

Attachment C (8. Basis of Claim--continued)

Congressional Inquiry and Media Reports/Investigations:

*“In November, more than a dozen California Congress members wrote a letter to the Forest Service in response to the investigation, **calling the agency’s shortcomings “particularly egregious” and demanding answers.** As a result, the Forest Service held briefings for Congressional staff in December and February. But the meetings were not open to the public. The Forest Service has declined to provide recordings of the briefings or a copy of the agency’s presentation. An agency spokesperson sent CapRadio a general summary after the February briefing, which provided little new information. Grizzly Flats residents, meanwhile, say they’re still searching for answers about the Caldor Fire and the stalled efforts to protect their town. Residents told CapRadio that neither the Forest Service nor Congressional offices informed them that the briefings had occurred.”—Scott Rodd of CapRadio “Wildfire victims left ‘in the dark’”*

- See attached Letter from Congress to the US Forest Service date November 18, 2022
- See attached article--*Wildfire victims left ‘in the dark’*

The following news articles and programs represent the media’s extensive investigations into the failure of the US Forest Service to protect the community of Grizzly Flats:

News Articles:

1. <https://www.caprado.org/articles/2022/08/16/stalled-us-forest-service-project-could-have-protected-california-town-from-caldor-fire-destruction/>
2. <https://www.caprado.org/articles/2022/08/16/how-we-measured-us-forest-service-wildfire-prevention-work/>
3. <https://www.caprado.org/news/insight/2022/11/14/burned-a-california-newsroom-investigation/>
4. <https://www.caprado.org/articles/2022/11/18/members-of-congress-demand-answers-from-the-forest-service-following-capradiocalifornia-newsroom-wildfire-investigation/>
5. <https://www.caprado.org/articles/2023/03/20/wildfire-victims-left-in-the-dark-after-us-forest-service-briefs-congress-about-the-caldor-fire/>
 - a. See attached copy of the article.

News Programs:

1. CBS News-60 Minutes <https://www.youtube.com/watch?v=HEjWfLPpQwY>
2. CBS News <https://www.youtube.com/watch?v=fhOo6EQTq8I>
3. ABC News <https://www.youtube.com/watch?v=Z1QaRTbNvQ>
4. ABC News <https://www.youtube.com/watch?v=aSXeMK1-onc>
5. NBC News <https://www.youtube.com/watch?v=UY6CrXuCOYw>

Wildfire victims left ‘in the dark’ after U.S. Forest Service briefs Congress about the Caldor Fire

Scott Rodd

Monday, March 20, 2023 | Sacramento, CA

The U.S. Forest Service has briefed Congressional staff about the 2021 Caldor Fire and the agency’s stalled wildfire prevention efforts leading up to the blaze — but little information from these meetings has been shared with the public.

The Caldor Fire devastated most of Grizzly Flats, a Sierra Nevada town between Sacramento and Lake Tahoe, and grew into one of the largest wildfires in California history. It burned across Forest Service land before destroying more than 400 of the town’s roughly 600 homes.

Last year, an investigation from CapRadio and The California Newsroom found the Forest Service identified the wildfire risk in Grizzly Flats decades ago. The agency eventually developed a large forest management project to clear flammable brush and vegetation on federal land bordering the community. But the Forest Service completed only 14% of the planned work.

In November, more than a dozen California Congress members wrote a letter to the Forest Service in response to the investigation, calling the agency’s shortcomings “particularly egregious” and demanding answers.

As a result, the Forest Service held briefings for Congressional staff in December and February. But the meetings were not open to the public. The Forest Service has declined to provide recordings of the briefings or a copy of the agency’s presentation. An agency spokesperson sent CapRadio a general summary after the February briefing, which provided little new information.

Grizzly Flats residents, meanwhile, say they’re still searching for answers about the Caldor Fire and the stalled efforts to protect their town. Residents told CapRadio that neither the Forest Service nor Congressional offices informed them that the briefings had occurred.

