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Nathan Deal  
Congress of the United States

Committee on  
Energy and Commerce  
Subcommittee on Health  
Ranking Member

Subcommittee on  
Telecommunications and  
the Internet

Subcommittee on  
Environment and  
Hazardous Materials

October 9, 2007

The Honorable Peter Geren  
Secretary of the Army  
U.S. Department of the Army  
102 Army Pentagon, Room 3E588  
Washington, D.C. 20310

Dear Secretary Geren:

As you know, Georgia is facing one of the worst droughts in history. Lake Lanier has dropped to 1058 feet above mean sea level; 12 feet below full pool, and the conservative estimate for the end of the year by your office is that Lanier could drop to 1,050 feet, or even as low as 1,039 feet if conditions do not improve. The Georgia Environmental Protection Division (EPD) has declared all of North Georgia, including metro Atlanta, in a Level 4 drought; the strictest category the agency can independently impose. This category prohibits all types of outdoor residential water use effective immediately.

As Representative of the people who are greatly affected by the current water conditions in North Georgia, I take seriously my responsibility to do everything that I can to address the situation, no matter how bad a hand Mother Nature has dealt us. To that end I am contacting you today to insist that the U.S. Army Corps of Engineers demonstrate that it is managing the lake in accordance with the current drought situation and not simply for the benefit of any species protected by the Endangered Species Act or because of political threats of a state delegation. I have long supported common sense wildlife conservation and animal protection, but a key factor of that common sense is an operational principle that the health and livelihood of millions of human beings should not be outweighed by endangered mussels. The ESA contains within the authorization of the act an administrative relief clause for the livelihood of humans. Is this relief clause presently being used?

The current conditions take place against the backdrop of the ongoing struggle between Georgia, Alabama and Florida over rights to water resources in the region. The tremendous change that has occurred within the ACT-ACF basins over the past 30 years warrants the need for improved access to the water supply, while protecting an estimated

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annual economic impact of \$5.5 billion to Lake Lanier alone. It has become imperative that the water control plans be updated to allow for better water resource management. There has been slow movement towards resolution of this struggle, but a number of roadblocks have impeded adequate progress.

The former Secretary of the Army informed Members of the Georgia Delegation that the update of the water control plan would begin immediately. When I asked you in our recent personal meeting if the update had begun, you replied that it had not because to do so would upset the Alabama Congressional Delegation. As you know, one of the crucial complaints brought by Alabama against the Corps in its federal lawsuit in Alabama Federal Court is that the Corps has failed to update its water control plans. Congressional efforts to block funding for the update in FY06 appropriations were defeated and I had expected the Corps to proceed with the update during FY07.

Mr. Secretary, the underlying drought conditions have raised the stakes for the people of Georgia and political sidestepping will not be tolerated. I will continue to do everything I can to ensure that no legislation prevents the funding of this essential environmental update, while ensuring Lake Lanier's interest are not resolved by downstream opportunists.

It is my hope that you will be able to demonstrate that the Corps is doing everything it can to manage Lake Lanier in a manner consistent with the addressing the drought and in keeping with the most basic of its original purposes. As always I look forward to your response and to working with you on this issue.

Respectfully,

A handwritten signature in black ink that reads "Nathan Deal". The signature is written in a cursive, slightly slanted style.

Nathan Deal