

First of all, I want to address some issues regarding yesterday's Taxpayers Association meeting. When our guest speaker was unable to show up due to evacuations, the meeting then focused on the Caldor Fire. Lori Parlin and George Turnboo were present. Andy Nevis made a statement at the beginning of the year, that if a second supervisor showed up to a Taxpayers meeting, then Todd White would be required to leave; however Todd remained in the room after George arrived. Andy Nevis made a point to discriminate against me each time I attempted to address the speakers, Karl Weiland and George Turnboo. NO ONE has the right to infringe on my First Amendment rights to address any public official.

George eventually took a position at the front of the room as he fielded questions in regard to the Caldor fire. I addressed the recent unanimous approval by the BOS to work with American River Conservancy regarding developing campgrounds at Chili Bar, and State Parks plans to add campgrounds at the Confluence. THAT WAS INSANITY. Working with ARC is like putting the fox in charge of the henhouse!

Residents have repeatedly expressed their concerns about the total LACK of emergency evacuation routes in the event of another wildfire, but EDC, State Parks and Cal Fire have been unresponsive to constituent concerns. Despite the "voluntary" ban on open campfires, charcoal BBQs, and use of yard equipment that could spark a fire, I related the fact that nearly every day the smell of frying bacon, BBQ chicken and steak from the Coloma Resort and the American River Resort fills my home. Such carelessness in high-fire season puts everyone on the north side of the one-lane Mt. Murphy bridge at risk of their lives because there is NO EVACUATION PLAN OR ROUTE. It is another Paradise fire disaster just waiting to happen. TOTAL INSANITY!

Everyone knows that 5 arson fires have started either directly on my property, or within ¼ mile of my home in Coloma. Take a close look at (this) photo of the 2007 fire ignited by 3rd generation firefighter, Ben Cunha, at the base of my property. It started where American River Conservancy posted a sign of their acquisition of 249 acres that doubled the size of the Marshall Gold Discovery State Park. Ben Cunha was under \$10 million bail bond, same as the King Fire arsonist, for starting fires throughout EDC. But because his family members were respected firefighters, the incident received little attention and Ben was shipped out of state to cover up the media embarrassment generated by that scandal. Not surprisingly, Andy suddenly adjourned the meeting before George could respond.

19 15 I also want to address what happened during this morning's Consent Items #4 and #6, in particular this Board's gross dishonesty and disrespect with regard to Good Governance, violating the public trust, and your oaths of office. Sue Novasel, your ~~are~~ ^{arrogance} is the epitome of the progressive/Marxist movement that is goosestepping across America. Never forget you are all public servants with limited authority. You are accountable to "we the people" and we will take whatever steps necessary to remove you from office.

2007 Mt. Murphy Arson fire started at base of my property on Bayne Road at Troublemaker Rapids:



\$10 million bail Convicted arsonist Cunha arrested in stolen gun plot

By Ken Paglia
Democrat staff writer



BEN CUNHA

Superior local firefighter Ben Cunha, who is convicted less than nine months ago for arson, was arrested last week on suspicion of arranging a deal to sell stolen firearms.

Because of his prior record, an El Dorado County judge set his bail at \$10 million.

Placerville police say three men, at least one an acquaintance of Cunha's, burglarized a home the week of Nov. 23, and stole two guns.

Cunha, 26, while not involved in the burglary, allegedly

» see CUNHA, page A-6

CUNHA

continued from A-1

sell a friend about the stolen guns for sale, and negotiated the transaction.

"Ben set up the sale of the guns," said Placerville police Sgt. Kim Nida. "He was in possession of the weapons prior to us contacting him. He'd been out shooting that day, and handled the weapons prior to the sale."

Timothy Nabhan, 19, Nathan Picarello, 18, and Matthew Tinsdon, 21, were arrested on suspicion of capitalizing the burglary at a Placerville home.

Eric Swenson, 25, was arrested for on suspicion of purchasing the stolen property from the boys.

Nida said a citizen advised police that the guns were being sold, and gave police information about who was involved. Officers got a search warrant, and ultimately found the guns in a field near Cunha's house, said Nida.

"The suspects found out we were doing an investigation and hid the guns from us," said Nida.

At Cunha's arraignment Monday, Judge Douglas Promeister said he set the bail at \$10 million because Cunha "is a flight risk based on his prior case."

In March Cunha was convicted of starting three fires throughout the county, including one in forest land near Sand Ridge Road that consumed 19 acres.

He was sentenced to a year in jail, and was given credit for the time he served in jail before his prior deal.

Nida said Monday, "The big thing is that we got the guns off the street."

Ken Paglia can be reached at kpaglia@mindemocrat.net or at (530) 344-9777.



Democrat photo by Pat Dittus
BENJAMIN E. CUNHA

Former fireman Arsonist gets 1 year in jail

Must wear GPS device in fire season

By Eric Loughlin
Democrat staff writer

The Diamond Springs firefighter linked to three deaths last summer pleaded guilty to two felony arson charges Friday and was sentenced to a year in jail, with still probation terms.

Benjamin E. Cunha, 26, agreed to a plea bargain that

will result in his remaining behind bars up until the one year anniversary of his August 2007 arrest by California Department of Forestry officials. He has been in the El Dorado County Jail in lieu of \$100,000 bail since being taken into custody.

» see CUNHA, page A-7

In addition to the full year in jail, Cunha agreed to a six-year probation term, which will require him to wear a GPS tracking device during fire season. His probation also requires that he seek regular psychiatric counseling, and register as an arson offender wherever he lives for the rest of his life.

If he does not comply with the terms of his probation, the former third-generation firefighter will head to state prison for six years.

"We won't be tolerating any flak ups," Superior Court Judge Eddie T. Kiefer said during sentencing. "If you violate these terms you will go to state prison."

Cunha must also, as part of the terms, meet with Cal Fire investigators and be candid about any other potential arson fires he has knowledge of with regard to himself or anyone else. He will get immunity for any information he provides unless the fires are determined to have caused injury or property damage.

Cunha set three small wildland fires in late August, one on Sand Ridge Road in El Dorado on Aug. 21 and two others on Aug. 29, one on Big Cuts Road near Escobedo Road in Placerville and another on Mosquito Road in Placerville.

Prosecutor Walsh Dikeman said he agreed to the plea bargain because "Cunha is still relatively young with no prior criminal record and none of the fires he set caused injury or damaged any structures." Dikeman added that he thought a term in state prison would have an adverse effect on the family.

The family attended all the hearings and appeared devastated over the whole ordeal. Father Ed currently sits on the Board of Directors for the Diamond Springs Fire Department. He retired as a captain in 1997. Grandfather Frank was also a fire official with the district for 20 years.

Prosecutor Dikeman said Benjamin Cunha's days as a firefighter are over.

3/1/04 Min. Democrat



County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

8/24/21 BOS Open Forum Public Comments - Fires and Accountability

2 messages

Melody Lane <melody.lane@reagan.com>

Tue, Aug 24, 2021 at 4:24 PM

To: edc.cob@edcgov.us, john.hidahl@edcgov.us, sue.novasel@edcgov.us, wendy.thomas@edcgov.us, george.turnboo@edcgov.us, lori.parlin@edcgov.us

Cc: todd.white@edcgov.us, Richard Esposito <resposito@mtdemocrat.net>, Donald Ashton <don.ashton@edcgov.us>, david.livingston@edcgov.us, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Below are the Open Forum public comments that I made today during the Board of Supervisors meeting. The Mt. Murphy fire photos and arsonist Ben Cunha articles are attached. I lost my beloved golden retriever as a result of the 2007 arson fire. Cunha was under \$10 million bail bond, same as the King Fire arsonist, for setting **30 fires** in El Dorado and Amador counties.

###

First of all, I want to address some issues regarding yesterday's Taxpayers Association meeting. When our guest speaker was unable to show up due to evacuations, the meeting then focused on the Caldor Fire. Lori Parlin and George Turnboo were present. Andy Nevis made a statement at the beginning of the year, that if a second supervisor showed up to a Taxpayers meeting, then Todd White would be required to leave; however Todd remained in the room after George arrived. Andy Nevis made a point to discriminate against me each time I attempted to address the speakers, Karl Weiland and George Turnboo. NO ONE has the right to infringe on my First Amendment rights to address any public official.

