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OKEFENOKEE SWAMP

THREAT: Mining

STATES: Florida, Georgia

AT RISK: Fish and wildlife habitat, wetlands, water quality and flow

SUMMARY

The Okefenokee Swamp — a unique wetland nearly half a million acres in size — is threatened by a proposed titanium mine, which government agencies predict would result in “permanent” and “unacceptable” damage to this special place. In 2022, the U.S. Army Corps of Engineers abdicated its responsibility for oversight of the proposed mine. The Corps’ decision leaves permitting to the Georgia Environmental Protection Division, which must deny the permit applications for this ill-advised project. The Corps should make it clear that a federal Clean Water Act permit is required for the proposed mine. Perhaps no clearer case exists for why meaningful wetland protections at the federal level under the Clean Water Act are so important.

THE RIVER

The Okefenokee Swamp is part of the ancestral lands of the Muscogee (Creek) Nation. A unique international treasure, it is a potential UNESCO World Heritage Site. The Okefenokee is an unparalleled wetland system made up of peat beds, island prairies, open lakes, creek channels and cypress forests. It is home to alligators, carnivorous plants, an abundance of birds, several threatened and endangered species, and the Florida black bear.

Uncompromised by agriculture or industrial development, the swamp is one of the world’s healthiest large-scale freshwater ecosystems. While other large wetland ecosystems have suffered ditching, draining and channelization, the Okefenokee retains its original hydrologic function, storing immense volumes of water through both flood and drought years and feeding the rivers that drain from it.

Okefenokee National Wildlife Refuge — the largest national wildlife refuge in the eastern United States — receives an average of 600,000 visitors annually. In addition to \$64.7 million in local economic output, Okefenokee Swamp tourism supports over 700 local jobs.

THE THREAT

The proposed mine site is situated in a portion of Trail Ridge — the geologic formation that forms the eastern boundary of the swamp — that enables water storage and circulation within the swamp. If mining damages Trail Ridge, the U.S. Fish and Wildlife Service and Environmental Protection Agency anticipate that “permanent” and “unacceptable” damage could befall the Okefenokee Swamp.

Meanwhile, over the past three years the story of the Okefenokee has been a roller-coaster ride subject to the politicization of basic wetland protections under the Clean Water Act.

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OKEFENOKEE SWAMP

Continued

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The ill-conceived Twin Pines mining proposal benefitted from the Trump Administration’s short-lived Navigable Waters Protection Rule, which eliminated many of the most basic clean water protections for wetlands across the country. Under the Trump-era rule, the Corps of Engineers issued wetland determinations in 2020 and 2021 that left all permitting decisions for the proposed mine up to the State of Georgia.

The Corps changed course in June 2022, rescinding the Trump-era wetland determinations. However, in August 2022 the Corps back-tracked as part of an out-of-court settlement with Twin Pines. Offering no explanation, the Corps reinstated the 2020 and

2021 determinations, leaving hundreds of acres of wetlands and putting the Okefenokee at risk of catastrophic changes from the proposed mine’s impacts. The Corps’ abdicates its important role not only in protecting the area’s wetlands, but also in protecting important cultural values important to the Muscogee (Creek) Nation.

In fall 2022, Interior Secretary Deb Haaland visited the Okefenokee and subsequently wrote to Georgia Governor Brian Kemp, stating: “The proposed mining activity in this area poses an unacceptable risk to the long-term hydrology and future of the swamp ecosystem and these cultural values.” Yet Georgia regulators could issue permits for the mine as soon as this spring.

WHAT MUST BE DONE

The Georgia Environmental Protection Division (EPD) must deny all permits that would enable the proposed mine to be built. Georgia EPD should heed the warnings of University of Georgia experts and federal agencies, taking all critical information into account in assessing the proposed mine’s impacts on the Okefenokee’s hydrology and ecology.

Further, the U.S. Army Corps of Engineers should do its duty and re-engage as the proper authority over permitting decisions regarding the proposed mine. Perhaps no clearer case exists for why meaningful wetland protections at the federal level under the Clean Water Act are so important.

Finally, Georgia leaders should pursue permanent protections for the Okefenokee Swamp and Trail Ridge, preserving the area’s many natural and cultural values for future generations.