

Wildlife group charges lax enforcement of strip mine law

WASHINGTON, D.C. — The National Wildlife Federation has filed suit against U.S. Secretary of the Interior James G. Watt in a move to protect the nation's prime farmland from what it called strip mining without any environmental controls.

The Federation, along with seven other conservation and civic groups, asked a federal court to overturn a regulation, issued by Watt, that would allow many existing strip mines on prime farmland to sidestep a federal law requiring restoration of mined land.

"Secretary Watt's regulation would undermine the federal laws that sought to protect farmland from coal mining in the first place," said Norman Dean, attorney for NWF. "It would open up vast areas of prime farmland to strip mining without providing for any environmental controls."

Specifically, the suit challenges Watt's omission of a deadline from a regulation he issued in September to implement the so-called grandfather clause of the Surface Mining Reclamation and Control Act of 1977. According to Federation attorneys, the grand-

father clause of the Act established exemptions for mines operating at the time the legislation was passed, so that coal mining companies would have time to develop the technology for restoring strip-mined farmland to its original condition, as required by the Act. The Carter administration had proposed a 1982 deadline for these so-called "grandfather clause" exemptions.

Without a deadline or cut-off date, the suit charges, Watt's regulation provides no practical limits to strip mining on prime farmlands. If not overturned, it "will permit surface mining of coal on hundreds of thousands of acres of prime farmland without any showing that coal operators have the technological capability to restore the lands to their premining productivity," says the Federation's complaint, filed in the District of Columbia's U.S. District Court.

Joining the NWF in the suit are the Iowa and Illinois Wildlife Federations, the Environmental Policy Institute, and four other civic and environmental organizations in Illinois. Also named as a defendant in the suit is

Richard Harris, Director of the Office of Surface Mining, Reclamation and Enforcement within the U.S. Department of the Interior.

The suit claims that Watt's regulation violates the intent of the Surface Mining Reclamation and Control Act. It also maintains that Watt unlawfully implemented the regulation, because he did not obtain the approval of the U.S. Secretary of Agriculture as required by the Surface Mining Act.

Illinois, which contains half of the nation's prime farmland on

which strip mining occurs, would be hardest hit by Watt's regulation, according to NWF attorneys. "Most of the strip mining in Illinois occur on two coal seams," said Dean. "Watt's regulation would allow the 56 existing mines on those seams to continue mining under the grandfather clause as long as the reserves last. That leaves most, if not all, of Illinois' best farmland unprotected by the new regulation." According to Dean, not one existing coal mine in Illinois is yet obliged to meet the prime farmland requirements of

the Surface Mining Act.

Watt's regulation, without any deadline for compliance, will result in a loss of productive farmland, increased water pollution from increased erosion and stream sedimentation, aesthetic damage, and the destruction of wildlife habitat, the suit alleges.

The Illinois and Iowa Wildlife Federations are state affiliates of the NWF, a conservation and education organization with more than 4.5 million members and supporters throughout the United States.

Prevent cramped winter housing for livestock

UNIVERSITY PARK — Housing an animal in cramped quarters may do more harm than good. Most animals may be healthier roughing it, reminds Dr. L. Dwight Schwartz, Extension veterinarian Penn State.

Most farm animals are more comfortable in an open-front shed

than in closed housing. While animals need shelter from the wind, rain, and snow, they also need freedom to move, a dry bed, and plenty of fresh air.

Often closed housing is primarily for the benefit of human caretakers rather than the livestock. The wind chill index is a measure of human rather than animal discomfort, Dr. Schwartz explains.

In a closed structure, ventilation is sometimes inadequate, resulting in damp humid conditions. Odors also build up, creating an unhealthy environment.

During winter storms, snow can be a problem with small, open sheds, but front adjustable doors may be the answer.

Even in severe winter weather, livestock should not be cooped up for long periods of time. Schwartz says that exercise and fresh air are extremely important for good animal health.

When moisture collects on the walls, floors, and windows of closed buildings, ventilation is inadequate.

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