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FEDERAL SUBSISTENCE BOARD  
RURAL DETERMINATION PROCESS PUBLIC COMMENT  
BEFORE HEARING OFFICER  
CARL JOHNSON

Kotzebue Borough Assembly Chambers  
Kotzebue, Alaska  
August 21, 2013  
7:15 o'clock p.m.

Presenter: Carl Johnson, Facilitator  
Office of Subsistence Management

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1 P R O C E E D I N G S

2  
3 (Kotzebue, Alaska - 8/21/2013)

4  
5 (On record)

6  
7 MR. JOHNSON: I think we'll go ahead and  
8 get started. I'd like to welcome everyone. First a  
9 great way to welcome is to introduce some people. So  
10 over here at the telephone is Melinda Burke, who at the  
11 Office of Subsistence Management, she is the Council  
12 coordinator for the Northwest Arctic Subsistence Regional  
13 Advisory Council. At the back we have Chris McKee from  
14 Office of Subsistence Management, he's a wildlife  
15 biologist. We have Ken Adkisson, National Park Service.  
16 Glenn Chen, he is with the InterAgency Staff Committee  
17 advising the Bureau of Indian Affairs member of the  
18 Federal Subsistence Board. And then I would also invite  
19 our Regional Advisory Council members to perhaps stand up  
20 and introduce yourselves, too, please.

21  
22 MR. CLEVELAND: Verne Cleveland, Noorvik.

23  
24 MR. STONEY: Raymond Stoney, I represent  
25 Kiana.

26  
27 CHAIRMAN SHIEDT: Attamuk. Enoch Shiedt,  
28 Kotzebue, Maniilaq.

29  
30 MR. BALLOT: Percy Ballot, Buckland.

31  
32 MR. MOTO: Calvin Moto, Deering.

33  
34 MR. JOHNSON: Thank you all, and, again,  
35 welcome everyone.

36  
37 I'd like to thank you all for attending  
38 this meeting this evening. This is an opportunity for  
39 the public to provide input to the Federal Subsistence  
40 Board on this rural determination process review. The  
41 Board is accepting comments on this review of the rural  
42 determination process until November 1st of this year and  
43 then tonight is an opportunity for anybody from this  
44 community or on the phone to provide comments.

45  
46 My name is Carl Johnson. I'm the Council  
47 coordination division chief for the Office of Subsistence  
48 Management. I'm going to be facilitating this meeting.  
49 My purpose tonight is to make sure everyone who is here  
50 and who is on the phone that would like to make comments

1 can provide either oral comments through testimony or you  
2 can provide written comments and then provide them to us  
3 this evening and either way your comments will be given  
4 to the Federal Subsistence Board.

5  
6 We also have a court reporter over here  
7 who will be recording your comments so that everything  
8 that is said tonight is transcribed word for word and is  
9 considered by the Federal Subsistence Board.

10  
11 Now, there's going to be essentially two  
12 parts to this evening. There will be a rural  
13 determination process overview presentation PowerPoint,  
14 and then there's going to be the public comment period.  
15 During the public comment portion of the meeting we won't  
16 be here to answer questions, we'll just be here to hear  
17 what you have to say, what your comments are and your  
18 feedback that you would like to give to the Federal  
19 Subsistence Board. Our purpose will be to listen to you  
20 and make sure that your words are recorded for the Board.

21  
22 There are also several other  
23 opportunities for the public to provide comment, in  
24 person at meetings like this for the rest of this period  
25 until November 1st. Next is going to be in the Southeast  
26 region in Ketchikan, September 24th, then also in the  
27 Kodiak/Aleutians region on September 24th in Kodiak. The  
28 Yukon/Kuskokwim Delta region will be having a public  
29 meeting in Bethel on October 2nd. The Southcentral  
30 region at Copper Center on October 2nd. There's also  
31 going to be a public meeting in Anchorage in October but  
32 that date hasn't been determined yet. For the Western  
33 Interior region there will be an opportunity in Fairbanks  
34 on October 8th. Seward Peninsula in Nome on October 8th.  
35 The Eastern Interior in Fairbanks on October 16th. And  
36 then for the Bristol Bay region there'll be an  
37 opportunity on October 29th in Dillingham.

38  
39 Now, because of the importance of your  
40 comments it's necessary that we follow certain procedures  
41 during the meeting. Now, as you entered the room, over  
42 there on the table there's a sign-in sheet. We  
43 appreciate that if you're here from the public and you  
44 plan on providing comments, feel free to sign in over  
45 there. You'll also see some blue sheets like this if you  
46 want specifically give your statement to be recorded for  
47 the Board, please fill out one of those forms and you can  
48 hand it to Melinda over there so I can make sure to  
49 identify you during the public comment period. If you  
50 are attending this meeting on behalf of a tribe or a

1 Native organization or any other organization or entity  
2 it's very helpful to us that you say, not only who you  
3 are and what your name is but also identify what  
4 organization you're here speaking on behalf of. And let  
5 me emphasize that the principle purpose of this, the  
6 public meeting part, the public comment part is to  
7 receive information and comments from you for the record.  
8 And we're scheduled to go until 9:00 p.m., but obviously  
9 we'll wrap things up when everybody who is here or on the  
10 phone who wants to provide comments has had a chance to  
11 do that. There are also a variety of handouts over there  
12 on the table, if you haven't picked up any, they are a  
13 printout of this PowerPoint presentation we'll be doing  
14 shortly. There's a handy question and answer sheet that  
15 provides information about this review. There's a  
16 Federal Register notice which kind of lays out the  
17 process. And there's also a handy one page sheet that  
18 provides different ways to provide written comments even  
19 after this public meeting tonight and before the November  
20 1st deadline.

21

22 And, with that, I'm going to go ahead and  
23 switch gears and head over to the table here so I can  
24 give the PowerPoint presentation.

25

26 Okay. Now, again, for those of you who  
27 are on line this presentation that I'm about to give here  
28 in Kotzebue can be found on the web at  
29 [alaska@fws.gov](mailto:alaska@fws.gov)/asm, that's ASM/rural.cfml, that's Charlie  
30 Foxtrot, Mike Lima, and you'll see a PDF of the rural  
31 determination process presentation and you'll be able to  
32 open that up and follow along with us.

33

34 Now, as I mentioned my name is Carl  
35 Johnson, I'm with the Office of Subsistence Management,  
36 which serves the Federal Subsistence Management Program.