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Lastly, I also want to address what happened during this morning's Consent Items #4 and #6, in particular this Board's **gross dishonesty and disrespect** with regard to Good Governance, violating the public trust, and your oaths of office.

Sue Novasel, your arrogance is the epitome of the progressive/Marxist movement that is goose-stepping across America. Never forget you are **all public servants** with **limited authority**. You are accountable to "we the people" and we will take whatever steps necessary to remove you from office.

If you have any questions or comments, please make them now, while I'm at the podium, as required by law.

Hearing none, Madam Clerk, please enter these items into the public record which include the Ben Cunha articles in the Mtn. Democrat.

###

That's when Wendy Thomas remarked, "*Sue Novasel exercised her First Amendment rights to free speech this morning.*" I responded, but John Hidahl interrupted and said, "*This is no time for back and forth.*" Chairman Hidahl violated my First Amendment rights as the Brown Act Rights of the Public explicitly states:

"Care must be given to avoid violating the speech rights of speakers by **suppressing opinions relevant to the business of the body**. As such, members of the public have **broad constitutional rights** to comment on any subject relating to the business of the governmental body.

Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. (*Leventhal v. Vista Unified School Dist. And Baca v. Moreno Valley Unified School District.*) These decisions found that prohibiting critical comments was a form of **viewpoint discrimination** and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby **foreclosing meaningful public dialog**. (**Dialog** means to "converse back and forth.")

No action or discussion shall be undertaken on any item not appearing on the posted agenda, **except** that members of a legislative body or its staff may **respond to statements made or questions** posed by persons exercising their public testimony rights under Section 5954.3.

Melody Lane

Founder – Compass2Truth

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds. ~ John Whitehead ~

3 attachments

 **8-24-21 BOS OF pics Mt Murphy Cunha fire.docx**
1540K

 **Cunha Mt Murphy Arson 2007.pdf**
2942K

 **Cunha sentenced again 2-26-16 MD.docx**
113K

County of El Dorado Clerk of the Board <edc.cob@edcgov.us>
To: Melody Lane <melody.lane@reagan.com>

Tue, Aug 24, 2021 at 4:48 PM

Thank you. Appropriate public comment provided will be added to the corresponding file.

Office of the Clerk of the Board
El Dorado County
330 Fair Lane, Placerville, CA 95667
530-621-5390

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[Quoted text hidden]

2007 Mt. Murphy Arson fire started at base of my property on Bayne Road at Troublemaker Rapids:



\$10 million bail Convicted arsonist Cunha arrested in stolen gun plot

By Ken Paglia
Democrat staff writer



BEN CUNHA

Former local firefighter Ben Cunha, who was convicted less than nine months ago for arson, was arrested last week on suspicion of arranging a deal to sell stolen firearms.

On Monday, his bail was set at \$10 million. County judge Ian Ivey said he set the \$10 million. Placerville police say three men, at least one an acquaintance of Cunha's, burglarized a home the week of Nov. 23, and stole two guns.

Cunha, 26, while not involved in the burglary, allegedly

SEE CUNHA, PAGE A-6

CUNHA

Continued from A-1

held a record about the stolen guns for sale, and orchestrated the transaction.

"Ben set up the sale of the guns," said Placerville police Sgt. Kim Nida. "He was in possession of the weapons prior to us contacting him. He'd been out shooting that day, and handed the weapons prior to the sale."

Timothy Nohles, 48, Nathan Picarello, 48, and Matthew Trudman, 71, were arrested on suspicion of organizing the burglary at a Placerville home.

Eric Hammer, 25, was arrested for on suspicion of purchasing the stolen property from the men.

Nida said a citizen advised police that the guns were being sold, and gave police information about who was involved. Officers got a search warrant, and ultimately found the guns at a field near Cunha's home, said Nida.

"The suspects found out we were doing an investigation and hid the guns from us," said Nida.

