

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-1044**September Term, 2021****Filed On:** June 21, 2022

In re: Public Employees for Environmental
Responsibility and Hawaii Coalition Malama
Pono,

Petitioners

BEFORE: Henderson, Circuit Judge; and Tatel, Senior Circuit Judge

ORDER

Upon consideration of petitioners' second motion to enforce order granting petition for mandamus, the opposition thereto, and the reply, it is

ORDERED that the motion be granted in part. The Federal Aviation Administration and the National Park Service are directed to file a joint supplemental report by July 21, 2022, in which they: (1) explain why the agencies were unaware that they were behind schedule as of their November 24, 2021 status report; (2) propose firm compliance dates for each park; and (3) provide the legal basis for any anticipated categorical exclusion and the date by which the agencies will make that determination. This supplemental report shall be signed by the Administrator of the Federal Aviation Administration and the Director of the National Parks Service in addition to counsel for the agencies. Petitioners' request for an order limiting air tours at noncompliant parks is denied without prejudice.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk