

But it is difficult to see how this newly created Georgia surface mined land use board can develop acceptable standards for Georgia with such Federal legislation pending. Should the Georgia board develop an adequate State plan which would accomplish the desired results in this field, there is no assurance it would meet requirements as set forth in the proposed Federal bill.

In the light of the legislation to control surface mining passed by the 1968 session of the Georgia General Assembly, we see no need or justification for S. 3132. We feel that the State should have the right—and the time—to work out its own particular problems, problems which are peculiar only to the State of Georgia.

At the very least we feel that those States which have enacted legislation to control and regulate surface mining should be exempted from the act.

Failing this, it is felt it should be spelled out in the Federal act that:

(1) Regional boards of review be made mandatory and that rules and regulations affecting the various regions be presented to the board for approval before being put into effect.

(2) The Secretary of the Interior first convince the regional board that a State plan is not adequate or not being properly enforced before Federal intervention.

(3) Members of the boards be selected from nominations of lists of names submitted by the Governors of the various States within a region and that these lists should include State representatives, operators of surface mines, and persons qualified by experience and affiliations to present the viewpoint of conservationists and other interested groups.

(4) Boards be allowed to elect their own chairman and other officers.

(5) An operator or State have the right to review by the board in the region in which he or it operates and also to appeal to the Federal courts for grievances on assessed penalties.

Thank you very kindly for allowing me time to express these views. Senator METCALF. Thank you, Mr. Auvil. I am informed that you are a native of Senator Jackson's home State of Washington.

Mr. AUUIL. Yes, sir.

Senator METCALF. And instead of going west, young man, you went east to Georgia.

Mr. AUUIL. I was fortunate enough to marry one of the fair flowers of the State of Georgia. That is how I am down there.

Senator METCALF. My congratulations. Senator Anderson?

Senator ANDERSON. Have you had any experiences in these problems before where you thought the Federal Government hurt you? Is the Federal Government hurting you at all?

Mr. AUUIL. I am very sorry; I don't understand you.

Senator ANDERSON. Well, you are objecting to the bill. What experience has caused you to object to the bill?

Mr. AUUIL. Well, we have in Georgia no experience. Our legislation has just been enacted and actually is not yet in effect and it will not be in effect until January 1, 1969. We hope to have enough time to prove that we can handle this problem within the State.