

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

SUPPLEMENTAL STATEMENT OF ALLEN F. AGNEW, DIRECTOR, INDIANA UNIVERSITY
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My earlier statement, relating only to S. 3132, addressed itself to the fact that (1) recently enacted State laws and regulations have made and will continue to make significant strides in the matter of the restoration of surface-mined lands particularly as they affect coal, and that (2) new research findings are causing us to revise or completely throw out previously held answers dealing with the matter of hydrology as related to the alteration of our environment. Accordingly, I stressed the variability of physical conditions between different States and the differences in methods of mining, and questioned the desirability of a Federal Act; nevertheless, I urged that any act, and regulations promulgated as a result, should be subject to biennial scrutiny and opportunity for revision based on new research knowledge acquired during the preceding two years.

Testimony of several witnesses and questions put by Senator Nelson raised a very critical point, it seems to me, the full significance of which I had been previously unaware. Whereas the testimony at these hearings was addressed to S. 3132 regarding future mining activities, many of the witnesses stated that we are actually in pretty good shape with our current State laws and regulations and with the attitude of the mining companies today. The overriding problem is the orphan area, resulting from past mining efforts, when neither the mining companies nor society at large was aware of the magnitude of the problem of reclamation, and when special circumstances caused us to extract the minerals quickly, as we needed the coal for energy, in the national emergency of World War II. Thus our problem is with our past, not our future.

Accordingly, it seems to me that this problem, is addressed by S. 3126 and S. 217 rather than S. 3132.

Senator Nelson reminded us of the stellar work of the Soil Conservation Service and the Forest Service of the U.S. Department of Agriculture, in reclaiming land subject to erosion, and stressed the fact that S.C.S. experts are available in every county of the Nation, where for many years they have worked actively with individuals and local groups in attempting to solve such problems.

Furthermore, during the course of the hearings I had the opportunity to read the just-issued U.S.D.A. report "Restoring Surface-Mined Land" (Misc. Publ. No. 1082), which is an excellent statement of the problem as seen through the eyes of a Federal agency that has helped remedy problems rather than police those who create them. This, it seems to me, is the difference in philosophy in this particular matter between the two Federal Departments—Interior and Agriculture—as brought out by these three bills.

You will recall that both my original statement on S. 3132 and my discussion at the hearings emphasized the cooperative effort that we have been able to achieve in the Busseron Creek Watershed in Sullivan County, Indiana. The S.C.S., with fine leadership from State Conservationist Ken Grant initially and now Tom Evans, has invested funds and manpower in providing equipment and installations necessary to produce the basic data that are needed, and in discussing with us the ramifications of the mining process on the conservation structures that S.C.S. is building there, as dam construction, mining, and our study, and all three progressing.

Similarly, the Federal Water Pollution Control Administration's Evansville Field Station, with knowledgeable and sympathetic understanding of hydrologic matters through the eyes of Max Noecker, has been most cooperative in providing our project with massive analytical assistance in handling several hundred water samples and making several thousand analytical determinations, and in discussing their application to the problem.

Accordingly, I urge that the Committee consider applying the many talents and huge experience of the Soil Conservation Service to the matter of surface mining reclamation, not from the standpoint of Federal policing now and in the future (because I feel that the States have made it clear that they can handle his part of the matter), but from the standpoint of Federal support of reclamation and conservation efforts. The discussion of the problems of restoring surface-mined land, given in U.S.D.A. Miscellaneous Publication No. 1082, deserves the close scrutiny of your Committee, as it attempts to decide what kind of Federal legislation, if any, is needed at this juncture.