United States Senate

WASHINGTON, DC 20510

November 4, 2015

The Honorable Lamar Alexander
Subcommittee on Energy
and Water Development
Committee on Appropriations
186 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein
Subcommittee on Energy
and Water Development
Committee on Appropriations
125 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Alexander and Ranking Member Feinstein:

We write to formally request that any forthcoming omnibus appropriations bill include language that addresses the Army Corps of Engineers' ongoing mismanagement of both the Alabama-Coosa-Tallapoosa (ACT) and the Apalachicola-Chattahoochee-Flint (ACF) River Basins. As you are aware, language dealing with the ACT has already been included in the Senate-reported Energy and Water Appropriations bill. Accordingly, due to recent developments in the ACF, we request that language be added to address this basin as well.

As background, in 1945 Congress authorized the Army Corps of Engineers to construct and operate federal facilities for managing the water resources of the ACF River System. In 1958, the Corps began to withhold water flow downstream, decreasing downstream flows over time with significant negative impacts to both Alabama and Florida. After almost three decades of litigation without resolution, resources vital to Florida and Alabama continue to be severely impacted without any relief in sight.

In light of the Corps' September 30, 2015, release of the Draft Environmental Impact Statement (DEIS) and Water Control Manual (WCM) for the Apalachicola-Chattahoochee-Flint River Basin (ACF), Congressional action is needed given the current proposal would continue to severely restrict water flows for downstream users.

The ACF's water supply is the lifeblood for many Alabama and Florida communities, and supports multiple industrial and domestic uses. For example, both Florida and Alabama rely on the ACF for navigation and the production of hydroelectric power that supplies efficient, low-cost energy for many throughout the region. In addition, Alabama and Florida depend on the ACF for irrigation and agricultural purposes, flood control, and water quality. Without a reliable and consistent freshwater flow from the ACF, entire communities and their respective economies are left to the decisions and priorities of those upstream.

Furthermore, the ACF is a critical ecological and environmental component given how important the freshwater flows are to the fisheries resources of the Apalachicola River and Bay. The commercial fishing industry contributes over $200 million annually to the regional economy and directly supports eighty-five percent of the local work force in the Apalachicola Bay area. The Apalachicola Bay depends on the freshwater inflow from the ACF Basin to regulate salinity,

nutrient and temperature levels for its fisheries, including oysters, crab, shrimp and fish, all of which have seen a drastic decline in production. In fact, in 2012 the National Oceanic and Atmospheric Administration (NOAA) declared a commercial fisheries failure due to an ongoing fisheries disaster in Apalachicola Bay. Apalachicola Bay is a principle contributor of freshwater and nutrients to a fishery that NOAA estimates provides an economic value of $5.8 billion to the region.

Because of each state's vital need to ensure that the ACT and ACF River Basins are properly managed with each of their interests appropriately considered, we urge the Subcommittee to include language in any omnibus appropriations vehicle that ensures that management of both of these critical basins are not left to the whims of an unaccountable federal bureaucracy, but instead is properly determined and agreed upon by each state's governor.

Sincerely,

Richard Shelby
U.S. Senator

Marco Rubio
U.S. Senator

Jeff Sessions
U.S. Senator

Bill Nelson
U.S. Senator