

Q: Why is Florida suing Georgia?

A: Florida and its citizens are entitled to a fair share of the waters of the ACF Basin, which feed the Apalachicola River and Bay. Likewise, Georgia is legally obligated to use interstate waters in a way that does not harm downstream states. For decades, Georgia's consumption of water from the Chattahoochee and Flint River Basins has grown, unchecked, without regard for the harmful effects on Florida. The injury caused by those upstream practices has compounded over the years, leading to the 2012 collapse of the oyster industry upon which generations of Florida families have relied in Apalachicola. It is time for Georgia to shoulder the burden of its metropolitan expansion and poor water management practices, rather than imposing the cost of its unchecked consumption on Florida's families downstream.

Q: Why hasn't Florida tried to negotiate with Georgia, rather than file a lawsuit?

A: Florida has repeatedly engaged in numerous rounds of formal and informal negotiations with Georgia, without avail. The states signed a Memorandum of Agreement in 1992, and ratified the congressionally-authorized ACF Compact in 1997, all with the goal of cooperatively managing the ACF waters. Even after the ACF Compact expired in 2003 without the desired resolution, Florida attempted to work with Georgia to establish a fair apportionment of the waters that flow south into our State. Consistent throughout these efforts has been Georgia's refusal to acknowledge the harm its unchecked consumption in the ACF causes Florida, and Georgia's unwillingness to share those interstate waters fairly.

Q: Why is this case being filed in the U.S. Supreme Court?

A: The U.S. Supreme Court exercises "original jurisdiction" over controversies between the states, meaning it is the only court in the country that can hear and address the present case. Throughout U.S. history, disputes between states are exceedingly rare legal events in the Supreme Court, making this an historic step taken by Florida to obtain relief from the harms caused by Georgia to the Apalachicola River and Bay.

Q: How is this lawsuit different from the prior lawsuits involving the ACF?

A: Although past lawsuits over the ACF Basin involved Florida, Georgia and Alabama, those cases addressed the management of the interstate waters by the U.S. Army Corps of Engineers, not depletions by the states. This case goes directly to the source of the harms suffered by Florida and Apalachicola Bay – upstream consumption and storage of water by Georgia.

Q: What does Florida hope to achieve by this lawsuit?

A: Florida is entitled to its fair share of the waters flowing south through the ACF Basin and feeding the Apalachicola River and Bay. This lawsuit aims to stop the unchecked consumption and storage by Georgia in the ACF Basin, and to equitably apportion those waters for the benefit of *all* users, both upstream and downstream.

Q: Why isn't Alabama involved in this lawsuit?

A: Only Georgia's consumptive uses in the ACF Basin have harmed, and continue to harm, Florida, and so only Georgia's actions must be addressed. Although Alabama is

geographically connected to the ACF Basin, its uses of water along the Chattahoochee River have not grown at the same alarming rate Georgia's consumption has increased, nor do future developments along the Alabama portion of the Basin threaten the water flows into Florida. This lawsuit aims to stop the continued harm to Florida's families who depend upon the Apalachicola River and Bay, and Georgia's unchecked consumption in the ACF is the source of that injury.