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## LIQUID ASSETS

After spending \$5.2 million on study, state has water data, but no water plan



Exposed pilings are a sign of water level on the Coosa River near Ohatchee. The state has spent \$5.2 million collecting data that could be used to draft a water management plan, though there's no real deadline for using that data to create one.

Trent Penny/The Anniston Star

By Tim Lockette, Star Staff Writer, [tlochette@annistonstar.com](mailto:tlochette@annistonstar.com) Dec 9, 2018

During the past five years, Alabama has spent \$5.2 million collecting data on the state's rivers, data that was expected to become the basis of a long-awaited statewide water management plan.

But the state panel in charge of producing that plan appears to have punted, voting last month to instead produce "a compilation of the state's existing laws and policies into one document" by 2020.

"Gov. Ivey's charge to the commission was always to come up with a plan to have a plan," said Anniston resident Dick Anderson, a member of the Alabama Water Resources Commission, the state board in charge of the planning process.

The notion of a statewide water use plan has been on the state's radar, on and off, for a quarter century. Fast-growing states such as Florida and relatively dry Western states began planning their water use decades ago, in part to head off looming local water shortages. Most Southern states now have some kind of statewide plan for who uses water and how much water users can take.

Alabama hasn't felt as much pressure to do the same. One big reason: The state is laced with rivers, and 10 percent of the fresh surface water in the continental U.S. flows through Alabama on its way to the Gulf of Mexico, according to the United States Geological Survey.

"We have a lot of water resources in the state that many of the other states don't have," said Anderson.

### **'Water war' adds incentive**

In recent years, though, water planning has moved closer to the front burner for many Alabama officials. A severe drought in 2016 brought some public attention to water planning, though when the drought ended, headlines about water planning largely dried up.

There's still pressure, though, from the state's long-running water wars. Since the 1990s, Alabama has been in court with Georgia and Florida over control of the rivers — including the Coosa — that flow across state lines.

Georgia, upstream of the Anniston area, wants to have enough water to feed booming Atlanta. Florida, downstream from Alabama, wants there to be enough water left in the rivers to feed its shellfish industry, among other things.

Alabama is the only party in the lawsuit that doesn't have a statewide plan to manage its water. Lawmakers and environmental activists in recent years have become increasingly worried that the lack of a plan might hurt Alabama's case in court.

### **Enough through 2040**

Lawmakers in 2013 began socking away money for a statewide water assessment — a project to measure water levels and water use in all the state's rivers. Listed on state budgets as a line item within the State Geological Survey's funding, the water assessment project got \$1 million in its first year.

Officials with the state Office of Water Resources says the project has seen a total of \$5.2 million in state support over the years.

The end result is a massive report — more than 3,000 pages, when appendices are counted — outlining how much water is in the state's rivers. The take-home message from that report: Barring a "catastrophic event," the state should have enough water for its needs through 2040.

That's based on a prediction the state's population would grow 16 percent between 2010 and 2040, a modest number compared to most states but in keeping with Alabama's relatively slow growth in recent years.

When the report was released a year ago, the state's Office of Water Resources touted it as a "baseline of data and information for a potential revised statewide water management plan."

A year later, there's still no plan. Last month, the Water Resources Commission approved a "roadmap" to a plan by 2020, though that roadmap says only that the state will compile existing laws into one document.

The commission is also asking for more funding for the project: \$2 million for 2020, \$1.7 million for 2010 and \$2.1 million for 2022.

### **Assessment helps**

Environmentalists aren't impressed with the commission's plan to pull together existing policy in to a single document.

"That is not what we would consider a water plan," said Sarah Stokes, senior attorney for the Southern Environmental Law Center. "That's just the status quo."

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State officials argue that they were given money to collect data, not to draft the plan itself. In an email to The Star, state geologist Nick Tew said the water study provided “the foundation for any future water planning effort,” but noted his office wasn’t charged with creating a plan.

“This funding was not intended for the development of a statewide water resources management plan, but rather to provide critical information needed as a foundational underpinning for any future efforts in water planning and management, as well as other purposes,” he wrote.

Clean water advocates are careful to avoid criticizing the water assessment spending. The water assessment does give them a sense of how much water the state has, they said. That’s more information than the state had two years ago, when drought caused some streams to vanish.

The data could be used in the state’s court cases, Stokes said, even without a statewide plan.

But environmentalists also say there’s a need for real policy changes that could be outlined in a plan. Under current law, if you own property that touches a creek, there’s no limit on how much water you can take from it. The state’s permitting system requires only that the largest water consumers report the amount of water they take.

In a teleconference last week, Brian Atkins, director of the Office of Water Resources, said the 2020 compilation could give lawmakers a place to start in making changes to state policy.

In an email later, Atkins said that while the state laid out money for data collection, there’s been no money set aside for actual drafting of a water plan.

“No funding has been appropriated for a statewide water resources management plan of any type,” he wrote.

It’s unclear why it’s taken the state so long to create a plan, though in recent years, Alabama’s political volatility may have played a role.

In 2012, then-Gov. Robert Bentley convened a new working group to draft a water plan. In 2016, as the state faced a drought, the group was working toward an end-of-year deadline to produce a recommendation. That group’s findings were never released. In early 2017, rocked by extramarital affair allegations and a criminal charge over campaign financing, Bentley left office.

Incoming Gov. Kay Ivey disbanded Bentley’s panel, part of a larger overhaul that sent many Bentley staffers packing.

In 2017, she handed the work back to the Water Resources Commission.

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