



May 25, 2026

U.S. Department of Energy (EX-31)
Office of Global Energy Security, Hydrocarbons and Geothermal Energy Office
Forrestal Building, Room 3E-056
1000 Independence Avenue SW, Washington, DC 20585

RE: Docket No. 26-28-LNG, Argent LNG, LLC Application

To the Hydrocarbons and Geothermal Energy Office, Department of Energy.:

The Center for Biological Diversity (The Center) respectfully files this request to Intervene in Docket No. 26-28-LNG. This letter and the information listed below also serves as a formal Protest in opposition to the issuance of the export permit for Argent LNG. The Center files this request to Intervene and Protest on behalf of our hundreds of members who live in Louisiana.

We urge the Department of Energy (DOE) to reject the export permit for Argent LNG. To the extent that the DOE proceeds with the permit review process, we request an extension to the public comment period for this docket and for a public hearing to be scheduled. Additionally, we urge the DOE to prepare a full environmental impact statement under the National Environmental Policy Act (NEPA) and engage in consultation under section 7 of the Endangered Species Act (ESA) as part of the permit review process. Alternatively, we request that the DOE pause the review of the permit until the Federal Energy Regulatory Commission (FERC) completes their environmental review of Argent LNG as part of FERC docket No. PF25-11-000.

Extension of the Public Comment Period and Hearing Request

The potential health, economic, and environmental impacts of Argent LNG, as well as the threats to endangered species that Argent LNG poses warrant an extension of the public comment period for this docket, and for an opportunity for the public to submit testimony as part of a public hearing.

The site of the proposed activity is also of particular interest to the public. The proposed project

could put at risk key restoration projects being carried out as part of Louisiana’s 2023 Master Plan for a Sustainable Coast.¹ In the Master Plan, the State of Louisiana identifies five distinct coastal regions and outlines comprehensive strategies to mitigate future land loss and provide flood risk protection for each area. The Master Plan was developed in consultation with local residents and region-specific working groups.

One of the regions identified in the Master Plan is Barataria, which the State describes as being “home to vibrant communities and one of the nation’s most productive estuaries. The region’s swamps, marshes, and barrier islands provide numerous economic and recreational benefits, as well as protection for inland communities. Land loss, changing environmental conditions, and modifications to the region’s hydrology threaten these important wetland ecosystems.”²

The Barataria region includes Port Fourchon and the area where Argent LNG would be constructed. In the Master Plan the state proposes two mitigation projects directly adjacent to Port Fourchon at a cost of nearly \$2 billion. The *East Bayou Lafourche Marsh Creation* project would create a 33,000 acre marsh to the east of Port Fourchon at a cost of \$1.3 billion. To the north of the Port, the *Southeast Golden Meadow Marsh Creation* project would create new marsh areas at a cost of \$270 million.³

Argent LNG would be constructed adjacent to the Caminada Headland, an area that was restored and protected by the State of Louisiana via the *Caminada Headland Beach and Dune Restoration project*. This project was completed in 2018 at a cost of \$200 million.⁴

The State of Louisiana Coastal Protection and Restoration Authority (CPRA) stated that the project involved “reducing the impacts of storm events on Port Fourchon and Highway 1, a vital hurricane evacuation route for Fourchon and Grand Isle.” CPRA went on to say that “the Caminada Headland also provides important habitat for nesting shorebirds as well as migratory birds as it is one of the first available stopover sites during migration. The headland is also a critical habitat for the endangered piping plover.”⁵

As demonstrated by these restoration projects, the Caminada Headland and the Barataria region are of utmost importance to the State of Louisiana, the local economy, and the regional

¹ State of Louisiana 2023 *Louisiana’s Comprehensive Master Plan for a Sustainable Coast* May 25, 2023. https://coastal.la.gov/wp-content/uploads/2023/06/230531_CPRA_MP_Final-for-web_spreads.pdf

² State of Louisiana 2023 *Louisiana’s Comprehensive Master Plan for a Sustainable Coast* May 25, 2023. Page 136.

³ The State of Louisiana 2023 *Louisiana’s Comprehensive Master Plan for a Sustainable Coast*. Page 141.

⁴ “Caminada Headland Beach and Dune Restoration” <https://coastal.la.gov/project/caminada-headland-beach-and-dune-restoration/> Accessed April 17, 2026.

