

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

SOUTHEAST ALASKA CONSERVATION  
COUNCIL; SIERRA CLUB; LYNN  
CANAL CONSERVATION,  
*Plaintiffs-Appellants,*

v.

UNITED STATES ARMY CORPS OF  
ENGINEERS; TIMOTHY J. GALLAGHER  
Colonel, in his official capacity as  
District Engineer; LARRY L.  
REEDER, in his official capacity of  
Chief of the Regulatory Branch;  
DOMINIC IZZO, in his official  
capacity as Principal Deputy  
Assistant Secretary of the Army  
(Civil Works); UNITED STATES  
FOREST SERVICE,  
*Defendants-Appellees,*

COEUR ALASKA, INC.; GOLDBELT,  
INC.; STATE OF ALASKA,  
*Defendant-intervenors-Appellees.*

No. 06-35679  
D.C. No.  
CV-05-00012-J-JKS  
District of Alaska,  
Juneau  
ORDER

On Remand from the United States Supreme Court

Filed August 31, 2009

Before: Procter Hug, Jr., A. Wallace Tashima and  
Susan P. Graber, Circuit Judges.

**ORDER**

This case returns to us on remand from the Supreme Court of the United States. *Southeast Alaska Conservation Council v. U.S. Army Corps of Engineers*, 486 F.3d 638 (9th Cir. 2007), *reversed and remanded* by 129 S.Ct. 2458 (2009). We, in turn, remand to the district court for further proceedings consistent with the Supreme Court's opinion.



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