

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

MICCOSUKEE TRIBE OF INDIANS
and FRIENDS OF THE
EVERGLADES, INC.,

Appellants,

CASE NO. 1D04-3157 and 04-3167

v.

NEW HOPE SUGAR COMPANY,
OKEELANTA CORPORATION,
UNITED STATES SUGAR
CORPORATION, SUGAR CANE
GROWERS COOPERATIVE OF
FLORIDA, and the SOUTH FLORIDA
WATER MANAGEMENT
DISTRICT,

Intervenors for Appellees,

v.

STATE OF FLORIDA,
DEPARTMENT OF
ENVIRONMENTAL PROTECTION,
and the ENVIRONMENTAL
REGULATION COMMISSION,

Appellees.

Opinion filed July 19, 2005.

An appeal from the Department of Administrative Hearings,
David M. Maloney, Judge.

Dexter Lehtinen, Esq., and Kelly Brooks, Esq, of Lehtinen, Vargas & Riedi, P.A., Miami, for Appellants.

Wintson Borkowski, Sr. Assistant General Counsel, of the Florida Department of Environmental Protection, for Appellees.

Joseph P. Klock, Jr., Esq., and Gabriel E. Nieto, Esq., of Steel Hector & Davis LLP, Miami, for Intervenors New Hope Sugar Company and Okeelanta Corporation; William H. Green, Esq. of Hopping, Green & Sams, P.A., Tallahassee, for Intervenor, Sugar Cane Growers Cooperative of Florida; Kirk L. Burns, Esq., Luna E. Philips, Esq., and Sheryl G. Wood, Esq., West Palm Beach, for Intervenor South Florida Water Management District; Daniel H. Thompson, Esq., and Berger Singerman, Esq., Tallahassee, for Intervenor United States Sugar Corporation.

PER CURIAM.

AFFIRMED.

ALLEN, LEWIS, and HAWKES, JJ., CONCUR.