“It just leaves us in the dark,” said Victor Diaz, who lost his home in the fire. “I hope they do end up giving us some information.”

The Diaz family — Victor, his wife Safiro, their six children and the family dog Ginger — lived in an RV for about a year after the fire, waiting for their home to be rebuilt.

Victor Diaz and his wife, Safiro, pose with their six children outside the RV they all share as a home. Clockwise from top, Sofia, 2, Adaia, 13, Daila, 11, Esteban, 8, Gabriel, 6, and Anna, 5, Thursday, August 4, 2022.

Spokespeople for Sen. Alex Padilla and Rep. Zoe Lofgren — the two California Democratic Congress members leading the inquiry into the Forest Service — declined interview requests.

The Forest Service also declined an interview request.

The briefing summary provided by the Forest Service gives a general overview of the events leading up to the Caldor Fire. It explains how the agency proposed a large forest management project to protect Grizzly Flats, but struggled to complete the work. Then in 2021, California experienced extreme fire

conditions, which fueled the devastating Caldor Fire. The summary also discusses the Forest Service's response during the fire.

The Forest Service did not address some key requests from Congress. Specifically, lawmakers asked the Forest Service to develop an inventory of California communities at risk of catastrophic wildfire and where the agency is trying to complete projects. The Forest Service did not provide this information in its summary or in response to CapRadio's requests.

Tracking forest management projects in proximity to at-risk communities could expedite completion, allow residents to monitor progress and ultimately protect towns from future wildfires. CapRadio's reporting found the agency currently does not have a centralized database with this information.

Mary Ann Cook and Rick Lower — a couple who lost their Grizzly Flats home in the Caldor Fire — said they felt disheartened by the lack of information coming from the Forest Service and members of Congress.

"It makes us feel like they're just sweeping it under the carpet," Lower said. "There's a lot of questions that are never answered."

Cook said the voices of fire victims have been left out of the conversation.

"When Congress met with the Forest Service, they should have reached out to pivotal people in the community," she said.

After the fire, Lower and Cook moved to Crescent City along California's coast. The couple had fire insurance, but they said the coverage did not provide enough money to rebuild a house that meets the stringent regulations for new homes in fire-prone areas. While the Federal Emergency Management Agency provided funding for disaster response, the agency declined to provide individual assistance for residents impacted by the Caldor Fire.

Late last year, Cook and Lower pressed the Forest Service to hold a meeting with Grizzly Flats residents to address lingering questions and concerns. The agency agreed to hold a meeting in December that would include Forest Service Chief Randy Moore, according to a calendar invitation reviewed by CapRadio. But the Forest Service canceled a few days ahead of the planned meeting, providing little explanation.

A new meeting has not been rescheduled.

Congress of the United States

Washington, DC 20515

November 18, 2022

The Honorable Randy Moore
Chief
United States Forest Service
1400 Independence Ave., SW
Washington, DC 20250

Dear Chief Moore,

We write to inquire about the Forest Service's failed implementation of the Trestle Forest Health Project resulting in the destruction of Grizzly Flats, California, which was almost entirely wiped out by the 2021 Caldor Fire. In light of the recent investigation by CapRadio and the California Newsroom – and the billions of dollars that Congress has recently provided for hazardous fuels projects – we request that you provide us with a detailed briefing regarding the failed implementation of the Trestle Project, which experts have determined could have saved the town and spared its residents.

As highlighted in the investigation by CapRadio and the California Newsroom, the Forest Service warned the residents of Grizzly Flats decades ago that a blaze such as Caldor could destroy their town, which is surrounded on three sides by the Eldorado National Forest. Fire modeling from the Forest Service highlighted that a severe wildfire could engulf the town in as little as 24 hours. The Forest Service then spent nearly 10 years developing the Trestle Forest Health Project to protect Grizzly Flats by removing fuels on 15,000 acres of forest by 2020 to prevent a catastrophic fire using a combination of commercial thinning, hand thinning, and prescribed fire. However, the recent investigation found that the Forest Service neglected priority areas at the highest risk for fire, delayed the deadline for the project's completion, only completed 14% of the intended work, and only implemented the commercial thinning elements of the project that produce revenue for the forest unit.

