

Kern and Tulare County Resource Advisory Council (RAC)
May 27, 2010 - Meeting Notes

Meeting convened at 6:04 p.m.

RAC members/replacement members in attendance: Marily Reese, Dwight Chaddock, Larry Stoneburner, Shannon Alto, Larry Duysen, Jack Shannon, Julie Allen, Ann Lange, Mike Ennis, Deborah Hess, Judy Hyatt, Pam Canby, Roger Allred, Mark Cave.

Forest Service Employees in attendance: Mary Chislock, Forest Public Affairs Officer, Rick Larson, District Ranger on Kern River RD. Penelope Shibley, Planner. Kern River RD, Denise Alonzo - Public Affairs on SQF, secretary for this meeting, Chris Nota – Forest Service Liaison in Sacramento.

Christ Nota - Presentation - FACA (Federal Advisory Committee Act)

- Since 2000 there are 16 RAC's in California and 5 new RAC's forming since legislation.
- FACA committee/educate, this information is in provided binders, much is based on experience, however every RAC is unique.
- What is FACA Committee? - provided one page information sheet and PowerPoint handout.
- FACA - structure started in 1972, federal officials benefit from the public giving advice. All meetings are open to the public, and RAC is a balanced group with a wide variety of interests represented. Getting everyone appointed took a long time but now should get things done more quickly. Expected to serve a 4-year term and have replacements on board who can move up quickly if someone needs to leave the RAC. When holding meetings need to always put announcement in federal register and papers, allow public time to give input.
- Secretary of Agriculture has delegated to the Forest Supervisor the decision-maker authority for RAC. The RAC provides Forest Supervisor with recommendations regarding which projects to fund.

Secure Rural Schools and Community Self-Determination Act

Chris went over PowerPoint presentation; legislation that created revenue, portion to Tulare County, Kern County, etc. State law states that Title I ½ revenue goes to County Schools, and ½ goes to County roads. This includes not just timber sale revenue but all revenue from recreation, grazing, etc. In early 1990's there was a huge loss of revenue due to timber sale reduction.

Coalition of school superintendents and county supervisors in 2000 enacted 6-year legislation. Went back to highest years of receipts, 1988, 1989, 1990 and were given share of receipts. Counties got stabilized and made huge compromise but legislation works. They set aside 15 - 20% of for Title II and RACs recommend where to spend money (which projects to fund).

Title I established a stable payment to counties to benefit public education and county road systems.

Title II established a process for counties to set aside up to 15 to 20% of the full payment amount for use on resource improvement projects on or near Federal lands (if Federal lands are benefited). This title established Resource Advisory Committees.

Title III established that counties may use the 15 to 20% of funds to support services including search and rescue, and emergency services on Federal lands; community service work camps easements for conservation or recreational purposes; forestry-related educational activities; and fire prevention /county planning.

Title II - if counties chose not to utilize RAC's could spend money under strict direction. In 2007 legislation ran out, congress set aside money for another 4 with 3 years to transition.

Budget - in 1st 3 year funding goes down 10%, then in 4th year a new formula established in the legislation is used. The new formula takes into account the traditional amount each county receives, the percent of National Forest System land in that county and per capita income. In most California counties funding drops after 4 years but Tulare and Kern Counties actually goes up by nearly double because of the per capita income.

RAC's are good thing in that Forest learns more about community through RAC and RAC members learn more about the Forest Service. Hope that RAC group can reach agreement, and RAC members become recognized leaders in their communities.

Page 13 Legislation - Title II projects are very broad on National Forest or Private lands if they benefit the National Forest (example is fuels projects). Not to be used to build new infrastructure, but have obtained approval for new infrastructure such as toilet replacement based improving water quality.

Conservation education projects can be approved but the project needs to be linked strongly to the forest - kids do hands on things, need connection to National Forest.

RAC - conflict of interest needs to be recognized in bylaws, need to come up with guidelines.

Tab 1 in binder - guidelines - operate as normal part of committee, can't pass vote without 3 "yes" votes from each group. Can't send someone else to vote on RAC members behalf.

Duties - review projects to determine if they meet the criteria in the legislation and recommend to the Forest Supervisor for approval.

Where do projects come from? RAC's request communities/forest to propose projects, through radio and press releases. FS can help accomplish this and need to work in District where project is proposed to ensure project complies with forest plan and laws/regulations. RAC determines which project meets the requirements of the legislation and thinks would be a good project to the Forest Supervisor, who then approves the project. The project must be proposed in the database.

Question (Q) - can RAC's get outside funding to supplement RAC funds - yes, some RACs have a set matching dollar requirement.

Q - is the FS going to approve/disapprove a project before it's developed. Yes, could do so if doesn't meet forest plan, is illegal, doesn't meet legislation, or doesn't make common sense. We want to avoid wasting time developing a project and have Forest Supervisor say "no" because it does not meet the law.

The dollars can be used to accomplish environmental assessments – the RAC needs to determine. Part of project proposals could include environmental documentation/analysis.

Q - how much money needed to clear process and how to get there? There are 4 years of funding, 2 years have been "banked".

	Tulare	Kern
2009	\$80,856	\$32,232
2010	72,770	29,009
2011	65,500	26,000
2012	136,500	49,300

Money carries over until 2012 but must be recommended and obligated by September 30, 2011 for all 4 years. Legislation expires Sept. 2012, so actually have 2 years to recommend/allocate funds. RAC member, Marily pointed out actually have 1 ½ years left out of 4 years.

Q - what is average amount for each project - huge variations, many are matched with other funding.

Q - can counties share money? – yes, but it depends on the project.

Third year money will come by November 2010, if RAC gets all projects allocated/obligated can carryover funds until 2012.

Comment - Projects already covered by NEPA should carry more weight.

Q - any coverage on Hume Lake RD? - only the Tulare County portion

Q - can we share with Fresno RAC for Hume? - yes, may consider that – depends on the project.

Q - can we move forward without Monument Plan completed? – yes.

Q - Marijuana growing, should we include those projects to cleanup gardens? The High Sierra Volunteer Trail Crew gets \$60-70,000 from Fresno RAC to do garden cleanup. Yes, RAC can consider these.

Q - how rural schools involved? Counties used to get dollars from timber sales (primarily) for schools and roads but these funds dwindled in the 1980's. Legislation enacted to account for this loss which has been extended then new legislation. In the most recent legislation, Title I splits 50/50 with schools and roads and Title II dollars go to the National Forests, Title III goes to the communities for fire wise efforts, community wildfire protection plans and the like.

Q - how broad is definition of stewardship - include conservation education? More of a land based definition – education needs a physical link to the land – some activity that benefits the forest as part of the education.

Q - would signs and promotional material qualify? If improving existing signs then yes, if not then no. may be hard to manage while GSNM plan still not complete.

Q - effects of GSNM plan on projects - though plan is not complete, we can still approve projects.

Q - snowmobile tours, guided hikes, how would they fit? If they are tied in with conservation activities they may be considered, but they may be better addressed as an outfitter guide special use permit.

Q - would year-round access qualify? - connecting Springville to Kernville has been an effort by those two communities for a long time – No - would not qualify as a RAC project because there would be no direct benefit to the land.

Q - on powerpoint it was noted that *each* proposal must meet each criteria, does every project have to meet all 4 criteria? No - under Tab II, page 138 actual legislation, concern with “maintenance of existing infrastructure” Chris Nota said that projects can meet one of 3 elements, not all 3 elements. The application also reflects this.

Chris Nota – RAC membership is 3 Categories - A, B, and C. Project needs three “yes” votes from each category to pass.

Break 7:45 - 8:00 p.m.

RAC and Roles – Chris Nota

Overview of RAC and Roles in binder as part of PowerPoint presentation

- Chairperson conducts meetings, works with Priscilla

- RAC members participate in meetings - if you miss 2 meetings could be removed

- Review and recommend projects

- Replacement members can step in immediately

Designated Federal Official – is the Forest liaison, helps supply resources for RAC to move forward; is liaison with Forest Supervisor.

- County Officials - allocate money between Title II or III

Community members

Coordinator - make sure notes get taken, RAC projects on website, report back on projects, track projects.

Q - who are stakeholders? Publics that are involved.

Project proposal form in notebook, but they must be filled in online. It does not save if half done so best to fill in on word document that you can download, then copy and past into the database. Once it is submitted it is in the database and can be queried.

Websites available - this RAC has its own website. Mary Chislock has been working on it, it is up.

<http://www.fs.fed.us/r5/sequoia/> The RAC website link is the first feature listed.

Comment - half the projects should be road related, other half to benefit watershed (see legislation on Page 140 - requirements for project funds "road maintenance").

What to do now? Items to accomplish?

- Set meeting dates - Some RAC's meet once per month, others meet once per year
- Consider some level of teleconference but have to stay open to public
- Nothing has to be obligated/spent until 2012, need to come up with strategy.
- Elect Chair
- When to accept proposals?
- Bylaws
- Get articles in paper and federal register - FS to help with this
- How much time to allow for the proposal submissions?
- Examples of other RAC's
 - o Focus projects (narrow scope of projects to accept)
 - o Go out with full spectrum of projects to consider
 - o Some advice from counties to gain direction?

Comment - get info out through Forest PAO - group needs to discuss how to split out money between counties and look at what was done in Fresno RAC.

Q - does RAC propose projects or does RAC solicit from public? Forest Service can solicit for projects through press releases, RAC would consider proposals.

Q - how do the projects get done? The proponent or Forest Service implements with FS employees, contract, grants, etc. FS can sometimes broaden who we work with under RAC program.

Q – timeframe for implementation? This varies depending on if we write contract or grants, likely not going to happen this year unless project is simple, can be done in winter and/or environmental analysis is complete or easy to complete.

Comment - make sure all decision making is done publicly

Comment - need to question each county for project proposals - Tulare County Mike Ennis said communities are concerned most with fire protection. Kern doesn't get as much money as Tulare.

Need to decide future meeting dates... Mark Cave motioned and Jack Shannon seconded the idea of meeting monthly...next meeting dates discussed.

Next meeting - June 30 5:00 - 8:00 p.m. at SQF headquarters in Porterville

Agenda

Elect Chair

Bylaws

Strategy, what goes on externally/internally

Establish communication between meetings

Future Meeting dates:

July 22nd, 2010 5:00 - 8:00 p.m. Bakersfield BLM office (corner of Highway 65 and HWY 99) this office cannot be used – will find alternate location

August 26th, 2010 5:00 - 8:00 p.m. SQF headquarters in Porterville

Meeting Adjourned 9:10 p.m.

/s/ Denise Alonzo

May 28, 2010