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FEDERAL SUBSISTENCE BOARD  
RURAL DETERMINATION PROCESS PUBLIC COMMENT  
BEFORE HEARING OFFICER  
PAUL MCKEE

Kotzebue, Alaska  
March 9, 2015  
7:00 o'clock p.m.

Presenter: Jeff Brooks  
Office of Subsistence Management

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

2  
3 (Kotzebue, Alaska - 03/09/2015)

4  
5 (On record)

6  
7 MR. MCKEE: Okay. It's about 10 after  
8 7, so I think we'll get started. Good evening,  
9 everyone. I want to thank everyone for attending  
10 tonight's public meeting. This is an opportunity for  
11 you to provide input to the Federal Subsistence Board's  
12 rural determination process. Specifically, the Board  
13 at the direction of the Secretaries of the Interior and  
14 Agriculture is seeking your comment on a proposed rule  
15 on how the Board will make rural determinations in the  
16 future.

17  
18 The Board is not currently seeking  
19 comments on which communities are rural or non-rural.  
20 That part of the process will not come until after this  
21 rulemaking is completed.

22  
23 The Board is accepting comments on this  
24 proposed rule until April 1st of this year. Tonight  
25 will be an opportunity for you to provide oral or  
26 written comments.

27  
28 My name is Chris McKee, and I'm the  
29 Wildlife Division Chief for the Office of Subsistence  
30 Management in Alaska, and tonight I am here to serve as  
31 the meeting facilitator.

32  
33 So my job is to make sure that everyone  
34 here who would like to make oral or written comments on  
35 the proposed rule is able to do to.

36  
37 The meeting has been scheduled to last  
38 until 9:00 p.m. tonight in order to receive everyone's  
39 comments.

40  
41 We have with us tonight the court  
42 reporter, Tina, who will record and then transcribe  
43 your comments.

44  
45 And during the comment portion of the  
46 meeting, we will not be answering any questions so that  
47 we can allow time to listen to and hear your comments.  
48 And then those comments will then be forwarded to the  
49 Board.

50

1                   We've had these same evening meetings  
2 at all of the RAC meetings that have taken place so  
3 far. As it turns out, this RAC meeting is the third to  
4 last, so we've had meetings so far in Anchorage,  
5 Kodiak, Naknek, Bethel, Fairbanks, Nome, and then  
6 tonight here in Kotzebue. And the last two will be in  
7 Sitka and Barrow.

8  
9                   Because of the importance of your  
10 comments, it is necessary that we follow certain  
11 procedures during the meeting. As you entered the  
12 meeting, everyone hopefully was able to sign in. It's  
13 important that everyone present tonight sign in so that  
14 we have a complete record of all persons who attended  
15 or participate in the meeting.

16  
17                   If you plan to make oral comments  
18 tonight, please fill out a speaking card like this, one  
19 of the yellow ones there. They should be up on the  
20 board right there at the entrance.

21  
22                   Also, if you're attending this meeting  
23 or submitting comments on behalf of a group or  
24 organization, please indicate the name of the group or  
25 entity that you represent.

26  
27                   And again let me emphasize that the  
28 principal purpose of the public comment part of this  
29 meeting is to receive information and comments from you  
30 on the record. Please limit your comments to basically  
31 the most important aspects that you want to present.  
32 Originally we were going to kind of divide up the  
33 amount of time that we have by the number of people  
34 that were submitting comments, but generally over the  
35 last few meetings that we've had, we haven't had a lot  
36 of turnout, so that seems to be the case tonight, so  
37 we'll be a little bit more liberal in our timeframe in  
38 terms of the people that might want to get up and  
39 present some comments.

40  
41                   And certainly if for whatever reason  
42 despite that we run out of time, you're still able to  
43 submit your comments in writing prior to the April 1st  
44 deadline, and handouts are available with that  
45 information on how to do that up at the table.

46  
47                   So tonight we have a PowerPoint  
48 presentation on this process, and Jeff Brooks, our  
49 social scientist with OSM is here with the PowerPoint  
50 presentation, so at this point I'll hand it over to

1 Jeff. Jeff.

2

3 MR. BROOKS: Thank you, Chris.

4

5 Good evening, ladies and gentlemen. My  
6 name is Jeff Brooks, and I work with the in the  
7 Division of Anthropology in Anchorage. It's part of  
8 the Federal Subsistence Management Program. And I'm  
9 going to review quite briefly, only seven slides,  
10 tonight with you the content and the intent behind the  
11 proposed rule, which was published in the Federal  
12 Register notice on January 28th of 2015.

13

14 As Chris mentioned, this is an  
15 opportunity for the public to comment on this rule, and  
16 the deadline for those comments is April 1st. And that  
17 proposed rule that I just held up is available to you  
18 in the back of the room by the sign-up sheet as the  
19 handout. It's the one that has the press release on  
20 the front.

21

22 There's also another handout out there  
23 that shows two side-by-side tables, and that's just an  
24 example of the current regulation next to the proposed  
25 rule.

26

27 And with that, I'd like to begin with  
28 the PowerPoint slides, if you could go to the first  
29 one, please. Or the second one. Okay.

30

31 So I'm going to kind of take this in  
32 some basic steps, like who, for example. Who. Well,  
33 this is about rural communities. It's about you. It's  
34 about your families. It's about the rural residents of  
35 Alaska. And we heard from you a year ago.

36

37 Actually the Federal program asked a  
38 year ago some similar questions. They asked the public  
39 to look at how the Federal Subsistence Board currently  
40 makes rural determinations. And they listed out all  
41 the characteristics and criteria that are used, and  
42 they asked for comments on those. And we received  
43 approximately 500 written comments and recorded  
44 comments, verbally like this at Regional Advisory  
45 Council meetings and public hearings across the State  
46 about how people felt about this. And we received  
47 comments from tribes, Alaska Native corporations,  
48 individual citizens, Regional Advisory Councils, and  
49 other organizations like city and borough governments.

50

1                   What is it about tonight that we would  
2 like to explain to you and ask you about. Well, we're  
3 seeking public comments on the new proposed rule.  
4 We're going to ask you if you agree or disagree with  
5 changing the current regulations on how rural  
6 determinations are made by the Secretaries, by the  
7 Federal Subsistence Board. And we'll also want to ask  
8 you what else you think about the proposed rule.

9  
10                   Where. This would apply statewide. It  
11 would be effective statewide.

12  
13                   When. The Board meets in June or July  
14 of 2015 and makes its recommendations to the  
15 Secretaries. And a final rule will be published, which  
16 may or may not differ to some extent from the proposed  
17 rule as printed in the Federal Register notice.

18  
19                   Next slide, please.

20  
21                   Why is this important. Well, first of  
22 all, this -- why the proposed rule has come up is  
23 because it's part of the Secretarial review process.  
24 They requested that there be a review of the Federal  
25 Subsistence Management Program, and they requested that  
26 one of the things to be included was how the Board, the  
27 Federal Subsistence Board, makes rural determinations.

28  
29                   Why is it important. Rural  
30 determinations are important because only residents of  
31 areas identified as rural are eligible to harvest under  
32 Federal subsistence regulations on public lands and  
33 waters.

34  
35                   The next slide, please, Melinda.

