

House Bill 1289

By: Representatives Taylor of the 173rd, Stephens of the 164th, Petrea of the 166th, Hogan of the 179th, Buckner of the 137th, 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 the
5 geological feature known as Trail Ridge between the St. Marys and Satilla Rivers for future
6 permit applications and amendments; to provide for legislative findings; to provide for
7 related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 The General Assembly finds that:

11 (1) The Okefenokee Swamp is a vital part of Georgia with more than local significance,
12 is of equal importance to all citizens of the state, is of state-wide concern, and
13 consequently is properly a matter for regulation and protection under the authority of the
14 State of Georgia to ensure the values and functions of the Okefenokee Swamp, including
15 its status as a popular and historic tourist attraction, are not impaired and to fulfill the

16 responsibilities of each generation as public trustees of the Okefenokee Swamp for
17 succeeding generations; and

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

28 **SECTION 2.**

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

31 surface mining, is amended by adding a new section to read as follows:

32 "12-4-85.

33 The director of the division shall not issue, modify, or renew any permit or accept any bond
34 to conduct surface mining operations on the geological feature known as Trail Ridge
35 between the St. Marys and Satilla Rivers for any permit application or permit amendment
36 submitted after July 1, 2022."

37 **SECTION 3.**

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