Walker Laughlin

I urge NMED to DENY Yucca Growth Infrastructure's Air Quality Permit Application. If approved, the project would emit more annual CO2 emissions than Albuquerque and Las Cruces combined. Furthermore, it would release harmful pollutants, such as NO2, that threaten the health of vulnerable communities in Dona Ana County.

Please remember that the mission of NMED is to "protect and restore the environment and to foster a healthy and prosperous New Mexico for present and future generations." The mission of NMED's Air Quality Bureau is to "protect the public health of New Mexicans and the natural beauty of the state by preventing the deterioration of air quality." To stay true to these promises to taxpayers, NMED must take the following actions regarding Yucca Growth Infrastructure's Air Quality Permit Application:

1. Immediately suspend all permit proceedings until the New Mexico Department of Justice investigation into fraudulent and unauthorized comments is complete and the integrity of the administrative record is thoroughly verified.

2. Cooperate fully with the NMDOJ investigation and independently review all public comments submitted for Permit No. NSR 10883 between May 8 and July 6 of 2026 to identify and remove any comments submitted fraudulently or without authorization.

3a. Require full disclosure and testing of all dust suppression water sources used during site construction in order to evaluate direct arsenic exposure risks to workers and adjacent communities.

3b. Evaluate compliance with the Clean Air Act and New Mexico air quality regulations by assessing potential hazardous air pollutants (HAP) emissions, including arsenic, through the drying, disturbance, and airborne transport of contaminated dust.

4. DENY the air quality permit given Bloom Energy's history of illegal dumping hazardous waste, the permit's proposal to release new, unprecedented amounts of toxic air pollution in a long-time ozone and particulate matter non-attainment area, and the potential, unevaluated air quality standard violations occurring at the construction site.

Source NM

New Mexico residents say their names used without permission to support Project Jupiter data center

Letters supporting project appeared on state comment portal after Project Jupiter canvassers approached residents in at least three NM cities

BY **JOSHUA BOWLING** - JUNE 30, 2026 12:06 PM

A rendering of Project Jupiter with a public comment in which an Albuquerque resident writes that prior comments in favor of the development made under her name were submitted without her knowledge or consent. (Rendering courtesy of STACK Infrastructure)

Residents from three New Mexico cities say their names falsely appeared on letters urging state environment officials to approve air quality permits for the controversial Project Jupiter data center after they were approached by canvassers for the project.

Residents in Las Cruces, Albuquerque and Rio Rancho in interviews said that canvassers in Project Jupiter T-shirts approached them while they were pumping gas or leaving the grocery store and asked for their opinions on the $165 billion data center development under development in southern New Mexico, which is expected to support Oracle's and OpenAI's operations.

All three recalled telling the canvassers either that they were skeptical or outright opposed to the development, citing concerns about its water use and environmental impact. None of them voiced support for the project, they said.

As each of them ended the conversations, they said the canvassers asked for their email addresses so they could provide more details about Project Jupiter.

All three told Source NM that soon afterward they received emails thanking them for making public comments on the New Mexico Environment Department's online portal. The public comment period for project developer Yucca Growth Infrastructure's air quality permit application ends July 6.

If approved, the air quality permit would allow developers to use fuel cell technology to power the data center campus. While the proposal is anticipated to emit fewer pollutants than the developers' previous proposal to build natural gas plants, documents show it would still emit more greenhouse gases than Albuquerque and Las Cruces — New Mexico's two largest cities — combined.

In each case, the residents' names appeared at the bottom of identical form letters.

"I am writing to express my support for Project Jupiter, which I believe offers significant benefits for our community," the letter reads, citing the development's promised 4,000 construction jobs, 1,500 "project-supported" jobs and multimillion-dollar investments in local schools and drinking water systems. "I urge the New Mexico Environment Department to approve this important project."

One such letter was signed by Las Cruces resident Johnny Acosta. However, Acosta recalled to Source NM that he told canvassers who approached him while he was pumping gas that he had deep reservations about the project.

"I gave her my email and the next day that's when I saw that whole thing, like I had written it," he said. "How do people do that?"

Acosta is not alone. Albuquerque resident Dawn Martinez told Source NM she had a similar experience leaving the grocery store last week. She said a man in a Project Jupiter T-shirt asked her for her opinions on the development, and she told him she opposed it on the grounds of water usage and environmental impact.

She said the man then asked her if she would rate their conversation positively and asked for her email address.

"I was assuming I was going to get a survey or something in my email," she told Source NM.

What she received instead was the same letter bearing Acosta's name.

"It basically was like, 'I'm Dawn Martinez, in support of Project Jupiter,'" she said.

Katie Yelin, a Rio Rancho resident who recently moved across the river from Albuquerque, recounted a nearly identical experience. There are several similar cases found in the Environment Department's online public comment portal, where residents have written to clarify that supportive comments bearing their names were submitted without their knowledge or consent.

New Mexico Environment Department spokesperson Drew Goretzka in an email to Source NM said department officials were unaware of the allegedly falsified letters until Monday – when Source NM reached out to the department for comment.

NMED "does not condone these actions and is looking into the issue," he wrote.

If people see public comments made under their names without their knowledge or consent, Goretzka urged them to immediately alert the department via Pamela.Jones@env.nm.gov.

Pushes to sway public opinion in favor of Project Jupiter have come under scrutiny in recent months.

The State Ethics Commission in April filed a lawsuit against an anonymous company behind a pro-Project Jupiter ad campaign and accused it of violating the state Lobbyist Regulation Act after Source NM revealed the mailers' out-of-state origins.

Developers also converted a long-awaited town hall in Sunland Park into a career fair earlier in June, which prompted hours of irate public comment at a recent Doña Ana Board of County Commissioners meeting.

Also in June, Source NM revealed that the firm behind the state's award-winning Medicaid re-enrollment social media campaign was recruiting Instagram influencers to promote Project Jupiter.

"What was so frustrating to me was for him to lie and to misrepresent 'do you mind giving me your information?'" Martinez, the Albuquerque resident, said about her interaction with the canvasser. "You can't trust anything these people say. Who knows how many of these comments they've submitted aren't right?"

Several of the companies involved with Project Jupiter, including OpenAI, STACK Infrastructure, Bloom Energy, BorderPlex Digital Assets and Yucca Growth Infrastructure, did not respond to requests for comment.

An Oracle spokesperson in a statement acknowledged its use of canvassers in New Mexico, but

denied any wrongdoing.

“Project Jupiter representatives are conducting community outreach to answer questions, provide information and encourage participation in the public permitting process. Our outreach teams are supervised, clearly identified as Project Jupiter representatives, and trained to ensure that any public comment is submitted only by residents who voluntarily choose to do so,” the spokesperson wrote. “We do not authorize or condone the submission of public comments without a resident’s knowledge and consent, and residents who are not ready to submit a comment are provided printed educational materials so they can review the information on their own.”