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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

KELSEY CASCADIA ROSE JULIANA;
XIUHTEZCATL TONATIUH M., through
his Guardian Tamara Roske-Martinez; et al.,

Plaintiffs,

v.

The UNITED STATES OF AMERICA;
DONALD TRUMP, in his official capacity
as President of the United States; et al.,

Defendants.

Case No.: 6:15-cv-01517-TC

**SUPPLEMENTAL DECLARATION OF
ANDREA K. RODGERS**

In Support of Plaintiffs' Reply in Support of
Motion *in Limine* Seeking Judicial Notice of
Federal Government Documents

**SUPPLEMENTAL DECLARATION OF ANDREA K. RODGERS IN SUPPORT OF
PLAINTIFFS' REPLY IN SUPPORT OF MOTION *IN LIMINE***

I, Andrea K. Rodgers, hereby declare and if called upon would testify as follows:

1. I am an attorney of record in the above-entitled action. I make this Declaration in support of Plaintiffs' Reply in Support of Motion *in Limine* Seeking Judicial Notice of Federal Government Documents. I have personal knowledge of the facts stated herein, except as to those stated upon information and belief, and if called to testify, I would and could testify competently thereto.
2. I submit this Supplemental Declaration in light of correspondence that we have received from the Defendants *after* Plaintiffs filed their Reply Brief. A true and correct copy of the correspondence is attached as **Exhibit 1** to this Declaration.
3. Based upon the additional foundational information Plaintiffs provided to Defendants in advance of filing the Reply Brief, Defendants have now changed their position on 24¹ exhibits. *See* Exhibit 1 at 2. Plaintiffs note that this information was provided to the Defendants in advance of the filing of the Reply Brief in an attempt to meet and confer on the matter to resolve Defendants' outstanding objections. Defendants failed to respond to this additional foundational information in a timely manner and neglected to answer Plaintiffs' repeated requests to meet and confer to resolve Defendants' objections. *See* Declaration of Andrea K. Rodgers in Support of Plaintiffs' Reply in Support of Motion *in Limine* Seeking Judicial Notice of Federal Government Documents, ECF No. 332 ¶ 7 ("First Rodgers Decl.").

¹ Although Defendants list only 22 exhibits to which they have changed their position, Ex. 1 at 2, Plaintiffs have identified two additional unlisted exhibits that are duplicates of exhibits to which Defendants have changed their position. Exhibit 354 is a duplicate of Exhibit 338, to which Defendants have now asserted "no position" rather than an objection. And Exhibit 334 is a duplicate of Exhibit 350, to which Defendants have now asserted "no position" rather than an objection.

4. Defendants now do not object to the Court taking judicial notice of 294 documents; take no position on 55 documents; and object to 15 documents on the basis of inadequate foundation. ECF No. 327 at 2; Exhibit 1 at 2.
5. Attached as **Exhibit 2** to this Declaration is a revised table listing the 294 documents to which Defendants have raised no objections. Plaintiffs request that this Court take judicial notice of these documents and Defendants do not object. ECF No. 327 at 2 (“Defendants respectfully request that the Court take judicial notice of the existence and authenticity of documents for which Defendants have ‘no objection’ . . .”). In Exhibit 2, Plaintiffs have highlighted in yellow the documents that the Defendants previously objected to or took no position on.
6. In addition, Plaintiffs have discovered that two of the documents that Defendants did not object to were inadvertently misnumbered in the table submitted to the Court in support of Plaintiffs’ Reply Brief (First Rodgers Decl. Ex. 1), as well as in the other versions of the tables submitted to the Court by both parties during the Motion *in Limine* briefing. The numbering of these exhibits, properly Exs. 381 and 386, have been corrected in Exhibit 2 to this Supplemental Declaration, with the corrections indicated in green highlighting on Exhibit 2 and information provided about the need for correction. The numbering in Exhibit 2 to this Supplemental Declaration supersedes numbering in previously submitted tables and the statements made in paragraphs 9 and 10 to the First Rodgers Declaration.
7. Excluding documents Plaintiffs withdrew from the Court’s consideration for judicial notice, *see* Ex. 2 to First Rodgers Decl., ECF No. 332-1 at 20–22, there are 55 remaining documents to which Defendants take “no position.” Plaintiffs provided Defendants with

additional source information on these documents. *See* First Rodgers Decl. ¶ 7. Attached as **Exhibit 3** to my Declaration is a list of these 55 remaining documents, with additional source information provided for the Court’s consideration. The documents that the Defendants previously objected to are highlighted in yellow. The Plaintiffs have provided the legal basis for the Court taking judicial notice of these documents in their Reply Brief.

8. As to the remaining 15 documents to which Defendants continue to object, Plaintiffs attempted to resolve many of these objections by providing Defendants and the Court with additional information to establish the foundation for each document. *See* First Rodgers Decl. ¶ 7. These documents are listed in **Exhibit 4** to my Declaration. The document to which Defendants newly object is highlighted in yellow. The far right columns contain Defendants’ new objections raised after the Reply Brief was filed and Plaintiffs’ response to these objections, which demonstrate why it is appropriate for the Court to take judicial notice of these 15 documents as well.
9. Changes to one document, Exhibit 311, require additional clarification. The exhibit is highlighted in green in Exhibit 4 to this Supplemental Declaration. In reference to ¶ 9 of the First Rodgers Declaration, stating that “Exhibit 311 to the original Motion *in Limine* . . . was inadvertently omitted when the original Motion *in Limine* was filed,” Plaintiffs wish to clarify that the document filed as Exhibit 311 to the original Motion *in Limine*, ECF No. 299-115, was the incorrect document. The document filed as Exhibit 311 was a PDF screenshot of the website where the document was housed. Defendants objected to this exhibit. The correct document—U.S. Army Corps of Eng’rs, Navigation Data Ctr., *Ports and Waterways Facilities* (Sept. 12, 2011)—is an Excel spreadsheet and

was inadvertently omitted during the initial filing process. Due to its size and file type, the correct document for Exhibit 311 has been served on Defendants and filed with the court via USB drive as Exhibit 6 to the First Rodgers Declaration, ECF No. 332-1 at 34, and should replace the incorrect PDF document filed as Exhibit 311, ECF No. 299-115. Plaintiffs have also provided an updated link to the spreadsheet in Exhibit 4 to this Supplemental Declaration, as the previous link no longer directs to the location of the spreadsheet.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 15th day of August, 2018.

Respectfully submitted,

s/ Andrea K. Rodgers
Andrea K. Rodgers



U.S. Department of Justice

Environment and Natural Resources Division

90-1-4-14528

*Natural Resources Section
P.O. Box 7611
Washington, DC 20044*

*Telephone (202) 305-0445
Facsimile (202) 305-0506*

VIA EMAIL

August 9, 2018

Andrea K. Rogers
Julia A. Olson
Philip L. Gregory
3026 NW Esplanade
Seattle, WA 98117

Re: *Juliana v. United States*, No. 15-cv-1517; Pending Motion in Limine Seeking
Judicial Notice

Dear Andrea:

We have reviewed your letter of July 30, 2018 regarding your pending motion in limine seeking judicial notice of certain documents, the spreadsheet attached to your July 31, 2018 email, and Plaintiffs' Reply in Support of Motion *in Limine* and supporting declaration, ECF Nos. 331, 332. As indicated in our response to the motion, "Defendants do not object to the Court taking judicial notice of . . . identifiable documents that were created by defendant agencies and are believed by Defendants . . . to be authentic." Defs.' Resp. to Motion in Limine at 2, ECF No. 327. In addition "Defendants take no position as to . . . documents . . . that were not created by agency defendants or [can] not be authenticated by Defendants." *Id.* Lastly, as to "reports, news articles, videos, and scientific articles produced by third parties, as well as documents . . . for which no source is provided, or the source is a third-party website, Plaintiffs have not . . . provided an adequate foundation for the Court to take judicial notice." *Id.* It is on this basis that Defendants asked that the Court take judicial notice of "the existence and authenticity of documents for which Defendants have 'no objection,' and that it decline to take judicial notice of documents for which Plaintiffs have not proffered an adequate foundation." *Id.*

In your reply brief, you misleadingly describe Defendants' position. First, you state that both "Plaintiffs and Defendants respectfully request that the Court take judicial notice of [the no objection] documents for the reasons set forth in Plaintiffs' Motion *in Limine*." Pls.' Reply at 2. This misstates Defendants' position. To be clear, Defendants have "no objection" to the Court taking judicial notice of documents "that were *created by defendant agencies*" and are "*believed by Defendants . . . to be authentic.*" Defs.' Resp. at 2. In other words, defendant agencies reviewed their own documents, determined that some were authentic, and do not oppose Plaintiffs' motion as to those documents on that basis. Defendants, however, have not joined in

Plaintiffs' motion, and your representation that Defendants request the Court to take judicial notice "for the reasons set forth in Plaintiffs' Motion *in Limine*" is inaccurate.

Second, you state that Defendants objected to documents "on the ground that the documents were 'reports, news articles, videos, and scientific articles produced by third parties as well as documents which are purported to be government documents but for which no source is provided, or the source is a third-party website.'" Pls.' Reply at 3. Here, you neglect to note that the reason Defendants object to notice of such documents is because "Plaintiffs have not . . . provided an adequate foundation for the Court to take judicial notice." Defs.' Resp. at 2. Providing such a foundation is Plaintiffs' burden, and it is Defendants' position that Plaintiffs have not yet carried that burden.

The foregoing notwithstanding, in light of the additional information provided by Plaintiffs regarding the source of various documents, we have reviewed our previous positions and, applying the same principles set forth in our response brief, adjusted our position on certain documents as follows:

Exhibit #	Government's original position	Government's new position
4	Objection: foundation inadequate	No position
6	Objection: foundation inadequate	No objection
7	Objection: foundation inadequate	No objection
13	Objection: foundation inadequate	No position
17	Objection: foundation inadequate	No position
18	Objection: foundation inadequate	No objection
19	Objection: foundation inadequate	No position
24	Objection: foundation inadequate	No position
29	Objection: foundation inadequate	No position
37	No position	No objection
107	Objection: foundation inadequate	No position
129	Objection: foundation inadequate	No position
130	Objection: foundation inadequate	No position
167	No position	No objection
252	No position	No objection
295	No position	Objection – no need to seek judicial notice of caselaw
307	Objection: foundation inadequate	No objection
310	Objection: foundation inadequate	No objection
326	Objection: foundation inadequate	No position
338	Objection: foundation inadequate	No position
343	Objection: foundation inadequate	No position
350	Objection: foundation inadequate	No position

After subtracting the documents for which Plaintiffs no longer seek judicial notice, *see* Decl. of Andrea K. Rodgers ¶ 4, ECF No. 332, and accounting for the changes we propose in the table above, there are now 55 documents as to which the United States takes no position. The United States takes no position on these 55 documents because the documents are not in the possession of, and were not produced by, a government agency that is a party to this lawsuit. Defendants are in no better a position to confirm the authenticity of the documents than

Plaintiffs, whose burden it is to establish that such documents satisfy the standards of Federal Rule of Evidence 201.

In addition, there remain 16 documents for which the United States objects to judicial notice. These consist of the following:

- Five documents to which the United States objected in its response brief and for which Plaintiffs have not provided any additional information to establish authenticity (20, 110, 299, 316, 334). For exhibits 20 and 334, Plaintiffs provide no information about the location of the hard copy document, thereby preventing Defendants, or the Court, from confirming its existence. Exhibits 299 and 316 are the same document and the only source provided is a questionable third party website. The original URL provided by Plaintiffs for exhibit 110 is a questionable third party website and the new URL links to a different document.
- Eight documents for which the URL that Plaintiffs provide fails to link to the relevant document (249, 250, 251, 305, 306, 308, 309, 311). In each of these instances, the URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed. Thus, Plaintiffs have not provided adequate foundational information to justify judicial notice. Defendants note that Plaintiffs have also provided no foundation for the spreadsheet that they provided by email on August 8, 2018 as exhibit 311. The URL for exhibit 311 does not link to the spreadsheet, and Plaintiffs provide no explanation of where and how they located the spreadsheet.
- Two documents for which Plaintiffs have provided a URL that links to a video recording by a third party on a third party website (100, 102). Because the URL provides no information about the source of the video or whether and how it has been edited, there is insufficient foundation for the videos.
- One document which is a court decision (295). Federal Rule of Evidence 201 provides for judicial notice of “adjudicative facts.” Fed. R. Evid. 201. Adjudicative facts are “the facts of the particular case,” as compared to “legislative facts” which involve “legal reasoning and the lawmaking process.” Fed. R. Evid. 201, advisory comm. note. Because court decisions go to legal reasoning rather than the facts of this case, they are not appropriate for judicial notice. *See, e.g., Lemieux v. Cwalt, Inc.*, No. CV 15-77-BU-JCL, 2017 WL 365481, at *1 (D. Mont. Jan. 25, 2017) (“[B]ecause these statutes, cases, and regulations are ‘legislative facts’ rather than ‘adjudicative facts,’ they are not appropriate for judicial notice.”); *Blye v. Cal. Supreme Court*, No. CV 11-5046-DWM, 2014 WL 295022, at *1 (N.D. Cal. Jan. 21, 2014) (refusing to take judicial notice of Supreme Court decision because the existence of that decision does not “meet[] the test for relevant evidence set forth by the Rules of Evidence”).

In sum, as noted in our response brief, Defendants do not object to the Court taking judicial notice of the existence and authenticity of documents to which Defendants have “no objection.” Defendants take no position as to documents whose authenticity they have not confirmed, and it remains Plaintiffs burden under Federal Rule of Evidence 201 to establish that

the existence and authenticity of such documents is “generally known” or “can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Defendants maintain that it would not be appropriate for the Court to take judicial notice of the existence and authenticity of documents for which Plaintiffs have not provided an adequate foundation.

As to the 16 documents to which Defendants object, Defendants remain available to meet and confer if Plaintiffs believe they can provide an adequate foundation. In any event, Plaintiffs should revise their reply so as to correct the inaccuracies identified in this letter and to apprise the Court of the parties’ respective positions in light of the additional information that Plaintiffs provided.

Sincerely,

/s/ Sean Duffy
Sean Duffy

cc: Marissa Piropato
Frank Singer
Clare Boronow

Exhibits with No Objections

June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants; Corrections to Numbering
6	Environmental Quality: The Eighth Annual Report of the Council on Environmental Quality	1977	P00000030011- P00000030486	Council on Environmental Quality	https://ceq.doe.gov/ceq-reports/annual_environmental_quality_reports.html	11/29/2016	Previously objection: foundation inadequate
7	Environmental Quality: The Eleventh Annual Report of the Council of Environmental Quality	Dec. 1980	P00000030566- P00000031149	Council on Environmental Quality	https://ceq.doe.gov/ceq-reports/annual_environmental_quality_reports.html	11/29/2016	Previously objection: foundation inadequate
8	Solar Energy: Progress and Promise	Apr. 1978	P00000030487- P00000030544	Council on Env'tl Quality	https://files.eric.ed.gov/fulltext/ED164264.pdf		
10	Global Energy Futures and the Carbon Dioxide Problem	1981	P00000031150- P00000031258	Council on Environmental Quality	http://hdl.handle.net/2027/umn.31951d003573546		
12	Proceedings of the Workshop on First Detection of Carbon Dioxide Effects	June 8-10, 1981	P00000031259- P00000031819	U.S. Dep't of Energy, Office of Energy Research	http://hdl.handle.net/2027/uc1.31822016268534		
14	Projecting the Climatic Effects of Increasing Carbon Dioxide (DOE/ER-0237)	Dec. 1985	P00000032164- P00000032575	U.S. Dep't of Energy	https://www.researchgate.net/profile/Michael_MacCracken/publication/236534420_Projecting_the_Climatic_Effects_of_Increasing_Carbon_Dioxide/links/568edcd108aead3f42f075b4.pdf		
15	Detecting the Climatic Effects of Increasing Carbon Dioxide (DOE/ER-0235)	Dec. 1987	P00000032917- P00000033145	U.S. Dep't of Energy	https://www.osti.gov/servlets/purl/6264945		
16	Atmospheric Carbon Dioxide and Global Carbon Cycle (DOE/ER-0239)	1985	P00000032576- P00000032916	U.S. Dep't of Energy	https://www.osti.gov/servlets/purl/6048470		
18	Environmental Quality: 13th Annual Report of the Council on Environmental Quality	1982	P00000031820- P00000032163	Council on Environmental Quality	https://ceq.doe.gov/ceq-reports/annual_environmental_quality_reports.html	11/29/2016	Previously objection: foundation inadequate
23	United Nations Framework Convention on Climate Change	1992	P00000033717- P00000033741	United Nations	https://unfccc.int/resource/docs/convkp/conveng.pdf		
25	Environmental Quality. Along the American River. The 1996 Report of the Council on Environmental Quality	1997	P00000039590- P00000039987	Council on Env'tl Quality	https://ceq.doe.gov/docs/ceq-reports/ceq-annual-report-1996.pdf		
26	Environmental Quality. The 1997 Report of the Council on Environmental Quality	1998	P00000034026- P00000032393	Council on Env'tl Quality	https://ceq.doe.gov/docs/ceq-reports/ceq-annual-report-1997.pdf		
27	Kyoto Protocol	1997	P00000029955- P00000029975	United Nations			
30	Scenarios of U.S Carbon Reductions: Potential Impacts of Energy Technologies by 2010 and Beyond	1997	P00000033773- P00000034025	U.S. Dept. of Energy, Office of Energy Efficiency and Renewable Energy	https://www.osti.gov/biblio/814844-scenarios-carbon-reductions-potential-impacts-energy-efficient-low-carbon-technologies-beyond		
31	Environmental Benefits of Advanced Oil and Gas Exploration and Production Technology	1999	P00000034394- P00000034561	U.S. Dep't of Energy	https://www.osti.gov/servlets/purl/771125		
35	Second National Assessment: Global Climate Change Impacts in the United States	June 2009	P00000034774- P00000034969	U.S. Global Change Research Program	https://downloads.glob alchange.gov/usimpacts/pdfs/climate-impacts-report.pdf		
36	Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act	Dec. 2009	P00000036586- P00000036637	U.S. EPA	https://www.gpo.gov/fdsys/pkg/FR-2009-12-15/pdf/E9-29537.pdf		
37	Climate Change Indicators in the United States (3d ed.)	2014	P00000035635- P00000035744	U.S. EPA	https://nepis.epa.gov/Exe/ZyPURL.cgi?Dockey=P100IWOH.txt	5/10/2017	Previously no position
38	Climate Change Impacts in the United States: Third National Climate Assessment	2014	P00000035745- P00000036585	U.S. Global Change Research Program	http://s3.amazonaws.com/nc a2014/high/NCA3_Climate_Change_Impacts_in_the_United%20States_HighRes.pdf		
40	Agriculture and Climate Change	Oct. 14, 2016	P00000007224- P00000007226	USDA, Econ. Research Service	https://www.ers.usda.gov/topics/natural-resources-environment/climate-change/agriculture-andclimate-change/	Mar. 19, 2018	
41	Land Areas of the National Forest System	Jan. 2012	P00000001268- P00000001532	USDA, Forest Service	https://www.fs.fed.us/land/staff/lar/LAR2011/LAR2011_Book_A5.pdf	Feb. 27, 2018	
42	The U.S. Forest Service – An Overview	N/D	P00000005071- P00000005122	USDA, Forest Service	https://www.fs.fed.us/sites/default/files/media/types/publication/field_pdf/USFS-overview0106MJS.pdf	June 20, 2018	
44	Land Areas of the National Forest System	Jan. 2012	P00000001268- P00000001532	USDA, Forest Service	https://www.fs.fed.us/land/staff/lar/LAR2011/LAR2011_Book_A5.pdf	June 1, 2018	

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45	Forest Products Cut and Sold from the National Forests and Grasslands	N/D	P00000007198- P00000007200	USDA, Forest Service	https://www.fs.fed.us/forestmanagement/products/cut-sold/index.shtml	Mar. 10, 2018	
46	Historic Harvest Trends: 1984 to Present	N/D	P00000005059- P00000005067	USDA, Forest Service	https://www.fs.fed.us/forestmanagement/documents/harvest-trends/NFS-HarvestHistory1984-2017.pdf	Feb. 27, 2018	
47	National Roadmap for Responding to Climate Change	Feb. 2011	P00000000986- P00000001017	USDA, Forest Service	https://www.fs.fed.us/climatechange/pdf/Roadmapfinal.pdf	Feb. 27, 2018	
48	National Report on Sustainable Forests—2010	June 2011	P00000001551- P00000001764	USDA, Forest Service	https://www.fs.fed.us/climatechange/pdf/Roadmapfinal.pdf	Mar. 18, 2018	
49	National Roadmap for Responding to Climate Change: A Summary	Sep. 2010	P00000000984- P00000000985	USDA, Forest Service	https://www.fs.fed.us/climatechange/pdf/Brochure_FINAL.pdf	Mar. 10, 2018	
50	Climate Change Advisor's Office Briefing Paper: Baseline Estimates of Carbon Stocks in Forests and Harvested Wood Products for National Forest System Units	Mar. 6, 2015	P00000004462- P00000004464	USDA, Forest Service	https://www.fs.fed.us/climatechange/documents/CarbonAssessmentsBriefingPaper.pdf	Mar. 10, 2018	
52	Forests and Carbon Storage	N/D	P00000007206- P00000007219	Mike Ryan; USDA, Forest Service	https://www.fs.usda.gov/ccrc/print/topics/forests-carbon	Mar. 10, 2018	
53	Total Carbon Storage in U.S. Forests by State and Ownership Group	July 21, 2014	P00000004497- P00000004498	USDA, Forest Service, Forest Inventory and Analysis Program	https://www.fia.fs.fed.us/Forest%20Carbon/methods/docs/2014/Total%20forest%20carbon2014_0721.xlsx	Mar. 10, 2018	
54	U.S. Forest Carbon Calculation Tool: Forest-Land Carbon Stocks and Net Annual Stock Change	Jan. 8, 2010	P00000000794- P00000000831	James E. Smith; USDA, Forest Service	https://www.nrs.fs.fed.us/pubs/gtr/gtr_nrs13R.pdf	Mar. 10, 2018	
56	The Rising Cost of Wildfire Operations: Effects on the Forest Service's Non-Fire Work	Aug. 4, 2015	P00000004767- P00000004782	USDA, Forest Service	https://www.fs.fed.us/sites/default/files/2015-FireBudget-Report.pdf	Mar. 10, 2018	
57	Federal Firefighting Costs (Suppression Only)	N/D	P00000005070	National Interagency Fire Center	https://www.nifc.gov/fireInfo/fireInfo_documents/SuppCosts.pdf	Feb. 27, 2018	
58	Forest Service Wildland Fire Suppression Costs Exceed \$2 Billion	Sep. 14, 2017	P00000007079- P00000007081	USDA	https://www.usda.gov/media/press-releases/2017/09/14/forest-service-wildland-firesuppression-costs-exceed-2-billion	Mar. 10, 2018	
59	Climate Change Impacts in the United States: The Third National Climate Assessment	May 2014	P00000003301- P00000004141	US Global Change Research Program	http://s3.amazonaws.com/nca2014/low/NCA3_Climate_Change_Impacts_in_the_United_States_LowRes.pdf?download=1	June 12, 2018	
60	Science Update: Western Forests, Fire Risk, and Climate Change	Jan. 2004	P00000005557- P00000005567	Valerie Rapp	https://www.fs.fed.us/pnw/pubs/science-update-6.pdf	Feb. 27, 2018	
61	Effects of Climatic Variability and Change on Forest Ecosystems: A Comprehensive Science Synthesis for the U.S. Forest Sector	Dec. 2012	P00000001791- P00000002072	USDA, Forest Service	https://www.usda.gov/oc/climate_change/effects_2012/FS_Climate1114_opt.pdf	June 20, 2018	
62	Climate Change and Agriculture in the United States: Effects and Adaptation	Feb. 2013	P00000002073- P00000002265	C. L. Walthall; USDA	https://www.usda.gov/oc/climate_change/effects_2012/CC%20and%20Agriculture%20Report%20(02-04-2013)lb.pdf	Feb. 27, 2018	
63	Climate Solutions	N/D	P00000007220- P00000007221	USDA	https://www.usda.gov/topics/climate-solutions	Mar. 13, 2018	
64	Carbon Sequestration	N/D	P00000007222- P00000007223	Nat'l Resource Conservation Serv.	https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs144p2_066823.pdf	Mar. 18, 2018	
70	Grazing Statistical Summary: FY2015	Mar. 2016	P00000004816- P00000004925	USDA, Forest Service	https://www.fs.fed.us/rangeland-management/documents/grazingstats/2010s/GrazingStatisticalSummaryFY2015.pdf	Feb. 27, 2018	
71	Agriculture and Forestry Greenhouse Gas Inventory: 1990–2008	June 2011	P00000005123- P00000005284	USDA	https://www.usda.gov/oc/climate_change/AFGG_Inventory/USDA_GHG_Inv_1990-2008_June2011.pdf	June 20, 2018	
73	Welcome to Minerals & Geology Management (MGM)	Mar. 23, 2018	P00000007227- P00000007229	USDA, Forest Service	https://www.fs.fed.us/geology/index.html	June 20, 2018	

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June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants; Corrections to Numbering
75	Coal	Jan. 2, 2013	P0000007192- P0000007193	USDA, Forest Service	https://www.fs.fed.us/ geology/energyCoal.ht ml	Mar. 10, 2018	
77	Strategic Sustainability Performance Plan	N/D	P0000001765- P0000001790	USDA		June 12, 2018	
78	Climate Change Mitigation Strategies in the Forest and Agriculture Sectors	June 1995	P0000000001- P0000000084	EPA and USFS		June 12, 2018	
79	Carbon dioxide effects research and assessment program: A comprehensive plan. Part I: The global carbon cycle and climatic effects of increasing carbon dioxide	Aug. 1980	P00000010000- P00000010099	David H. Slade, USDOE Office of Health and Environmental Research, Carbon Dioxide and Climate Division	https://www.osti. gov/servlets/purl/5046001	Apr. 27, 2018	
81	Projecting the Climatic Effects of Increasing Carbon Dioxide (DOE/ER-0237)	Dec. 1985	P00000010100- P00000010511	Michael C. MacCracken & Frederick M. Luther,	https://www.osti. gov/biblio/5885458	Apr. 27, 2018	
82	U.S. Energy Sector Vulnerabilities to Climate Change and Extreme Weather	July 2013	P00000017302- P00000017385	Craig Zamuda, USDOE Office of Policy and International Affairs	https://www.energy.gov/sites /prod/files/2013/07/f2/20130710- Energy-Sector-Vulnerabilities- Report.pdf	Feb. 27, 2018	
83	Department of Energy Seeks Information on Small-Scale Modular Coal-Based Power Plants of the Future	May 8, 2018	P00000017981- P00000017983	USDOE, Office of Fossil Energy	https://www.energy.gov/artic les/department-energy-seeks- information-small-scale-modular- coal-based-power-plants-future	June 13, 2018	
84	How to Obtain Authorization to Import and/or Export Natural Gas and LNG	N/D	P00000017944- P00000017947	USDOE, Office of Fossil Energy	https://www.energy.gov/fe/s ervices/natural-gas- regulation/how-obtain- authorization-import-and- export-natural-gas-and-lng	Apr. 27, 2018	
85	Long Term Applications Received by DOE/FE to Export Domestically Produced LNG from the Lower-48 States (as of March, 16, 2018)	Mar. 16, 2018	P00000017927- P00000017933	USDOE, Office of Fossil Energy	https://www.energy.gov/sites /prod/files/2018/03/f49/Sum mary%20of%20LNG%20Ex port% 20Applications.pdf	Apr. 27, 2018	
86	LNG Monthly (YTD – Through December 2016)	N/D	P00000012109- P00000012120	USDOE, Office of Fossil Energy	https://www.energy.gov/sites /prod/files/2017/03/f34/LNG % 202016_0.pdf	Apr. 27, 2018	
87	Secretary Ross and Secretary Perry Hail New Coal Deal with Ukraine	July 31, 2017	P00000017950- P00000017955	US Department of Commerce, Office of Public Affairs	https://www.commerce.gov/ news/press- releases/2017/07/secretary- ross- and-secretary-perry- hail-new- coal-deal-ukraine	Apr. 27, 2018	
88	U.S. Energy Facts Explained: Consumption & Production	May 19, 2017	P00000017956- P00000017957	USDOE, Energy Information Administration	https://www.eia.gov/energye xplained/?page=us_energy_h ome	Apr. 27, 2018	
89	How Much Carbon Dioxide is Produced When Different Fuels Are Burned?	June 8, 2017	P00000017943	USDOE, Energy Information Administration	https://www.eia. gov/tools/faqs/faq.php? id=73&t=11	Apr. 27, 2018	
90	Strategic Petroleum Reserve	N/D	P00000017988- P00000017993	USDOE, Office of Fossil Energy	https://energy.gov/fe/services/p etroleum-reserves/strategic- petroleum-reserve	June 13, 2018	
91	Long Term Strategic Review of the U.S. Strategic Petroleum Reserve: Report to Congress	Aug. 2016	P00000011652- P00000011774	Ernest J. Moniz, USDOE	https://www.energy.gov/sites /prod/files/2016/09/f33/Long - Term%20Strategic%20Revie w% 20of%20the%20U.%20S.% 20Strategic%20Petroleum % 20Reserve%20Report%20t o% 20Congress_0.pdf	Mar. 1, 2018	
92	Appliance and Equipment Standards Program	N/D	P00000017934- P00000017939	USDOE Office of Energy Efficiency & Renewable Energy	https://www.energy.gov/eere /buildings/appliance-and- equipment-standards- program	Apr. 27, 2018	
93	Deep Energy Retrofit Guidance for the Building America Solutions Center	2015	P00000011199- P00000011293	Brennan Less & Iain Walker, USDOE Lawrence Berkeley National Laboratory, Environmental Energy Technologies Division	https://eta.lbl.gov/sites/defau lt/files/publications/brennan_ less_- _deep_energy_retrofit_guida nce_for_the_building_ameri ca_solutions_center.pdf	June 13, 2018	
95	Federal MultiAgency Collaboration on Unconventional Oil and Gas Research: A Strategy for Research & Development	July 18, 2018	P00000011180- P0000001119	USDOE, USDO, USEPA	https://www.energy.gov/sites /prod/files/2017/04/f34/Multi agency_UOG_Research_Stra tegy. pdf	June 13, 2018	

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June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants; Corrections to Numbering
96	FOTW #1022, March 26, 2018: U.S. Crude Oil Exports Skyrocketed in 2016 and 2017	Mar. 26, 2018	P00000017994-P00000017996	USDOE, Office of Energy Efficiency and Renewable Energy, Vehicle Technologies Office	https://www.energy.gov/eere/vehicles/articles/fotw-1022-march-26-2018-us-crude-oil-exports-skyrocketed-2016-and-2017	June 13, 2018	
97	Wind Vision: A New Era for Wind Power in the United States	Apr. 2015	P00000011294-P00000011641	USDOE	https://www.energy.gov/sites/prod/files/WindVision_Report_fi_nal.pdf	June 13, 2018	
98	Methane Hydrate	N/D	P00000017984-P00000017987	USDOE, Office of Fossil Energy	https://www.energy.gov/fe/science-innovation/oil-gas-research/methane-hydrate	June 13, 2018	
99	Federal MultiAgency Collaboration on Unconventional Oil and Gas Research: A Strategy for Research & Development	July 18, 2014	P00000011180-P00000011119	USDOE, USDOL, USEPA	https://www.energy.gov/sites/prod/files/2017/04/f34/Multiagency_UOG_Research_Strategy.pdf	June 13, 2018	
101	Secretary Ross and Secretary Perry Hail New Coal Deal with Ukraine	July 31, 2017	P00000017950-P00000017955	US Department of Commerce, Office of Public Affairs	https://www.commerce.gov/news/press-releases/2017/07/secretary-ross-	Apr. 27, 2018	
103	Revolution... Now: The Future Arrives for Five Clean Energy Technologies – 2016 Update	Sept. 2016	P00000011775-P00000011804	Paul Donohoo-Vallett, USDOE Office of Energy Efficiency & Renewable Energy	https://www.energy.gov/sites/prod/files/2016/09/f33/RevolutionNow%202016%20Report_2.pdf	June 13, 2018	
104	Federal MultiAgency Collaboration on Unconventional Oil and Gas Research: A Strategy for Research & Development	July 18, 2014	P00000011180-P00000011119	USDOE, USDOL, USEPA	https://www.energy.gov/sites/prod/files/2017/04/f34/Multiagency_UOG_Research_Strategy.pdf	June 13, 2018	
105	Strategic Plan	May 2011	P00000029877-P00000029936	USDOE	https://www.energy.gov/sites/prod/files/2011/DOE_Strategic_Plan.pdf	June 1, 2018	
106	Strategic Plan 2014-2018	Mar. 2014	P00000011148-P00000011179	USDOE	https://www.energy.gov/sites/prod/files/2014/04/f14/2014_dept_energy_strategic_plan.pdf	June 13, 2018	
109	U.S. Will Be The World's Largest Oil Producer By 2023, Says IEA	Mar. 5, 2018	P00000017978-P00000017979	The White House	https://www.whitehouse.gov/briefings-statements/u-s-will-worlds-largest-oil-producer-2023-says-iea/	June 13, 2018	
111	President Donald J. Trump Unleashes America's Energy Potential	June 27, 2017	P00000017966-P00000017970	The White House	https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-unleashes-americas-energy-potential/	June 13, 2018	
112	President Donald J. Trump's Six Months of America First	July 20, 2017	P00000017971-P00000017977	The White House	https://www.whitehouse.gov/briefings-statements/president-donald-j-trumps-six-months-america-first/	June 13, 2018	
113	Statement from the Press Secretary on Fuel-Secure Power Facilities	June 1, 2018	P00000017980	The White House	https://www.whitehouse.gov/briefings-statements/statement-press-secretary-fuel-secure-power-facilities/	June 13, 2018	
115	Presidential Memorandum Regarding Construction of the Keystone XL Pipeline	Jan. 24, 2017	P00000020399-P00000020401	Office of the President	https://www.whitehouse.gov/presidential-actions/presidential-memorandum-regarding-construction-keystone-xl-pipeline/	June 18, 2018	
117	Bureau of Energy Resources	N/D	P00000020414-P00000020416	Department of State	https://www.state.gov/e/enr/index.htm (last visited June 5, 2018)	June 20, 2018	
118	Press Releases, "Central American Senior-Level Natural Gas Policy and Investment Roundtable"	Apr. 16, 2018	P00000020417-P00000020418	Department of State	https://www.state.gov/r/pa/prs/ps/2018/04/280511.htm	June 20, 2018	
119	News & Events, Remarks by DAS Sandra Oudkirk, Bureau of Energy Resources, at Martens Centre in Brussels	March 20, 2018	P00000020402-P00000020411	Department of State	https://useu.usmission.gov/remarks-das-sandra-oudkirk-bureau-energy-resources-martens-centre-brussels/	June 18, 2018	
120	Releases and Fact Sheets, Remarks at the U.S. Gas Infrastructure Exports Initiative Launch Event	Nov. 17, 2017	P00000020412-P00000020413	Department of State	https://www.state.gov/e/enr/rls/2017/275826.htm	June 18, 2018	
121	Remarks at the Platts 40th Coal Marketing Conference	Sept. 26, 2017	P00000020419-P00000020423	Department of State	https://www.state.gov/e/enr/rls/2017/274576.htm	June 20, 2018	
122	Three Presidential Permits Issued for U.S-Mexico Pipelines	June 29, 2017	P00000020424-P00000020425	Department of State	https://www.state.gov/r/pa/prs/ps/2017/06/272288.htm	June 20, 2018	
123	Issuance of Presidential Permit to TransCanada for Keystone XL Pipeline	Mar. 24, 2017	P00000020426-P00000020427	Department of State	https://www.state.gov/r/pa/prs/ps/2017/03/269074.htm	June 20, 2018	

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124	Acting Special Envoy Mary Bruce Warlick's Remarks for Petroleum Equipment and Services Association Members and Foreign and Civil Service Oil and Gas Industry Training Session Participants	Feb. 8, 2017	P00000020428- P00000020431	Department of State	https://www.state.gov/e/enr/rls/2017/268180.htm	June 20, 2018	
125	Office of Global Change, Remarks, Briefings, Reports and Releases	Nov. 16, 2017	P00000020432	Department of State	https://www.state.gov/e/oes/climate/rmks/index.htm	June 20, 2018	
126	FY 2014 Climate Change Adaptation Plan (unclassified)	N/D	P00000020333- P00000020355	Department of State	https://www.state.gov/documents/organization/233779.pdf	June 18, 2018	
127	Observations by the United States of America on the Relationship Between Climate Change and Human Rights	N/D	P00000020325- P00000020332	Department of State	https://www.state.gov/documents/organization/138855.pdf	June 18, 2018	
131	Climate Adaptation Plan: Ensuring Transportation Infrastructure and System Resilience	2014	P00000028083- P00000028111	U.S. Dep't of Transp.	https://www.transportation.gov/sites/dot.dev/files/docs/DOT%20Adaptation%20Plan.pdf	Apr. 26, 2018	
132	Transportation's Role in Reducing U.S. Greenhouse Gas Emissions: Volume 1 Synthesis Report	Apr. 2010	P00000028491- P00000029095	U.S. Dep't of Transp.	na	Apr. 26, 2018	
133	Sources of Greenhouse Gas Emissions	N/D	P00000029759- P00000029775	U.S. Env'tl. Prot. Agency	https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions	June 14, 2018	
134	Research, Development, and Technology Strategic Plan	Dec. 2016	P00000026778- P00000026909	U.S. Dep't of Transp.	https://www.transportation.gov/sites/dot.gov/files/docs/USDOT-RD%26T-Strategic-Plan-Final-011117.pdf	Apr. 26, 2018	
135	March 2018: Monthly Energy Review	Mar. 27, 2018	P00000027839- P00000028082	U.S. Energy Info. Admin.,	https://www.eia.gov/totalenergy/data/monthly/pdf/mer.pdf	Apr. 26, 2018	
136	Transportation Energy Data Book	Dec. 2017	P00000027319- P00000027718	Oak Ridge Nat'l Lab	https://cta.ornl.gov/data/index.shtml	Apr. 26, 2018	
137	Use of Energy in the United States Explained		P00000028377- P00000028378	U.S. Energy Info. Admin.,	na	Apr. 21, 2018	
138	Transportation Statistics Annual Report	2016	P00000026910- P00000027155	U.S. Dep't of Transp., Bureau of Transp. Statistics,	https://www.bts.gov/sites/bts.dot.gov/files/docs/TSAR_2016.pdf	June 14, 2018	
139	March 2018: Monthly Energy Review	Mar. 27, 2018	P00000027839- P00000028082	U.S. Energy Info. Admin.	https://www.eia.gov/totalenergy/data/monthly/pdf/mer.pdf	Apr. 26, 2018	
140	Power Sector Carbon Dioxide Emissions Fall Below Transportation Sector Emissions	Dec. 19, 2017	P00000027314- P00000027316	U.S. Energy Info. Admin.	https://www.eia.gov/todayinenergy/detail.php?id=34192	Apr. 26, 2018	
141	Transportation Energy Data Book	Dec. 2017	P00000027319- P00000027718	Oak Ridge Nat'l Lab	https://cta.ornl.gov/data/index.shtml	Apr. 26, 2018	
142	Carbon Intensity of Energy Use is Lowest in U.S. and Electric Power Sectors	May 1, 2017	P00000027317- P00000027318	U.S. Energy Info. Admin.:	https://www.eia.gov/todayinenergy/detail.php?id=31012	Apr. 26, 2018	
143	Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends: 1975 Through 2017	Jan. 2018	P00000028212- P00000028369	U.S. Env'tl. Prot. Agency	https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100TGDW.pdf	Apr. 26, 2018	
144	Research, Development, and Technology Strategic Plan: FY 2017–2021	Dec. 2016	P00000026778- P00000026909	U.S. Dep't of Transp	https://www.transportation.gov/sites/dot.gov/files/docs/USDOT-RD%26T-Strategic-Plan-Final-011117.pdf	Apr. 26, 2018	
145	Transportation Statistics Annual Report	2016	P00000026910- P00000027155	U.S. Dep't of Transp	https://www.bts.gov/sites/bts.dot.gov/files/docs/TSAR_2016.pdf	June 14, 2018	
146	Fast Facts: U.S. Transportation Sector Greenhouse Gas Emissions 1990–2015	July 2017	P00000028476- P00000028480	U.S. Env'tl. Prot. Agency	https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100S7NK.pdf	Apr. 22, 2018	
147	Use of Energy in the United States Explained: Energy Use for Transportation	May 17, 2017	P00000028375- P00000028376	U.S. Energy Info. Admin	https://www.eia.gov/energyexplained/?page=us_energy_transportation#tab2	Apr. 27, 2018	
148	Transportation Energy Data Book	Dec. 2017	P00000027319- P00000027718	Oak Ridge Nat'l Lab	https://cta.ornl.gov/data/index.shtml	Apr. 26, 2018	
149	2016 Strategic Sustainability Performance Plan	June 2016	P00000028379- P00000028467	U.S. Dep't of Transp	https://cms.dot.gov/sites/dot.gov/files/2016%20DOT%20SSPP%20Final_Complete_Sept_2016.pdf	Apr. 26, 2018	
150	Transportation Energy Data Book	Dec. 2017	P00000027319- P00000027718	Oak Ridge Nat'l Lab.	https://cta.ornl.gov/data/index.shtml	Apr. 26, 2018	
151	Corporate Average Fuel Economy (CAFE) Standards	N/D	P00000028468- P00000028470	U.S. Dep't of Transp	https://www.transportation.gov/mission/sustainability/corporate-average-fuel-economy-cafe-standards	Apr. 26, 2018	

