

THE HERMIT'S PEAK/CALF CANYON FIRE ASSISTANCE ACT

*Signed into law September 30, 2022 along
with initial \$2.5 billion in appropriations*

**Community Meeting Hosted by
Rep. Teresa Leger Fernández**



Agenda

Congresswoman Teresa Leger Fernández:

**What's in the Hermit's Peak Act, How It Can Help You,
Next Steps (15 minutes)**

Remarks from FEMA Representative (10 minutes)

**Public Questions and Input into the Hermit's Peak Office
and Regulations (45 minutes)**

Closing Remarks (2 minutes)

Guiding Principles

The USFS assumes responsibility for the Hermit's Peak/Calf Canyon Fire and the US will compensate survivors.

The Hermit's Peak/Calf Canyon Assistance Act created a **new program – different than other disaster programs - to **fully compensate** those impacted by the fires.**

The process to apply should be **fast and easy.**

We want navigators or claims assistants to help individuals apply for assistance in a streamlined process so that it isn't necessary to hire a lawyer. If you choose to hire a lawyer, attorney's fees are capped at 20%.

Who is Eligible?

Any...

- **Individuals;**
- **Businesses;**
- **Acequias;**
- **Not-for-profit organizations; and**
- **State, local, or tribal governments**

...that suffered losses because of the Hermit's Peak/Calf Canyon Fire, including flooding related to the fires.

What Losses Can You Claim (examples)

Property

Loss of home, barns, and everything in the home/barns that burned; subsistence from hunting or firewood gathering; woods that burned including the value of lumber to be harvested in future years

Business

Damage to assets including equipment, trees, cattle; wages; losses when forced to close

Losses You Can Claim, cont.

Financial

Lost wages, cost to relocate, costs you paid to remove debris, insurance premiums, flood insurance (if not previously required), insurance deductible

Mitigation Measures

Actions to make property less vulnerable to future flooding or fires

Governmental Losses

How Does This Compare to the Regular FEMA Disaster Help?

Stafford Act Claims (Normal FEMA)

Intended to be a safety net

Only covers most basic primary housing needs

Limited assistance available for very limited purposes

Doesn't cover business losses

Compensation capped at \$37,900

Hermit's Peak Claims

Separate NEW program created by legislation

Covers secondary residences, barns, fencing, roads, trees, etc.

Covers financial and business losses

Provide compensatory damages for loss

NO FINANCIAL CAPS

We know this is hard. Some things we lost we will never get back.

Federal Cost Shares Covered

The Hermit's Peak bill **waives ALL cost-share requirements** for FEMA and USDA programs conducted in response to the fires/floods.

The following programs are now **100% covered**:

- FEMA permanent work
- USDA's Emergency Forest Restoration Program
- USDA's Emergency Conservation Program

Timeline

May 11, 2022 – Hermit's Peak bill introduced in the House by Rep. Leger Fernandez and in the Senate by Sen. Lujan.

Sep 29-30, 2022 – Congress passed Hermit's Peak bill including the \$2.5 billion and Pres. signed it into law.

November 14, 2022 – FEMA must publish regulations for public comments for the new compensation program (a very fast timeline as regulations typically take 6 – 24 months).

Fall 2024 (2 years after regulations) – Deadline to file claims (Notice of Loss).

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Sept. 29-30, 2022

Fall 2024

May 11, 2022

Nov. 14, 2022

Congress passes Hermit's Peak bill including the \$2.5 Billion and President signed it into law.

Deadline to file claims.

What should you do?

Before November 14, share your stories with FEMA at meetings and online so the regulations can cover unique aspects of claims from this fire.

Compile information about your property or financial loss (e.g. receipts, valuation, bank statements, titles).

Work with Hermit's Peak navigators to help compile all your documents.

Apply for assistance within two years after the regulations are completed.

Whenever a loss is eligible for compensation through the regular FEMA Stafford Act or USDA's disaster relief programs, first apply through those programs.

Be persistent, but also patient.

How to File?

Once regulations are final, the Hermit's Peak Office will publish a Notice of Loss Form.

You should meet with the Hermit's Peak navigators to develop a strategy on how to gather all documents and proof for your claim.

After gathering information, documentation, and loss, you will file the Notice of Loss.

The Hermit's Peak Office will submit it to a Claims Administrator who will make a decision and pay the claim.

A negative decision can be appealed.

What We Asked the Hermit's Peak Office To Do

- ✓ **Make the process as streamlined and easy as possible**
- ✓ **Hire navigators or claims assistants to help people/businesses file their claims and give technical assistance**
- ✓ **Have offices in Las Vegas and Mora + mobile offices**
- ✓ **Hire New Mexicans who understand issues in northern New Mexico**

Thank you for participating.

Please remember, my constituent services staff is here to help with issues you may have with any federal agency (including the Hermit's Peak Office, FEMA and USDA).

Call us at **(505) 428-4680** or email us at **NM03FireAssistance@mail.house.gov**

Stay updated on my work at **Fernandez.house.gov** and on social media **[@RepTeresaLF](https://twitter.com/RepTeresaLF)**.

