

March 17, 2023

Governor Brian Kemp
206 Washington Street
Suite 203 State Capitol
Atlanta, GA 30334

Delivered via email to: brian.kemp@georgia.gov



Re: Please stop a strip mine near the Okefenokee Swamp that threatens both Florida and Georgia

Dear Governor Kemp and staff,

In support of our fellow Waterkeepers' missions to protect the St. Marys River and the Suwannee River, we, Members of Waterkeepers Florida, are again expressing serious concerns regarding the activities the proposed Twin Pines Minerals, LLC (TPM) application number SAS-2018-00554-SP-HAR will have on the Okefenokee Swamp, its river systems, and the Floridan Aquifer. Waterkeepers Florida is a regional entity composed of all 15 Waterkeeper organizations working in the State of Florida to protect and restore our water resources across over 50,000 square miles of watershed, which is home to over 15 million Floridians.

Part of the Okefenokee Swamp is in Florida, and the Swamp is the headwaters of both the St. Marys River, which forms part of the border between Georgia and Florida, and of the Suwannee River, which flows through Florida to the Gulf of Mexico, and is the subject of the Florida state song. This means that any risks posed by the proposed mine to the Okefenokee could have downstream impacts on the quality and quantity of the waters of the state of Florida, including the Floridan Aquifer - the main source of drinking water for all of south Georgia and most of Florida.

Florida is already affected by water withdrawals from as far away as Savannah, a hundred miles farther than the mine site, as evidenced by the North Florida Southeast Georgia Groundwater Model (NFSEG), compiled with collaboration of personnel of the Georgia Environmental Protection Division for the North Florida Regional Water Supply Plan (NFRWSP) by Florida's Suwannee and St Johns River Water Management Districts.¹ If current withdrawals from Savannah are affecting Florida's groundwater, then this proposed mine site will likely exacerbate those impacts.

According to the U.S. Fish and Wildlife Service (USFWS), the Okefenokee National Wildlife Refuge provides more economic benefit to Florida than any other National Wildlife Refuge.² TPM currently owns more than 7,000 acres along Trail Ridge (including the proposed mine site) with some of that land located within 400 feet of the Swamp and within half a mile of the Refuge, as USFWS emphasized in 2019.³ The size and location of TPM's holdings in relation to the Swamp highlights both the scope and proximity for potential harm if this project were to move forward.

Chemours already has four established mines in Florida and a fifth one permitted. According to Chemours⁴ and the Florida Department of Environmental Protection (FDEP),⁵ these mines produce ilmenite, which is used to produce titanium dioxide (TiO₂). Titanium dioxide is used in the manufacture of clothing, paper, paint, sun block, and other products.⁶ This TiO₂ does not become titanium metal, and is not necessary for national defense, as evidenced by the U.S. Department of Interior opposing the TPM mine. White paint and sun block are not worth risking the Okefenokee Swamp, the rivers, or the aquifer.

TPM's track record does not give confidence that this project can proceed without harming the surrounding ecosystem. While processing tailings at two of the four Chemours titanium mines on Trail Ridge in north Florida, TPM spilled wastewater during Hurricane Irma.⁷ Due to that incident and other infractions, TPM is still under a Florida consent order.⁸ Despite their history of failures, TPM promises not to spill wastewater next to the Okefenokee Swamp or the surrounding waterways. TPM also states that they will minimize impacts on the water levels of the swamp through a closed loop system. TPM proposes to use multiple experimental techniques, such as draglines, evaporators, and a layer of bentonite placed horizontally in an attempt to minimize impacts. The Okefenokee Swamp and its downstream rivers are too important to risk for untested mining methods.

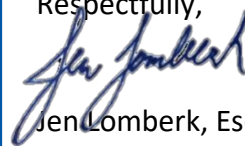
Intact and undisturbed wetlands provide a wilderness experience that has a direct positive economic impact on surrounding gateway communities and across the state. Ecosystem destruction produces huge costs associated with cleanup and restoration. The historical destruction of another famous wetland, the Florida Everglades, has cost taxpayers an estimated \$8.8 billion through the Comprehensive Everglades Restoration Plan (CERP)⁹ for which the federal government has provided \$3.5 billion and Florida has provided \$5.3 billion. The state of Florida allocated another \$3.5 billion for Everglades restoration activities in January 2023.¹⁰ In total, CERP is expected to cost \$23.2 billion.¹¹ There is an enormous cost associated with trying to fix an ecosystem once it has been broken, and taxpayers, not industry groups, will be saddled with that cost.

Furthermore, on November 22, 2022, the U.S. Secretary of the Interior wrote a letter urging you to protect the Okefenokee Swamp and stating that "The Department will exercise its own authorities to protect the swamp ecosystem and will continue to urge our State and Federal partners to take steps under their own authorities to do the same."¹² The U.S. EPA¹³ and Fish and Wildlife Service¹⁴ have also filed letters of opposition. The evidence and the number of organizations and people in opposition indicate Georgia EPD should reject all the state applications from TPM.