37

38 As many of you may know the Federal  
39 Subsistence Management Program manages the Federal public  
40 lands in Alaska for fish and wildlife harvest and it  
41 essentially consists of five agencies. The US Fish and  
42 Wildlife Service; the US Forest Service; the Bureau of  
43 Indian Affairs; the Bureau of Land Management; and the  
44 National Park Service. So that's why, if you've ever  
45 attended any of these meetings, you'll hear a lot of  
46 these different agency personnel who are present and  
47 that's because they're all part of one big multi-agency  
48 organization.

49

50 So I'm going to begin by explaining this

1 whole review of the rural determination process and how  
2 you members of the public can be part of this process.  
3 In order to explain that well I'm going to give you a  
4 little bit of background of why we're here and how we're  
5 looking to improve the way that the Federal Subsistence  
6 Board makes determinations as to which communities are  
7 rural and nonrural. Some background is necessary on the  
8 rural determination process, how the process works and  
9 what are the criteria that we are currently using to  
10 determine whether or not an area is rural or nonrural.  
11 All the information and steps are available to you and  
12 I'll let you know where you can find the resources and  
13 how you can provide your ideas to improve this process.

14  
15 Now, in December of 2010 the Secretaries  
16 of the Interior and Agriculture directed the Federal  
17 Subsistence Board to conduct a review of the rural  
18 determination process and to see if the methods that are  
19 being used are still relevant and current. The Federal  
20 Subsistence Board is seeking recommendations by Regional  
21 Advisory Councils, public input and also input from  
22 tribes and ANCSA Corporations through direct consultation  
23 with them. The Federal Subsistence Board may develop  
24 recommendations for improving this process based on all  
25 those comments. If that happens, the Federal Subsistence  
26 Board would then make recommendations directly to the  
27 Secretaries of the Interior and Agriculture. And then if  
28 the Secretaries then decide to change the process then  
29 they would develop a proposed rule and that would also be  
30 available for public comment later on.

31  
32 Now, just for a little bit of background.  
33 Title VIII of ANILCA is law passed by Congress which  
34 provides for the subsistence priority for rural Alaska  
35 residents to harvest fish and wildlife on Federal public  
36 lands. Now only those residents of rural communities are  
37 eligible for the subsistence priority on Federal public  
38 lands and then you can see on this slide here, the green  
39 areas, that's all of the area that is subject to Federal  
40 subsistence management. You can see how extensive the  
41 area is. In addition to the law passed by Congress,  
42 there are also court decisions that determine how we  
43 define rural. The Ninth Circuit Court of Appeals has  
44 determined that the word rural refers to a sparsely  
45 populated area, but that it's not primarily about the  
46 subsistence lifestyle or the areas use of fish and  
47 wildlife resources. The Ninth Circuit noted that when  
48 Congress passed ANILCA it did not limit the benefits of  
49 ANILCA to residents of areas dominated by subsistence  
50 economy, instead the law gives the statutory priority to

1 all subsistence users residing in a rural area.

2

3 Now, how are we currently looking at what  
4 communities are determined rural and nonrural. There are  
5 five factors and I'm going to go over each of them  
6 individually.

7

8 The first one is aggregation of  
9 communities.

10

11 Now the Board recognizes that communities  
12 and areas of Alaska are all connected in very diverse and  
13 unique ways. The regulations the Board follows require  
14 that in order to aggregate communities economically and  
15 socially and communally, or that these communities are  
16 aggregated or grouped together when we determine what the  
17 population is for that area, and that's part of the rural  
18 and nonrural determination.

19

20 Now, the specific criteria that the board  
21 looks at when grouping those communities together are,  
22 one, do 30 percent or more of working people commute from  
23 one community to another. Do they share a common high  
24 school attendance area. And then the third factor they  
25 look at when determining how to group communities  
26 together is are they close to one another, are they road  
27 accessible to one another. Now, again, the aggregation  
28 process is for when the Board is making the first  
29 determination as to what the population is for that area.

30

31 So as we conduct this rural determination  
32 review, what the Board is asking is about this  
33 aggregation process. Are these aggregation criteria  
34 useful for determining rural and nonrural status. Then  
35 if they're not the Board asks that you provide ideas on  
36 how to better indicate how communities should be grouped  
37 together for the purposes of determining the rural and  
38 nonrural status.

39

40 So, next, related to that, is the  
41 population thresholds.

42

43 Now, right now there are several  
44 guidelines to determine whether or not a specific area is  
45 rural. When population thresholds are considered a  
46 community or area with a population below 2,500 will be  
47 presumed rural and I'll get into the next -- when we talk  
48 about the next criteria, I'll explain a little bit better  
49 what it means when we say presumed rural.

50

1                   The second level is a community with an  
2 area of a population between 2,500 and 7,000 is not  
3 presumed rural or nonrural, there is no presumption  
4 related to it, it's very neutral. Other characteristics  
5 will be used to determine whether or not the community is  
6 rural or nonrural.

7  
8                   And, then, finally, for communities that  
9 are 7,000 people or greater in population, it's going to  
10 be presumed nonrural. And as I'll explain a little bit  
11 better, when we say presumed, that's still not the end of  
12 the assessment, there's still another level to consider.

13  
14                   But before I get to that, similar to the  
15 aggregation criteria, the Board also has two issues to  
16 ask you. First, are these population threshold  
17 guidelines useful for when determining whether a specific  
18 area is rural or not rural. And then if they're not,  
19 please, provide population sizes to distinguish between  
20 rural and nonrural areas, and the reasons for that  
21 population size you believe more accurately reflects that  
22 difference between rural and nonrural.

23  
24                   So the next characteristic that we  
25 examine or third factor we consider are what we call the  
26 rural characteristics.

27  
28                   Now, the Board recognizes that population  
29 alone is not the only indicator of rural or nonrural  
30 status for a community. Other characteristics the Board  
31 considers include, but are not limited to use of fish and  
32 wildlife; the economic development diversity of the  
33 community; what type of infrastructure exists; what type  
34 of transportation is available; and, what sort of  
35 educational institutions are there.

36  
37                   So to go back to the previous -- the  
38 presumption issue, so population of 2,600 or less will be  
39 presumed rural unless somebody were to be able to show by  
40 using these five characteristics that it's really not  
41 rural. Well, you don't get to that unless these factors  
42 are shown and then just the opposite, if it's over 7,000  
43 while it might be presumed nonrural it still could be  
44 shown to be rural based on a detailed examination of  
45 these factors under the rural characteristics. And,  
46 again, the Board asks you, are these characteristics  
47 useful in determining whether or not a specific area of  
48 Alaska is rural. Then if they're not, please provide a  
49 list of other characteristics that you feel better define  
50 that difference between a rural and a nonrural status.

1                   Now, under the current process there is  
2 a certain timeline where we undergo a periodic review of  
3 the rural and nonrural status of communities in Alaska.  
4 Right now it's based on a 10 year cycle and it uses the  
5 -- the reason why we do a 10 year cycle is because the  
6 Board is using information from the US Census Bureau to  
7 get a snapshot of the population for the communities that  
8 it's considering. The current regulations state that  
9 population data from the most recent census conducted  
10 by the Bureau as updated by the Alaska Department of  
11 Labor shall be used in the rural determination process.  
12 Now, as I mentioned the information sources that we rely  
13 on are recent census population data. Information  
14 collected and the reports generated from that census vary  
15 between each census cycle and because of that the data  
16 used during the Board's rural determination may vary.  
17 Some of the information the Board used in the past rural  
18 determinations is no longer collected by the US Census  
19 Bureau. Again, the Board asks you, should the Board  
20 conduct its rural review determinations on a 10 year  
21 cycle. If so, why, and if not, why not. Also the  
22 information sources as stated in the regulations will  
23 continue to be the foundation of data used for rural  
24 determinations. But do you have any additional sources  
25 that you think would be beneficial for the Board to use.

26  
27                   And then the big open-ended question the  
28 Board asks, even though we've talked about these five  
29 different factors and there are those questions related  
30 to those, do you have any additional comments or ideas on  
31 how to make the rural determination process more  
32 effective.

33  
34                   Now, there are a lot of different ways to  
35 participate in this process and to get information. I  
36 already mentioned the website. You can ask questions and  
37 submit comments via email at [subsistence@fws.gov](mailto:subsistence@fws.gov).  
38 There's also a toll free number 1-800-478-1456 to ask  
39 questions, to learn more about this process. And then  
40 what to do with that information and how to make  
41 comments. With all of these public meetings that we're  
42 conducting, we're doing them in connection with the  
43 Regional Advisory Council meetings, so there's a dual  
44 opportunity to participate. You can either provide your  
45 comments directly at this evening presentation like this,  
46 and those comments go directly to the Federal Subsistence  
47 Board or you can participate in the Regional Advisory  
48 Council meeting during the day when the Council conducts  
49 its own review and own deliberations and then you can  
50 provide your comments to the Council and then the Council

1 would take that into consideration when coming up with  
2 its own recommendations. You can submit your comments  
3 directly by email, you can also submit them by mail, or  
4 hand deliver to the regional headquarters for the US Fish  
5 and Wildlife Service in Anchorage, and that address is  
6 1011 East Tudor Road. And then you can also hand deliver  
7 to folks at the Regional Advisory Council meeting, the  
8 Council coordinator can take your written comments at any  
9 time during the Council meetings.

10

11 So daqu and, thank you.

12

13 And what I'm going to do -- I think this  
14 would be an opportunity, if you want to just have  
15 questions about this presentation I can answer those now  
16 and then we'll go through and just go into the public  
17 comment period but I'm going to leave this slide up which  
18 shows the five criteria the Board currently uses, because  
19 really all these questions that I asked you, that the  
20 Board is asking could be broken down really into two  
21 questions.

22

23 Is the current criteria working and, if  
24 not, do you have any other suggestions as to how they  
25 could work. So with the aggregation of communities, is  
26 the way the Board is aggregating communities working now,  
27 if not, do you have another suggestion. The population  
28 thresholds, are they working, if not, do you have any  
29 suggestions. And then so on and so forth.

30

31 So does anybody have any questions about  
32 the presentation?

33

34 MR. BALLOT: Yeah, I just have a question  
35 on the word, rural, when you say rural, is that rural for  
36 ANILCA or is that rural for Indian country, is that rural  
37 for Montana or Seattle or is that word, what is it?

38

39 MR. JOHNSON: Well, when we talk about  
40 rural it is a term specific to the Federal subsistence  
41 priority under Title VIII of ANILCA. Because that  
42 subsistence priority under ANILCA for Alaska applies for  
43 any rural resident and for taking fish and wildlife on  
44 Federal public lands. But you do raise an interesting  
45 point, is rural here the same as rural is in Montana or  
46 Washington, so we're looking for what you think rural  
47 means in Alaska. Particularly when we're talking about  
48 managing for subsistence under that Federal subsistence  
49 priority.

50

1 MS. BURKE: Hi, can we -- the person who  
2 just called in, identify yourself please for the record.  
3  
4 MR. HENRY: This is Eli.  
5  
6 MS. BURKE: Hi, thank you, Eli. How do  
7 you spell your last name, please?  
8  
9 MR. HENRY: H-E-N-R-Y.  
10  
11 MS. BURKE: Thank you.  
12  
13 MR. HENRY: You're welcome.  
14  
15 MR. JOHNSON: Any other questions on the  
16 presentation?  
17  
18 CHAIRMAN SHIEDT: I have no question on  
19 your presentation but on your 800 number you put it up,  
20 but you did not say who to talk to when they call the 800  
21 number.  
22  
23 MR. JOHNSON: That's a very good point.  
24 I would recommend that if you call the 1-800 number that  
25 the people you would speak to would either be myself, you  
26 could ask for Carl Johnson. Another person to speak to  
27 would be our regulations specialist, that's Theo  
28 Matuskowitz. You can also ask to speak to any Council  
29 coordinator, and they also would be able to take and  
30 answer your questions. But that's a good question, thank  
31 you.  
32  
33 MR. STONEY: Thank you for your  
34 presentation. Raymond Stoney.  
35  
36 I guess I got a number of questions about  
37 the rural and nonrural. Of course, you know, from my  
38 experience with the RAC began in '93 so that's quite  
39 awhile so it was a very confusing situation concerning  
40 rural and nonrural. I'll give you an example, just like  
41 Kodiak. Kodiak is mostly a Native population and you  
42 said that in order to be nonrural you have to be less  
43 than 7,000 people. It come to the point where they had  
44 to make a big -- well, more like a convention in Kodiak  
45 because it's a Native community, now my point is -- or my  
46 question is, how did you work that out now because Kodiak  
47 is more than 7,000 people, is that rural or nonrural?  
48  
49 MR. JOHNSON: And I'm afraid I'm going to  
50 have to defer an answer to that question. That gets into

1 what would be down the road and, that is, after we  
2 determine what criteria we're going to use to determine  
3 rural and nonrural, then deciding which communities are  
4 rural and nonrural. So the goal of tonight's  
5 presentation is just to get input from you and other  
6 people in the public as to what criteria we should use  
7 when we make those decisions, but not what the decision  
8 actually is itself.

9

10 MR. STONEY: In a situation like this, in  
11 the mid-'90s, Kodiak notified us to see if we could give  
12 assistance to them because they wanted to be nonrural  
13 [sic] because that's a Native community so my point was  
14 I don't know where it is right now. Like you say you  
15 don't have the answer to that question at this  
16 presentation.

17

18 MR. JOHNSON: Yeah, and that's definitely  
19 going to make the Kodiak rural presentation very  
20 interesting.....

21

22 MR. STONEY: Yeah.

23

24 MR. JOHNSON: .....next month.

25

26 MR. STONEY: My final comment or question  
27 is, is about some of these situations for Regional  
28 Advisory Council, that my fear is working with the RAC,  
29 sure, we make a lot of recommendations, you know, that  
30 will benefit the Northwest Alaska, we make strong  
31 recommendations, we gave presentations to the Federal  
32 Subsistence Board, when our situation was given to them  
33 we don't hear nothing from them. They don't take our  
34 recommendations, they make their own recommendations to  
35 the Secretary of Interior. I said that three times  
36 before. Now, today, or whenever that is, that if we make  
37 recommendations it should go directly to the Federal  
38 Subsistence Board to consider these recommendations.

39

40 That's my comment, thank you, sir.

41

42 MR. JOHNSON: Thank you. And I think I'm  
43 going to transition back up to over here so people can  
44 ask questions and I won't be sitting right over here  
45 across the table.

46

47 MS. LOON: Good evening, my name is  
48 Hannah Loon. I'm trying to understand aggregation of  
49 communities as one of the characteristics to determine  
50 rural hunting and fishing. It says here do 30 percent or

1 more working people commute from one community to  
2 another. Working people, not in -- not in our area  
3 anyway between Noorvik, Kiana and Selawik, we -- there is  
4 no roads between these communities, but they -- it seems  
5 like these are not, to me, to my understanding, there's  
6 no road accessibility between them.

7

8 Rural definitely defines to me very low  
9 income and depend on resources, natural resources to  
10 build sleds and boats and parkee and what not as part of  
11 their cultural.

12

13 And also on population size, most of our  
14 communities in Northwest Alaska are between -- the lowest  
15 population is about 150 to about 1,000 in this area  
16 except Kotzebue is hub city. And, again, there's no --  
17 we do use -- half to use airlines for medical and other  
18 services here to Kotzebue or to Anchorage, we're not like  
19 in the urban areas where you could just go nicely with  
20 vehicles from A to B to get your services. What I see  
21 lacking in this rural characteristic of a rural is the  
22 spirituality and traditional practices that are used by  
23 each community, each community is different. For  
24 instance, Kotzebue people have different views and  
25 perspective in their Inupiaq world how animals are  
26 treated and it has to do with spirituality. And so we  
27 use resources for potlatches and for celebrations and  
28 what not as a community, as one occasion, like for  
29 instance, in our villages, rural Thanksgiving is  
30 celebrated by the whole villages, some of them, by using  
31 natural resources as moose, caribou and what not to share  
32 with the community. So all kinds of things surround the  
33 use of fish and wildlife. And giving thanks to the  
34 people that participated in putting away their beloved  
35 loss, so, rural, again, we use fish and game in our  
36 spiritual ways to give thanks to the community.

37

38 Thank you.

39

40 MR. JOHNSON: Thank you, Hannah. I have  
41 one question for you, actually. When you mention  
42 spirituality and traditional practices, do you think that  
43 would be useful -- I know you were talking about that in  
44 the context of the rural characteristics, but do you  
45 think that would be a useful thing to consider whether or  
46 not communities should be aggregated together, whether or  
47 not they share similar practices?

48

49 MS. LOON: When you said aggregated, I  
50 didn't understand the word, aggregated, when I saw it,

1 does it mean coming together or commuting between two  
2 communities, three communities?

3  
4 MR. JOHNSON: The Board uses it, is when  
5 they're making that initial population threshold  
6 determination, when they say, you know, this community  
7 has a population of 2,000 or whatever, it's when they  
8 decide that certain communities have close enough charcat  
9 -- they're close enough together that people commute  
10 together or they have high schools they share and all  
11 that so they group them together for purpose of counting  
12 the population for that community. So that's how the  
13 Board uses the word aggregate.

14  
15 MS. LOON: In our real world between  
16 Selawik, Noorvik and Kiana we support each other through  
17 search and rescue and, again, subsistence cooking food  
18 for the search and rescue in the community. People from  
19 each -- one or the other community come and go volunteer  
20 for the lost people and they come together for a purpose  
21 on a volunteer basis or even deaths and church  
22 conferences and basketball.

23  
24 And one more thing that I wanted to  
25 address is in our rural areas when we go out hunting, we  
26 use the land forms, the little sloughs and lakes, oceans  
27 -- the oceans have their own currents, some of them have  
28 -- are really shallow and so we use the land forms  
29 throughout the whole region in Northwest to show us where  
30 exactly we are. Most of our places have traditional  
31 names and not in the urban area. That's the difference  
32 between us and the urban area. And when you're  
33 navigating there are practices that you must carry out in  
34 order to protect your family and in order to provide food  
35 for your community.

