

**INTERAGENCY STAFF COMMITTEE RECOMMENDATION**  
**THRESHOLD ANALYSIS OF RURAL/NONRURAL REVIEW RFR07-03**

**Oppose** rural/nonrural review request for reconsideration RFR07-03.

**Justification**

The existing determinations on the Kenai Peninsula, entering this decennial review, consisted of the defined nonrural Kenai Area, Homer Area, and Seward Area groupings, with all other places considered rural. The purpose of using the grouping indicators of proximity/road connectedness, shared high school attendance area, and 30% worker commuting level, as directed by the Board, in this case was to evaluate the indications of whether a subject community under analysis should be considered integrated with one of the three existing groupings.

The three indicators the Board directed staff to apply to the evaluation of the grouping of communities for this decennial review were made known to the public in advance of their application. Although this does not represent the only way in which the grouping of communities could be evaluated, it is a legitimate approach that was subject to extensive public review and comment. The staff work was consistent with Board direction, and Board rule-making was in conformance with the requirements of the Administrative Procedure Act.

A report by OSM provided tables and graphics of historical and current population data and indicators for all five community characteristics identified in regulation. In addition, data was presented on population density, which is a characteristic not identified in regulation. Not all data types were available for all communities and areas, but relevant data were provided to the extent available. That report was not intended to address all communities or areas within which changes may have occurred, but rather those for which additional staff analysis was assigned by the Board.

The Board has the flexibility to meet in executive session, so long as a decision is not being made on a final rule. Also, comment was received during the proposed rule comment period regarding the Board meeting in executive session, and that concern was addressed in a report by OSM dated November 27, 2006, made available to the Board and public prior to Board action on the final rule.