

# Water Wars in a Nutshell

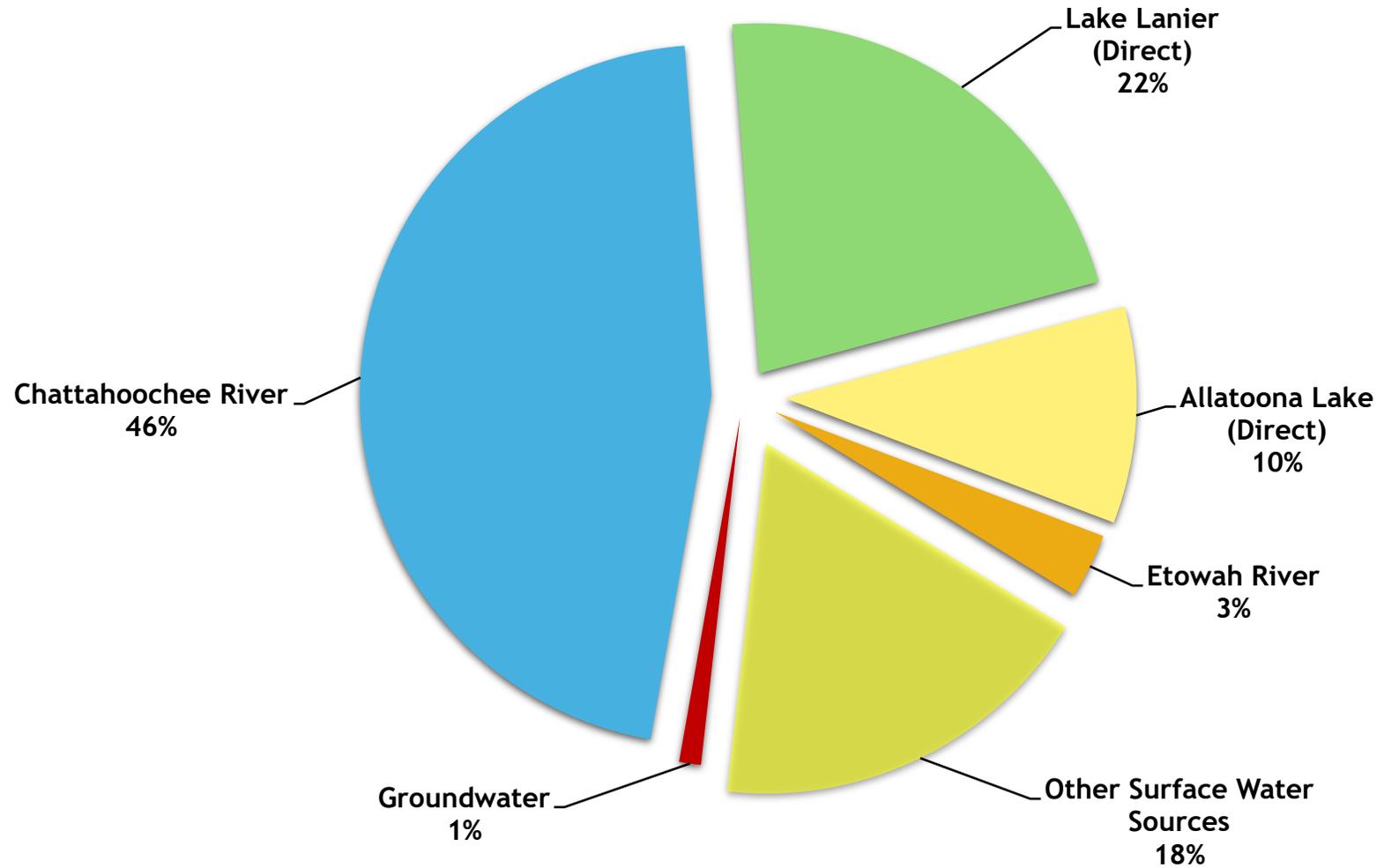
August 13, 2025

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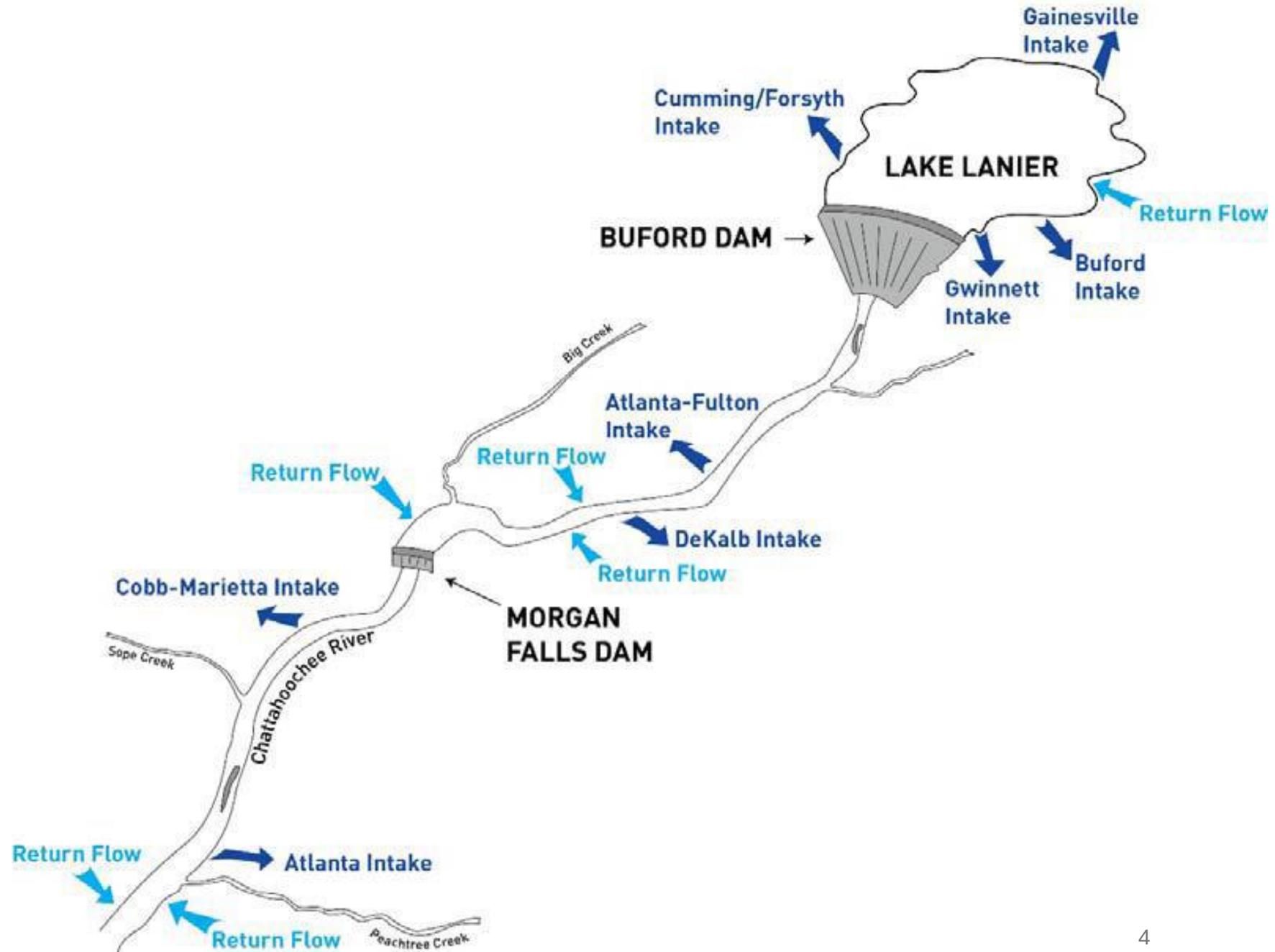


# Water Supply by Source

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# ACF



ACT



# Litigation

- State v. State: “equitable apportionment” by SCOTUS
  - All factors considered, is Georgia’s use reasonable?
  - ACF: Florida v. Georgia 2013-2021; all claims dismissed
  - ACT: no suit as yet
- States v. Corps: statutory claims in District Courts
  - Challenges alleging water supply is not “authorized” at Lake Lanier
  - Challenges based on alleged impacts to muscles and sturgeon
  - Challenges based on Water Supply Act limitations
  - Challenges based on “improper prioritization” of water supply and recreation over navigation and hydropower
  - Challenges alleging environmental studies were deficient or that alternative plans should have been considered

# Water Wars Timeline

1970-  
1989

Interagency studies proposes using Allatoona and Lanier to meet future needs

1990-  
2003/4

Alabama and Florida sue to block reallocation

Litigation paused for studies and compacts

Metro grows without contracts under “live and let live” agreement

2003/4-  
2011

Compacts terminate; litigation in four courts

2007: “Magnuson decision” in ACF threatens catastrophe for metro Atlanta

2011: Eleventh Circuit reverses Judge Magnuson

2011-  
2021

2013-2021: Florida v. Georgia in SCOTUS

Corps studies proceed...

