

December 19, 2007

Governor Charlie Crist  
State of Florida  
The Capitol (PL 05)  
Tallahassee, FL 32399-0001

Dear Governor Crist,

On behalf of our Apalachicola Riverkeeper membership and the communities of Florida's Apalachicola Basin, thank you for your leadership in meeting with the Governors of Alabama and Georgia on December 17<sup>th</sup>. It is no exaggeration that the historic, extended low flows have thrown the exceptional Florida and national resource that is our River, its floodplain, and Estuary into an acute crisis. Your actions of yesterday provide us with hope, as did Secretary Michael Sole's visit to the Franklin County Commission meeting on the 18<sup>th</sup>. The prospect of a changed direction from seemingly endless litigation is most welcome. We look forward to progressive consultation with your Florida team led by Eric Eikenberg and Sec. Sole. We have the common task of seeking a positive solution for an equitable distribution of the surface waters of the Apalachicola-Chattahoochee-Flint (ACF) Basin.

We believe your aim is directly on target; the current Exceptional Drought Operation (EDO) protocol is fatally flawed and must be changed. The current process of calculated inflows simply does not address actual, measureable out-takes. Consumptive uses or demand management processes (a state responsibility) are nowhere to be found. The end result is that the full burden of this drought falls on downstream users implemented by flow reductions at Jim Woodruff Dam. It was most important that the Corps General at the press conference said that the Corps will NOT pursue further reduction in the ruinous low flows at the FL/GA border, pending the outcome of the joint January meetings in DC. As Sec. Sole noted in an earlier letter to the Corps and USFWS, we cannot tolerate further reduced flows nor a prolonged, historically low flow without an expedited end.

The current EDO has been adopted without assessments of economic and environmental impacts or of the in-stream flows necessary for the health and productivity of the Apalachicola River, Floodplain, and Estuary. Such assessments would make possible an accurate determination of the "sustainable yield" for water withdrawals in the ACF basin. The draft Georgia Water Plan and current Corps guidelines both embrace this methodology.

Drought is a recurring event in Nature, but "recurring" means you can plan. The severity and duration of this drought are directly traceable to the actions, or failures to act, of Man. As you pointed out at the press briefing, enforced conservation is critical, and the permitting of additional demands on an already over-allocated River Basin must be constrained. In extremis, if this

drought were to continue unabated, what planning has been done by Georgia to identify alternative water sources for when reducing the flows to Florida will no longer suffice?

Again, you have our sincere thanks as you continue to honor your pledge to fight for the people of Florida and their communities dependent on the Apalachicola River, the Floodplain, and the Estuary.

Best regards,

Andrew Jubal Smith  
Executive Director

CC: Eric Eikenberg – Chief of Staff, Governor's Office  
Michael Sole – Secretary, Florida Department of Environmental Protection

