

**FEDERAL SUBSISTENCE BOARD
WORK SESSION ON RURAL DETERMINATION PROCESS
APRIL 6, 2011**

Purpose: This work session is intended to provide Board members, Regional Advisory Council Chairs, and staff an orientation to the existing regulation concerning rural determinations, and how that regulation was applied for conducting the Census 2000 review. This will serve as an informational base from which to address process considerations and implementation at a later date.

Outline:

1. **Regulation – I (Page 2):** We will read the regulation on rural determinations. The authority for changes rests with the Secretaries of the Interior and Agriculture.
2. **Regulation – II (Page 3):** We will review an annotated copy of the regulation.
3. **Regulation – III (Pages 4-6):** We will note how key elements of the regulation were applied for conducting the Census 2000 review, with a focus on major components, not details.
4. **Process Sequence and Products (Pages 7-17):** The sequence of steps involved in the Census 2000 review, beginning with the exploration of alternative methodology, followed by the review process in 2004-2007, and concluding with action on Requests for Reconsideration in 2008. Focus is on steps and products, not issues.
5. **Issues Review (Page 18):** Brief review of key issues that arose in the course of the Census 2000 review, including method examination, the presumptive nonrural population threshold of 7,000, and aspects associated with Kodiak, Sitka, Ketchikan/Saxman, and the Kenai Peninsula.
6. **Concluding Comments (Page 19)**

1. **Regulation – I:** We will read the regulation on rural determinations. The authority for changes rests with the Secretaries of the Interior and Agriculture.

' _____.15 *Rural determination process.*

(a) *The Board shall determine if an area or community in Alaska is rural. In determining whether a specific area of Alaska is rural, the Board shall use the following guidelines:*

(1) *A community or area with a population of 2,500 or less shall be deemed to be rural unless such a community or area possesses significant characteristics of a nonrural nature, or is considered to be socially and economically a part of an urbanized area.*

(2) *Communities or areas with populations above 2,500 but not more than 7,000 will be determined to be rural or nonrural.*

(3) *A community with a population of more than 7,000 shall be presumed nonrural, unless such a community or area possesses significant characteristics of a rural nature.*

(4) *Population data from the most recent census conducted by the United States Bureau of Census as updated by the Alaska Department of Labor shall be utilized in this process.*

(5) *Community or area characteristics shall be considered in evaluating a community's rural or nonrural status. The characteristics may include, but are not limited to:*

(i) *Use of fish and wildlife;*

(ii) *Development and diversity of the economy;*

(iii) *Community infrastructure;*

(iv) *Transportation; and*

(v) *Educational institutions.*

(6) *Communities or areas which are economically, socially, and communally integrated shall be considered in the aggregate.*

(b) *The Board shall periodically review rural determinations. Rural determinations shall be reviewed on a ten year cycle, commencing with the publication of the year 2000 U.S. census. Rural determinations may be reviewed out-of-cycle in special circumstances. Once the Board makes a determination that a community has changed from rural to nonrural, a waiting period of five years shall be required before the nonrural determination becomes effective.*

(c) *Current determinations are listed at ' _____.23.*

2. **Regulation – II:** We will review an annotated copy of the regulation.

(a) *The Board shall determine if an **area or community** in Alaska is rural. In determining whether a **specific area** of Alaska is rural, the Board shall use the following guidelines:*

(1) A **community or area** with a population of 2,500 or less shall be **deemed** to be rural unless such a **community or area** possesses significant characteristics of a nonrural nature, **or is considered to be socially and economically a part of an urbanized area.**

(2) **Communities or areas** with populations above 2,500 but not more than **7,000** will be determined to be rural or nonrural.

(3) A **community** with a population of more than **7,000** shall be **presumed** nonrural, unless such a **community or area** possesses significant characteristics of a rural nature.

(4) Population data from the most recent census conducted by the United States Bureau of Census as updated by the Alaska Department of Labor shall be utilized in this process.

(5) **Community or area** characteristics shall be considered in evaluating a **community's** rural or nonrural status. The characteristics may include, but are not limited to:

- (i) Use of fish and wildlife;
- (ii) Development and diversity of the economy;
- (iii) Community infrastructure;
- (iv) Transportation; and
- (v) Educational institutions.

(6) **Communities or areas** which are economically, socially, and communally integrated shall be considered in the aggregate.