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152	Information about Corporate Average Fuel Economy (CAFE) Standards	Feb. 2010	P00000029776	U.S. Dep't of Transp	https://www.nhtsa.gov/staticfiles/laws_regs/pdf/811286.pdf	June 14, 2018	
153	Transportation Energy Data Book	Dec. 2017	P00000027319- P00000027718	U.S. Dep't of Transp	https://cta.ornl.gov/data/index.shtml	Apr. 26, 2018	
154	Research, Development, and Technology Strategic Plan: FY 2017–2021	Dec. 2016	P00000026778- P00000026909	U.S. Dep't of Transp	https://www.transportation.gov/sites/dot.gov/files/docs/USDOT-RD%26T-Strategic-Plan-Final-011117.pdf	Apr. 26, 2018	
155	Transportation Statistics Annual Report	2016	P00000026910- P00000027155	U.S. Dep't of Transp	https://www.bts.gov/sites/bts.dot.gov/files/docs/TSAR_2016.pdf	June 14, 2018	
156	March 2018: Monthly Energy Review	Mar. 27, 2018	P00000027839- P00000028082	U.S. Energy Info. Admin	https://www.eia.gov/totalenergy/data/monthly/pdf/mer.pdf	Apr. 26, 2018	
157	Table A-22: Long-Distance Trips and Trip Miles by Mode, in Millions	May 20, 2017	P00000029777- P00000029778	Bureau of Transp. Statistics	https://www.bts.gov/archive/publications/highlights_of_the_2001_national_household_travel_survey/table_a22	June 14, 2018	
158	Supplemental Table A: Means of Transportation by Selected Characteristics: 2009	2009	P00000026461- P00000026465	U.S. Census Bureau	https://www2.census.gov/programs-surveys/commuting/tables/2009/a-cs-15/means-of-transportation.pdf	June 14, 2018	
159	Public Transportation's Role in Responding to Climate Change	Jan. 2010	P00000026758- P00000026777	U.S. Dep't of Transp	https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/PublicTransportationRoleInRespondingToClimateChange2010.pdf	June 14, 2018	
161	Feasibility and Implications of Electric Vehicle (EV) Deployment and Infrastructure Development	Jan. 2015	P00000026517- P00000026757	U.S. Dep't of Transp	https://www.fhwa.dot.gov/environment/sustainability/energy/publications/ev_deployment/fhwahep15021.pdf	Apr. 26, 2018	
163	FHWA NHTS Brief: Electric Vehicle Feasibilit	July 2016	P00000028370- P00000028373	U.S. Dep't of Transp	https://nhts.ornl.gov/briefs/EVFeasibility20160701.pdf	Apr. 26, 2018	
165	Transportation Statistics Annual Report	2016	P00000026910- P00000027155	U.S. Dep't of Transp	https://www.bts.gov/sites/bts.dot.gov/files/docs/TSAR_2016.pdf	June 14, 2018	
166	NHTSA Tire Fuel Efficiency Consumer Information Program Development: Phase 1 – Evaluation of Laboratory Test Protocols	May 2009	P00000026357- P00000026460	U.S. Dep't of Transp	https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/fmvss/Laboratory_Test_Protocols.pdf	Apr. 26, 2018	
167	Tire Fuel Efficiency Consumer Information—Part 2	2016	P00000029779- P00000029780	Office of Info. & Reg. Affairs	https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201610&RIN=2127-AK76	6/15/18	Previously no position
168	Gas Pipeline Miles by System Type – 2017	2017	P00000028374	PHMSA	https://www.phmsa.dot.gov/faqs/general-pipeline-faqs	Apr. 26, 2018	
169	Transportation Statistics Annual Report	2016	P00000026910- P00000027155	U.S. Dep't of Transp	https://www.bts.gov/sites/bts.dot.gov/files/docs/TSAR_2016.pdf	June 14, 2018	
170	U.S. Natural Gas Regulatory Authorities	N/D	P00000029786- P00000029787	U.S. Energy Info. Admin.,	https://www.eia.gov/naturalgas/archive/analysis_publications/ngpipeline/regulatory.html	June 15, 2018	
171	General Pipeline FAQs	Feb. 14, 2018	P00000029781- P00000029785	PHMSA	https://www.phmsa.dot.gov/faqs/general-pipeline-faqs	June 15, 2018	
172	Annual Report Mileage for Natural Gas Transmission & Gathering Systems	Apr. 4, 2018	P00000028471- P00000028473	PHMSA	https://www.phmsa.dot.gov/data-and-statistics/pipeline/annual-report-mileage-natural-gas-transmission-gathering-systems	Apr. 22, 2018	
173	Annual Report Mileage for Gas Distribution System	Apr. 4, 2018	P00000029096- P00000029098	PHMSA	https://www.phmsa.dot.gov/data-and-statistics/pipeline/annual-report-mileage-gas-distribution-systems	Apr. 26, 2018	
174	Underground Natural Gas Storage	N/D	P00000029099- P00000029100	PHMSA	https://primis.phmsa.dot.gov/ung/index.htm	May 8, 2018	
175	Natural Gas Consumption (Billion Cubic Feet)	N/D	P00000029805- P00000029809	Bureau of Transp. Statistics	https://www.transtats.bts.gov/osea/seasonaladjustment/?PageVar=NATURAL_GAS	June 21, 2018	
176	Pipeline Spills	June 2018	P00000029804	PHMSA	https://hip.phmsa.dot.gov/ (last visited Apr. 25, 2018) (access through search in Pipeline Data Mart). https://www.phmsa.dot.gov/data-and-statistics/pipeline/national-pipeline-performance-measures (access through "Accidents Impacting People or the Environment" link)	June 19, 2018	
177	Research, Development, and Technology Strategic Plan: FY 2017–2021	Dec. 2016	P00000026778- P00000026909	U.S. Dep't of Transp	https://www.transportation.gov/sites/dot.gov/files/docs/USDOT-RD%26T-Strategic-Plan-Final-011117.pdf	Apr. 26, 2018	

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178	Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990-2016	2018	P00000029104-P00000029758	U.S. Env'tl. Protection Agency	https://www.epa.gov/sites/production/files/2018-01/documents/2018_complete_report.pdf	June 15, 2018	
179	Overview	N/D	P00000028474-P00000028475	Fed. Railroad Admin	https://www.fra.dot.gov/Page/P0351	Apr. 22, 2018	
180	Freight Facts and Figures 2017	2017	P00000027156-P00000027263	U.S. Dep't of Transp	https://www.bts.gov/sites/bts.dot.gov/files/docs/FFF_2017.pdf	June 15, 2018	
181	Movements of Crude Oil and Selected Products by Rail	N/D	P00000028481-P00000028482	U.S. Energy Info. Admin.,	https://www.eia.gov/dnav/pet/pet_move_railNA_a_EPCO_RAIL_mbbi_a.htm	Apr. 22, 2018	
183	Transportation Statistics Annual Report	2016	P00000026910-P00000027155	U.S. Dep't of Transp	https://www.bts.gov/sites/bts.dot.gov/files/docs/TSAR_2016.pdf	June 14, 2018	
185	Airline Fuel Cost and Consumption (U.S. Carriers – Scheduled)	2018	P00000029788-P00000029795	U.S. Dep't of Transp	https://www.transtats.bts.gov/fuel.asp	June 15, 2018	
186	Aviation Emissions, Impacts & Mitigation: A Primer	Jan. 2015	P00000026475-P00000026516	Fed. Aviation Admin	https://www.faa.gov/regulations_policies/policy_guidance/envir_policy/media/Primer_Jan2015.pdf	May 8, 2018	
187	Aviation Environmental and Energy Policy Statement	July 2012	P00000026466-P00000026474	Fed. Aviation Admin	https://www.faa.gov/about/office_org/headquarters_offices/apl/envir_policy_guidance/policy/media/FAA_EE_Policy_Statement.pdf	May 8, 2018	
188	Busting Myths about the FAA and Unmanned Aircraft	N/D	P00000029101-P00000029103	Fed. Aviation Admin	https://www.faa.gov/news/updates/?newsid=76240	May 8, 2018	
189	Deepwater Port Licensing Program: Welcome to the Maritime Administration's Deepwater Port Licensing for LNG and Oil Webpage	N/D	P00000029796-P00000029797	MARAD	https://www.marad.dot.gov/ports/office-of-deepwater-ports-and-offshore-activities/	June 15, 2018	
190	Deepwater Port Licensing Program: Approved Applications and Operational Facilities	N/D	P00000029798-P00000029803	MARAD	https://www.marad.dot.gov/ports/office-of-deepwater-ports-and-offshore-activities/	June 15, 2018	
192	Public Land Statistics 2015	May 2016	P00000024610-P00000024885	US DOI, Bureau of Land Management	https://www.blm.gov/sites/blm.gov/files/documents/files/Public%20Land%20Statistics2015%20%281%29.pdf	Feb. 27, 2018	
194	New Energy Frontier	Jan. 13, 2012	P00000020743-P00000020756	US DOI	https://www.doi.gov/sites/doi.gov/files/uploads/FY2013_BIB_DH_027.pdf	May 1, 2018	
195	How it Works: Coal	N/D	P00000024957-P00000024962	US DOI, Natural Resources Revenue Data	https://revenue.data.doi.gov/how-it-works/coal/	May 3, 2018	
196	Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program	Jan. 15, 2016	P00000024079-P00000024088	US DOI	https://www.blm.gov/sites/blm.gov/files/programs_energyandminerals_coalSO3338.pdf	Mar. 9, 2018	
197	Energy Fast Facts	N/D	P00000024963-P00000024967	US DOI	https://www.doi.gov/energy/fast-facts	May 3, 2018	
198	Coal Data Browser	N/D	P00000024968-P00000024969	US Energy Information Administration	https://www.eia.gov/electricity/data/browser	May 3, 2018	
199	Electricity Data Browser	N/D	P00000024940-P00000024941	US Energy Information Administration	https://www.eia.gov/electricity/data/browser	Mar. 11, 2018	
200	2 Final Environmental Impact Statement: Eastern Powder River Coal Basin of Wyoming	N/D	P00000024110-P00000024327	Bureau of Land Management	https://eplanning.blm.gov/epl-frontoffice/projects/nepa/67005/82492/98469/EPRB_FEIS_Vol2.pdf	May 3, 2018	
201	BLM Oil and Gas Lease Sales Generate \$360 Million in 2017: Total Is Highest in Nearly a Decade	Jan. 31, 2018	P00000024970-P00000024972	Bureau of Land Management	https://www.blm.gov/press-release/blm-oil-and-gas-lease-sales-generate-360-million-2017	May 3, 2018	
202	Press Release: Secretary Zinke Announces Plan for Unleashing America's Offshore Oil and	Jan. 4, 2018	P00000024973-P00000024979	US DOI	https://www.doi.gov/pressreleases/secretary-zinke-announces-plan-unleashing-american-offshore-oil-and-gas-potential	May 3, 2018	
203	Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program	Jan. 15, 2016	P00000024079-P00000024088	US DOI	https://www.blm.gov/sites/blm.gov/files/programs_energyandminerals_coalSO3338.pdf	Mar. 9, 2018	
204	Coal	N/D	P00000024895-P00000024899	Bureau of Land Management	https://www.blm.gov/programs/energy-and-minerals/coal	Mar. 9, 2018	
205	Coal Data	N/D	P00000024595	Bureau of Land Management	https://www.blm.gov/programs/energy-and-minerals/coal/coal-data	Feb. 28, 2018	

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206	Instruction Memorandum: Updating Oil and Gas Leasing Reform – Land Use Planning and Lease Parcel Reviews	Jan. 31, 2018	P00000024980- P00000024989	Bureau of Land Management	https://www.blm.gov/policy/im-2018-034	May 3, 2018	
207	Oil and Gas Statistics	N/D	P00000025010	Bureau of Land Management	https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/oil-and-gas-statistics	Feb. 27, 2018	
208	New Energy Frontier	Jan. 13, 2012	P00000020743- P00000020756	US DOI	https://www.doi.gov/sites/doi.opengov.ibmcloud.com/files/uploads/FY2013_BIB_DH_027.pdf	May 1, 2018	
210	BLM Releases Statistics on Oil and Gas Activity on Federal, Indian Lands	Apr. 11, 2016	P00000025011- P00000025014	US DOI, Bureau of Land Management	https://www.blm.gov/press-release/blmreleases-statistics-oil-and-gas-activity-federal-indian-lands-0	June 14, 2018	
212	Interior Department Supported \$106 Billion in Recreation, Conservation, Water and Renewable Energy Investments, Supporting More than 860,000 Jobs in FY 2015	June 17, 2016	P00000024900- P00000024906	US DOI	https://www.doi.gov/pressreleases/interior-department-supported106-billion-recreation-conservation-water-and-renewable	Mar. 9, 2018	
213	Total Number of Leases in Effect	N/D	P00000024585- P00000024594	US DOI	https://www.blm.gov/sites/blm.gov/files/oilandgas_ogstatistics_t2_totalnumberleasesineffect.xlsx	Feb. 27, 2018	
214	Sales of Fossil Fuels Produced from Federal and Indian Lands, FY 2003 through FY 2014	July 2015	P00000024043- P00000024078	US Energy Information Administration	https://www.eia.gov/analysis/requests/federallands/pdf/eiafederallandsales.pdf	Mar. 11, 2018	
215	New Energy Frontier	Jan. 13, 2012	P00000020743- P00000020756	US DOI	https://www.doi.gov/sites/doi.opengov.ibmcloud.com/files/uploads/FY2013_BIB_DH_027.pdf	May 1, 2018	
216	Annual Summary of Production for Entire Region 2005-2018	Mar. 6, 2018	P00000024886	US DOI, Bureau of Safety and Environmental Enforcement, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Annual%20Production%202005%20-%20Present.pdf	Mar. 9, 2018	
217	Annual Summary of Production for Entire Region 2000-2004	May 4, 2006	P00000020449	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Annual%20Production%202000%20-%202004.pdf	Mar. 9, 2018	
218	Annual Summary of Production for Entire Region 1995-1999	May 4, 2006	P00000020450	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Annual%20Production%201995%20-%201999.pdf	Mar. 9, 2018	
219	Annual Summary of Production for Entire Region 1989-1994	Oct. 14, 1997	P00000024887	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Region%20Production%20by%20Year%201989-1994.pdf	Mar. 9, 2018	
220	Annual Summary of Production for Entire Region 1983-1988	Oct. 14, 1997	P00000024888	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Region%20Production%20by%20Year%201983-1988.pdf	Mar. 9, 2018	
221	Annual Summary of Production for Entire Region 1977-1982	Oct. 14, 1997	P00000024889	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Region%20Production%20by%20Year%201977-1982.pdf	Mar. 9, 2018	
222	Annual Summary of Production for Entire Region 1971-1976	Oct. 14, 1997	P00000024890	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Region%20Production%20by%20Year%201971-1976.pdf	Mar. 9, 2018	
223	Annual Summary of Production for Entire Region 1965-1970	Oct. 14, 1997	P00000024891	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Region%20Production%20by%20Year%201965-1970.pdf	Mar. 9, 2018	
224	Annual Summary of Production for Entire Region 1959-1964	Oct. 14, 1997	P00000024892	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Region%20Production%20by%20Year%201959-1964.pdf	Mar. 9, 2018	
225	Annual Summary of Production for Entire Region 1953-1958	Oct. 14, 1997	P00000024893	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Region%20Production%20by%20Year%201953-1958.pdf	Mar. 9, 2018	

