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by Charles Seabrook
Environmental Reporter
Atlanta Constitution
e-mail: cseabrook@ajc.com

One state accuses the other of hoarding water. Another state charges that its upstream neighbor will suck rivers dry and leave no water for downstream use.

It sounds like another old-fashioned water war in the arid West.

But this bitter squabble over water is taking place between Georgia and Florida and Alabama in the Deep South - the place where one would have least expected a water battle on the scale of the Western water wars.

With its humid climate, lazy meandering rivers and vast stretches of alligator-inhabited swamps, the South has long been regarded as water rich. That concept has evaporated, however. Because of the South's phenomenal growth, water experts have come to a stark conclusion: No longer is there enough water to satisfy all of the competing demands for the precious commodity — for consumption, waste treatment, hydropower, recreation, irrigation, wildlife protection, navigation and industry — and at the same time ensure an adequate supply for future development.

“Our current water management systems were not planned to deal with this kind of growth”, said David Feldman, a University of Tennessee water expert who convened a summit meeting of various leaders in Southern states in November 1999 in Atlanta to discuss the future of the region's water supply.



Fears of future water shortages have prompted Southern states to draw up battle lines. Virginia and Maryland are squabbling over the Potomac River, and North Carolina and Virginia have gone to court over the use of water from Lake Gaston along their border.

But nowhere is a struggle over water being played out more dramatically than the conflict pitting Georgia, Florida and Alabama against one another. The three states are waging one of the bitterest water wars the nation has seen in decades. They are flailing away at one another for a guaranteed share — at least through the next 30 to 50 years — of the rivers in two major basins flowing across their common borders. The squabble's outcome is crucial, because it could dictate the pace of future growth in the three states and be a preview for other water wars that surely will erupt in the South.

This chapter focuses on that Georgia, Florida and Alabama dispute.

Georgia's demand is for enough water to fuel the mushrooming growth in metro Atlanta over the next 50 years. Alabama wants to be ensured of adequate water to support its own burgeoning growth. Florida wants enough water to protect its oyster industry and marine life on the Gulf Coast.

A favorable agreement in the water dispute is especially crucial for Georgia, where the two main river basins in the feud have their headwaters. In exchange for a guaranteed portion of the rivers' waters to sustain growth in Georgia (especially metro Atlanta) over the next half century, more than 3 million residents of

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metro Atlanta may face permanent restrictions on outdoor watering. Georgians in general may have to pay higher electricity bills as hydropower is curtailed, and farmers in the southwest portion of the state — the state's most productive agricultural area — may face strict limits on water for crop irrigation. In addition, commercial barge traffic at Georgia's inland ports at Bainbridge and Columbus may be curtailed. Industries — and the people they serve — may have to pay more to treat wastes discharged into rivers because of less water to dilute the effluent. Ultimately, developers may have to shut down plans for new subdivisions or roads or shopping malls if water supplies are not adequate.

Georgia officials warn that metro Atlanta probably will have to find sources of water other than the Chattahoochee, the moderately sized river that provides 70 percent of the metro area's drinking water and serves as a conduit for hauling away its wastes. Finding a new source, though, may be a major undertaking. The underlying rock structure of northern Georgia is not conducive to storing huge quantities of water in aquifers. Therefore, groundwater provides little hope of filling the need.

So, the only alternative is new sources of surface water. However, business leaders, environmental groups and residents in the Tennessee River basin and the Savannah River basin in South Carolina already have warned Georgia not to even think about tapping their water to quench metro Atlanta's thirst.

"The stakes in these Southern water disputes are huge," says Aaron Wolf, a water policy specialist at Oregon State University who has consulted in national and international water conflicts. "The water war Georgia and Florida and Alabama is in nearly every way similar to the bitter water conflicts that were waged in the arid Western states, and even in the dry Middle East between countries like Jordan and Israel."

Wolf, who studied the tri-state water war while he was with the University of Alabama, says the settlement of the tri-state squabble will be a "turning point" in the South's history. "The water wars are going to play out in areas where you never thought water would be an issue," he says.

Negotiators appointed by the governors of Georgia, Florida and Alabama have been negotiating since February 1998 to come up with a formula for allocating the waters of two river basins. A fourth negotiator appointed by President Clinton represents federal agencies, such as the Corps of Engineers and the Environmental Protection Agency, at the arbitration table.

The arbitrators were supposed to have had a formula worked out by Dec. 31, 1998, but when the end of the year rolled around, they were nowhere close to seeing eye-to-eye. If the states ultimately fail to agree, the water war likely will be tossed into the U.S. Supreme Court, and no state may get what it wants.

U.S. Rep. Bob Barr, a Republican and former federal prosecutor who represents a sizeable swath of the metro Atlanta area, has warned that Georgia should make every effort to avoid going to court in the matter. "The litigation could be tied up in court for years, and the court could appoint a special arbitrator who could freeze requests for any new water withdrawals, effectively bringing growth to a halt," Barr said. "The economic costs to Georgia could be in the billions of dollars."

