



State of North Carolina
Department of Justice

Roy Cooper, Attorney General

February 26, 2009

North Carolina/South Carolina Catawba-Wateree
River Basin Advisory Commission

Dear Chairman Sheheen and Commission Members:

I appreciate your letter of November 5, 2008 and the Commission's efforts to resolve the litigation filed by South Carolina against North Carolina with respect to the Catawba River. I would like to thank you for the Commission's past work to preserve a natural resource that is vital to both states.

Your Commission was created by the legislatures of North and South Carolina to cooperate in protecting the Catawba/Wateree River Basin. The Commission members, which include legislators from both States, have substantial expertise in environmental matters and have direct and personal knowledge with respect to this river basin. More importantly, your Commission has a proven track record of working cooperatively with respect to water-related issues that impact both States. Consequently, I believe that the Commission would be much better situated to achieve meaningful resolution of this dispute than would litigation.

At your request, I have attached North Carolina's fully executed written commitment that any discussion by the Commission (or its members) with the respect to settlement of the present dispute would not be admissible as evidence in the litigation between North and South Carolina. The fact that your Commission may be subject to the public records laws in both states is positive in that a good solution to this dispute will need input and support from the public.

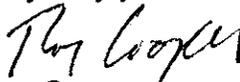
I also understand that the Commission may need to retain technical expertise to facilitate settlement discussions. I am confident that the Commission would make efficient use of its limited resources and would only make such an expenditure if it would truly add value to the resolution of the present dispute.

Page 2
February 26, 2009

By copy of this letter, I urge South Carolina to allow the Commission to work at resolving this dispute for the good of all of our citizens. The Commission was created to deal with these issues and I believe it presents the best opportunity for the States to work together to resolve this dispute, avoid substantial litigation costs and reach a fair settlement.

Thank you for your efforts on behalf of both States.

Very truly yours,



Roy Cooper

cc: Henry McMaster
Attorney General of South Carolina