

April 27, 2020

Re: Firsthand Observations of Work on Roadside Hazard Tree Removal

Dear Senator Golden and members of the committee,

Thank you for inviting me to testify today. I am a certified arborist with many years of experience in fires. I have worked in active wildfires, dangerous situations and have numerous speciality certifications. I have attached my resume into the record.

My Position in the Project.

In the wake of the 2020 wildfires I was recruited to be involved with the project from the bid stage for CDR Maguire. I was hired as the Lead Project Arborist and tasked with developing the approach to tree assessment and hazard mitigation. California projects were used for guidance, and I created practices for Oregon.

From my initial reading of the contract document, I could see problems with meeting the FEMA definition of Hazardous Trees. In wind driven events, the hazard condition is immediately manifest and obvious, i.e. hurricanes. In wildfire, the fire-scarred trees may be live and live for hundreds more years. They may be hazardous. Or they may become hazardous in the future. The damage to the tree must be considered in a mitigation plan and assessed over an extended period of time.

This is why, following the lead from superficially similar projects in California, I looked to scientific literature on post-wildfire mortality and hazard in our local tree species. What is available is of limited use in assessing the condition of standing, burned trees.

In early December 2020 I prepared a beta version of a Tree Hazard assessment protocol, with the assistance of Reggie Fay from Mason, Bruce and Girard. This was intended to be reviewed for FEMA reimbursement acceptability as well as general appropriateness to task. The beta version was presented to CDR and ODOT management with the request for formal review by ALL RELEVANT STAKEHOLDERS, including themselves, BLM, USFS, ODF, Tribal Nations impacted, FEMA reps, environmental stewardship groups, etc. That review was never performed, no one other than Reggie Fay was involved at the level of informal technical review. We were told by Jared George of CDR that ODOT 'told them to proceed marking trees with this beta version protocol'.

Problems with Procedures, Oversight, Accountability & Implementation.

At this point, I protested using every channel available to me, stating that the beta version was not acceptable to task, would cause significant cutting of non-hazardous trees and environmental damage.

From here on, my relationship with CDR and ODOT became strained and non-functional. Yet I still tried to meet the project terms. I worked with MBG and Mobile Epiphany to create a mobile application called Krinkle, field manual and formal Standard Operating Procedures for tree marking.

We tried to create a 'professionally acceptable' set of management structures, including verifiable training and auditing for tree assessors. CDR managers did not cooperate or assist. Instead they continued to ask me 'how many trees were marked today' to which my reply was 'it does not matter since none of your marking crews are producing acceptable results'.

From my perspective, CDR blocked necessary communication between the technical experts and ODOT management. I don't know if this was intentional, but it meant that there was no active oversight or engagement in the development of the tree assessment criteria.

The management culture was marked by a lack of communication and willful ignorance. I presented damning critical comments and assessments of the project parameters and they were ignored. On my last day I stated in an internal CDR email that none of the trees marked by CDR would be acceptable without a full repeat by independent, or adequately trained assessment crews.

I stated that all money spent on tree assessment work - in the face of my constant advice to wait until formal Standard Operating Procedures were vetted and in place and quality control was demonstrably effective - was money wasted. From my perspective CDR managers willfully ignored the issues that I and other arborists raised, and this resulted in:

- Dramatic increase in the amount of billable hours and duration of project
- Severe, negative environmental impacts on Oregon's rivers
- Inadequate monitoring, confusion and rushed implementation
- A work environment where critical evaluation of project procedures and effective communication were absent.

I left after protesting and making these issues known. The money driven juggernaut of incompetence continued on. I have heard from numerous arborists and people who work on the project in the weeks and months that the situation only got worse, not better as has been claimed. Thank you again for inviting me to testify.

Sincerely,
Tom Ford
ISA Certified Arborist