

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

NATIONAL WILDLIFE FEDERATION,)  
SIERRA CLUB, IDAHO RIVERS )  
UNITED, AMERICAN RIVERS, )  
PACIFIC COAST FEDERATION OF )  
FISHERMAN'S ASSOCIATIONS, )  
INSTITUTE FOR FISHERIES )  
RESOURCES, WASHINGTON )  
WILDLIFE FEDERATION, and )  
IDAHO WILDLIFE FEDERATION, )

Plaintiffs, )

NEZ PERCE TRIBE OF IDAHO, )

Intervenor-Plaintiff, )

v. )

UNITED STATES ARMY CORPS )  
OF ENGINEERS, )

Defendant, )

POTLATCH CORPORATION, )  
NORTHWEST PULP AND PAPER )  
ASSOCIATION, INLAND PORTS )  
AND NAVIGATION GROUP, and )  
COLUMBIA RIVER ALLIANCE, )

Intervenor-Defendants. )  
\_\_\_\_\_ )

Civil No. 99-442-FR

O R D E R

FRYE, Judge:

IT IS HEREBY ORDERED as follows:

1. Plaintiffs' second motion for summary judgment (#150) is GRANTED;
2. Intervenor-Plaintiff Nez Perce Tribe of Idaho's second motion for summary judgment (#144) is GRANTED;
3. Defendant United States Army Corps of Engineers' second motion for summary judgment or a stay (#162) is DENIED; and
4. Intervenor-Defendants Potlatch and Northwest Pulp and Paper Association's second motion for summary judgment (#170) is DENIED.

Defendant United States Army Corps of Engineers shall issue a new decision replacing the 1998 Record of Decision which addresses its compliance with its legal obligations under the Clean Water Act within sixty days of the date of this order.

DATED this \_\_\_\_\_ day of 2/16/01.

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HELEN J. FRYE  
United States District Judge