



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Sonny Perdue
GOVERNOR

October 20, 2007

The Honorable George W. Bush
The President
The White House
Washington, DC 20500

Through: Major Phillip May
Regional Director
FEMA Region IV
3003 Chamblee Tucker Road
Atlanta, GA 30341

Dear Mr. President:

Under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206 (Stafford Act), and implemented by 44 CFR § 206.36, I request that you declare a major disaster for the State of Georgia as a result of prolonged exceptional drought conditions existing in the northern third of Georgia which have created a shortage of water availability at an unprecedented level. The continued depletion of this crucial resource is creating a significant and increasingly severe threat to Georgia businesses, industry, economic stability and the health and safety of Georgia citizens.

The requested incident period for the Severe Georgia Drought is September 28, 2007 and continuing. The counties included in the incident are as follows: Baker, Banks, Barrow, Bartow, Butts, Calhoun, Carroll, Catoosa, Chattooga, Cherokee, Clarke, Clayton, Cobb, Coweta, Crawford, Crisp, Dade, Dawson, Decatur, DeKalb, Dooly, Dougherty, Douglas, Early, Elbert, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Greene, Gwinnett, Habersham, Hall, Haralson, Harris, Hart, Heard, Henry, Jackson, Jasper, Lee, Lincoln, Lumpkin, Macon, Madison, Marion, Meriwether, Miller, Mitchell, Morgan, Murray, Muscogee, Newton, Oconee, Oglethorpe, Paulding, Peach, Pickens, Pike, Polk, Rabun, Randolph, Rockdale, Schley, Seminole, Spalding, Stephens, Sumter, Talbot, Taylor, Terrell, Towns, Troup, Union, Upson, Walker, Walton, Webster, White, Whitfield, and Wilkes Counties. These eighty-five Georgia counties are the same areas included in the October 20, 2007 Governor Declaration of a State of Emergency.

In response to the situation, I have taken appropriate action under state law and directed the execution of the Georgia Emergency Operation Plan on October 20, 2007, in accordance with

Section 401 of the Stafford Act. I have also declared a State of Emergency on October 20, 2007, for the above 85 counties (attached as Exhibit A).

Current and Potential Impact of the Disaster

The Georgia Environmental Protection Division has utilized the U. S. Army Corps of Engineers computer modeling programs to demonstrate that unless alterations are made to the Interim Operating Plan (IOP) for the Apalachicola-Chattahoochee-Flint (ACF) River Basin that "there is a serious risk that the reservoirs will be drained of all conservation storage. If that occurs, there will be severe water shortages for millions of Georgians, and the flow in the Chattahoochee and Apalachicola Rivers will fall dramatically below current levels, harming the biological species that depend on those flows." Using assumptions based on the historical drought conditions we are experiencing, the computer modeling programs show that the major reservoir serving the Atlanta metropolitan area (Lake Lanier) would fall to unprecedented levels in the next few weeks and would empty before the end of January 2008. Two other reservoirs, West Point Lake and Lake Walter F. George will be empty beginning in November and would remain empty through next February. The serious effects of draining the lakes would be felt throughout 2008 and perhaps for years to come.

If alterations are not made to the IOP, then the Lake Lanier water level will fall below the 1039 level which would expose all water supply intakes. It is unimaginable what measures would be necessary to provide minimal water requirements to the over four million Georgians who depend upon this resource for water.

Estimated Financial Impact of the Disaster

It is estimated that state and local governments have already incurred expenses exceeding the \$10.15 million state threshold for damages and emergency measures related to this disaster. The potential catastrophic costs that would be incurred in providing minimal water to the affected residents and businesses can largely be diverted through the use of additional presidential authorities granted through the declaration of a major disaster regarding relief from certain provisions of the Endangered Species Act.

FEMA Program Assistance and Direct Federal Assistance Requested

I am requesting direct Federal Assistance for work and services to save lives and protect property.

I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments and that supplemental Federal assistance is necessary. I am specifically requesting the Public Assistance Emergency Protective Measures (Category B), Water Control Facilities (Category D) and Utilities (Category F) be approved for the affected areas. In addition, the State is requesting that Disaster Unemployment Assistance be made available to individuals residing the affected areas; that Small Business Administration disaster loans be made available to businesses impacted by the disaster in the

affected areas; and that Hazard Mitigation Programs be made available statewide to local governments to implement mitigation efforts to avert damages from future disasters.

Furthermore, I am requesting direct Presidential assistance to implement two critical actions that are necessary to avert a disaster of an unprecedented nature.

- (1) The State of Georgia is requesting that with the declaration of this major disaster that the President exercise his authority under section (p) "Exemptions in Presidentially declared disaster areas" of the Endangered Species Act to determine that action is (a) necessary to prevent the recurrence of such a natural disaster and to reduce the potential loss of human life, and (b) to involve an emergency situation which does not allow the ordinary procedures of the Endangered Species Act to be followed; 16 USC § 1536(p); and,
- (2) The State of Georgia is requesting that the President determine that the actions to alter the reservoir operating rules under the Interim Operating Plan (IOP) for the Apalachicola-Chattahoochee-Flint (ACF) River Basin as outlined in the attached (Exhibit B) letter of October 12, 2007 from Carol Couch, Director, Georgia Environmental Protection Division, to Col. Byron Jorns, Commander and District Engineer with the Mobile District of the U. S. Army Corps of Engineers, is consistent with permitted repairs to public facilities as delineated in the Endangered Species Act exemption provisions referenced above.

Preliminary estimates of the types and amount of assistance needed under the Stafford Act are tabulated in Enclosures A and B. Estimated requirements for assistance from certain Federal agencies under other statutory authorities are tabulated in Enclosure C.

State and Local Government Actions Taken to Mitigate the Impact of the Disaster

The State of Georgia has taken increasingly progressive steps to avert this impending catastrophe. On April 18, 2007 the director of the Georgia Environmental Protection Division declared a Level Two Statewide Drought Response for the State of Georgia. This action was taken as the drought conditions, which began in 2006, continued through the winter and early spring seasons when the natural precipitation cycles would normally replenish the reservoirs. Current climatic and hydrological conditions show that this is the worst drought of record for Georgia. Unfortunately, all the forecasts for the balance of this year and early 2008 indicate a continuation of the extreme drought conditions.

The State declared a Level Four Drought Response for the northern third of Georgia on September 28, 2007. In addition, the State has sought through discussions and petitions to secure the cooperation of the Mobile District of the U. S. Army Corps of Engineers to alter the IOP to lower release levels to help preserve the remaining water in the reservoirs. Alteration of the release levels will ensure that sufficient resources are available to serve not only the needs of the individuals depending upon the ACF River Basin, but also the endangered species that depend upon a continued minimal water flow.

As the drought conditions have continued, local units of government have imposed additional conservation measures. Many Georgia communities, like Douglas County, have imposed additional restrictions and heavy fines for violators of outdoor watering bans. Other communities, like the City of Lawrenceville, have initiated measures to bring additional water wells or abandoned water wells back into service.

Unfortunately, the cumulative impact of the state and local measures will be inadequate to avert this impending catastrophe. It is only the direct intervention of the President through the actions outlined above that can forestall this disaster and provide the necessary time to implement further water conservation measures that will be necessary until the drought ends and the normal precipitation cycles return.

State Certifications

I certify that for this major disaster, the state and local governments will assume all applicable non-federal share of costs required by the Stafford Act. Total expenditures are expected to exceed \$10.15 million, in accordance with the table in Enclosure D.

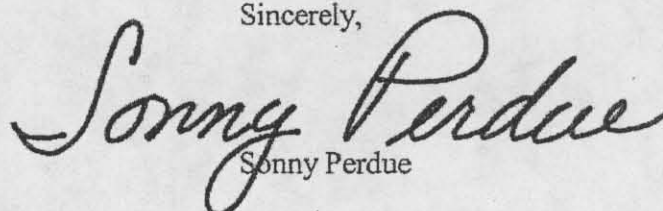
I certify that the State of Georgia has a federally approved standard state mitigation plan. The State is in the process of updating our mitigation plan which will be completed on or before April 15, 2008.

In accordance with 44 CFR § 206.208, the State of Georgia agrees that it will, with respect to direct Federal assistance:

1. Provide without cost to the United States all lands, easements and rights-of-ways necessary to accomplish the approved work;
2. Hold and save the United States free from damages due to the requested work, and shall indemnify the Federal Government against any claims arising from such work;
3. Provide reimbursement to FEMA for the non-Federal share of the cost of such work in accordance with the provisions of the FEMA-State Agreement; and
4. Assist the performing Federal agency in all support and local jurisdictional matters.

I have designated Charley English as the State Coordinating Officer for this request. He will work with the Federal Emergency Management Agency in damage assessment and may provide further information or justification on my behalf.

Sincerely,


Sonny Perdue