

# Alabama, Florida see water wars differently

By Kathy Seale and Bruce Ritchie

Six days ago, a federal judge ruled that Georgia is drawing water illegally from Lake Lanier and set a three-year deadline for Georgia, Florida and Alabama to settle their long-running water war.

On Tuesday, Gov. Sonny Perdue vowed that the state would “fight to the death” for its share of Lanier.

Now, the folks in Alabama and Florida don’t necessarily want to kill us over this. But they are pretty mad. The AJC asked two correspondents to sample the opinion downstream.

## Where Alabama stands

The issue in the Yellowhammer State is as cut and dried as a water dispute can be.

Start with the governor: “Even if it is appealed, we would win again,” said Gov. Bob Riley of last week’s ruling. “What they have been doing is illegal. They should not be able to continue to do something that is illegal.”

Then check with April Mraz, an advertising executive in Shelby County, south of Birmingham: “We all learned in grade school that we don’t take what doesn’t belong to us. Shame on Georgia for creating a situation where they had to be slapped on the hand for it. ... Right is right, and Georgia was wrong.”

Alabama Power, which owns the Joseph M. Farley Nuclear Plant, is the key Alabama stakeholder in U.S. District Judge Paul Magnuson’s decision.

“To see a ruling, and to see some resolution, was very satisfying to us,” said Pat Wylie, an Alabama Power spokesman.

The plant, which generates as much as 18 percent of the state’s power supply, depends on the Chattahoochee River for cooling and navigation.

“We’ve been involved in this case for a long time, primarily to ensure there is a sufficient flow of water for our Farley Nuclear Plant,” Wylie said. “We also had to be concerned for available water for occasional barge traffic to carry large, key equipment into the plant.”

Cindy Lowry, head of the Alabama Rivers Alliance, said the ruling was a “victory for Alabama’s rivers and citizens. ... [We hope] this ruling will prevent future water grabs, and people can’t just take water and do whatever they want to do.”

Although Georgia’s governor has said he will pursue all legal and political avenues to a resolution, Alabama’s governor said he would prefer that there be no more court battles and that Congress stay out of the issue for now.

“Of all the congressmen and senators I’ve talked to so far, [the opinion] is that this is something that the governors ought to work out,” Riley said.

Congressional involvement, Riley said, should come after the three states have worked out an agreement.

“You can’t disregard the legitimate needs of Florida and Alabama. You can’t say Georgia’s needs are more important.”

Speaking of negotiations among state leaders, Riley said the governors of Alabama and Florida “are ready to do this. I hope that Gov. Perdue would be anxious to get this going.”

He is optimistic, however, that their common ground can overcome their differences.

“All of us have 18 months left. All of us are Republicans,” Riley said. “There’s no reason the three governors can’t get together and come up with a solution that addresses the needs of the three states.”

### **Where Florida stands**

You’ve heard people say the world is their oyster. In Apalachicola, the oyster is their world.

So for the Florida Panhandle, which gets what’s left of the Chattahoochee and Flint rivers after they have traveled through Georgia and merged into the Apalachicola, this court victory may be bigger than the Gators beating the Dogs. Again.

“I wouldn’t like to do like they tried to do us — cut us off completely,” said Apalachicola oysterman Johnny Richards, referring to Georgia. “I’d say live and let live. I’d say there is some kind of solution where we can work together rather than destroy everything we have down here.”

On Wednesday, Gov. Charlie Crist told reporters the ruling “was a huge step in the right direction. We’ve been arguing that for a long time now, not just this administration but prior ones.”

Florida officials and seafood workers contend that damage to Apalachicola Bay estuary and its seafood industry already has been caused by historic low flows from Woodruff

Dam along the Florida-Georgia line. The low flows last year were provided for in a drought operations plan approved by the U.S. Fish and Wildlife Service.

“There have been detrimental effects on the bay from the reductions in shrimp harvesting, the die off of oyster bars, the number of fish in the bay, not getting the spring flood we needed at crucial times during the year to supply the nutrients to the estuary and bay,” said Joseph “Smokey” Parrish, who is co-manager of Buddy Ward & Sons shrimp processing plant in Apalachicola.

Mayor Van Johnson said he hopes the federal government will provide money to restore oyster bars and other areas of Apalachicola Bay that he said have been harmed by high salinity resulting from low fresh-water flows.

“We want to make sure everybody realizes who the real victim in this — that is the city of Apalachicola, which is at the end of the river,” Johnson said. “We want to keep focusing on that. It’s not so much turning the tables [on Georgia], but we are the victim and have been for a number of years.”

U.S. Rep. Allen Boyd (D-Fla.) after declaring the decision a “tremendous victory” earlier this week, issued this statement Wednesday: “It is my hope that this ruling will be a catalyst for the states to come together in a constructive way to find an equitable solution that benefits all users along the . . . system.”

A spokesman for U.S. Sen. Bill Nelson (D-Fla.) said Florida’s support for reauthorizing Lake Lanier to supply Georgia’s cities would depend on a lot of things, including “serious negotiations” among the states.

“There’s not enough water in the system to meet everyone’s demands,” Dan McLaughlin, a Nelson aide, said in an e-mail. “So conservation needs to be part of the equation. We also have to ensure there are protections in place for natural resources, like the Apalachicola Bay.”