

Right-of-Entry Forms for Private Property Debris Removal

Release Date: Jan 25, 2024

Maui County and other local agencies, the State of Hawai'i and FEMA have coordinated with the U.S. Army Corps of Engineers to offer a debris removal process for property owners affected by the August 2023 wildfires.

Maui County has planned an informational workshop from **3 p.m. to 5:30 p.m. Saturday, Jan. 27**, on the Right-of-Entry process for residential and commercial property owners. It will be held at the Lahainaluna High School cafeteria, 980 Lahainaluna Road in Lahaina.

Right-of Entry-Form (ROE)

To participate in this government-sponsored voluntary debris removal program, the property owner must complete a right-of-entry form that allows USACE to temporarily enter the private property and remove fire-damaged materials.

- Signing an ROE form does not transfer ownership of the property.
- An ROE only allows the government and/or its authorized contractors temporary access to the property to begin the debris removal process.
- No removal of fire-damaged materials will begin on private property without the permission of the property owner.
- Any other right-of-entry forms – such as those pertaining to volunteer assistance – are not valid for this purpose.

Obtaining an ROE

- You may obtain a right-of-entry form in person on Maui:
 - at **Lahaina Civic Center Gymnasium Disaster Recovery Center**, 1840 Honoapi'ilani Highway in Lahaina
 - at the **Kalana O Maui Building**, 200 S. High Street in Wailuku
 - or at the **Maui Mall Village**, 70 E Kaahumanu Avenue in Kahului.



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- Maui County and USACE representatives are present at the three locations. County officials will advise how to fill out the ROE form, and USACE staff will be available to provide details about the debris removal program.
- You may also obtain an ROE form at mauirecovers.org as well as information about items required to complete the forms and where to send them.

Participating in the Government-Sponsored Debris Removal Program

- By law, FEMA cannot provide funding when any other source has covered expenses for the same disaster-related need, including but not limited to: insurance, crowdfunding, local or state programs, or financial assistance from aid organizations.
- The property owner agrees that any insurance proceeds they receive that are designated for debris removal or proceeds from a general policy with debris removal not used for rebuilding must be applied to reimbursement of private property debris removal program costs.
- If you are the property owner and do not have insurance or there is no debris removal coverage in your insurance policy, there is no cost to you to join the debris removal program.
- Property owners are not required to pay any additional money to the government agency other than designated debris proceeds granted to them in their policies. In most cases, the cost of debris removal will be substantially greater than the insurance coverage(s) available. In other words, the reimbursement amount will not be greater than the costs of debris removal on your specific property.

You Can Choose Not to Participate

- Property owners who opt out of the program are still required to provide for the timely removal of hazardous debris fields, and deadlines will be set by Maui County.
- Removal by a private contractor is authorized but must be done at the homeowner's expense, and work done must meet or exceed the standards set by local, state and federal agencies. This includes compliance with all legal requirements for handling, disposal at authorized disposal sites, soil sampling and transportation.
- In addition, best-management practices of the county and state must be observed by the property owner along with work activity documentation and



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erosion control.

For more information about right-of-entry forms, contact your local officials or go to <https://www.mauirecovers.org/debrisremoval>.



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