



Aerial view of cutting along the Breitenbush River (By Ralph Bloemers)

**From:** Ralph Bloemers, Crag Law Center - [ralph@crag.org](mailto:ralph@crag.org) - Tel. (503) 504.2432

**To:** Whom it May Concern

**Date:** April 6, 2020

**Re:** Impact of Excessive Roadside Cutting on Oregon's Rivers & Scenic Byways

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## Background

In the wake of the 2020 wildfires, burned trees along Oregon highways pose some degree of hazard and may need to be felled or stabilized. However there are thousands and thousands of fire scarred trees that are live and have green needles. According to expert botanists and arborists I have spoken with these trees pose no risk to safety. The Eagle Creek fire burned the Columbia River National Gorge in 2017. Danger trees were removed near parking areas, while popular trails, camp areas were treated carefully. **If you drive along I-84 or the historic highway you will see hundreds of burned, live trees that were left.** I spent the last three years doing trail building and recovery work in the Gorge, and observed and documented the rapid rebirth, wildlife using the forests and trails restored for public use.

In the wake of the 2020 fires, the scope and extent of cutting along Oregon's scenic rivers and byways has been causing controversy due to excess or over-zealous removal of live, green-needed trees in the name of reducing "hazards". I have received information from numerous sources that **the removal is above and beyond the scope of work specifications, and being done without adequate oversight and consultation.** Trees are being cut and removed by power companies, federal agencies, state agencies and out-of-state contractors.

According to contract for the Hazard Tree and Debris Removal Operations Plan for the Oregon Wildfires and Straight Line Winds (DR-4562-OR), the Oregon Department of Transportation received \$296 million from the Federal Emergency Management Agency (FEMA) to do hazard tree mitigation work after the fires along Oregon's highways and roads. ODOT conducted a public bidding process and hired CDR Maguire, a Florida company, to manage the project. Under the contract, CDR is being paid to manage subcontractors, and subcontractors are being paid between **\$250 to \$8,000 per tree cut**, depending on a variety factors.

In the contract ODOT required CDR Maguire to have a project arborist to develop guidelines. ODOT also hired Mason Bruce Girard (MBG) to consult on the environmental impacts of the project. The six contracts to perform the Hazard Tree Removal work were granted to three out of state companies: Soluutaaq, ECC, and Ceres. Actual work is currently being performed by subcontractors, including Atlas Tree and Arborworks out of California.

I have learned from various sources that **the guidelines used to mark and cut trees have not received adequate oversight**. I understand that **specialists have objected to the marking and cutting**. I understand that **contractors were encouraged to mark as many trees as possible**, including live trees, trees far from the roadways and trees within the Wild & Scenic River corridors. I have learned that **payment is based on how many trees were cut**.

Cutting along the North Umpqua River Has Been Extensive (Photo by Tim Lewis)

- More photos of roadside logging along the Umpqua River [here](#)
- A video of roadside logging in the Umpqua can be watched [here](#)



### Public Values at Stake

**Wild & Scenic Rivers** - Many Oregon highways and roadways run along rivers and streams. The fires impacted highways in the Clackamas, Santiam, Umpqua, McKenzie and Illinois river watersheds. These highways and associated road networks that are connected to them contain segments of designated Wild & Scenic Rivers, and many are included as proposed Wild & Scenic river miles in the recently introduced River Democracy Act. The Wild & Scenic Rivers Act management plans require trees to be left, or trees to be topped. Cutting them and removing them, particularly when they pose no immediate hazard, is inconsistent with the Wild & Scenic Rivers Act and damages these values.

**Cultural Sites** - The riverside lands along Oregon's highways and roads are marked by popular camp sites, hiking trails, recreation areas, and Native American cultural sites. For example, in the recent flight over the Clackamas, Michael Krochta observed extensive logging of green trees in the Riverside campground area, and significant impacts to numerous campsites from excessive tree removal.

**Steep Slopes** - Many Oregon highways and roadways are in steep, incised canyons. The slopes above these roads have not been logged, and the tree cover - live or dead - helps stabilize the soils above the roadways. The excessive cutting is likely to destabilizing slopes, push more sediment into streams and rivers, increase the risk of landslides, imperil salmon and compromise drinking water systems.



Aerial view of hundreds of green trees cut, with little to no fire scars (By Ralph Bloemers)

### **Breitenbush River and Highway 46 Corridor**

On March 26th and 27th, I was invited by the Breitenbush Retreat Center to visit and document the roadside hazard tree cutting along the Breitenbush River. I observed hundreds of green trees, with little to no fire scars, that had been cut along Highway 46 and along the 050 road. I also observed cutting down to the river, more than a tree length from the road, and cutting on steep slopes above the road, without any mitigation to prevent soil movement.

