

Service to “first and foremost, maintain existing levels of biological integrity, diversity and environmental health at the refuge scale.”⁶⁰ In addition, the Refuge Administration Act requires the Service to “assist in the maintenance of adequate water quantity and quality” to fulfill the wildlife-first mission of the Refuge System and the purposes of each refuge and even to acquire “water rights that are needed for refuge purposes.”⁶¹ As explained by expert hydrologists, the mine could cause leakage of groundwater from the Okefenokee Swamp, introduce contaminants into the refuge water supply, and produce other ecological disruptions.⁶² The project’s potential to severely degrade or destroy refuge habitat, disturb or kill refuge-dependent wildlife and adversely impact species that migrate between the refuge and the project site could make it extremely difficult, if not impossible, for the Service to comply with its mandated management requirements and lead to potential violations of the Refuge Administration Act.

Seventh, the proposed mine would likely contribute to the loss or destruction of significant scientific, cultural, or historical resources. Universities from around the world, as well as federal, state, and local agencies, have conducted scientific research within the neighboring Okefenokee Swamp for decades. The cultural and historic resources associated with the Swamp are equally important, with evidence of Native American occupation dating back to 2500 BCE and a long history of exploration and settlement in the region.

Finally, the proposed mine would likely harm threatened and endangered species or their critical habitat. As discussed in detail in Section VI below, the mining project is likely to adversely affect many species listed under the Endangered Species Act. For other listed species, at a minimum, the application lacks sufficient information to demonstrate that it will not adversely affect these species. The listed species that either will be or are at risk of being adversely affected by this project include:

- Atlantic Sturgeon, South Atlantic Distinct Population Segment (Endangered)
- Shortnose Sturgeon (Endangered)
- Hairy Rattleweed (Endangered)
- Red-Cockaded Woodpecker (Endangered)
- Florida Panther (Endangered)
- Gulf Sturgeon (Threatened)
- Wood Stork (Threatened)
- Eastern Indigo Snake (Threatened)
- Frosted Flatwoods Salamander (Threatened)

Any one of these significance factors may *alone* trigger the need for the preparation of an EIS⁶³—together, they most certainly do.⁶⁴

⁶⁰ 601 FW 3, U.S. Fish and Wildlife Service Biological Integrity, Diversity and Environmental Health Policy.

⁶¹ 16 U.S.C. §§ 668dd(a)(4)(F)-(G).

⁶² See *generally* Hutson Report; Rheinhardt Report.

⁶³ See *Fund for Animals v. Norton*, 281 F. Supp. 2d 209, 235 (D.D.C. 2003) (noting that “the existence of one or more significance factors” can trigger the need for an EIS).