36  
37 MR. JOHNSON: Thank you. Melinda, if you  
38 could bring the lights up I think we'll just go ahead  
39 since we've already kind of gone into the public comment  
40 period, just formally make that jump. And then just to  
41 keep the record clear, if you do want to -- again, I'll  
42 mention that if you want to provide a comment to the  
43 Board on your thoughts on the rural determination  
44 process, please use the blue slip and then that way we  
45 have a record so we can correctly spell your name. It  
46 makes Nathan's job a lot easier when he can have  
47 something to go by to spell your name for the record and  
48 then it also gives us a record of what community you  
49 belong to. The way we'll do it is is we'll do the public  
50 comment period here within the room and then if we get to

1 a point where everybody's had a chance to provide their  
2 comments then we'll go ahead and ask the telephone line  
3 if there's anybody on the phone who wants to give some  
4 public comment. And each time when you come up, when you  
5 first start, please state your name for the record, spell  
6 your name so we make sure that we get it correctly and  
7 then if you're affiliated with any particular  
8 organization or group, please identify who that is and  
9 when you -- if you haven't done this before, when you  
10 come up to the microphone there's a little button to push  
11 and you'll know that it's live when you see this little  
12 red light show up on the microphone and then that way we  
13 can hear your words clearly and record them for the  
14 Federal Subsistence Board.

15

16 I think we'll go ahead and get started.

17

18 It's now 7:50 and then we'll go ahead and  
19 commence with -- the first slip I have is Willie Goodwin,  
20 Jr. So, Willie, if you would please feel free to come up  
21 and state your name for the record and we'll hear your  
22 comments.

23

24 Thank you.

25

26 MR. GOODWIN: Good evening, thank you.  
27 My name is Willie Goodwin, Jr., I live here in Kotzebue.

28

29 I would suggest to the Federal Board that  
30 unless a region has an aggregation of communities tied  
31 together by a road system that you don't bring it up  
32 here, you confuse the people, because we don't have any  
33 aggregations of communities in Unit 23. So I would  
34 suggest to the Federal Board that this issue be with  
35 those areas where the aggregation of communities, for  
36 instance, on the road system, larger communities like  
37 Ketchikan, Saxman and those areas, Kenai, Fairbanks,  
38 Anchorage but for the rural folks I would suggest that  
39 they determine which ones have an aggregation of  
40 communities before you come out and hold your public  
41 hearings because it confuses people and you shouldn't do  
42 that. You shouldn't be here talking about an aggregation  
43 of communities when we don't have any in our region. It  
44 just confuses the people.

45

46 I believe that a population threshold  
47 that's been presented is sufficient because it's been  
48 proven over time since ANILCA passed that the threshold  
49 being used has been hashed out by everybody and this is  
50 what's being used.

1                               It should continue.

2

3                               Now, the rural characteristics, those  
4 also I support, the use of fish and wildlife by a  
5 community; economic development diversity; the  
6 infrastructure; transportation; education and institution  
7 because I think that when you get into say like Unit 23  
8 here you will find that each community stands on its own  
9 and there's no aggregation of communities or even uses  
10 that are defined under ANILCA tie them to another  
11 community. We do have a cultural sharing, yes, but it  
12 flows back and forth. Like those of us that live in the  
13 coastal areas will share with the people inland for some  
14 dry fish or dry meat or something, but it's still not  
15 tied to one another.

16

17                               I believe that the timelines are -- you  
18 know if you're concerned about the timelines and  
19 population shifts over rural Alaska then I would treat it  
20 the same way you do with the aggregation of communities.  
21 I don't foresee any large scale movement of people into  
22 a community in Unit 23. But in the urban areas, yeah,  
23 with the aggregation of communities, if something happens  
24 in a community and, of course, like economic development,  
25 that may change a little bit but as far as we're  
26 concerned here in Northwest it won't have any affect on  
27 us. So the timelines, I think, are sufficient for those  
28 areas that have fluctuation changes in their population.

29

30                               The information sources I think are  
31 sufficient for us. I think that if there was going to be  
32 some change on determination of any one of our  
33 communities that the information sources that are  
34 available both from your office and what we have in the  
35 region are sufficient to get the word out so that people  
36 know what's going on.

37

38                               And I represent myself here in this case  
39 here even though I work for the Park Service part-time,  
40 I represent myself in this process that you have before  
41 us.

42

43                               Thank you.

44

45                               MR. JOHNSON: Thank you. Okay, next,  
46 Calvin Moto.

47

48                               MR. MOTO: My name is Calvin Moto from  
49 Deering, I'm representing Calvin Moto.

50

1 (Laughter)

2

3 MR. MOTO: I go by -- when you talk about  
4 population thresholds, you know, and you talk about 10  
5 year cycle on getting information when they take census,  
6 I work for awhile one census one time and some of the  
7 questions like what the Board have to look at sometimes  
8 is sure maybe we have a lot of people there but when you  
9 go to a population size of one to 200 and you have a work  
10 force of only 10, I think that's rural. And also when  
11 you look at the things that are on the census you will  
12 notice that out of maybe 200 there are maybe 50 or 60  
13 that are school age so a lot of them don't hunt. Then  
14 you figure that you might have about 10 or 12 elders who  
15 can't hunt. And then you have the rest, young men, that  
16 do hunt sometimes but they're -- when you look at the  
17 socio-economic in a lot of the rural areas, villages,  
18 you'll find that only 30 percent of the people that are  
19 of age to work will be the work force, the others are  
20 hoping to work. But one of the problems we have and  
21 we're trying to rectify it is to get our young people to  
22 go on to higher education so that they could get jobs but  
23 the problem is when they do go out to get education they  
24 never come back again. So I'm kind of against that  
25 population threshold thing because it don't really tell  
26 the story unless you look at who's working, who's not  
27 working, how many in a household and how many in a  
28 household do work because in our villages, a lot of them,  
29 some of the young people that are out of high school wind  
30 up staying with their parents and their grandparents stay  
31 with them too, because economics, those are things that  
32 we have to look at.

33

34 When you look at the rural  
35 characteristics, what are we talking about. Are we  
36 talking about access to roads, or what because I think  
37 that even with a population of five or 6,000 people if  
38 they don't have access to roads to go somewhere I think  
39 that should be -- because if you look at that five or  
40 6,000 people maybe only 75 percent of them are Inupiaq or  
41 Indians or Natives, what you call us, but these things  
42 have to be on their minds to figure out because it's hard  
43 to try to convince the urban people of why we have such  
44 a high rate of people who don't work. Simple reason is  
45 a lot of the jobs that we have in the state are given to  
46 people who come from the Lower 48 and they even bring  
47 their own people up to work, therefore, our people in our  
48 villages don't get a chance to try to get that job even  
49 though they have the skills to do that job.

50

1                   These are things that we have to look at  
2 when you -- I think they should say, okay, these people  
3 here are what they call, they can't work or they try to  
4 get a job but they can't so some of them will have to --  
5 if they can't get a job in their village they go to  
6 another place, like Anchorage or Fairbanks where they  
7 think they could get a job and they wind up being  
8 homeless, you know, so we have to look at that also. I'm  
9 pretty sure that they should.

10  
11                   On the timeline I think it's -- I don't  
12 like the idea of timelines they say, okay, you got so  
13 much time to bring your people up to what you have to --  
14 what you want us to do. The ANILCA says that we have  
15 rural preference because we have no roads to go someplace  
16 to really get cheaper stuff, you know, and when you fly  
17 them in it's expensive. And so this is something that I  
18 thought I'd bring up.

19  
20                   Information sources.

21  
22                   Sometimes we never find about things  
23 until a day before they happen. So like these are things  
24 that I'm against because I think we should be given  
25 adequate timelines because when we got this fact that we  
26 were going to have this going on here, we don't even give  
27 the people a chance to really think about whether they  
28 want to go on line with this so I think we should give  
29 them enough time, two months, several months, but not  
30 just maybe two weeks that we had to get everybody  
31 educated on this.

32  
33                   Thank you.

34  
35                   MR. JOHNSON: Thank you.

36  
37                   Now, those are all of the blue public  
38 comment slips I've been given so far, is there anybody  
39 else here in the room that wanted to provide any comments  
40 tonight and if you could go ahead and -- oh, I'm holding  
41 it right here, I was getting a little premature, all  
42 right, Enoch, you are up.

43  
44                   Okay.

45  
46                   MS. BURKE: Hi, can the person who just  
47 joined us please identify yourself.

48  
49                   (No comments)

50

1 MS. BURKE: Did we have a new caller on  
2 the line besides Tom, Star, Dan and Eli?

3  
4 (No comments)

5  
6 MR. JOHNSON: Okay, thank you. Enoch.

7  
8 CHAIRMAN SHIEDT: Attamuk here, Enoch  
9 Shiedt with Maniilaq.

10  
11 I'm going to more talk to you on the  
12 population threshold here on the overview.

13  
14 I've been talking to a few, very few  
15 people from Northwest Alaska in our villages in different  
16 meetings also, your population threshold probably was  
17 decided way back when our population was low. And under  
18 your population threshold, I think the numbers need to be  
19 changed to make sure our communities in Northwest Alaska  
20 will be under the rural preference because we depend on  
21 our resources a lot just to make ends meet and there are  
22 numbers from 2,500 to 7,000 for rural is getting small.  
23 I'll give you an example like Bethel, Barrow and Nome,  
24 and Kotzebue. In Bethel they're so close to the  
25 population level that they could reach it in a little  
26 while and these numbers need to be changed and stay away  
27 from the nonrural preference. Because to me rural is not  
28 connected to the road system. It's very important. For  
29 now we are not connected to the road system, eventually  
30 in the future sometime we will have connection due to  
31 development that's going to happen and Northwest Alaska  
32 we will be defined and that's when I would like to -- and  
33 that's when I think the Federal should worry about  
34 changing how rural should be determined.

35  
36 Like I say it's getting close.

37  
38 We have to keep it right in the Native  
39 preference here level and it's really hard for us to say  
40 until you really look at it, I think the population  
41 threshold is very strong and the numbers should be  
42 changed, you have the numbers to -- from below 2,500 to  
43 be rural and area where the population between 2,500  
44 should be considered rural or nonrural, these numbers to  
45 me, like I stated earlier, they should be changed. That  
46 way our villages in the Northwest Alaska will always be  
47 rural because we depend on the resources just to make  
48 ends meet.

49  
50 The reason why I say that, I worry about

1 Kotzebue. when I take resource surveys in all the  
2 villages for Northwest Alaska, Kotzebue take more  
3 resources than the villages. Why, because we work and we  
4 have money for gas and we could buy something like  
5 snowmachine, outboard motors and boats, that's why we  
6 harvest more here at Kotzebue, see that's what I'm  
7 saying, yet, we need the Western world just to make ends  
8 meet but we need to be careful about how the numbers are  
9 in there.

10

11 Thank you.

12

13 MR. JOHNSON: Thank you, Enoch. Next  
14 Raymond Stoney.

15

16 MR. STONEY: Thank you. I'm Raymond  
17 Stoney, I represent Kiana. I probably got a comment or  
18 a question but I'll make it very brief and short.

19

20 Right now, today, there's a big plan now  
21 that consider Northwest Alaska, otherwise I'll say Game  
22 Unit 23, there's a big plan by the State that the  
23 Northwest Arctic Alaska is going to be connected to the  
24 Haul Road. If that happens, if they build that Haul Road  
25 to Northwest Alaska, would all the villages turn to be  
26 nonrural, that's my question? Otherwise -- otherwise the  
27 regulations said that if you are not connected to the  
28 urban area that has a road it's nonrural [sic] so if they  
29 build that Haul Road from the Haul Road to Northwest,  
30 would these villages get to be rural or nonrural?

31

32 MR. JOHNSON: Well, I think I won't  
33 necessarily answer your question but I will suggest that  
34 your comments tonight is an opportunity for you to give  
35 the Board input on how the Board should -- what things  
36 the Board should consider to determine whether or not  
37 communities in this area stay rural even if a road like  
38 that is built, what matters in Northwest Arctic, what are  
39 the things the Board should consider to determine whether  
40 or not communities are rural.

41

42 MR. STONEY: Thank you.

43

44 MR. JOHNSON: Thank you. And I'm going  
45 to apologize but the blue slip I just got, I can't read  
46 your name, okay, go ahead, state your name for the record  
47 please.

48

49 MR. BALLOT: Yeah, Percy Ballot from  
50 Buckland.

1                   Yeah, I wanted to -- I don't really have  
2 much concern on the criteria of how it all goes but  
3 except for the population thresholds. A lot of our  
4 people are moving into the bigger village like Kotzebue  
5 and I saw in this information that there is a request or  
6 a suggestion put before about changing the population  
7 threshold numbers to 11,000 and I wanted to speak in  
8 support of that.