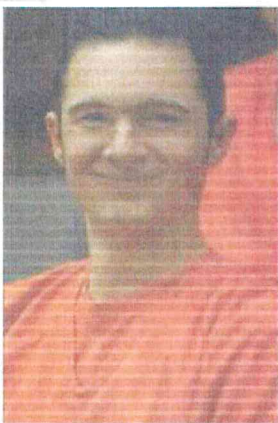
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In March Cunha was convicted of starting three fires throughout the county, including one in forest land near Sand Ridge Road that consumed 19 acres.

He was sentenced to a year in jail, and was given credit for the time he served in jail before his plea deal.

Nida said Monday, "The big thing is that we got the guns off the street."

Ken Paglia can be reached at kenp@mtndemocrat.net or at (530) 344-1075.



Democrat photo by Ben Doherty
BENJAMIN E. CUNHA

Former fireman Arsonist gets 1 year in jail

Must wear GPS device in fire season

By Eric Laughlin
Democrat staff writer

The Diamond Springs fire fighter looked to show solidarity with those who've pleaded guilty to two felony arson charges Friday and was sentenced to a year in jail with strict probation terms.

Benjamin E. Cunha, 26, agreed to a plea bargain that

will result in his remaining behind bars up until the one year anniversary of his August 2017 arrest by California Department of Forestry officials. He has been in the El Dorado County Jail in lieu of \$200,000 bail since being taken into custody.

SEE CUNHA, PAGE A-7

In addition to the full year in jail, Cunha agreed to a six-year probation term, which will require him to wear a GPS tracking device during fire season. His probation also requires that he seek regular psychiatric counseling and register as a gun offender wherever he lives for the rest of his life.

If he does not comply with the terms of his probation, the former third-generation firefighter will head to state prison for six years.

"We won't be tolerating any foul-ups," Judge Chief Judge Eddie Y. Kofie said during sentencing. "If you violate these terms you will go to state prison."

Cunha must also, as part of the terms, meet with Cal Fire investigators and be credible about any other potential arson fires he has knowledge of with regard to himself or anyone else. He will get intensive fire safety education he provides unless the fire is determined to have caused injury or property damage.

Cunha set three small wildland fires in late August, one on Sand Ridge Road in El Dorado on Aug. 21 and two others on Aug. 29, one on Big Cat Road near Cavalier Road in Placerville and another on Mountain Road in Placerville.

Prosecutor Ward Dikeman said he agreed to the plea bargain because "Cunha is still militarily young with no prior criminal record and none of the fires he set caused injury or damaged any structures." Dikeman added that he thought a year in state prison would have an adverse effect on the family.

His family attended all the hearings and appeared devastated over the whole ordeal. Father Ed currently sits on the Board of Directors for the Diamond Springs Fire Department. He retired as a captain in 1997. Grandfather Frank was also a fire official with the department for 20 years.

Prosecutor Dikeman said Benjamin Cunha's days at a ben@mtndemocrat.net



A BOMBER drops fire retardant on Mt. Murphy Sunday.

Democrat photo by Pat Dollins

July 4, 2007

~100 ACRES

Bayne Fire in Coloma burns 80 acres

By Denise Marie Siino

Democrat staff writer

A fire that ignited around 4 p.m. on Sunday near Mt. Murphy and Bayne roads burned 80 acres before full containment was achieved four hours later.

The fire burned around both sides of Mt. Murphy, said Terry Armstrong, a graphics coordinator with the Village Courier magazine who observed the fire from Marshall Gold Discovery State Historic Park. Quite a few spectators watched as three helicopters repeatedly took turns dunking their 600-gallon buckets into the American River, Armstrong said.

The Bayne Fire, as it was dubbed, required 19 engines, five hand crews, five aircraft, two dozers and 160 fire personnel to extinguish, said Cal Fire spokesman Tobias Edwards.

Sandy Mancus was inside her home on top of Mt. Murphy



Democrat photo by Krysten Kellum

A HELICOPTER attacks the fire on Mt. Murphy above Coloma Sunday.

when she saw the fire creeping up the west and south slopes of her property toward the house. Sandy and her husband Lawrence have owned the 20-acre lot, initially as part of a much larger parcel, for 23 years and have seen the surrounding hillside burn four times during

that period. But this is the first fire they've experienced as a resident, Mancus said. They have lived in the house on top of the hill for the last two years.

