

Filed: April 18, 2017

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 15-2225)**  
(5:13-cv-00633-BO)

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THE STATE OF NORTH CAROLINA, by and through its agency, the North  
Carolina Department of Administration,

Plaintiff - Appellant,

v.

ALCOA POWER GENERATING, INC.,

Defendant - Appellee.

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YADKIN RIVERKEEPER, INC.; NORTH CAROLINA WILDLIFE  
FEDERATION, INC.; MICHAEL C. BLUMM, Jeffrey Bain Faculty Scholar and  
Professor of Law, Lewis & Clark Law School, Portland, OR; MARY  
CHRISTINA WOOD, Philip H. Knight Professor of Law, University of Oregon  
School of Law, Eugene, OR; PATRICK C. MCGINLEY, Judge Charles H. Haden  
II Professor of Law, West Virginia University College of Law, Morgantown, WV;  
RACHAEL PASCHAL OSBORN, Adjunct Professor, Gonzaga University School  
of Law, Spokane, WA; PATRICK PARENTEAU, Professor of Law and Senior  
Counsel for Environmental and Natural Resources Law Clinic, Vermont Law  
School, South Royalton, VT; ZYGMUNT J.B. PLATER, Professor of Law,  
Boston College Law School, Boston, MA; WILLIAM RODGERS, Emeritus  
Stimson Bullitt Professor of Law, University of Washington School of Law,  
Seattle, WA; GERALD TORRES, Jane M.G. Foster Professor of Law, Cornell  
Law School, Ithaca, NY; AMERICAN WHITEWATER,

Amici Supporting Appellant,

HIGH ROCK LAKE ASSOCIATION; TRADING FORD HISTORIC DISTRICT  
PRESERVATION ASSOCIATION,

Amici Supporting Appellee.

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O R D E R

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The Court amends its opinion filed April 3, 2017, as follows:

On page 13, line 7 -- the citation to “*United States v. Utah*, 283 U.S. at 440–441”  
is corrected to read “*United States v. Utah*, 283 U.S. at 75–76.”

For the Court – By Direction

/s/ Patricia S. Connor  
Clerk