(b) *The Board shall periodically review rural determinations. Rural determinations shall be reviewed on a ten year cycle, commencing with the publication of the year 2000 U.S. census. Rural determinations may be reviewed out-of-cycle in special circumstances. Once the Board makes a determination that a **community** has changed from rural to nonrural, a waiting period of five years shall be required before the nonrural determination becomes effective.*

Inconsistent use of terms to describe places.

Inconsistent use of terms “deemed” and “presumed.”

SERAC has petitioned to change the presumptive nonrural population threshold to 11,000.

Grouping is the first step analytically, but is listed last [(a)6]. Many of the concerns expressed about determinations involve grouping. Terminology used relative to aggregated places in (a)1 is not consistent with (a)6, and “urbanized” is not consistent with use of “nonrural” elsewhere.

Community characteristics are noted by type, although specific indicators are not in regulation. Criteria used for grouping of places are not in regulation even by type. This may, or may not, be a concern. Community characteristics and grouping criteria are often confounded by public.

3. **Regulation – III:** We will note how key elements of the regulation were applied for conducting the Census 2000 review, with a focus on major components, not details.

(6) Communities or areas which are economically, socially, and communally integrated shall be considered in the aggregate.

Criteria for Grouping of Communities

1990/91

- 1) Are daily or semi-daily shopping trips being made from one community to another?
- 2) Do the communities share a common school district?
- 3) Do 15% or more of the working people commute from one community to another?

Census 2000 – All three criteria were refined as follows:

- 1) Are the communities in proximity and road-accessible to one another?
- 2) Do they share a common high school attendance area?
- 3) Do 30% or more of the working people commute from one community to another?

(1) A community or area with a population of 2,500 or less shall be deemed to be rural unless such a community or area possesses significant characteristics of a nonrural nature, or is considered to be socially and economically a part of an urbanized area.

(2) Communities or areas with populations above 2,500 but not more than 7,000 will be determined to be rural or nonrural.

(3) A community with a population of more than 7,000 shall be presumed nonrural, unless such a community or area possesses significant characteristics of a rural nature.

Population data were obtained from the Census 2000 database.

As the review process proceeded, we updated with 2005 population estimates from the Alaska Department of Labor and Workforce Development.

We will look at how population data were presented in a moment.

(5) *Community or area characteristics shall be considered in evaluating a community's rural or nonrural status. The characteristics may include, but are not limited to:*

- (i) Use of fish and wildlife;*
- (ii) Development and diversity of the economy;*
- (iii) Community infrastructure;*
- (iv) Transportation; and*
- (v) Educational institutions.*

Indicators for Community Characteristics

1990/91

Use of fish and wildlife: Species per HH; %HH participating; lbs per capita

Development/diversity of economy: Wage employment description; % Unemployment; Per capita income; Diversity of services; Cost of food index

Community infrastructure: Cost of electricity per KWH

Transportation: Variety of means; Predominant means; Road system miles

Educational institutions: Describe levels available

Census 2000 – Indicators were carried forward, except for the following refinements or additions:

Use of fish and wildlife: lbs per capita compiled for two categories *lbs per capita – all resources*; and *lbs per capita – salmon and large land mammals*

Development/diversity of economy: Added new indicator *Number of large national retailers*

Educational Institutions: Reported number of schools by level.

Other: Population density calculations for selected places based on Census 2000 data, available from Wolfe and Fischer (2003), were noted as another characteristic in the evaluation of rural/nonrural status, where applicable.

4. **Process Sequence and Products (Pages 7-17):** The sequence of steps involved in the Census 2000 review, beginning with the exploration of alternative methodology, followed by the review process in 2004-2007, and concluding with action on Requests for Reconsideration in 2008. Focus is on steps and products, not issues.

Wolfe and Fisher (ISER) Method – Concluded in 2003

- Two related methods: Discriminant Analysis Assessment and Criterion-Referenced Assessment.
- Both methods make use of two primary variables: Population density and country food production.
- Neither method was adopted due to legal concerns with undue emphasis on country food production in light of *Kenaitze* decision.

Census 2000 Review Process – From 2004 to 2007

- Develop Process Steps and Informational Material (2004)
- Public comment period on process (Feb-March 2005)
- Review of groupings/populations, and comments received (Spring 2005)
- Board proposes tasking for further analysis (July 2005)
- Public comment period on proposed tasking (Aug-Oct 2005)
- Review of comments received on proposed tasking (Fall 2005)
- Board makes assignments for further analysis (December 2005)
- Analysis assigned by Board is completed (June 2006)
- Board develops proposed rule (Published August 2006)
- Public comment period on proposed rule (August-Oct 2006)
- Review of comments received on proposed rule (Fall 2006)
- Board decides upon final rule (December 2006; Published May 2007)

Requests for Reconsideration – Received in 2007

- Six RFRs were received. All claims in all six RFRs were denied by the Board in July 2008.

Relevant References (In chronological order)

Wolfe, R.J., and V. Fischer. 2003. Methods for rural/nonrural determinations for Federal subsistence management in Alaska. Final Report: Analysis and recommended methodology. Submitted to: USFWS, Anchorage, Alaska. January 31, 2003.

OSM (Office of Subsistence Management). 2005*a*. Decennial review of rural determinations: A report to the Federal Subsistence Board on initial comments received and considerations for further analysis. July 15, 2005. Anchorage.

OSM (Office of Subsistence Management). 2005*b*. Decennial review of rural determinations: Summary of comments and recommendations received on proposed further analysis and related considerations. November 21, 2005. Anchorage.

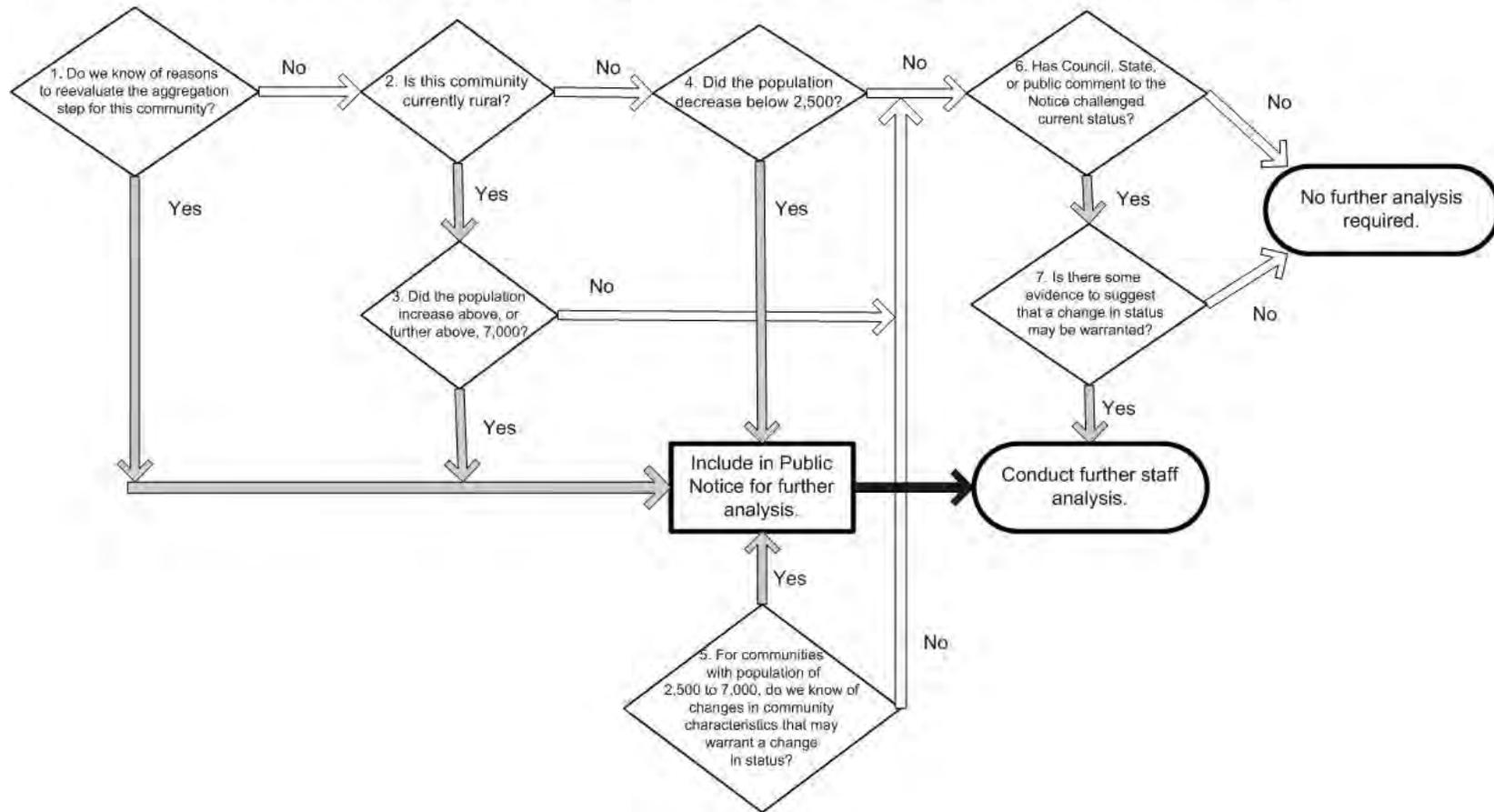
OSM (Office of Subsistence Management). 2006*a*. Rural determinations decennial review: Analysis of communities and areas as assigned by the Federal Subsistence Board. June 23, 2006. Anchorage.

OSM (Office of Subsistence Management). 2006*b*. Rural determinations decennial review: Summary of Council recommendations and public comments on the August 2006 proposed rule and considerations in response. November 27, 2006. Anchorage.

OSM (Office of Subsistence Management). 2007. Final rule and Requests for Reconsideration of decennial review of rural/nonrural determinations by the Federal Subsistence Board. Fall, 2007. Anchorage.

Flow chart of initial staff review steps in 2005, leading to communities and areas proposed for further analysis.

Figure 1. Schematic diagram of the initial staff review of existing rural determinations.



**Example of population data presentation from initial staff review (from OSM 2005a).
(Actual report table included data for 315 places.)**

Appendix 1. Population data from the 1990 and 2000 U.S. Census for places in Alaska, or for groupings as defined for the purposes of the Federal Subsistence Management Program. Locations are coded (G) for a current grouping, and (NG) for not a current grouping. Current status is coded (R) for rural, and (NR) for nonrural. Recommendations for further analysis are coded (L) for list, and (NL) for not list. Additional information is provided in the text of the report.

Seq Num	Location	Current		Population		Pop Change ^a		Analysis	
		Group	Status	1990	2000	Number	Percent	List?	Reason ^b
1	Anchorage, Municipality ^c	G	NR	226,338	260,283	33,945	15%	NL	
2	Fairbanks NSB ^c	G	NR	77,720	82,840	5,120	7%	L	1
3	Wasilla Area ^c	G	NR	14,899	49,535	34,636	232%	L	1
4	Kenai Area ^c	G	NR	20,626	30,913	10,287	50%	L	1
5	Juneau Area ^c	G	NR	26,751	30,711	3,960	15%	NL	
6	Ketchikan Area ^c	G	NR	13,459	13,639	180	1%	L	1
7	Kodiak ^c	G	R	12,230	12,855	625	5%	L	3
8	Homer Area ^c	G	NR	6,317	9,701	3,384	54%	L	1
9	Sitka ^c	G	R	8,588	8,835	247	3%	L	3
10	Bethel	NG	R	4,674	5,471	797	17%	NL	
11	Seward Area ^c	G	NR	2,905	5,044	2,139	74%	L	1
12	Barrow	NG	R	3,469	4,581	1,112	32%	NL	
13	Unalaska	NG	R	3,089	4,283	1,194	39%	NL	
14	Valdez	NG	NR	4,068	4,036	-32	-1%	NL	
15	Nome	NG	R	3,500	3,505	5	0%	NL	
16	Petersburg	NG	R	3,207	3,224	17	1%	NL	
17	Kotzebue	NG	R	2,751	3,082	331	12%	NL	
18	Dillingham	NG	R	2,017	2,466	449	22%	NL	
19	Cordova (Incl Eyak in 2000)	NG	R	2,110	2,454	344	16%	NL	
20	Wrangell	NG	R	2,479	2,308	-171	-7%	NL	
21	Haines	NG	R	1,238	1,811	573	46%	NL	
22	Willow	NG	R	285	1,658	1,373	482%	L	2
23	Deltana	NG	R		1,570			L	2
24	Craig	NG	R	1,260	1,397	137	11%	NL	
25	Tok	NG	R	935	1,393	458	49%	NL	
26	Metlakatla	NG	R	1,407	1,375	-32	-2%	NL	
27	Hooper Bay	NG	R	845	1,014	169	20%	NL	
28	Healy	NG	R	487	1,000	513	105%	NL	
29	Y CDP	NG	R		956			NL	
30	Sandpoint	NG	R	878	952	74	8%	NL	

^aDiscussion in the text of this report regarding the potential for changes in CDP boundaries should be considered when examining population change, in numbers or percentages, between decadal censuses.

^bReason for further analysis is coded as follows:

- 1: Currently a grouping, and there are reasons to further evaluate including or excluding places.
- 2: Not currently part of a grouping, but there are reasons to further evaluate inclusion in a grouping.
- 3: Rural status currently, and the population increased above, or further above, 7,000 from 1990 to 2000.
- 4: Nonrural status currently, and the population decreased below 2,500 from 1990 to 2000.

^cComponents of grouping are described in Appendix 2; detailed population data provided in Appendices 3-9 as warranted.

Example of community characteristics data presentation prior to proposed rule (from OSM 2006a).

	COMMUNITY/ AREA	2005 Population Estimate ¹	ECONOMY							COMMUNITY INFRASTRUCTURE
			2000 Census				Diversity of Services ³	Large National Retailer ⁴	2005 Cost of Food Index ⁵	2005 Cost of Electricity \$/KWH ⁵
			Population ²	Wage Employment ²	% Unemployment ²	Per Capita Income ²				
NONRURAL PLACES	Anchorage Muni	278,241	260,283	Hi Year-round	6.4%	\$25,287	High	16	\$121.50	\$0.12
	Fairbanks NSB	87,650	82,840	Mod Year-round	7.9%	\$21,553	High	6	\$123.72	\$0.14
	Wasilla Area	61,872	49,535	Mod Year-round	9.9%	\$20,942	High	5	\$120.52	\$0.12
	Kenai Area	32,239	30,913	Mod Year-round	11.0%	\$21,372	High	2	\$128.05	\$0.14
	Juneau Area	31,193	30,711	Mod Year-round	5.3%	\$26,719	High	2	\$123.60	\$0.09
	Homer Area	10,166	9,701	Mod Year-round	10.4%	\$21,080	High		\$150.46	\$0.14
	Seward Area	4,970	5,044	Mod Year-round	13.0%	\$21,281	High		\$134.34	\$0.15
	Valdez	3,745	4,036	Mod Year-round	6.1%	\$27,341	Mod-High		NA	NA
RURAL PLACES	Sitka Area	8,947	8,835	Mod Year-round	7.4%	\$23,622	High		\$133.81	\$0.10
	Bethel	5,960	5,471	Mod Year-round	8.9%	\$20,267	Mod		\$202.08	\$0.29
	Barrow	4,199	4,581	Mod Year-round	12.7%	\$22,902	Mod		NA	NA
	Nome	3,508	3,505	Mod Year-round	10.9%	\$23,402	Mod-High		\$199.08	\$0.23
	Petersburg	3,155	3,224	Mod Year-round	10.3%	\$25,827	Moderate		NA	NA
	Kotzebue	3,120	3,082	Mod Year-round	9.8%	\$18,289	Mod-High		NA	NA

	COMMUNITY/ AREA	2005 Population Estimate ¹	ECONOMY						COMMUNITY INFRASTRUCTURE	
			2000 Census				Diversity of Services ³	Large National Retailer ⁴	2005 Cost of Food Index ⁵	2005 Cost of Electricity \$/KWH ⁵
			Population ²	Wage Employment ²	% Unemployment ²	Per Capita Income ²				
	Dillingham	2,370	2,466	Mod Year-round	7.1%	\$21,537	Moderate		\$226.54	\$0.25
	Cordova	2,288	2,454	Mod Year-round	6.5%	\$25,256	Moderate		\$167.93	\$0.26
	Wrangell	1,974	2,308	Mod Year-round	8.5%	\$21,851	Moderate		NA	NA
	Ninilchik	785	772	Mod Seasonal	18.0%	\$18,463	High		NA	NA
	Cooper Landing	344	369	Mod Year-round	0.0%	\$24,795	High		NA	NA
	Whittier	188	182	Hi Year-round	15.9%	\$25,700	Moderate		NA	NA
	Hope	139	137	Lo Seasonal	13.3%	\$9,079	Moderate		NA	NA
RURAL-NR ANALYSIS	Ketchikan Area	12,720	13,639	Mod Year-round	7.0%	\$24,290	High	1	\$125.91	\$0.10
	Kodiak Area	12,816	12,905	Mod Year-round	4.3%	\$22,784	High	1	\$147.77	\$0.16
	Delta Jnct Area	3,921	3,620	Mod Year-round	12.8%	\$17,070	Mod		\$144.52	\$0.14
	Saxman	405	431	Mod Seasonal	22.2%	\$15,642	High		\$125.91	\$0.10
	Clam Gulch CDP	172	173	Mod Seasonal	26.9%	\$17,983	Mod-High		\$128.05	\$0.14
	Adak	167	316	Mod Year-round	7.4%	\$31,747	Low		NA	NA

