

Southwest Mississippi Resource Advisory Committee and Title III Case Study

Nick Menzies¹
Sierra Institute for Community and Environment



¹ Jonathan Kusel and Nick Menzies conducted the field research for this case study.

Background

The Southwest Mississippi Resource Advisory Committee covers eight counties with land in or adjacent to the Homochitto National Forest. The eight counties all have small, low-income populations—Amite and Franklin counties both rank among the 300 poorest counties in the country. Thirty-three percent of the forested land in Franklin County, and 22.3% in Amite County is public land. The proportion of public land in the other six counties in the RAC ranges from 0% (Pike County) to 11.9% (Adams County). Private forest land ownership is high in all eight counties, ranging from 100% in Pike County to 37.5% in Franklin County. The balance of forest land is in commercial, industrial ownership. Table 1 gives a breakdown of land ownership in the eight counties.² In the past, counties such as Franklin and Amite have depended on the federal 25% pay-

ments from harvesting on public land to cover the costs of running their school systems without having to resort to increasing the burden on a limited and fragile tax base.

Historically, timber has dominated the local economy for well over a century. The Homochitto National Forest was established in 1936 as Mississippi’s first national forest, partly to counter fears of overharvesting and the exhaustion of forest resources in the state. Timber production on the forest remained steady at a relatively low level until the 1960s, after which it increased rapidly, reaching a peak in the 1990s, a trend matched on private and industrial landholdings in and around the forest. The total stumpage value of timber harvested in Amite County, for example, reached a maximum of \$1.09 billion in 1998, declining each year since then (Table 2).³ In 2000, the highest level of harvesting

Table 1. Ownership of Forested Land in the Seven Counties Participating in the Southwest Mississippi RAC.

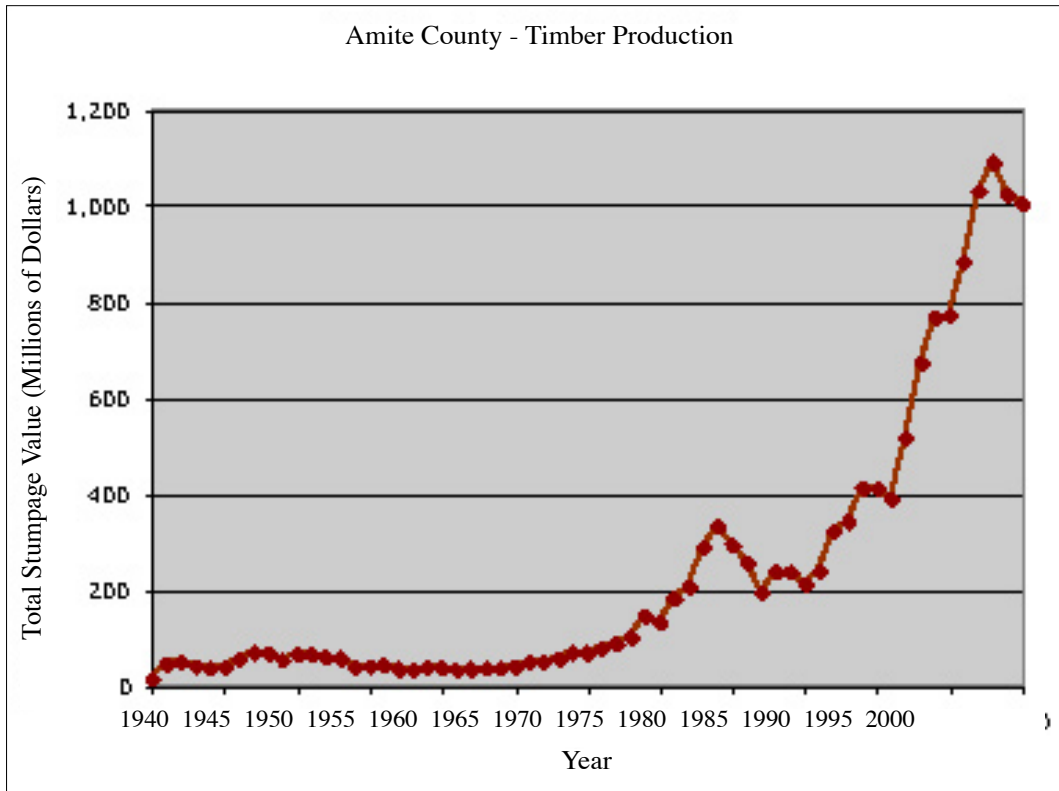
County	Total Forest Area (Th. Acres)	Public		Private Non- Industry		Industrial	
		Area	Percent	Area	Percent	Area	Percent
Adams	209.5	24.9	11.9 %	168.3	80.3 %	16.3	7.8 %
Amite	362.8	80.8	22.3 %	255.9	70.5 %	26.1	7.2 %
Copiah	381.9	24.8	6.5 %	266.6	69.8 %	90.5	23.7 %
Franklin*	322.4	106.3	33.0 %	120.8	37.5 %	95.3	29.6 %
Jefferson	261.7	12.8	4.9 %	176	67.3 %	72.9	27.9 %
Lincoln	265.1	12.7	4.8 %	234.7	88.5 %	17.6	6.6 %
Pike	171.5	0	0.0 %	171.5	100.0 %	0	0.0 %
Wilkinson	346.3	33.4	9.6 %	237.9	68.7 %	75.1	21.7 %
State of Mississippi			11 %		69 %		20 %

Source: Hartsell and London 1995

² Hartsell, A. J. and J.D. London. 1995. Forest Statistics for Mississippi Counties, 1994 Resource Bulletin SO-190. New Orleans, LA: USDA Forest Service. Southern Forest Experiment Station.

³ Mississippi State University Cooperative Extension Service. 2005. Mississippi Forestry Estimated Value Historical Summary. Accessed (April 30 2005) at <http://msucares.com/forestry/economics/reports/history.html>

Table 2. Amite County. Total Stumpage Value of Harvested Timber, 1940 - 2000



Source: Mississippi State University Cooperative Extension Service 2005

in the state of Mississippi was on the Homochitto National Forest,⁴ which accounted at the time for up to 66% of total forest payments to counties in the state.

The national forest is only one component of the timber economy in the area. Three mills still operate within 20 miles of Meadville, Franklin County. County forest associations represent the interests of private, non-industrial forest owners in and around the Homochitto for whom timber production is an important supplementary source of income. Although there is little old growth or mature regenerated forest in the area, forest cover is in fact increasing as private landowners convert grazing land and other agricultural land to forest.

Hunting and recreation are the most important non-timber uses of the Homochitto National Forest.

Deer and turkey attract hunters from throughout the state, as well as from neighboring states. Several campgrounds have drawn recreationists from large cities such as Jackson and New Orleans that are located within one to two hours driving distance of the Homochitto. The construction of Lake Okhissa on national forest land in Franklin County, together with associated recreation developments, have raised the hopes of many locals that the area's economy will boom, particularly in the service sectors, when the lake opens to visitors in 2007.

At the time of the passage of P.L.106-393, timber harvest levels on the Homochitto National Forest were still close to their historical peaks. Since then, however, legal challenges to Forest Service management practices and changing management objectives with a greater emphasis

⁴ Lynn Corbitt, pers. comm.

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on conservation and recreation, have combined to cause significant reductions in both the volume and the value of timber harvested. Many of the mandated changes in management are not limited to public lands. Legal rulings on the protection of habitat for endangered species such as the red-cockaded woodpecker (*Picoides borealis*), or measures such as enhanced watershed protection, have also affected the operations of private and industrial landowners with some impacts on the viability, at least of larger processing facilities. A Georgia-

Pacific mill in Gloster (Amite County), which had formerly employed several hundred workers closed in 2002, although it may be planning to open again, re-hiring labor at entry level wages, suggesting that the reason for closure may be cost-cutting rather than a scarcity of logs. While it is difficult to trace and to disentangle cause and effect in the forest products sector, recent reductions in harvesting and timber production have further depressed the local economy, which was already marked by one of the highest levels of poverty in the country.

County Elections for Titles II and III

Only two counties in Mississippi, Amite and Franklin Counties, have allocated funds to Title II. All other eligible counties have retained payments received through the legislation in Title III. One county opted out of the program altogether, and stayed with the previous 25% system of payments. Table 3 shows how counties associated with the Southwest Mississippi RAC elect to allocate Title I,

Title II, and Title III funds.⁵ It is worth reviewing the context and process of decision-making by which Amite and Franklin Counties decided to opt into the P.L.106-393 program and to allocate funds to Title II. Retracing this process gives some insight into the implementation of the legislation in Mississippi and suggests some reasons for the apparent lack of enthusiasm for Title II in the state.

Table 3. Payments to Counties in the Southwest Mississippi Resource Advisory Committee 2005.⁶

County	Total Payment	Title I Amount	Percent Title I	Title II Amount	Percent Title II	Title III Amount	Percent Title III
Adams	\$186,957	\$158,913	85 %	\$0	0 %	\$28,044	15 %
Amite	\$467,183	\$397,106	85 %	\$59,566	13 %	\$10,512	2 %
Copiah	\$95,781	\$95,781	100 %	\$0	0 %	\$0	0 %
Franklin	\$1,244,425	\$1,057,761	85 %	\$186,664	15 %	\$0	0 %
Jefferson	\$103,528	\$87,999	85 %	\$0	0 %	\$15,529	15 %
Lincoln	\$103,528	\$87,999	85 %	\$0	0 %	\$15,529	15 %
Wilkinson	\$293,206	\$249,225	85 %	\$0	0 %	\$43,981	15 %

Source: USDA Forest Service 2005

⁵ USDA Forest Service 2005. Payments to States Web Page. Accessed March 10, 2005 at http://www.notes.fs.fed.us:81/r4/payments_to_states.nsf/Web_Allocations?OpenView&Count=1000&Collapse=All

⁶ Not including Pike County which has no National Forest land (see Table 1, pg 5)

The first decision the counties had to make was whether or not to move from the system under which they had received 25% of revenue generated from timber harvest on national forest land, to the secure payments under P.L.106-393. In contrast to the situation in many western states, there had, at the time, been few legal challenges to intensive timber harvesting on the Homochitto National Forest. Expecting continued high levels of harvesting, Franklin County initially considered retaining the original revenue receipt system. County supervisors and other interested parties learned about the new legislation from a number of different institutions, although, according to informants, they did not include the state of Mississippi itself. The Mississippi Association of Supervisors organized meetings for their members. The Mississippi Public Lands Council, a not-for-profit organization working for a sustainable future for timber production in the state, also held information workshops in counties to introduce the legislation and the options it offered. The Forest Service organized a statewide meeting with county supervisors and school boards. To follow-up, agency staff met with county supervisors to explain the legislation. Agency personnel were instructed not to favor any particular course of action in their presentations. These discussions at the local level seem to have been instrumental in encouraging all eligible counties to elect to receive payments under the new legislation, recognizing that sharp reductions in timber harvest were likely in the near future.

