

BRIEFING ON THE REVIEW OF THE RURAL DETERMINATION PROCESS

Title VIII of the 1980 Alaska National Interest Lands Conservation Act (ANILCA) provides a subsistence priority for rural Alaska residents for harvesting fish and wildlife resources on Federal public lands. Only residents of communities or areas determined to be rural are eligible under Federal subsistence regulations for the subsistence priority. The Secretaries of the Interior and Agriculture are responsible for the process by which the rural determinations are made. The Federal Subsistence Board uses the Secretaries' process to make the rural determinations.

On December 17, 2010, the Secretaries of the Interior and Agriculture directed the Federal Subsistence Board to conduct a review of the rural determination process and develop recommendations to the Secretaries on how to improve the process (Attachment 1).

The Federal Subsistence Board initiated a review of the rural determination process on December 31, 2012 with the publication of a Federal Register Notice (Attachments 2 and 3) requesting comments on the following components of the process: population thresholds, rural characteristics, aggregation of communities, timelines and information sources. All ideas on how to improve the rural determination process that are consistent with ANILCA Title VIII and 9th Circuit Court of Appeals case law associated with the definition of rural will be considered. The deadline to submit comments is November 1, 2013.

In addition to soliciting written public comments, the Federal Subsistence Board is holding hearings in key locations throughout the State to provide opportunities for the public to learn more about the rural determination process and provide testimony. The Federal Subsistence Board has provided Federally recognized Tribes and Alaska Native Claims Settlement Act (ANCSA) corporations with the opportunity to consult prior to the start of the Federal Subsistence Regional Advisory Council meeting window. During the fall 2013 meetings, the ten Federal Subsistence Regional Advisory Councils are to review the rural determination process and formulate recommendations for the Board. See the Current Schedule of Forums for Public Comments for a list of all meetings and hearings to be held (Attachment 4).

The Federal Subsistence Board will meet April 15–17, 2014 in Anchorage to review all the comments it received during the comment period. The Board will then make recommendations to the Secretaries of the Interior and Agriculture on possible changes to improve the process. These recommendations will be based in large part on the Federal Subsistence Regional Advisory Councils' recommendations, results of Tribal and ANCSA corporation consultations, and public comments. See the Steps in the Rural Determination Process for the review schedule (Attachment 5)

If the Secretaries decide to make changes to the rural determination process, a proposed rule and another comment period will be published in the Federal Register as required by the Administrative Procedure Act.

Following the completion of the review of the rural determination process, the Federal Subsistence Board will conduct a public review of the current rural determinations.

Secretary Letter on Federal Subsistence Board Implementation



01/07/2011

December 17, 2010

Mr. Tim Towarak
Chair, Federal Subsistence Board
P. O. Box 89
Unalakleet, Alaska 99684

Dear Mr. Towarak:

First, I want to thank you for your service on the Federal Subsistence Board (FSB). I recognize that your work represents a significant commitment of time and energy to a task that is complex and often controversial.

Under the terms of the Title VIII of ANILCA, we have a duty to provide an effective program that serves rural residents of Alaska. In October 2009, at the Alaska Federation of Natives convention, I announced a review of the Federal subsistence program to ensure that the program is best serving rural Alaskans and that the letter and spirit of Title VIII are being met. That review, conducted through my Alaska Affairs office, included meetings with stakeholder groups and individuals throughout Alaska as well as Federal, State, and local officials. Following an analysis of the wide variety of comments, concerns, and suggestions expressed, a number of recommendations for programmatic changes were presented for consideration. On August 31, 2010, Secretary of Agriculture Tom Vilsack and I announced our decision to pursue a number of those recommendations to provide a more responsive, more effective subsistence program. A copy of the press release is enclosed for your information.

A number of these proposed actions are best accomplished by the FSB. With concurrence of the Secretary of Agriculture, I respectfully request that the FSB initiate the following actions at the earliest practical time:

1. Develop a proposed regulation to increase the membership on the FSB to include two additional public members representing subsistence users;
2. As a matter of policy, expand deference to appropriate Regional Advisory Council (RAC) recommendations in addition to "takings" decisions of the Board provided for under Section 805(c) of ANILCA, subject to the three exceptions found in that Section;
3. Review, with RAC input, the December 2008 Memorandum of Understanding (MOU) with the State to determine either the need for the MOU or the need for potential changes to clarify federal authorities in regard to the subsistence program;
4. Review, with RAC input, and present recommendations for changes to Federal subsistence procedural and structural regulations (Parts A&B of the CFRs) adopted from

the State in order to ensure Federal authorities are fully reflected and in accord with subsistence priorities provided for in Title VIII;

5. Review, with RAC input, the customary and traditional use determination process and present recommendations for regulatory changes;
6. Review, with RAC input, rural/nonrural determination process and present recommendations for regulatory changes;
7. Review the Board's written policy on executive sessions and minimize the use of executive sessions to those cases specifically prescribed;
8. At the request of the Director of the Fish and Wildlife Service and under Departmental procedures, review and submit recommendations for Departmental consideration of the annual budget for the Federal subsistence program;
9. Ensure the Secretaries are informed when non-Department rule-making entities develop regulations that may adversely affect subsistence users;
10. To the extent practicable, utilize contracting and use of ANILCA Section 809 cooperative agreements with local tribes and other entities in the Board's review and approval of proposals for fulfilling subsistence program elements; and
11. Prepare and submit a status report on these actions to me, with a copy to the Secretary of Agriculture, within a year of this letter.

Again, thank you for your service. I look forward to further recommendations the FSB may have to strengthen our subsistence management program.

An identical letter is being sent to Ms. Beth Pendelton, Alaska Regional Forester.

Sincerely,

/s/ Ken Salazar

Ken Salazar

Enclosure

<< Previous

Secretary's Memorandum to Fish
and Wildlife Service Director
Implementing Subsistence Review

Next >>

Proposed rule to revise the
regulations concerning the
composition of the Federal
Subsistence Board

location and hours of the reading room). You may also request paper copies of the data standards by calling or writing to the person listed under **FOR FURTHER INFORMATION CONTACT**.

Done in Washington, DC, this 20th day of December, 2012. .

Kevin Shea,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2012-31401 Filed 12-28-12; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Forest Service

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R7-SM-2012-N248;FXFR133
50700640-134-FF07J00000]

Subsistence Management Program for Public Lands in Alaska; Rural Determination Process

AGENCIES: Forest Service, Agriculture; Fish and Wildlife Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: Federal subsistence regulations require that the rural or nonrural status of communities or areas be reviewed every 10 years. In 2009, the Secretary of the Interior initiated a review of the Federal Subsistence Management Program. An ensuing directive was for the Federal Subsistence Board (Board) to review its process for determining the rural and nonrural status of communities. As a result, the Board has initiated a review of the rural determination process and is requesting comments from the public. These comments will be used by the Board, coordinating with the Secretaries of the Interior and Agriculture, to assist in making decisions regarding the scope and nature of possible changes to improve the rural determination process.

DATES: *Comments:* Comments on this notice must be received or postmarked by November 1, 2013.

Public meetings: The Federal Subsistence Regional Advisory Councils will hold public meetings to receive comments and make recommendations to the Federal Subsistence Board on this notice on several dates between August 19 and October 30, 2013. See Public Meetings under **SUPPLEMENTARY INFORMATION** for specific information on dates and locations of the public meetings.

ADDRESSES: *Comments:* Comments on this notice must be received or postmarked by November 1, 2013. You may submit comments by one of the following methods:

- *Electronically:* Comments addressing this notice may be sent to subsistence@fws.gov.

- *By hard copy:* U.S. mail or hand-delivery to: USFWS, Office of Subsistence Management, 1011 East Tudor Road, MS 121, Attn: Theo Matuskowitz, Anchorage, AK 99503-6199, or hand delivery to the Designated Federal Official attending any of the Federal Subsistence Regional Advisory Council public meetings.

Comments received will be available for public review during public meetings held by the Board on this issue. This generally means that any personal information you provide us will be available during public review.

Public meetings: See **SUPPLEMENTARY INFORMATION** for specific information on dates and locations of the public meetings. If the Board decides additional meetings are required, public announcements will be made that provide meeting dates and locations.

FOR FURTHER INFORMATION CONTACT: Chair, Federal Subsistence Board, c/o U.S. Fish and Wildlife Service, Attention: Peter J. Probasco, Office of Subsistence Management; (907) 786-3888; or subsistence@fws.gov. For questions specific to National Forest System lands, contact Steve Kessler, Regional Subsistence Program Leader, USDA, Forest Service, Alaska Region; (907) 743-9461; or skessler@fs.fed.us.

SUPPLEMENTARY INFORMATION:

Background

Under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111-3126), the Secretary of the Interior and the Secretary of Agriculture (Secretaries) jointly implement the Federal Subsistence Management Program. This Program provides a priority for taking of fish and wildlife resources for subsistence uses on Federal public lands and waters in Alaska. The Secretaries published temporary regulations to implement this Program in the **Federal Register** on June 29, 1990 (55 FR 27114), and final regulations in the **Federal Register** on May 29, 1992 (57 FR 22940). The Secretaries have amended these regulations a number of times. Because this Program is a joint effort between Interior and Agriculture, these regulations are located in two titles of the Code of Federal Regulations (CFR): Title 36, "Parks, Forests, and

Public Property," and Title 50, "Wildlife and Fisheries," at 36 CFR 242.1-28 and 50 CFR 100.1-28, respectively. The regulations contain the following subparts: Subpart A, General Provisions; Subpart B, Program Structure; Subpart C, Board Determinations; and Subpart D, Subsistence Taking of Fish and Wildlife.

Federal Subsistence Board

Consistent with subpart B of these regulations, the Secretaries established a Federal Subsistence Board to administer the Federal Subsistence Management Program. The Board comprises:

- A Chair, appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture;
- The Alaska Regional Director, U.S. Fish and Wildlife Service;
- The Alaska Regional Director, U.S. National Park Service;
- The Alaska State Director, U.S. Bureau of Land Management;
- The Alaska Regional Director, U.S. Bureau of Indian Affairs;
- The Alaska Regional Forester, U.S. Forest Service; and
- Two public members appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture.

Through the Board, these agencies and public members participate in the development of regulations for subparts C and D, which, among other things, set forth program eligibility and specific harvest seasons and limits.

In administering the program, the Secretaries divided Alaska into 10 subsistence resource regions, each of which is represented by a Federal Subsistence Regional Advisory Council. The Councils provide a forum for rural residents with personal knowledge of local conditions and resource requirements to have a meaningful role in the subsistence management of fish and wildlife on Federal public lands in Alaska. The Council members represent varied geographical, cultural, and user interests within each region.

Public Meetings

The Federal Subsistence Regional Advisory Councils have a substantial role in reviewing subsistence issues and making recommendations to the Board. The Federal Subsistence Board, through the Councils, will hold public meetings to accept comments on this notice during the fall meeting cycle. You may present comments on this notice during those meetings at the following locations in Alaska, on the following dates:

Region 1—Southeast Regional Council	Petersburg	September 24, 2013.
Region 2—Southcentral Regional Council	Copper Center	October 2, 2013.
Region 3—Kodiak/Aleutians Regional Council	Cold Bay	September 24, 2013.
Region 4—Bristol Bay Regional Council	Dillingham	October 29, 2013.
Region 5—Yukon—Kuskokwim Delta Regional Council	St. Marys	September 25, 2013.
Region 6—Western Interior Regional Council	Fairbanks	October 8, 2013.
Region 7—Seward Peninsula Regional Council	Nome	October 8, 2013.
Region 8—Northwest Arctic Regional Council	Kiana	August 21, 2013.
Region 9—Eastern Interior Regional Council	Fairbanks	October 16, 2013.
Region 10—North Slope Regional Council	Barrow	August 19, 2013.

A notice will be published of specific dates, times, and meeting locations in local and statewide newspapers, and on the Web at <http://alaska.fws.gov/asm/index.cfm>, prior to these meetings. Locations and dates may change based on weather or local circumstances.

Tribal Consultation and Comment

As expressed in Executive Order 13175, “Consultation and Coordination with Indian Tribal Governments,” the Federal officials that have been delegated authority by the Secretaries are committed to honoring the unique government-to-government relationship that exists between the Federal Government and Federally Recognized Indian Tribes (Tribes) as listed in 75 FR 60810 (October 1, 2010). Consultation with Alaska Native corporations is based on Public Law 108–199, div. H, Sec. 161, Jan. 23, 2004, 118 Stat. 452, as amended by Public Law 108–447, div. H, title V, Sec. 518, Dec. 8, 2004, 118 Stat. 3267, which provides that: “The Director of the Office of Management and Budget and all Federal agencies shall hereafter consult with Alaska Native corporations on the same basis as Indian tribes under Executive Order No. 13175.”

The Alaska National Interest Lands Conservation Act, Title VIII (16 U.S.C. 3111–3126), does not provide specific rights to Tribes for the subsistence taking of wildlife, fish, and shellfish. However, because tribal members and Alaska Native corporations are affected by subsistence regulations, the Secretaries, through the Board, will provide Federally recognized Tribes and Alaska Native corporations an opportunity to consult. The Board provides a variety of opportunities for consultation: engaging in dialogue at the Council meetings; engaging in dialogue at the Board’s meetings; and providing input in person, or by mail, email, or phone at any time during the comment period.

The Board will engage in outreach efforts for this notice, including a notification letter, to ensure that Tribes and Alaska Native corporations are advised of the mechanisms by which they can participate. The Board will

commit to efficiently and adequately providing an opportunity to Tribes and Alaska Native corporations to prior to the adoption of any changes in policy or regulation concerning the rural determination process.

The Board will consider Tribes’ and Alaska Native corporations’ information, input, and recommendations, and endeavor to address their concerns.

Purpose of This Notice

In accordance with § .10(d)(4)(ii), one of the responsibilities given to the Federal Subsistence Board is to determine which communities or areas of the State are rural or nonrural. Only residents of areas identified as rural are eligible to participate in the Federal Subsistence Management Program on Federal public lands in Alaska.

The Board determines if a community or area is rural in accordance with established guidelines set forth in § .15(a). The Board reviews rural determinations on a 10-year cycle and may review determinations out-of-cycle in special circumstances. The Board conducts rulemaking to determine if the list at § .23(a), which defines the rural/nonrural status of communities and/or areas, needs revision. Residents would have five years to comply with a rural to nonrural change. A change from nonrural to rural would be effective 30 days after publication of the rule.

On May 7, 2007, the Board published a final rule, “Subsistence Management Regulations for Public Lands in Alaska, Subpart C; Nonrural Determinations” (72 FR 25688). This rule revised the list of nonrural areas identified by the Board. The Board changed Adak’s status to rural, added Prudhoe Bay to the list of nonrural areas, and adjusted the boundaries of the following nonrural areas: the Kenai Area; the Wasilla/Palmer Area, including Point McKenzie; the Homer Area, including Fritz Creek East (except Voznesenka) and the North Fork Road area; and the Ketchikan Area, including Saxman and portions of Gravina Island. The effective date was June 6, 2007, with a 5-year compliance date of May 7, 2012.

On October 23, 2009, Secretary of the Interior Salazar announced the initiation of a Departmental review of the Federal Subsistence Management Program in Alaska; Secretary of Agriculture Vilsack later concurred with this course of action. The review focused on how the Program is meeting the purposes and subsistence provisions of Title VIII of ANILCA, and how the Program is serving rural subsistence users as envisioned when it began in the early 1990s.

On August 31, 2010, the Secretaries announced the findings of the review, which included several proposed administrative and regulatory reviews and/or revisions to strengthen the Program and make it more responsive to those who rely on it for their subsistence uses. One proposal called for a review, with Council input, of the rural and nonrural determination process and, if needed, recommendations for regulatory changes.

On January 20, 2012, the Board met to consider the Secretarial directive, consider the Council’s recommendations, and review all public, Tribal, and Native Corporation comments on the initial review of the rural determinations process. After discussion and careful review, the Board voted unanimously to initiate a review of the rural determination process and the 2010 decennial review. Consequently, based on that action, the Board found that it was in the public’s best interest to extend the compliance date of its 2007 final rule (72 FR 25688; May 7, 2007) on rural and nonrural determinations until after the review of the rural determination process and decennial review are complete or in 5 years, whichever comes first. The Board has already published a final rule (77 FR 12477; March 1, 2012) extending the compliance date.

Request for Input

To comply with the Secretarial directives and the Federal subsistence regulations, the Federal Subsistence Board is proceeding with a review of the rural determination process. As part of the Secretaries’ commitment to open

government and in accordance with Executive Order 13563, the Board requests input from the public on the rural determination process and regulations, and ways to improve them for the benefit of rural Alaskans.

The Board has identified the following components in the process for review: Population thresholds, rural characteristics, aggregation of communities, timelines, and information sources. We describe these components below and include questions for public consideration and comment.

Population thresholds. The Federal Subsistence Board currently uses several guidelines to determine whether a specific area of Alaska is rural. One guideline sets population thresholds. A community or area with a population below 2,500 will be considered rural. A community or area with a population between 2,500 and 7,000 will be considered rural or nonrural, based on community characteristics and criteria used to group communities together. Communities with populations more than 7,000 will be considered nonrural, unless such communities possess significant characteristics of a rural nature. In 2008, the Board recommended to the Secretaries that the upper population threshold be changed to 11,000. The Secretaries have taken no action on this recommendation.

(1) Are these population threshold guidelines useful for determining whether a specific area of Alaska is rural?

(2) If they are not, please provide population size(s) to distinguish between rural and nonrural areas, and the reasons for the population size you believe more accurately reflects rural and nonrural areas in Alaska.

Rural characteristics. The Board recognizes that population alone is not the only indicator of rural or nonrural status. Other characteristics the Board considers include, but are not limited to, the following: Use of fish and wildlife; development and diversity of the economy; community infrastructure; transportation; and educational institutions.

(3) Are these characteristics useful for determining whether a specific area of Alaska is rural?

(4) If they are not, please provide a list of characteristics that better define or enhance rural and nonrural status.

Aggregation of communities. The Board recognizes that communities and areas of Alaska are connected in diverse ways. Communities that are economically, socially, and communally integrated are considered in the aggregate in determining rural and

nonrural status. The aggregation criteria are as follows: Do 30 percent or more of the working people commute from one community to another; do they share a common high school attendance area; and are the communities in proximity and road-accessible to one another?

(5) Are these aggregation criteria useful in determining rural and nonrural status?

(6) If they are not, please provide a list of criteria that better specify how communities may be integrated economically, socially, and communally for the purposes of determining rural and nonrural status.

Timelines. The Board reviews rural determinations on a 10-year cycle, and out of cycle in special circumstances.

(7) Should the Board review rural determinations on a 10-year cycle? If so, why; if not, why not?

Information sources. Current regulations state that population data from the most recent census conducted by the U.S. Census Bureau, as updated by the Alaska Department of Labor, shall be utilized in the rural determination process. The information collected and the reports generated during the decennial census vary between each census; as such, data used during the Board's rural determination may vary.

(8) These information sources as stated in regulations will continue to be the foundation of data used for rural determinations. Do you have any additional sources you think would be beneficial to use?

(9) In addition to the preceding questions, do you have any additional comments on how to make the rural determination process more effective?

This notice announces to the public, including rural Alaska residents, Federally recognized Tribes of Alaska, and Alaska Native corporations, the request for comments on the Federal Subsistence Program's rural determination process. These comments will be used by the Board to assist in making decisions regarding the scope and nature of possible changes to improve the rural determination process, which may include, where the Board has authority, proposed regulatory action(s) or in areas where the Secretaries maintain purview, recommended courses of action.

Dated: December 5, 2012.

Peter J. Probasco,

Assistant Regional Director, U.S. Fish and Wildlife Service, Acting Chair, Federal Subsistence Board.

Dated: December 6, 2012.

Steve Kessler,

Subsistence Program Leader, USDA-Forest Service.

[FR Doc. 2012-31359 Filed 12-28-12; 8:45 am]

BILLING CODE 3410-11-P ; 4310-55-P

DEPARTMENT OF AGRICULTURE

Forest Service

Transfer of Land to the Department of Interior

AGENCY: Forest Service, USDA.

ACTION: Notice of Land Transfer.

SUMMARY: Approximately 353.63 acres of National Forest System lands are transferred to the jurisdiction of the Secretary of Interior pursuant to the Hoopa-Yurok Settlement Act (Pub. L. 100-580; 102 Stat. 2924 (1988)). Transfer of Jurisdiction of Certain National Forest System Lands in California to the Department of the Interior for the benefit of the Yurok Tribe.

DATES: This notice becomes effective December 31, 2012.

FOR FURTHER INFORMATION CONTACT:

Louisa Herrera, National Title Program Manager, (202) 205-1255, Lands and Realty Management.

