

Mining and Our Environment" may be two or more times than that calculated by the association.

Whatever the case may be, the National Sand & Gravel Association and a great majority of responsible operators in this industry are committed, both of their own volition and by local statutes and regulations, and in some cases State law, to planned afteruses of sand and gravel lands.

With the widespread and still growing extent of local government and State government regulation of land use in sand and gravel extraction and with the growing acceptance of good multiple-use planning by the industry, we respectfully submit that Federal intrusion into this area will serve only to complicate matters.

There could be a real possibility under Federal law of stifling flexibility and imagination in planning afteruses if an attempt is made to set up guides and criteria burdened with specific numbers and dimensions. We particularly object to the possibility of coming under two, and in certain circumstances even three, sets of regulations and bonding requirements.

If the Congress does see fit to pass such a law, we suggest that it can be improved and made more workable by incorporating certain amendments which we are offering.

First, we suggest that the Federal administering agency and the States be empowered to decline jurisdiction where appropriate studies and hearings establish that reclamation is being adequately regulated by local jurisdictions or is being accomplished in practice.

We presently have no specific wording to suggest on this score but would hope to be granted an opportunity to discuss it with the committee's staff. We would welcome the opportunity to bring into such discussion personnel from the Department of the Interior and the Department of Agriculture with whom we have had excellent cooperation in the past.

For our other proposed amendments we have drafted suggested language which I shall touch on only briefly here. They are attached I believe to the statement in your hands.

Briefly we are offering:

1. Clarification of section 2(e), the definitions section, to make it clear that the act applies only to lands mined subsequent to enactment.

2. Several changes in section 7, which sets forth the required features for State plans:

- a. That the plan shall recognize the element of protecting the availability of mineral reserves in fulfillment of the congressional finding expressed in section 3(a) on the economic significance of mineral extraction by surface mining.

- b. That modification of reclamation plans as deemed desirable because of unanticipated geologic, economic or land-use factors be permitted.

- c. That operation and reclamation shall be subject to only one source of regulatory authority.

3. A section to create a Federal Surface Mining Board of Review which would hold hearings on disapproved State plans and individual aggrievances of mining producers.

4. A section providing for judicial review so that any final order issued by the suggested Board of Review would be subject to judicial