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Importation or Exportation of Liquefied Natural Gas or Electric Energy; Applications, Authorizations, etc.: Mexico Pacific Ltd. LLC

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General Comment

Dear Director Amy Sweeney and DOE Review Panel,

I respectfully submit this comment in strong opposition to the extension request filed by Mexico Pacific Limited LLC (MXP) on June 18, 2025, to postpone the deadline for commencing re-exports of U.S.-sourced LNG from the proposed Saguaro Energía Facility in Sonora, Mexico. I urge the U.S. Department of Energy (DOE) to deny this request for the following legal, environmental, and ethical reasons.

1. Incompatibility with Climate and Environmental Obligations under International Law

On July 23, 2025, the International Court of Justice (ICJ) issued an historic advisory opinion affirming that States—including the United States—have legal obligations under international law to prevent environmental harm due to greenhouse gas (GHG) emissions. The ICJ concluded that:

“States must act with due diligence and in cooperation to limit global warming to 1.5 °C, consistent with the Paris Agreement, and ensure a clean, healthy, and sustainable environment, which is a prerequisite for the enjoyment of human rights.”

Allowing this extension would perpetuate fossil fuel infrastructure that is directly incompatible with the 1.5 °C climate target and therefore contradicts international environmental and human rights obligations—notably under the Paris Agreement, the Convention on Biological Diversity, and various UN human rights instruments.

2. Irreversible Harm to Biodiversity and Marine Ecosystems

The proposed LNG facility would be located near the Gulf of California, a UNESCO World Heritage Site. This region supports:

39% of the world’s marine mammal species (including endangered whales and dolphins)

Over 900 fish species

Migratory routes for sea turtles and other protected fauna

According to marine scientists and environmental groups, the project would:

Increase super-tanker traffic, raising risks of ship strikes to whales

Generate high levels of underwater noise pollution, disrupting marine communication and navigation

Degrade critical habitats and endanger local fisheries and indigenous livelihoods

The Center for Biological Diversity and Natural Resources Defense Council (NRDC) have formally opposed this project due to its environmental impacts. Permitting a seven-year extension without a comprehensive Strategic Environmental Assessment would amount to regulatory negligence.

3. Failure to Comply with NEPA and Cumulative Impact Standards

The National Environmental Policy Act (NEPA) requires the DOE to assess:

Cumulative impacts of related LNG and pipeline projects in the region

Reasonable alternatives to fossil fuel infrastructure

Long-term climate implications

The current DOE review appears to have segmented this project from its wider regional impacts, failing to conduct a comprehensive environmental review.

Moreover, the fact that this facility is located outside U.S. borders does not absolve the DOE of its NEPA duties, especially since the LNG in question originates in the United States and is re-exported globally from this point.

4. Economic and Legal Risk of Stranded Assets

Analyses from the Institute for Energy Economics and Financial Analysis (IEEFA) have shown that long-term LNG infrastructure is becoming:

Economically nonviable, as global demand softens

Legally vulnerable, especially with rising climate litigation and tighter regulations

Technologically obsolete, due to accelerated renewable energy growth

Extending export authorization through 2032, and locking in operations until 2050, risks saddling both countries with stranded assets, regulatory litigation, and missed opportunities for sustainable energy transition.

5. Injustice to Local Communities and Future Generations

This project threatens:

The food sovereignty of coastal communities dependent on fishing

The cultural rights of Indigenous peoples in Sonora and Baja California

The rights of future generations to inherit a stable, biodiverse, and habitable planet

The ICJ explicitly affirms that environmental protection is tied to the right to life, health, and culture. Granting this extension would violate those rights.

6. Request for Action

I respectfully urge the DOE to:

Deny the requested extension by Mexico Pacific Limited LLC (MXP)

Require a full Environmental Impact Statement (EIS) and Strategic Environmental Assessment

Recognize the legal precedent set by the ICJ advisory opinion as applicable to U.S. administrative decisions

Align energy infrastructure decisions with the Paris Agreement, NEPA, and U.S. commitments to biodiversity protection

This is a defining moment for energy justice, environmental integrity, and U.S. global leadership. We cannot afford to extend life support to fossil fuel projects that directly contradict our planetary responsibilities and legal obligations.

Respectfully submitted,