

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

**MISSOURI COALITION FOR THE
ENVIRONMENT FOUNDATION, a
non-profit corporation,**

Plaintiff,

v.

**LISA P. JACKSON, Administrator of the
United States Environmental Protection
Agency; and THE UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY,**

Defendants.

Case No. 10-04169-CV-C-NKL

JUDGMENT IN A CIVIL CASE

Jury Verdict. This action came before the Court for a trial by jury.

Decision by Court. This action came to trial or hearing before the Court.
The issues have been determined and a decision has been made.

IT IS ORDERED AND ADJUDGED that pursuant to the Order entered by the Honorable Nanette Laughrey on February 16, 2012, Defendants' Motion for Summary Judgment [Doc. # 31] is GRANTED and Plaintiff's Motion for Summary Judgment [Doc. # 34] is GRANTED in part and DENIED in part, as consistent with the opinion above. Specifically, the Court finds that 1) that Missouri's 2005 submissions of water quality standards did not meet the requirements of the Clean Water Act; 2) the EPA did not act arbitrarily and capriciously in approving Missouri's 2005 water quality submissions; and 3) the EPA's decision over whether to exercise its discretionary authority under Section

303(c)(4)(B) of the Act to promulgate new or revised water quality standards for Missouri is committed to the EPA's discretion at law and thus unreviewable by the Court. The Coalition's Motion to Strike [Doc. # 44] is also DENIED.

Dated: February 16, 2012

ANN THOMPSON
Clerk

s/ RENEA KANIES
By: Renea Kanies, Courtroom Deputy