	COMMUNITY/ AREA	2005 Population Estimate ¹	ECONOMY							COMMUNITY INFRASTRUCTURE
			2000 Census				Diversity of Services ³	Large National Retailer ⁴	2005 Cost of Food Index ⁵	2005 Cost of Electricity \$/KWH ⁵
			Population ²	Wage Employment ²	% Unemployment ²	Per Capita Income ²				
	Prudhoe Bay	2	5	Hi Year-round	0.0%	\$19,880	Low		NA	NA

¹ Alaska Department of Labor and Workforce Development 2006.

² US Census data 2000.

³ Alaska Division of Community Advocacy 2006.

⁴ Number of stores of retailers as identified in report for 2005.

⁵ UAF Cooperative Extension Service 2006: 3rd Quarter 2005.

⁶ Based on household surveys as reported in ADF&G Community Profile Database (2001) and various ADF&G Technical Reports, except for five places with only estimates for "salmon and large land mammals," which is information from permit data as reported by Wolfe (2000). Limitations of the information are discussed further in the text of this report.

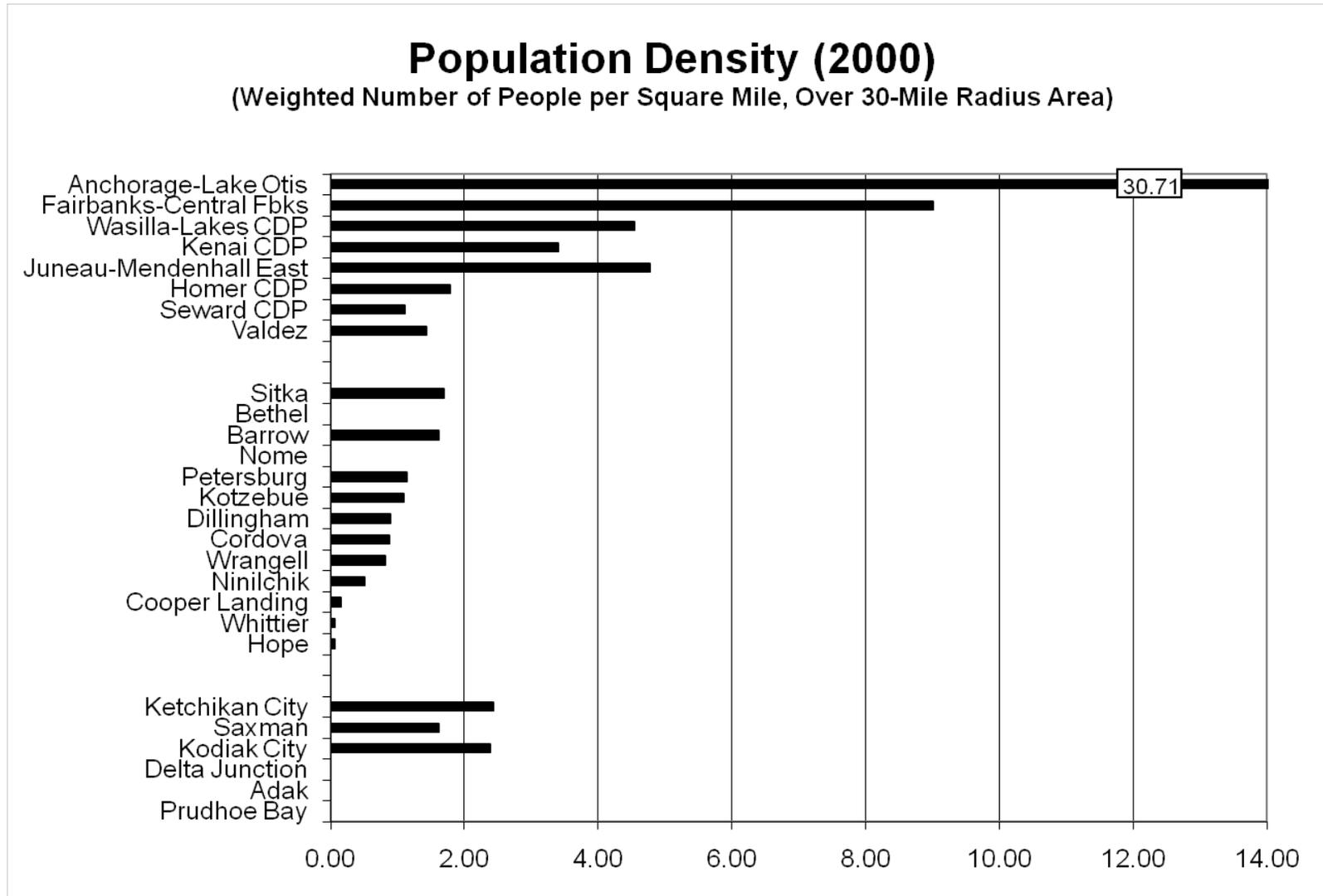
⁷ KIC Ketchikan household harvest survey preliminary data.

	COMMUNITY/ AREA	2005 Population Estimate ¹	TRANSPORTATION			EDUCATIONAL INSTITUTIONS ³	FISH AND WILDLIFE USE ⁶			
			Variety of Means ³	Predominant Means ³	Road System (miles) ³		Study Year: Variety used species per household	Percent of households using (or *harvesting)	Pounds per capita all resources	Pounds per capita salmon and lrg land mammals
NONRURAL PLACES	Anchorage Muni	278,241	Air, Barge, Rail, Road	Air/Road	Unlimited	92 Schools, P-12, University	2000: NA	NA	NA	19
	Fairbanks NSB	87,650	Air, Rail, Road	Road	Unlimited	32 Schools, P-12, University	2000: NA	NA	NA	16
	Wasilla Area	61,872	Air, Rail, Road	Road	Unlimited	28 Schools, P-12, Com Col	2000: NA	NA	NA	27
	Kenai Area	32,239	Air, Boat Launch, Road	Road	Unlimited	19 Schools, P-12; Com Col	1993: 7.1	98%	84	55
	Juneau Area	31,193	Air, Barge, Ferry	Air	NA	13 Schools, P-12; University	2000: NA	NA	NA	35
	Homer Area	10,166	Air, Ferry, Road	Road	Unlimited	10 Schools, P-12; Com Col	1982: 8.8	(86%*)	94	43
	Seward Area	4,970	Barge, Ferry, Rail, Road	Ferry/Road	Unlimited	4 Schools, K-12; U of Fairbanks	2000: 7.5	97%	97	62
	Valdez	3,745	Air, Barge, Ferry, Road	Road	Unlimited	4 Schools, P-12; Com Coll	1992: 6.5	97%	103	63
RURAL PLACES	Sitka Area	8,947	Air, Barge, Ferry	Air/Ferry	NA	7 Schools, P-12; University	1996: NA	97%	205	109
	Bethel	5,960	Air, Barge	Air/Barge	58 miles	6 Schools, K-12; Com Col	NA	NA	NA	NA
	Barrow	4,199	Air, Barge	Air	NA	3 Schools, P-12; Tribal Col	1989: NA	(61%*)	289	75
	Nome	3,508	Air, Barge	Air	NA	4 Schools, P-12	NA	NA	NA	NA
	Petersburg	3,155	Air, Barge, Ferry	Ferry/Air	NA	3 Schools, K-12	1987: NA	97%	198	103
	Kotzebue	3,120	Air, Barge	Air	26 miles	3 Schools, K-12	1991: 15.0	99%	593	252

	COMMUNITY/ AREA	2005 Population Estimate ¹	TRANSPORTATION			EDUCATIONAL INSTITUTIONS ³	FISH AND WILDLIFE USE ⁶			
			Variety of Means ³	Predominant Means ³	Road System (miles) ³		Study Year: Variety used species per household	Percent of households using (or *harvesting)	Pounds per capita all resources	Pounds per capita salmon and lrg land mammals
	Dillingham	2,370	Air, Barge	Air	23 miles	3 Schools, P-12; Com Col	1984: 11	98%	242	199
	Cordova	2,288	Air, Barge, Ferry	Air	48 miles	2 Schools, P-12	1997: 14.4	98%	179	115
	Wrangell	1,974	Air, Barge, Ferry	Ferry/Air	NA	3 Schools, K-12	1987: 10+	95%	155	62
	Ninilchik	785	Air, Road	Road	Unlimited	1 School, K-12	1998: 8.6	99%	164	108
	Cooper Landing	344	Air, Road	Road	Unlimited	1 School, K-5	1990: 8.3	100%	92	68
	Whittier	188	Barge, Ferry, Road	Road	Unlimited	1 School, K-12	1990: 8.0	94%	80	45
	Hope	139	Road	Road	Unlimited	1 School, K-12	1990: 9.1	100%	111	81
RURAL-NR ANALYSIS	Ketchikan Area	12,720	Air, Barge, Ferry	Air/ferry	NA	9 Schools, P-12; University	2000: NA 2005 ⁷ : 8.8	NA 80%	NA 88	33 73
	Kodiak Area	12,816	Air, Barge, Ferry	Air	140 miles	7 Schools, K-12; Com Col	1993: 11.8	99%	155 Area Weighted	73 Area Weighted
	Delta Jnct Area	3,921	Air, Road	Road	Unlimited	5 Schools, K-12	NA	NA	NA	NA
	Saxman	405	Air, Barge, Ferry	Air	NA	No Schools	1999: 13	97%	217	113
	Clam Gulch CDP	172	Road	Road	Unlimited	No Schools	NA	NA	NA	NA
	Adak	167	Air, Barge	Air/Barge	16 miles	1 School, K-12	NA	NA	NA	NA
	Prudhoe Bay	2	Air	Air	NA	No Schools	NA	NA	NA	NA
¹ Alaska Department of Labor and Workforce Development 2006. ² US Census data 2000.										

	COMMUNITY/ AREA	2005 Population Estimate ¹	TRANSPORTATION			EDUCATIONAL INSTITUTIONS ³	FISH AND WILDLIFE USE ⁶			
			Variety of Means ³	Predominant Means ³	Road System (miles) ³		Study Year: Variety used species per household	Percent of households using (or *harvesting)	Pounds per capita all resources	Pounds per capita salmon and lrg land mammals
<p>³ Alaska Division of Community Advocacy 2006.</p> <p>⁴ Number of stores of retailers as identified in report for 2005.</p> <p>⁵ UAF Cooperative Extension Service 2006: 3rd Quarter 2005.</p> <p>⁶ Based on household surveys as reported in ADF&G Community Profile Database (2001) and various ADF&G Technical Reports, except for five places with only estimates for "salmon and large land mammals," which is information from permit data as reported by Wolfe (2000). Limitations of the information are discussed further in the text of this report.</p> <p>⁷ KIC Ketchikan household harvest survey preliminary data.</p>										

Population density data from Wolfe and Fischer (2003) as used as another community characteristic in staff analysis prior to proposed rule (from OSM 2006a).



5. **Issues Review:** Brief review of key issues that arose in the course of the Census 2000 review, including method examination, the presumptive nonrural population threshold of 7,000, and aspects associated with Kodiak, Sitka, Ketchikan/Saxman, and the Kenai Peninsula.

- **Method Examination** – The exploration of alternative methodology by way of a contract to Wolfe and Fisher was a multi-year effort that resulted in two related methods: Discriminant Analysis Assessment and Criterion-Referenced Assessment. Both methods make use of two primary variables, population density and country food production. Neither method was adopted due to legal concerns with undue emphasis on country food production in light of *Kenaitze* decision.
- **Presumptive Nonrural Population Threshold** – “Rural” was not defined in ANILCA (1980). Ketchikan was the smallest of the nonrural place examples in a 1979 Congressional report. At that time, Ketchikan City had a population of about 7,000, while the Ketchikan Area about 11,000. Claim is that it is inappropriate to group into areas, but apply the lower threshold of 7,000. Board recommendation to the Secretaries was to initiate rulemaking (Part B regulations, not delegated to Board), proposing change of the nonrural population threshold from 7,000 to 11,000.
- **Aspects of Census 2000 Review associated with** –
 - **Ketchikan/Saxman:** Grouping of Saxman with Ketchikan and rural/nonrural status.
 - **Sitka:** Rural status, and not advancing for further analysis.
 - **Kodiak:** Area for grouping and rural status.
 - **Kenai Peninsula:** Alternative approach to grouping and rural/nonrural status.

6. **Concluding Comments:**

This was an informational work session to develop a shared understanding of where we have been in the rural review process.

How the Secretaries, Board, and Regional Advisory Councils proceed from this point forward is open to consideration.

If changes to the process are desired, formal rulemaking may be required. Authority for this regulation has not been delegated from the Secretaries.