Corps approves Lanier reallocation and manual (2017); Alabama sues

Corps approves Allatoona manual (2015) and contracts (2021); Alabama sues

Constant threats from Congress

2021-  
Present

Jan. 2021: Lanier contracts executed

April 2021 SCOTUS denies FL’s equitable apportionment claim

Aug. 2021: NDGA rejects statutory ACF claims; AL and NWF appeal

2021 USACE approves Allatoona reallocation; contracts pending

2025: Alabama settles ACF appeal; NWF continues

2025: Statutory claims in ACT dismissed; AL appeals

# ACF: Current Status

- Projected 2050 needs met
  - Contracts cover 2050 demand for Lake Users: Gwinnett / Buford, Forsyth / Cumming, Gainesville / Hall County
  - Water control manual covers 2050 demand for River Users: Atlanta, Fulton, DeKalb, Cobb County- Marietta Water Authority
- With Alabama settlement, NWF's 11<sup>th</sup> Cir. Appeal is the only remaining legal challenge
  - Alabama's appeal stayed until Jan. 2026, when it will be dismissed barring unforeseen circumstances
  - NWF did not settle, so its appeal is still pending. Decision expected anytime

# ACT: Current Status

- Projected 2050 needs met
  - Pending contract with Bartow County/City of Cartersville
  - New policy crediting “made inflow” covers Cobb County Marietta Water Authority
- One legal challenge remains: Alabama’s appeal to the D.C. Circuit (filed 5/29/25)

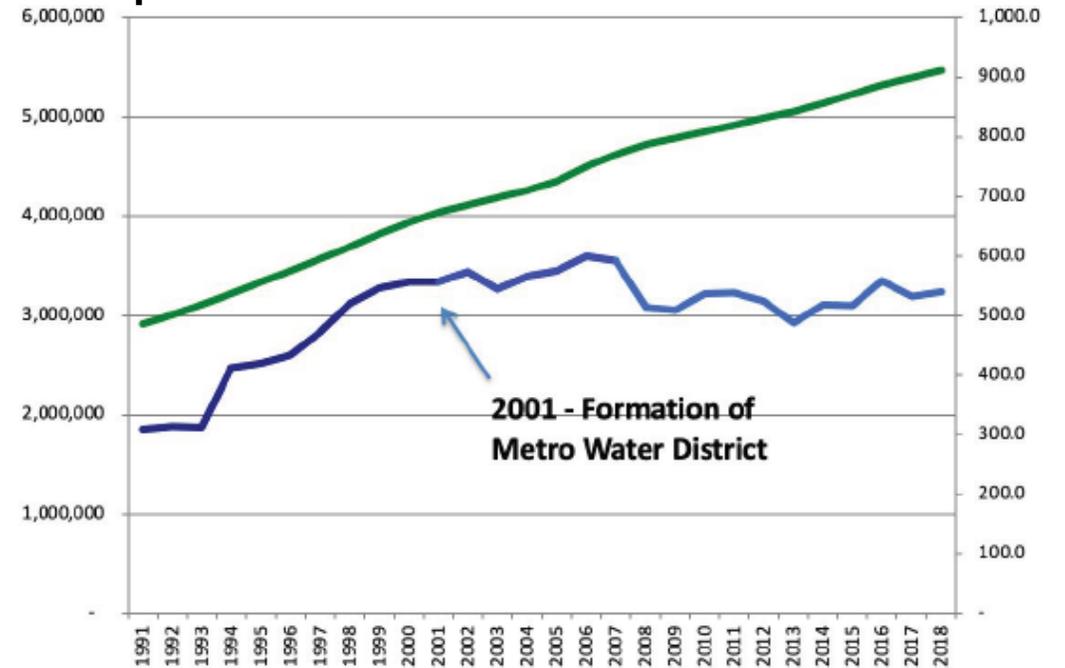
How'd we get here?

