

In southeast Georgia, hundreds of acres have already been mined for heavy minerals, and mining operations remain ongoing.⁹⁸ In addition, there is a real risk of future heavy mineral mines in the region—for example, on neighboring property owned by Toledo Manufacturing Company.

In the 1990s, DuPont proposed to mine two main tracts of land on Trail Ridge, north of Twin Pines' property, as shown on the map above. After withdrawing its proposal in the face of scientific scrutiny and public outrage, DuPont retired the mineral rights to the northernmost 16,000 acres. This section of the ridge is now protected from future mining.⁹⁹ On the other main tract of land, DuPont had only a limited interest in the mineral rights, which was not donated for conservation.¹⁰⁰ This land, comprising over 30,000 acres, is still owned by Toledo Manufacturing Company and used as timberland. Assuming a proportional impact,¹⁰¹ mining the Toledo tract could result in the excavation of **more than nine square miles** of Okefenokee-adjacent wetlands on top of Twin Pines' current project.

It is our understanding that Toledo Manufacturing Company has continued to entertain talks of heavy mineral mining on its property, making future mines reasonably foreseeable. Other agencies have also recognized the possibility of future mining and development. The U.S. Fish and Wildlife Service recently warned, "Future mining projects in adjacent portions of Trail Ridge could further magnify any environmental impacts by impacting the whole eastern side of the swamp."¹⁰² Given the foreseeability of these potential mines, the Corps must consider their cumulative impacts under the 404(b)(1) Guidelines.

The Corps must also consider potential impacts caused by a Twin Pines expansion beyond 12,000 acres. It is our understanding that Twin Pines recently purchased an additional 2,000 acres of land. Mines like that proposed by Twin Pines often continue to expand once they establish a foothold, as has occurred in Florida with the Trail Ridge (then Highland, then Maxville, then North Maxville) Mine owned by DuPont (now Chemours).¹⁰³

4. Lack of Analysis

Before the Corps grants a permit for the mine Twin Pines has proposed, Twin Pines must produce convincing evidence that what it proposes would not have adverse direct, secondary, and cumulative effects. So far, Twin Pines has fallen far short of this mark. That is not surprising considering that Twin Pines has not completed four of the hydrologic studies that it intends to

⁹⁸ Cf. The Chemours Company, "Chemours Acquires Operations of Southern Ionics Minerals (SIM): Acquisition Will Enable Substantial Increased in Mineral Sands Production" (Aug. 2, 2019), www.southernionicsminerals.com/pdf/news_release_chemours_acquires_SIM.pdf.

⁹⁹ See Charles Seabrook, *16,000-acre gift to swamp*, THE ATLANTA JOURNAL-CONSTITUTION, Aug. 27, 2003, at A-1, A-12 (attached as Ex. H).

¹⁰⁰ *Id.*

¹⁰¹ See discussion of assumptions in Section IV(A)(1).

¹⁰² USFWS Letter at 3.

¹⁰³ See Regional Map, Fig. 3, below; see also Twin Pines Fact Sheet at ¶ 4 (noting Twin Pines "would like to expand").