⁵ “Caminada Headland Beach and Dune Restoration”

ecology. This clearly amounts to a unique public interest related to the proposed project area which warrants both a public hearing, and an extension of the public comment period for this docket.

Concerns about the proposed location of Argent LNG

The construction and operation of Argent LNG would lead to the release of environmental toxins and could pose a risk for an accident or explosion.⁶ These concerns are compounded by the fact that Argent LNG would be constructed in a coastal area prone to hurricanes. In 2021 Hurricane Ida, the second strongest hurricane in Louisiana’s history, made landfall at Port Fourchon.⁷ The eye of the storm passed over the proposed site of the Argent LNG facility.⁹ At the time, another LNG export facility called Fourchon LNG had been proposed for the same location. The developers of that project conducted a “reassessment” after Hurricane Ida, leading to severe delays.¹⁰ In 2023 both FERC and DOE terminated the permit applications for Fourchon LNG due to inactivity.^{11,12} The risk of hurricanes to the proposed site of Argent LNG as well as the proceedings related to the Fourchon LNG project and its subsequent cancellation should be assessed as part of this docket. Ultimately, the Center believes these matters should lead to the denial of Argent LNG’s export permit application.

Additionally, Argent LNG recently filed a regulatory waiver with PHMSA to use storage tank technology never before used in the U.S. PHMSA’s regulations do not currently allow the use of these types of tanks.¹³ The use of this unregulated technology should be examined as part of the DOE’s assessment for this permit. At the very least, the DOE should pause their proceedings with this docket until PHMSA has fully evaluated the use of these tanks and made a ruling on

⁶ *Explosive Truths: The Perils and Catastrophic Potential of LNG*. Greenpeace DE. December 9, 2024. https://www.greenpeace.de/publikationen/ExplosiveTruths_Report_f.pdf

⁷ *How Ida compares to Louisiana’s strongest hurricanes*. CW39, Adam Krueger. October 25 2021. <https://cw39.com/cw39/how-ida-compares-to-louisianas-strongest-hurricanes/>

⁸ *Hurricane Ida*. National Ocean Service. Accessed May 2026. <https://oceanservice.noaa.gov/annualreport/2021/hurricane-ida.html>

⁹ *National Hurricane Center Tropical Cyclone Report, Hurricane Ida*. National Weather Service and the National Oceanic and Atmospheric Administration. April 4, 2022. https://www.nhc.noaa.gov/data/tcr/AL092021_Ida.pdf

¹⁰ *Fourchon LNG LLC Semi-Annual Progress Report*. Marry Anne Sullivan. April 3, 2023. <https://www.energy.gov/documents/draft-fourchon-lng-status-report-doe-3-31-2023pdf>

¹¹ Federal Energy Regulatory Commission. Terry Turpin. December 20, 2023. <https://us-east-1.storage.xata.sh/m70jvtp7s53mp88l4nffla4f0pkacb1c>

¹² Department of Energy Office of Fossil Fuel Energy and Carbon Management. Amy Sweeney. May 31, 2024 <https://us-east-1.storage.xata.sh/m70jvtb7nifee65p7p34138jorm0l63s>

¹³ *Argent LNG Project Request for Special Permit*. Pipeline and Hazardous Materials Safety Administration. May 7 2026. <https://www.regulations.gov/docket/PHMSA-2026-0959/document>

Argent LNG's special use permit.

Potential impacts to endangered species

As the DOE's posting for this permit application states, the National Environmental Policy Act (NEPA) requires the DOE to weigh environmental impacts in their decision making. The construction and operation of Argent LNG would pose a serious threat to the environment and endangered species. Specifically, shipping LNG from this site would cross the habitats for the endangered Rice's whale and the Kemp's ridley sea turtle. NOAA has identified vessel strikes as a threat to both of these species.¹⁴¹⁵

Sea turtles

Kemp's ridley sea turtles, the rarest sea turtle in the world that exclusively nests in the Gulf of Mexico, are at risk from this massive LNG export facility. The construction of the facility could increase underwater noise, light pollution, vessel traffic, and turbidity in Kemp's ridley habitat. The northwestern Gulf of Mexico provides critically important foraging grounds for Kemp's ridley sea turtles, with the vast majority (82 percent) of adult, reproductive-aged females using the area.¹⁶