# Metro Atlanta *Became* a Conservation Leader

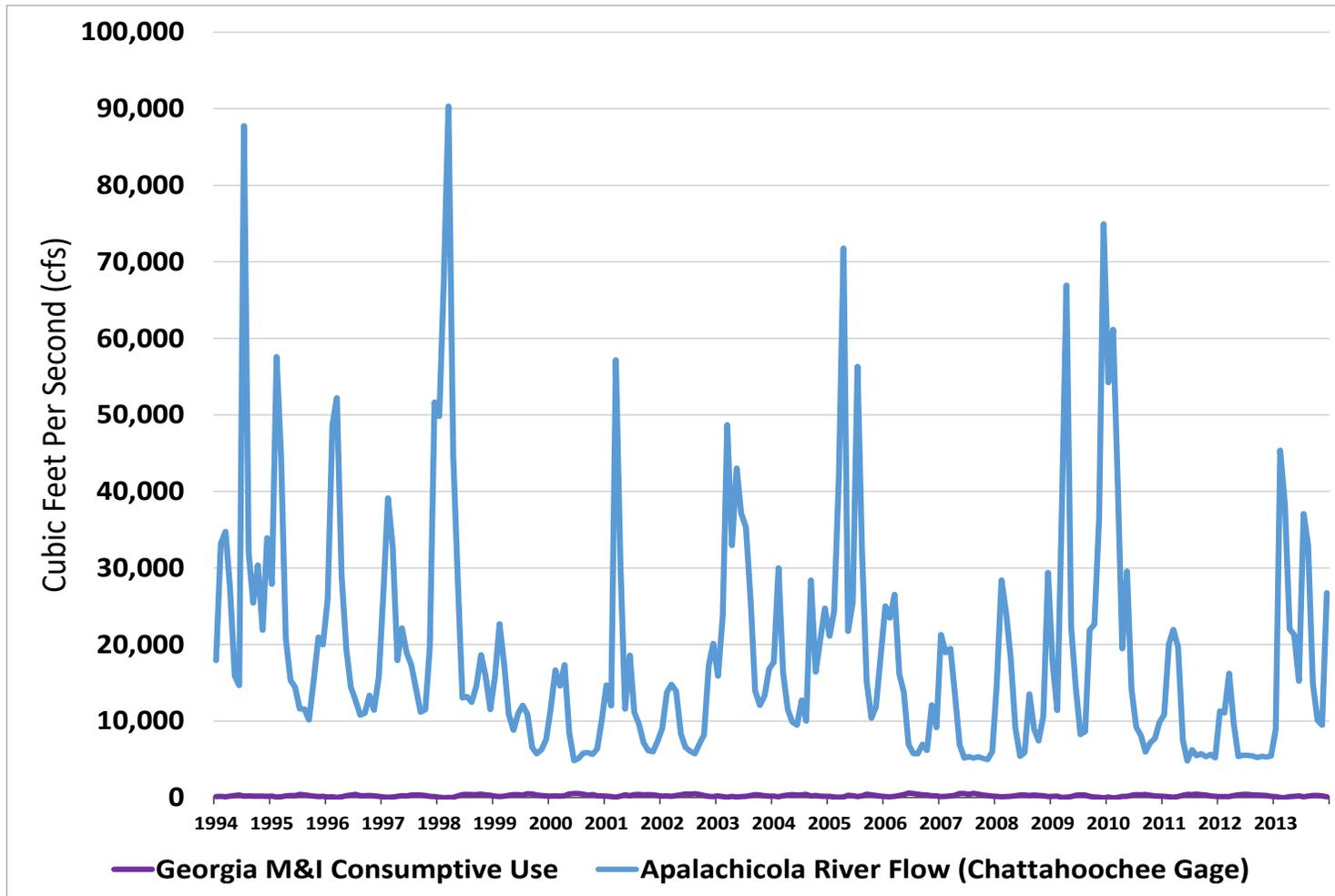
## Declining Per Capita Demand



## Population versus Demand Over Time



# And Showed its Water Use is Reasonable



- Metro water use ...
  - Supports millions of people and generate billions of dollars
  - While barely affecting state-line flows
- Stewardship is essential, but state-line impacts were vastly overstated

# What could change?

Water use &  
conservation

Water  
Control  
Manuals

Legislation  
and policy

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Questions?