treat this land simply as an asset, but rather as the gift that it is. We are ethically bound, therefore, to guide our decisions by the spirit of Major Brocklehurst's endowment – that this land be held in perpetuity and utilized for the maximum benefit of the University's educational mission. Although Brocklehurst did not explicitly prohibit selling of the land, by all accounts he hoped for this area to be a permanent holding of the University, and even its home. We as the trustees of his legacy are obligated to uphold the wishes with which it was given to the greatest extent possible.

I propose, therefore, that as guiding principles we determine that any land devoted to commercial development should continue to be leased rather than sold, and also that the University maintain a permanent physical presence in the Territory dedicated to the education of all future generations of students.

This call for a permanent University facility on the land necessarily demands an evaluation of the laboratory already there. The Biological Sciences Experimental Field Laboratory has contributed to the University's research and educational goals over the last 40 years. It has proven to be a valuable asset in the recruitment of top professors and graduate students, and has played a substantial role in the advancement of the Integrative Biology program toward a top national ranking.

The historical value of the Brocklehurst Field Lab does not necessarily mean, however, that it is of unique value to the future of the University. The expert advice presented to this Board by Dr. George P. Robin, in fact, indicates that while a field laboratory is crucial to the strength of any biology program, this particular facility is not the shiniest jewel in the University's crown. Dr. Robin, a botanist and former director of the National Sciences Foundation, testified to the Board that the Brocklehurst Field Lab has suffered from a lack of attention and emphasis by the University. Dr. Robin further noted that the location of the Lab is not uniquely valuable other than its proximity to the main campus, and that a similar facility could be established elsewhere without undue damage to the Integrative Biology program.

I agree with Dr. Robin's assertion that the Brocklehurst Field Laboratory is not currently meeting the limit of its potential. Today it directly benefits an exceedingly small fraction of the University's students – only about 20 graduate students out of 12,000, and fewer undergraduates per semester than a single freshman Chemistry course. To dedicate such a

potentially valuable land resource to the benefit of so few seems counter to our goal of maximizing support for the University's educational mission.

While it may not currently be reaching the mark, however, the Brocklehurst Field Laboratory does have the potential to be an extreme asset to the University, and it is most uniquely suited to the aforementioned goal of maintaining a permanent UT footprint in the Territory. Given the appropriate attention this facility could be a world-class center for research and education, a magnet for top faculty and graduate students, and a gateway for the introduction of both UT students and the larger Austin community to the important concerns of ecology and evolutionary biology. While a separate location could perhaps fulfill the research goals of the laboratory, a move beyond the range of the main campus would certainly prohibit its educational value to the larger University community.

Given the current financial status of the University, discussed further below, it is impossible to make the Brocklehurst laboratory all that it could be today. I believe that the unique potential it presents demands that its full area within the Territory be maintained, however, and that a portion of any financial gain derived from the redevelopment of the Brocklehurst Territory be specified toward a new capital campaign for the reinvigoration of the Field Lab. Furthermore, this Board should appoint a committee, led primarily by faculty and administrators from the College of Natural Sciences, to create a plan which would optimize the facility's research capabilities and expand its educational value to a greater portion of the University and the Austin community. Within 20 years I would like to see the Brocklehurst Field Laboratory elevated to the status of the Harry Ransom Center in its value for research, education, and community outreach.

Perhaps the largest concern in any consideration of the Territory, however, is an evaluation of the possibilities for turning this land into a financial engine to drive the University into the top ranks of research and educational institutes world-wide. By all accounts, the rapid westward growth of Austin has made the Brocklehurst Territory a real-estate goldmine. Over the history of the Territory, leasing portions of the land to the City and various retail interests has financed academic positions, student scholarships, and various other University programs. While past leasing agreements may have been appropriate to the value of the land, however, continuing these same agreements in the future would represent extreme underdevelopment of the Territory at a high financial opportunity cost.

Recently a consortium of local business leaders, led by the Sterling-Cooper urban consulting firm, presented the Board of Regents with a proposal to transform the Brocklehurst Territory into an upscale "city within a city." The Sterling-Cooper plan advocates removal of both Tiger Park and the Brocklehurst Field Lab in order to establish a resort community focused around a high-end golf course and hotel complex surrounded by a mix of condominiums, restaurants, and retail venues.

Preliminary estimates show that redevelopment of the land could bring an exponential increase in the University's leasing revenues. Given the devastating budget cuts seen with the recent economic downturn and the predicted shortfall of both private and state funds over the next three to five years, this is not the time to turn away any potential source of revenue. As UT President William Powers noted to the Board, the financial support offered by redevelopment of the Brocklehurst Territory could be the key to maintaining the growth necessary to place UT in the top-tier of national research universities.

Its attractive financial rewards make the Sterling-Cooper plan quite compelling, and I would like to offer it my full support. I will *not* be voting to approve the plan as is, however, with the elimination of the Brocklehurst Field Lab. As I stated above, to do so would violate both our ethical obligation to uphold Major Brocklehurst's wishes, and also eliminate a facility with as yet untapped potential for research and education. Personally I find it somewhat ironic that we would even consider eliminating an important research facility in order to raise money toward the support of the University's educational mission. That makes as much sense as cutting off your foot to win a race.

I encourage this Board to request a revised development plan be presented, which preserves the Field lab as it currently stands, and integrates it into the proposed community. From all that I have seen of the plans, this seems to be a perfectly reasonable request, and a balance of this Boards many competing priorities.

Regards,

Richy Rich
Vice-Chairman of the UT Board of Regents