Locals indicate that trees were marked and cut by the Forest Service, whether the source of the funding was FEMA, or whether ODOT was involved is unclear. Here are seven aerial clips of the cutting along the Breitenbush River: <https://vimeo.com/showcase/8303592>

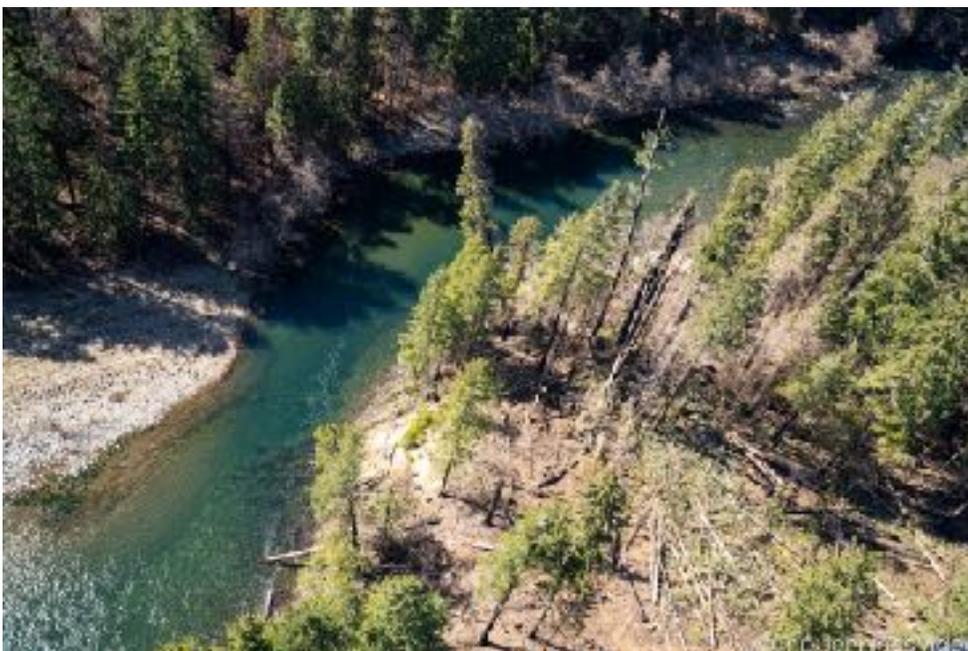
Many popular campgrounds, recreation areas along the river have been altered for lifetimes. While the wildfire killed trees, the roadside cutting has killed many live trees that were, according to the best available science, likely to survive. The impact from the cutting on the Breitenbush River is extensive, and appears to be ongoing.



### **Mt. Hood National Forest - Clackamas River Corridor**

The Mt. Hood National Forest has circulated a [proposal to do cutting along 222 miles of roads](#), including along Highway 224, Highway 46, Forest Service Road 57. The public has been hampered in its ability to meaningfully comment as these areas have been closed. Mr. Krochta, of the forest conservation group Bark, had asked for access but was denied. Last week, on April 1, 2020, Mr. Krochta flew over Highway 224 along the Clackamas River and documented the extent of the cutting.

