

**To: Senator Peter Wirth**

**April 30, 2025**

The Honorable Peter Wirth  
New Mexico State Senate  
Santa Fe, NM 87501

Dear Senator Wirth,

Thank you again for joining us at our recent community meeting. Your presence and attention mean a great deal to all of us in Tesuque. We know that without your engagement and leadership, this fight to protect our water, our health, and our land would be far more difficult—perhaps even impossible. But as this moment grows more urgent, so does our need for your voice—not simply in support, but aligned with ours, as one. We are asking you to stand with us, clearly and publicly, so that the law speaks not only from the people, but from those elected to represent us.

As you are aware, the New Mexico Environment Department (NMED) has permitted Bishop's Lodge and Juniper Capital to dispose of 30,000 gallons per day of partially treated wastewater in a grossly undersized and dangerously located leach field. This field is situated in a FEMA floodplain, directly upstream of hundreds of drinking wells and acequias. This permit was issued in clear violation of the Liquid Waste Regulations (20.7.3 NMAC), which were designed precisely to prevent such unsafe practices. These regulations require individual property owners to treat and dispose of their waste on their own land—not shift the burden to neighbors, aquifers, and future generations.

**We want to know where our elected representatives stand on these important issues—and what they stand for.**

- **Even-Handed Enforcement of Liquid Waste Regulations:**  
The Liquid Waste Regulations prohibit property owners from shifting the hazards of their waste disposal onto their neighbors. Do you agree these protections must be applied to all—including Bishop's Lodge Resort and the Hills and Villas subdivision? What will you do to ensure NMED and Santa Fe County enforce the law and stop the Resort from transferring its risk to downstream neighbors?
- **Constitutional and Legal Accountability:**  
NMED refuses to apply the Liquid Waste Regulations to the Resort's discharge, claiming the rules don't apply to the largest, most hazardous generators. We believe this violates state law and the New Mexico Constitution. Will you publicly support Protect Tesuque's Petition for a Writ of Mandamus now before the Supreme Court—and affirm that no developer (large or small) should be exempt from environmental protections?
- **Immediate Protection of Aquifers and Drinking Water:**  
When asked how you would protect our water, you pointed to a possible future sewer system. But our aquifers are under threat now. We cannot wait for distant solutions while reckless discharges put our water at risk today. Do you agree that immediate enforcement

of existing laws is essential to prevent irreversible contamination of Tesuque's drinking water?

In light of these issues facing our community, we respectfully ask you to take the following steps:

- **Sign our community petition** urging enforcement of New Mexico's Liquid Waste Regulations as they were intended—equally and without exception.
- **Support Protect Tesuque's Writ of Mandamus**, recently submitted to the New Mexico Supreme Court, and publicly call for judicial review of NMED's unlawful permitting actions.
- **Call on Governor Lujan Grisham and NMED Secretary James Kenney** to enforce the Liquid Waste and Surface Water Protection Regulations uniformly and immediately.

The people of Tesuque deserve the same protections that every New Mexican is promised under the law. We urge you to stand with us.

Sincerely,

**The Board of Protect Tesuque**

Mark DeCamp

Rusty Day

Bernadette Romero-Jaramillo

Jamie Gagan

Clara Dougherty

Kathleen Bryan