




FEMA

October 17, 2022

MEMORANDUM FOR: FEMA Regional Administrators
Regions I-X

FROM: Melissa K. Forbes 
Assistant Administrator
Recovery Directorate

SUBJECT: Public Assistance Wildfire Policy Guidance

This memorandum is in response to recommendations from the National Emergency Managers Association (NEMA) and discussions held during the FEMA's April 2022 Wildfire Summit. There are a variety of factors that differentiate wildfire disasters from other disaster incidents. This includes significantly longer incident periods, and natural, technological, and human causes of damage. FEMA recognizes that current Public Assistance (PA) policy and guidance does not sufficiently address the unique nature of, and damage caused by, wildfire incidents. This memorandum provides flexibility to better align policy with the unique circumstances surrounding wildfire incidents. Except where specifically stated in this memorandum, assistance is subject to PA Program requirements as defined in the [Public Assistance Program and Policy Guide](#) (PAPPG) Version 4.

Effective immediately, FEMA will utilize established policy in the PAPPG Version 4, in conjunction with this memo, to make eligibility determinations for debris removal, demolition, and other related response and recovery activities for federal declared incidents.

- **Private Property Debris Removal (PPDR)**
 - Pre-approval from FEMA is not required for the Applicant to begin PPDR work (including on privately owned residential and commercial property); however for the Applicant to receive PA funding, FEMA must determine that the work is eligible.
 - The Applicant must notify FEMA that PPDR is being conducted and the type of property on which the PPDR is being conducted (e.g., privately-owned residential or commercial property) so FEMA can ensure notifications to the necessary FEMA components and federal partners.
 - The Applicant must submit written documentation to FEMA identifying the specific properties or areas of properties where PPDR activities occurred. This documentation must demonstrate that the Applicant has legal authority and responsibility to perform PPDR, full compliance with all applicable sources of authority (law, ordinance, code,

contract, etc.), indemnifies the United States for any claim arising from the debris removal, and that the PPDR was in the public interest.¹

- When evaluating PPDR funding requests, FEMA will consider if the incident generates wildfire debris in quantities and/or types on residential or commercial property that is so widespread or of such magnitude that it creates a threat to public health and safety or improved property.
 - FEMA may also consider factors such as social vulnerability, the percentage of homes destroyed in the community or census designated area, community density, watershed exposure, the fire hazard severity zone (FHSZ) of the area, and the cost of hazardous debris removal cost.²
- **Demolition of Private Structures**
 - Pre-approval from FEMA is not required for the Applicant to begin demolition work; however, for the Applicant to receive PA funding, FEMA must determine that the work is eligible.
 - The applicant must notify FEMA that demolition of private structures is being conducted and the type of property on which the demolition work is being conducted (e.g., privately-owned residential or commercial property) so FEMA can ensure notifications to the necessary FEMA components and federal partners.
 - For destroyed structures that are deemed eligible for demolition, the issue identified on page 108 of the PAPPG, version 4 which states: “If more than one wall of a structure is standing and not in immediate danger of collapsing, FEMA considers the removal of that structure to be demolition and not debris removal ...” is now superseded by this memo. It is no longer the determining factor in categorizing removal of a destroyed structure as demolition versus debris removal.
 - The determination that a structure is destroyed and/or in immediate danger of collapsing must be made by the authority having jurisdiction in coordination with a qualified individual.³
 - Demolition of commercially owned structures is generally ineligible as it is expected that the commercial enterprises retain insurance that addresses the cost of demolition. However, in very limited, extraordinary circumstances, the FEMA Regional Administrator may provide an exception regarding work eligibility for demolition activities. In such cases, the applicant must meet the PAPPG requirements for debris removal from private property.⁴

¹ *Public Assistance Program and Policy Guide*, FP 104-009-2, at 108 (June 1, 2020) [hereinafter *PAPPG*]

² As determined by the Social Vulnerability Index (SVI) as calculated by the Centers for Disease Control and Prevention (CDC). See [Social Vulnerability Index | Data | Centers for Disease Control and Prevention \(cdc.gov\)](#); FHSZ data is currently only available for the State of California. Current maps can be accessed at the following web address, [Fire Hazard Severity Zones Maps \(ca.gov\)](#).

³ Only a licensed engineer or architect or an individual that the jurisdiction authorized to make such decisions.

⁴ *PAPPG* at 129.

- **Hazardous Trees**⁵
 - FEMA will include, as eligible debris removal work, the removal of burned trees that pose an immediate threat to public health and safety or improved property as determined by the authority having jurisdiction, in coordination with a qualified individual.⁶
 - When estimating or calculating costs, an applicant may utilize a cost per parcel of land approach or a cost per tree, the methodology for determining such costs must be submitted when requesting reimbursement for eligible work.
 - Only those trees that are a threat to public health and safety or improved property may be eligible under either approach.
 - The Applicant will need to provide sufficient documentation to validate this was a cost-effective approach, or it may jeopardize PA funding.

These changes are effective for major disasters and emergencies declared on or after the issuance date of this memo. FEMA will incorporate these changes into the next version of the Public Assistance Program and Policy Guide (PAPPG). If you have any questions, please contact Ana Montero, Director, Public Assistance Division, at ana.montero@fema.dhs.gov.

⁵ A hazardous tree is a standing tree that presents a hazard to the public due to conditions such as, but not limited to, deterioration or physical damage to the root system, trunk, stem or limbs, and the direction and lean of the tree per the Occupational Safety and Health Standards, Title 29 Code of Federal Regulations (29 C.F.R.) § 1910.266(c).

⁶ According to the International Society of Arboriculture, only a Registered Professional Forester, an individual with a Tree Risk Assessment Qualification (TRAQ), or a Certified Arborist may perform hazard tree assessment.