The south side of the property is defended against fire due to diligent clearing, and the house itself, made of stucco with a tile roof, is surrounded by plenty of

stonework and cement. "But it's not indestructible," Mancus said. The west side of the property, with its tall trees and rough terrain making clearing difficult, caused the couple considerable concern.

"It was very, very frightening," she said.

With the fire dangerously close to several homes, the El Dorado Sheriff's Department took no chances by calling for evacuations in the area, sheriff spokesman Lt. Kevin House said. Most of the fire had been put down by 6:30, when residents were allowed to return home.

"Except for needing some airing out, the house is fine," Mancus said.

There were no injuries and no structures burned. The cause of the fire is still under investigation.

Contact Denise Siino at 344-5071, or e-mail her at dsiino@mtdemocrat.net.

December 3, 2008



\$10 million bail

Convicted arsonist Cunha arrested in stolen gun plot

By Ken Paglia

Democrat staff writer



BEN CUNHA

Former local firefighter Ben Cunha, who was convicted less than nine months ago for arson, was arrested last week on suspicion of arranging a deal to sell stolen firearms.

Because of his prior record, an El Dorado County judge set his bail at \$10 million.

Placerville police say three men, at least one an acquaintance of Cunha's, burglarized a home the week of Nov. 23, and stole two guns.

Cunha, 26, while not involved in the burglary, allegedly

➤ see **CUNHA**, page A-6

CUNHA

continued from A-1

told a friend about the stolen guns for sale, and orchestrated the transaction.

"Ben set up the sale of the guns," said Placerville police Sgt. Kim Nida. "He was in possession of the weapons prior to us contacting him. He'd been out shooting that day, and handled the weapons prior to the sale."

Timothy Nahhas, 19, Nathan Picarello, 18, and Mathew Trudeau, 21, were arrested on suspicion of committing the burglary at a Placerville home.

Eric Summer, 25, was arrested for on suspicion of purchasing the stolen property from the men.

Nida said a citizen advised police that the guns were being sold, and gave police information about who was involved. Officers got a search warrant, and ultimately found the guns in a field near Cunha's house, said Nida.

"The suspects found out we were doing an investigation and hid the guns from us," said Nida.

At Cunha's arraignment Monday, Judge Douglas Phimister said he set the bail at \$10 million because Cunha "is a flight risk based on his prior case."

In March Cunha was convicted of starting three fires throughout the county, including one to forest land near Sand Ridge Road that consumed 19 acres.

He was sentenced to a year in jail, and was given credit for the time he served in jail before his plea deal.

Nida said Monday, "The big thing is that we got the guns off the street."

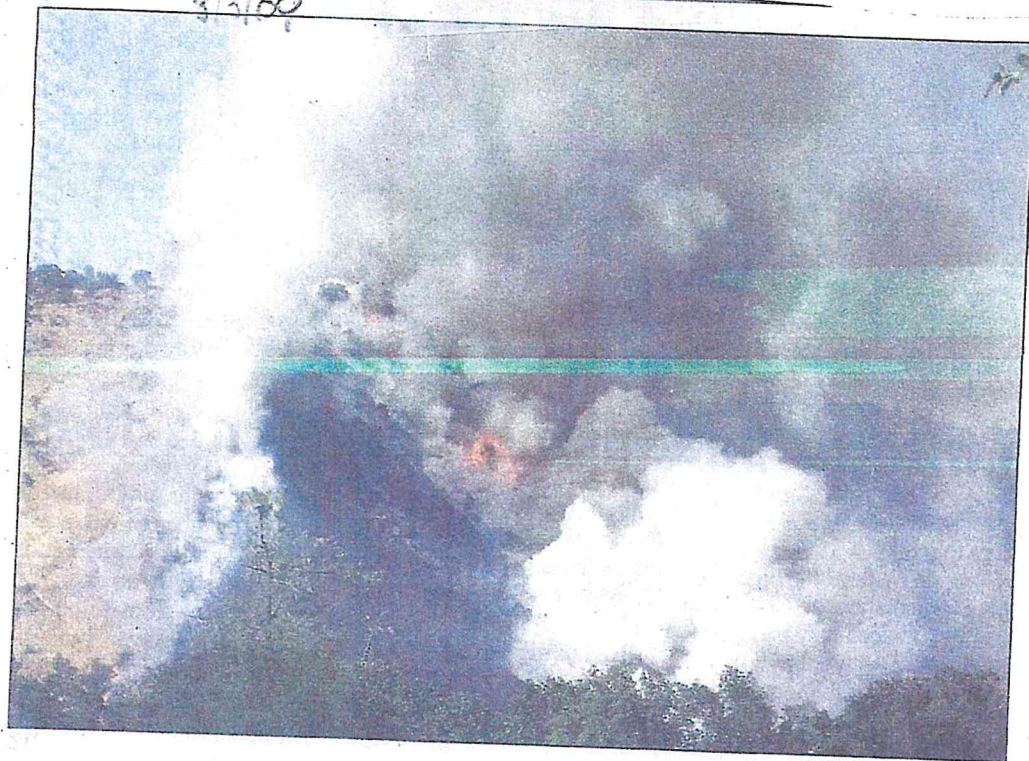
Ken Paglia can be reached at kpaglia@mtdemocrat.net or at (530) 344-5071.