The decision of whether to move from the old, tried and tested system to the new was, however, difficult. On the Homochitto National Forest, the decision to take payments under P.L.106-393 meant that Franklin County experienced a reduction in revenue for the first few years following the introduction of the new system. Forest Service data estimated a payment to the county of \$2.26 million for the year 2000, based on the preceding year's harvest. Under the formula with the new bill, the county is now receiving an average of \$1.24 million each year. Opting for the formula under P.L.106-

393 led to a significant loss in revenue for the county during the first two years. Since then, with the decline in timber harvests on the Homochitto National Forest, P.L.106-393 has resulted in a net gain to the county. One county official stated that the initial reduction in payments was more than compensated for by the increased budgeting certainty brought about by the security of stable payments over the six years of the new program—very significant in a county with an annual budget of some \$4 million dollars.

The next step in decision-making was more difficult still. Even today, as the first six-year phase of the program draws to a close, there is limited awareness of the differences in intent and practice between Title I, Title II, and Title III. Nearly all of the people the research team contacted in and around the Homochitto National Forest and at USFS Region 8 offices in Jackson understood the difference between payments under the 25% system and under the new system—although, even in this case, a senior member of the Forest Service in Jackson frequently (though perhaps inadvertently), referred to Title I payments and payments under the 25% system as though they were the same. Informants were well aware, also, that county supervisors disburse Title III funds without requiring the approval of a federal agency, while projects using Title II funds are submitted for approval to a committee representing a range of interests in the county, and that they are disbursed through Forest Service channels.

Other than Forest Service staff, few people in counties had a clear sense of the different uses to which Title II and Title III funds could be put. To many county supervisors, forestry professionals, and members of the public, the distinction appears to be that Title III funds are to be used for educational purposes, and that Title II funds are to be used for road maintenance, upgrading facilities, or activities that directly improve the condition of the forest, such as watershed restoration and wildlife habitat improvement. Other possibilities such as the use of Title III funds for fire prevention or search and rescue activities, or the use of Title II funds for

forest stewardship, do not seem to have been well understood, much less discussed widely, although they do feature in a slide show on the Southwest Mississippi RAC web site.

When the board of supervisors in each county made their decisions over the allocation of funds between Title II and Title III, they considered the likely amount of payments they would receive, the relative complexity of procedures for approving projects, and the degree of control the county would retain over payments under each title. On the Homochitto National Forest, Franklin and Amite Counties both have large amounts of Forest Service land (33% and 22.3% respectively) and so receive significant total payments. This appears to have influenced their decision to fund both Title II and Title III programs. This was based on the belief that Title II funds could be used more flexibly on projects in their counties. The other counties with less national forest land (varying between 11.9% and 4.9%) receive smaller payments, and are less willing to invest the time and human resources that are involved in the RAC process—and to give up control of the funding (as they see it) to the For-

est Service. As one informant put it, “With Title III funds, the ... county receives a check every year. With Title II, the Forest Service holds project funds. Counties prefer to keep control of the funds, especially when payments are relatively small.” Some counties were also unhappy that Forest Service staff, not supervisors, would select members of the RAC according to the guidelines established by the legislation.

In the end, Franklin County received Title III payments during the first year (and have not yet spent the funds) but then allocated the full 15% (\$186,664 in 2005) of its non-Title I payments to Title II. Amite County allocates 2% of its payments (\$10,512 in 2005) to Title III and 13% (\$59,566 in 2005) to Title II (Table 3). The other five counties in the Southwest Mississippi RAC and all other forest counties in Mississippi except for one have chosen to allocate all their funds to Title III. The one exception is Wayne County, which initially chose to retain payments under the old 25% system for the first two years of the program, and then elected to move to the secure payments keeping all its funds in Title III.

Title III Projects

Thirty-two counties in Mississippi receive payments under P.L.106-393. Twenty-two of these counties receive over \$100,000 per year in payments and have therefore allocated funds to Title II or Title III or a combination of both. Sixteen of the twenty-two have signed contracts with Mississippi State University (MSU) Cooperative Extension to use Title III funds for an Enhanced Forestry Education Program devised and implemented by MSU. Participating counties have agreed to allocate Title III funds to the program for the six years of the current legislation (one county, Perry County, renews the contract annually). The five counties on the Homochitto National Forest that have allocated funds to Title III participate in the program.

County supervisors reported that they had had little access to information about the various possible uses for Title III funds, and no opportunities to hear from counties in other regions about their uses of the funds. Many of them believed that Title III funds are to be used only for educational purposes—although presentations by the Forest Service, the Mississippi Public Lands Council, and MSU all outlined the various ways in which both Title III and Title II funds could be used. Looking for possible educational opportunities, supervisors responded positively when, in the words of a member of the extension staff, MSU “led a campaign to contract with counties for the enhanced program” with proposals for additional extension activities tailored to fit their budgets.⁷

⁷ MSU Extension Service maintains a web site as a source of information and communication with its partners. The section discussing the Title III program presents the options available to counties, making a strong case for allocating funds to Title III in order to avoid “counties los[ing] direct control over how money is spent.” See: <http://msucare.com/forestry/titleiii/>

According to the MSU Extension Forestry associate for Southwest Mississippi, the Enhanced Forestry Education Program offers some thirty-three different activities including short courses, hands on training workshops, field days, a range of youth programs and scholarships, websites for participating counties, science fairs for children, and a range of publications and learning packages. Title III funding has allowed MSU extension to expand the range of activities it offers, adding Geographic Positioning System workshops; scholarships for schoolteachers to earn credit on forestry-related courses; a children's science fair; scholarships for children to attend wildlife camps; and "teachers' trunks" of teaching materials for use in local schools. MSU has also assisted some counties, including Amite County, to build and maintain a web site covering forestry issues and activities related to the Enhanced Forestry Education Program.

In the participating counties, MSU Extension staff work with county forestry associations to develop a needs assessment selecting from the various projects the program offers. They then present a working plan for approval to the board of supervisors with the possibility of an update or modification to the program at yearly intervals. Data from the "Enhanced Forestry Education Program" indicate that in the five southwestern counties associated with the Homochitto National Forest, the widest outreach to the public has been in the form of publications and activities to raise awareness of forestry issues, particularly in schools and among children. Short courses and workshops for forest landowners have been well attended, while technical demonstrations and tours of forestry activities on the national forest have proved to be less attractive.

There is no doubt that the activities offered in the MSU Enhanced Forestry Education Program

are an authorized use of Title III funds under the criterion of "Forest related educational opportunities." Reaction to the program in participating counties has been positive. Amite County supervisors felt that the program provided activities that the public valued, with some ability to tailor the program to their own needs in the course of annual discussions with MSU. At the same time, they indicated that they felt that they had to some extent lost control over the funds once they had signed a six year contract with MSU, forestalling the possibility of using Title III funds for other purposes.

It is perhaps surprising to find that counties facing severe financial constraints in all aspects of their activities committed all their Title III funds for a period of up to six years to an educational program, which complements an existing extension program, but leaves other forest-related commitments such as emergency services or fire prevention without funding. County supervisors, however, had little information about P.L.106-393 and were unaware of how Title III funds might be used for purposes other than education. MSU offered them a forest-related program tailored to fit each county's budget, that spared them the burden of soliciting and choosing between competing proposals, and of administering and monitoring grant activities—an important consideration in small counties with limited human resources. Where county supervisors have later learned of other possible uses for Title III funds, they have identified other activities which they might have chosen to fund. Fire prevention, and search and rescue services are of concern, for example, to counties on the Homochitto National Forest—but they are reluctant to take advantage of the option in their Memorandum of Agreement with MSU to terminate the arrangement, and feel that Title III funds are fully committed to the "Enhanced Forestry Education Program" for six years.

Title II Projects

With six national forests on its territory and an active timber sector, there is still only one RAC in Mississippi, and only two of the seven eligible counties participating in the RAC have allocated funds to Title II. To date, the RAC has only approved three projects, two of which were approved at the committee's most recent meeting held on March 22, 2005. The first project (\$180,000), approved in 2003, was a road maintenance and improvement project in Amite County⁸ associated with watershed restoration along half a mile of stream. Upon successful completion of the project, the RAC approved a similar road maintenance project at its March 2005 meeting. The \$86,000 requested for the project included \$26,000 left unspent from the previous project. The third project the RAC has approved is for planning and preparatory work leading to the design of a wastewater treatment and disposal system for the Okhissa Lake watershed in Franklin County. The project will use \$525,045, representing all of Franklin County's Title II payments since 2003, when the county switched from Title III to Title II payments.⁹

The following sections will briefly review some of the salient points concerning the three RAC projects approved so far, followed in the section on "RAC Formation" by reactions in Amite and Franklin counties to the experience of organizing and working with a RAC, as well as a discussion of why other forest communities in Mississippi have been reluctant to form RACs.

Project Solicitation

The RAC has not received any proposals other than the three it has approved so far. The Amite County Board of Supervisors prepared and presented the two proposals for road maintenance, while the Okhissa Lake water treatment proposal came from the Okhissa Lake Sewer District—a nonprofit agency established for the specific purpose of securing

funding and planning for water treatment and waste disposal services at the lake. At the March 22, 2005 RAC meeting, the committee approved a member's proposal to form a sub-committee to discuss developing a proposal for an ATV trail on the forest, which would enhance recreation opportunities while reducing the conflicts that frequently flare up between residents and ATV drivers straying onto private lands.

The RAC has not received any proposals from the general public, nonprofit entities, or any other organization. Committee members and Forest Service staff working with the RAC all consider it very difficult to solicit proposals, although, opinions vary as to why. Amite County supervisors felt that in a rural area with a dispersed population, road improvement and maintenance are a high priority to all residents and there is a consensus that funds should be used for this purpose. In a similar way, residents of Franklin County have very high expectations that Okhissa Lake will have a dramatic and positive impact on the local economy, so that there has been a consensus among elected officials, RAC members, and the public that funds are best used at this time to ensure the success of the development. In the long run, county supervisors, RAC members, and Forest Service staff felt that more proposals could be expected now that three major projects had been approved and the public could see funds being used for the benefit of the community.

Some informants referred to other factors that might explain why the RAC has not received other proposals. With a small population and no large urban centers in Amite or Franklin Counties, there are few nonprofit organizations or civic associations that might request funds for projects of particular interest to them. Several people emphasized the importance of churches to communities in the area. Pastors have a lot of influence over their congregations. Church is where people meet and churches organize a wide

⁸The project is incorrectly listed on the USFS web site as being in Franklin County.

⁹Franklin County was the only county that did not contract into the MSU "Enhanced Forestry Education Program."

range of community activities from cleanups to youth camps, hikes, and other recreational activities. To date, however, churches and church groups have not been a source of project proposals. Furthermore, there is a widespread reluctance to be involved with the federal government and its agencies, reinforced by the complexities of the contracting process and the need to carry out relevant studies and take necessary measures to comply with regulatory requirements affecting project activities.

Project Review, Prioritization, and Selection

Prioritization of projects is not yet an issue since the RAC has only received proposals for the three projects it has approved. So far, there has been no need to decide between competing projects. Committee members in the March 2005 RAC meeting raised questions about the Okhissa Lake project. Their questions, however, did not challenge the project itself, but concerned the best strategy to be adopted in realizing the objective of waste treatment and disposal. All those present recognized the importance of reliable roads and accepted Amite County's proposal without any dissenting votes. The readiness of RAC members to establish a sub-committee to discuss the idea of an ATV trail suggests a future role for the RAC in helping to find common ground between the different interests of conservation, recreation, and local residents' concerns about the quality of life.

The consensus around the importance of road maintenance and the Okhissa Lake development has so far defused concerns about the voting procedures mandated under P.L.106-393. It is not clear, however, either to RAC members or to Forest Service staff, exactly how the committee would ensure "The approval of the majority of the members of each of the three membership categories of the RAC," as required in the event of disagreement over a project proposal. Committee members from Amite and Franklin Counties are particularly concerned that in the future, projects might be approved that benefit other counties represented on the RAC that have not allocated funds to Title II. They were quite firm that if such a situation were to arise, they would consider a legal challenge. On the other hand, they did also

feel that with the RAC now approving highly visible projects, more counties might switch some of their Title III funds to Title II.

Approved Projects

For Amite County, roads are a vital communications link in a sparsely populated area where most roads between communities run through national forest land. As the local economy shifts from timber to recreation, road improvement and maintenance are essential to attract hunters and, increasingly, equestrian and other forms of non-motorized recreation. County officials were also pleased that, with RAC funding, it was possible to link road building to watershed rehabilitation, which they recognized was critical to the stability of riverbanks, and to protecting the road and a bridge, which were otherwise at risk of being washed out in the next heavy rainfall. County supervisors and other county residents on the RAC were very satisfied with the outcome of the project, but felt that the procedures for approval and implementation were difficult and cumbersome. They were confident, however, that the process would be easier for the second project approved at the March 22, 2005 RAC meeting.

Satisfaction with the success of the road project and the decision to allocate RAC funding to further road maintenance and the Okhissa Lake sewage project do not hide concerns about the way funds are allocated, and the uses to which they have been put. First of all, county officials would like to see better linkages between Title II and Title III projects—which will only be feasible if more counties allocate funds to Title II in the future, and if Franklin County allocates a portion of its payments to Title III. Secondly, counties are concerned that where matching funds are required, their weak tax bases will make it very difficult to find the funds. Finally, some members of the RAC questioned whether Title II funds should be used for construction projects, which they felt should be carried out with other funds from county budgets. They felt that Title II funds ought to be of wider benefit to the forest and community, and suggested that there should be more educational activities for schoolchildren.

RAC Formation, Operation, and Process

RAC Formation

In implementing P.L.106-393, the Forest Service Region 8 made a decision that there would be three RACs for the six national forests in Mississippi. The State does not appear to have been involved in the decision. According to Forest Service staff, the decision was geographic and based on the size of forest counties. Since many of the forest counties here have very small populations, Region 8 felt that it would not be appropriate to set up one RAC in each county. Initially, the proposal was for just two RACs for the whole state, but following the advice of Forest Service staff in Mississippi, the final decision was for three. While the concern about county size is understandable, the decision, made without consultation with eligible counties, almost certainly reinforced the suspicion that the Forest Service controls the RAC process and Title II funds, if not the whole program, and it is likely to have diminished counties' interest in allocating funds to Title II. The decision is certainly responsible for the potentially problematic situation in the Southwest Mississippi RAC where only two counties contribute funds while all eight participating counties could, in principle, benefit from RAC collaboration and project support. In the event that the legislation is renewed, it would advance the objective of improving relations and trust between the agencies and communities to adopt a more participatory and collegial approach to decisions about RAC formation.

On the Homochitto National Forest, the Designated Federal Officer (DFO) and the RAC coordinator worked intensively to assemble a RAC that would represent all interest groups, as well as the ethnic and cultural diversity of the area. They followed the established guidelines for the three interest categories as well as the procedures outlined under the CRIA (Civil Rights Impact Analysis) process, including mailings to schools and colleges serving minority groups, to minority owned businesses, to local churches, and to the

two federally recognized Native American tribes in Mississippi. The coordinator sent out 1,200 letters to individual contacts asking if they personally would wish to participate in the RAC, or if they could recommend a suitable candidate. Thirty people replied, from which the coordinator and the DFO made the final selection for approval by the Secretary of Agriculture in Washington DC.

In Southwest Mississippi, it has proved difficult to find a representative and diverse group of volunteers to commit to taking part in the RAC process. One obvious cause of difficulty is that all eight counties have small populations, making for a small pool of potential committee members in the first place. Equally important is the difficulty in matching some of the categories—clearly designed for western states—to the context of rural Mississippi. In category B, for example, there is little reason in a state such as Mississippi to insist on a representative of wild horse and burro interests. In fact, despite efforts made within the eight counties, the DFO and RAC coordinator received no responses from any environmental groups and were obliged to reach out to representatives of national organizations in Jackson—the only two members of the RAC not from one of the eight Homochitto counties. While there is no question that representatives of a range of environmental interests are essential for a RAC to operate as a credible forum for all those with a legitimate interest in management of the forest, it will be difficult for southern and eastern states to take the concept seriously without some adjustment in the categories to fit local contexts. Finally, several people involved with organizing the RAC noted that once an appropriate and representative group is identified, there is still a cumbersome process of getting the committee approved by the Secretary of Agriculture in Washington DC. Nevertheless, having received approval for modifications to some of the categories of interest, the Southwest Mississippi RAC does appear to represent a good

cross-section of the population and interests in the counties.

Given the difficulties in forming a RAC, it is interesting to consider why Franklin and Amite counties decided to allocate funds to Title II. Personal commitment was a critical factor on the part of the DFO on the Homochitto at the time, and on the part of the RAC coordinator who had seen such groups during her previous posting in Montana. The DFO and the coordinator were able to convince county supervisors, the chancellor clerk, and the county counsel in both counties that Title II funds would allow them to carry out projects that they wanted for their counties. Supervisors in Amite County also made a very important observation in terms of local democratic practice. In their view, the RAC process is a mechanism to ensure that the public is a part of funding decisions affecting their lives, and that with input from all interest groups, they, as supervisors, could be confident that funds were truly being used in the public interest. As representatives of local government in a forest community, they also believed that income from the forest should be returned to the forest.

Officials in Amite and Franklin Counties did have access to information about Title II funding to help with their decision, but almost all of the members of the RAC from the general public seemed to have known nothing about the legislation and the functions of a RAC until they were contacted as possible committee members. After they had accepted, the first few meetings of the RAC were dedicated to informing them about their responsibilities and the functions of the RAC.

Operation

It has taken a long time for RAC members to come to understand their roles and responsibilities as members of the committee. Over several meetings, they learned how the legislation operates, and what can and cannot be funded. As discussed above, the RAC had only approved one project before its March 2005 meeting. Only since 2004 have any projects been presented for approval. Reasons for the small number of projects presented

to the RAC for approval are discussed above.

The procedures under which the committee operates seem to be functioning smoothly now. At the March 22, 2005 meeting, the RAC followed the agenda, voted and made decisions. Some questions could arise in the future on the voting procedures, such as the requirement for agreement by all of Groups A, B & C. In the case observed, there were only two dissenting votes over one of the projects (the sewage system for Okhissa Lake), each from different groups, both of which were from outside the two Title II counties. RAC members have shown themselves to be willing to contribute time to committees looking into possibilities for new projects, terms of office, and selection procedures for new members. There was some question as to exactly what the committee was voting for in the case of the Okhissa Lake project with some misunderstanding over whether the vote was for a preliminary study or for the whole project. This confusion led to some discussion after the vote.

So far, RAC activities have been limited to committee meetings. The committee has not organized any field trips to visit projects or proposed projects. The DFO and the coordinator did propose that it might be useful to organize a field trip to Amite County to see the road maintenance project approved the previous year, and also—regarding the suggestion to use RAC funds for an ATV trail—to visit forests that have had to deal with ATV recreation. The committee agreed to both suggestions.

Public, Agency, and Interest Group Relationship Building

Everyone recognizes the broad and inclusive composition of the RAC as important. The Forest Service is acutely aware that the RAC process represents the best hope for an institutionalized approach to limit conflict and challenges to forest management activities on the forest. County supervisors in Amite and Franklin Counties see that broad representation gives legitimacy to RAC decisions. Other RAC members also believe that the effort to be inclusive is valuable. The chair

of the RAC told the research team that, “It is sometimes difficult to fill the slots, but we need the cross-section, otherwise there will be criticism and attacks on what the RAC decides.” Another, initially skeptical, member said that, “The process has made a believer of me. I’ve made a turnaround on that. I see the value.”

Until recently, there has not been much conflict between interest groups in Southwest Mississippi. Local residents have disagreed with the Forest Service on some aspects of forest management, but legal challenges to management actions are a recent phenomenon (the first serious lawsuit against the Forest Service on the Homochitto National Forest was in 2003). Nevertheless, issues related to endangered and threatened species habitat have emerged as a likely area of conflict. The RAC includes representatives of national environmental interests from outside the area and, so far, the projects proposed for funding have not caused controversy. A representative of one of the environmental organizations is serving on the sub-committee considering the idea of funding an ATV trail, suggesting that the RAC is becoming a forum in which different interests can work together and avoid or limit the kind of destructive conflicts that are so prominent in other places. It is important to note, however, that the situation looks a little less positive from the Forest Service office in Jackson, where the staff officer working with the RAC said that in the whole of Region 8, there seem to be as many appeals against Forest Service decisions today as in the past—except on a few forests that do not have a RAC. He felt that it is perhaps still too early to see the impact of the RACs, or alternatively, that the few RACs in the region may be on forests that are more subject to conflict than others in the first place, and it could be that without the RACs there would be even more appeals than there are now.

It bears repeating, however, that in Mississippi, Title II funds and RACs are perceived as belonging to the realm of federal government, and controlled by agency staff. The long established preference for local control and decision-making may be a factor

in the limited interest in Title II funding—although, ironically, the RAC is one institution in which local people do have an opportunity to have direct input into the decisions of a federal agency. Nevertheless, the Okhissa Lake sewage project seems to have raised the question of Forest Service control in some people’s minds since the final decision on whether or not the project could be funded with Title II funds hinged on whether the project was classified as “new construction” or “improvements to the watershed.” While the contract officer in Jackson was justifiably concerned with ensuring that the project would fit the criteria outlined in the legislation, the decision appeared to people in the affected counties to be in the hands of a Forest Service official in Jackson, not in the hands of the RAC.

County-RAC-Forest Service Relations

On the surface, relations are excellent. County supervisors and RAC members all had sincere praise for the efforts of local Forest Service staff in outreach, and in working to ensure that the RAC functions effectively.

Below the surface, however, a legacy of suspicion between communities and the Forest Service contributes to continued tensions. Several people referred to the history of national forests in Mississippi, emphasizing that they were first established to maintain and protect forest cover in a state where industry had cleared large areas. In the eyes of local residents, the Forest Service then took to using taxpayers’ dollars for large-scale clearcutting and restricted access to parts of the forest that they had traditionally used.

The most sensitive issue in the RAC and its formation is the issue of entitlement to use of Title II funds. It is hard for the two counties that have allocated funds to Title II to accept the notion that these funds are RAC funds—for use on projects in the entire RAC area, not just in the geographic area of their county or adjacent Forest Service land. Rightly or wrongly, this is seen as a redistribution of county funds imposed by the Forest Service. Some informants warned that there could even be

legal challenges to the decision in the event that the issue should come up. There was less vehement opposition from some county supervisors who felt that the composition of the RAC would ensure that any approved project would at the very least have to be one that benefited all counties even if a non-Title II county proposed it.

Nevertheless, the RAC does seem to have opened a new channel of communication and col-

laboration between the community and the Forest Service. Even those with criticisms say that the RAC has created a rare forum for dialogue: “This is the first time that there has been a chance for an exchange with the Forest Service. [Usually] when they want to do something, they do it without consideration for local people. There are people who take advantage and break the rules, but not everyone. They should not treat us all as offenders.”

Lessons from the Southwest Mississippi RAC

Only two counties in Mississippi have elected to receive payments under Title II of P.L.106-393, and the process of establishing the one RAC in the state has been slow and, at times, difficult. A complaint heard at all levels, from the Forest Service staff in Jackson, to members of the RAC representing the general public is that, “The legislation is messy because of the difficulty in deciding what can and cannot be funded under the different Titles.” Another concern has been the degree of control exerted by the Forest Service over a process that is intended to give communities and other interest groups a voice in decisions about the use of revenue from the forests.

In the case of Mississippi, a number of factors influenced the implementation of P.L.106-393. These include exposure of elected county officials and the relevant interest groups to information about the legislation and its implementation; concerns about the degree to which a Federal agency (the Forest Service) controls Title II funds; the lack of recognized, authoritative channels to resolve questions about the implementation of the payments program; continuing uncertainty about acceptable uses of both Title II and Title III funds; and difficulties experienced by small, economically fragile counties in meeting some of the requirements of the legislation for representation, administration, and financial participation. This section breaks these concerns into six issues that merit consideration in debate over the possible renewal of and adjustments to the legislation.

1. The decision to establish three RACs in the state of Mississippi and the counties to be represented on the RACs was taken without consultations on the ground, apparently for geographical and logistical convenience. This has only reinforced suspicions that the Title II process is controlled by the Forest Service, making counties more reluctant to elect for Title II payments. The decision has led to the potentially troublesome issue of only two out of eight counties in the Southwest Mississippi RAC contributing funds, while under the principle that funds are RAC funds, not county funds, non-Title II counties might benefit from funds put in by the two Title II counties. This unsatisfactory situation suggests the need for careful planning in deciding how to form a RAC. Geographical convenience may not be the best strategy. Forest Service staff recognize that more counties might pick the Title II option, and there would be more RACs if counties had some say in forming their own groupings with other counties and if they had a greater say in picking RAC members.

2. There is less appreciation for the value of an institution like a RAC in a context where conflict over uses of public lands has not reached the levels seen in the West—and where active forest management for timber is the norm among residents. MSU extension staff—and other informants—suggested that one reason that many counties opted for Title III is that there is little sense of a pressing need to bring conflicting interests together, so the preference is to allocate funds to an action-oriented program where

county supervisors have direct control over funding decisions. Nevertheless, county supervisors in the Title II counties see the diversity and powers of the RAC as a strength and “a way to make sure that the money serves the community.”

3. There has been very limited backup in terms of information and communications about implementation of P.L.106-393 and especially about the different categories of funding—including Title I. The local press has been active, but it is limited in scope. The Internet and the web are not widely used so that circulating information (such as the Frequently Asked Questions and information on the USFS web site) through a web site does not reach a very wide audience. There may be a role for an independent entity to act as a source of information with newsletters, staff on call to answer questions, and other sources of information about what is and is not possible, as well as what kinds of projects are being tried in other regions and communities.

A possible channel for disseminating information might be the National Association of Counties (NACO), but the association’s efforts in relation to P.L.106-393 have not, to date, focused on implementation at the county level, and several counties involved in the Southwest Mississippi RAC are not members. The Mississippi State Association of Supervisors did organize some information sessions about the legislation, but has not been an active source of information and advice for some time now. Members of the RAC who attended the RAC meeting in Reno, Nevada (April 14, 2005) found it to be a rare and valuable opportunity to learn more about what other counties have chosen to do with their funds.

4. The lack of readily accessible information means that in the absence of clear guidance, discretionary decision-making is unexpectedly common. When it is not clear what is or is not allowable under the legislation or under Forest Service contracting regulations, there are no clear channels for clarifying and reaching a decision so that the DFO or Forest Service coordinator, or the contracting officer has to

come to a decision depending on his or her interpretation of the rules. For example, a bottleneck in approving the sewage project in Franklin County was due to different interpretations of whether or not it is a new structure (and therefore not authorized). While few would contest the importance of flexibility in interpretation (finding an alternative to wild horse and burro interests in RAC membership, for example), discretionary decision-making is less positive.