9

10                   Thank you.

11

12                   MR. JOHNSON: Thank you. Is there anyone  
13 else here in the room who would like to provide comments  
14 that hasn't had an opportunity to yet.

15

16                   Thank you, and if you could state your  
17 name for the record and spell us for us so we get it  
18 right.

19

20                   Thank you.

21

22                   MR. TOWKSJEA: My name is Willie Towksjea  
23 and I am from Kotzebue. I know population in Alaska is  
24 not too many but when they make regulations to sign up  
25 for population there is not too many people in town.  
26 Many of the people in town are in traveling to go hunt  
27 and when they're going to register they're not in town.  
28 There's a few people who always stay in town because they  
29 like to go hunting for subsistence for feeding our  
30 families and for hunting sometimes they always be gone  
31 because they always go hunt for Christmas and they always  
32 hunt for food for community and help each other to feed  
33 our families for the holidays and most of our people in  
34 town, they don't stay home. And most of the people in  
35 town they have no time to stay home and register the way  
36 you want to -- you want to say there's 100 people there,  
37 there's 200 people there in different village and there's  
38 300 and sometimes most of them are half gone because they  
39 got to go hunt and some of the people work, not in the  
40 village they work in the town in Kotzebue and when they  
41 have to go back home, after work, they got to go back  
42 home and they got to say their number up there so they  
43 don't register in Kotzebue or they go hunting from --  
44 when they go hunt, many of the villages go to Sisolik and  
45 that don't count, Sisolik is some place where they go  
46 hunt and some place they go Aniak, they go Aniak and then  
47 half the people hunt there and then they go back home to  
48 -- some of the times they don't have no -- many people in  
49 town don't have no numbers strength and most of the  
50 people, they go to Noatak and then they go hunt -- go

1 fishing in the wintertime for sheefish and they don't go  
2 back home to Kotzebue.

3

4 So that's what I wanted to say.

5

6 MR. JOHNSON: Thank you very much.

7

8 Okay, anyone else here in the room who  
9 would like to provide a comment tonight for the Federal  
10 Subsistence Board.

11

12 (No comments)

13

14 MR. JOHNSON: Okay, not seeing any. If  
15 you do think of anything before we close, still, feel  
16 free to fill out a blue slip and get it to Melinda but at  
17 this time I'm going to go ahead and open it up for people  
18 who are on the line and I think rather than just doing a  
19 kind of open season on the phone here, Melinda has a list  
20 of people who are on the phone and you know who -- you  
21 don't need to ask, I'm sure Tom doesn't need to say  
22 anything, but you can just start by just polling each  
23 person to see if they would like to make a comment. And,  
24 again, if you would, please, when you first make your  
25 comment, state your name clearly and spell your name for  
26 us and then identify if you are representing a particular  
27 organization or a tribe and then go ahead and proceed  
28 with your comments. We are not providing any time limits  
29 but typically presentations, public comments tonight have  
30 been around three to five minutes so I think that would  
31 be a good goal, but, again, it's not a specific time  
32 limit.

33

34 Thank you, and, Melinda, take it over.

35

36 MR. BURKE: Do we have any other members  
37 of the public besides Eli and Star that are present on  
38 the teleconference.

39

40 (No comments)

41

42 MS. BURKE: Okay, Star, why don't we go  
43 ahead and start with you. Is there any comment you'd  
44 like to make up to the Federal Subsistence Board  
45 regarding the rural determination process review?

46

47 STAR: Okay, I told you before that I use  
48 the name Sharon B. Smythe in commerce, I don't identify  
49 with it, I only identify with the Gwich'in identity of  
50 Star, okay.

1 MS. BURKE: Yes, ma'am.

2

3 STAR: And there's a good reason for  
4 that. Okay, I just had some questions.

5

6 Well, one thing I would like to state is  
7 that the Atachanis (ph) people or the indigenous people,  
8 whichever way you want to put, have the right to hunt and  
9 fish and gather for sustenance for thousands of years  
10 prior to the coming of the foreign agents. But, anyway,  
11 without having to get permits, licenses, that kind of  
12 thing, okay. Now, I want to know this -- I want to know  
13 why now, anywhere in Alaska rural or nonrural, where do  
14 you get your authorization to make any kind of a  
15 determination, where do you get your basic authorization.  
16 I thought it would have to be from the consent of the  
17 people, but it's very complicated. It looks like -- it  
18 looks like the people are just, you know, not -- just  
19 legal fictions, that's all they are, so they really can't  
20 give their consent and undo this debt bonding system so  
21 you don't have to get the consent of the people, you can  
22 just trash it so I would like to know if you operate  
23 under public law, if you're a corporation, if you're  
24 listed on Dun and Bradstreet, I would like to know all of  
25 these things. And I want to see proof of claim. Did we  
26 contract our rights away and so now we only have  
27 privileges, where did you get your authorization to  
28 convert rights, inherent rights to privileges. You can't  
29 legislate inherent rights away, I didn't agree to that,  
30 I didn't agree to ANCSA, I didn't agree to this other,  
31 ANILCA and all that stuff, I never agreed to that. We  
32 had no input into that, your legislature did that, so  
33 where do you get your original jurisdiction over us and  
34 over the resources, where is your right of title to any  
35 of the resources up here.

36

37 That's all I have to say.

38

39 MR. JOHNSON: Thank you very much.

40

41 MS. BURKE: Do we have anyone new who's  
42 joined us on the teleconference, please.

43

44 MR. SHARP: No, Melinda, this is just Dan  
45 Sharp.

46

47 MS. BURKE: I'm sorry, you're really  
48 cutting out, can you please repeat yourself.

49

50 MR. SHARP: Yeah, Melinda, this is Dan,

1 my call was dropped before so I just dialed back in.  
2  
3 MS. BURKE: Oh, thank you, Dan. Eli, Eli  
4 Henry, are you still on the line.  
5  
6 MR. HENRY: Yes.  
7  
8 MS. BURKE: And your last name was Henry,  
9 correct, H-E-N-R-Y?  
10  
11 MR. HENRY: Yes, H-E-N-R-Y, I'm from  
12 Kiana.  
13  
14 MS. BURKE: Would you like to provide a  
15 comment?  
16  
17 MR. HENRY: Yes, I would, please, thank  
18 you.  
19  
20 MS. BURKE: Yes, go ahead.  
21  
22 MR. HENRY: Okay. I kind of mirror what  
23 Star says but I'd like to say in detail that the Federal  
24 government and the State government may not have  
25 authority over our Atachanis people, our indigenous  
26 people here. We had original rights before these people,  
27 these foreign people came around. And everything they do  
28 is legislated, there is no authority in it, I did not  
29 agree to -- to this type of slavery. I am not a US  
30 citizen as they try to attempt to say I am. A US citizen  
31 is a public official or some citizen in Washington, D.C.,  
32 and I'm not there. And the Federal government, as well  
33 as the State government, does not have jurisdiction or  
34 authority over our people and land. This land still  
35 belongs to us, it was taken away with -- with force,  
36 fraud, lies; this land still belongs to us, no paperwork  
37 or money in the world can take this away from us.  
38  
39 So they have no regulations here  
40 whatsoever. I'm not required to get a license or a  
41 permit to go get food for my family. Come on people,  
42 it's time to wake up.  
43  
44 When people's public trust -- the Federal  
45 government and all the banks throughout the world, most  
46 of the banks are broke and foreclosed, there is no more  
47 Federal government, there is no State government, you're  
48 foreclosed, you're on your own. There's nothing. Please  
49 do the research.  
50

1 Thank you.

2

3 MR. JOHNSON: Thank you, Eli.

4

5 MS. BURKE: Are there any other members  
6 of the public on line who would like to make a comment  
7 regarding the rural determination process review?

8

9 (No comments)

10

11 MR. JOHNSON: Okay, hearing none, bring  
12 it back to the audience here in Kotzebue, one more time,  
13 maybe somebody thought of something else they wanted to  
14 add. Anybody who has yet had an opportunity to speak.

15

16 STAR: I want to say one more thing.

17

18 MS. BURKE: Star.

19

20 MR. JOHNSON: Please, go ahead.

21

22 STAR: Okay. When I mentioned legal  
23 fiction maybe people didn't know what I was talking  
24 about. I have in front of me a certificate of live birth  
25 that was signed many years ago and it's from the state of  
26 California and it has a bar code on it and bank note  
27 number and there is a letter that came with it that has  
28 a bank note number on it. These are bonded and  
29 monetized, the certificate of live birth that has your  
30 name on it, bonded and monetized. In Alaska they try to  
31 hide it, they put it in the filigree down on the lefthand  
32 corner, the name of the bank note company, but they don't  
33 put numbers or anything like that on it, okay. That's  
34 something else that needs to be looked into. If they own  
35 the people or think they have jurisdiction over the  
36 people they can do anything they want with us and they  
37 can do anything they want with the resources. Okay,  
38 there's a lien -- according to this and I don't know if  
39 it's true or not, but there's a lien filed by the US  
40 Treasury Internal Revenue Service and it's got a number  
41 with it, it starts with seven zeros and then it's  
42 181425776 on all US citizens collateral for the US debt  
43 dated August 11th, 2011, this needs to be looked into too  
44 and see if this is true. Now, I have what looks like a  
45 certified copy of it here. Is this true, that they have  
46 made all of our identi -- what we thought were our  
47 identities, sureties to the national debt and they put a  
48 lien on us now and we identify with these names that they  
49 claim to own and they've created and own them. So this  
50 really needs to be looked into and see what's going on

1 because how are they going to collect then, how are --  
2 what are they going to do to us to collect, they've  
3 already claimed the resources and claimed jurisdiction  
4 over it and it's not Law with a big L, it's just -- it's  
5 -- it's jurisdiction by force, force of arms, force of  
6 arms is not force of law. So I want to know where all  
7 this stuff comes from; is this true, I want to know.

8

9 That's all I have to say, thank you.

10

11 MR. JOHNSON: Thank you.

12

13 Okay, are there any other comments that  
14 anybody would like to make on the Federal Subsistence  
15 Board's rural determination process.

16

17 MR. HENRY: Yeah, maybe I can clarify  
18 what Star is trying to find out -- these were originally  
19 -- originally came from the Bureau of Vital Statistics,  
20 what happened was when a child is born the parents fill  
21 out an application for a birth certificate and Social  
22 Security number, those are used in the commercial world  
23 and these birth certificates are sold on the market, each  
24 and every one of the birth certificates are sold on the  
25 market, that has been somewhat established through their  
26 own United States laws, if you look into the United  
27 States laws and put two and two together, you'll find out  
28 that we are not US citizens, we -- there is no proper  
29 authority, no proper seat of government, the United  
30 States government is a corporation. The Federal Reserve  
31 is a corporation. The city of Kiana, the city of  
32 Kotzebue, they're all private companies, there is no  
33 proper seat of government in this world, it's all  
34 incorporated, 1933. We need to wake up or else we're  
35 going to be in a world of hurt under the New World Order,  
36 bible prophecy.

37

38 Wake up spiritually, thank you.

39

40 MR. JOHNSON: Thank you. Hearing no  
41 further comments on the rural determination process I'm  
42 going to go ahead and close this evening's public  
43 meeting.

44

45 I'd like to remind everybody that  
46 tomorrow morning at 9:00 o'clock back here in the Borough  
47 Chambers, the Northwest Arctic rural Advisory Council --  
48 or correction, Regional Advisory Council will continue to  
49 discuss this rural determination process as the Council  
50 takes public comment, does its own deliberations to make

1 recommendations to the Federal Subsistence Board. But I  
2 also want to remind everybody, even if you didn't think  
3 of anything to say tonight you still have the opportunity  
4 to provide written public comment. You can find the  
5 information necessary for that on the Office of  
6 Subsistence Management website and public comments will  
7 be taken until November 1st, 2013.

8

9                                   So thank you all for participating in  
10 this tonight.

11

12                                   The Federal Subsistence Board is looking  
13 forward to receiving comments from the Regional Advisory  
14 Council, from the public, and from tribes and ANCSA  
15 Corporations through its own consultation process with  
16 them. And then as I mentioned before, the Board will  
17 receive all those comments, will consider them at its  
18 meeting next year in April in Anchorage and then it may  
19 come up with recommendations to present to the  
20 Secretaries of the Interior and Agriculture for how to  
21 change this rural determination process.

22

23                                   But thank you all very much for your  
24 input and for your suggestions, it's very appreciated.

25

26                                   Thank you all and have a good night.

27

28                                   (Off record)

29

30                                   (END OF PROCEEDINGS)

