

No. 26-1036

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

SIERRA CLUB and
NATURAL RESOURCES DEFENSE COUNCIL, INC.,

Petitioners,

v.

CHRIS WRIGHT, in his official capacity as Secretary of Energy,
United States Department of Energy; UNITED STATES
DEPARTMENT OF ENERGY,

Respondents.

**JOINT PETITION FOR REVIEW OF ORDERS OF THE
UNITED STATES DEPARTMENT OF ENERGY**

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*Counsel for Petitioner Natural
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Under Section 19(b) of the Natural Gas Act, 15 U.S.C. § 717r(b), as well as Federal Rule of Appellate Procedure 15(a) and Circuit Rule 15, Petitioners Sierra Club and Natural Resources Defense Council (“Petitioners”) respectfully petition the United States Court of Appeals for the District of Columbia Circuit to review and set aside the following order of the United States Department of Energy (“DOE”):

A. *Venture Global CP2 LNG, LLC*, Final Order Granting Long-Term Authorization to Export Liquefied Natural Gas to Non-Free Trade Agreement Nations, DOE/FECM Order No. 5264-A, DOE Docket No. 21-131-LNG (Oct. 21, 2025) (the “Export Authorization”) (attached hereto as **Exhibit A**).¹

Petitioners also petition for review of the following final rule promulgated by DOE:

B. Department of Energy, *National Environmental Policy Act Implementing Procedures*, 85 Fed. Reg. 78,197, Docket No. DOE-HQ-2020-0017 (Dec. 4, 2020) (modifying 10 C.F.R. Part

¹ Also available at https://www.energy.gov/sites/default/files/2025-10/ord5264-A_0.pdf.

1021, Subpt. D, App. B, Categorical Exclusion B5.7) (the “Categorical Exclusion”) (attached hereto as **Exhibit B**).

This Court has jurisdiction to review this Categorical Exclusion both as applied in the Export Authorization, *N.L.R.B. Union v. Fed. Lab. Rels. Auth.*, 834 F.2d 191, 195–96 (D.C. Cir. 1987), and on its face, 5 U.S.C. § 702, *City of Tacoma v. Taxpayers of Tacoma*, 357 U.S. 320, 336–37 (1958) (where statute vests original jurisdiction in courts of appeal, courts of appeal have jurisdiction over “all issues inhering in the controversy”); *see also Shafer & Freeman Lakes Env’t Conservation Corp. v. FERC*, 992 F.3d 1071, 1087 (D.C. Cir. 2021).

In accordance with Federal Rule of Appellate Procedure 15(c)(1), Petitioners have served parties that may have been admitted to participate in the underlying proceedings with a copy of this Petition for Review. As required by Federal Rule of Appellate Procedure 15(c)(2), a list of parties served is attached.

Dated: February 17, 2026

Respectfully submitted,

/s/ Nathan Matthews
Nathan Matthews

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DISCLOSURE STATEMENT

In accordance with Rule 26.1 of the Federal Rules of Appellate Procedure and D.C. Circuit Rule 26.1, Petitioners make the following disclosures:

Petitioner **Sierra Club**, a corporation organized and existing under the laws of the State of California, is a national nonprofit organization dedicated to the protection and enjoyment of the environment. Sierra Club is a non-governmental corporate party with no parent corporation, and there are no publicly held corporations that have a ten percent or greater ownership in Sierra Club.

Petitioner **Natural Resources Defense Council, Inc. (NRDC)**, a corporation organized and existing under the laws of the State of New York, is a national nonprofit organization dedicated to improving the quality of the human environment and protecting the nation's endangered natural resources. NRDC is a non-governmental corporate party with no parent corporation, and there are no publicly held corporations that have a ten percent or greater ownership in NRDC's stock.

LIST OF RESPONDENTS

Petitioners provide a list of Respondents below, identifying the Respondent's name and addresses where Respondent and/or its counsel may be served with copies of this Petition for Review.

Department of Energy and
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CERTIFICATE OF SERVICE

In accordance with Federal Rule of Appellate Procedure 15(c)(1) & (2), the undersigned certifies that, on February 17, 2026, a copy of this Petition for Review and exhibits were served by email to the Department of Energy and to the parties on the Department of Energy's official service list of parties admitted to participate in Docket No. 21-131-LNG, listed below.

Chris Wright U.S. Secretary of Energy U.S. Department of Energy 1000 Independence Avenue SW Washington, DC 20585 AskCR@hq.doe.gov and The.Secretary@hq.doe.gov	
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