

## Bristol Town Administrator

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**From:** Lewis, Orion A. <olewis@middlebury.edu>  
**Sent:** Tuesday, May 19, 2020 10:56 AM  
**To:** mcordes@leg.state.vt.us; celder@leg.state.vt.us; cbray@leg.state.vt.us; rhardy@leg.state.vt.us; nboyle@eivtech.com; ianalbinson+sb@gmail.com; Bristol Town Administrator  
**Subject:** Letter of Concern Re COVID-19 Mitigation on VTrans TPC PC20(2)  
**Attachments:** Letter of Concern TPC PC20.doc

Dear elected leaders and project managers,

During a zoom call last week, the public in the town of Bristol was recently informed about health and safety protocols surrounding VTrans project TPC PC20(2), whose timeline was recently altered to coincide with the COVID 19 pandemic. I'm writing to you with my concerns that this project, as well as other similar projects in Vermont are being pushed forward too quickly without proper vetting of health and safety protocols. The attached letter breaks down exactly why current protocols and institutions are not sufficient for assuring the public that you're providing for their security at a time that they're being asked to take on additional risk and economic hardship beyond what they are already enduring. I understand the project is moving forward and that there are important economic interests involved here, but I would hope that we would balance those interests with the fundamental issue of our collective security. If you're going asked us to take on more risk you, then leaders have to also make sure that you're doing everything you can to provide for people's safety and the safety of frontline workers. In my view the current protocols don't even come close and there is a lot more that could be done in this regard. It's in everyone's interest to do so. I've also provided some recommendations about basic steps you can take to improve the management of this project and ensure that the public is supportive and confident that their economic and security needs will be met while their lives are further disrupted this year. I hope you will consider them and act upon them, or other ideas, to better provide for the security of more population dense villages and frontline workers.

best regards,

### Orion A. Lewis

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*Likely composed by voice. Please excuse typos.*



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May 19, 2020

**Re: Letter of concern regarding public health and safety protocols related to VTrans projects**

Dear Elected Representatives and Project Managers,

I am writing to you in my capacity as a professional public policy analyst and resident, to express my deep concerns and reservations regarding the public health and safety protocols to address COVID-19 containment during VTrans project STP PC20(2) now set to take place throughout the duration of the calendar year in Bristol. I am aware of these projects because they impact me at my residence in Bristol, but I am not writing to make a personal complaint. Indeed, my concern is about the institutional mechanisms and protocols in place for COVID-19 containment and mitigation for projects, such as these, that will be taking place in more population-dense parts of Vermont—our villages and downtowns. Given the pandemic, these are no longer simply “transportation” projects or “economic development” projects, they are also public health and safety projects, and as such, take on new dimensions that must be addressed at this time when you’re asking citizens to social distance and sacrifice for our collective security.

While STP PC20(2) was officially approved through normal due process last December, the timeline of these projects has been changed to coincide with the COVID-19 state of emergency. While it is not in dispute that both projects were approved with adequate public input throughout calendar years of 2018 and 2019, neither project has appropriate public input and oversight, as well as direct communication with the public, as it relates to the public health dimensions of these projects during a state of emergency.

What has been communicated about the Vermont Department of Transportation health and safety protocols makes clear that ***they are in no way adequate for ensuring COVID-19 containment and mitigation*** in impacted communities, ***nor are they adequate for protecting VTRANS front line workers***. Current protocols meet only the absolute minimum threshold for COVID-19 compliance—an online course for department personnel, self-reporting, and an ambiguous or nonexistent process should a COVID-19 outbreak occur. The weaknesses of current policies are manifold:

- **Management and Oversight:** currently we are relying on VTrans to manage this internally using department personnel with only minimal public health training. There are numerous problems with this:
  - **Training:** do we expect someone who specializes in transportation projects to have adequate public-health training to manage this process? Is the online training adequate given the complexity and fast-changing nature of this problem?
  - **Enforcement:** why do we expect VTrans to police itself in this regard? Internally, does the COVID-19 officer have the authority to keep people off the job if they're sick? What's going to happen when they tell someone he needs a paycheck that they can't go to work? Who has the authority to enforce the regulation that there can be only ten workers every 100 feet.
- **Identifying and isolating COVID-19:** currently VTrans policy relies on self-reporting surveys as a methodology for identifying potential illness. As a professional researcher, I can tell you that there are numerous weaknesses to this protocol:
  - **Response bias:** this is known to be a subjective measure based on one's perceptions. There is likely to be a large response bias. There is no way to tell objectively from this process whether one is COVID-19 positive. Moreover, this reporting bias is likely to be larger and even further from the truth when individuals face conflicting interests, such as a paycheck incentives or employer pressure to meet deadlines. In short, there is no way that the public can feel safe that this process will accurately and timely identify cases of COVID-19 or isolate them should they occur.
- **Containment and mitigation should an outbreak occur:** in the public zoom meeting to discuss these protocols several days after the project began, I did not hear one mention of institutions or mechanisms that would be put in place to contain or mitigate an outbreak should it occur. If done correctly, this would involve isolating infected individuals, contact tracing who they have been in touch with, and quarantining those individuals as well. This is especially important for work teams, who are often in frequent contact with each other. As the case of the Smithfield pork plant illustrates, an outbreak can shut down an entire facility and work team if it is not rapidly contained, thereby extending the timeline and sacrifice that communities are making for these projects. In this regard it is in everyone's interest—leaders, project managers, and citizens, to ensure that there are adequate mechanisms to mitigate risk should a problem occur. I see nothing to indicate that there are any procedures in this regard should positive COVID-19 cases arise amongst front line workers.