36  
37                   Right now under the current regulations  
38 the Board does things to determine who's rural. Like  
39 they may aggregate communities or areas that are  
40 economically, socially, or communally similar or  
41 integrated. The Board may evaluate a communities rural  
42 or non-rural status using guidelines defined by the  
43 Secretaries, such as population thresholds and economic  
44 development.

45  
46                   Under this proposed rule it's  
47 different. The Board would evaluate a community's  
48 non-rural status using a broad array of relevant  
49 information and rely heavily on the recommendations of  
50 Regional Advisory Councils. This proposed rule also

1 recognizes regional differences, so it has a built-in  
2 component of flexibility.

3  
4           One thing to point out here that's  
5 important between the current regulations and the  
6 proposed regulations, and you'll notice that in the  
7 second bullet point under current regulations, is that  
8 currently the Federal Subsistence Board evaluates a  
9 community's rural or non-rural status. In the proposed  
10 rule, the Federal Subsistence Board would just be  
11 evaluating a community's non-rural status.

12  
13           And in a nutshell, the general intent,  
14 the proposed rule would increase flexibility in  
15 decisionmaking processes and recognize the unique  
16 nature of Alaskan communities.

17  
18           The next slide, please.

19  
20           This slide is just a comparison of the  
21 old, current language that is used to make these rural  
22 determinations and the new. That's also reflected  
23 here. Since you can't read it on the screen, you may  
24 look at this handout. It has the language of the  
25 current regulations and the proposed rule.

26  
27           As you can see by just sheer number of  
28 words on the page, it does appear to be less complex.

29  
30           Next slid, please.

31  
32           What are the proposed changes more  
33 specifically. Instead of only using things like  
34 population thresholds, rural characteristics or  
35 grouping communities together based on some  
36 similarities or integration that is visible, you know,  
37 and using all types of different sources of information  
38 like the census information, and attempting to do this  
39 in a standard way across the State, under the proposed  
40 rule, the intent is that the Board would rely on the  
41 Councils, the Regional Advisory Councils and the public  
42 to provide information to the Federal Subsistence  
43 Board, and make rural determinations on a regional  
44 level. So there could be some differences region-by-  
45 region.

46  
47           The proposed rule would eliminate the  
48 mandatory 10-year rural review cycle. Instead, changes  
49 to rural status would be based on proposals submitted  
50 to the Board.

1 Now, that is one way that things would  
2 be re-evaluated, through the regular proposal process.  
3 There may be others. We just don't know exactly what  
4 the policy would be on how to implement this. That was  
5 something that the Federal Subsistence Board would  
6 devise after a final rule has been posted.

7  
8 All right. The last slide, please.

9  
10 This just shows you the actual wording  
11 of the new rule, and that's also on that handout on the  
12 right side. So the regulation would read: The Board  
13 determines which areas or communities in Alaska are  
14 non-rural, and it would list the current  
15 determinations. And Part (b) all other communities or  
16 areas are therefore rural.

17  
18 For those of you who would like to  
19 provide public comment on this proposed rule, we'd ask  
20 you things like do you agree with these changes? If  
21 so, why. Do you disagree; if so, why. And anything  
22 else that you would like to comment about regarding  
23 this proposed rule.

24  
25 And that ends my presentation. Thank  
26 you.

27  
28 MR. MCKEE: Does anybody have any  
29 questions for Jeff after hearing his PowerPoint. Yes,  
30 go ahead. Come up. If you could come up to the mic.

31  
32 MR. MITCHELL: I'm Enoch Mitchell from  
33 Noatak. I want to see -- on the new regulations you've  
34 got (a), (b). I want to see something about the  
35 villages that are not connected to the road system.  
36 Would that be added in there? Or will that be conflict  
37 with other villages in Alaska.

38  
39 MR. BROOKS: Thank you, Mr. Mitchell  
40 for your question. And I'm going to address it, but  
41 first I'd to say if you do have suggestions for adding  
42 or subtracting from this proposed language, that would  
43 be very appropriate to put as a formal comment.

44  
45 But to answer your question, we have  
46 not considered -- or the proposed language printed in  
47 the Federal Register notice does not talk about any  
48 criteria, characteristics or types of things like that  
49 that would actually help to make the determinations.  
50 Now, it does give some insight on I call it a

1 preliminary plan. And it doesn't necessarily talk  
2 about villages connected to the road system. Those are  
3 types of things that are considered currently in  
4 regulation, those types of characteristics. But I'm  
5 just going to read to you from the second page of the  
6 proposed rule.

7  
8                   Based on the information that we  
9 gathered from public comment, the Board at their public  
10 meeting which was held April 17th, 2014, elected to  
11 recommend a simplification of the process of doing  
12 rural determinations by determining which areas or  
13 communities are non-rural in Alaska.

14  
15                   So if they determine which communities  
16 are non-rural, they would be considering things to help  
17 them do that, and not necessarily things that would  
18 help them make a rural determination. So, for example,  
19 all other communities or areas would therefore be  
20 rural. That's part of the proposed language. The  
21 Board would -- this is what I call the preliminary plan  
22 or some insights into how it would be done. The Board  
23 would make non-rural determinations using a  
24 comprehensive approach that takes into consideration  
25 population size and density, economic indicators,  
26 military presence, the presence of industrial  
27 facilities, a community's use of fish and wildlife,  
28 degree of remoteness and isolation, for example, being  
29 a community on an island could be considered remote and  
30 isolated. Being off the road system could be  
31 considered isolated. And it will also look at other  
32 relevant material and information provided by the  
33 public. The Board would rely heavily on the  
34 recommendations of the Subsistence Regional Advisory  
35 Councils.

36  
37                   So those are some of the things in the  
38 proposed rule that the Board may or may not consider.  
39 But as of right now, specific to communities on or off  
40 the road system, that is not -- it's not part of the  
41 proposed language of the regulation change.

42                   Does that answer our question?

43                   MR. MITCHELL: Yeah, I guess.

44  
45                   MR. MCKEE: I think one of the things  
46  
47 to keep in mind is this kind of flips things on its  
48 head a little bit. It simplifies it by saying that  
49 we're now going to determine which areas are non-rural  
50



1 rather than determining which areas are rural. So it's  
2 going to be up to other individuals submitting  
3 proposals or from whatever process, the proposal  
4 process to say, okay, this place is rural, I think it  
5 shouldn't be rural, rather than the other way around.  
6 So it kind of flips it on its head and makes it much  
7 more simple.

8  
9                   So areas that -- and like Jeff  
10 mentioned, the input from the Regional Advisory  
11 Councils is going to be critical in making these  
12 determinations. So places that are already rural now,  
13 it would be very, very difficult for them to become  
14 non-rural. I'm not saying it's impossible, but under  
15 this proposed rule, it would kind of change things  
16 around a little bit. So I think that it definitely  
17 simplifies things a little bit. And certainly you  
18 could see by the proposed regulation as to the way  
19 things are done now.

20  
21                   MR. MITCHELL: Okay.

22  
23                   MR. BROOKS: Enoch, just a minute,  
24 please.