In case of doubt, staff resort to informal contacts in other regions or sections in the Forest Service. When someone with knowledge and experience of the payments program leaves, there is a vacuum in that office or region. To compound the problem, county supervisors and members of the RAC do not have access to the same contacts and are left with few opportunities to learn what others have done, forcing them to rely on interpretations from Forest Service staff, compounding the sense that the Forest Service, in fact, controls the functioning of the RAC.

5. Social capital is an important driver of RAC activities. Counties with small populations have difficulty finding people to fill all the slots on the RAC committee (and some of those slots are clearly not relevant to the region). Soliciting proposals is not easy—although it might be easier with a better understanding of what funds can be used for and outreach to less conventional “forest-related” stakeholders such as churches. The details of design, planning, and assessments also represent a challenge to counties with limited human resources. Under the circumstances, county supervisors found it easy to accept the proposal from MSU, which took the burden of organization off their shoulders—but which has limited the scope for more innovative approaches to issues facing Mississippi forest communities.

6. The Forest Service is struggling to put supportive systems and procedures in place to implement the Title II process in Region 8. The program is not well understood in the region, and staff have found that implementation of the program demands more human resources and time than they had

expected. At a time when Forest Service financial systems are being reorganized and centralized, contracting staff, for example, feel overburdened by RAC projects. Lines of authority and administration in Region 8 make implementation more complex than in some other regions. In Mississippi, there is one supervisory district in Jackson for all six national forests with one set of staff responsible for decisions and actions covering all six forests. In most other regions, for example, one grants and

agreements coordinator may be responsible for one or two forests, whereas in Mississippi, one coordinator is responsible for all six forests. In addition, cooperative agreements have to be processed through the regional office in Atlanta, Georgia. Even if authority were to be devolved to Jackson or to the Homochitto National Forest itself, Forest Service informants worried that there is no dedicated staff or budget to work with the RAC, or with any RAC that may be established in the future.

Conclusion

Counties involved in the Southwest Mississippi RAC have welcomed the security and predictability that have come under P.L.106-393. A few timber dependent counties faced a reduction in payments during the first year or two under the new system, but they recognize that the timber economy is shrinking and that payments now are higher than what they would be receiving under the former 25% rule. The Southwest Mississippi RAC has been slow in formation and it has taken some time for members to feel confident both in the process and in the commitment of representatives of the different interests on the committee. They recognize, though, that the RAC is a valuable forum in which to enter into a dialogue with other interest groups and with the Forest Service. They are confident that the three projects approved so far will benefit both the counties and the forest that they share. The Enhanced Forestry Education Program that MSU has offered to counties meets the criteria for Title III funding. It is somewhat disturbing, though, that many counties considered it too cumbersome to devise their own programs and procedures to manage and disburse funds, and chose instead to allocate their Title III payments to a program designed and proposed by a third party.

Mississippi's experience in implementing P.L.106-393 suggests that where payments are relatively small, counties are inclined to keep control of the funds themselves, and they also prefer not to have to invest much time and significant human resources to use and manage the funds.

This has made it attractive to put all funds into Title III and to delegate expenditure and organizing to the Enhanced Forestry Education Program that MSU offered to eligible counties. While such contractual arrangements may be a rational choice under the circumstances, the decision to contract all Title III funds for six years to the program has limited counties' incentive to explore and test more innovative programs, or to support activities such as fire protection and search and rescue operations.

A constant refrain among elected officials, members of the public, and Forest Service staff has been that they have difficulty in finding out just what they can and cannot do under the legislation as it is currently written. There is no formal process for review and final decisions. An "Implementation Guide" for P.L.106-393 circulated by the Forest Service states: "The assumption in this White Paper is that there is a baseline knowledge of the authorities that will be discussed below." In Mississippi, at least, this did not appear to be the case even among quite senior Forest Service staff where Title I payments were sometimes referred to in conversation as though they were the same thing as the earlier 25% payments, where it was not clear whether refurbishing the sewage system at the lake qualified for a RAC grant under the legislation, or where contract officers found themselves having to innovate to develop contracting procedures that could meet the needs of projects approved by the RAC, while still following established regulations.

Southwest Mississippi Resource Advisory Committee and Title III Case Study

Finally, there are many aspects of the implementation of Title II funds, in particular, that reinforce at least the appearance and perception of an unwarranted degree of agency control. If one objective of Title II and the RAC process is to build more collaborative relations between the Forest Service, forest communities, and the various interest groups concerned with forest management, it would be useful to revisit the way in which decisions are made about the number and location, and even the composition of RACs, as well as to make the process of approval for RAC members and RAC approved projects less cumbersome than it is today.

Interviewees

Cindy Ashmore, RAC member, Meadville

Gordon (Don) Bale MSU Extension

Delton Butler, RAC Chair. Meadville

Consandra Christmas, Wilkinson County Board of Supervisors, Woodville

George Collins, RAC member, Chair of Franklin County Board of Supervisors. Meadville

Lynn Corbitt, Staff Officer, US Forest Service, Region 8. Jackson

Mike Harper, Grants and Agreements Coordinator, US Forest Service. Region 8. Jackson

James Jones, Franklin County Chancellor Clerk, Meadville

Mary Bell Lunsford, RAC Committee Coordinator, Homochitto Ranger District

Stephen Oglesby, RAC member, Mississippi State Forestry Commission, Meadville

Timothy Reed, Designated Federal Official, District Ranger, Region 8, Bienville Ranger District

Rebecca Robertson, RAC member, Meadville

Dale Sterling, President, Board of Supervisors, Amite County

James Toorey, Franklin County Attorney, Meadville

Jackie Whittington, Amite County Board of Supervisors, Liberty