On the other hand, the residents of Grizzly Flats took immediate action after being presented with the fire risk modeling. A volunteer Grizzly Flats Fire Safe Council was formed following that modeling and raised over \$2 million dollars through grants and grassroots funding to protect their community. Over the next 15 years, the council created fire breaks on the north, east, and west sides of the town – with the understanding that the Forest Service would complete its forest management and fire mitigation plan that included a fuel reduction project on the town's highly-combustible southern side, a promise that the Forest Service ultimately never fulfilled.

On August 17, 2021, the entire town of Grizzly Flats was destroyed by the Caldor Fire. The fire followed the southern path that had been predicted by the modeling and that would have been mitigated by full implementation of the Trestle Forest Health Project.

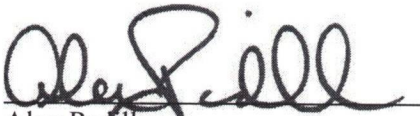
It is unacceptable that the town's proactive efforts and calls for aggressive fire mitigation assistance were met with inaction and delays from the Forest Service. Though we understand the administrative and environmental hurdles facing forest management projects – including staffing shortages, funding challenges, climate change, and endangered species concerns – the length of delays with regard to the Trestle Forest Health Project are particularly egregious and raise broader concerns.

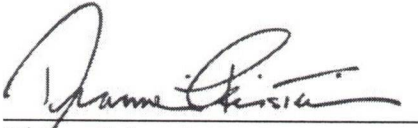
In light of this example – and in anticipation of billions of dollars being spent on similar projects throughout California and the West in the coming years – we request a full explanation for the delays on the

Trestle Forest Health Project and a thorough overview of the uncompleted components of the project, the misplaced focus on the commercial thinning elements of the project, the lack of prescribed burns, and any administrative delays that ultimately resulted in the project being left incomplete. We also ask that you name any other communities in California for which the Forest Service has identified a high risk of catastrophic wildfire and is in the process of preparing a plan – or has prepared a plan but not yet fully implemented it.

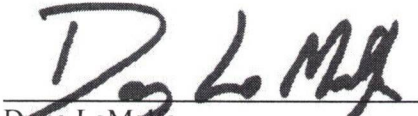
We look forward to your response, and we hope to continue working together to increase the efficiency and funding for crucial wildfire mitigation projects to prevent further tragedies.

Sincerely,


Alex Padilla
United States Senator



Dianne Feinstein
United States Senator


Zoe Lofgren
Member of Congress

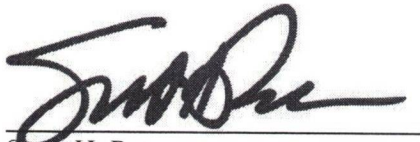

Doug LaMaha
Member of Congress
Ranking Member, Subcommittee
on Conservation and Forestry


Mark DeSaulnier
Member of Congress


Jimmy Panetta
Member of Congress


Katie Porter
Member of Congress

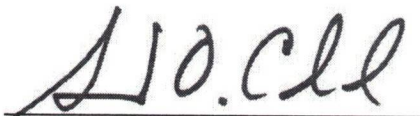

Mike Thompson
Member of Congress



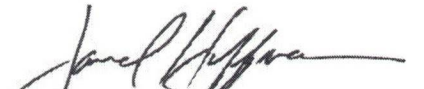
Scott H. Peters
Member of Congress



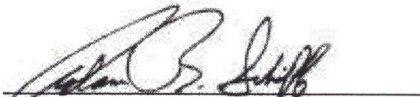
Tony Cardenas
Member of Congress



Salud Carbajal
Member of Congress



Jared Huffman
Member of Congress



Adam B. Schiff
Member of Congress