SUPPLEMENTARY INFORMATION: The Hoopa-Yurok Settlement Act (Pub. L. 100-580; 102 Stat. 2924 (1988)), hereafter "Act", provides at section 2(c) that, subject to valid existing rights, certain enumerated National Forest System lands shall be "held in trust by the United States for the benefit of the Yurok Tribe and shall be part of the Yurok Reservation" (102 Stat. 2926). A condition precedent to such lands being held in trust is adoption of a resolution of the Interim Council of the Yurok Tribe as provided in section 2(c)(4) of the Act (102 Stat. 2926).

On March 21, 2007, the Yurok Tribal Council enacted Resolution No. 07-037, waiving certain claims and consenting to uses of tribal funds pursuant to the Act. The Department of the Interior has determined that the resolution meets the requirements of section 2(c)(4) of the Act, and that determination has been accepted by the Department of Agriculture.

Therefore, the conditions of transfer having been met, subject to valid existing rights, administrative jurisdiction over the following Federally



U.S. Fish and Wildlife Service
Bureau of Land Management
National Park Service
Bureau of Indian Affairs



Forest Service

Federal Subsistence Board News Release

For Immediate Release:

January 14, 2013

Contact:

Andrea Medeiros
(907) 786-3674 or (800) 478-1456
andrea_medeiros@fws.gov

Federal Subsistence Board Seeks Comments on Rural Determinations Process

The Federal Subsistence Board (Board) is seeking comments on the process used to determine which Alaska communities are rural for purposes of the Federal Subsistence Program. A notice requesting comment by November 1, 2013 was published in the Federal Register (FWS–R7–SM–2012–N248) on December 31, 2012.

The Alaska National Interest Lands Conservation Act (ANILCA) mandates that rural Alaskans be given a priority for subsistence uses of fish and wildlife on Federal public lands. The Board conducts a periodic review of rural determinations. Only communities or areas that are found to be rural are eligible for the subsistence priority under ANILCA.

Following a Secretarial review of the Federal Subsistence Management Program, the Secretaries of the Departments of the Interior and Agriculture tasked the Board to review the rural determination process and recommend changes. The Board has identified the following components of the rural determinations process to be a part of this review: population thresholds, rural characteristics, aggregation of communities, timelines, and information sources. Descriptions of these components and associated questions for public consideration and comment are provided below. Comments will be used by the Board to assist in making decisions regarding the scope and nature of possible changes to improve the rural determination process.

Population thresholds. A community or area with a population below 2,500 will be considered rural. A community or area with a population between 2,500 and 7,000 will be considered rural or nonrural, based on community characteristics and criteria used to group communities together. Communities with populations more than 7,000 will be considered nonrural, unless such communities possess significant characteristics of a rural nature.

1. Are these population threshold guidelines useful for determining whether a specific area of Alaska is rural?
2. If they are not, please provide population size(s) to distinguish between rural and nonrural areas, and the reasons for the population size you believe more accurately reflects rural and nonrural areas in Alaska.

Rural characteristics. The Board recognizes that population alone is not the only indicator of rural or nonrural status. Other characteristics the Board considers include, but are not limited to, the following: Use of fish and wildlife; development and diversity of the economy; community infrastructure; transportation; and educational institutions.

3. Are these characteristics useful for determining whether a specific area of Alaska is rural?
4. If they are not, please provide a list of characteristics that better define or enhance rural and nonrural status.

Aggregation of communities. The Board recognizes that communities and areas of Alaska are connected in diverse ways. Communities that are economically, socially, and communally integrated are considered in the aggregate in determining rural and nonrural status. The aggregation criteria are: 1) Do 30 percent or more of the working people commute from one community to another? 2) Do they share a common high school attendance area? and 3) Are the communities in proximity and road-accessible to one another?

5. Are these aggregation criteria useful in determining rural and nonrural status?
6. If they are not, please provide a list of criteria that better specify how communities may be integrated economically, socially, and communally for the purposes of determining rural and nonrural status.

Timelines. The Board reviews rural determinations on a 10-year cycle, and out of cycle in special circumstances.

7. Should the Board review rural determinations on a 10-year cycle? If so, why? If not, why not?

Information sources. Current regulations state that population data from the most recent census conducted by the U.S. Census Bureau, as updated by the Alaska Department of Labor, shall be utilized in the rural determination process. The information collected and the reports generated during the decennial census vary between each census; as such, data used during the Board's rural determination may vary. These information sources as stated in regulations will continue to be the foundation of data used for rural determinations.

