

U.S. Department of Energy
Categorical Exclusion Determination
Hydrocarbons and Geothermal Energy Office



ENERGÍA COSTA AZUL, S. DE R.L. DE C.V.
DOCKET NO. 18-145-LNG

PROPOSED ACTION DESCRIPTION: Energía Costa Azul, S. de R.L. de C.V. (ECA) filed a “Request for Clarification and Erratum or, in the Alternative, an Extension” (Request) with the Hydrocarbons and Geothermal Energy Office (HGEO) (formerly the Office of Fossil Energy and Carbon Management)¹ on October 23, 2025, pursuant to section 3 of the Natural Gas Act (NGA)² and 10 CFR Part 590 of the Department of Energy’s (DOE) regulations.

In the Request, in relevant part, ECA seeks DOE’s confirmation of the date by which it must begin re-exporting domestically produced liquefied natural gas (LNG) exported to Mexico as natural gas, as set forth in DOE/FE Order No. 4365, as amended.³ Under Order No. 4365, as amended, ECA is authorized to re-export LNG by vessel, in a volume equivalent to 636 billion cubic feet per year (Bcf/yr) of natural gas, from its proposed ECA Large-Scale Project, to be located in Ensenada, Baja California, Mexico, for a term ending on December 31, 2050. ECA is authorized to re-export this LNG to any country with which the United States does not have a free trade agreement (FTA) requiring national treatment for trade in natural gas, and with which trade is not prohibited by U.S. law or policy (non-FTA countries).⁴ As relevant here, ECA asks DOE to confirm that its authorization requires re-exports to begin by December 20, 2029, through an appropriate correction.

Additionally, to align the authorization with DOE’s current practice, DOE is proposing to amend Order No. 4365, as amended, to allow three additional years for ECA to re-export the approved volume of LNG beyond the export term ending on December 31, 2050.⁵ This three-year period, known as the Make-Up Period, would extend through December 31, 2053. ECA would not be permitted to increase its approved non-FTA export volume over the three-year Make-Up Period, absent appropriate authorization by DOE.

DOE’s proposed action is to grant these amendments to Order No. 4365, as amended, if DOE determines that doing so is necessary and appropriate. If granted, the amended authorization would state that ECA’s re-export commencement deadline under Order No. 4365, as amended, is December 20, 2029, and would include the Make-Up Period, subject to certain terms and conditions set forth in the order.

¹ The Office of Fossil Energy (FE) changed its name to the Office of Fossil Energy and Carbon Management (FECM) on July 4, 2021. Subsequently, on November 20, 2025, FECM changed its name to the Hydrocarbons and Geothermal Energy Office (HGEO). DOE uses the acronym in effect at the time of each order or action discussed herein.

² 15 U.S.C. § 717b.

³ *Energía Costa Azul, S. de R.L. de C.V.*, DOE/FE Order No. 4365, Docket No. 18-145-LNG, Opinion and Order Granting Long-Term Authorization to Re-Export U.S.-Sourced Natural Gas in the Form of Liquefied Natural Gas from Mexico to Non-Free Trade Agreement Countries (Mar. 29, 2019), *amended by* DOE/FE Order No. 4365-A (Dec. 10, 2020) (extending export term), *further amended by* DOE/FECM Order No. 4365-B (Dec. 20, 2022) (increasing authorized re-export volume).

⁴ 15 U.S.C. § 717b(a). In DOE/FE Order No. 4318, as amended (Docket No. 18-145-LNG), DOE authorized ECA to export a volume of LNG equivalent to 727 Bcf/yr of natural gas to FTA countries, on a non-additive basis. In the Request, ECA also seeks an amendment to Order No. 4318, which is not subject to this categorical exclusion determination.

⁵ *See Port Arthur LNG Phase II, LLC*, DOE/FECM Order No. 5292-A, Docket No. 20-23-LNG, Order Amending Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations (June 30, 2025) (reinstating three-year Make-Up Period).

CATEGORICAL EXCLUSION APPLIED: B5.7 - Export of natural gas and associated transportation by marine vessel

For DOE procedures regarding categorical exclusions, including the full text of each categorical exclusion, see 10 CFR 1021.102 and Appendix B in 10 CFR Part 1021, as well as Section 5.4 and Appendices B and C of DOE's National Environmental Policy Act (NEPA) Implementing Procedures (June 30, 2025).⁶

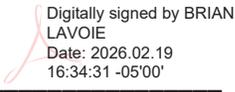
Regulatory requirements and guidance in 10 CFR 1021.102 and DOE's NEPA Implementing Procedures, respectively: (See full text in regulation and DOE's NEPA Implementing Procedures)

The proposal fits within a class of actions that is listed in Appendix B to 10 CFR Part 1021 or Appendix B or C of DOE's NEPA Implementing Procedures.

There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

The proposal has not been segmented to meet the definition of a categorical exclusion.

Based on my review of the proposed action, as NEPA Compliance Officer, I have determined that the proposed action fits within the specified class(es) of action, the other requirements and guidance set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Signature: BRIAN LAVOIE  Digitally signed by BRIAN LAVOIE
Date: 2026.02.19 16:34:31 -05'00'

Date Determined: 2/19/26

Brian Lavoie, NEPA Compliance Officer, Hydrocarbons and Geothermal Energy Office

⁶ DOE's NEPA Implementing Procedures can be viewed at <https://www.energy.gov/nepa/articles/doe-nepa-implementing-procedures-june-2025>.