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Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Shellene Hutter, Program Coordinator 2
Department of Fish and Game

FROM: Kady Levale, Office of the Lieutenant Governor *KL*

DATE: May 16, 2025

RE: Filed Permanent Regulations: Department of Fish and Game

Department of Fish and Game - Educational fishing permit (5 AAC 93.212; 5 AAC 01.230)

Attorney General File:	2025200083
Regulation Filed:	5/16/2025
Effective Date:	6/15/2025
Print:	254, July 2025

cc with enclosures:

Beth Parsons, Paralegal 2
Department of Law

Bob Dame, Alaska Legal Analyst
LexisNexis



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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May 16, 2025

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: 5 AAC 93.212; 5 AAC 01.230: *Educational fishing permit*
Our file: 2025200083

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Fish and Game against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Fish and Game after the close of the public comment period.

The regulations concern educational permits issued by the commissioner of fish and game in the Yukon area for the harvest of salmon for customary and traditional practices, including for ceremonial purposes.

The department asked that the regulations be filed as soon as possible. Accordingly, we respectfully request that your office expedite the filing of these regulations.

The March 23, 2025 public notice, the April 13, 2025 supplemental public notice, and the May 16, 2025 adoption order all state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 is not required.

No technical corrections were necessary to conform the regulations in accordance with AS 44.62.060.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: **Rebecca C. Polizzotto**
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2025.05.16
13:52:20 -08'00'

RCP/SCW

CC w/enclosure: Shellene Hutter, Regulations Contact
Department of Fish and Game

Aaron C. Peterson, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

**ORDER ADOPTING CHANGES TO REGULATIONS
OF THE DEPARTMENT OF FISH AND GAME**

The attached 4 pages of regulations, regarding educational permits issued by the commissioner in the Yukon area for the harvest of salmon for customary and traditional practices, including for ceremonial purposes, are adopted and certified to be a correct copy of the regulation changes that the Department of Fish and Game adopts under the authority of AS 16.05.020 and AS 16.05.340 after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Fish and Game paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 5/16/2025

DocuSigned by:

Douglas Vincent-Lang

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Douglas Vincent-Lang, Commissioner
Department of Fish and Game

FILING CERTIFICATION

Nancy Dahlstrom
I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on May 16, 2025, at 3:54 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Nancy Dahlstrom
for Nancy Dahlstrom, Lieutenant Governor
State of Alaska

Effective: June 15, 2025

Register: 254, July 2025

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

Kady Levale, Notary Administrator

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

Title 5. Fish and Game.

Chapter 93. Department Programs.

5 AAC 93 is amended by adding a new section to read:

5 AAC 93.212. Yukon Management Area educational fishing permit for customary and traditional harvest of salmon. (a) Notwithstanding other provisions of this chapter, the commissioner may issue an educational permit for the harvest of salmon within the Yukon Management Area, as described in 5 AAC 01.200, for the purposes of teaching and preserving long-established customary and traditional practices, including for ceremonial purposes. The educational fishery must have both instructors and students and must have attendance requirements. The commissioner may establish permit requirements, specify the required information that must be collected under the permit, and define activities allowed for the fishery and the area where the permit is issued. A permit will only be issued when the harvest of specified salmon species cannot be reasonably accommodated under existing regulations.

(b) An educational permit for teaching and preserving traditional cultural practices may only be issued to a person, a household, or a village or tribal council, community, or similarly qualified organization. A permit may only be issued if

(1) species that are harvested under the permit are used as described in the permit application; and

(2) the department receives the applicant's permit application not later than 15 days before the date the applicant proposes to begin the educational fishery program.

(c) An educational permit for ceremonial, funerary, or memorial purposes related to traditional cultural practices may only be issued to a person, a household, or a village or tribal council, community, or similarly qualified organization. A permit may only be issued if

(1) species that are harvested under the permit are used as described in the permit request form by the applicant; and

(2) the department receives the applicant's completed permit form in advance of the intended activity.

(d) A permit application for teaching and preserving traditional cultural practices must specify

(1) the requestor's name and contact information;

(2) information related to the purpose for the application;

(3) each individual authorized to participate in the permitted activity specific to the harvest of salmon;

(4) the specific harvest location; and

(5) information requested by the department.

(e) A permit application submitted for ceremonial, funerary, or memorial purposes must specify

(1) the requestor's name and contact information;

(2) information related to the purpose for the application;

(3) each individual authorized to participate in the permitted activity specific to the harvest of salmon;

(4) the specific harvest location; and

(5) information requested by the department.

(f) The department shall establish permit requirements, applicable activities for which the harvest is permitted, reporting requirements, harvest limits by species, methods and means, allowable gear types, fishing dates, individuals authorized to conduct harvest activities, and other guidelines or requirements applicable to the approved permit.

(g) The total harvest limit by species for an approved permit under this section for teaching and preserving traditional cultural practices is as follows:

- (1) 10 king salmon;
- (2) 50 summer chum salmon;
- (3) 25 fall chum salmon;
- (4) 25 coho salmon.

(h) For approved permits combined under this section for teaching and preserving traditional cultural practices,

(1) the total annual harvest limit by species is as follows:

- (A) 300 king salmon;
- (B) 1,000 summer chum salmon;
- (C) 500 fall chum salmon;
- (D) 500 coho salmon; and

(2) when the total annual harvest limit has been reached, the department may not issue additional permits for the harvest of that species.

(i) The total harvest limit by species for a permit issued under this section for ceremonial, funerary, or memorial purposes is as follows:

- (1) five king salmon;
- (2) 10 summer chum salmon;

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(3) 10 fall chum salmon;

(4) 10 coho salmon.

(j) A permit holder may initiate fishing upon receipt of the permit within the terms of the permit.

(k) Only the permit holder and the authorized individuals listed on the permit may harvest salmon under the permit.

(l) A permit holder or an authorized individual shall personally maintain the permit at all times while fishing and shall make the permit available to the department or law enforcement personnel upon request.

(m) Once permitted activity is complete, a permit holder shall notify the department of the harvest taken and shall provide other information as specified in the permit. (Eff.

6 / 15 / 2025, Register 254)

Authority: AS 16.05.020 AS 16.05.340