



STATEMENT REGARDING 11TH CIRCUIT COURT'S WATER RULING

Tad Leithead, Chairman, Atlanta Regional Commission

On June 28, 2011, a three-judge panel of the United States Court of Appeals for the 11th Circuit issued its decision reversing Judge Paul Magnuson's order that posed a serious threat to metro Atlanta's water supply.

We are very pleased with the reversal of an order that Judge Magnuson himself termed draconian. Had his ruling gone into effect in July 2012, the water supplies that millions of people depend on would have been cut off. As a result of today's action by the 11th Circuit, now that won't happen.

Today the 11th Circuit made clear that water supply is a fully authorized purpose of Lake Lanier under the 1946 Act that authorized the construction of Buford Dam, on par with hydropower, navigation and flood control.

The 11th Circuit has given the Corps one year to analyze the Georgia request for water supply use of Lake Lanier, consistent with its opinion, after ruling that the Corps has authority to balance between water supply, and the other authorized purposes.

Now that the legal issue is resolved--water supply is an authorized purpose of Lake Lanier-- we hope that the parties, working with the Corps, will be able to agree on a solution that meets the needs of all users in the basin.

As a region, we must still use our water resources wisely and efficiently, and we will still need to plan for the future, but these are manageable challenges and we are already well on the path to meeting them.

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