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BY ELECTRONIC FILING

Amy Sweeney
Director, Office of Regulation, Analysis and Engagement
Office of Fossil Energy and Carbon Management, FE-34
1000 Independence Ave., S.W.
Washington, DC 20585

Re: Vista Pacifico LNG, S.A.P.I. de C.V., FE Docket No. 20-153-LNG

Dear Ms. Sweeney:

Vista Pacifico LNG, S.A.P.I. de C.V. (“Vista Pacifico”) respectfully submits this letter in response to the Department of Energy (“DOE”) Office of Fossil Energy and Carbon Management’s (“DOE/FECM”) Notice of Environmental Assessment (“EA Notice”), issued on July 12, 2022, in the above-referenced docket.¹

On November 18, 2020, Vista Pacifico filed an application requesting long-term, multi-contract authorization to export natural gas by pipeline to Mexico for use in the proposed Topolobampo liquefaction and export terminal facilities, where the gas would be liquefied and re-exported by vessel to Free Trade Agreement (“FTA”) and Non-Free Trade Agreement (“Non-FTA”) countries (the “Application”).² On April 9, 2021, DOE granted the FTA portion of the Application pursuant to section 3(c) of the Natural Gas Act (“NGA”). The unopposed, Non-FTA portion of the Application remains pending.

On July 12, 2022, DOE issued the EA Notice, which announced DOE’s intent to undertake an environmental assessment (“EA”) under the National Environmental Policy Act (“NEPA”) to analyze Vista Pacifico’s request to export U.S.-sourced LNG to non-FTA countries. The EA Notice identifies four topics to be analyzed in the EA. Furthermore, DOE has provided notice to

¹ *Vista Pacifico LNG S.A.P.I. de C.V.*, Notice of Environmental Assessment, FE Docket No. 20-153-LNG (July 12, 2022) (“EA Notice”).

² Notice of the non-FTA portion of the Application was issued in the *Federal Register* on December 8, 2020, and the comment period closed on February 8, 2021. No comments, protests, or interventions were filed, and accordingly as noted in the EA Notice, “the non-FTA portion of the Application is uncontested.” EA Notice at 4.

the cross-border host states of Arizona, Texas, and California and to all tribes on or within 100 kilometers of the U.S. border in those states, pursuant to 10 C.F.R. § 1021.301(c). According to the EA Notice, DOE expects to complete the EA by the end of October 2022.

While DOE's decision to prepare an EA in this proceeding departs from precedent³ and does not appear to be required under the applicable regulations,⁴ Vista Pacifico views this as an opportunity for DOE to move forward with a prompt and orderly approval of its uncontested Non-FTA Application.

Consistent with the EA Notice, Vista Pacifico expects that the EA in this proceeding will be issued no later than the end of October 2022. Upon the EA's issuance, Vista Pacifico understands that DOE will provide an opportunity to comment on the EA to the host states of Arizona, Texas, and California and to tribes on or within 100 kilometers of the U.S. border in those states. *See* 10 C.F.R. § 1021.301(d). Pursuant to DOE's regulations, this review and comment period may last between 14 to 30 days. *Id.* Furthermore, to the extent DOE considers any comments as part of this review, such comments must be restricted to the topics that are the subject of the EA. Vista Pacifico respectfully notes that the comment period for the Non-FTA Application closed on February 8, 2021, with no interventions, protests, or comments filed. Thus, any new comments that bear on DOE's public interest review under the NGA may not be entertained at this juncture.

Vista Pacifico looks forward to cooperating with DOE during this process to facilitate a timely review and decision on the Non-FTA portion of the Application.

Please contact the undersigned with any questions regarding this submission.

Respectfully submitted,

/s/ Jerrod L. Harrison

Jerrod L. Harrison

Counsel to Vista Pacifico, S.A.P.I. de C.V.

cc: Brett A. Snyder, Blank Rome LLP

³ *See Epcilon LNG LLC*, DOE/FE Order No. 4629, FE Docket No. 20-31-LNG, Opinion and Order Granting Long-Term Authorization to Export Natural Gas to Mexico for Liquefaction, and to Re-Export U.S. Sourced Natural Gas in the Form of Liquefied Natural Gas from Mexico to Free Trade Agreement and Non-Free Trade Agreement Nations, at 37-38 (Dec. 8, 2020); *Mexico Pacific Limited LLC*, DOE/FE Order No. 4312, FE Docket No. 18-70-LNG, Opinion and Order Granting Long-Term, Multi-Contract Authorization to Export U.S.-Sourced Natural Gas by Pipeline to Mexico for Liquefaction and Re-Export in the Form of Liquefied Natural Gas to Non-Free Trade Agreement Countries (Dec. 14, 2018).

⁴ *See National Environmental Policy Act Implementing Procedures*, 85 Fed. Reg. 78197 (Dec. 4, 2020).

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list in this proceeding.

Dated at Washington, DC this 2nd day of August, 2022.

/s/ Lamiya Rahman _____

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