But it could go to the high court even if the states work out a plan. That's because the federal representative in the negotiations has veto power over any final decision reached by the states. If the agreement is not in the best interests of the federal agencies, the federal negotiator could kill the deal in one fell swoop, which would hurl the squabble into the court.

Several of those agencies — the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Park Service, the Southeastern Power Administration — have expressed considerable concern over the proposals that the three states have placed on the negotiating table. The FWS and the Park Service, for instance, are worried that water-sharing agreements among the three states would severely reduce historic water flows in the rivers and threaten wildlife, especially during severe droughts.

The Southeastern Power Administration, which sells the electricity generated at the big Corps of Engineers reservoirs and dams in the two river basins, fears that the operations of the lakes will be greatly affected by any settlement reached by the three states. That, in turn, could jeopardize the agency's ability to meet contracts with rural electric cooperatives and other customers for the electricity produced by the dams.

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The states are carrying out their negotiations under two interstate water compacts adopted by each state legislature and approved by Congress and signed into law by President Clinton in 1997.

In one compact, Georgia, Florida and Alabama are fighting over the use of the Apalachicola, Chattahoochee and Flint rivers, the so-called ACF basin. The Chattahoochee and the Flint begin in Georgia, flow across the state and join in the southwest corner of Georgia at the Florida line to form the Apalachicola River. The Apalachicola then flows across the Florida panhandle and empties into the Gulf of Mexico at Apalachicola Bay, famous for its oysters.

In a second compact, Georgia and Alabama are squabbling over the Alabama, Coosa and Tallapoosa rivers, the ACT basin. The Coosa and Tallapoosa join together near Montgomery and form the Alabama, which eventually empties into the gulf.

Most water wars pit upstreamers against downstreamers. Those living downstream fear the upstream water users will hoard it or make it too dirty for use, leaving less water for downstream use.

In the tri-state water war, Georgia is the upstream user (all of the rivers have headwaters in Georgia).

Also upstream is a tremendously thirsty metro Atlanta, which sits 80 miles from the headwaters of the Chattahoochee River, the most economically important of all the rivers in the water war. The Chattahoochee supplies drinking water for more than 70 percent of metro Atlanta's 3 million residents, hauls away their treated wastes, floats their houseboats and ski boats on Lake Lanier north of Atlanta and churns out electricity for their homes and offices and factories.

An additional 20 percent of metro Atlantans get their drinking water from the ACT basin. The Flint River, which begins just south of Atlanta's burgeoning Hartsfield International Airport, also is a main supplier of water for fast-growing counties south of Atlanta.

As early as 1965, downstreamers — people in west and southwest Georgia, southeast Alabama and northwest Florida — were casting wary eyes upstream, worried that metro Atlanta's mushrooming growth and ever increasing water withdrawals would rob them of the water they needed for their own growth. Furthermore, Atlanta's use of the Chattahoochee as a dump for treated wastewater meant that the water coming downstream was often too polluted for use.

Severe dryspells in 1981, 1986 and 1988 heightened downstreamers' concerns. The impact was more severe because growth had increased the competition for water. During the dry spells of the 1980s, hydropower generation and commercial navigation were considerably curtailed to conserve water for drinking and waste treatment in metro Atlanta. Metro Atlanta faced hefty fines if they violated restrictions on watering their lawns or washing their cars.

In the 1986 drought, scores of counties were declared agricultural disaster areas. Across the South, crops worth more than \$1 billion, were wiped out in the heat wave. That same year, the Alabama National Guard was called in to truck water into cities that faced severe water shortages. Those impacts alarmed government planners, especially those in metro Atlanta, who feared that the consequences of future droughts would cause greater water shortages as the region added people and businesses.

In 1989, the U.S. Army Corps of Engineers announced a plan to reallocate 20 percent of the water normally reserved for power in Lake Lanier north of Atlanta to drinking water. The 38,000-acre Lanier is the first of four big Corps reservoirs on the Chattahoochee, and vital as Atlanta's drinking water supply. The Corps' reallocation plan was designed to ensure an adequate water supply for Atlanta through 2010. But the decision sparked a howl of protest in Alabama and southwest Georgia. Then- Alabama Gov. Guy Hunt demanded that the reallocation be suspended until the Corps conducted a detailed analysis to determine the impacts on downstream users.

Georgia, however, boldly went ahead with another controversial plan: In June 1990, Georgia asked the Corps for a permit to build a 4,200-acre reservoir on the Tallapoosa River only five miles from the Georgia-Alabama line. The lake was to be the first of a dozen or so state-built regional reservoirs that would encircle metro Atlanta and "drought proof" the northern portion of Georgia.

