

# The letter: Riley criticizes corps decision on Lake Allatoona

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Gov. Bob Riley is strongly criticizing a decision by the U.S. Army Corps of Engineers to drastically reduce the amount of water flowing downstream to Alabama from Lake Allatoona in Georgia.

"The very idea that they're talking about cutting back additional water out of the Allatoona reservoir is unconscionable to me," Riley said. "We're going to do everything we can as a state to keep this from happening."

In a letter sent Tuesday morning to Col. Byron Jorns, the commander of the Corps of Engineer's Mobile District, Riley called the move "reckless, unjustified and punitive." He says the corps' decision to reduce hydropower generation from Lake Allatoona by 50 percent, while Alabama suffers from an ongoing and devastating drought, will have dramatic effects on Alabama's water quality, water supply and economy.

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The Governor also wrote that the decision is part of a pattern of the Corps ignoring Alabama's water needs.

"This decision will cause serious environmental damage to the state of Alabama, and it has the high likelihood of causing serious disruptions to Alabama's public water supply, electric power grid and industrial workforce," Governor Riley wrote in his letter.

The full text of the Governor's letter is below:

Dear Colonel Jorns:

I am writing in response to your decision to reduce hydropower generation from Lake Allatoona by 50 percent effective October 3, 2007. This decision will cause serious environmental damage to the State of Alabama, and it has the high likelihood of causing serious disruptions to Alabama's public water supply, electric power grid, and industrial work force. The decision also represents a continuing pattern by the Corps of Engineers of focusing on conditions at Lake Allatoona, while ignoring far more serious conditions in downstream reservoirs located in Alabama.

On the day that your decision was announced, Lake Allatoona stood at an elevation more than 4 feet above its winter pool level and more than 27 feet above the bottom of its conservation storage pool. By contrast, every one of the ACT reservoirs in Alabama operated by Alabama Power Company is below its winter pool level, and the projections are that those projects will continue to drop to unprecedented lows in the weeks ahead.

The reason, of course, that the Alabama projects are in such a relatively worse condition than Lake Allatoona is that the Corps opted to withhold over 18 billion gallons of water in Lake Allatoona in the spring and summer of this year that should have flowed into Alabama according to the manual pursuant to which the Corps operates Lake Allatoona. Having made a conscious decision to disadvantage the downstream Alabama projects earlier in the year, the Corps has decided again to ignore its manual and to cut hydropower generation from Lake Allatoona 50 percent below the minimum level set by the manual. In the face of the unprecedented drought being experienced in the ACT Basin, this decision to favor Lake Allatoona over the rest of the system is wholly illegitimate and ignores the Corps' obligation to operate this federal resource in an even-handed manner.

There is no question that your decision to halve the hydropower generation at Lake Allatoona will have serious consequences for Alabama. The quality of water entering Alabama at Lake Weiss on the state line has teetered on the edge of failing to meet minimum water quality standards all summer. There can be little doubt that the radical reduction in water flows resulting from your decision will cause the water entering Alabama to consistently fail the most basic water quality standards.

These lower flows at Lake Weiss and the downstream reservoirs along the Coosa River will have additional consequences for the environment and wildlife. There is virtually no doubt that the lower flows will cause levels of dissolved oxygen to drop, raising the likelihood of massive fish kills. In addition, the lower downstream flows will likely cause serious problems for the City of Gadsden and other public water supply providers. As the flow in the Coosa River at Gadsden and other locales decreases, the concentration of organic contaminants will rise, causing serious water treatment issues. It is likely that Gadsden and other water supply providers will not be able to meet the EPA's regulations regarding disinfection byproducts. This will likely require notification to the affected public concerning health concerns pertaining to their drinking water.

The accelerated drop in reservoir elevations in Alabama resulting from your decision will also threaten the ability of public water supply systems to withdraw from ACT rivers and reservoirs. Taxpayers in numerous localities are having to spend tens of thousands of dollars to relocate water supply intakes. This, of course, stands in stark contrast to the Cobb County-Marietta Water Authority ("CMWA"), whose withdrawals from Lake Allatoona have greatly exceeded the amounts authorized in its storage contract with the Corps. These excessive withdrawals have caused the level of Lake Allatoona to drop below where it should be. It is simply indefensible that the Corps has allowed those illegal withdrawals by CMWA to continue with impunity while at the same time the Corps now seeks to reduce the required releases that benefit Alabama.

Your decision also threatens to have serious economic consequences for working Alabama families. As the flow in the Alabama River decreases, the ability of industrial plants along the river to comply with their effluent discharge limits will be seriously jeopardized. If they are not able to comply, their operations will have to be shut down, and their employees will be laid off.

The reduced discharges from Lake Allatoona will also place a much greater burden on the reservoirs located in Alabama to meet flow needs. Given that these reservoirs are already in much worse condition than Lake Allatoona, the additional fall in the lake levels at these projects that will result from your decision puts us in uncharted territory. There is a material chance that the ability of Alabama Power to generate hydropower from these projects will be imperiled. This in turn could threaten the stability and reliability of the electric power grid in Alabama.

I also have to take issue with the Corps' suggestion that the cutback in flows from Lake Allatoona is necessary to ensure the ability of that project to refill before next summer. As the Corps has repeatedly recognized, Lake Allatoona has consistently refilled since 1955 notwithstanding previous droughts. By contrast, the ability of Lake Martin to refill to a manageable level is much more uncertain. Your decision will force Lake Martin to be drawn to precariously low levels, which will make the likelihood of refilling it much more remote. While Corps' officials have noted that Lake Martin has a larger drainage area than Lake Allatoona, those officials ignore the fact that the amount of drainage area for Lake Martin is smaller than Lake Allatoona's when compared to the relative storage capacity of the two reservoirs. In short, the accelerated drawdown of Lake Martin makes the ability of that critical resource to refill exceedingly remote.

In light of the foregoing, your decision to radically curtail the hydropower releases from Lake Allatoona cannot be justified. The Corps has acknowledged its obligation to consider the system as a whole in making operating decisions at Lake Allatoona, but that seems to have been forgotten in reality.

I can see no insurmountable consequence from allowing the hydropower releases identified in the Corps' manual for Lake Allatoona to continue, especially given the more dire conditions in the downstream projects. I am aware, of course, that the Corps has stated in writing that there is a politically feasible pool elevation of 820 feet below which it cannot allow Lake Allatoona to fall, but that sort of political calculation should play no role in the Corps' decision-making process.

A decision to protect the water levels in Lake Allatoona, notwithstanding the unprecedented drought we are experiencing, flies squarely in the face of congressional intent. The elevation of Lake Allatoona is still more than 25 feet above the bottom of the conservation pool. If the Corps will not allow hydropower releases to continue at the present levels under these conditions, then the Corps has effectively reallocated an enormous percentage of the available storage in Lake Allatoona to purposes other than those authorized by Congress. The Corps, however, has no authority to make such a unilateral reallocation.

When you consider the dramatic effect on water quality, water supply, and economic viability that Alabama will experience if your decision is implemented, it is unconscionable for the hydropower generation from Lake Allatoona to be halved. If you persist in your intended course, we as a state will be forced to take every action we can to correct this reckless, unjustified, and punitive curtailment of the flows dictated by your own manual.

Very truly yours,

Bob Riley

Governor

cc: The Honorable Pete Geren

The Honorable John Paul Woodley

Brigadier General Joseph Schroedel

The Honorable Sonny Perdue

Alabama Congressional Delegation

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