Threats in the region, including oil and gas development, have a disproportionately higher impact on adult female turtles—a critical demographic for recovery of the species.¹⁷ New science shows that the species' recovery requires both that there be no reduction of suitable habitat and that per capita availability of food resources remain sufficient to support population recovery, meaning that threats to nesting habitat or food availability must be treated as existential threats to the species.¹⁸ Hurricanes pose a significant additional threat to Kemp's ridley conservation, as increasing storm frequency and intensity decrease hatchling

¹⁴ *Kemp's Ridley Sea Turtle*. National Oceanic and Atmospheric Administration. Accessed May 1, 2026. <https://www.fws.gov/doiddata/dwh-ar-documents/4722/DWH-ARZ009953.pdf>

¹⁵ *Rice's Whale*. National Oceanic and Atmospheric Administration. Accessed May 1, 2026. <https://www.fisheries.noaa.gov/species/rices-whale>

¹⁶ Gredzens, Christian & Donna J. Shaver, Satellite tracking can inform population-level dispersal to foraging grounds to post-nesting Kemp's ridley sea turtles, 7 *Frontiers Marine Sci.* 559 (2020); *see also* Uribe-Martínez, Abigail et al., Critical in-water habitats for post-nesting sea turtles from the southern Gulf of Mexico, 9 *J. Marine Sci. & Engineering* 793 (2021) (showing migratory corridors for Kemp's ridley sea turtles in the northern Gulf of Mexico).

¹⁷ *See* Gredzens, Christian & Donna J. Shaver 2020.

¹⁸ Kocmoud, A. R., et al., Population dynamics of the endangered Kemp's ridley sea turtle following the 2010 oil spill in the Gulf of Mexico: Simulation of potential cause-effect relationships, 329 *Ecological Modelling* 159–178 (2019).

dispersal distance, pushing hatchlings back into the Gulf, while widespread beach destruction erodes the very nesting sites the species depends upon.¹⁹ Sea turtles are vulnerable to vessel strikes.²⁰ Against this backdrop of a species already in declining trend,²¹ the additional stressors introduced by this LNG project including vessel traffic cannot be dismissed.

The project's threat extends to other listed sea turtle species that inhabit and nest in Gulf waters as well. Loggerhead sea turtles face the additional threat of warmer incubation temperatures, reducing nesting success rates and hampering the species' ability to recover.²² These cumulative effects must be considered along with the impacts of the LNG facility. New research also shows that hawksbill sea turtles, a critically endangered species, are now nesting on the beaches of Texas, bringing their nesting habitat into closer proximity to Gulf oil and gas infrastructure and increasing the potential for harm from any spill or construction-related disturbance in the region.²³

Protected birds

Eastern Black Rail

The eastern black rail (*Laterallus jamaicensis jamaicensis*) is a small and elusive bird which historically lived in marshes across the eastern half of the United States. Eastern black rails are unique in that they are extremely secretive and walk or run under dense vegetation.²⁴ It is very rare to see an eastern black rail; most detections are made by hearing its call.²⁵ Over the last 25 years, its presence has declined by over 90% due to threats from habitat loss, degradation, and fragmentation. Now the eastern black rail is thought only to occur along the United States' eastern coastline, a fraction of the Gulf Coast, and in a limited number of freshwater wetlands on the Great Plains. Because of this decline, FWS listed the eastern black rail as "threatened"

¹⁹ DuBois, M. J., et al., Hurricane Frequency and Intensity May Decrease Dispersal of Kemp's Ridley Sea Turtle Hatchlings in the Gulf of Mexico, *Frontiers in Marine Science* (Vol. 7). (2020).

²⁰ Welsh, Ryan, Witherington, Blair, Spatial mapping of vulnerability hotspots: Information for mitigating vessel-strike risks to sea turtles 46 *Global Ecology and Conservation* e02592 (2023).

²¹ Shaver, Donna J. et al., Threats to Kemp's ridley sea turtle (*Lepidochelys kempii* Garman, 1880) nests incubating in situ on the Texas coast, 13 *Herpetology Notes* 907 (2020).