Instead of permitting this mine, we urge you to join a Georgia bipartisan Congressional request for the U.S. Department of the Interior to nominate the Okefenokee National Wildlife Refuge as a UNESCO World Heritage Site.¹⁵ And we urge you to find ways to produce more sustainable jobs that support the preservation of the Okefenokee Swamp and the surrounding waterways. For more reasons to reject permits for this mine and to support the Okefenokee Swamp, see attachments below.



Respectfully,



Jen Lomberk, Esq.

Matanzas Riverkeeper

Board Chair of Waterkeepers Florida

CC:

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Attachment:

Resolution by Waterkeepers Florida, October, 2019

For Additional Information See:

[Public Comment from St. Marys Riverkeeper, March 15, 2023](#)

[Public Comment from Suwannee Riverkeeper, March 17, 2023](#)

[Letter to Gov. Kemp from Suwannee Riverkeeper, November 30, 2020](#)



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Endnotes

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- ¹ Suwannee River Water Management District and St. Johns River Water Management District, North Florida-Southeast Georgia (NFSEG) regional groundwater flow model <https://northfloridawater.com/groundwaterflowmodel.html>
- ² U.S. Fish & Wildlife Service, June 2019, Banking on Nature 2017: The Economic Contributions of National Wildlife Refuge Recreational Visitation to Local Communities https://www.fws.gov/sites/default/files/documents/USFWS_Banking_on_Nature_2017_0.pdf
- ³ U.S. Fish and Wildlife Service to Georgia U.S. Senator David Perdue, November 21, 2021, "The initial project location is the farthest that mining activity would be from the Okefenokee National Wildlife Refuge (NWR) boundary and the Okefenokee Swamp. Any additional mining that occurs within the 12,000-acre permit area would be closer to the refuge. The northwest boundary of the permit area is within a half mile from the refuge boundary and 400 feet from the edge of the Okefenokee Swamp." <https://wwals.net/?p=52533>
- ⁴ Chemours, accessed February 26, 2023, TITANIUM TECHNOLOGIES IN NORTHEAST FLORIDA, "This includes zircon, staurolite and the titanium minerals (ilmenite, leucosene and rutile). Ilmenite and rutile are primary source materials used to manufacture TiO₂ pigments. These pigments are often used in the manufacture of paint, varnish and lacquers, plastics and paper. Zircon is marketed to the ceramics industry. Staurolite is used as an abrasive." <https://www.chemours.com/en/about-chemours/global-reach/florida>
- ⁵ Florida Department of Environmental Protection (FDEP), accessed February 26, 2023, Heavy Minerals, "This includes zircon, staurolite and the titanium minerals (ilmenite, leucosene and rutile). Ilmenite and rutile are primary source materials used to manufacture TiO₂ pigments. These pigments are often used in the manufacture of paint, varnish and lacquers, plastics and paper. Zircon is marketed to the ceramics industry. Staurolite is used as an abrasive." <https://floridadep.gov/water/mining-mitigation/content/heavy-minerals>
- ⁶ Chemours, accessed February 26, 2023, Titanium Technologies, "This includes zircon, staurolite and the titanium minerals (ilmenite, leucosene and rutile). Ilmenite and rutile are primary source materials used to manufacture TiO₂ pigments. These pigments are often used in the manufacture of paint, varnish and lacquers, plastics and paper. Zircon is marketed to the ceramics industry. Staurolite is used as an abrasive." <https://www.chemours.com/en/about-chemours/our-businesses/titanium-technologies>
- ⁷ Spills in the Suwannee River Basin, in Florida Public Notice of Pollution, WWALS, 29 September 2017, <https://wwals.net/?p=37541#basin>, data from Florida Pollution Notices, <http://prodenv.dep.state.fl.us/DepPNP/reports/viewIncidentDetails?page=1>
- ⁸ Consent Order, Florida Department of Environmental Protection (FDEP) v. Chemours involving Twin Pines Minerals, February 7, 2019 <https://wwals.net/?p=49898>
- ⁹ National Park Service, accessed February 26, 2023, Comprehensive Everglades Restoration Plan (CERP), "The CERP was authorized by Congress in 2000 as a plan to "restore, preserve, and protect the south Florida ecosystem while providing for other water-related needs of the region, including water supply and flood protection." At a cost of more than \$10.5 billion and with a 35+ year time-line, this is the largest hydrologic restoration project ever undertaken in the United States." <https://www.nps.gov/ever/learn/nature/cerp.htm>
- ¹⁰ Will Poston, Flylords, January 19, 2023, Everglades Restoration Receives Substantial Funding From Governor DeSantis, Federal Direction, <https://flylordsmag.com/everglades-restoration-receives-substantial-funding-from-governor-desantis/>
- ¹¹ Congressional Research Service, In Focus, August 30, 2022, Recent Developments in Everglades Restoration <https://crsreports.congress.gov/product/pdf/IF/IF11336>
- ¹² Russ Bynam, Associated Press, 7 December 2022, [Interior secretary: 'Unacceptable' to mine near famed swamp](https://apnews.com/article/biden-georgia-united-states-government-climate-and-environment-politics-87b323b4254bbb038334137e79c3da1e), <https://apnews.com/article/biden-georgia-united-states-government-climate-and-environment-politics-87b323b4254bbb038334137e79c3da1e>
- ¹³ U.S. EPA to Army Corps Savannah, October 3, 2019, "the proposed project will have a substantial and unacceptable impact on aquatic resources of national importance." <https://wwals.net/?p=50931>
- ¹⁴ U.S. Fish and Wildlife Service to Georgia U.S. Senator David Perdue, *op. cit.*
- ¹⁵ Emily Jones, WABE, February 2, 2023, Ossoff, Carter push for Okefenokee UNESCO listing <https://www.wabe.org/ossoff-carter-push-for-okefenokee-unesco-listing/>

