

April 5, 2021

Supreme Court sides with Georgia in water dispute with Florida

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Last week, the U.S. Supreme Court unanimously ruled in favor of Georgia in the state's nearly decade-long dispute with Florida related to the "proper apportionment of interstate waters."

Authored by Justice Amy Coney Barrett, the Court's unanimous 9-0 opinion (https://www.supremecourt.gov/opinions/20pdf/22o142_m648.pdf) in the case of *Florida vs. Georgia* dismissed Florida's petition for a court order that would ensure more freshwater flows from the Chattahoochee and Flint rivers, which Florida claimed were necessary to revive the state's wild oyster population. However, the court agreed with two special masters who had earlier been appointed to review the case and found that Florida had failed to prove the collapse of the state's oyster fisheries was due to an overuse of shared waters by Georgia farmers in the Apalachicola-Chattahoochee-Flint River basin.

Justice Barrett's opinion suggested the collapse might instead be due to Florida's mismanagement of its fisheries. The court noted that regardless of the true cause of the collapse, it is not up to the justices to parse through a complex scientific dispute such as this.

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