Assessment of the Secure Rural Schools and Community Self-Determination Act Public Law 106-393

Executive Summary

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EXECUTIVE SUMMARY

Study Objective

This study examined the Secure Rural Schools and Community Self-Determination Act (P.L. 106-393) focusing on Titles II and III. Sixteen case studies were conducted in nine states to analyze the functioning of 15 Resource Advisory Committees (RACs) and the projects they have approved (Pennsylvania, the sixteenth case study, does not have a RAC). Title III projects were also examined in counties associated with the RACs. A sub-study of all California Title III expenditures for the first three years was undertaken along with a review of how BLM and Forest Service RACs charged administrative overhead.

Comprehensiveness of the Study

Fourteen of the sixteen case studies were located in the top seven states receiving Title II dollars; Mississippi was ranked 10th and Pennsylvania had no Title II dollars. The states in which case studies were conducted account for 99% of all Title II and 86% of Title III expenditures. The 16 case studies include 36.2% of all Title II and 21.2% of all Title III expenditures.

Title II and Title III Allocation

Counties have allocated half of all available P.L. 106-393 funds to Title II and half to Title III. There has been a slight increase in Title II allocations following the first year of the program.

Collaboration and RAC Functioning

The most dramatic achievement of P.L. 106-393 is the impressive collaboration developed among RAC members while approving $154.4 million dollars of projects nationally. As the first legislation to require collaboration to fund resource management projects, few would have predicted the degree and intensity of success. RAC members, representing diverse interest groups that have been warring for years, agreed that not only could they work together and fund worthwhile projects, but they could also learn from one another. A measure of their success is the fact that no RAC project has been appealed or challenged, and counties have increased their allocations of funds to Title II.

A key ingredient of success is that RACs have money for projects and on-the-ground work. Funding has been a powerful motivator for collaboration to advance learning and to support projects that otherwise would not be funded.

Collaboration is fertile ground for more collaboration. Previous experience with collaboration has helped RACs get started and become functional sooner. The growth of community involvement with the federal agencies and establishment of various forms of collaboration helped western groups more quickly embrace the idea of RAC collaboration and, as a result, gave them a head start. The Southwest Mississippi RAC, whose members lacked resource-based collaboration history, is proving more successful in those counties where community efforts have been successful in overcoming a historic legacy of racial conflict.

New and improved relationships between RAC members (and the interest groups they represent) and the federal agencies have characterized RAC operations. The RAC process has led to a new and more effective public-agency interaction in all but one RAC examined in this study.

There remain some areas in which historic distrust of the agencies, distrust among interest groups, or distrust among the counties themselves constrain RAC operation, or prevent RACs from getting established altogether. Single-minded pursuit of an agenda and obstructive influence by interest groups or county officials is one reason for difficulties in launching RACs and for RAC dysfunction.

Some RACs lack the wide diversity of participation called for in the legislation; a few interest categories are filled with inappropriate representatives, though, for the most part, category representation is sound. Native American groups are not well represented on some RACs and do not receive project support to the degree that might be expected.

Both the "horse and burro" and "labor" categories have been difficult to fill correctly. Changes to these and other individual interest categories are offered to more accurately reflect changing rural economies and communities.

The role of "replacements" on a RAC is confused by RAC members and agency officials alike. RAC "replacement" members should not replace RAC interest representatives unless they are legitimate representatives of a vacated interest category.

RAC Projects

The largest category of project spending for the case study RACs is on roads, representing just over $14.6 million or 26.2% of total RAC expenditures. The second largest category is for projects that improve wildlife and fish habitat, totaling $9.4 million or 17% of total Title II expenditures. A total of $4.9 million was allocated for watershed restoration and maintenance-related projects, comprising 9% of RAC spending. Forest health expenditures totaled $7.1 million, 13% of total RAC expenditures.

Based on the case studies, the requirement that 50% of all Title II projects fund road maintenance/obliteration or watershed improvement/restoration appears to be met nationally. The combined allocations among the case study RACs for roads, habitat improvement, and watersheds totals 52% of the total amount allocated and thus meets the legislative requirement that 50% of RAC dollars support projects "primarily dedicated to road maintenance, decommissioning, or obliteration or to restoration of streams and watersheds." Few RACs supported projects involving extraction of merchantable material.

RAC dollars have enabled the Forest Service and the Bureau of Land Management to implement important projects that would otherwise not be done, but RAC-supported projects are creating new unfunded mandates for the agencies. Some of the projects will require additional investment in the near future for maintenance and upkeep if they are to retain their functions and benefits.

Agency policies for recovering RAC-related administrative costs have been confusing, shifting, and inconsistent. Confusion is in part due to the agencies learning about time commitments only after RACs were up and running and projects were launched. This has improved.

RAC-funded projects have leveraged millions of additional dollars, many partnerships, and thousands of volunteer hours. Many projects demonstrate the power of public-private partnerships; some are beginning to address landscape-level issues across jurisdictional boundaries.

Some RACs have allocated their funds almost entirely to federal projects with little or no support for other projects. More outreach to local businesses, NGOs, and local government is needed.

Multi-county RACs face a common challenge managing counties' expectations that they should receive project dollars commensurate with their RAC contributions. This has sometimes led to awkward project approval processes and threats to reduce funding when counties do not receive proportionate shares. This has been relatively uncommon.