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June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants; Corrections to Numbering
226	Annual Summary of Production for Entire Region 1947-1952	Oct. 14, 1997	P00000024894	US DOI, Minerals Management Service, Gulf of Mexico Region	https://www.data.boem.gov/Production/Files/Region%20Production%20by%20Year%201947-1952.pdf	Mar. 9, 2018	
227	Strategic Petroleum Reserve	N/D	P00000024907- P00000024912	US DOI, Office of Fossil Energy	https://energy.gov/fe/services/petroleum-reserves/strategic-petroleum-reserve	Mar. 9, 2018	
228	Remarks by President Trump at Signing Executive Order to Create Energy Independence	Mar. 28, 2017	P00000024990- P00000024994	The White House	https://www.whitehouse.gov/briefings-statements/remarks-president-trump-signing-executive-order-create-energy-independence	May 3, 2018	
229	2019 Beaufort Sea OCS Oil and Gas Lease Sale	N/D	P00000024995	BOEM	https://www.boem.gov/beaufort-call/	May 3, 2018	
230	BOEM to Extend Call for Information and Nominations for Proposed 2019 Beaufort Sea Lease Sale	Apr. 25, 2018	P00000024996	BOEM	https://www.boem.gov/press04252018/	May 3, 2018	
231	Presidential Memorandum Regarding Construction of the Keystone XL Pipeline	Jan. 24, 2017	P00000024997- P00000025000	The White House	https://www.whitehouse.gov/presidential-actions/presidential-memorandumregarding-construction-keystone-xl-pipeline/	May 3, 2018	
232	President Trump Takes Action to Expedite Priority Energy and Infrastructure Projects	Jan. 24, 2017	P00000025001- P00000025004	The White House	https://www.whitehouse.gov/briefings-statements/president-trump-takesaction-expedite-priority-energy-infrastructure-projects/	May 3, 2018	
233	Livestock Grazing on Public Lands	N/D	P00000024913- P00000024916	US DOI, Bureau of Land Management	https://www.blm.gov/programs/natural-resources/rangelands-and-grazing/livestock-grazing	Mar. 9, 2018	
234	Public Land Statistics 2015	May 2016	P00000024610- P00000024885	US DOI, Bureau of Land Management	https://www.blm.gov/sites/blm.gov/files/documents/files/Public%20Land%20Statistics2015%20%281%29.pdf	Feb. 27, 2018	
235	Public Land Statistics 2014	May 2015	P00000023763- P00000024042	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls14/pls2014.pdf	Feb. 27, 2018	
236	Public Land Statistics 2013	2014	P00000037603- P00000037882	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls13/pls2013.pdf	Feb. 27, 2018	
237	Public Land Statistics 2012	June 2013	P00000023479- P00000023762	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls12/pls2012.pdf	Feb. 27, 2018	
238	Public Land Statistics 2011	May 2012	P00000020757- P00000021042	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls11/pls2011.pdf	Feb. 27, 2018	
239	Public Land Statistics 2010	June 2011	P00000020453- P00000020742	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls10/pls2010.pdf	Feb. 27, 2018	
240	Public Land Statistics 2009	May 2010	P00000021043- P00000021317	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls09/pls2009.pdf	Feb. 27, 2018	
241	Public Land Statistics 2008	May 2009	P00000021318- P00000021587	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls08/pls2008.pdf	Feb. 27, 2018	
242	Public Land Statistics 2007	May 2008	P00000021588- P00000021854	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls07/pls2007.pdf	Feb. 27, 2018	
243	Public Land Statistics 2006	Apr. 2007	P00000021855- P00000022118	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls06/pls2006.pdf	Feb. 27, 2018	
244	Public Land Statistics 2005	Apr. 2005	P00000022119- P00000022379	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls05/pls2005.pdf	Feb. 27, 2018	
245	Public Land Statistics 2004	Apr. 2005	P00000022380- P00000022646	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls04/pls2004.pdf	Feb. 27, 2018	
246	Public Land Statistics 2003	N/D	P00000022647- P00000022931	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls03/pls2003.pdf	Feb. 27, 2018	
247	Public Land Statistics 2002	N/D	P00000022932- P00000023208	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls02/pls2002.pdf	Feb. 27, 2018	
248	Public Land Statistics 2001	N/D	P00000023209- P00000023478	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls01/pls2001.pdf	Feb. 27, 2018	

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252	Public Land Statistics 1996	Dec. 31, 1996	P00000024936- P00000024939	US DOI, Bureau of Land Management	https://www.gpo.gov/fdsys/pkg/GPO-DOI-BLM-PUBLAND-1996/content-detail.html U.S. Government Publishing Office	3/9/18	Previously no position
253	Interior Department Supported \$106 Billion in Recreation, Conservation, Water and Renewable Energy Investments, Supporting More than 860,000 Jobs in FY 2015	June 17, 2016	P00000024900- P00000024906	US DOI	https://www.doi.gov/pressreleases/interior-department-supported106-billion-recreation-conservation-water-and-renewable	Mar. 9, 2018	
254	Wildlife Refuge Oil and Gas Activity	Oct. 31, 2001	P00000020433- P00000020448	US Governmental Accountability Office	http://www.gao.gov/new.items/d0264r.pdf	Mar. 9, 2018	
255	Non-Federal Oil and Gas Activities on National Wildlife Refuge System Lands	Nov. 2016	P00000024328- P00000024329	US Fish and Wildlife Services	https://www.fws.gov/refuges/oil-and-gas/pdfs/Oil-Gas-Fact-sheet.pdf	Mar. 9, 2018	
256	Fact Sheet on Methane and Waste Prevention Rule	N/D	P00000024330- P00000024333	US DOI	https://www.doi.gov/sites/doi.gov/files/uploads/methane_waste_prevention_rule_factsheet.pdf	Feb. 27, 2018	
257	Regulatory Impact Analysis for 43 CFR 3179	Nov. 10, 2016	P00000024334- P00000024500	US DOI, Bureau of Land Management	https://www.regulations.gov/contentStreamer?documentId=BLM-2016-0001-9127&contentType=pdf	Feb. 27, 2018	
258	OCS Oil and Natural Gas: Potential Lifecycle Greenhouse Gas Emissions and Social Cost of Carbon	Nov. 2016	P00000024501- P00000024556	E. Wolovsky & W. Anderson; US DOI, Bureau of Ocean Energy Management	https://www.boem.gov/OCS-Report-BOEM-2016-065/	Feb. 27, 2018	
259	New Energy Frontier	Jan. 13, 2012	P00000020743- P00000020756	US DOI	https://www.doi.gov/sites/doi.gov/files/uploads/FY2013_BIB_DH_027.pdf	May 1, 2018	
260	Powering Up Renewable Energy on Public Lands	Sep. 2016	P00000024943- P00000024951	US DOI	https://www.doi.gov/blog/powering-renewable-energy-public-lands	May 1, 2018	
261	Wind Energy Fact Sheet	Mar. 2018	P00000024942	US DOI, Bureau of Land Management	https://www.blm.gov/sites/blm.gov/files/energy_renewablewindfactsheet.pdf	May 1, 2018	
262	Solar Energy Fact Sheet	Mar. 2018	P00000037602	US DOI, Bureau of Land Management	https://www.blm.gov/sites/blm.gov/files/energy_renewablesolarfactsheet.pdf	June 1, 2018	
263	Powering Up Renewable Energy on Public Lands	Sep. 12, 2016	P00000024943- P00000024951	US DOI	https://www.doi.gov/blog/powering-renewable-energy-public-lands	May 1, 2018	
264	The U.S. Geological Survey's Gas Hydrates Project	Jan. 2018	P00000024606- P00000024609	USGS	https://pubs.usgs.gov/fs/2017/3079/fs20173079.pdf	June 14, 2018	
265	Gas Hydrates on Alaska's North Slope	Nov. 11, 2008	P00000025005	Jessica Robertson; USGS	https://www.usgs.gov/media/audio/gas-hydrates-alaskas-north-slope	May 3, 2018	
266	News Release: Gas Hydrates on Alaska's North Slope Hold One of Nation's Largest Deposits of Technically Recoverable Natural Gas	Nov. 12, 2008	P00000024952- P00000024953	US DOI	https://www.doi.gov/sites/doi.gov/files/archive/news/archive/08_News_Releases/111208.html	May 1, 2018	
267	New Interior Department Survey Shows Significant Increase in Recoverable Energy Resources in Federal, State and Tribal Lands and Waters in Alaska	Dec. 22, 2017	P00000024954- P00000024956	USGS	https://www.usgs.gov/news/new-interior-department-survey-shows-significant-increase-recoverable-energy-resources-federal	May 1, 2018	
270	Annual Energy Management Report Fiscal Year 2015	June 2016	P00000019314- P00000019464	Department of Defense	https://www.acq.osd.mil/eie/downloads/ie/fy%202015%20aemr.pdf	June 13, 2018	
271	Defense	N/D	P00000020214- P00000020217	Nat'l Renewable Energy Lab.	https://www.nrel.gov/workingwithus/defense.html	June 13, 2018	
272	Comprehensive Annual Energy Data and Sustainability Performance	N/D	P00000020301- P00000020302	U.S. Dep't of Energy	http://ctsedweb.ee.doe.gov/Annual/Report/TotalSiteDeliveredEnergyUseInAllEndUseSectorsByFederalAgencyBillionBtu.aspx	June 21, 2018	
273	Today in Energy	Feb. 5, 2015	P00000020218- P00000020219	EIA	https://www.eia.gov/todayinenergy/detail.php?id=19871 (February 5, 2015)	June 13, 2018	
274	Annual Energy Management Report Fiscal Year 2015	June 2016	P00000019314- P00000019464	Department of Defense	https://www.acq.osd.mil/eie/downloads/ie/fy%202015%20aemr.pdf	June 13, 2018	
275	Implications for US National Security of Anticipated Climate Change	Sept. 21, 2016	P00000019557- P00000019569	Nat'l Intelligence Council	https://www.dni.gov/files/documents/Newsroom/Reports%20and%20Publications/Implications_for_US_National_Security_of_Anticipated_Climate_Change.pdf	May 7, 2018	

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276	Screening-Level Assessment of Projects with Respect to Sea Level Change	June 2015	P00000019290- P00000019313	U.S. Army Corps of Eng'rs	http://www.corpsclimate.us/docs/CESL_Screening_level_assessment_sea_level_change_JUN_2_015.pdf	May 7, 2018	
277	Climate Preparedness and Resilience: Climate Change Adaptation	N/D	P00000019920- P00000019921	U.S. Army Corps of Eng'rs	http://www.corpsclimate.us/ccaceslcurves.cfm	May 6, 2018	
279	Implications for US National Security of Anticipated Climate Change	Sept. 21, 2016	P00000019557- P00000019569	Nat'l Intelligence Council	https://www.dni.gov/files/documents/Newsroom/Reports%20and%20Pubs/Implications_for_US_National_Security_of_Anticipated_Climate_Change.pdf	May 7, 2018	
280	Climate-Related Risk to DoD Infrastructure: Initial Vulnerability Assessment Survey (SLVAS) Report 2	Jan. 2018	P00000019827- P00000019858	Department of Defense	https://climateandsecurity.files.wordpress.com/2018/01/tab-b-slvass-report-1-24-2018.pdf	June 13, 2018	
281	Secretary of Defense Speech, Conference of Defense Ministers of the Americas, As Prepared For Delivery by Secretary of Defense Chuck Hagel, Arequipa, Peru, October 13, 2014	Oct. 13, 2014	P00000020220- P00000020224	Department of Defense	https://www.defense.gov/News/Speeches/Speech-View/Article/605617/	June 21, 2018	
285	The Joint Operating Environment 2010	Feb. 18, 2010	P00000018694- P00000018769	U.S. Joint Forces Command	https://fas.org/man/eprint/joe2010.pdf	May 7, 2018	
288	Quadrennial Defense Review Report	Feb. 2010	P00000018566- P00000018693	Department of Defense	https://www.defense.gov/Portals/1/features/defenseReviews/QDR/QDR_as_of_29JAN10_1600.pdf	May 7, 2018	
289	Quadrennial Defense Review 2014	Mar. 4, 2014	P00000019062- P00000019149	Department of Defense	https://www.defense.gov/Portals/1/features/defenseReviews/QDR/2014_Quadrennial_Defense_Review.pdf	May 7, 2018	
290	2014 Climate Change Adaptation Roadmap	2014	P00000019221- P00000019240	Department of Defense	https://www.acq.osd.mil/eie/Downloads/CCARprint_wf_orward_e.pdf	May 7, 2018	
291	Response to Congressional Inquiry on National Security Implications of Climate-Related Risks and a Changing Climate	July 23, 2015	P00000019276- P00000019289	Department of Defense	http://archive.defense.gov/pubs/150724-congressional-report-on-national-implications-of-climate-change.pdf?source=govdelivery	May 7, 2018	
292	Implications for US National Security of Anticipated Climate Change	Sept. 21, 2016	P00000019557- P00000019569	Nat'l Intelligence Council	https://www.dni.gov/files/documents/Newsroom/Reports%20and%20Pubs/Implications_for_US_National_Security_of_Anticipated_Climate_Change.pdf	May 7, 2018	
294	Summary of the 2018 National Defense Strategy of the United States of America	2018	P00000019813- P00000019826	Department of Defense	https://www.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf	May 7, 2018	
296	Relocation Planning Project Master Plan: Kivalina, Alaska	June 2006	P00000018329- P00000018464	U.S. Army Corps of Eng'rs	http://www.poa.usace.army.mil/Portals/34/docs/civilworks/reports/KivalinaMasterPlanMainReportJune2006.pdf	May 7, 2018	
297	Alaska District, AVETA Report Summary – Shishmaref, Alaska	N/D	P00000018486- P00000018491	U.S. Army Corps of Eng'rs	http://www.poa.usace.army.mil/Portals/34/docs/civilworks/BEA/Shishmaref_Final%20Report.pdf	June 13, 2018	
300	Corps Grants Easement to Dakota Access, LLC	Feb. 8, 2017	P00000020259	U.S. Army Corps of Eng'rs	http://www.nwo.usace.army.mil/Media/News-Releases/Article/1077134/corps-grants-easement-to-dakota-access-llc/	June 13, 2018	
302	Sustainable Solutions to America's Water Resources Needs	N/D	P00000019150- P00000019185	U.S. Army Corps of Eng'rs	http://cdm16021.contentdm.oclc.org/utis/getfile/collection/p16021_coll9/id/61	May 11, 2018	
303	U.S. Army Corps of Engineers Issues Report on Nationwide Permits	Oct. 25, 2017	P00000019922- P00000019923	U.S. Army Corps of Eng'rs	http://www.usace.army.mil/Media/News-Releases/News-Release-Article-View/Article/1353578/us-army-corps-of-engineers-issues-report-on-nationwide-permits/	May 10, 2018	
304	Report on Potential Actions to Reduce Regulatory Burdens on Domestic Energy Production	Nov. 28, 2017	P00000019728- P00000019729	U.S. Army Corps of Eng'rs	82 Fed. Reg. 56,192, 56,192 (Nov. 28, 2017)	May 11, 2018	
307	Port Performance Freight Statistics Program: Annual Report to Congress		P00000019937- P00000020212	U.S. Dep't of Transp.	N/A	5/11/18	Previously objection: foundation inadequate. Duplicate of 310.
310	Port Performance Freight Statistics Program: Annual Report to Congress	2017	P00000019937- P00000020212	U.S. Dep't of Transp.	https://www.bts.dot.gov/port-performance-2017	5/11/18	Previously objection: foundation inadequate. Duplicate of 307.

