

House Bill 71

By: Representatives Taylor of the 173rd, Stephens of the 164th, Petrea of the 166th, Greene of the 154th, Hitchens of the 161st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 2 of Chapter 4 of Title 12 of the Official Code of Georgia
2 Annotated, relating to surface mining, so as to prohibit the director of the Environmental
3 Protection Division of the Natural Resources Department from issuing, modifying, or
4 renewing any permit or accepting any bond to conduct surface mining operations on Trail
5 Ridge for future permit applications and amendments; to provide a definition; to provide for
6 a short title; to provide for legislative findings; to provide for related matters; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Okefenokee Protection Act."

11 **SECTION 2.**

12 The General Assembly finds that:

13 (1) The Okefenokee Swamp is a vital part of Georgia with more than local significance,
14 is of equal importance to all citizens of the state, is of state-wide concern, and
15 consequently is properly a matter for regulation and protection under the authority of the

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16 State of Georgia to ensure the values and functions of the Okefenokee Swamp, including
17 its status as a popular and historic tourist attraction, are not impaired and to fulfill the
18 responsibilities of each generation as public trustees of the Okefenokee Swamp for
19 succeeding generations; and

20 (2) Trail Ridge is a key element in the formation and continued existence of the
21 Okefenokee Swamp. It shapes the hydrology of the area and controls drainage of the
22 swamp to the Atlantic Ocean. Trail Ridge contains heavy mineral sands, resulting in two
23 major surface mining proposals in the past 25 years. The people of Georgia as well as
24 state and national leaders overwhelmingly rejected the first proposal. Surface mining on
25 Trail Ridge risks adverse impacts to the wetlands, water quality and quantity, wildlife
26 habitat, air quality, and wilderness values of the Okefenokee Swamp. As a danger to the
27 future of the Okefenokee Swamp, Trail Ridge mining impacts the cultural heritage of
28 indigenous peoples of the area, as well as the historic heritage of the people and
29 communities whose existence has been shaped by the swamp.

30

SECTION 3.

31 Part 3 of Article 2 of Chapter 4 of Title 12 of the Official Code of Georgia Annotated,
32 relating to surface mining, is amended by adding a new Code section to read as follows:

33 "12-4-85.

34 (a) As used in this Code section, the term 'Trail Ridge' means that elevated, geological
35 feature bounded on the west by the Okefenokee Swamp and its watershed; on the east by
36 an elevation of 100 feet above mean sea level; on the south by the triple divide of the
37 Soldiers Camp Island, Boone Creek, and Barbar Branch watersheds; and on the north by
38 the triple divide of the Upper Buffalo Creek, Big Creek, and Okefenokee Swamp
39 watersheds.

40 (b) The director of the division shall not issue, modify, or renew any permit or accept any
41 bond to conduct surface mining operations on Trail Ridge for any permit application or
42 permit amendment submitted on or after July 1, 2023."

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SECTION 4.

44 All laws and parts of laws in conflict with this Act are repealed.