

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SIERRA CLUB, et al.,

Plaintiffs,

v.

**FRAN MAINELLA, Director of the
National Park Service, et al.,**

Defendants.

Civil Action No. 04-2012 (JDB)

ORDER

Upon consideration of [29] plaintiffs' motion for summary judgment, [31] defendants' cross-motion for summary judgment, and the entire record in this case, and for the reasons stated in the accompanying Memorandum Opinion issued on this date, it is hereby

ORDERED that [29] plaintiffs' motion for summary judgment is **GRANTED IN PART AND DENIED IN PART**; it is further

ORDERED that [31] defendants' motion for summary judgment is **GRANTED IN PART AND DENIED IN PART**; it is further

ORDERED that the decisions by the National Park Service granting the applications to drill the Comstock Collins No. 3 well (AR-C 0002-0017), the Comstock Black Stone D1 well (AR-B 0002-0008), and the Union Gas BP Rafferty A-45 #1, 2, and 3 wells (AR-U 0006-0014) are remanded for further proceedings consistent with the accompanying Memorandum Opinion; it is further

ORDERED that plaintiff's remaining claims relating to the NPS Final Guidance on Implementing the Directional Drilling Provision of the Service's Nonfederal Oil and Gas

Regulations at 36 CFR 9B, issued on November 14, 2003, as applied in the foregoing NPS decisions are **DISMISSED**; and it is further

ORDERED that this case is hereby terminated from the docket of this Court.

/s/
JOHN D. BATES
United States District Judge

Date: October 25, 2006