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312	2014 Climate Change Adaptation Roadmap	2014	P00000019221- P00000019240	Department of Defense	https://www.acq.osd.mil/FIE/Downloads/CCARprint_wf_orward_e.pdf	May 7, 2018	
313	Secretary of Defense Speech, Halifax Int'l Security Forum (DoD Arctic Strategy)	Nov. 22, 2013	P00000020260- P00000020263	Department of Defense	http://archive.defense.gov/Speeches/Speech.aspx?SpeechID=1821	June 13, 2018	
315	Strategic Sustainability Performance Plan, FY 2016	Sept. 7, 2016	P00000019465- P00000019556	Department of Defense	https://www.denix.osd.mil/sustainability/dod-sspp/unassigned/departement-of-defense-strategic-sustainability-performance-plan-fy-2016/	May 7, 2018	
317	Strategic Environmental Research & Development Program, Assessing Impacts of Climate Change on Coastal Military Installations: Policy Implications	Jan. 2013	P00000018994- P00000019061	Department of Defense	https://climateandsecurity.files.wordpress.com/2014/01/serdp-coastal-assessment-white-paper-january-2013.pdf	June 13, 2018	
318	News Transcript, DOD News Briefing with Deputy Secretary Lynn and Assistant Secretary Burke from the Pentagon on the DOD Operational Energy Strategy	June 14, 2011	P00000020264- P00000020268	Department of Defense	http://archive.defense.gov/transcripts/transcript.aspx?transcriptid=4840	June 13, 2018	
320	Climate Change Roadmap	May 21, 2010	P00000018770- P00000018797	U.S. Navy	http://www.navy.mil/navydata/documents/CCR.pdf	June 13, 2018	
321	Navy, Energy, Environment and Climate Change	N/D	P00000020269- P00000020270	U.S. Navy	http://navysustainability.dodlive.mil/home/	June 13, 2018	
328	Regulations for Greenhouse Gas Emissions from Aircraft	Aug. 17, 2017	P00000009997- P00000009999	EPA	https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-greenhouse-gas-emissions-aircraft	June 18, 2018	
329	EPA Strategic Plan Public Review Draft	Feb. 12, 2018	P00000009270- P00000009316	EPA	https://www.epa.gov/sites/production/files/2018-02/documents/fy-2018-2022-epa-strategic-plan.pdf	June 18, 2018	
330	Climate Change in the United States: Benefits of Global Action	June 2015	P00000026257- P00000026352	EPA		June 1, 2018	
331	Projecting Future Sea Level Rise: Methodology, Estimates to the Year 2100 & Research Needs	Oct. 1983	P00000025022- P00000025149	EPA		June 1, 2018	
332	The Potential Effects of Global Climate Change on the United States Draft Report to Congress	Dec. 1989	P00000007438- P00000007908	EPA		June 18, 2018	
333	Testimony of Linda J. Fisher, Assistant Administrator for Policy, Planning, and Evaluation for the U.S. EPA	Dec. 1988	P00000025150- P00000025173	EPA		June 1, 2018	
335	Policy Options for Stabilizing Global Climate	Dec. 1990	P00000007909- P00000008481	EPA		June 18, 2018	
336	Response and Feedbacks of Forest Systems to Global Climate Change	Sept. 1990	P00000025185- P00000025353	EPA		June 1, 2018	
337	Sequestering Carbon in Soils: A Workshop to Explore the Potential for Mitigating Global Climate Change	Apr. 1991	P00000025927- P00000026026	EPA		June 1, 2018	
339	The Probability of Sea Level Rise	Oct. 1995	P00000008566- P00000008761	EPA		June 1, 2018	
340	Climate Change and the Health of Children	May 2016	P00000026353- P00000026356	EPA		June 1, 2018	
341	Global Methane Emissions from Livestock and Poultry Manure	Feb. 1992	P00000026027- P00000026247	EPA		June 1, 2018	
342	Can We Delay A Greenhouse Warming?	Sept. 1983	P00000007230- P00000007437	EPA		June 20, 2018	
344	Regulations for Greenhouse Gas Emissions from Aircraft	Aug. 17, 2017	P00000009997- P00000009999	EPA	https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-greenhouse-gas-emissions-aircraft	June 18, 2018	
345	EPA Strategic Plan Public Review Draft	Feb. 12, 2018	P00000009270- P00000009316	EPA	https://www.epa.gov/sites/production/files/2018-02/documents/fy-2018-2022-epa-strategic-plan.pdf	June 18, 2018	
346	Climate Change in the United States: Benefits of Global Action	June 2015	P00000026257- P00000026352	EPA		June 1, 2018	
347	Projecting Future Sea Level Rise: Methodology, Estimates to the Year 2100 & Research Needs	Oct. 1983	P00000025022- P00000025149	EPA		June 1, 2018	
348	The Potential Effects of Global Climate Change on the United States Draft Report to Congress	Dec. 1989	P00000007438- P00000007908	EPA		June 18, 2018	

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349	Testimony of Linda J. Fisher, Assistant Administrator for Policy, Planning, and Evaluation for the U.S. EPA	Dec. 1, 1988	P00000025150- P00000025173	EPA		June 1, 2018	
351	Policy Options for Stabilizing Global Climate	Dec. 1990	P00000007909- P00000008481	EPA		June 18, 2018	
352	Response and Feedbacks of Forest Systems to Global Climate Change	Sept. 1990	P00000025185- P00000025353	EPA		June 1, 2018	
353	Sequestering Carbon in Soils: A Workshop to Explore the Potential for Mitigating Global Climate Change	Apr. 1991	P00000025927- P00000026026	EPA		June 1, 2018	
355	The Probability of Sea Level Rise	Oct. 1995	P00000008566- P00000008761	EPA		June 1, 2018	
356	Climate Change and the Health of Children	May 2016	P00000026353- P00000026356	EPA		June 1, 2018	
357	Global Methane Emissions from Livestock and Poultry Manure	Feb. 1992	P00000026027- P00000026247	EPA		June 1, 2018	
358	Historical Geographic Place Names Removed From NOAA Charts	Aug. 4, 2014	P00000018151- P00000018154	NOAA, Office of Coast Survey	https://historicalcharts.noaa.gov/pdfs/HistoricalPlacenames_Louisiana.pdf	May 12, 2018	
359	Secretary Ross and Secretary Perry Hail New Coal Deal with Ukraine	July 31, 2017	P00000018174- P00000018178	US Dept. of Commerce	https://www.commerce.gov/news/press-releases/2017/07/secretary-ross-and-secretary-perry-hail-new-coal-deal-ukraine	June 20, 2018	
361	U.S. Exports of Crude Oil	May 31, 2018	P00000018179- P00000018183	US Energy Info. Admin.	https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=MCREXUS1&f=A	June 20, 2018	
362	Petroleum and Other Liquids: Exports	N/D	P00000018184- P00000018185	US Energy Info. Admin.	https://www.eia.gov/dnav/pet/pet_move_exp_dc_NUS-Z00_mbbi_a.htm (last visited May 10, 2018).	June 20, 2018	
364	U.S. Exports of Finished Petroleum Products	May 31, 2018	P00000018186- P00000018189	US Energy Info. Admin.	https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=MTPEXUS1&f=A	June 20, 2018	
365	Petroleum and Other Liquids: Exports	May 31, 2018	P00000018184- P00000018185	US Energy Info. Admin.	https://www.eia.gov/dnav/pet/pet_move_exp_dc_NUS-Z00_mbbi_a.htm	June 20, 2018	
366	Review of National Marine Sanctuaries and Marine National Monuments Designated or Expanded Since April 28, 2007; Notice of Opportunity for Public Comment	June 26, 2017	P00000018133- P00000018135	NOAA	https://www.gpo.gov/fdsys/pkg/FR-2017-06-26/pdf/2017-13308.pdf	May 12, 2018	
367	Top Markets Series: Oil and Gas Equipment	N/D	P00000018160- P00000018161			June 19, 2018	
368	U.S. Department of Commerce Releases Report on Promoting Energy Independence and Economic Growth Through Deregulation	Oct. 25, 2017	P00000018162- P00000018166			June 19, 2018	
369	Op-Ed: Why Addressing Climate Change Makes Good Business Sense	Apr. 22, 2016	P00000018167- P00000018173			June 19, 2018	
370	Letter from Joseph Smagorinsky, Director	May 14, 1975	P00000018002	US Energy Research and Development Admin.		June 1, 2018	
371	Planning for Sea Level Rise in the Northeast: Considerations for the Implementation of Tidal Wetland Habitat Restoration Projects	2011	P00000018003- P00000018045	NOAA	https://repository.library.noaa.gov/view/noaa/4016	June 18, 2018	
372	U.S. Department of Commerce Releases Report on Promoting Energy Independence and Economic Growth Through Deregulation	Oct. 25, 2017	P00000018162- P00000018166	US Dept. of Commerce	https://www.commerce.gov/news/press-releases/2017/10/us-department-commerce-releases-report-promoting-energy-independence-and	June 19, 2018	
373	Top Markets Report Upstream Oil and Gas Equipment	May 2017	P00000018049- P00000018132	US Dept. of Commerce	https://www.trade.gov/topmarkets/pdf/Oil_and_Gas_Top_Markets_Report.pdf	June 19, 2018	
374	Memorandum from Wilbur Ross (Secretary of Commerce) to Mick Mulvaney (Director, OMB)	Oct. 25, 2017	P00000018136- P00000018150	US Dept. of Commerce	https://www.commerce.gov/sites/commerce.gov/files/the_department_of_commerce_final_report_reviewing_agency_actions_as_required_by_executive_order_13783_promoting_energy_independence_and_economic_growth.pdf	June 18, 2018	

Exhibits with No Objections

June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants; Corrections to Numbering
375	The Department of Commerce's Final Report Reviewing Agency Actions as Required by Executive Order 13783, "Promoting Energy Independence and Economic Growth"; Memo to Mick Mulvaney	Oct. 25, 2017	P00000018136- P00000018150	Wilbur Ross, Secretary of Commerce; James Uthmeier, Regulatory Reform Officer	https://www.commerce.gov/sites/commerce.gov/files/the_department_of_commerce_final_report_reviewing_agency_actions_as_required_by_executive_order_13783_promoting_energy_independence_and_economic_growth.pdf		
376	America's Children and the Environment (3d ed.)	Jan. 2013	P00000035044- P00000035115	U.S. EPA	https://www.epa.gov/sites/production/files/2015-06/documents/ace3_2013.pdf		
379	America First: A Budget Blueprint to Make America Great Again	2017	P00000012047- P00000012108	Executive Office of the President, Office of Management and Budget,	https://www.whitehouse.gov/wp-content/uploads/2017/11/2018_blueprint.pdf		
380	EPA Administrator Pruitt: GHG Emissions Standards for Cars and Light Trucks Should Be Revised	Apr. 2, 2018	P00000037600- P00000037601	U.S. EPA	https://www.epa.gov/newsreleases/epa-administrator-pruitt-ghg-emissions-standards-cars-and-light-trucks-should-be		
381 (filed correctly as Ex. 381 (ECF No. 299-186) but incorrectly labeled as Ex. 386 in charts)	U.S. Forest Resource Facts and Historical Trends	Aug. 2014	P00000004250- P00000004313	National Interagency Fire Center	https://www.fs.fed.us/library/broadhurst/docs/2014/ForestFacts_1953-2012_English.pdf	June 1, 2018	This exhibit was misnumbered as Exhibit 386 in all tables submitted in the Motion <i>in Limine</i> briefing and in Exhibit 1 to the First Rodgers Declaration. The document was filed correctly as Exhibit 381, ECF No. 299-185.
382	Remarks by President Trump at Signing of Executive Order on an American-First Offshore Energy Strategy		P00000029950- P00000029954	The White House	https://www.whitehouse.gov/briefings-statements/remarks-president-trump-signing-executive-order-america-first-offshore-energy-strategy/	June 1, 2018	
383	PSD and Title V Permitting Guidance for Greenhouse Gases	2011	P00000037019- P00000037114	U.S. EPA	https://www.epa.gov/sites/production/files/2015-12/documents/ghgpermittingguidance.pdf	June 28, 2018	
385	Transporting Hazmat Under the Hazardous Materials Regulations	2016	P00000037286- P00000037296	U.S. Department of Transportation	www.phmsa.dot.gov/sites/phmsa.dot.gov/files/docs/approvals-and-permits/hazmat/general-approvals/17656/approvalsbrochureweb2.pdf	June 28, 2018	
386 (submitted without Exhibit number and indicated as No # in Defendants' Response)	Statement of Abigail Ross Hopper, Director, Bureau of Ocean Energy Management, U.S. Department of the Interior: Before the House Committee on Natural Resources Subcommittee on Energy and Mineral Resources	Mar. 2, 2016	P00000024089- P00000024095	US DOI, Bureau of Ocean Energy Management	https://www.bloom.gov/?p=2017-budget-testimony-03-01-2016	June 14, 2018	This exhibit was misnumbered in all tables submitted in briefing for the Motion <i>in Limine</i> , including in Exhibit 1 to the First Rodgers Declaration and as referenced in ¶ 10 of the Rodgers Decl. Additionally, the file itself was not submitted with the exhibits attached to the Olson Declaration to the Motion <i>in Limine</i> . Defendants had access to the document through the link provided and did not object. To account for the missing document, Plaintiffs submitted it as Exhibit 7 to the First Rodgers Declaration, ECF No. 327-1 at 59.

Exhibits to Which Defendants Have Taken "No Position"

June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants
1	Restoring the Quality of Our Environment	Nov. 1965	P00000029976 - P00000029995	Report of the Environmental Pollution Panel, President's Science Advisory Committee	http://hdl.handle.net/2027/uiug.30112067733771 Hathi Trust Digital Library, a partnership of academic & research institutions, offering a collection of millions of titles digitized from libraries around the world	8/20/2016	
2	Memorandum from Daniel Moynihan to John Ehrlichman	Sept. 17, 1969	P00000029996- P00000029997	Daniel Moynihan	https://www.nixonlibrary.gov/virtuallibrary/releases/jul10/56.pdf Richard Nixon Presidential Library	4/12/2016	
3	Understanding Climatic Change. A Program for Action	1975	P00000039145- P00000039414	National Academy of Sciences	https://archive.org/details/understandingcli00unit Internet Archive, a digital library of Internet sites and other cultural artifacts in digital form	4/12/2016	
4	Memorandum from Frank Press to the President, Release of Fossil CO2 and the Possibility of Catastrophic Climate Change, Presidential Papers of Jimmy Carter, Science and Technology Advisor to the President, Memos and Correspondence 1/22/77 through 6/5/79	July 7, 1977	P00000030009- P00000030010	Frank Press, White House Office of Science and Technology Policy	N/A	12/16/2016	Previously objection: foundation inadequate
5	Carbon Dioxide and Climate: A Scientific Assessment	July 1979	P00000030548- P00000030565	National Academy of Sciences (Jule Charney, Chairman)	https://www.nap.edu/catalog/12181/carbon-dioxide-and-climate-a-scientific-assessment National Academies of Sciences, Medicine and Engineering	6/29/2016	
9	Golden, Colorado Remarks at the Solar Energy Research Institute on South Table Mountain	May 3, 1978	P00000030545- P00000030547	Jimmy Carter	http://www.presidency.ucsb.edu/ws/print.php?pid=30746 The American Presidency Project, non-profit and non-partisan, is the leading source of presidential documents on the internet hosted at the University of California, Santa Barbara	1/21/2018	
11	National Energy Program Fact Sheet on the President's Program	April 20, 1977	P00000029998- P00000030008	Jimmy Carter	http://www.presidency.ucsb.edu/ws/print.php?pid=7373 The American Presidency Project, non-profit and non-partisan, is the leading source of presidential documents on the internet hosted at the University of California, Santa Barbara	1/21/2018	
13	Energy and Climate: Studies in Geophysics	1977	P00000039415- P00000039589	National Research Council	https://www.nap.edu/catalog/12024/energy-and-climate-studies-in-geophysics The National Academies Press, The National Academies of Sciences, Engineering, and Medicine	3/14/2017	Previously objection: foundation inadequate
17	Greenhouse Effect and Global Climate Change, Hrg. before the U.S. Senate Committee on Energy and Natural Resources, Part 2, S. HRG. 100-461	June 23, 1988	P00000036792- P00000037010	Dr. James Hansen	https://catalog.hathitrust.org/Record/010021970	4/11/2018	Previously objection: foundation inadequate
19	PRD-12/Global Climate Change Policy Decision Paper	N/D	P00000029864- P00000029871	U.S. Dept. of State	https://nsarchive2.gwu.edu/NSAEBB/NSAEBB537-Clinton-White-House-Frustrated-in-Attempts-to-Forge-US-Global-Leadership-on-Climate-Change-in-1990s/documents/Document%201.pdf	7/11/2017	Previously objection: foundation inadequate
21	Global Warming. Administration Approach Cautious Pending Validation of Threat	Jan. 1990	P00000039990- P00000040036	U.S. GAO	https://www.gao.gov/assets/150/148577.pdf U.S. Government Accountability Office	6/29/2018	
22	Changing by Degrees: Steps to Reduce Greenhouse Gases	Feb. 1991	P00000033358- P00000033716	Congressional Office of Technology Assessment	http://ota.fas.org/reports/9111.pdf	4/12/2016	
24	Timothy Wirth, Speech at the First Conference of the Parties to the Framework Convention on Climate Change	1995	P00000033761- P00000033772	Timothy Wirth, Dept. of State	N/A	01/02/2017	Previously objection: foundation inadequate
28	The Climate Change Action Plan	Sept. 22, 1983	P00000039000- P00000039142	William J. Clinton, Albert Gore, Jr.	http://hdl.handle.net/2027/uc1.31822033838525 Hathi Trust Digital Library, a partnership of academic & research institutions, offering a collection of millions of titles digitized from libraries around the world	7/17/2018	
29	Selected Questions and Answers on the President's Climate Action Plan	1993	P00000033745- P00000033760	Katie McGinty, White House Office on Environmental Policy	N/A	12/18/2016	Previously objection: foundation inadequate

Exhibits to Which Defendants Have Taken "No Position"

June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants
32	Remarks Announcing the Clear Skies and Global Climate Change Initiatives in Silver Spring, Maryland	Feb. 14, 2002	P00000034732-P00000034735	George W. Bush	http://www.presidency.ucsb.edu/ws/index.php?pid=73200 The American Presidency Project, non-profit and non-partisan, is the leading source of presidential documents on the internet hosted at the University of California, Santa Barbara	9/21/2017	
33	National Energy Policy, Report of the National Energy Policy Development Group	May 2001	P00000034562-P00000034731	National Energy Policy Development Group	www.nrc.gov/docs/ML0428/ML042800056.pdf United States Nuclear Regulatory Commission	8/12/2017	
34	Political Interference with Climate Change Science Under the Bush Administration	Dec. 2007	P00000034736-P00000034773	U.S. House of Representatives Committee on Oversight and Government Reform	https://www.hsdl.org/?view&did=481710 Homeland Security Digital Library is the nation's premier collection of documents related to homeland security policy, strategy, and organizational management. The HSDL is sponsored by the U.S. Department of Homeland Security's National Preparedness Directorate, FEMA and the Naval Postgraduate School Center for Homeland Defense and Security.	8/16/2017	
39	Climate Change Adaptation by Federal Agencies: An Analysis of Plans and Issues for Congress	Feb. 23, 2015	P00000004358-P00000004461	Jane A. Leggett, Cong. Research Serv.	https://www.everycrsreport.com/reports/R43915.html EveryCRSReport.com in partnership with a Republican and a Democratic member of Congress and library partners makes CRS reports available to everyone for free online and in one place	07/19/2017	
43	Federal Land Ownership: Overview and Data	Mar. 3, 2017	P00000005006-P00000005033	Carol Hardy Vincent; Congressional Research Service	https://fas.org/spp/crs/misc/R42346.pdf	3/9/18	
72	Methane: An Introduction to Emission Sources and Reduction Strategies	Nov. 18, 2016	P00000004955-P00000005005	Richard K. Lattanzio; Congressional Research Service	http://nationalaglawcenter.org/wpcontent/uploads/assets/crs/R43860.pdf The National Agricultural Law Center	3/18/18	
74	Challenges Facing Domestic Oil and Gas Development: Review Of Bureau Of Land Management/U.S. Forest Service Ban On Horizontal Drilling On Federal Lands: Hearing Before the H. Subcomm on Energy & Mineral Resources & the H. Subcomm. on Conservation, Energy, & Forestry	July 8, 2011	P00000001180-P00000001267	112th Congress	https://www.gpo.gov/fdsys/pkg/CHRG-112hhrg72151/pdf/CHRG112hhrg72151.pdf U.S. Government Publishing Office	6/12/18	
76	The American Energy Initiative, Part 27: A Focus On Growing Differences For Energy Development On Federal Versus Non-Federal Lands: Hearing Before the Subcomm. on Energy & Power	Aug. 2, 2012	P00000002886-P00000003056	112th Congress	https://www.gpo.gov/fdsys/pkg/CHRG112hhrg82689/pdf/CHRG-112hhrg82689.pdf U.S. Government Publishing Office	6/12/18	
80	Overview of the Department of Energy Carbon Dioxide Research Program	Feb. 1985	P000000017171-P000000017177	Michael R. Riches & Frederick A. Koomanoff, USDOE Office of Basic Energy Sciences, Carbon Dioxide Research Division	https://journals.ametsoc.org/doi/pdf/10.1175/1520-0477%281985%29066%3C0152%3A0OTDOE%3E2.0.CO%3B2 American Meteorological Society is the nation's premier scientific and professional organization promoting and disseminating information about the atmospheric, oceanic, and hydrologic sciences.	6/13/18	
94	Energy Research at DOE: Was It Worth It? Energy Efficiency and Fossil Energy Research 1978 to 2000	2001	P000000011806-P000000012046	Committee on Benefits of DOE R&D on Energy Efficiency and Fossil Energy, National Research Council	https://www.nap.edu/catalog/10165/energy-research-at-doe-was-it-worth-it-energy-efficiency National Academies of Sciences, Medicine and Engineering	6/13/18	
107	Energy Policy Implications of Global Warming, Hrgs before the House Subcommittee on Energy and Power of the Committee on Energy and Commerce House of Representatives (July 7 and Sept. 22, 1988) (Statement of Donna R. Fitzpatrick, Undersecretary, Dep't of Energy)	Sept. 22, 1988	P000000010512-P000000010781	United States Congress, House Committee on Energy and Commerce	N/A	01/29/2018	Previously objection: foundation inadequate
108	Perry Welcomes Foreign Investment on All Energy Fronts	June 20, 2017	P000000017963-P000000017965	Peter Behr, E&E News	https://www.eenews.net/stories/1060056274 E&E News is a news organization focusing on energy and the environment.	6/13/18	

Exhibits to Which Defendants Have Taken "No Position"

June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants
114	Presidential Permit Review for Cross-Border Pipelines & Electric Transmission	Apr. 19, 2017	P00000020356-P00000020376	Congressional Research Service	https://fas.org/sgp/crs/misc/R44140.pdf	6/18/18	
116	Presidential Permits for Border Crossing Energy Facilities	Aug. 1, 2017	P00000020377-P00000020387	Congressional Research Service	https://fas.org/sgp/crs/misc/R43261.pdf	6/18/18	
129	PRD-12/Global Climate Change Policy Decision Paper	N/D	P00000029864-P00000029871	Department of State	https://nsarchive2.gwu.edu/NSAEBB/NSAEBB537-Clinton-White-House-Frustrated-in-Attempts-to-Forge-US-Global-Leadership-on-Climate-Change-in-1990s/documents/Document%201.pdf	7/11/2017	Previously objection: foundation inadequate
130	Testimony of Timothy E. Wirth at Second Conference of the Parties Framework Convention on Climate Change, Geneva Switzerland, Council of Economic Advisors, Michelle Jolin, Congressional Document Request, Climate Change, ID/OA:101888, Box 1, CEA 00188	July 17, 1996	P00000037883-P00000037887	The Honorable Timothy E. Wirth, Under Secretary for Global Affairs on behalf of the United States of America	N/A	6/10/17	Previously objection: foundation inadequate
160	Strategies for Integrating Electric Vehicles into the Grid	Feb. 2018	P00000027264-P00000027313	U.S. Dep't of Transp' Siddiq Khan & Shruti Vaidyanathan	https://www.fhwa.dot.gov/environment/sustainability/ene_rgv/publications/ev_deployment/fh_wahep15021.pdf	6/15/18	
162	Strategies for Integrating Electric Vehicles into the Grid	Feb. 2018	P00000027264-P00000027313	U.S. Dep't of Transp' Siddiq Khan & Shruti Vaidyanathan	https://www.fhwa.dot.gov/environment/sustainability/ene_rgv/publications/ev_deployment/fh_wahep15021.pdf	6/15/18	
164	Strategies for Integrating Electric Vehicles into the Grid	Feb. 2018	P00000027264-P00000027313	U.S. Dep't of Transp' Siddiq Khan & Shruti Vaidyanathan	https://www.fhwa.dot.gov/environment/sustainability/ene_rgv/publications/ev_deployment/fh_wahep15021.pdf	6/15/18	
182	Transporting Crude Oil by Rail: State and Federal Action	Oct. 30, 2015	P00000028483-P00000028490	Daniel Shea, Kristy Hartman, & Sijia Qiu	http://www.ncsl.org/research/energy/transporting-crude-oil-by-rail-state-and-federal-action.aspx National Conference of State Legislatures	4/21/18	
184	Aviation and Climate Change: Aircraft Emissions Expected to Grow, but Technological and Operational Improvements and Government Policies Can Help Control Emission	June 2009	P00000028112-P00000028211	U.S. Gov't Accountability Office	https://www.gao.gov/products/GAO-09-554	4/26/18	
191	Federal Land Ownership: Overview and Data	Mar. 3, 2017	P00000024557-P00000024584	Carol Hardy Vincent; Congressional Research Service	https://fas.org/sgp/crs/misc/R42346.pdf	3/9/18	
193	Federal Land Ownership: Overview and Data	Mar. 3, 2017	P00000024557-P00000024584	Carol Hardy Vincent; Congressional Research Service	https://fas.org/sgp/crs/misc/R42346.pdf	3/9/18	
209	U.S. Crude Oil and Natural Gas Production in Federal and Nonfederal Areas	June 22, 2016	P00000024096-P00000024109	Marc Humphries, Congressional Research Service	https://fas.org/sgp/crs/misc/R42432.pdf	2/28/18	
211	U.S. Crude Oil and Natural Gas Production in Federal and Nonfederal Areas	June 22, 2016	P00000024096-P00000024109	Marc Humphries, Congressional Research Service	https://fas.org/sgp/crs/misc/R42432.pdf	2/28/18	
268	Issue Summary: Energy Management in DOD Facilities		P00000019919	Gov't Accountability Office	https://www.gao.gov/key_issues/energy_management_dod_facilities/issue_summary U.S. Government Accountability Office	5/6/18	
269	Federal Land Ownership: Overview & Data	Mar. 3, 2017	P00000019626-P00000019653	Congressional Research Service	https://fas.org/sgp/crs/misc/R42346.pdf	6/14/18	
287	Climate Change Adaptation: DOD Needs to Better Incorporate Adaptation into Planning and Collaboration at Overseas Installations	Nov. 2017	P00000019730-P00000019812	U.S. Gov't Accountability Office	https://www.gao.gov/assets/690/688323.pdf U.S. Government Accountability Office	5/8/18	
298	Oil and Natural Gas Pipelines: Role of the U.S. Army Corps of Engineers	June 28, 2017	P00000019657-P00000019689	Cong. Research Serv.	https://www.everycrsreport.com/files/20170628_R44880_1105a52fd838d2e8d342c75e49199c8bcdeb6607.pdf EveryCRSReport.com in partnership with a Republican and a Democratic member of Congress and library partners makes CRS reports available to everyone for free online and in one place	6/14/2008	
314	National Security Strategy	Feb. 2015	P00000019186-P00000019220	President of the U.S.	http://nsarchive.us/wp-content/uploads/2015/02/2015.pdf	3/22/17	
319	Nomination Hearing: James Mattis, Secretary of Defense, Committee on Armed Services, U.S. Senate, One Hundred Fifteenth Congress, First Session	Jan. 12, 2017	P00000019570-P00000019625	Department of Defense	https://www.armed-services.senate.gov/hearings/17-01-12-confirmation-hearing-mattis (See Advanced Policy Questions)	6/21/18	
326	Report on International Geophysical Year: Hearings Before H. Comm. on Appropriations, 85th Cong. (1957) (Revelle Testimony)	May 1, 1957	P00000018200-P00000018328	United States Congress, House Committee on Appropriations	https://catalog.princeton.edu/catalog/7462300	10/3/2016	Previously objection: foundation inadequate

