

- **Twin Pines misrepresented how long it would take to restore the site.** In its application, Twin Pines tells the public and the Corps that wetlands that are impacted by mining will be fully restored within 30 to 90 days.¹⁷ According to information submitted to Georgia’s Environmental Protection Division, however, Twin Pines will remove approximately one foot of topsoil *two to six months* in advance of mining activities. Within *six months* of mining, Twin Pines will refill drag line cuts with sand tailings and replace the topsoil. It will replant trees and vegetation within *18 to 24 months*. As discussed in Section IV(F) and the attached expert reports, we have serious concerns about Twin Pines’ reclamation process. But even under their own timeline, wetlands impacts would last between two and three and a half years—not 30–90 days.
- **Twin Pines wrongly stated that no endangered species would be harmed.** At a public meeting, Twin Pines said it was a “myth” that “the mining operation will impact threatened and endangered species.”¹⁸ But according to biologists at the Fish and Wildlife Service, the federal agency charged with protecting threatened and endangered species, “after the mining it is questionable if the site will serve as habitat for [gopher tortoises] ever again.”¹⁹ The Service also expressed concerns that soil homogenization caused by mining “would like permanently destroy the habitat” of frosted flatwood salamanders, striped newts, and gopher frogs.²⁰
- **Twin Pines made unsubstantiated claims the proposed mine would cause no harm to the Okefenokee Swamp.** At a public meeting, Twin Pines categorically stated that “[m]ining will not have an impact on the Okefenokee Swamp.”²¹ But according to Twin Pines, they had not completed studies on subsurface hydrology, hydraulic properties of subsurface soils, or groundwater models. Twin Pines is not entitled to a presumption of no impact; to receive a permit, it must affirmatively prove its proposed mine would not harm the Okefenokee Swamp.

These misrepresentations do not inspire confidence in Twin Pines’ ability to preserve irreplaceable public resources like the Okefenokee Swamp.²²

2019, reportedly referring to plans for expansion.

¹⁷ Permit Application at 3; Twin Pines Fact Sheet at ¶ 6.

¹⁸ Twin Pines Fact Sheet at ¶ 12.

¹⁹ USFWS Letter at 4.

²⁰ *Id.*

²¹ Twin Pines Fact Sheet at ¶ 7.

²² Nor does its track record of non-compliance. Twin Pines operates a heavy mineral mining facility in Starke, Florida. In February 2019, the Florida Department of Environmental Protection found that Twin Pines had not received proper authorization to operate the Florida facility. More substantively, the DEP found during an inspection that Twin Pines’ silt fence was “overwhelmed with sand” and that “process water and tailings fill [were] deposited in a wetland without permission.” *Florida Dept. of Envntl. Prot. v. Chemours*, OCG File No. 18-1240, Consent Order (Feb. 7, 2019) at 5. The Corps should consider Twin Pines’ track record of misrepresentations and non-compliance in evaluating the permit application.