

The primary purpose of Okefenokee National Wildlife Refuge is to protect the rare, expansive and extraordinary “ecological system of the 438,000-acre Okefenokee Swamp.”<sup>194</sup> Most, but not all of the swamp wetlands are incorporated into the Refuge, and 353,981 acres within the Swamp are designated as wilderness, making it the third largest refuge and wilderness area east of the Mississippi River.<sup>195</sup>

The executive order establishing the Refuge in 1937 also identified an original purpose of the refuge as “a refuge and breeding ground for migratory birds and other wildlife.”<sup>196</sup> Finally, the Okefenokee’s federal function has been expanded over the decades under the authority of the Migratory Bird Treaty Act and the Endangered Species Act with the additional purposes of conserving internationally protected migratory birds and “fish or wildlife [or plants] which are [federally] listed as endangered species or threatened species.”<sup>197</sup>

The Refuge wetlands were designated a Wetland of International Importance by the United Nations under the Ramsar Convention of 1971 in 1987, when the U.S. joined the convention. “The Convention on Wetlands of International Importance, Especially as Waterfowl Habitat” recognizes and supports conservation of globally important, rare, unique, ecologically critical wetlands. These values may also qualify the Okefenokee for designation as a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site—the Refuge was nominated in 2008 and its status is pending.

Okefenokee National Wildlife Refuge is a National Natural Landmark (since 1974), protects structures listed on the National Register of Historic Places, and offers a network of canoe trails that are part of National Water Trails System and designated national trails under the National Recreation Trail Act.

Its many national and international conservation and protective designations notwithstanding, the Okefenokee Swamp is also vital to the hydrology and ecosystem function of two major watersheds in the southeastern U.S. The Swamp is the headwaters of two rivers, the Suwannee and St. Marys, that drain into the Gulf of Mexico and the Atlantic Ocean, respectively. These rivers support entire ecosystems, human communities, and economies worth billions of dollars. The Corps must consider the potential impacts of mining Trail Ridge on both the Swamp and its dependent waterways in weighing the comparative value of the proposed project with the ecological impacts that mining could cause.

The Refuge environment supports a rich diversity of native flora and fauna, including 49 species of mammals, 233 birds, 39 fish, 101 species of reptiles and amphibians,<sup>198</sup> perhaps 1,000

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<sup>194</sup> U.S. Fish & Wildlife Serv., Okefenokee National Wildlife Refuge Comprehensive Conservation Plan at 6 (2006) (“Okefenokee Refuge CCP”) (attached as Ex. L).

<sup>195</sup> *Id.* at 6.

<sup>196</sup> *Id.* at 6 and App. I.

<sup>197</sup> U.S. Fish & Wildlife Service Memorandum, Dec. 23, 1988 at App. B, B-41.

<sup>198</sup> Okefenokee CCP at 6; U.S. Fish & Wildlife Serv., Okefenokee at a Glance, <https://www.fws.gov/uploadedFiles/OkefenokeeGlance.pdf>.