²² Monsinjon, J. R., et al, The climatic debt of loggerhead sea turtle populations in a warming world, 107 *Ecological Indicators* 105657 (2019).

²³ Shaver, Donna J., and Frandsen, H. R., *Eretmochelys imbricata* (Hawksbill Sea Turtle), 50 *Nesting. Herpetol. Rev.* 350–351 (2019).

²⁴ 12-Month Petition Finding and Threatened Species Status for Eastern Black Rail With a Section 4(d) Rule, 83 *Fed. Reg* 50,610, 50,627 (Oct. 9, 2018).

²⁵ *Id.* at 50,628.

under the ESA.²⁶ In its listing decision, FWS found that the entire species will likely be extirpated from the United States by 2068.²⁷

Oil and gas activity in the Gulf in general, and this project in particular, is likely to further harm the eastern black rail. FWS determined that the eastern black rail's drastic decline was and continues to be driven by habitat loss.²⁸ Specifically rising sea levels are one of the primary stressors harming the continued viability of the eastern black rail. FWS also observed that increasing storm frequency and intensity will have both a direct and indirect effect on the eastern black rail.²⁹ Sea level rise and increasing storm intensity are both caused by climate change, which is exacerbated by emissions that result from the oil and gas operations in the Gulf.

Black-Capped Petrel

The black-capped petrel (*Pterodroma hasitata*) is a seabird that is primarily found in the western Atlantic Ocean. It is known for its striking black cap, white face, and characteristic dark wings. The petrels are pelagic, spending most of their lives at sea and returning to land only during the breeding season. They nest on the island of Hispaniola and their marine range includes the western Atlantic, the Caribbean Sea and the northern Gulf of Mexico. Black-capped petrels are also nocturnal.³⁰

FWS listed the species as endangered on January 29, 2024.³¹ In the listing decision, FWS estimated the size of the breeding population for black-capped petrels at between 500 to 1,000 breeding pairs.³² FWS found that, in addition to habitat loss, forest fires, and predation, "offshore oil and gas infrastructure and activities" are a threat to the species.³³ FWS found that designating critical habitat for the black-capped petrel would be prudent; however, FWS said that such habitat was not determinable at the time of the listing decision.³⁴

Oil and gas activities in the Gulf in general, and this project in particular, are likely to harm the black-capped petrel. As FWS has found, the black-capped petrel's range extends to the

²⁶ Threatened Species Status for Eastern Black Rail with a Section 4(d) Rule, 85 Fed. Reg. 63,764 (October 8, 2020).

²⁷ 85 Fed. Reg. at 63,773.

²⁸ *Id.*

²⁹ 85 Fed. Reg. at 63,794.

³⁰ Satgé, Y. G., et al., Habitat modelling locates nesting areas of the Endangered Black-capped Petrel *Pterodroma hasitata* on Hispaniola and identifies habitat loss, 31(4), Bird Conservation International, 573–590 (2021).

³¹ Species Status for Black-Capped Petrel, 88 Fed. Reg. 89,611 (Dec. 28, 2023).

³² *Id.* at 89,623.

³³ *Id.* at 89,612.

³⁴ *Id.* at 89,613.

northern Gulf of Mexico, where there is overlap with oil and gas infrastructure.³⁵ Threats to the petrel from oil and gas operations include collisions platforms and harms from an oil spill.³⁶ As nocturnal feeders, black-capped petrels are especially vulnerable to harms from lighting on platforms. Additionally, FWS found that the risk of an oil spill affecting the species is “dependent on the amount of offshore petroleum structures and activities.”³⁷ This is an express finding that more oil and gas activity puts this endangered species at additional risk.

