

4/26/21

Dear Chair Golden and Members of the Senate Committee on Natural Resources and Wildfire Recovery,

I'm writing with my concerns about: Oregon's Wild and Scenic River Corridors, the arguable failure of duty by ODOT, and the health and well-being of workers on the Oregon Fire Cleanup. I worked on the project from 2/10/21-3/9/21.

My name is Chris Vaughan, I am a Certified Arborist from Bend Oregon. I've been working in arboriculture since 2001. I've worked for small businesses, consulted, and been employed by different agencies. I've worked as a climber, crew lead, faller, trainer, safety auditor, I maintain the ISA Tree Risk Assessment Qualification and The TCIA Certified Tree Safety Professional certification. Much of my work since 2017 has involved fire response work in California; and after the Oregon fires of 2020, I became eager to get involved in the hazardous tree removal and restoration work here at home.

I was contacted by a CDR-Maguire sub-contractor and agreed to hire on as an Arborist starting February 10th. All my field work was directed by CDR-Maguire and the sub-contractor who hired me was simply administrative. I left this project after four weeks because I found it destructive, disorganized, and unsafe. I felt my exposure as a professional was too great to be associated and/or complicit with such a reckless enterprise.

On my first day it was obvious how disorganized CDR-Maguire was. Despite adequate time and resources for safety and training, the most important aspect seemed to be billable hours and getting bodies in the field. On February 19th we went from 6/12 hour days to 6/14's but this simply equated to longer lunches, workers napping in cars, and stalling until it was acceptable to return to the command center and check out. By the end of my second week I had memorized key points within the ISA Certified Arborist Code of Ethics because I felt I was walking a thin line.

Safety culture was non-existent. I never received guidance from CDR-Maguire on basic safety protocols that are common on projects like these or any job for that matter. I witnessed no job hazard briefings ever led or directed by the Lead Arborist or a Division Supervisor. Instead Division Supervisors would tell you to write down on your daily paperwork (fraudulently) that you did a safety briefing on "Slips, Trips, and Falls and Covid 19." The first time I heard this it was my second week from an unmasked Division Supervisor in a room of 40 some people where less than 10 wore masks or practiced

social distancing. From then on I held an informal field safety briefing with co-workers to avoid falsifying information on my paperwork. If you didn't complete this paperwork as directed by CDR Maguire, they would not sign it, hence you wouldn't get paid.

The scope of the tree marking was at times extremely aggressive. At its worst: (all dead trees within 2X their height from the edge of the road). In a stand of 150' tall trees this could easily create a swath of stumps over 600' wide. Scope changes were erratic and frequent, sometimes reversing themselves in a day. These changes and the manner in which they were relayed generated a culture where field staff buy-in was anemic. The attitude was: (guidance will change tomorrow and so I'll just do what they say right now.) The working document "Debris Management Tree Assessment Procedures Version 8.0" seemed pretty clear on the work procedures but we were frequently instructed to deviate from it. This came from the Lead Arborist or Division Supervisors.

It seems ODOT consider's all dead trees within 1.5X height and up to 2X height of the road to be a hazard. I would argue that many of these burnt and dead trees are currently stable. While I observed post-fire dead tree windthrow events on both the Riverside and Beachie fires, these events were likely caused by the post-fire removal of other trees nearby. In order to justify such heavy handed-ness ODOT's risk threshold must be zero and yet they are providing little to no oversight. I never met an ODOT employee or representative in the field. Additionally, a risk threshold of zero cannot be consistent with the hundreds if not thousands of dead non-fire damaged trees I see within 1X height lining our highways.

As stories have emerged regarding this project I have found myself repeatedly shaking my head. I did not find ODOT's or Mason, Bruce & Girard's responses in the April 14th OPB article to be credible or consistent with my observations in the field. The same is true of the Oregon Debris Management Task Force Blog.

1. Very few if any of the arborists on the project meet a standard "verifying five years arborist experience in post-forest fire assessments in Northwest United States Conifer forests along with mixed deciduous tree stands." One CDR-Maguire arborist I met from Florida had only obtained his Arborist Certification two weeks before arrival.
2. Claims were made in the OPB article that arborists were using a "long list of criteria". But, regarding trees within 2X height of the roads, only four criteria were effectively involved in the process. As I left, they were using a more subjective model which simply asked the arborist if the tree's condition was (dead, poor, fair, good).
3. To say the "project has evolved since Tom Ford left and is now based on the best available science." I say, ok... please support that statement. Because I find that totally

unbelievable. As I stated above, the assessment tools that CDR-Maguire arborists are using have become more subjective and far less scientific.

4. The ODOT arborist said regarding hazard trees “nobody can tell you with any certainty at all when a tree is gonna fall.” However, a post-fire industry exists doing almost precisely that; granted this is not an exact science and acts of god to occur. Assessments are limited to the time in which they take place, and available tools and methods of observations and testing. But, that doesn’t permit us to ignore our duty of care for this habitat and rationalize lowering our risk threshold to zero.

Most of my co-workers in the field were from out of state. Many were hard workers and came to the project under false pretences. Most of those from the Southeast had no idea they would be cruising timber on steep hillsides and cutbanks in Oregon’s February rains. They were told they would be inspecting debris containers at a checkpoint or something to that effect. Unfortunately, they were given minimal training before being sent into the field while the chain of command was consistently undefined. This was unfortunate but for those who tried to put in an honest day, I thank them for coming to Oregon to work with us, especially after being told by CDR Macguire leadership “don’t tell anyone you are from Florida, don’t tell the locals you’re from out of state.”

I resigned as drug use incidents were on the rise and not being addressed. Although I put forth effort to improve the workplace in small ways, I avoided greater responsibilities and leadership. I may regret this avoidance, but the situation appeared to be a sinking ship from the start. I still wonder if the failures of this project are due to incompetencies and in-fighting between ODOT, CDR Maguire, MBG, and other contractors or if it is due to intentional actions from within CDR to sabotage consistency, sow seeds of chaos, and derive more billable hours. I’m still wondering.... That’s how messed up it is.

Thank you for your time. Thank you for serving Oregon

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