

Secure Rural School Act: Resource Advisory Committees

The Secure Rural Schools Act authorizes the use of Resource Advisory Committee (RACs) as a mechanism for local community collaboration with federal land managers in recommending Title II projects on federal lands or that will benefit resources on federal lands. RACs established by the original SRS Act and in existence before September 29, 2006, have been reappointed by the Secretary of Agriculture to a new four-year term.

Officers and Membership

- Each RAC consists of 15 members appointed by the Secretary of Agriculture. Committee members shall be representative of the interests of the following three categories:

Category A

- Organized labor or non-timber forest product harvester groups
- Developed outdoor recreation, off highway vehicle users, or commercial recreation activities;
- Energy and mineral development interests; or commercial or recreational fishing interests
- Commercial timber industry
- Federal grazing or other land use permittee or represent nonindustrial private forest land owners, within the area for which the RAC is organized

Category B

- Nationally recognized environmental organizations
- Regionally or locally recognized environmental organizations
- Dispersed recreational activities
- Archaeological and historical interests
- Nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations

Category C

- State elected official or their designee
- County or local elected official
- American Indian tribes within or adjacent to committee area
- School officials or teachers
- Represent the affected public at large.

- RAC members shall serve a four-year term.
- If a RAC member fails to attend (in person or by telephonic or electronic means) two consecutive official meetings, the Secretary may remove that member from the RAC.
- The Secretary shall appoint one replacement for each membership category. Should a vacancy occur, the replacement shall be available to fill the vacancy immediately. Replacement members may not vote until moved up to fill vacancy and serve as a RAC member.
- Equal opportunity practices, in line with USDA policies, shall be followed in all membership appointments to the committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.
- A vacancy on a RAC shall be filled in the manner of the original appointment. Any member appointed to fill a vacancy occurring before the expiration of the term for which his/her predecessor was appointed shall be appointed for the remainder of such term. A replacement shall fill the vacancy as soon as practicable after the vacancy occurs.
- RAC Members shall reside within the State or States in which the RAC has jurisdiction. To the extent practicable, each of the three categories shall be composed of local representatives.
- A Chairperson is elected by the RAC from among its members for a term of one year.

Duties

- Each RAC shall review projects proposed under Title II of the Act by participating counties and other persons.
- Each RAC shall provide early and continuous coordination with appropriate Forest Service officials in recommending projects consistent with Title II of the Act.
- Each RAC shall provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully, beginning at the early stages of the project development process under Title II of the Act.
- Consistent with applicable laws and Department regulations, each RAC may adopt such by-laws or rules of operation, as it deems advisable.
- Each RAC shall monitor projects that have been approved under the Act and advise the designated Federal official on the progress of the monitoring efforts and
- Each RAC shall make recommendations to the Secretary of Agriculture for any appropriate changes or adjustments to the projects being monitored by the RAC.
- The authority to initiate Title II projects terminates on September 30, 2011. Funds not spent or obligated by September 30, 2012, will be returned to the U.S. Treasury.

The Process

RACs may submit projects to National Forest(s) that the committee proposes a Forest undertake, using funds from Title II, as well as funds from State or local governments, the private sector, and funds appropriated and otherwise available to do similar work. Projects may be proposed to the RACs from participating counties or other persons who may propose to pool project funds or other funds, and jointly propose a project or group of projects to a RAC.

National Forests then will make a decision whether to approve a project submitted by a RAC provided the proposed project satisfies each of the following conditions:

- (1) The project complies with all applicable Federal laws and regulations;
- (2) The project is consistent with the applicable resource management plan and any watershed or subsequent plan developed and adopted pursuant to the resource management plan;
- (3) The project has been approved by the RAC;
- (4) A project description has been submitted by the RAC;
- (5) The project will improve maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality.

The legislation requires that at least 50 percent of all Title II funds be used for projects that are primarily dedicated to road maintenance, decommissioning or obliteration, or to restoration of streams and watersheds.

National Forests also may request the RAC submitting a proposed project to agree to the use of project funds to pay for any environmental review, consultation, or compliance with applicable environmental laws required in connection with the project. When such a payment is requested and the resource advisory committee agrees to the expenditure of funds for this purpose, the Secretary concerned shall conduct environmental review, consultation, or other compliance responsibilities in accordance with Federal law and regulations. If a RAC does not agree to the expenditure of funds under subparagraph (A), the project shall be deemed withdrawn from further consideration by the Secretary concerned pursuant to this title.

Meetings

- The RACs will meet as often as is necessary to complete their business.
- RAC meetings shall be opened to the public and announced in the local newspaper of record one week in advance and in the Federal Register.
- A majority of the members of a RAC must be present to constitute an official meeting of the committee.
- The approval of majority of the members of each of the three membership categories of the RAC shall be required to approve a project for recommendation to the Secretary.
- Records of RAC meetings shall be maintained and made available to the public.

Support

- The RACs report to the Secretary of Agriculture through the appropriate Forest Supervisor.
- The Forest Service shall provide support for the RACs.
- Members of the Committee serve without compensation. Reimbursement is allowed for travel and per diem for attendance at RAC meetings called by the Chairperson and with an agenda approved by the DFO will be determined on a forest-by-forest basis with a view to budgetary constraints and the need to achieve adequate representation of necessary groups.

RAC Area of Operation

- The RACs are established via a Charter by the Secretary of Agriculture, and multiple RACs are established in each state Charter as appropriate.
- Geographic footprint of a RAC are either single county, multi county or one or more National Forest areas or a combination of factors above..
- When determining the geographic footprint of a RAC the following considerations are important:
 - Factors favoring single county RACs are: members serve from the same jurisdiction of the county that made the allocation of Title II funds, and members are from the immediate area and likely have personal relationships with one another and with the local National Forest office. Some counties may not want to collaborate with one another for various reasons.
 - Single county RACs compete for attention with others where a National Forest must serve multiple RACs. Sometimes the talent pool for members is limited and ability to find members that fit the required positions is a challenge. Projects using Title II funds may not be ready for implementation in a county until legal and administrative processes are complete and the funds must sit idle.
 - RACs on a Forest or multi-county basis can draw from a larger pool of residents to serve and can be more adequately serviced by the National Forest. There are often logical boundaries for RAC areas, based on state planning areas, National Forest and/or county boundaries, communication and travel networks.
 - Boundaries should be determined in a collaborative basis at the statewide level through participation of counties and its state association, as well as the Forest Service.