



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington D.C. 20240



In Reply Refer To:
FWS/AOC-CLA/080485

The Honorable Lynn Smith
Chairman, Natural Resources and Environment Committee
228-C State Capitol
Atlanta, GA 30334

The Honorable John Corbett
Representative
Georgia State House of Representatives
131-B State Capitol
Atlanta, GA 30334

Dear Chairman Smith and Representative Corbett,

The U.S. Fish and Wildlife Service (Service) has reviewed Georgia House Bill 1338 (HB 1338) and has significant concerns about the potential impacts of the bill on the Okefenokee National Wildlife Refuge (Refuge) and the Okefenokee Swamp (Swamp) as a whole. The Service recommends that the State of Georgia allow for additional public input and further substantive discussions about the implications of the bill before moving it forward through the legislative process.

The Service is particularly concerned about the provisions in the proposed legislation concerning automatic affirmation by operation of law of permits not acted upon by administrative law or Superior Court judges within certain timeframes. We believe these provisions could negatively affect the public's ability to participate meaningfully in the permitting process. Mining near the Refuge is of great public interest and the potential impacts to the Refuge, and the Swamp as a whole, are complex. The risks to this national treasure are too great to dispense with the public's opportunity to review, understand, and comment on the permitting process through an arbitrary deadline.

The Okefenokee Swamp has been designated as a National Natural Landmark by the Secretary of the Interior, and as a Wetland of International Importance by the Ramsar Convention on Wetlands. The Refuge is also under consideration for nomination as a UNESCO World Heritage site, due to its unique hydrology and ecology. Notably, the hydrology of the Swamp is still intact, meaning that the ecosystem that one sees there today is essentially the same as it was when the first people beheld its dark, flowing waters. The geological feature that allowed the Swamp to form and to continue to exist is the ancient barrier island known as Trail Ridge. Surface mining along Trail Ridge and other areas adjacent to the Refuge have the potential to damage the ancient integrity of the Swamp and the important historical and cultural assets of this area.

While the Service appreciates the concept of a moratorium on new permits for drag-line mining, we believe that a three-year limit is too short given the complexity of determining harm to the Refuge and Swamp. The Service recommends a minimum of a ten-year moratorium to allow for field-based research to address the numerous uncertainties of mining along the ridge that created the Swamp.

Thank you for your time and attention to this important issue. As currently written, the Service has significant concerns about potential effects of HB 1338. We look forward to working with you to find solutions that adequately protect both the Okefenokee Swamp and the Refuge and allow for meaningful review of proposed extractive activities by all interested parties.

If you have any questions, please contact Mr. Mike Oetker, Southeast Regional Director, at (404) 679-4000 or via email michael_oetker@fws.gov.

Sincerely,

**STEPHEN
GUERTIN**

Stephen Guertin
Acting Director

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