25  
26                   During the public comment period last  
27 year, we heard from a lot of people, communities around  
28 the State that every 10 years when the rural status  
29 comes up for re-evaluation, they felt very stressed,  
30 and they felt like they had to every 10 years prove  
31 that they were a rural community. And one of the  
32 things that this proposed rule proposes is to do away  
33 with the 10-year review. So an evaluation would be  
34 done based on a proposal or a substantial event or  
35 change in a community. We just don't know. It's hard  
36 to predict when one would happen. But what that does  
37 sort of now that the -- in the proposed rule it says  
38 that the Federal Subsistence Board would be making a  
39 non-rural determination, what it does is it shifts the  
40 burden of proof from the community to prove that  
41 they're rural to whomever or whatever is suggesting  
42 that they're not.

43  
44                   So that's one way I like to try to  
45 explain it, but I don't know if that helps.

46  
47                   MR. MITCHELL: Yeah, it does. I mean,  
48 again this RAC sheet for the village of Noatak, I was  
49 getting a picture that what we say over here in the  
50 meeting or what we say right now are being diluted in

1 your guys' plans over here. But your definition makes  
2 it clear for me.

3

4 Thank you very much.

5

6 MR. BROOKS: So do I understand  
7 correctly that you would like that to be a public  
8 comment, the thing about the road -- on or off the road  
9 system? This is being recorded.

10

11 MR. MITCHELL: Yeah. Yeah, that's a  
12 comment.

13

14 MR. BROOKS: Okay. Thank you.

15

16 MR. MCKEE: So do we have anybody that  
17 filed out one of these yellow comment forms that wants  
18 to step forward and make a public comment.

19

20 MS. BURKE: And we have plenty of time  
21 for questions.

22

23 MR. MCKEE: Yeah. I mean, we had --  
24 like I said, we have this facility until 9:00 o'clock.  
25 I'm not saying we have to stay here until 9:00 o'clock,  
26 but if anybody has one of these yellow sheet and wants  
27 to step forward, let me know.

28

29 And also if we have anybody on the  
30 phone that wants to make a comment, please feel free to  
31 do so. So do we have anybody on line, on the phone,  
32 that wants to make a comment.

33

34 (No comments)

35

36 MR. MCKEE: Okay. Well, I mean, since  
37 we don't have anybody submitting formal comments here,  
38 if anybody has any other questions that's here that  
39 wants to ask us some questions, we'd be more than happy  
40 to do so.

41

42 MR. KRAMER: Lance Kramer from  
43 Kotzebue.

44

45 I don't agree with the changes, because  
46 regulations aren't a part of -- like this rural  
47 determination, non-rural and rural, are not a part of  
48 the fish and game hunting, trapping, fishing  
49 regulations, you know. They don't say if you're a  
50 community -- are you from this community; they say are

1 you a resident or are you a non-resident, and they have  
2 their regulations accordingly, whether you're a  
3 resident of a non-resident.

4  
5 In other words, all of our regulations  
6 for hunting, fishing, and trapping are based on a  
7 individual level, not community level. And so this  
8 thing is asking the wrong question. We shouldn't  
9 determine which areas or communities in Alaska are  
10 rural or non-rural; we should be asking which residents  
11 are rural or non-rural. And that's what I would like  
12 to see, because there are people in this State who are  
13 rural residents truly, and there are people in this  
14 State who are non-rural residents. They're urban  
15 residents. They live in the cities.

16  
17 And so I think that should be the  
18 question as to who, not what communities. It's too  
19 broad. And so I think in the determination it should  
20 be on an individual level since the regulations are on  
21 an individual level. And so what I would do is the  
22 Board determines which areas, or communities, or  
23 individuals in Alaska, that's what I would add in  
24 there, are rural or non-rural.

25  
26 MR. BROOKS: So just for clarification,  
27 when you're talking about fish and game regulations  
28 like you mentioned, you're talking the State Fish and  
29 Game regulations?

30  
31 MR. KRAMER: Uh-huh. Yeah. And then  
32 even here, the Federal regulations for subsistence.

33  
34 MR. MCKEE: Well, that's -- what we're  
35 talking about now are the Federal regulations, not the  
36 State regulations.

37  
38 MR. KRAMER: Well, even the Federal  
39 regulations are based on rural or non-rural. You know,  
40 you go to Kobuk Valley National Park, and only the  
41 rural residents of this area can hunt over there,  
42 that's what I'm talking about, too. You see.

43  
44 So if Hannah was to leave and go to  
45 Anchorage and move, and then come back, she has to live  
46 here for a year before she's considered a rural  
47 resident. And she can't hunt in Kobuk Valley National  
48 Park according to the current regs. She's an  
49 individual. And so you can't say what community she's  
50 from. We've got to say, no, she -- so we need to

1 develop a whole new criteria for individuals. Maybe  
2 they have -- they're part of an ANCSA corporation;  
3 maybe they have a tribal membership in Alaska. Maybe  
4 the criteria should be maybe they're born or they're  
5 raised in a rural area, and they're forever considered  
6 rural, no matter if they go to Anchorage for a year.  
7 Maybe she has a cancer treatment over there for year,  
8 and then she comes back. She can't hunt over there.  
9 But if we were to design it to individuals, then you  
10 can do that, and forever she'll be a rural resident no  
11 matter how long she goes away. She can continue to  
12 hunt in the Kobuk Valley National Park.

13

14 MR. BROOKS: Thank you for your  
15 comment. I think it's a good one. I think it's  
16 something that should be considered.

17

18 If I understand what you're saying, I  
19 think what you're saying is there are people who live  
20 in cities who are classified as non-rural because of  
21 where they live.

22

23 MR. KRAMER: Yeah.

24

25 MR. BROOKS: But that doesn't  
26 necessarily mean that they should be excluded from the  
27 priority of hunting under Federal subsistence  
28 regulations, and participating in a subsistence way of  
29 life.

30

31 MR. KRAMER: Yep. Exactly. And, you  
32 know, the Federal regulations for the sheep hunt in the  
33 Baird Mountains, this is an example. I went to school  
34 at UAF, graduated, have my degree in education. But  
35 every time I went away, because I was away for so long,  
36 and my driver's license, and I was driving in  
37 Fairbanks, now I couldn't hunt sheep in my hometown. I  
38 said, what do you mean I can't hunt sheep here? I come  
39 here for the fall, right? I want to hunt. They say,  
40 you can't hunt in the area, you're not a resident here  
41 no more. I said, yeah, but I was just a student over  
42 there for a while. And they said, no, you're not a  
43 resident You have to stay here for a year. I says,  
44 man, that's not good.

45

46 And so when we're talking about rural  
47 determination on Federal lands, regarding Federal  
48 regulations, it needs to not just be -- the area and  
49 the communities shouldn't only be considered. It  
50 should also be the individual. And the criteria for

1 the individual should be whether they're an ANCSA  
2 shareholder, whether it's class A, B or C, whether they  
3 have a tribal membership card, or they were born and  
4 raised in the area. And that way they could forever be  
5 considered a rural resident of that region, and they'd  
6 be able to go and come as they please, and be able to  
7 partake as they please. Because as it is now, our  
8 people, they do move. They do go and they do come  
9 back. It's natural now. The economy fluctuates, and  
10 so people are always going to move, especially our  
11 younger people right now. And if, you know, things  
12 stand the way they are, a lot of our younger people are  
13 not considered residents, even though they moved to the  
14 valley now.

