

STATEMENT OF KENNETH B. POMEROY, FOR THE AMERICAN FORESTRY ASSOCIATION

Mr. Chairman and members of the committee, I am Kenneth B. Pomeroy, Chief Forester of The American Forestry Association.

The members of the The American Forestry Association are pleased to see the interest being taken by the Congress in the regulation of surface mining. The extraction of minerals by this method is an essential activity that contributes greatly to the economy of the Nation. At the same time, it is an activity that can be, and often is, highly destructive of other natural resources such as soil, water, wildlife, timber, and recreation.

Our Association recognizes the legal right of the owner of a mineral resource to strip away the surface of the land in order to make use of his property. But we feel the owner also has a moral obligation to do his work in a way that will leave the land in productive and useable condition for future generations. The owner should not be permitted to destroy associated surface resources for all time.

Reclamation is, in our view, an integral part of the strip mining operation. We do not ask, however, that a mined area be restored in all instances to its former condition. We do ask that it be placed in a *productive* condition. Such reclamation might be in the form of a lake for recreation or a plantation or some other activity that makes productive use of mined areas.

Some States already have taken constructive steps toward control of strip mining. This program should be extended to all States in which strip mining is practiced.

We think S. 3132 is a good initial step, and we offer our support for its enactment.

(Subsequent to the hearing the following additional information was received:)

THE AMERICAN FORESTRY ASSOCIATION,
Washington, D.C., May 2, 1968.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. JACKSON: We appreciate the opportunity to present a statement on S. 3132 (control over surface mining) at the hearings on April 30 and May 1, 1968. Since then some additional suggestions have been received from our members. Therefore, we would like to add the following recommendations to our statement regarding S. 3132:

*Section 5 (a) page 4, lines 20-21, should read " * * * the Secretary shall cooperate with appropriate State agencies in developing and administering State plans * * * "*

*Section 5 (b), page 5 line 4, should read " * * * Secretary shall provide the agency * * * "*

Also it is desirable to incorporate in S. 3132 the provisions of S. 217 under Section 3 (a), (b) page 4 as follows:

(a) " * * * The Secretary of the Interior shall designate within the Department of the Interior an officer with primary responsibility to administer the provisions of this Act."

(b) "In administering this Act the Secretary shall cooperate to the fullest extent practicable with other departments, agencies, and independent establishments of the Federal Government, with State governments and agencies, interstate agencies and compacts, and all other interested agencies, governmental and nongovernmental. He is authorized to request from any other Federal agency any information, data, advice, or assistance which he may need and which can reasonably be furnished, and such agency is authorized to expend its own fund for such purposes with or without reimbursement."

Primary responsibility for administering control over strip mining should rest in an agency knowledgeable in all forms of surface mining. This agency should be in the Department of the Interior and not the Department of Agriculture as proposed in S. 3126.

S. 3132 should cover all forms of present and future surface mining as well as reclamation of areas disturbed by past surface mining practices. The bill also should cover all products of surface mining whether they move in interstate or intrastate commerce.

Sincerely yours,

KENNETH B. POMEROY, *Chief Forester.*