

**From:** [Oscar Alberto Delgado Bernal](#)  
**To:** [FERGAS](#)  
**Subject:** [EXTERNAL] Docket Opposition No. 18-70-LNG  
**Date:** Friday, August 8, 2025 11:09:16 AM

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To the Office of Fossil Energy and Carbon Management (FECM), U.S. Department of Energy:

I hereby submit my formal opposition to the request of Mexico Pacific Limited LLC (MXP) to extend the deadline for the commencement of its LNG re-export operations under Docket No. 18-70-LNG. I request that the DOE deny such an extension until a complete and updated environmental assessment is conducted under NEPA that includes analysis of impacts on migratory routes and whale populations.

#### Grounds for opposition

##### 1) Whale hotspot — importance of the Gulf of California and adjacent Pacific

The Gulf of California and the Mexican Pacific region constitute aggregation, feeding, and migration areas for several species of cetaceans, including blue whales, fin whales, and other populations that use these corridors as part of their annual cycle. These areas are biologically relevant to populations that already show fluctuations and changes in their distribution.

##### 2) Direct risks: collisions and acoustic disturbance

The increase in LNG tanker traffic increases the risk of ship strikes with whales and increases underwater noise pollution. Both impacts cause direct mortality and behavioral alterations (loss of communication, disorientation, changes in migration and reproduction) that are especially harmful to vulnerable populations. Experience on nearby coasts shows that adjusting routes and schedules reduces collision deaths, so the absence of proactive mitigation guarantees in this application is unacceptable.

##### 3) Cumulative Impact and Need for a New NEPA Analysis

The requested extension (extending the start date to 14 December 2032) extends the risks for seven years and constitutes a significant temporary change that must be subject to an updated cumulative impact analysis. It is not enough to rely on an old revision: oceanographic conditions, prey abundance, and migration patterns have changed and require an updated scientific assessment under NEPA.

##### 4) Cross-border responsibility and environmental sovereignty

Although the authorization is processed before the DOE, the planned activities will affect Mexican waters and communities and biodiversity that transcends borders. It is imperative to consult with Mexican authorities, coastal communities and marine experts and consider the sovereignty and right of affected communities to decide on the protection of their marine resources.

##### 5) Necessary mitigations (minimum requirement)

If the FECM considers any authorization or extension, it must condition in a mandatory, verifiable and verifiable way measures such as, among others:

Redesign or diversion of navigation routes out of high-density whale corridors;

Mandatory speed limit in sensitive areas during migrations;

Active detection systems for marine mammals (observers, passive and visual acoustic detection) with vessel stop/drift protocols;

Robust spill response plans and independent, public long-term monitoring protocols;

Periodic review and revocation clauses if the measures do not demonstrate effectiveness.

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I formally request that the DOE:

1. Deny the extension request until a NEPA Environmental Impact Assessment (EIS) is completed that includes specific analyses of migration routes, cetacean population densities, and collision and noise risk assessment.
2. Coordinate and consult with Mexican authorities and experts and with independent scientific organizations to ensure effective protection of transboundary biodiversity.
3. Require mandatory and verifiable mitigation measures (speed, corridor diversion, detection, spill response) before considering any future authorization.

Protecting whales and their migratory routes is not only an ethical obligation, but an environmental responsibility with long-term legal and ecological consequences. Granting an extension without rigorous environmental re-scrutiny would expose at-risk species and entire ecosystems to irreversible damage.

Kind regards:

Oscar Alberto Delgado Bernal



Reference/ Sources cited

Federal Register — Mexico Pacific Limited LLC; Application for an Amendment To Extend the Deadline for Commencement of Export Operations, Docket No. 18-70-LNG. (Notice; comments close 08/08/2025).

Whittome et al., Changes in blue whale survival and abundance in the Gulf of California (2024) — evidence of historical and current use of the Gulf of California by blue whales.

PLOS One — Fin whale movements in the Gulf of California — satellite telemetry.

Wired/precedents of route management and ship-strike reduction (example of route relocation in California) — example of practicable measures to reduce collisions.

WWF — Protecting Blue Corridors / Blue Corridors report (maps of migration corridors and whale superhighways; evidence of how migratory routes intersect with human uses).

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