

Secure Rural Schools and Community Self-Determination Act

US Forest Service

July 26, 2016

Purposes of Act

- **Stabilize and transition payments** to county schools and roads
- **Invest in the land and create employment** opportunities
- **Improve cooperative relationships** among the people that use and care for Federal lands

Act of May 23, 1908

25% payment

Share national forest receipts from

- Timber
- Grazing
- Land use
- Recreation special uses & user fees
- Minerals including oil, gas, coal

Declined in recent decades; fluctuate widely



Secure Rural Schools and Community Self-Determination Act

- Also based on and funded by national forest receipts
- Includes provisions to stabilize and transition payments
- Some funding from Treasury

Legislative History

- October 30, 2000
- Secure Rural School and Community Self-Determination Act of 2000
- Public Law 106-393
- 5 years
- End Sept. 30, 2006
- May 17, 2007
- Emergency Supplemental Appropriations, Section 5401
- Extend PL 106-393
- 1 year
- End Sept. 30, 2007

Overview of the Act

- Title I **Secure payments** for states and counties containing federal land to help fund schools and roads
- Title II **Special projects** on federal land
- Title III **County funds** for specific purposes
- Title IV – Miscellaneous provisions including **new calculation for 25% payment**

Annual Payment

- Payments generally will be made in December for the fiscal year ending September 30.
- Title I and title III funds are paid to states to be distributed to counties
- Title II funds are held in a Forest Service account to pay for approved projects

Use of Funds

- Title II funds unobligated in one fiscal year shall be available in the following year.
- Authority to initiate title II and title III projects ends September 30, 2011
- Title II and III funds not obligated by September 30, 2012 shall be returned to U.S.Treasury

Title II – Special Projects

- On national forests or directly benefit national forest lands
- Have broad based support
- Help foster cooperative relationships
- Reviewed and recommended by resource advisory committee (RAC)
- Approved by Forest Service

Title II – Special Projects

- Improve the maintenance of existing infrastructure
- Implement stewardship objectives that enhance forest ecosystems
- Restore and improve land health and water quality
- Protect, restore and enhance fish and wildlife habitat

Title II – Special Projects

Approved projects must

- Comply with laws and regulations
- Be consistent with Forest Plan(s)
- Be properly submitted and recommended by RAC
- Meet purposes of the Act and title II

Title II – Special Projects

- road, trail, and infrastructure maintenance or obliteration;
- soil productivity improvement;
- improvements in forest ecosystem health;
- watershed restoration and maintenance;
- the restoration, maintenance, and improvement of wildlife and fish habitat;
- the control of noxious and exotic weeds; and
- the re-establishment of native species

Title II – Special Projects

Projects may be proposed by

- Resource advisory committee
- Counties
- Fire Safe Councils, Firewise communities
- Fish and wildlife interest groups
- Other national forest stakeholders
- Forest Service

Title II – Special Projects

Implemented thru cooperative agreements

- federal agencies
- state and local governments
- private and nonprofit agencies
- landowners

Or be implemented by

- Contractor or by Forest Service personnel

Title II – Special Projects

The Secretary (Forest Service) has sole discretion to approve project

- Disapprovals are not subject to appeal or judicial review
- RAC will be notified of disapproval within 30 days with explanation

Title II – RAC Purposes

- Improve collaboration
- Provide advice to Forest Service

Title II – RAC Formation

- RACs are organized and formed to advise the National Forest
- The Secretary may establish resource advisory committees for part of, or for one or more national forests
- Projects recommended by the RAC must be approved by the Forest Service

Title II – RAC Duties

- Review projects proposed by others
- Propose projects and funding
- Coordinate with the Designated Federal Official (DFO)
- Encourage public participation
- Monitor projects
- Recommend changes based on monitoring

Title II – RAC Membership

- 15 members appointed by the Secretary of Agriculture.
- Include local representation
- Residents of state(s) in which RAC has jurisdiction
- Balanced and broad representation within three categories specified in the Act

Title II – RAC Membership

Category A: 5 persons representing--

- (i) organized labor or non-timber forest product harvester groups
- (ii) developed outdoor recreation, off highway vehicle users, or commercial recreation activities;
- (iii) (I) energy and mineral development interests; or (II) commercial or recreational fishing interests;
- (iv) commercial timber industry; or
- (v) hold Federal grazing or other land use permits, or represent nonindustrial private forest land owners, within the area for which the committee is organized.

Title II – RAC Membership

Category B: 5 persons representing

- (i) nationally recognized environmental organizations;
- (ii) regionally or locally recognized environmental organizations;
- (iii) dispersed recreational activities;
- (iv) archaeological and historical interests; or
- (v) nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations.

Title II – RAC Membership

Category C: 5 persons that--

- (i) hold State elected office (or a designee);
- (ii) hold county or local elected office;
- (iii) represent American Indian tribes within or adjacent to the area for which the committee is organized;
- (iv) are school officials or teachers; or
- (v) represent the affected public at large.

Title II – RAC Membership

- One replacement member will be appointed for each of the 3 categories
- Members serve a 4 year term
- Members will not receive compensation
- Forest Service, if funds are available, may reimburse members for travel related expenses



Title II – RAC Operations

- Each RAC is included on a charter approved by the Secretary of Agriculture
- Each RAC may develop and maintain its own by-laws or operating principles consistent with the Act and charter
- RAC members will select a chairperson
- A quorum is required for meetings
- A majority is required for project approval

Title II – RAC Operations

- Meetings are open to the public
- Publish meetings at least 15 days in advance in Federal Register
- Publicize meetings at least 7 days in advance in local newspaper of record
- RAC shall maintain meeting records

Title II – RAC Operations

- Designated Federal Official (DFO) from Forest Service will work with the RAC
- Forest Service may provide additional staff support
- Forest Service may request RAC to agree to use title II funds for environmental review of a project