Attachment

A Resolution that Waterkeepers Florida

Opposes the Application by Twin Pines Minerals

for a Titanium Mine near the Okefenokee Swamp,

and asks the U.S. Army Corps of Engineers for an Environmental Impact Statement broad enough to cover Florida issues,

for Public Hearings in Florida,

and to Answer how the Corps has determined or will determine that this mine would not affect Florida

WHEREAS, the Okefenokee Swamp, partly in Florida; is a national and international treasure, for its wetland ecology, and for boating, fishing, and birding, and for hunting nearby; and

WHEREAS, the Okefenokee National Wildlife Refuge (NWR) provides more economic benefit to Florida than any other NWR (see U.S. Fish and Wildlife Service, Banking On Nature 2017: The Economic Contributions of National Wildlife Refuge Recreational Visitation to Local Communities

<https://www.fws.gov/economics/divisionpublications/bankingOnNature/BoN2017/bon2017.asp>); and

WHEREAS, the Okefenokee Swamp is the headwaters of the Suwannee River and of the St. Marys River, both of which are partly in Florida; and

WHEREAS, any change in the water level of the Swamp would affect the entire Okefenokee Swamp and the Suwannee River and the St. Marys River; and

WHEREAS, the Applicant's proposed mine in Charlton County, Georgia, would sit above the Floridan Aquifer, from which most of Florida drinks; and

WHEREAS, the miners have applied to the Georgia Environmental Protection Division (GA-EPD) to withdraw 4.32 million gallons per day of water, more than four times as much as Folkston, the county seat of Charlton County (see <http://wwals.net/?p=50227>); and

WHEREAS, the Floridan Aquifer is already under stress with declining water levels from withdrawals in south Georgia and north Florida, including from existing mines; and

WHEREAS, the Applicant company, Twin Pines Minerals, is already under a Consent Order for multiple violations at four Chemours mine sites in north Florida (see <http://wwals.net/pictures/2019-02-07-lfco-chemours>); and

WHEREAS, infractions similar to those of the Florida Consent Order at the mine site in Georgia could adversely affect the Okefenokee Swamp, the St. Marys River, and the Suwannee River; and

WHEREAS, the only two Waterkeepers that straddle the GA-FL state line, Suwannee Riverkeeper and St. Marys Riverkeeper, have filed comments with the U.S. Army Corps of Engineers asking for a full Environmental Impact Statement and Public Hearings (see <http://wwals.net/?p=50140> and <http://wwals.net/pictures/2019-09-12-st-marys-rk-usace-tpm/>); and

WHEREAS, most of the Riverkeepers of Georgia filed their own comments, or comments supporting the comments filed with the Corps by Suwannee Riverkeeper; and

WHEREAS, all the above-mentioned Waterkeepers or Riverkeepers are Members of the Waterkeeper Alliance, and Waterkeeper Alliance supports the comments filed with the Corps by Suwannee Riverkeeper; and

WHEREAS, the comments filed with the Corps by Southern Environmental Law Center (SELC) include important legal and other points relevant to Florida (see <http://wwals.net/pictures/2019-09-12-selc-usace-tpm/>); and

WHEREAS, all the above-mentioned comments, as well as ones filed with the Corps by the U.S. Environmental Protection Agency and the Georgia Environmental Protection Division, cite information lacking from the Application, especially about hydrology and hydrogeology (see <http://wwals.net/?p=50199>); and

WHEREAS, the Corps received at least 20,338 comments before its nominal comment deadline, far more than for most applications (see <http://wwals.net/?p=50158>)

NOW, THEREFORE, BE IT RESOLVED that Waterkeepers Florida is opposed to the mining Application SAS-2018-00554 as filed, and Waterkeepers Florida is filing a request with the U.S. Army Corps of Engineers:

1. to require the Applicant to supply all the missing information identified by Suwannee Riverkeeper, St. Marys Riverkeeper, and SELC; and
2. to prepare a full Environmental Impact Statement (EIS) broad enough to cover all the concerns and answer all the questions raised by the above-named three organizations, especially those concerns and questions relevant to Florida; and
3. to hold Public Hearings, including in Florida; and
4. to answer how the Corps has or will determine that the Applicant's proposed mine would not adversely affect the Okefenokee Swamp, the St. Marys River, the Suwannee River, the Floridan Aquifer, or the State of Florida.

PASSED AND ADOPTED BY WATERKEEPERS FLORIDA, this 23rd day of October 2019.

