



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SOUTH ATLANTIC DIVISION, CORPS OF ENGINEERS
ROOM 8M15, 60 FORSYTH ST., S.W.
ATLANTA GA 30303-8801

AUG 18 2008

Executive Office

Mayor Van W. Johnson, Sr.
City of Apalachicola
1 Bay Avenue
Apalachicola, Florida 32320

Dear Mayor Johnson,

Thank you for your July 8, 2008 letter regarding the Revised Interim Operations Plan (RIOP) for Jim Woodruff Dam and the recent decision of the United States Court of Appeals for the District of Columbia Circuit in Southeastern Federal Power Customers, Inc. v. Geren.

As you have correctly noted in your letter, issues relating to the RIOP and the Corps' management of the ACF basin are now before Judge Magnuson in the U.S. District Court for the Middle District of Florida. Since this matter is now in litigation, it would be inappropriate for me to comment on these issues. However, the Army believes that the RIOP does not conflict with the February 5, 2008 decision in Southeastern Federal Power Customers, Inc. v. Geren, or with any applicable Federal law.

I understand your desire to protect the vital interests of the Apalachicola River and Bay. I do look forward to continuing to work with you, the members of the Florida congressional delegation, and the citizens throughout the Southeastern United States to resolve these complex issues. I am forwarding a copy of this letter to Mr. W. Wynne Fuller, Chief, Operations Division, Mobile District, 109 Saint Joseph Street, Mobile, AL 36602-2630

Sincerely,

Joseph Schroedel
Brigadier General, US Army
Commanding

RECEIVED
AUG 25 2008
BY: