



Las Vegas Office
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December 21, 2023

Via Email

Ms. Angela Gladwell
Director, Hermit's Peak/Calf Canyon Claims Office

Re: Letter requesting immediate clarification of FEMA's position on reforestation eligibility for individual claimants

Dear Ms. Gladwell,

We are in receipt of what we believe is misinformation regarding a critical component of the Act. Specifically, we are seeking clarification regarding the attached correspondence from Curtis Blankenship Jr., a Claims Reviewer in the Santa Fe office, where he advises our office that FEMA is **not** intending to compensate victims for the replacement of trees absent evidence the lumber was slated for commercial use. In support of FEMA's position, Mr. Blankenship cites to the "final act."

Section 104(d)(4)(A)(v) of the Act—which addresses Compensation Available Under the Hermit's Peak Calf/Canyon Fire Assistance Act: Allowable Damages—states:

(v) cost of reforestation or revegetation on Tribal or non-Federal land, to the extent that the cost of reforestation or revegetation is not covered by any other Federal program.

Nowhere in this section, or elsewhere in the Act, do we see language that limits this remedy to only trees slated for commercial use.

Can you please clarify immediately FEMA's position on paying reforestation costs.

Sincerely,

Jacob Payne, Esq.

enclosure

Cc: Office of US Senator Ben Ray Luján
Office of US Senator Martin Heinrich
Office of US Representative Teresa Leger Fernández
Office of US Representative Melanie Stansbury

Office of US Representative Gabe Vasquez
George A Trujillo, County Commission Chair, District 2, County of Mora, NM
Johnny H. Trujillo, County Commission Vice-Chair, District 3, County of Mora, NM
Veronica M. Serna, County Commission, District 1, County of Mora, NM
Mayor David Romero, City of Las Vegas, NM
Michael L. Montoya, City Councilor (Ward 2), City of Las Vegas, NM
David Ulibarri, City Councilor (Ward 1), City of Las Vegas, NM
Dr. Barbara A. Perea Casey, Ed.D., City Councilor (Ward 3), City of Las Vegas, NM
Harold Garcia, County Commission Chair, District 1, County of San Miguel, NM
Martin Sena, County Commission Vice-Chair, District 4, San Miguel, NM
Max O. Trujillo, County Commission, District 3, San Miguel, NM
Janice C. Varela, County Commission, District 2, San Miguel, NM
Kenneth Medina, County Commission, District 5, San Miguel, NM
State Senator Michael Padilla (Dist. 14), Majority Whip
State Representative Reena Szczepanski (Dist. 47), Majority Whip
State Representative Ambrose Castellano (Dist. 70)
State Representative Harry Garcia (Dist. 69)
State Representative Joseph Sanchez (Dist. 40)
Liz Stefanics (advocating for San Miguel County victims)