

The comments below address the relevant factors by category: harm to the environment and wetlands; harm to fish and wildlife; harm to historic, cultural and recreational values; harm to public lands; and economic considerations.

A. The proposed mine would harm wetlands and the environment generally.

As discussed in Section IV and the attached expert reports, the proposed mine would directly impact thousands of acres of wetlands and tens of thousands of feet of stream. We also have serious concerns that the proposed mine would harm the neighboring Okefenokee Swamp and Okefenokee National Wildlife Refuge. More generally, the mine would destroy habitat, reduce air and water quality through the release of contaminants, and produce light, dust, and noise that would degrade the wilderness experience in the Okefenokee Wilderness. These impacts are discussed at length in Section VII.

B. The proposed mine would harm fish and wildlife.

As discussed throughout these comments, Okefenokee National Wildlife Refuge supports exceptional wildlife values that are important to the public interest.¹⁸⁸ As described by the Service,¹⁸⁹ and elsewhere in these comments, intensive mining of Trail Ridge near the Refuge could have major and irreversible impacts on the Refuge, wetlands, wildlife and the incalculable public values supported by these public lands. Mining near the Refuge is not in the public interest, particularly for its potential impacts on wetlands that “serve significant natural or biological functions, including food chain production, general habitat and nesting, spawning, rearing and resting sites for aquatic or land species,” that have been “set aside as sanctuaries or refuges,” or that “are unique in nature or scarcity to the region or area.”¹⁹⁰ Per federal regulation, no permit may be granted for an activity that involves alteration of such a wetland unless the benefits of the proposed alteration outweigh the resource damage.¹⁹¹

In analyzing and weighing a permit application, the Corps must also consider impacts on designated national landmarks, wilderness areas, historic properties, and other such areas established under federal or state law for similar or related purposes.¹⁹² This invariably includes national wildlife refuges such as Okefenokee, which not only contains a number of these protective designations, but has also been nominated and recognized internationally for its exceptional resource values. Permit decisions should, in so far as possible, be consistent with and avoid significant adverse effects on the values or purposes for which those designations and their accompanying policy mandates were established.¹⁹³

¹⁸⁷ 33 C.F.R. § 320.4 (listing these values and others as proper considerations in assessing public interest)

¹⁸⁸ See 33 C.F.R. § 320.4(c).

¹⁸⁹ See generally USFWS Letter.

¹⁹⁰ 33 C.F.R. § 320.4(b)(2).

¹⁹¹ *Id.* § 320.4(b)(4).

¹⁹² *Id.* § 320.4(e).

¹⁹³ *Id.*