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But for an outraged Alabama, that was the last straw. Three days after the Corps received Georgia's request for the new lake, Alabama sued the Corps in federal court. The suit claimed that the Corps, by acceding to Georgia's demand, would be unable to operate Lake Lanier and other federally built reservoirs in the ACF and ACT in a neutral manner. Georgia's plan, Alabama said, would vest Georgia with expanded water rights at the expense of downstream users.

"We weren't going to allow metro Atlanta to grow at our expense," said Walter Stevenson, a water war negotiator for Alabama.

Shortly after the suit was filed, Florida intervened on Alabama's side. Florida contended — and still contends — that hoarding water upstream jeopardized growth in northwest Florida, as well as oyster beds and marine life in Apalachicola Bay. Florida officials pointed out that the oysters need periodic slugs of nutrient-laden fresh water coming down the Apalachicola, and if that flow is curtailed, the oysters and the oyster industry suffers.

With the filing of the lawsuit, the South's first water war was on. It quickly became bitter. At one point, Georgia threatened to withhold permits for some Alabama companies to withdraw water from the Chattahoochee.

The downstreamers' demand for more water was perceived as a threat to Georgia's sovereignty. A University of Alabama study says Georgia was reluctant "to even recognize Alabama's claim to the Chattahoochee as the official border" between the two states. Georgia says the border is the west bank of the Chattahoochee and therefore the river lies wholly within Georgia — a right it claims as one of the original 13 states.

As the dispute worsened, the governors of the three states called a cease-fire in 1992. Out of that came an agreement, with each state pledging to cooperate in devising a plan to share rivers flowing across their borders. Georgia's plan to build regional reservoirs was put on hold. The states and the Corps also agreed to conduct a comprehensive study, which has so far cost more than \$20 million, to analyze how much water is available in each basin, how much each state needs based on growth projections and the possible economic and environmental consequences of meeting those needs.

That's the way matters stood until 1997, when the three state legislatures and Congress adopted the two interstate water compacts to set up the negotiating committees and work out water-sharing agreements for the two basins.

The negotiations often have been less than cordial—in some cases downright harsh. Alabama has accused Georgia's negotiators of pulling population growth figures for Georgia out of "thin air" to bolster water demands. Georgia, on the other hand, says Alabama is "totally unreal" in demanding that Georgia accept less than half the water Georgia says it needs out of the ACT basin. Meanwhile, Florida officials say they will not accept the reduction in historical river flows Georgia wants to make at the Florida state line.

In general, Georgia's proposal for settling the water war would keep water in the big reservoirs on the Chattahoochee at higher than average historical levels in order to ensure adequate water supplies would be on hand during a drought. "We can't accurately predict a drought, so we must plan as if a drought were always eminent," says Harold Reheis, the director of the Georgia Environmental Protection Division.

Higher pool levels in the reservoirs, though, would mean less water available for hydropower and for floating commercial barges on the lower Chattahoochee and Apalachicola.

Alabama's proposal, on the other hand, would keep the reservoirs at lower levels to provide more water for downstream users.

Caught in a squeeze are farmers in a 10-county area in southwest Georgia, the state's most fertile agricultural region. The farmers say that metro Atlanta's demand for more water, and Florida's demand for water for the oysters, will leave them with less water to irrigate their crops. Banks are becoming reluctant to loan money to farmers if they don't have irrigation systems installed to take some of the risks out of farming.

Commercial barge operators on the lower Chattahoochee and Flint rivers also fear that there will be less

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water to float their vessels, and commercial navigation on the waterways could become a footnote of Southern history.

Meanwhile, the federal representative on the negotiating committees, former Georgia congressman Lindsay Thomas, warns that any agreement reached by the three states must make sure there is enough water in the rivers at all times to protect wildlife and safeguard the environment. Otherwise, he may be forced to veto it.

In 1999, the water war took on an even more acrimonious turn. Independent studies by Florida officials and researchers at Georgia Tech indicated that Georgia's settlement proposal did not include a reliable method for helping the other states determine if Georgia is cheating on its upstream water withdrawals. With no quick way of making sure that Georgia is complying with an allocation formula, Alabama officials say they will not agree to anything that Georgia puts forth on the bargaining table.

Adding fuel to the already hot issue, Georgia officials applied for a permit to build the controversial Tallapoosa River reservoir. Alabama officials say Georgia is showing "bad faith" because Georgia had agreed to hold off on the project until the water war was settled. Alabama said Georgia's move could wreck the negotiations.

Even so, several water experts still believe Georgia and Florida and Alabama can come to an amicable understanding. One of them is Wolf, the Oregon State water policy researcher who has studied dozens of national and international water treaties. He believes water may actually bring the states closer together.

He noted that some analysts predicted the dispute for water in the Middle East could trigger a gun-toting, missile-firing war there. Instead, water has proved to be a source of cooperation between old enemies. In

1994, Israel and Jordan signed a historic agreement to share their water resources amicably. "If Jordan and Israel can do it, I believe that Georgia, Florida and Alabama can do it too," Wolf said.