February 24, 2023

Georgia Environmental Protection Division

Land Protection Branch

4244 International Parkway, Atlanta Tradeport- Suite 104

Atlanta, Georgia 30354

Re: Twin Pines Mining Land Use Plan

To Whom it May Concern:

The St. Marys River Management Committee (SMRMC or Committee) is a quasi-governmental advisory panel established in 1993 by interlocal agreement between Baker and Nassau counties in Florida and Camden and Charlton counties in Georgia. Initially, SMRMC worked with citizens of local communities as well as county and state governments to develop the 2004 St. Marys River Management Plan and now continues to implement the plan and update it as achievements and regulations dictate.

Please accept this as a comment from SMRMC on the draft Mining Land Use Plan (MLUP) submitted by Twin Pines Minerals, LLC. to Georgia Environmental Protection Division (EPD), Land Protection Branch. The facility is proposed for Parcels No. 00590001002 and 0058001, on State Route 94 in St. George, Georgia. in accordance with the O.C.G.A. § 12-4-72 Surface Mining Act and the Rules for Surface Mining 391-3-3.

St. Marys River Management Committee has reviewed the revisions to the MLUP and wishes to register the following concerns:

1. Georgia EPD should be clear that the permit is only for phase 1. Though the title is for the Saunders Demonstration Mine, it is not clear that the permit is for phase 1 only and that new permits and reviews will be required for subsequent phases. Separate permit reviews must be held for each future phase to ensure that jurisdictional state waters are not impacted without a discharge permit and/or buffer variance being issued. In addition, on the phase 1 permit, assurances should be in-place to maintain protection of state waters if Twin Pines changes their mining methods. The assurance should be up to and including a separate ruling by United States Army Corps of Engineers on the necessity of a 404 permit.
2. We request that Georgia EPD ensure that, in the case of phased permits for mining activities, disturbance is deemed complete only when mining is complete and, likewise, all companion permits for that phase remain open until mining is complete and full stabilization of the entire site is achieved.
3. Georgia EPD should require a study for No Rise or Adverse Impact to the east. Per sheet 15, Twin Pines states that there are no BMP’s designed to protect overflow going to the east of the project. The St. Marys River is to the east and should be accounted for in the plans of a mine being performed at higher elevations; runoff at higher elevations can negatively impact waters at lower elevations following any significant rain/storm event. Overflow going east could also have a negative impact on Special Flood Hazard Areas around the St. Marys River.
4. Georgia EPD should require a results-based reclamation plan. In its current form the plan is model-based. Assurances should be in place on pages 9 and 10 to commit to reclamation until the pre-mining state is achieved. A failed restoration attempt based on predictive modeling toward an unrealistic goal does not constitute reclamation. A longleaf pine sandhill is not a reasonable goal; sandhills are largely defined by their understory with a sparse overstory of longleaf. The required understory species are not prevalent in the seedbank list and not on the reclamation seeding list. Land resources, water resources, wetlands, and wildlife and plant habitats must be restored to a pre-mine state. In addition, there should be no impacts allowed outside the project area. Any impacts outside the project area must clearly be stated as the responsibility of Twin Pines LLC. Please see attached for specific language that would offer such assurances for both the reclamation and no impact concerns.

Though not part of the MLUP, Georgia EPD has proposed that it will be more appropriate to use the Macclenny gauge rather than the Moniac gauge to monitor effects of the demonstration mining activity. Though we understand the Macclenny gauge has a more complete data set, we feel the Moniac gauge will provide more accurate data in this case. Though not a complete data set, the Moniac gauge does have a good data set. Furthermore, some of the missing data is from drought years when there was no water in that part of the river. Our main concern with using the Macclenny gauge is the masking effect of inflows between Moniac and Macclenny. Assuming Georgia EPD can obtain accurate precipitation readings over the area, and can normalize the flow data against those data, the most accurate monitoring site is the one least affected by other inflows.

Finally, we have received public comments about the potential for evaporated byproducts to effect plant growth both on and offsite. Georgia EPD should do a thorough review of the literature to establish whether this is a legitimate concern or an incidental observation.

Thank you for considering our concerns.

Sincerely,

 

Chip Campbell Danny Norton

Georgia Chair Florida Chair

**Comments on Twin Pines Mining Land Use Plan**

**Language to Address Reclamation Plan Concerns**

**St. Marys River Management Committee**

**Land Resources**.

All excavation, mining and mineral extraction shall require reclamation, restoration, and re-vegetation through the use of mulch, liquid, resinous adhesives with hydroseeding, sod, or supplemental seeding with native ground cover. All topographical features, drainage patterns and contouring shall be restored to pre-mining conditions in such a manner that does not adversely affect offsite vegetative communities in any way.

Prior to the commencement of excavation, mining and mineral extraction activities, any conceptual mine reclamation plan shall identify the reclamation and restoration requirements for the area to be mined. These shall be made available to the public as required by law.

**Water Resources**.

All excavation, mining and mineral extraction shall comply with Federal, State and local laws, rules and regulations to ensure water quality is monitored and maintained. The mining activity shall not change the natural groundwater surface elevations that cause negative impacts to wells located on land or to impair the installation and usage of future wells for properties beyond the boundary of the project area. The proposed mining activity shall not adversely affect wetland flora, and the functional value provided to fish and wildlife and listed species and other surface waters within the applicant’s property unless mitigation is provided and approved by the appropriate State and Federal Agencies. The mining activity during and post mining shall not degrade water quality in the Floridan Aquifer. The mining activity shall comply with the appropriate Georgia water quality standards of discharge at the point(s) of discharge from the applicant’s property into groundwater or surface waters at the point of discharge into any affected water body either during or post mining. Under no circumstances shall water quality be adversely affected accumulatively (load or concentration) or during a specific event in either the National Wildlife Refuge or the St. Marys River whereas such affects may be attributed to the mining activity.

**Wetlands**.

All mined wetlands shall be reclaimed or mitigated as specified in the approved reclamation plan. When possible, and consistent with State and Federal regulations, mitigation shall be onsite or within the drainage basin.

**Wildlife and Plant Habitat**.

All mining, excavation, reclamation, contouring, heavy mineral mining and mining operations shall comply with Federal and State laws and regulations. All Plant Habitat shall be evaluated and restored to a pre-mining state within the reclamation period as specified by permit. The reclamation period shall not exceed the permit period or five years, whichever is greater.