

**NOTICE OF PROPOSED CHANGES OF YUKON AREA EDUCATIONAL PERMITS
FOR CUSTOMARY AND TRADITIONAL HARVEST OF SALMON IN THE
REGULATIONS OF THE ALASKA DEPARTMENT OF FISH & GAME**

BRIEF DESCRIPTION

The Alaska Department of Fish and Game is proposing to adopt regulation changes in Title 5 of the Alaska Administrative Code 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.

The commissioner of the Department of Fish and Game, proposes to adopt regulation changes in Title 5 of the Alaska Administrative Code (AAC) to allow Alaska residents and qualified organizations to harvest salmon in the Yukon area under an educational permit specifically for the purposes of teaching and preservation of long-established customary and traditional practices, including for ceremonial purposes, when the harvest of salmon cannot be reasonably accommodated under existing regulations, specifically:

5 AAC Chapter 93 is proposed to be changed by adding a new section **5 AAC 93.212**, to establish an educational fishing permit for the harvest of salmon within the Yukon Management Area by Alaska residents for the purposes of teaching and preserving long-established customary and traditional practices, including for ceremonial purposes.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Shellene L. Hutter, Regulations Program Coordinator, Department of Fish and Game, P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Department of Fish and Game will accept comments by facsimile at (907) 465-2604 and by electronic mail at dfg.fish.regulations@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=218931>

The comments must be received no later than 6:00 p.m. on Wednesday, April 23, 2025

You may submit written questions relevant to the proposed action to Shellene L. Hutter, Regulations Program Coordinator, Department of Fish and Game, P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Department of Fish and Game will accept questions by facsimile at (907) 465-2604 and by electronic mail at dfg.fish.regulations@alaska.gov

The questions must be received at least 10 days before the end of the public comment period. The Department of Fish and Game will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Shellene L. Hutter at (907) 465-6124 no later than April 3, 2025 to ensure that any necessary accommodations can be provided.

A copy of this notice of proposed regulation changes and the regulations proposed to be changed are available on the Alaska Online Public Notice System. For a copy of the proposed regulation changes contact Shellene L. Hutter, Regulations Program Coordinator at the mailing address, telephone number, or email address above or online on the department's website at:
<https://adfg.alaska.gov/index.cfm?adfg=fishregulations.main>

After the public comment period ends, the commissioner of the Department of Fish and Game will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected. Public nature of comments and questions:** Public comments and questions, once submitted, are public records and subject to disclosure under the Alaska Public Records Act. *See* AS 40.25.100 - 40.25.295. Do NOT include in your comments or questions any information that you do not want made public.

Statutory Authority: AS 16.05.020; AS 16.05.340

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05.020; AS 16.05.340

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

The Department of Fish and Game keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the department's notices of proposed regulation changes. To be added to or removed from the list, send a request to the Department of Fish and Game Boards Support Section at P O Box 115526 Juneau, AK 99811, by phone at (907) 465-4110, or via our website at:
<http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>
giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

DATE: March 23, 2025



Shellene L. Hutter
Regulations Program Coordinator
Department of Fish and Game

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Alaska Department of Fish & Game
2. General subject of regulation: The issuance of educational permits by the commissioner in the Yukon area under Title 5 of the Alaska Administrative Code for teaching customary and traditional practices, including for ceremonial purposes, related to the harvest of salmon.

3. Citation of regulations: 5 AAC 96.212
4. Department of Law file number: 2025200083
5. Reason for the proposed action: Development of program standards
6. Appropriation/Allocation: Fish and Game Funds OMB Component Number: 2169
7. Estimated annual cost to comply with the proposed action to:

A private person: \$0
 Another state agency: \$0
 A municipality: \$0

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 2025	Subsequent Years
Operating Cost	\$0	\$0
Capital Cost	\$0	\$0
1002 Federal receipts	\$0	\$0
1003 General fund match	\$0	\$0
1004 General fund	\$0	\$0
1005 General fund/ program	\$0	\$0
Other (identify)	\$0	\$0

9. The name of the contact person for the regulations:

Name: Shellene L. Hutter
 Title: Regulations Program Coordinator
 Address: P.O. Box 115526
 Juneau, AK 99811-5526
 Telephone: (907) 465-6124
 E-mail address: dfg.fish.regulations@alaska.gov

10. The origin of the proposed action: X Staff of state agency

11. Date: March 23, 2025

Prepared by: 

Name: Shellene L. Hutter
 Title: Regulations Program Coordinator
 Telephone: (907) 465-6124

PROPOSED REGULATIONS

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

PROPOSED REGULATIONS

(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.

PROPOSED REGULATIONS

(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;
- (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.

PROPOSED REGULATIONS

(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.

____/____/_____, Register _____)

Authority: AS 16.05.020 AS 16.05.340