

SEC. 402. (a) To carry out the purposes of this title the Secretary of Agriculture is authorized to:

(1) provide, upon the request of States, their political subdivisions, or legally qualified local agencies, technical assistance for developing project plans for the reclamation and rehabilitation of lands which were not reclaimed prior to the date of this Act to a level commensurate with the criteria and standards adopted pursuant to title I of this Act, and were not at the time they were mined subject to any legal requirements for their reclamation to a level commensurate with such criteria and standards; and

(2) cooperate and enter into agreements with, and to furnish financial and other aid to any agency, governmental or otherwise, or any person for the purpose of carrying out any project plan that has been approved by the Secretary of Agriculture and the cooperating State, soil and water conservation district, or other political subdivision or legally qualified local agency, subject to such conditions as may be prescribed by the Secretary of Agriculture.

(b) The Secretary of Agriculture may require as a condition to the furnishing of assistance thereunder to any landowner that the landowner shall:

(1) Enter into an agreement for a period of not to exceed ten years providing for the installation and maintenance of the needed reclamation works or measures;

(2) Install, cause to be installed, or permit the installation of the needed reclamation works or measures in accordance with technical specifications as approved by the Secretary; and

(3) Provide assurances satisfactory to the Secretary that such reclaimed and rehabilitated lands will be adequately protected against damages resulting from future surface mining operations.

SEC. 404. The financial contribution of the Federal Government toward the land treatment and construction costs for the reclamation and rehabilitation of lands in an approved project under this title shall not exceed 75 per centum of the total of such costs thereof.

SEC. 405. (a) Each project plan shall (1) describe the nature of the project and the actions to be taken by each of the public and private parties, (2) describe the public benefits expected to be derived, (3) specify the share of the costs to be borne by the Federal Government and by the other participating parties, and (4) such other terms and conditions as are deemed necessary to protect the public interests.

(b) The Secretary of Agriculture, in his discretion, may provide in the agreements with landowners that the work to be done under the project plan may be contracted for or performed by the owner of the land involved, subject to rules and regulations adopted by the Secretary of Agriculture.

SEC. 406. The programs authorized by this title shall be completed not later than January 1, 1988.

TITLE V—ACQUISITION OF LAND AND THE RECLAMATION AND CONSERVATION OF PREVIOUSLY SURFACE OF STRIP MINED LANDS

SEC. 501. In order to facilitate the reclamation, conservation, protection, and management of lands that have been affected by surface mining operations and not reclaimed prior to enactment of this Act to a level commensurate with the criteria and standards adopted pursuant to title I of this Act, the Secretary of the Interior is authorized to acquire by donation, exchange, or purchase any such surface or strip mined lands or interests therein and such contiguous lands as may be necessary for an effective continuing conservation land use and management program.

SEC. 502. (a) The authority of the Secretary of the Interior to acquire lands, as provided in this title, may be exercised only when he determines that:

(1) The land is located within or adjacent to the boundaries of an established Federal unit and which, because of conditions prevailing thereon, are damaging other lands and waters inside or outside such Federal unit; and should be reclaimed to a level commensurate with the criteria and standards adopted pursuant to title I of this Act;

(2) The land is within the boundaries of an approved project provided for in title IV of this Act and that:

(A) The owners of the land are unwilling or unable to join with the other landowners in the project area in an agreement to reclaim jointly the project lands;