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**House Natural Resources Subcommittee on National Parks, Forests, and Public Lands**

**Oversight Hearing: “Building Success: Implementation of the  
Secure Rural Schools Program”  
July 29, 2010**

Thank you for the opportunity to discuss the Bureau of Land Management’s (BLM) implementation of the Secure Rural Schools and Community Self-Determination Act of 2000 (P.L. 106-393) at the mid-point of its reauthorization by the Emergency Economic Stabilization Act of 2008 (P.L. 110-343). The Secure Rural Schools Act applies to nearly 2.4 million acres of BLM-managed public lands in 18 counties located in western Oregon (generally called the “O&C”). The BLM defers to the U.S. Forest Service on activities accomplished by the Forest Service on its lands. I will briefly summarize the unique relationship between the Department of the Interior and these 18 counties and then describe the BLM’s successes and challenges in implementing the Secure Rural Schools Act.

**O&C County Payments**

The Secure Rural Schools Act builds upon the foundation laid in 1937 with enactment of the Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands Act (the O&C Lands Act). The O&C Lands Act directs the Department of the Interior to manage the O&C lands for “*the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities.*” Under the O&C Lands Act, the 18 O&C counties receive yearly payments equal to 50 percent of receipts from timber harvests on public lands in these counties.

In the years between 1989 and 1993, income to O&C counties from timber harvests dropped significantly from the historic highs experienced in the late 1980s due to litigation on threatened and endangered species. In response, Congress enacted “safety net payments” to stabilize income flow to timber-dependent counties during this period through the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66).

To make up for the reduction in O&C county payments from decreased timber harvests, Congress repealed the “safety net payments” and enacted the Secure Rural Schools Act in 2000. It set a stable level of O&C county payments in each of the subsequent six years. The Act provided the O&C counties with the option of receiving a full payment amount equal to the average of their three highest timber receipt years from 1986 through 1999. In addition, under the Act the counties elect the percentage of the payment to be distributed directly to the counties (Title I), and the remaining percentage to be allocated between Title II projects (administered by the BLM), Title III projects (administered by the counties), or returned to the Treasury.

The payments have been extended twice. The first extension (P.L. 110-28) was for a one year payment. The second (P.L. 110-343) extended payments for 2008 through 2011. As amended by P.L. 110-28, payments are a declining percentage of the payments made in previous years. When the law sunsets, the payments based on 2012 receipts to the 18 counties in western Oregon would revert to the 50 percent share of federal receipts from activities on O&C lands.

### **Title I & Title III – County Payments**

The Secure Rural Schools Act authorities are set out in three sections. Title I of the Secure Rural Schools Act replaces receipt-based county payments and accounts for 80 to 85 percent of the total payment. Title III of the Act provides funds for eligible county expenditures and accounts for up to 7 percent of the total payment. The BLM has only a minor role in implementing Titles I and III of the Secure Rural Schools Act.

### **Title II – RAC Collaboration**

Title II of the Secure Rural Schools Act authorizes up to 15 percent of the total payment amount each year to fund restoration projects on public land in the O&C and on private land if the project benefits public land resources such as in watersheds.

Title II established a structure—Resource Advisory Committees<sup>1</sup> (RACs)—to promote cooperative working relationships among the people who use and care about the O&C lands and the federal agencies responsible for managing the resources. There is a RAC for each of the five BLM administrative districts in western Oregon (Coos Bay, Eugene, Medford, Roseburg, and Salem) that cover the 18 O&C counties. Each RAC has 15 members representing three interest areas equally: commodity interests, non-commodity interests, and local area interests. Current and previous RAC appointments have included representatives of state and local governments, tribal interests, watershed councils, private and nonprofit entities, and landowners. RACs are chartered for two-year terms; members are appointed by the Secretary of the Interior and provide this community service without compensation.

The requirement that RACs represent diverse interest groups offers the BLM opportunities to engage early and often with individuals holding a wide range of opinions on western Oregon resource management. Title II allows the BLM to bring local representatives to the table to help prioritize funding so it can be spent most effectively. The RACs review restoration projects proposed by both external partners and the BLM, and screen project proposals to ensure they meet the legislative intent of the Secure Rural Schools Act. The RACs then recommend their highest priorities for Title II funding to the BLM.

### **Successes**

Since the Act's reauthorization in 2008, the RACs have recommended 319 Title II projects out of a total of 470 proposed projects, and the BLM has approved more than \$14.6 million of Title II funds to implement these projects. The RACs are currently reviewing the 272 project proposals for FY 2010 and are expected to make recommendations this summer. Projects have included hazardous fuels reduction; stream and watershed restoration; forest road maintenance and road

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<sup>1</sup> The Secure Rural Schools Act Resource Advisory Committees are separate and distinct from the BLM's state or regional Resource Advisory Councils, which are authorized by the Federal Land Policy and Management Act (FLPMA).

decommissioning; noxious weed eradication; and fish and wildlife habitat improvement. These projects also provide job opportunities in rural western Oregon counties.

By working collaboratively with the RACs and incorporating local input, the BLM strives to build consensus on natural resource issues. No RAC-approved project has been protested, appealed, or litigated. Through the RACs, trust and solid working relationships are being strengthened between the counties and the BLM, and between very diverse interests.

The following are a few examples of successful Title II projects undertaken by the BLM under the Secure Rural Schools Act:

- In Josephine County (BLM Medford District; Medford RAC), the BLM is partnering with The Job Council, a cooperative public association providing workforce resources, to conduct a variety of restoration and land management activities. This cooperative project received Title II funding for the previous two years that resulted in the construction of new trails, removal of noxious weeds, upgrade, and maintenance of existing trailheads, and maintenance of recreation sites. The BLM's partnership with The Job Council provides the agency with work crews to complete projects that enhance the public lands while offering on-the-job experience and forestry education opportunities for local youth ages 16-21. (Attachment 1)
- The BLM is using Title II funding to restore habitat critical for the protection of special status species. In BLM Roseburg District (Roseburg RAC), Title II funds are restoring wetland conditions necessary for the survival of the endangered hairy popcorn flower (*Plagiobothrys hirtus*). Compacted soil resulting from historic grazing practices, road construction, and inadequate drainage has reduced water flows to the habitat of this endangered plant. This Title II project is restoring the beneficial wetland conditions through willow plantings, placement of log structures in stream channels, installation of erosion matting on high angle banks, and creation of drainage dips in a nearby road. (Attachment 2)
- A Title II project restored a three-mile section of Spencer Creek near Keno, Oregon (BLM Lakeview District; Medford RAC). Over 50 log structures, created from 220 cull logs salvaged from local timber sales, were placed in Spencer Creek to reestablish its original sinuosity, channel complexity, and gravel accumulations. Additionally, the project plans to restore the creek's natural habitat and increase the population and distribution of native fish and amphibians, including the Klamath River redband trout, Klamath small-scale sucker, lamprey, and Pacific giant salamander. (Attachment 3)

### **Challenges**

The BLM has found its RAC members to be extremely committed to the community services they perform. Many RAC members work with multiple counties located within RAC boundaries and have done an outstanding job balancing diverse interests, while developing cooperative project recommendations.

BLM has experienced some difficulties with RAC vacancies. The law does not allow the RACs to meet, review, and recommend project funding if vacancies on a RAC panel prevent the establishment of a quorum. Vacancies on a RAC, if unfilled, may prevent the RAC from meeting and recommending projects to be funded. This, in turn, can prevent the BLM from initiating a Title II project on the ground in a timely manner.

Because RAC member terms are not staggered, the Secure Rural Schools RACs are expecting a total of 63 vacancies (out of a total 75 positions) upon expiration of members' terms in August 2010. The current RAC charters (filed in January 2010) provide for 120 days of membership continuity, so if members are not appointed by August 15, current members will continue to serve on the RACs until December 15, 2010, or until new members are appointed. Many of these members have pledged to remain available for service on the RACs until the law sunsets. The BLM is currently working to fill the expected vacancies. Given the complexities involved in filling RAC positions, the BLM is extending the call for RAC nominations.

### **Conclusion**

The BLM has enthusiastically implemented the authority given to it under Title II. It has enabled the BLM to accomplish on-the-ground improvements in land and resource conditions in the O&C Lands and promoted economic stability of local communities. The RAC process has strengthened working relationships among diverse groups, individuals, and federal agencies with the shared goal of improving the condition of the O&C lands. The BLM looks forward to continuing this important work in the coming year.

Thank you again for the opportunity to discuss the BLM's implementation of the reauthorized Secure Rural Schools Act. I am happy to answer any question you may have.