Given the weaknesses of current policy and protocols, I am urging you to consider the following policy recommendations not just for these projects, but other similar projects that you might be pursuing:

- **Appoint an independent public health professional to manage the public health dimensions of these projects:** while they do a lot of great work on the transportation front,

VTrans should not be expected to adequately manage the public health dimensions of these projects—an area where it has no core competency or expertise. An independent public health professional would persuade the public that there is oversight and accountability with respect to the health dimensions of these projects. This would address both the weaknesses I highlight above with respect to training and management.

- **Give an independent public health professional the authority and power to isolate and quarantine workers should the need arise:** this would address current weaknesses regarding lines of authority inside of VTrans and then ensure that VTrans personnel do not face a conflict of interest in their project and public health mandates.
- **You MUST come up with a better means of identifying COVID-19 on projects that are taking place in population-dense areas:** self-reporting is not an adequate standard given all of the issues highlighted above. A truly scientific process that sought to be accurate and rapid would require more objective metrics for identifying COVID-19. Best practices, in order of impact, are the following:
  - **Testing and Contact Tracing:** ideally workers would be tested daily, but a more pragmatic timeline might be weekly. If you could test everyone at least every four days, that would account for the four-day period between which one can become infected but not produce a positive test result.
  - **Temperature screening:** this at least provides an objective measure of whether someone is symptomatic or avoids reporting bias. This might keep someone who is symptomatic off the job and away from the public, but it is in no way rapid and decisive enough to control an outbreak of COVID-19. Because it can spread asymptotically, identifying someone who is symptomatic *will be too late* for properly containing and mitigating the spread.
- **Put institutional processes in place for containing and mitigating outbreaks in VTrans projects, and proactively communicate those processes to the public.**
  - **Government leaders at all levels need to do a better job communicating to the public** about how these projects will be managed at of time when we are still under a state of emergency. The timeline for these projects was changed because of the pandemic, and yet very little has been done to communicate to the public on this fact. While VTrans and local authorities have communicated—principally by posting to Facebook and Front Porch Forum—these efforts are not sufficient or adequate given the extenuating circumstances and increasing risk that these projects will create for these villages. We cannot assume that everyone even has Internet access, much less checks Facebook and Front Porch Forum every day. In terms of direct messaging email, VTrans has self-reported that they only have direct contact with approximately 150 residents or organizations in Bristol, out of a population of 3,894 (3.85% of the population). That is not good enough when you are asking citizens to take on additional risks and sacrifices during a crisis. The good news is that there are easy ways to fix this problem:

- **Go back to the real front porch and send a direct mailing to every citizen:** explain the project timeline and the precautions that you are taking to ensure their safety. Provide a schedule to the extent possible so that people at greater risk can plan accordingly when the projects will impact them, such as receiving deliveries of food and medicine before the workers are at their front doors. Only through direct mailings to physical addresses can you ensure that you are getting in touch with the widest number of people and adequately communicate with the entire population, *including those who are most likely to be a greater risk.*
- **Address citizen concerns through routine forums for oversight and public participation:** Even though the projects were previously approved, there has been little public discussion of how the project would proceed during the pandemic. That would be unacceptable for small projects, not to mention projects of this scope, duration and risk. If you want the public to feel comfortable with the additional risks you are taking on their behalf, then you need to be in routine communication with them to assuage and address their concerns, and communicate the steps that you are taking to provide for their security. Nothing was done to prepare the population of Bristol or provide for their input as it relates to public health and security.

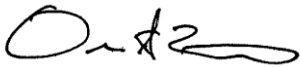
Ultimately there is a core contradiction between social distancing, stay at home guidelines, and the decision to engage in construction projects in population-dense villages and downtowns during a pandemic. You are effectively asking the residents of Bristol *to take on more risk* to their community than they already are, without giving them a say in that process or assurances that you have done everything you can to ensure public safety. The bottom line is that state and local leaders are not doing everything they can to mitigate the risks of these projects, nor have they effectively communicated to the public what those steps are.

I realize that these are extraordinary times, that everyone is working under a great deal of pressure and uncertainty, and that this situation creates new communication and transparency burdens that would not have existed year ago. Nonetheless it is still imperative, not just for economic development but our physical security, that we continue to work together. If you do everything you can to ensure proper protocols and you communicate that effectively to the public, they will likely support these projects and cooperate with you.

However, if you continue to push these projects forward under emergency circumstances, without proper vetting of public health mechanisms, you risk generating public grievances regarding the ways that risk was managed in these communities at this time. Without citizen input, oversight, and constant communication you risk alienating the communities that you are serving. In my professional opinion, I think this is also a PR scandal waiting to explode as soon as any health problems occur and it becomes apparent that the mechanisms for preserving public health were weak at best.

I would strongly advise you to avoid such a scenario now. Everybody wants to be able to face voters in November and say that they did everything possible to protect them. Vermont has done a good job with this pandemic and we are in a good position, but we also risk squandering this if we do not put the proper mechanisms in place to ensure that it remains that way. If this project is going to go forward now, let's put the institutional mechanisms in place to ensure the security of VTrans frontline workers and the communities in Addison County, and the rest of Vermont. This is the best means to balance the economic and public health dimensions of these projects.

Sincerely,

A handwritten signature in black ink, appearing to read "Orion A. Lewis". The signature is fluid and cursive, with a long horizontal stroke at the end.

**Orion A. Lewis**

*Assistant Professor of Political Science*

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