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

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CENTER FOR BIOLOGICAL DIVERSITY  
and SIERRA CLUB,

*Petitioners,*

v.

DEBRA HAALAND, Secretary of the U.S. Department of the Interior;  
U.S. FISH AND WILDLIFE SERVICE; GINA RAIMONDO,  
Secretary of the U.S. Department of Commerce; and  
NATIONAL MARINE FISHERIES SERVICE,

*Respondents.*

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**PETITION FOR REVIEW**

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*Attorneys for Petitioners*

Pursuant to the Administrative Procedure Act, 5 U.S.C. § 702, the Natural Gas Act, 15 § U.S.C. 717r(d)(1), and Federal Rule of Appellate Procedure 15, Petitioners Center for Biological Diversity and Sierra Club seek this Court’s review of two biological opinions regarding a new liquified natural gas (LNG) project in Alaska. Respondents Secretary of the Interior, acting through the U.S. Fish and Wildlife Service, and the Secretary of Commerce, acting through the National Marine Fisheries Service, issued the opinions on June 19, 2020, and June 5, 2020, respectively (Attachments 1, 2). This Court has exclusive jurisdiction over this Petition pursuant to Section 19(d)(1) of the Natural Gas Act, 15 U.S.C. § 717r(d)(1).

The Alaska LNG project would affect many places and animals that Petitioners’ members enjoy for recreation, aesthetic, and scientific purposes. The U.S. Fish and Wildlife Service and National Marine Fisheries Service violated the Endangered Species Act, 16 U.S.C. §§ 1531–1544, and the Administrative Procedure Act, 5 U.S.C. §§ 701–706, in issuing their biological opinions, and Petitioners are adversely affected and aggrieved by these decisions.

In accordance with Federal Rule of Appellate Procedure 15(c), parties that may have been admitted to participate in the underlying proceedings have been served with a copy of this Petition.

Respectfully submitted this 30th day of May 2024.

s/ Kristen Monsell

Kristen Monsell

Emily Jeffers

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## REPRESENTATION STATEMENT FOR PETITION FOR REVIEW

### **Petitioners:**

Center for Biological Diversity  
Sierra Club

### **Counsel for Petitioners:**

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Are counsel registered for electronic filing in the 9th Circuit? Yes

### **Respondents:**

Debra Haaland, Secretary of the U.S. Department of Interior  
U.S. Fish and Wildlife Service  
Gina Raimondo, Secretary of the U.S. Department of Commerce  
National Marine Fisheries Service

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**RULE 26.1 DISCLOSURE STATEMENT**

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*Attorneys for Petitioners*

Pursuant to Federal Rule of Appellate Procedure 26.1, the undersigned counsel for Petitioners Center for Biological Diversity and Sierra Club states that Petitioners have no parent companies, subsidiaries, or affiliates that have issued shares to the public.

Respectfully submitted this 30th day of May 2024.

s/ Kristen Monsell  
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## **CERTIFICATE OF SERVICE**

In accordance with Federal Rule of Appellate Procedure 15(c)(1) and (2), I certify a true and correct copy of this Petition for Review was served by electronic mail on each of the following parties, which may have been admitted to participate in the underlying agency proceedings:

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