

Okefenokee NWR. If suitable habitat is present on a proposed project site that is within 1-3 miles of documented occurrences, the Service assumes some likelihood of occasional presence within the project area. Though a biological opinion has not been prepared for this project, we are likely to assume presence for the proposed project and provide the action agency and/or applicant with measures as to avoid or minimize the likelihood of “incidental take” of the snake.

General Questions

- **Question 8:** It was our office’s understanding that Chemours (formerly Southern Ionics) has been mining in the same general vicinity for many years. Has the Chemours project had a significant impact on any fish or wildlife in the area?

Response: To date, no federally listed species are known to have been impacted by Chemours mining activities. However, based on a recent report and in coordination with Georgia Department of Natural Resources, 1,332 gopher tortoise burrows have been impacted by mining activities. During the mining period, 336 gopher tortoises have been captured and relocated to nearby conservation areas. To date, no eastern indigo snakes have been captured and translocated.

For additional context, Chemours Southern Ionics Mission Site is located on the sand ridge to the east of Trail Ridge known as the Penholoway Shoreline. The area available to mine is small compared to Trail Ridge, and they are only taking minerals from the top 25 feet of soil. The Mission Site is adjacent to a wetland and the Satilla River. These components of the Mission Site are notably different than what is being proposed by Twin Pines (e.g., mining an average of 50 feet deep on Trail Ridge, going to elevations below the basin topography of the Okefenokee Swamp).

- **Question 9:** Similarly, how close was the proposed DuPont mining project to the Okefenokee Swamp in comparison to the Twin Pines proposed project?

Response: The DuPont mining project extended from Sawfly Road to the south boundary of Toledo Manufacturing’s land, almost the entire eastern edge of the Okefenokee Swamp. The proposed site was directly adjacent to the swamp and parts of the refuge boundary. It was a comparable distance from the swamp as the Twin Pines proposed Alternative 2 site, which is part of the 12,000-acre permit area that is eventually planned to be mined.

- **Question 10:** What is Fish and Wildlife’s jurisdiction with regards to the Twin Pines mining project? If there are no federal protected species on the proposed site, does that jurisdiction still apply? Are hydrology impacts included in that jurisdiction?

Response: The Service, along with NOAA Fisheries, is responsible for administering the Endangered Species Act (ESA). Under Section 7(a)(2) of the ESA, federal agencies are required to consult with the Service to ensure that their actions do not jeopardize the