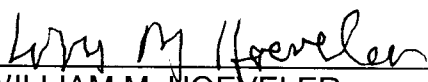


such as the wood stork. Congress has charged [the Corps and FWS] with acting in the public interest.”

Tr. 7189-90. This Court’s role is to examine the record and determine if the Defendants’ have met their obligations to protect the environment for future generations.<sup>327</sup>

In summary, these permits must be set aside; however, the vacatur will be stayed until the SEIS is completed – except as to those locations which are in closest proximity to the production wells, as identified at pages 103-104, above.

DONE AND ORDERED in Chambers in Miami this 13<sup>th</sup> day of July 2007.

  
\_\_\_\_\_  
WILLIAM M. HOEVELER  
SENIOR UNITED STATES DISTRICT JUDGE

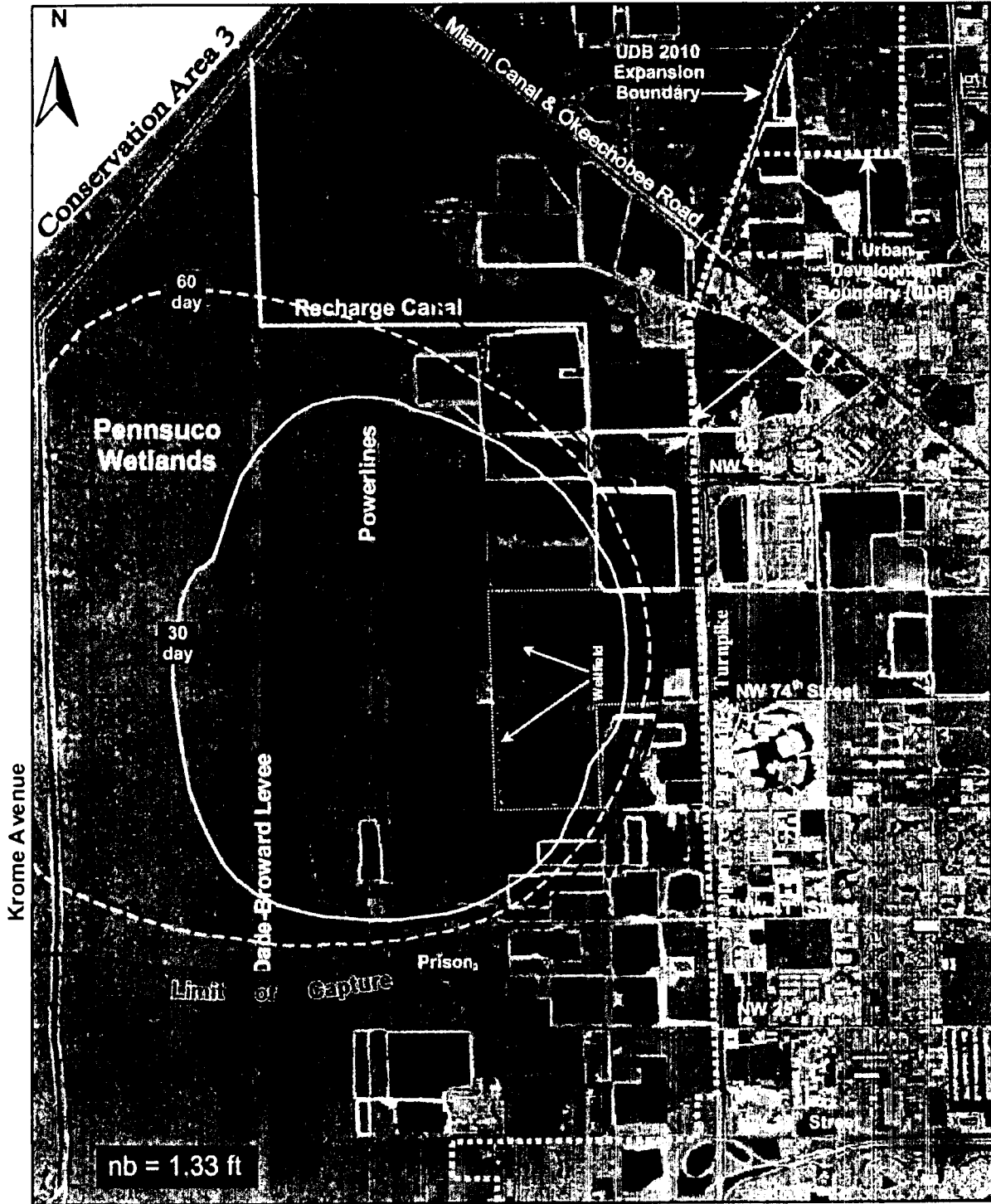
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<sup>327</sup>In light of the extensive review which this Court has completed – a veritable “immersion” in the evidence – no motions for reconsideration or stay will be entertained, unless specific new factual information is presented. To be clear, the Court’s decision is final and any motions to stay the effect of this Order beyond the stay incorporated herein as to certain mining activities at a distance from the Wellfield, will be denied.

# Appendix A



Note: Adapted from document "Exhibit 1-1 Aerial View of the Northwest Wellfield's Watershed and Protection Zones" provided by NRDC.

**Figure 3b** Travel-Time Distances Corresponding to the Current Demand of 150 MGD Low Porosity-Thickness Case