Title III

The highest funded category of all Title III expenditures in the case studies is "search and rescue and emergency services," totaling 34.1%. "Fire prevention and county planning" at 24.1% and "forest-related education" at 22% were the next highest funded categories. In California the top three categories were the same, but totals differed somewhat: "county planning and fire prevention" and "search and rescue and emergency services" were the top two funded categories, receiving 30.6% and 30.4% respectively.

Title III funds have been used successfully for building community capacity to develop community wildfire protection plans that have led to effective leveraging of funds from other sources. This has been one of the most successful aspects of the Title III program. A considerable amount of Title III funds have been used for planning and building the capacity of communities to engage in fuels reduction and forest thinning, qualifying them for National Fire Plan funds and securing project funds from Title II and other sources.

In many counties, a large proportion of Title III funds has been distributed through administrative budget allocations, not the formal project proposal process outlined in the legislation under Title II. A total of 46 percent of all California Title III funds distributed during the first three years of the program were allocated through administrative processes, not through open and competitive processes of proposal solicitation, review, and approval. Half the case study counties distributed funds the same way. It is questionable whether allocating funds through internal county budget mechanisms conforms to the spirit or intent of the legislation. Some allocations, though generally limited in amounts, do not fit the approved categories.

The lack of oversight and an authoritative source for information about Title III hampered county officials and contributed to irregular proposal processes and allocations. Implementation of Title III would benefit from a central information source. This entity could take responsibility for ensuring accurate and timely reporting of projects, and could offer training for counties (as well as RACs) to improve project work. It could also serve as a clearinghouse for information about innovative and successful projects, thereby improving program learning.

Employment

Across almost all of the cases, RACs have supported youth employment projects. Millions of dollars have been invested in Youth Conservation Corps (YCC) or similar employment programs, as well as programs for at-risk youth. These programs are developing the human capital needed for continued management of forests and watersheds as participants move into resource-related jobs or educational programs.

Job creation, beyond youth employment, has been indirect and piecemeal. Most projects offer only part-time or short-term work. In a few cases the RACs or the agencies have attempted to provide projects that bridge seasons and slow-work periods in order to offer year-round work. Lack of monitoring has prevented in-depth analysis and understanding of this issue.

Institutional Issues

The legislation has untapped potential to improve Bureau of Land Management and Forest Service interaction about adjacent ownership, watershed, and landscape management issues.

Monitoring of both Title II and Title III has been inadequate and needs to be improved. A few RACs and counties took seriously this responsibility, but even the best focused primarily on general project reporting and implementation monitoring, not on outcome-based monitoring. Title III data has been particularly difficult to secure. Improved monitoring would build in accountability, while contributing to program learning, project development, and improved resource management.

Findings from this study strongly support continuing P.L. 106-393. Accomplishments to date, especially the collaborative relationships established and the implementation of individual projects, lay the groundwork for improved future collaboration and projects. Re-authorization should consider using these powerful partnerships and focused projects to help identify and develop a new approach based on payments for "ecosystem products and services" that would provide a viable source of revenue to forest counties beyond the lifetime of the specific P.L. 106-393 legislation. Future payments would be based both on payments for environmental services and on receipts for timber and non-timber forest products. This can help identify mechanisms needed to build a long-term, sustainable future program.

The very effectiveness of P.L. 106-393 argues for a concerted effort to use the time for which the legislation may be reauthorized to engage in a period of consultation and reflection on future, long-term measures to ensure the viability of these rural communities.

Recommendations

1. RACs represent a new model for establishing public-agency consultative arrangements. These consultative arrangements can be used for activities that go beyond P.L. 106-393 in the future.

2. RACs themselves, the agencies, and possibly third parties should do more outreach and education to inform others about the work and lessons of RACs.

3. RAC interest categories should be modified to reflect changing demographics and to enable them to respond more effectively to issues facing forest communities across the country. Specific suggestions are offered.

4. A. Eliminate replacement members associated with a single category since there is no way to assure that one individual can fill a vacated interest position.

5. Agencies need to be clear with the RAC and the public about the impact on their staff workload and limited budgets of RAC-funded projects that increase agency obligations. A deliberate conversation needs to start regarding how additional obligations will be addressed.

6. Agencies should establish clear and simple guidelines for charging RACs for administrative expenses. Greater consistency will improve understanding and reduce RAC member and project manager frustration.

7. Agencies and RACs need to solicit more proposals from local businesses, non-governmental organizations, and local government.

8. The meaning of "project" in Title III needs to be made consistent with Title II. More open, competitive, and transparent processes for project solicitation, review, and approval by the counties are needed.

9. A single organization or entity should be given responsibility for ensuring accurate and timely reporting of Title III projects. This entity could also provide training for counties to improve project development, selection, and implementation.

10. There should be accurate and coherent monitoring of Title III projects. Failure to monitor Title III increases the likelihood that funds will be used in ways inconsistent with the spirit and intent of the legislation, and reduces opportunities for learning and collaboration.

11. Should the legislation be extended by five or six years—and we believe it should—where the combined total of Title II and Title III funding exceeds $200,000 yearly in a RAC area, there should be a requirement that 3-5% of these funds be dedicated to experimental projects examining how forest products and ecosystem services can provide a future stream of revenues to replace the current P.L. 106-393 funding mechanism.