

Congress of the United States
Washington, DC 20515

October 17, 2007

H. Dale Hall, Director
Fish and Wildlife Service
1849 C Street Northwest
Room 3038
Washington, D.C. 20240

Dear Director Hall,

As you are aware, the State of Georgia is experiencing a severe drought. State officials have taken serious steps to conserve water, including declaring a Level Four Drought Response for all counties in north Georgia from Muscogee County on the Alabama line northeastward to Spalding County, and eastward to Lincoln County on the South Carolina line. The Level Four drought response includes all of metropolitan Atlanta, Rome, Athens and Columbus. A Level Four Drought Response prohibits most types of outdoor water use, with only limited commercial exemptions. The rest of the state remains subject to a Level Two Drought Response, which includes mandatory water restrictions.

We are particularly concerned that during record-breaking drought, the Corps of Engineers continues to operate the Apalachicola, Chattahoochee and Flint Rivers (ACF) Basin according to the terms of an Interim Operations Plan (IOP) developed in consultation with the U.S. Fish and Wildlife Service (USFWS) for the benefit of certain endangered species. As you know, this IOP requires a minimum flow of 5,000 cfs and maintains a desired minimum flow of 6,500 cfs as hydrological and climatological conditions allow. Understandably, our concern grew when we learned that neither the Basin areas in the State of Alabama nor in the State of Florida have mandatory water restrictions. It simply defies logic to think that, were the good Lord to bless the State of Georgia with much-needed water, this IOP would require it to be released from Georgia for the benefit of a handful of mussels and sturgeon downstream to meet the "desired" flow level.

We understand that the Biological Opinion issued by the USFWS on the IOP on September 5, 2006, concluded that the IOP would not result in jeopardy of the listed species, nor adversely modify or destroy critical habitat for these species. Did the Biological Opinion indicate if there were other, less extreme measures that could accomplish the same goal? We also understand that the Biological Opinion included provisions that provide for adaptive management to take into account new information as collected and to minimize harm, as well as provisions relative to modifications based on drought conditions. We strongly request that the USFWS immediately engage in consultation with the Corps of Engineers to address the remaining storage in the face of

continued drought conditions. We urge you to immediately approve a modification to the IOP so that Georgians continue to have access to potable water.

The State of Georgia is currently developing contingency plans for hospitals and fire departments, as well as drinking water for the general population, should storage levels in Georgia's reservoirs fall below outtake. We cannot underscore enough the critical nature of Georgia's situation. The health, safety, and welfare of our citizens is at stake. We look forward to your prompt reply.

Sincerely,

Sally Chambliss

Jimmy Johnson

Paul C. Brown

Sack Kingston

Jim Marshall

Lynn Stethem

Hank Johnson

Nathan Deal

Bill Young

Vance Scott

John Lewis

Shom Parks

Richard Blumenthal

John Barrow

John Linder