

The Honorable Tom McClintock or appropriate name and title  
United States House of Representatives or United States Senate  
Washington, DC 20515 (20510 for Senate)

Today's date

Dear Congressman McClintock or Congresswoman or Representative or Senator,

My wife and I are one of 177 cabins within the Eldorado National Forest that were destroyed in the Caldor Fire, which burned over 221,000 acres in late Summer, 2021 (Declared Disaster 4619-DR-CA). We have been struggling to get clarification and assistance in the clean-up of the destroyed remnants of our cabin. These cabins are privately owned and authorized under a special use permit with the Forest Service. Many have been in families for multiple generations - we have owned our cabin for about 30 years.

Initially, CalOES and El Dorado County Environmental Management had told us that the debris removal of the cabin remnants would be part of the Statewide Consolidated Debris Removal Contract, such that we would be treated similarly to other structures destroyed by the Caldor Fire. We submitted our Right of Entry form, as requested by these agencies. Under the Statewide Debris Removal contract, FEMA funds are provided to the State of California and individual residence owners are expected to submit to the State any insurance funds received for debris removal to help offset the total cost.

Subsequently, we were informed by the Forest Service that we were not eligible for the Statewide Debris Removal contract based on finding by FEMA legal counsel that FEMA cannot reimburse other Federal agencies for work which falls under their own statutory authorities (44 C.F.R. §206.208(c) (2)). We and the other destroyed cabins were told that we were responsible for the debris removal based on the terms of our special use permit and were directed to complete the debris removal following El Dorado County's "Alternative Debris Removal Program". This program is designed for private land owners and requires the owner to contract with a qualified contractor to do sampling, assessment, debris removal, subsequent sampling and reporting. Cost estimates have ranged from \$30,000 to over \$70,000 per cabin. The Forest Service has recognized that this cost is well beyond the intent of the permit term and that many cabin owners will not be able to complete the debris removal without some financial assistance.

We feel that we are caught in a Catch-22, in that FEMA asserts that the debris removal is the responsibility of the Forest Service and the Forest Service is asserting that the debris removal is the responsibility of the cabin owner. If the debris removal is the responsibility of the cabin owner (as the Forest Service asserts), then we should be eligible for FEMA funding, pursuant to 44 CFR 206.224. If the debris removal is the responsibility of the Forest Service (as FEMA asserts), then the Forest Service should be allowed to use the disaster relief funding they have received to address this immediate threat to public health and safety.

I am seeking your assistance in either:

- Soliciting FEMA to recognize that the Forest Service deems that the debris removal is the responsibility of the cabin owners and as such the cabin owners are eligible to be included for hazard mitigation assistance in the removal of the destroyed cabin debris, or
- Authorizing the Forest Service, through funding and guidance, to undertake the debris removal. Insurance funds and other reasonable expenses could be shared by the cabin owners.

Thank you very much for your consideration of this request.

Sincerely,

Your name

Your address

City, state zip

Phone number

NOTE: If sending email with this as an attachment, convert it to a pdf (otherwise someone could change your words.)