

Apparently EPA and USACE think the ruling applies nationally, because on September 3, 2021, EPA and USACE halted implementation of the NWPR.<sup>9</sup>

Since the USACE decision to abdicate oversight of the mine site was based on the NWPR, USACE should now reconsider that decision. If USACE takes back up its oversight of the mine site near the Okefenokee Swamp, GA-EPD and USACE will then be duplicating each others' work. Thus not only for legal and environmental reasons, but also for simple economic frugality with tax dollars, GA-EPD should halt review of this (or any other) mining application until the final fate of WOTUS is known, which could take months or years.

### **Recommendation**

For all of the above reasons, we recommend that the Georgia Environmental Protection Division implement a moratorium on mining permit applications, at least until the effects of the recent court vacation of NWPR are known, including after USACE reconsiders its October 2020 abdication of oversight over the proposed mine site near the Okefenokee Swamp.

For the rivers and the aquifers,

John S. Quarterman  
Suwannee RIVERKEEPER®  
/s  
WWALS Watershed Coalition, Inc.

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<sup>9</sup> *Ibid.*