

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**SIERRA CLUB, *et al.*,**

\*

**Plaintiffs,**

\*

**v.**

\*

**Civ. No. DLB-20-3060**

**NATIONAL MARINE FISHERIES  
SERVICE, *et al.*,**

\*

**Defendants,**

\*

**and**

\*

**AMERICAN PETROLEUM INSTITUTE,  
*et al.*,**

\*

\*

**Intervenors.**

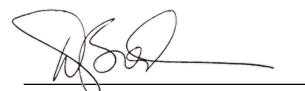
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**ORDER**

For the reasons stated in the memorandum opinion issued today, it is this 19th day of August, 2024, hereby ORDERED that

1. The motion of Sierra Club, Center for Biological Diversity, Friends of the Earth, and Turtle Island Restoration Network for summary judgment, ECF 93, is GRANTED;
2. The motion of National Marine Fisheries Service and Assistant Administrator for the National Oceanic and Atmospheric Administration Janet Coit for summary judgment, ECF 175, is DENIED;
3. The motion of Chevron USA Inc. for summary judgment, ECF 179, is DENIED;
4. The motion of American Petroleum Institute, EnerGeo Alliance, and National Ocean Industries Association for summary judgment, ECF 182, is DENIED;

5. The motions for the admission of extra-record evidence, ECF 177, 181, 184, 187, 192, 199, are DENIED AS MOOT;
6. Judgment is ENTERED in favor of Sierra Club, Center for Biological Diversity, Friends of the Earth, and Turtle Island Restoration Network;
7. The Court DECLARES the 2020 Biological Opinion on the Federally Regulated Oil and Gas Program Activities in the Gulf of Mexico violates the Administrative Procedure Act, 5 U.S.C. § 706(2)(A), and Section 7 of the Endangered Species Act, 16 U.S.C. § 1536(a)(2);
8. The 2020 Biological Opinion on the Federally Regulated Oil and Gas Program Activities in the Gulf of Mexico IS VACATED effective December 20, 2024;
9. The matter IS REMANDED to NMFS for proceedings consistent with the opinion issued this same date; and,
10. The Clerk SHALL CLOSE this case.



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Deborah L. Boardman  
United States District Judge