01/31/07

9/3/09

Mtn. Demo used wrong photo!

←
2007
Fire
NOT
2009!



FLAMES can be seen devouring a hillside during Thursday night's fire. The cause of the blaze is under investigation. Photo by Melody Lane

Mt. Murphy fire quickly contained by crews

Democrat staff

COLOMA — A 30-plus acre wildland fire burned through Coloma Valley Thursday night.

The fire off Mt. Murphy Road began about 6:45 p.m., and was contained about 8:15 p.m., according to Cal Fire spokesman Chris Anthony.

There were no injuries, and no structures were damaged in the fire, said Anthony.

Its cause is still under investigation.

"It was a good stop because the first responders thought it

might go to well over 100 acres," Anthony said.

"There's a lot of potential for fires in that area because of the fuels on Mt. Murphy, and the steepness of the terrain. It's one of those areas that from an initial attack standpoint you have to get into really quickly, and hit the fire really hard in order to mitigate the incident as fast as you can," he said.

A camper at Coloma Resort noticed the smoke and called authorities, Anthony said.

Two air tankers, two heli-

copters and multiple fire engines were used to extinguish the fire.

El Dorado County Fire and several other agencies assisted.

Logtown fire

Another fire Thursday night burned down an outbuilding in Logtown near El Dorado.

A neighbor was able to contain some of the fire before firefighters arrived.

Diamond Springs Fire Department contained the remainder of the fire late Thursday night.

DA changes strategy in Cunha case

By Ken Paglia

Democrat staff writer

Third generation firefighter and convicted arsonist Ben Cunha still faces prison for allegedly arranging a deal to sell stolen firearms last December.

But the El Dorado County district attorney has dropped the main charges against him.

"We're proceeding with a probation violation charge,

but dismissed the pending charges against him. It's our expectation that the court will send him to prison for the probation violation," said deputy district attorney Joe Alexander.

"There isn't any new fact or information that made me think we can't prove these charges beyond a reasonable doubt. We simply view this as the most economical and judicious way of removing him from the

community, which is in the community's best interest," Alexander said.

Cunha, 26, was convicted of arson one year ago, and was given a suspended prison sentence as part of his plea deal. His arrest in December may have violated the terms of his probation, thus putting him in jeopardy of serving prison time.

He reportedly faces a six-year prison sentence.

In the current case, he was charged with possession of a firearm by a convicted felon, and receiving stolen property.

"The probation violation is based on the same facts and circumstances, but survives independent of what happens with the other charges. It's within our discretion to do that," Alexander said.

➤ see CUNHA, page A-5

CUNHA

continued from A-1

Cunha, a former local volunteer firefighter, was convicted of starting three fires throughout the county, including one that burned 19 acres near Sand Ridge Road in south county.

He also set fire to Big Cut Road in Placerville, and to timber land at Mosquito Road in Placerville.

He was sentenced to a year in jail, and was given credit for the time he served before agreeing to the plea deal.

In December, Cunha and four men were arrested after two guns were reportedly taken from a Placerville home.

Cunha, while not involved in the burglary, arranged a deal to sell the guns, said Placerville police.