Exhibits to Which Defendants Have Taken "No Position"

June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants
334	Environmental Protection in the Bush Administration: Measures By Which to Judge Us	May 2, 1989	P00000025174-P00000025184	EPA Administrator William K. Reilly	https://bush41library.tamu.edu/files/guide_to_holdings.pdf George H.W. Bush Presidential Library, National Archives and Records Administration	6/13/17	In their August 9, 2018 letter (Exhibit 1 to the Supplemental Rodgers Declaration), Defendants maintained an objection to this document on the basis that "Plaintiffs provide no information about the location of the hard copy document." However, this document is an exact duplicate of Exhibit 350, to which Defendants changed their initial objection to "no position" based on the additional source information provided for that document. Plaintiffs include that additional source information here for both exhibits 334 and 350.
338	Program Overview for the Adaptation Branch of EPA's Climate Change Division (Office of Policy, Planning, and Evaluation)	June 1993	P00000026248-P00000026256	Joel D. Schleraga, Chief, Adaptation Branch, Climate Change Division of the EPA	N/A	6/15/17	Previously objection: foundation inadequate. Duplicate of 354.
343	Letter from Paul C. Cahill to Alan Hill, Global Issues Working Group	Apr. 15, 1982	P00000025015-P00000025021	Paul C. Cahill, Director of EPA's Office of Federal Activities	N/A	6/19/17	Previously objection: foundation inadequate
350	Environmental Protection in the Bush Administration: Measures by Which to Judge Us	May 2, 1989	P00000025174-P00000025184	EPA Administrator William K. Reilly	https://bush41library.tamu.edu/files/guide_to_holdings.pdf George H.W. Bush Presidential Library, National Archives and Records Administration	6/13/17	Previously objection: foundation inadequate. Duplicate of 334.
354	Program Overview for the Adaptation Branch of EPA's Climate Change Division (Office of Policy, Planning, and Evaluation)	June 1993	P00000026248-P00000026256	Joel D. Schleraga, Chief, Adaptation Branch, Climate Change Division of the EPA	N/A	6/15/17	Previously objection: foundation inadequate. Duplicate of 338. Defendants do not address this document in their letter, but because it is a duplicate of 338, to which they changed their response to "no position," Plaintiffs assume Defendants would have the same response.
363	U.S. Crude Oil Exports: Licensing and Data Issues	Oct. 28, 2013	P00000018046-P00000018049	Congressional Research Service	https://www.energy.senate.gov/public/index.cfm/files/serve?File_id=73e6832f-9670-445b-b8c5-9b254d9f5bca	06/18/2018	
377	Remarks by the President in State of the Union Address	Jan. 24, 2012	P00000035022-P00000035043	Barack Obama	https://obamawhitehouse.archives.gov/the-press-office/2012/01/24/remarks-president-state-union-address	11/4/2017	
378	Remarks by the President on American-Made Energy	March 22, 2012	P00000037011-P00000037015	Barack Obama	https://obamawhitehouse.archives.gov/the-press-office/2012/03/22/remarks-president-american-made-energy	6/28/2018	

Exhibits with Objections

June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants	Plaintiffs' Response
20	National Energy Strategy: Powerful Ideas for America (1st ed.)	Feb. 1991	P00000033222-P00000033357	U.S. DOE	N/A	10/20/2017	"Plaintiffs provide no information about the location of the hard copy document."	Plaintiffs submit this additional information about this source: hard copy scanned from Interlibrary Loan at Georgetown University Library, on Loan from University of Maryland. Link to document location: https://umaryland.on.worldcat.org/oclc/24871702 ; Government Printing Office record link: https://catalog.gpo.gov/F/?func=direct&doc_number=000352102&local_base=GPO01PUB
100	Address at The Future of Energy Global Summit	Apr. 2018	P00000017948-P00000017949	Rick Perry, USDOE	https://vimeo.com/264052877#t=1260s	4/27/18	"Because the URL provides no information about the source of the video or whether and how it has been edited, there is insufficient foundation for the videos."	Plaintiffs submit this alternative link to the same recording: https://about.bnef.com/future-energy-summit/new-york-videos/?vid=264052877 . This is the version of the video hosted on the official website of Bloomberg New Energy Finance (BNEF), the host of the conference at which Rick Perry was speaking in the video.
102	US Energy Secretary: CO2 is Not the Primary Control Knob for Climate Change	June 19, 2017	P00000017958-P00000017962	CNBC	https://www.cnn.com/video/2017/06/19/us-energy-secretary-rick-perry-co2-is-not-the-primary-control-knob-for-climate-change.html		"Because the URL provides no information about the source of the video or whether and how it has been edited, there is insufficient foundation for the videos."	The video source is an interview between Rick Perry and CNBC. The URL is a link to a video hosted on the official CNBC website. Plaintiffs do not believe there is a more authoritative source for this video.
110	An America First Energy Plan	N/D	P00000011805	The White House	https://perma.cc/2MMZ-4K45	6/13/18	"The original URL provided by Plaintiffs for exhibit 110 is a questionable third party website and the new URL links to a different document."	Plaintiffs submit this alternative link to the same archived webpage: https://web.archive.org/web/20170509043316/https://www.donaldtrump.com/press-releases/an-america-first-energy-plan . Both perma.cc and archive.org are webpage archiving services that preserve a webpage as it appeared on a certain date. Plaintiffs provide support for the use of such webpage archiving services in their Reply ISO Motion in <i>Limine</i> at pages 7–8. Because Defendants have removed the material from their official webpage, Plaintiffs are unable to provide a current link to this material.
249	Public Land Statistics 1999	Mar. 2000	P00000024917-P00000024923	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls99/index.html	3/9/18	"The URL that Plaintiffs provide fail to link to the relevant document." "The URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed."	The webpage originally provided has been removed by BLM since Plaintiffs accessed the document. Plaintiffs submit this archived version of the webpage where they accessed the document: https://web.archive.org/web/20170127170304/https://www.blm.gov/public_land_statistics/pls99/index.html . Plaintiffs provide support for the use of such webpage archiving services in their Reply ISO Motion in <i>Limine</i> at pages 7–8. Because Defendants have removed the material from their official webpage, Plaintiffs are unable to provide a current link to this material.
250	Public Land Statistics 1998	Mar. 1999	P00000024924-P00000024929	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls98/index.html	3/9/18	"The URL that Plaintiffs provide fail to link to the relevant document." "The URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed."	The webpage originally provided has been removed by BLM since Plaintiffs accessed the document. Plaintiffs submit this archived version of the webpage where they accessed the document: https://web.archive.org/web/20170127170317/https://www.blm.gov/public_land_statistics/pls98/index.html . Plaintiffs provide support for the use of webpage archiving services in their Reply ISO Motion in <i>Limine</i> at pages 7–8. Because Defendants have removed the material from their official webpage, Plaintiffs are unable to provide a current link to this material.
251	Public Land Statistics 1997	Mar. 1998	P00000024930-P00000024935	US DOI, Bureau of Land Management	https://www.blm.gov/public_land_statistics/pls97/index.html	3/9/18	"The URL that Plaintiffs provide fail to link to the relevant document." "The URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed."	The webpage originally provided has been removed by BLM since Plaintiffs accessed the document. Plaintiffs submit this archived version of the webpage where they accessed the document: https://web.archive.org/web/20170127170330/https://www.blm.gov/public_land_statistics/pls97/index.html . Plaintiffs provide support for the use of webpage archiving services in their Reply ISO Motion in <i>Limine</i> at pages 7–8. Because Defendants have removed the material from their official webpage, Plaintiffs are unable to provide a current link to this material.
295	City of Imperial Beach, et al. v. Chevron Corp., et al.	Aug. 24, 2017	P00000019690-P00000019727	N.D. California	No. 4:17-cv-04934 (N.D. Cal.) (filed Aug. 24, 2017)	6/19/18	Previously no position. Now objection: no need to seek judicial notice of case law.	See <i>Reyn's Pasta Bella, LLC v. Visa USA, Inc.</i> , 442 F.3d 741, 745 n.6 (9th Cir. 2006) [taking judicial notice of briefs filed in judicial proceeding and stating "[w]e may take judicial notice of court filings and other matters of public record."]
299	Global Climate Change and Implications for the United States Navy	May 1990	P00000035548-P00000035634	U.S. Naval War College	http://documents.theblackvault.com/documents/weather/climatechange/globalclimatechange-navy.pdf	6/13/18	Duplicate of 316. "The only source provided is a questionable third party website."	As this document was the result of a FOIA request made by a third party, Plaintiffs do not have another link to the source. For additional support, Plaintiffs submit the following log of FOIA requests to the Naval War College, showing a request for the document received on page 92: http://www.secnaw.navy.mil/foia/readingroom/CaseFiles/FOIA%20Logs/DON%20FOIA%20Case%20Log%20FY%202013%20-%20Redacted.pdf . Additionally, the following link demonstrates that the request "2013F041836" was completed: http://www.secnaw.navy.mil/foia/readingroom/CaseFiles/FOIA%20Logs/DON%20Quarterly%20Report%20FY%202014%202012-%2010-01%20to%202015-06-30.pdf .
305	Coal and Coke: Monthly Indicator for Internal U.S. Waterways	Apr. 19, 2018	P00000019924	U.S. Army Corps of Eng'rs, Navigation Data Ctr.	http://www.navigationdatacenter.us/wcsc/wcmcoal.htm	5/10/18	"The URL that Plaintiffs provide fail to link to the relevant document." "The URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed."	The webpage originally provided has been removed by USACE since Plaintiffs accessed the document. Plaintiffs submit this archived version of the webpage where they accessed the document: https://web.archive.org/web/20180115101726/http://www.navigationdatacenter.us/wcsc/wcmcoal.htm . Plaintiffs provide support for the use of webpage archiving services in their Reply ISO Motion in <i>Limine</i> at pages 7–8. Because Defendants have removed the material from their official webpage, Plaintiffs are unable to provide a current link to this material.
306	The U.S. Waterway System: 2016 Transportation Facts & Information	Oct. 2017	P00000019925-P00000019936	U.S. Army Corps of Eng'rs	http://www.navigationdatacenter.us/factcard/FactCard2016.pdf	5/11/18	"The URL that Plaintiffs provide fail to link to the relevant document." "The URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed."	Duplicate of 309. The webpage originally provided has been removed by USACE since Plaintiffs accessed the document. Plaintiffs have located a new link for the same source on the USACE website: https://usace.contentdm.oclc.org/digital/collection/p16021coll2/id/1829 .

Exhibits with Objections

June 28, 2018 MIL Exhibit Number	Title of Document	Date	Bates numbers of doc	Agency Source and/or author of doc	Website URL for doc	Date Plaintiffs Accessed Document	Notes from 8/9/18 Letter From Defendants	Plaintiffs' Response
308	Petroleum: Monthly Indicator for Internal U.S. Waterways	Oct. 2017	P00000020213	U.S. Army Corps of Eng'rs, Navigation Data Ctr., Waterborne Commerce Statistics Ctr.	http://www. navigationdatacenter. us/wcsc/wcmpetro.htm	5/11/18	"The URL that Plaintiffs provide fail to link to the relevant document." "The URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed."	The webpage originally provided has been removed by USACE since Plaintiffs accessed the document. Plaintiffs submit this archived version of the webpage where they accessed the document: https://web.archive.org/web/20180113080658/http://www.navigationdatacenter.us/wcsc/wcmpetro.htm . Plaintiffs provide support for the use of webpage archiving services in their Reply ISO Motion in Limine at pages 7–8. Because Defendants have removed the material from their official webpage, Plaintiffs are unable to provide a current link to this material.
309	The U.S. Waterway System: 2016 Transportation Facts & Information	Oct. 2017	P00000019925- P00000019936	U.S. Army Corps of Eng'rs	http://www. navigationdatacenter. us/factcard/FactCard2016. pdf	5/11/18	"The URL that Plaintiffs provide fail to link to the relevant document." "The URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed."	Duplicate of 306. The webpage originally provided has been removed by USACE since Plaintiffs accessed the document. Plaintiffs have located a new link for the same source on the USACE website: https://usace.contentdm.oclc.org/digital/collection/p16021coll2/id/1829 .
311	Ports and Waterways Facilities	Sept. 12, 2011	P00000030271	U.S. Army Corps of Eng'rs, Navigation Data Ctr.	http://www. navigationdatacenter. us/ports/ports.htm	6/28/18	In their 8/9/18 letter, Defendants noted "The URL that Plaintiffs provide fail to link to the relevant document." "The URL is either broken or links to a website different from the document that Plaintiffs seek to have judicially noticed" and that "The URL for exhibit 311 does not link to the spreadsheet, and Plaintiffs provide no explanation of where and how they located the spreadsheet."	The document filed as 311 was a screenshot of the website where the excel sheet was previously housed. The correct exhibit was filed in hard copy with the Court as Exhibit 6 to the First Rodgers Declaration. The originally provided link now redirects to a different webpage. Plaintiffs have located an updated link to this spreadsheet from the USACE website: http://cwbi-ndc-nav.s3-website-us-east-1.amazonaws.com/files/ports/data/port_facilities_no_milepoints.xlsx . Plaintiffs have also updated the Bates number column for this document to match that assigned to the excel spreadsheet rather than the screenshot.
316	Global Climate Change and Implications for the United States Navy	May 1990	P00000035548- P00000035634	The U.S. Naval War College	http://documents. theblackvault. com/documents/weather/cli matechange/globalclimatech ange-navy.pdf	6/13/18	"The only source provided is a questionable third party website."	Duplicate of 299. As this document was the result of a FOIA request made by a third party, Plaintiffs do not have another link to the source. For additional support, Plaintiffs submit the following log of FOIA requests to the Naval War College, showing a request for the document received on page 93: http://www.secnav.navy.mil/foia/readingroom/CaseFiles/FOIA%20Logs/DON%20FOIA%20Case%20Log%20FY%202013%20%20-%20Redacted.pdf . Additionally, the following link demonstrates that the request "2013F041836" was completed: http://www.secnav.navy.mil/foia/readingroom/CaseFiles/FOIA%20Logs/DON%20Quarterly%20Report%20FY%202014%202012-%2010-01%20to%202015-06-30.pdf .