



## STATE OF NEW MEXICO

### Department of Homeland Security and Emergency Management

**Michelle Lujan Grisham**  
*Governor*

**David Dye**  
*Cabinet Secretary*

**Kelly Hamilton**  
*Deputy Cabinet Secretary*

**Carla Walton**  
*Deputy Cabinet Secretary*

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### Enrolling in Full Service Debris Removal Program does not prevent property owners from pursuing future litigation

**SANTA FE** – Property owners who have lost structures in the Calf Canyon and Hermits Peak Wildfires and opt-in to the Full Service Debris Removal Program do not forfeit their right to sue government entities for damages in the future.

Local government officials report that a number of area residents are turning in opt-out forms based on guidance from attorneys in the area who falsely claim that opting into the program makes property owners ineligible to file litigation in the future. Property owners who opt-in to the program by submitting Right of Entry forms are allowed to file lawsuits against government agencies in the future.

“The goal of this program is to provide a fast, safe, and affordable way for property owners to have debris from the wildfires removed responsibly,” said **Environment Cabinet Secretary James Kenney**. “I encourage everyone to opt into the program regardless of your plans to pursue litigation in the future.”

Forms are available at county government offices in Mora and San Miguel Counties and on the [Department of Homeland Security and Emergency Management Wildfire website](#). All property owners who suffered the loss of a home of 120 square feet or more must select one of these two options. Eligibility of outlying buildings with no residential space, such as barns, will be determined on a case-by-case basis. Commercial buildings are not eligible for this program.



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**Matthew Maez**, NMED Communications Director | [Matthew.Maez@state.nm.us](mailto:Matthew.Maez@state.nm.us) | 505 670 8911