Timothy Nahhas, 19,

Nathan Picarello, 19, and Mathew Trudeau, 22, were arrested on suspicion of burglarizing the home.

Eric Summer, 25, was arrested on suspicion of buying the stolen guns.

Trudeau was sentenced in December to 270 days in jail after pleading to first degree burglary.

Picarello was sentenced in December to a year in jail after pleading to a similar burglary charge.

Nahas has reportedly agreed to a plea deal, but the details of the deal were unclear at press time.

Summer's case was still pending, Alexander said.

Ken Paglia can be reached at kpaglia@mtdemocrat.net or at (530) 344-5071.

Melody Lane

From: "Rob Vernon" <rgvernon@cwnet.com>
To: <newstips@sacbee.com>; <call3@kcra.com>
Cc: "Melody Lane" <melodylane@calis.com>
Sent: Sunday, July 22, 2007 1:34 PM
Subject: Mt Murphy Fire of 7/1

I would like to call your attention to a continuing issue here in El Dorado County.

Our county is primarily a rural one. And during fire season, we are a great big tinder box. Yet, careless people continue to toss their cigarette butts out their car windows!

But I digress.

On July 1st 2007, a fire was started at the base of My Murphy in Coloma, just above the Troublemaker Rapids. It started on newly "aquired" American River Conservancy land and attached to the Marshall Gold Discovery Park.

Land that is now open to The Public. This land is in challenging terrain and surrounded by steep grassland that becomes very dry in summer.

All it takes is a hot catalytic converter or a cig butt, and WHOOSH! You have a wildland fire. There is a big new sign on this land that says the conservancy is supposed to protect this land, but to date, no plans or facilities nor staff have been implemented to help keep the area safe. Local residents who's private property border this land (and there IS a boundary dispute going on, as the ARC property encroaches on private land) have been enduring interlopers and trespassers in addition to the elevated danger of human-caused fire. Yet, none of our "public officials" seem to care. Repeated inquiries to Marshall Gold Discovery Park & American River Conservancy officials, County Dist.4 Supervisor Ron Briggs, and El Dorado County Fire fall on deaf ears.

We all would appreciate your attention, and investigation, into this matter, as we alone cannot get anyone's attention.

I would suggest that you contact one Melody Lane regarding the details of this matter. Her property is one encroached upon by this ARC land acquisition. (melodylane@calis.com)

Sincerely,
Rob Vernon
Coloma / Placerville

11/5/2007

Former firefighter sentenced

By News Release From page A1 | February 26, 2016



Benjamin Cunha

SACRAMENTO — Former firefighter and Placerville resident Benjamin Cunha, 33, was recently sentenced to five years in prison for arson, U.S. Attorney Benjamin B. Wagner announced. In addition, United States District Judge John A. Mendez ordered Cunha to pay \$246,862 in restitution to Cal Fire.

According to court documents, Cunha, a former Cal Fire firefighter, admitted to setting at least **30 wildland fires** during the summers of 2006 and 2007. Two of these fires burned onto federal land. Cunha indicated that his motivation for setting the fires was to overcome boredom, to earn overtime pay for fighting the fires and to impress his peers.

“As he admitted in his plea agreement, this defendant set a multitude of fires with a callous disregard for the danger to life and property that he was inflicting,” said Wagner. “(This) sentence is a just result that takes a serial arsonist off the streets.”

“Benjamin Cunha set over 30 fires in El Dorado and Amador counties. ATF worked with our local partners and utilized several resources to perfect an investigation for federal prosecution,” Special Agent in Charge Jill A. Snyder said. “Cunha had no consideration for Cal Fire firefighters’ safety when he set the fires, placing them in grave danger during the fire suppression efforts.”

On Oct. 6, 2015, Cunha pleaded guilty to one count of arson for the July 6, 2007, Mine Fire, a vegetation fire that burned approximately 80 acres, including federally owned land. Cunha admitted to using a distinctive time-delay incendiary device, which he had also used to start many of his other fires.

This case was the product of an investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives, with assistance from Cal Fire. Assistant U.S. Attorneys William S. Wong and Audrey B. Hemesath prosecuted the case.