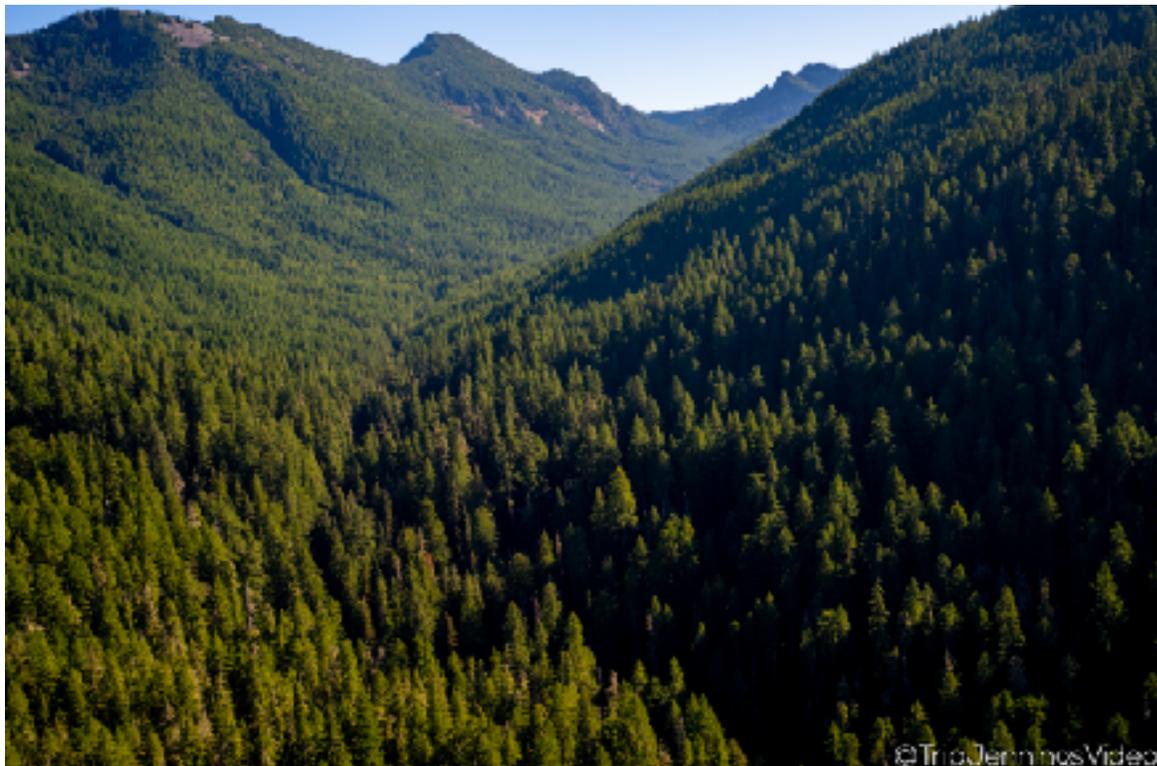
The Forest Service had circulated a notice for a 2-week public comment in March, and indicated it would not make a decision and begin implementing the project until May. During his flight, Michael witnessed that the cutting had already begun on Highway 46 and Forest Service Road 57, and that many live trees had been cut negatively impacting numerous popular campgrounds, hiking trails and Wild & Scenic River segments. Raw aerial footage is available here: <https://vimeo.com/533761329>. More images from the Clackamas River flyover can be viewed [here](#).



## Willamette National Forest - Opal Creek

The Willamette National Forest has [proposed 390 miles of roadside hazard tree cutting](#) on roads in the forest. The Opal Creek Ancient Forest Center has submitted comments on the proposal, and it has expressed concern about cutting along lightly used or administratively closed roads, impacts to scenic values along the river, and impacts to popular hiking trails. In the Opal Creek area, the proposals include cutting into areas where roads have been abandoned and converted into hiking trails, and into areas which are lightly burned or not burned at all.

For example, the proposal includes rebuilding and roadside cutting along a road that goes into the Battle Ax Creek drainage. The Battle Ax Creek drainage was photographed in October 2020 after the fire. The photos taken during that flight show that this particular area was largely unscathed by the Beachie Creek fire. You can watch a flyover film here: <https://vimeo.com/480833482> (Further still images from Battle Ax can be viewed [here](#)).



### Summary

The 2020 wildfires impacted Oregon for our lifetimes, and beyond. The impact from the actions of ODOT, the BLM, the USFS, the power companies, and their contractors, subcontractors are going to be felt for generations. Is this work happening with adequate oversight, scientific rigor and professionalism? Is the public interest being served or not?

The aerial images and reports from those on-the-ground show that there are significant issues with how the projects are being planned and carried out. Feel free to contact me if you have questions or would like further information.

## Rapid Rebirth in Burned Areas of the Gorge



Upper McCord Falls, One Year After the Fire (Photos by Ranger M. Mendoza, Ralph Bloemers)

This is one of dozens of matching pairs I have captured in the wake of the Eagle Creek fire. I have volunteered on trail work parties and documented the trail recovery work and rebirth. You can watch a film about the patient work to restore Upper McCord here:

<https://vimeo.com/453504007>

Trail 400 Was Burned Severely, But Was Reborn Quickly.



This is one of dozens of matching pairs I have captured in the wake of the Eagle Creek fire. You can watch a film about the patient work to restore the Eagle Creek trail here:

<https://vimeo.com/453506664>

## Historic Recovery in the Columbia River Gorge



View from Tanner Butte, 1935 to 2015 showing rebirth after a stand replacing wildfire. This is one of over a dozen historic matching pairs I have showing old forests emerging after big hot landscape-altering wildfires over a lifetime.