

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 02-80309-CIV-ALTONAGA/Turnoff

FRIENDS OF THE EVERGLADES,
INC., et al.,

Plaintiffs,

vs.

HENRY DEAN, Executive Director, South
Florida Water Management District, in his
official capacity; *et al.*,

Defendants.

FINAL JUDGMENT

THIS CAUSE came before the Court upon the Order on Remedies issued separately on this date. Pursuant to the Order on Remedies and the Court's December 11, 2006 Order Setting Forth Findings of Fact and Conclusions of Law [D.E. 636], it is

ORDERED AND ADJUDGED as follows:


(1) A declaratory judgment is issued in favor of Plaintiffs. In the absence of a National Pollutant Discharge Elimination System ("NPDES") permit, the South Florida Water Management District's ("SFWMD[']s") operation of the S-2, S-3, and S-4 pump stations to backpump pollutant-containing waters from the canals in a northerly direction into Lake Okeechobee is in violation of the Clean Water Act.

(2) A permanent injunction is issued in favor of Plaintiffs. The SFWMD's Executive Director shall apply to the Florida Department of Environmental Protection for a NPDES permit forthwith.

CASE NO. 02-80309-CIV-ALTONAGA/Turnoff

(3) The Court shall retain jurisdiction, including to the extent allowable in light of the parties' anticipated appeal, to ensure compliance with this Judgment. Furthermore, the Court retains jurisdiction over Plaintiffs' request for the award of attorney's fees and costs.

DONE AND ORDERED in Chambers at Miami, Florida, this 14th day of June, 2007.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

Copies provided to:

- (1) Magistrate Judge William C. Turnoff
- (2) All counsel of record