

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E.D.N.Y.
★ SEP 25 2012 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THE STATE OF NEW YORK,

Plaintiff,

-against-

THE UNITED STATES ARMY CORPS OF
ENGINEERS; COLONEL CHRISTOPHER LARSEN,
*in his official capacity as Division Engineer, North
Atlantic Division of the United States Army Corps of
Engineer*; THE UNITED STATES FISH AND
WILDLIFE SERVICE; ROWAN W. GOULD, *in his
official capacity as Acting Director of the United States
Fish and Wildlife Service*; THE UNITED STATES
NATIONAL PARK SERVICE; JONATHAN B.
JARVIS, *in his official capacity as Director of the
United States National Park Service*; THE UNITED
STATES DEPARTMENT OF THE INTERIOR;
KENNETH SALAZAR, *in his official capacity as
Secretary of the United States Department of the
Interior*; THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY; LISA JACKSON, *in her
official capacity as Administrator of the United States
Environmental Protection Agency*; THE DELAWARE
RIVER BASIN, and CAROL COLLIER, *in her official
capacity as Executive Director of the Delaware River
Basin*,

Defendants,

-and-

AMERICAN PETROLEUM INSTITUTE;
INDEPENDENT PETROLEUM ASSOCIATION OF
AMERICA; and US OIL & GAS ASSOCIATION,

Putative Defendant-Intervenors
-----X

JUDGMENT BROOKLYN OFFICE
11-CV- 2599 (NGG)

-----X
DAMASCUS CITIZENS FOR SUSTAINABILITY,
INC.,

11-CV- 3857 (NGG)

Plaintiff,

-against-

THE UNITED STATES ARMY CORPS OF
ENGINEERS; COLONEL CHRISTOPHER LARSEN,
*in his official capacity as Division Engineer, North
Atlantic Division of the United States Army Corps of
Engineers*; THE UNITED STATES FISH AND
WILDLIFE SERVICE; ROWAN W. GOULD, *in his
official capacity as Acting Director of the United States
Fish and Wildlife Service*; THE UNITED STATES
NATIONAL PARK SERVICE; JONATHAN B.
JARVIS, *in his official capacity as Director of the
United States National Park Service*; THE UNITED
STATES DEPARTMENT OF THE INTERIOR;
KENNETH SALAZAR, *in his official capacity as
Secretary of the United States Department of the
Interior*; THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY; LISA JACKSON, *in her
official capacity as Administrator of the United States
Environmental Protection Agency*; THE DELAWARE
RIVER BASIN; and CAROL COLLIER, *in her official
capacity as Executive Director of the Delaware River
Basin*,

Defendants,

AMERICAN PETROLEUM INSTITUTE,
INDEPENDENT PETROLEUM ASSOCIATION OF
AMERICA; and US OIL & GAS ASSOCIATION,

Putative Defendant-Intervenors.
-----X

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DELAWARE RIVERKEEPER NETWORK; THE
DELAWARE RIVERKEEPER; RIVERKEEPER, INC.;
THE HUDSON RIVERKEEPER; and NATIONAL
PARKS CONSERVATION ASSOCIATION,

11-CV-3780 (NGG)

Plaintiffs,

-against-

THE UNITED STATES ARMY CORPS OF
ENGINEERS; COLONEL CHRISTOPHER LARSEN,
*in his official capacity as Division Engineer, North
Atlantic Division of the United States Army Corps of
Engineers*; THE DELAWARE RIVER BASIN
COMMISSION; and CAROL COLLIER, *in her official
capacity as Executive Director of the Delaware River
Basin Commission*,

Defendants,

-and-

AMERICAN PETROLEUM INSTITUTE;
INDEPENDENT PETROLEUM ASSOCIATION OF
AMERICA; and US OIL & GAS ASSOCIATION,

Putative Defendant-Intervenors,
-----X

A Memorandum and Order of Honorable Nicholas G. Garaufis, United States
District Judge, having been filed on September 24, 2012, granting Defendants' motion to dismiss
for lack of subject matter jurisdiction without prejudice as to all three Complaints; and denying
as moot the remaining pending motions; it is

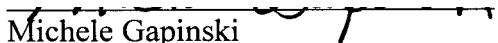
JUDGMENT 11-CV-2599 (NGG)

ORDERED and ADJUDGED that Defendants' motion to dismiss for lack of subject matter jurisdiction is granted and the complaints are dismissed without prejudice.

Dated: Brooklyn, New York
September 24, 2012

Douglas C. Palmer
Clerk of Court
s/Michele Gapinski

by:


Michele Gapinski
Chief Deputy for
Court Operations