15

16 So that's why I disagree with that. It  
17 shouldn't just be areas or communities. It should be  
18 on the individual basis for Federal regulations,  
19 because your Federal regulations are individual anyway.  
20 Yeah?

21

22 MR. BROOKS: Yeah. So you agree that  
23 the process for making rural determinations are  
24 determining eligibility to be -- to have the Federal  
25 subsistence program should be changed, but you don't  
26 agree with just what the language of the proposed rule  
27 is now, because it doesn't include these folks that  
28 live in cities?

29

30 MR. KRAMER: Yeah. I would say the  
31 Board determines which areas or communities or  
32 individuals in Alaska, you have to add individuals in  
33 Alaska, are nonrural. And so you can say -- and so  
34 when you say individuals in there, and then now you  
35 have your criteria listed at that .23, the criteria for  
36 that, especially for an individual, are they an ANCSA  
37 shareholder; are they a tribal member; or were they  
38 born and raised in one of those rural communities, in  
39 those rural areas. And those would be the three  
40 criteria.

41

42 That's all.

43

44 MR. BROOKS: Thank you.

45

46 MR. MCKEE: Anybody else. This is kind  
47 of an opportunity for more freeform discussion than we  
48 had originally planned.

49

50 (No comments)

1 MR. MCKEE: Has anybody -- I don't  
2 think we've had anybody else come on the phone.

3  
4 (No comments)

5  
6 MR. MCKEE: Well, like I said, even if  
7 we don't have anybody comment here tonight at this  
8 meeting, the Regional Advisory Council will taking up  
9 this rural determination tomorrow again at their  
10 meeting. And there's always an opportunity for folks  
11 from the public to come in and testify during that  
12 time. So this is not the only opportunity here in  
13 Kotzebue for that. There will be another opportunity  
14 tomorrow.

15  
16 And even after today, it's still not  
17 the end of it. There's still opportunity to submit  
18 written comments, because the deadline's not until the  
19 first of April, so there's still time, and how to do  
20 that, we have all the necessary materials for how to do  
21 that up at the table, so this is certainly not the end  
22 of it. It's more the beginning, but there are more  
23 opportunities.

24  
25 So nobody else wants to come up and  
26 comment?

27  
28 (No comments)

29  
30 MR. KRAMER: Well, maybe I better come  
31 up there to speak.

32  
33 (Laughter)

34  
35 MR. MCKEE: Sure.

36  
37 MR. BROOKS: Now does that mean he has  
38 to fill out two yellow cards or just one?

39  
40 (Laughter)

41  
42 MR. MCKEE: I didn't get that, but  
43 that's okay.

44  
45 MR. KRAMER: Okay. This is Lance  
46 Kramer again. Kotzebue.

47  
48 I think, too, that it should be  
49 important for those individuals that have a rural  
50 status, I know we're thinking regional, but I think it

1 would be nice to be able to hunt and fish and trap in  
2 all rural areas, not just in this region, you know what  
3 I'm saying? So if I'm a Federally-qualified rural  
4 resident, I should be able to hunt geese in Minto, you  
5 know what I'm saying, not just my region. And it goes  
6 the same for us. We wouldn't mind them coming to our  
7 area and hunting either as long as they're rural. And  
8 so I think it should go across the board, not just  
9 regional. Again, one of the criteria is an ANCSA  
10 shareholder, so if you're an ANCSA shareholder, you can  
11 hunt on different ANCSA lands. We have that currently  
12 at NANA right now. It's one of our policies is that  
13 any ANCSA member can hunt on NANA lands. Any ANCSA  
14 member can have a cabin or good firewood on our lands,  
15 because we exchange those things freely even as we go  
16 to their country.

17  
18 So I would make it not necessarily  
19 regional, but all across the board in any region -- or  
20 in any rural area.

21  
22 MR. BROOKS: Yeah. Thank you once  
23 again, Lance.

24  
25 One of the other areas of the Federal  
26 Subsistence Management Program that is being reviewed  
27 at the Secretary's request is the customary and  
28 traditional use process. And although no formal  
29 proposal has been submitted yet, one of the Regional  
30 Advisory Councils has been playing around with some  
31 language and ideas about how to change that. And one  
32 of their suggestions would be to make the customary and  
33 traditional use determinations broader for some areas.  
34 For some species for example, instead of just saying  
35 that you have the subsistence priority for the game  
36 management unit that you live in, or an area  
37 traditionally used by your community, near your  
38 community, it could be something like all rural  
39 residents of the State can trap mink across the State,  
40 for example. Something like that.

41  
42 People are thinking about that, and it  
43 may not be a bad idea to get in contact with those  
44 folks or learn about that process. We talked about  
45 that today in the RAC meeting. But that's an ongoing  
46 process. So if that proposal comes in, it will come  
47 before the Northwest Arctic Regional Advisory Council  
48 here or in another area in the -- another community in  
49 this region, and you'll be able to participate in that,  
50 and the Regional Advisory Council up here will be able

1 to make a recommendation on such a thing.

2

3 MR. KRAMER: And so the last comment I  
4 think is that they should be considered -- once they're  
5 considered rural, they should be, you know, I guess in  
6 perpetuity or whatever is the word, yeah? That way we  
7 don't have to reenlist every time or something. Yeah.

8

9 MR. MCKEE: Well, in the interest of  
10 giving every opportunities, anybody else. It looks  
11 like Hannah wants to.

12

13 MS. LOON: My name is Hannah Loon, and  
14 I represent Selawik, and I'm also an elder  
15 representative for Selawik elders. I was raised in  
16 Selawik in my early years.

17

18 And I believe -- I don't agree with  
19 this wording, because what separates rural and urban is  
20 the -- we, as Inupiaq people, have known our mountains  
21 and lakes, sloughs, and little creeks that we use,  
22 little bends, eddies, fast currents, ancestral hunting  
23 places and fishing places, the right time, the lay of  
24 the land, because we have backgrounds already from our  
25 forefathers like these sacred sites, and we know them  
26 and they're passed on to us. Like Lance say, should  
27 indicate in that some wording somewhere that you have  
28 lived there before and you can prove that you are ANCSA  
29 and you are a -- were a harvester before, and it should  
30 not limit -- have limitations on those that live in the  
31 urban to come to their -- return back to their home to  
32 harvest with their families, because when you use this  
33 language, urban and rural, our economics is different,  
34 too, from the urban, how we live, and how we provide  
35 for our kids because we live in the natural world to  
36 get our food from our backyard.

37

38 So to show that this wording right here  
39 is too broad. and it would be more useful to use your  
40 ancestral background as a back up to prove that you  
41 lived there before and you can have grandfather rights,  
42 and grandchildren rights to -- and you have  
43 grandchildren rights to hunt in those places, because  
44 hunting is community thing. And we use it for  
45 ceremonial like funerals, and potlucks, and church, and  
46 what not. So that's what separates rural and urban.  
47 And how we treat our deceased in the community.  
48 There's very rarely any money exchanged because  
49 everything is done from the hearts of the village  
50 people to make sure family is taken care of. So that's



1 what separate us from the cities. Pavement, endless  
2 pavement into this just land, walking on land.

3

4 Thank you

5

6 MR. BROOKS: Thank you, Hannah.

7

8 MR. MITCHELL: My name is Enoch  
9 Mitchell again.

10

11 On this new reg, you know, the old reg  
12 got a lot of words, and there are more definitions  
13 like, but the new reg got none definitions in there  
14 like. I want to see that there be a definition in  
15 there for rural, and definition in there for  
16 determination, a definition in there for communities,  
17 and a definition for non-rural.

18

19 Now, I don't know where this non-rural  
20 come from, but mostly the people in Noatak are Natives.  
21 And I don't know where that word got lost, Natives and  
22 non-Natives.

23

24 And I agree with Hannah, and I agree  
25 with Lance. You know, the rurals can't go hunt because  
26 they're in schooling like Lance has just said, in  
27 another city. And they are rural. They can't go hunt  
28 with their schooling there, but they are rural. But  
29 because they're schooling there, they're blocked out,  
30 so that's got to be fixed.

31

32 You know, workers in the village that  
33 work there for a year or so, really get to know their  
34 village and people, and stuff like that, and they bring  
35 in their own boats and hauling (ph) it and stuff like  
36 that, and they're not rural. They still have to go get  
37 their -- but they go hunt hunting like Natives. No,  
38 they are not. But they're not really, no.

39

40 So that definition need to be adjusted.  
41 And the communities itself, it's too broad like what  
42 she said. It's way too broad. I mean, they've got to  
43 have definitions in there for everything in there for  
44 all of us. So, you know, like the communities. We all  
45 know the names of communities in all the villages.  
46 They never changed on it yet. And Anchorage, I'd take  
47 it off the communities, and have communities have a bit  
48 of language for this important regulation.

49

50 And under ANILCA, the rurals, the

1 villages have priority over this subsistence. And to  
2 me it's kind of --  
3 that priority is kind of being exercised too much to  
4 other people. We've got to stick with that, it means  
5 to the villages of people. Protect the hunters in the  
6 villages, the people in the villages. That's one that  
7 -- ANILCA was developed for that, to protect us, to  
8 continue harvesting without any adverse impact on the  
9 villages, of any village or any hunter for that fact,  
10 you know. When you're hunting, when you them out  
11 there, he don't have his, own family, hunting for his  
12 own family sometimes, or for is own self. We hunt for  
13 community, the people, many families.

14  
15 This last year we had seven families,  
16 seven families in one long boat. They all pooled their  
17 money together to go the distance where the caribou  
18 was. Because non-rural, they dominate that area of our  
19 land. Our land, our people, our animals. there were  
20 successful hunts this year. Noatak was not successful.  
21 This rural interior region process have to affect them,  
22 too, but not only the people, the villages, you know.  
23 This should apply to them, too. They should not do  
24 those things, too, you know. They should let us start  
25 harvesting. We lose a part of our cultural identity by  
26 that, and it's not good, not good at all. And I say  
27 that these regulations should apply to those non-rural,  
28 more to them. Because we live here for decades,  
29 hundreds of years, thousands of years. The caribou in  
30 Noatak is the core, therefore, when we have no caribou  
31 our existence is nil, you know. This should be  
32 applying -- it should be full, you know, it's almost  
33 empty.  
34 Look at it, and put it in myself. It should be full  
35 like that.

36  
37 Thank you.

38  
39 MR. BROOKS: Thank you, Enoch. Your  
40 comments have been echoed before by the public, that we  
41 should rethink the criteria that we use. And I think  
42 what your comments reflects is that you would like to  
43 recommend that there be some more information here,  
44 carefully thought out, and based on public input. We  
45 hear you.

46  
47 MR. MCKEE: Hannah, do you want to  
48 speak again.

49  
50 MS. LOON: How we identify ourselves in

1 the -- or how our parents identify themselves, my  
2 father is (In Inupiaq) or (In Inupiaq). That means he  
3 is from the river fork on Selawik River. That's where  
4 he's from. And (In Inupiaq), that's a spring camp. So  
5 we're from (In Inupiaq), my forefathers are from (In  
6 Inupiaq).

7  
8                   And then Selawik is (In Inupiaq). It  
9 means a river fork, too. So we identify ourselves. We  
10 call ourselves (In Inupiaq). Meet (ph) is where you're  
11 from, and going back to our ancestors. So all of us  
12 from northwest region have ancestral where their  
13 grandmas, grandfathers come from. Like, for instance,  
14 Tigerbirch separated them into nations in the 1800s in  
15 his studies. Like, for instance, in Noatak they're  
16 called napatomeat (Inupiaq) and Noatakmeet (Inupiaq),  
17 you know, even though they're from one village, because  
18 that one village got settled because of teachers coming  
19 in and early missionaries coming in, so we lost our --  
20 so we're now simple Selawikmee or from Selawik or  
21 Noatak, when in fact our ancestral way back have their  
22 winter camps and summer camps and winter trails that  
23 ancestral -- where they came from.

24  
25                   And people move around. Like, for  
26 instance, from trading and bartering, they will  
27 intermarriage with other regions. Like, for instance,  
28 Selawik, Kiana, Noorvik, Buckland, where they would  
29 intermarry and let us identify where we come from.

30  
31                   I just wanted to add that.

32  
33                   MR. BROOKS: Thank you, Hannah.

34  
35                   MR. MCKEE: Anybody else.

36  
37                   MR. SHIEDT: Good evening. Attamuk  
38 Enoch Shiedt.

39  
40                   Your determination between non-rural  
41 and rural is to us -- because Eskimos -- let's put it  
42 this way, Eskimos know no milage. When they want to  
43 harvest, you're looking at the guy, I even go up to  
44 Wales from here to harvest sea mammals and migratory  
45 bird when we never get some this way.

46  
47                   The way I understand it, that if takes  
48 effect, this rural, I can't go over to Estenberg side  
49 to harvest sea mammals. I harvested all the way from  
50 Wales. I was 17 miles from Wainwright harvesting.

1 When people wanted to eat beluga, I said, I'll go and  
2 I'll go get beluga from Wainwright and Point Lay. And  
3 I did. And yet I was welcomed by the community. Why?  
4 When I went to Point Lay and near Wainwright, I was  
5 welcomed by both communities, because ancestry. That's  
6 where a lot of them are from, are from is from Noatak.  
7 And they welcome me. They didn't say I'm from Noatak,  
8 they welcomed me because they know I have to feed the  
9 family.

10

11 And we hunt and we harvest. I don't  
12 like to use the word hunt. We harvest, because we  
13 harvest for food on our table.

14

15 And if you say I use term non-rural or  
16 rural, Barrow's close to the number of getting there in  
17 numbers. And I can't go there, because I'm a non-  
18 rural. Yet I have relatives there. And they also come  
19 this way for fish.

20

21 And if -- well, I lost my  
22 concentration. Just a minute. Let me take a minute.

23

24 And the other one is, from the rural  
25 area, if they're connected, they use the road system.  
26 What happens if they build the road to Ambler or what  
27 happens if they build it to Red Dog. And that will  
28 determine are we going to change status, say from non-  
29 rural to rural because we, Upper Kobuk is connected to  
30 the road system, and it was never there. Because I  
31 hunt toward Kobuk. I hunted with Kiana. I went all  
32 the way to Ambler with boat from here. A lot of us do  
33 that. I'm not the only one. And we do that, and if  
34 you guys change it, and we could say -- and you could  
35 do it, what we do as Natives, we harvest freely to an  
36 area whatever that resources are there. That's why we  
37 believe in protecting our resources in northwest  
38 Alaska.

39

40 When I was a kid, about 9, 10 years  
41 old, when they used to go with dog team. All of a  
42 sudden there was dog team coming, and here they were  
43 coming from Shishmaref, and they were hunting caribou  
44 above Noatak. We didn't say, you're not welcome  
45 because you're from Shishmaref. We welcomed them,  
46 because they have family to feed. That's being Native  
47 and culturally that's the way we are. We harvest no  
48 matter where we from.

49

50 And what you're -- the way I see it, if

1 we become rural, you're trying to stop us from  
2 harvesting in different areas. No. We Natives, when  
3 we want to do it, we go ahead and take it, because it's  
4 in our culture and it's our system, because we harvest  
5 and we crave for it.

6  
7                   There's a big difference. If somebody  
8 give me, sure, it's thanks, and I taste. But if I do  
9 it, and I go there, and I do my own harvesting, it's a  
10 completely different thing, because I did it and it  
11 wasn't handed to me. Some of us like to do it. And we  
12 eat it in the end. And we share with it.

13  
14                   Because I got a call from Barrow.  
15 Attamuk, are you going up there, going whale. You're  
16 welcome to go hunt whale with us. We've got no problem  
17 with it. You'll get a share if you find a crew to go  
18 out with. And I was offered when I went up there by  
19 six different captains being they're all from Noatak  
20 from their background. They have relatives all the way  
21 from the background.

22  
23                   See, that's what we're trying to say,  
24 is you're trying to determine us we can't do certain  
25 things the way we harvest. Yet it's in our culture to  
26 harvest whenever we crave for it. I will crave when  
27 the geese coming in, I will crave for it. But yet from  
28 Noatak, where I grow up, I will hunt in Kivalina  
29 grounds, and Kivalina say, you don't -- they don't even  
30 say you're not welcome. They see us there. Or they --  
31 it depends on the route they take, the migratory bird,  
32 or caribou. We interchange, and we have no problem  
33 with it. As long as the resources are there and the  
34 villages are not complaining, we should be able to  
35 harvest our resources as we need to, not determining,  
36 say, you guys when you use the word non-rural to non-  
37 rural to harvest resources. No, we should be able to  
38 if the community, the village IRA have no problem, we  
39 should have no problem coming in as Natives.

40  
41                   And I'll say again, I hunt all the way  
42 to Wales, all the way to Wainwright from here And I  
43 flew to Barrow. And Barrow has told me originally,  
44 Enoch, I think you should make it. That way we can say  
45 somebody harvest all the way to all the way from  
46 Kotzebue to Barrow. They're asking me to go to  
47 Barrow. They say, will you, and I help you barge your  
48 boat back if it get too windy for your little boat  
49 falltime with the barge, send it back. Yeah, they'll  
50 even help pay for it. I said, no, I don't want to do

1 that. If I go, I know I could make it. See, that's  
2 the welcome I'm getting from Barrow, being here.

3  
4                   And when Buckland had no beluga, they  
5 go hunt this way. We never stopped them. We go hunt  
6 toward Buckland. We go hunt beluga. It's the same  
7 thing. Shishmaref hunt to our grounds, and we hunt to  
8 their grounds and the water, you know, we should really  
9 -- and from the land.

10  
11                   And if we start saying you can't do  
12 this, how would you like it if I say you can't go to  
13 store, to Costco at this area, or you could go only  
14 shop only this Costco here. Right in the same town.  
15 It's basically that's what you're telling us to do, you  
16 can't harvest in this town, in this town, but you could  
17 harvest in this store. No, you could harvest in any,  
18 anywhere, because it's freedom of being an American and  
19 being a Native.

20  
21                   Thank you.

22  
23                   MR. BROOKS: Thank you, Enoch.

24  
25                   MR. MCKEE: Do we have anybody else  
26 that would like to come up and make a comment.

27  
28                   (No comments)

29  
30                   MR. MCKEE: I don't think I've heard  
31 anybody come on the phone, but is there anybody on the  
32 phone.

33  
34                   MR. SHARP: I'm still here.

35  
36                   (Laughter)

37  
38                   MR. MCKEE: Okay, Dan. Thanks.

39  
40                   MR. MITCHELL: Am I bothering you guys  
41 too much?

42  
43                   MR. MCKEE: Absolutely not. Go ahead.

44  
45                   MR. MITCHELL: All right. You know,  
46 listening Enoch, Attamuk, about villages hunting in  
47 other villages. That's happening in Noatak. Falltime  
48 we have boats going to Kiana to hunt caribou, because  
49 we didn't get caribou. Wintertime we have snow-goes  
50 driving to Buckland to go hunt caribou, because they

1 have fat caribou up there when we know. These things  
2 happen, and now if a Native go to another village to go  
3 hunt. I think that might affecting the people.

4  
5 So it's good to define rural. That  
6 will make a lot of difference, too, rather than to the  
7 village.

8  
9 I know we have people who come from  
10 Point Hope, go boating and go hunt. They wanted  
11 caribou. We have people come from Kotzebue, and people  
12 come from kivalina this fall. We never say no, we help  
13 them. They want to harvest their food, too.

14  
15 These caribou we depend on very much  
16 and we like it. And other people like it, too. No, we  
17 don't turn them away, we help them.

18  
19 Thank you.

20  
21 MR. BROOKS: Thank you, Enoch.

22  
23 MR. MCKEE: Anybody else.

24  
25 (No comments)

26  
27 MR. MCKEE: Well, I think we had a  
28 pretty good discussion tonight. No, no, beat me to it.

29  
30 MR. SHIEDT: Attamuk again. I think  
31 what we need to do now is take a quick short break, and  
32 I think us Natives meet together, because we might have  
33 ideas, and we might come up with something. Because I  
34 think this process is going to be important in the  
35 future. And we need to do it on the right track, and  
36 individually as we come in on our own. We're not  
37 trying to say everything what we saying. I think what  
38 we need to do is the people that are -- the Natives  
39 that are here, I think they need to get together and,  
40 you know, just talk. Not in private, you know, not a  
41 caucus type, but take a short break and say what you  
42 guys thinking.

43  
44 MR. MCKEE: Well, we have this facility  
45 until nine, and even beyond that, tomorrow during the  
46 RAC meeting, and then up until the April 1st deadline  
47 comments can be submitted. So I want to make sure that  
48 everybody knows it, you know, tonight is not the end.  
49 So there's still time.

50

1 MR. SHIEDT: Okay. Then let me ask  
2 you this. Are we going to use numbers in the future to  
3 determine the non-rural to rural numbers in population  
4 levels as Nome or Barrow being close to level. Because  
5 the way I hear it in different meetings, that they were  
6 going to say 10,000 or 5,000 population level in the  
7 future to say you're rural or non-rural. And if  
8 they're getting close to it, because any other city's  
9 increasing in numbers.

10  
11 We all move, a lot of young ones move,  
12 because they're working in Red Dog or they want to move  
13 to Anchorage to find work, yet they want to be  
14 considered Natives, be able to harvest in their  
15 hometown or in their next villages, between Selawik and  
16 Noorvik with different drainages.

17  
18 We don't know the difference between --  
19 I am from Noatak, I can't hunt toward Kiana. Because  
20 the migration of the resources, mainly caribou from  
21 Barrow to Unalakleet area. We do it, because we  
22 harvest the same animals, whether in the sea, land, or  
23 birds. Because -- you use birds for an example. If I  
24 can't hunt in a village, and I'm hunting birds, I'm  
25 hunting birds that come from Oregon. I'm hunting birds  
26 that come from California. Or vice versa. The ones  
27 that -- Oregon or California are hunting my birds from  
28 Alaska. You understand what I'm saying?

29  
30 MR. MCKEE: Uh-huh.

31  
32 MR. SHIEDT: That's so broad, our  
33 harvesting. If you just look at it -- because  
34 migratory bird is one of them. Sheep, and always the  
35 same thing.

36  
37 Here in Kotzebue with satellite, and  
38 seals, that in a few days from here they go toward  
39 Dillingham. And what they're telling us, we're  
40 harvesting the same resources. And they go all the way  
41 near Point Lay. The seals. See what we're saying?

42  
43 Yet we're trying to get -- out numbers  
44 are okay, because as Natives, we never over-harvest,  
45 and we try not to over-harvest. With the exception  
46 that we don't know why Caribou is declining. Because  
47 of we don't know why caribou is declining, because of  
48 us or because of Mother Nature taking his course, and  
49 there's not enough food. Because Mother Nature knows  
50 its ways, how to take care of its resources. That's



1 why some females of some sort will have -- if they have  
2 pups of any kind, any kind, squirrels, muskrat, if  
3 there is enough food when they have babies, they will  
4 have a lot. But if there's hardly any, Mother Nature  
5 indeed will take care and they will have less pups.  
6 Think about it. It do happen. And I've seen that it  
7 happen. And I was even told by my people from Noatak,  
8 old ladies would tell me, harvest fish from this creek.  
9 Keep harvesting it, and they will increase as it go,  
10 because Mother Nature is trying to cover for itself at  
11 it own way, probably know it better than we do. Tell  
12 me how, I don't know. Because in our areas, when we  
13 harvest fish, some old lady, old man, went, oh, fish is  
14 fish. Yet when they smell it, they know it come from  
15 this drainage automatically must by smelling it,  
16 without even tasting it. I've see that happen. In  
17 Noatak when I was harvesting, when I harvest in certain  
18 creek, old, oh, you get them from this creek, before  
19 they even taste it, they know where it was coming from.  
20 That's how close they are with our culture and our  
21 resources. They will know where it come. Tell me  
22 how. The difference is -- yes, there's a difference in  
23 taste. Because we live on it, we eat it so much, we  
24 could tell the difference between different fish, where  
25 it come from. There's a different fish from Kaniknak  
26 on the coast line. It's completely different than the  
27 one from Selawik, Upper Kobuk. Completely different.  
28 The fat is a little bit different. You could tell it.  
29 They might be the same fish, they might be the same  
30 broadfish, or the other whitefish. That's why, we'll  
31 use trout for an example. Always from Kivalina. If  
32 there's another trout, the same, very same, it's from  
33 Noatak. And it's completely different taste, because  
34 it's from Kivalina, and yet it's from Kukpuk at Point  
35 Hope.

36

37                                    Yet when we get from -- when I was  
38 working at Prudhoe, I could see the difference in trout  
39 up there, even the big whitefish, because they're so  
40 big is because their feed is so plentiful. And yet  
41 there's a difference between. When we were at  
42 Deadhorse, when we get trout, we could tell the  
43 difference There's a difference in taste, very same  
44 fish. And there's a difference for each area. I'll  
45 tell you that right now. There's a difference.

46

47                                    That's why we're lucky on caribou that  
48 when they go have their young up north, Eskimos always  
49 said, the beginning of life for the one year, they go  
50 have their young at their calving grounds. And it

1 depends how the weather is up there, that's the  
2 determination of how the caribou is going to be. I've  
3 heard that a lot, and I will gladly say it to my  
4 grandies, that's where the beginning of life for our  
5 caribou begins.

6

7                   That's why the beginning for migratory  
8 birds is from where they lay their eggs is the  
9 beginning of life, because they hatch, the migratory  
10 birds, they go south for the winter. Because that's  
11 the beginning of life where it begins wherever they  
12 have their young. That's the beginning of life.

13

14                   My life was beginning here in Alaska. I  
15 was born at Noorvik, but I was raised in Noatak. And  
16 now I moved to Kotzebue. I'm really, on my feeling  
17 inside, I'm from Noatak, and I'm proud of it and I  
18 always say that. Yet I got so many relatives in  
19 Selawik that everybody said, really you're from  
20 Selawik. Yes. Why? My mom is from Noorvik and  
21 Selawik. She was raised there. So where am I from?  
22 I'm from Northwest Alaska. I'm a Native, and that's  
23 who I am.

24

25                   So what I think we need to do is take a  
26 little break and probably we could talk together, us  
27 Natives, and probably come up with something, you know,  
28 if we talk like that, because they probably have an  
29 idea, but they probably don't want to say anything,  
30 because they don't their thing wrong way.

31

32                   But if we ever get connected to the  
33 road, the system's going to change. We're going to  
34 completely lose it. If we ever get connected on the  
35 Ambler Road, there's going to be squatters all over.  
36 I'll tell you that right now. There'll be squatters  
37 all over coming in. And we're going to lose our  
38 resource if there's a spill. If there's a spill above  
39 Kobuk and Ambler, it's going to hurt Kobuk, Shungnak,  
40 Ambler, Kiana, Noorvik, and Kotzebue are going to be  
41 hurt all over if there's a spill. They kill fish.  
42 Because nothing -- Mother Nature, any little --  
43 something's going to happen. That's why people are now  
44 fighting the Ambler Road; they don't want to get  
45 connected.

46

47                   Tank you.

48

49                   MR. BROOKS: Thank you, Enoch. Do you  
50 mind if I respond quickly.

1 MR. SHIEDT: Go right ahead.

2

3 (Laughter)

4

5 MR. BROOKS: Thank you. This won't  
6 take long. I just wanted to follow up on some of your  
7 points.

8

9 First, thank you for your comments and  
10 for sharing your knowledge and your traditions.

11

12 For a point of clarification on the  
13 proposed rule, this would not affect marine mammal  
14 hunting. And it should not affect your ability to hunt  
15 in other communities with family members, for example.

16

17 And your question about using the  
18 population thresholds, this proposed rule actually  
19 takes that out as one of the criteria. And it says  
20 that the Board would make determinations on who was  
21 non-rural. And it's possible that when they do that,  
22 they would consider population characteristics like  
23 density, maybe even numbers. But they wouldn't be  
24 considering population numbers to make -- to say that  
25 someone is rural. They're just going to be saying that  
26 people are non-rural.