8. Do you have any additional sources you think would be beneficial to use?
9. In addition to the preceding questions, do you have any additional comments on how to make the rural determination process more effective?

Submit written comments by one of the following methods:

Mail: Federal Subsistence Board
Office of Subsistence Management – Attn: Theo Matuskowitz
1011 East Tudor Road, MS-121
Anchorage, AK 99503

E-mail: subsistence@fws.gov

Hand delivery to Designated Federal Official at any Federal Subsistence Regional Advisory Council meeting. See the Meetings and Deadlines page of the Federal

Subsistence Management Program's website, <http://alaska.fws.gov/asm/deadline.cfml>, for dates and locations of Council meetings.

You also may call the Office of Subsistence Management at 800-478-1456 or email subsistence@fws.gov with your questions.

Information on the Federal Subsistence Management Program can be found at <http://alaska.fws.gov/asm/index.cfml>.

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Scheduled Forums for Public Comments

**telephonic access will be provided to these events*

Forum	Meeting Date	Location
*Regional Advisory Council Meetings		
North Slope	Aug. 20-21, 2013	Barrow
Northwest Arctic	Aug. 21-22, 2013	Kotzebue
Southeast	Sept. 24-26, 2013	Ketchikan
Kodiak/Aleutians	Sept. 24-25, 2013	Kodiak
Yukon-Kuskokwim Delta	Oct. 2-3, 2013	Bethel
Southcentral	Oct. 2-3, 2013	Copper Center
Western Interior	Oct. 8-9, 2013	Fairbanks
Seward Peninsula	Oct. 8-9, 2013	Nome
Eastern Interior	Oct. 16-17, 2013	Fairbanks
Bristol Bay	Oct. 29-30, 2013	Dillingham
*Hearings (evening)		
North Slope	Aug. 20, 2013	Barrow
Northwest Arctic	Aug. 21, 2013	Kotzebue
Southeast	Sept. 24, 2013	Ketchikan
Kodiak/Aleutians	Sept. 24, 2013	Kodiak
Yukon-Kuskokwim Delta	Oct. 2, 2013	Bethel
Southcentral	Oct. 2, 2013	Copper Center
Western Interior	Oct. 8, 2013	Fairbanks
Seward Peninsula	Oct. 8, 2013	Nome
Eastern Interior	Oct. 16, 2013	Fairbanks
Bristol Bay	Oct. 29, 2013	Dillingham
*Tribal Consultations		
First	Aug. 14, 2013	USFWS Regional Headquarters, Anchorage
Second	Sept. 11, 2013	USFWS Regional Headquarters, Anchorage

Forum	Meeting Date	Location
*ANCSA Corporation Consultations		
First	Aug. 14, 2013	USFWS Regional Headquarters, Anchorage
Second	Sept. 11, 2013	USFWS Regional Headquarters, Anchorage
AFN Youth and Elders	Oct. 2013	Fairbanks
AFN Convention Booth	Oct. 2013	Fairbanks

Steps in the Review of the Rural Determination Process

Step		Start Date	End Date
1	Publish notice requesting comments	Dec. 31, 2012	Nov. 1, 2013
2	Subsistence Regional Advisory Councils formulate recommendations. Tribal and ANCSA corporations are consulted and public hearings are held.	Aug. 20, 2013	Oct. 17, 2013
3	Analysis of comments	Nov. 1, 2013	Mar. 2014
4	Federal Subsistence Board review of comments and staff analysis. Draft recommendations to the Secretaries on possible changes to improve the process.	Apr. 2014	Apr. 2014
5	Proposed rule drafted (based on Secretarial direction)	Apr. 2014	Jun. 2014
6	Publish proposed rule and accept comments	Jul. 2014	Oct. 2014
7	Analysis of comments	Sept. 2014	Nov. 2014
8	Federal Subsistence Board review of comments and staff analysis. Draft recommendations to the Secretaries.	Jan. 2015	Jan. 2015
9	Draft and publish final rule (based on Secretarial direction)	Feb. 2015	Apr. 2015

Following the completion of the review of the rural determination process, the Federal Subsistence Board will conduct a public review of the current rural determinations. The Federal Subsistence Board will follow steps that are similar to those used in the review of the rural determination process (See table above). The Federal Subsistence Board's goal is to have a final rule of rural determinations by February 2017.