Piping Plover

The construction of Argent LNG may affect piping plover. The piping plover (*Charadrius melodus*) is a small, pale-colored migratory shorebird that nests along the Atlantic Coast, the Great Lakes, and the Northern Great Plains, and winters along the Gulf and Atlantic coasts, including the Louisiana coastline. The piping plover is endangered in the Great Lakes watershed and listed as threatened throughout the remainder of its range, including all birds on their wintering grounds.³⁸ FWS subsequently designated critical habitat for the wintering population of the piping plover along the Louisiana coast, recognizing the essential role Gulf coastal habitat plays in the species’ survival.³⁹ This LNG project poses direct risks to piping plovers that use the Louisiana coast during their wintering period, which spans more than eight months of the year. Construction activities and vessel traffic with the project will disturb foraging and roosting habitat that the species depends upon. The piping plover is especially sensitive to disturbance on its wintering grounds given that adult survival during that period plays a significant role in maintaining population levels and achieving the increases in population required for recovery.⁴⁰

Rufa Red Knot

Construction and operation of Argent LNG may affect rufa red knot. The rufa red knot (*Calidris canutus rufa*) is a robin-sized shorebird known for one of the longest migrations of any animal on earth, traveling up to 18,000 miles annually between its breeding grounds in the Canadian Arctic and its wintering areas along the Gulf Coast, the southeast United States, and South America. FWS listed the rufa red knot as threatened, in part due to loss of breeding and nonbreeding habitat.⁴¹ The Gulf Coast, including Louisiana, serves as both a critical stopover

³⁵ *Id.* at 89,617; see also FWS, Species Status Assessment: Black-capped Petrel (*Pterodroma hasitata*), Version 1.3 (May, 2023) at 28 (noting that “[b]lack-capped Petrels have been frequently sighted in the central and northeastern Gulf of Mexico where oil and gas activities are ongoing.”).

³⁶ Jodice, Patrick G. R., et al. Revising the marine range of the endangered black-capped petrel *Pterodroma hasitata*: occurrence in the northern Gulf of Mexico and exposure to conservation threats, 46 *Endang Species Res* 49–65 (2021).

³⁷ 88 Fed. Reg. at 89,613.

³⁸ *Threatened Status for the Piping Plover*, 50 Fed. Reg. 50,726 (Dec. 11, 1985).

³⁹ *Final Determination of Critical Habitat for Wintering Piping Plovers*, 66 Fed. Reg. 36,038 (July 10, 2001).

⁴⁰ *Id.*

⁴¹ *Threatened Species Status for the Rufa Red Knot*, 79 Fed. Reg. 73,706 (Dec. 11, 2014).

and wintering area for the species.⁴² The LNG project threatens rufa red knots through habitat disturbance during their key refueling and wintering periods, a particularly acute concern given that FWS found reduced prey availability to be a primary driver of the species' decline.⁴³

Marine mammals

The DOE must consult on endangered Rice's whales because the LNG facility may affect this species and its critical habitat.

The Barataria Bay dolphins are in severe trouble, and although they have strong site fidelity to Barataria Bay that travel through the project area because some individuals have been observed in Timbalier Bay.⁴⁴ The continued prevalence of moderate to severe lung disease and impaired stress response, in addition to rates of reproductive failure, in the years following the Deepwater Horizon spill suggests chronic, long-term health implications for northern Gulf of Mexico bottlenose dolphin populations.⁴⁵ Exactly how past and continuing exposure to Deepwater Horizon oil and its byproducts will continue to affect dolphins and other affected cetaceans into the future remains unknown.⁴⁶ Scientists have estimated that, under best case scenarios, recovery of some impacted dolphin stocks will take from 31-52 years to recover to baseline.⁴⁷ The project area is near biologically important habitat for the Caminada Bay and Barataria Bay resident bottlenose dolphins, who are present year-round.⁴⁸

Rising energy prices and economic impacts

The U.S. Energy Information Administration predicts that natural gas prices in the U.S. will rise to \$4.38 (dollars per million British thermal units) by 2027. This is nearly a dollar increase from

⁴² *Id.* at 73,707.

⁴³ *Id.* at 73,706.

⁴⁴ Mullin, K. et al. Assessment of the overlap of Terrebonne-Timbalier Bay and Barataria Bay common bottlenose dolphin (*Tursiops truncatus*) stocks based on photo-identification of individual dolphins (Aug 2018).

⁴⁵ Kellar et al., Low Reproductive Success Rates of Common Bottlenose Dolphins (*Tursiops Truncatus*) in the Northern Gulf of Mexico Following the Deepwater Horizon Disaster (2010-2015), 33 *Endangered Species Research* 143 (2017); Schwacke et al., Quantifying Injury to Common Bottlenose Dolphins from the Deepwater Horizon Oil Spill Using an Age-, Sex- and Class-Structured Population Model, 33 *Endangered Species Research* 265 (2017); Smith, Cynthia, et al., Slow Recovery of Barataria Bay Dolphin Health Following the Deepwater Horizon Oil Spill (2013-2014), with evidence of persistent lung disease and impaired stress response. *Endangered Species Research* 33 (2017): 127-142; Takeshita et al., The Deepwater Horizon Oil Spill Marine Mammal Injury Assessment, 33 *Endangered Species Research* 95 (2017)

⁴⁶ Takeshita et al. 2017.

⁴⁷ Schwacke et al. 2017.

⁴⁸ LaBrecque, Erin. et al., Biologically Important Areas for Cetaceans within U.S. Waters – Gulf of Mexico Region 41(1) *Aquatic Mammals* 30-38 (2015).

the 2025 price of \$3.53.⁴⁹ The ongoing war with Iran and instability in the Middle East could drive natural gas prices up even further.

In 2025 the U.S. exported more natural gas than the amount used domestically. This surge in exports resulted in an increase in prices for U.S. households.⁵⁰ Another report found that “all major gas consumers are being squeezed by the ongoing boom in LNG export demand”.⁵¹ Because of the makeup of international markets, LNG exports can often sustain a rise in prices, but the U.S. consumer cannot so easily absorb an increase in the cost of home heating and electricity.

A growing number of Americans are concerned about high energy prices.⁵² 75% of Americans say their home energy prices have increased in recent years, and nearly 90% of Americans are concerned that energy prices will continue to increase.⁵³ Amid this increasing concern about energy prices, the DOE should not greenlight this LNG export project that will only drive prices up further for U.S. consumers. We urge the DOE to protect U.S. consumers and reject the export permit for Argent LNG.

Conclusion

Argent LNG poses serious threats to the environment and endangered species. The project would also be constructed at a location prone to hurricanes. Argent LNG would also contribute to rising energy prices in the U.S. The production, transportation, and use of natural gas also

⁴⁹ *EIA raises natural gas price forecast following increased heating demand amid severe winter weather.* U.S. Energy Information Administration. February 10, 2026. <https://www.eia.gov/pressroom/releases/press583.php>

⁵⁰ *Record Setting LNG Exports Send Energy Costs Spiraling for Consumers.* Public Citizen. April 11, 2026. <https://www.citizen.org/news/record-setting-lng-exports-send-energy-costs-spiraling-for-consumers/>

⁵¹ *Booming LNG exports may get dragged into US cost-of-living debate.* Gavin Maquire. February 18, 2026. <https://www.reuters.com/markets/commodities/booming-lng-exports-may-get-dragged-into-us-cost-of-living-debate-2026-02-18/>

⁵² *Americans' concerns about energy prices spike, poll finds.* Morgan Chalfant. April 28, 2026. <https://finance.yahoo.com/sectors/energy/articles/americans-concerns-energy-prices-spike-090317741.html>

⁵³ *Nearly 90 percent of Americans fear prices will keep rising.* Max Rego. May 21, 2026. <https://thehill.com/business/personal-finance/5889845-americans-worried-rising-prices/>

⁵⁴ *Many Americans hold utility companies responsible for their rising home energy bills.* Brian Kennedy and Emma Kikuchi. May 6, 2026. <https://www.pewresearch.org/short-reads/2026/05/06/many-americans-hold-utility-companies-responsible-for-their-rising-home-energy-bills/>

have a leading role in accelerating climate change.⁵⁵ For these reasons, we urge the DOE to reject Argent LNG's export permit.

If the DOE continues to review the proposed project under the current docket, we urge the agency to extend the public comment period, host a public hearing, and prepare a full environmental impact statement under the National Environmental Policy Act (NEPA) and engage in consultation under section 7 of the Endangered Species Act (ESA). Alternatively, we request that the DOE pause the review of the export permit until the FERC completes their environmental review of Argent LNG as part of FERC docket No. PF25-11-000, and PHMSA completes their review of the special use permit application for Argent LNG as part of docket PHMSA-2026-0959.

Sincerely,

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⁵⁵ *The hidden climate costs of exporting U.S. liquefied natural gas*. Phil Mckenna. April 17, 2025. <https://lailluminator.com/2025/04/17/climate-Ing/>