27

28 And I do think it is a good idea to  
29 take a break. We have until 9:00 o'clock tonight. You  
30 can talk and come with more comments. We could also do  
31 that, as Chris suggested, we can continue that at the  
32 RAC meeting tomorrow, the Regional Advisory Committee  
33 meeting.

34

35 And one last thing to remember is that  
36 this proposed rule is part of a review of the Federal  
37 Subsistence Management Program that the Secretary of  
38 Interior and Agriculture have initiated. And their  
39 intent is to make sure that the program is meeting the  
40 needs of rural Alaskans. It's to see if whether or  
41 not we're going things that are meeting the needs of  
42 the people of Alaska who have the subsistence priority.  
43 I just wanted to share that with you.

44

45 Thank you.

46

47 MR. MCKEE: A good point, Jeff, and,  
48 yeah, like he said, we have the room until 9:00 o'clock  
49 and if it can help come up with a comment here at this  
50 process, and also if it can help kind of focus and give

1 people some clarity, if they want to come up and  
2 publicly testify tomorrow at the RAC meeting,  
3 absolutely. So if you want to take a break, we can  
4 certainly do that.

5  
6 MR. KRAMER: Just one more really  
7 quick?

8  
9 MR. MCKEE: Sure

10  
11 MR. KRAMER: Lance Kramer from  
12 Kotzebue.

13  
14 The question is, under the current  
15 regulation for determining which communities are rural,  
16 which ones are non-rural right now, it's like  
17 Fairbanks, Anchorage, Kenai, Juneau, or what are the  
18 communities that are considered non-rural right now.

19  
20 MR. MCKEE: Actually in the very front  
21 of the Federal regulations booklet there's a listing  
22 of all the non-rural communities. You listed quite a  
23 few of them.

24  
25 MR. BROOKS: Yeah, the ones you listed  
26 are correct.

27  
28 MR. KRAMER: Those are the non-rural?

29  
30 MR. BROOKS: Yes.

31  
32 MR. SHIEDT: Lance, could you read that  
33 for us.

34  
35 MR. KRAMER: Oh, yeah. It says Prudhoe  
36 Bay, Fairbanks North Star Borough, Wasilla/Palmer area,  
37 Kenai area, Homer area, Valdez, Anchorage, Seward area,  
38 Juneau area, Ketchikan area.

39  
40 I was just curious, too, so how do the  
41 Kenaitze Tribe feel about rural determination,  
42 considering that they're in a non-rural area.

43  
44 MR. BROOKS: Well, I'm not an expert on  
45 that, but I don't believe they're happy about it.

46  
47 MR. MCKEE: No, I think that would be  
48 an accurate assessment.

49  
50 (Laughter)

1 MR. KRAMER: And so whatever -- maybe  
2 whatever we decide, you know, we have to really  
3 consider our brothers and sisters in those areas, you  
4 know. So we just have to keep that in mind that it's  
5 not just the community or the area, but it's the  
6 individuals as well. And, wow, they can't do any rural  
7 hunting in those areas. That's pretty big.

8  
9 So thank you.

10  
11 MR. MCKEE: Thank you, Lance.

12  
13 And so do we want to go ahead and take  
14 a break.

15  
16 MR. SHIEDT: I want the break.

17  
18 PUBLIC: I want to take a break.

19  
20 (Laughter)

21  
22 MR. SHIEDT: Just a minute. I want the  
23 break, but this just came up.

24  
25 PUBLIC: I need a cigarette.

26  
27 PUBLIC: He needs a cigarette break.

28  
29 (Laughter)

30  
31 MR. SHIEDT: This came up with the  
32 rural. I'll use Kodiak as an example. At one time  
33 they considered Kodiak residents rural, and we had to  
34 fight with them on certain things, because they're not  
35 in a road system, but due to the population, because of  
36 the Coast Guard and the military, they became rural.  
37 But under the Federal user process of saying, hey, if  
38 you could prove to us that you harvested certain  
39 resources in that area, yet you're connected to the  
40 road, you're not rural. I think you heard that before  
41 when Kodiak was involved, they were rural. We fought  
42 with them, to prove.....

43  
44 (Conference operator)

45  
46 MR. SHIEDT: Okay. Star-1, you're on.

47  
48 (Laughter)

49  
50 MR. SHIEDT: Okay. You understand what

1 I'm saying, that they will change it, the Federal will  
2 probably change it. That's the process we go, no  
3 matter which way we decide. And that's my question,  
4 because I was in part of that process when Kodiak was  
5 trying to change their determination from rural to non-  
6 rural, because the Natives proved that they were there  
7 first, and yet when the military came in there, their  
8 numbers increased, their status-quo changed.

9

10 Now let's go on break.

11

12 (Off record)

13

14 (On record)

15

16 MR. STONEY: I'm Raymond Stoney, I'm  
17 from Kiana.

18

19 Of course, you know, we've been hearing  
20 this rural and non-rural for quite some time now. And  
21 some of our areas has been forced, determined to be  
22 rural. So you don't have to answer my question, now,  
23 but I may ask that question by tomorrow. If any of our  
24 areas, just like Kotzebue or elsewhere, Upper Kobuk,  
25 turn to be rural, how did it operate. That is what we  
26 want to know. Because I know the question would take  
27 almost like 100 pages of it, so you don't have to  
28 answer the question now, but you'll probably give us  
29 some information tomorrow.

30

31 Thank you.

32

33 MR. MCKEE: Thank you, Raymond.

34

35 Okay. So 20 till. 8:40. Okay.

36 Great.

37

38 (Off record)

39

40 (On record)

41

42 MR. MCKEE: Well, do we have any  
43 comments after the break, or anything that you'd like  
44 to discuss now until nine, or do you think that you  
45 want to maybe have something more focused tomorrow  
46 during the rural discussion during the RAC meeting. Or  
47 both. All right.

48

49 MR. KRAMER: Hi. Lance Kramer again.  
50 We decided that we need some more time. The RAC wants

1 to come up with a consolidated comment, because it  
2 holds a lot of weight. And so we'd probably get that  
3 to you sometime tomorrow.

4

5 MR. BROOKS: Absolutely. Thank you.

6

7 MR. MCKEE: Okay. Well, this was a  
8 real good discussion. Out of the -- this is the third  
9 RAC meeting I've been to so far this session, and this  
10 is by far the best discussion we've had on it. So  
11 thank you very much everyone for participating in the  
12 process tonight.

13

14 The Federal Board is going to be  
15 looking forward to the comments on this issue from not  
16 only individuals, but the tribes, and ANCSA  
17 corporations. After all comments are received and  
18 evaluated, then the final rule on the rural  
19 determination process will be adopted by the  
20 Secretaries of Interior and Agriculture. The next step  
21 will be where the Federal Subsistence Board makes the  
22 rural determinations based on that final rule.

23

24 So thanks, everyone, for coming  
25 tonight, and don't forget that this is not the final  
26 process for submitting comments. So you can still  
27 submit written comments up until the 1st of April. So  
28 thanks, everyone, for coming out.

29

30 (Off record)

31

32

33 (END OF PROCEEDINGS)

