



LAWS OF ALASKA

1966

Source:

Chapter No.:

SCSHB 255 (State Affairs)

89

AN ACT

Relating to the protection of anadromous fish; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 16.05.870(a) is amended to read:

(a) The commissioner shall, in accordance with the Administrative Procedure Act (AS 44.62) specify the various rivers, lakes, and streams or parts of them that are important for the spawning or migration of anadromous fish. Before December 31, 1968, the specification may be made by designating areas within which all rivers, lakes, and streams are considered important for the spawning or migration of anadromous fish; provided, that the areas lie within 50 miles of the coastline extending from Dixon Entrance through False Pass to Cape Menshikof, including all islands east of False Pass. A person giving notice under (b) of this section before December 31, 1968, may, if the activity is to take place within such a designated area, request the commissioner to specify individually by name or number, the particular rivers, lakes, and streams

or parts of them within the area of operations described in the notice which are important for the spawning and migration of anadromous fish. Upon receipt of the request the commissioner shall promptly make the designation.

* Sec. 2. AS 16.05.880 is amended to read:

Sec. 16.05.880. VIOLATION OF SECS. 870 - 895 OF THIS CHAPTER. If a person or governmental agency begins construction on a work or project or use for which notice is required by sec. 870 of this chapter without first providing plans and specifications subject to the approval of the commissioner for the proper protection of fish and game, and without first having obtained written approval of the commissioner as to the adequacy of the plans and specifications submitted for the protection of fish and game, he is guilty of a misdemeanor. If a person or governmental agency is convicted of violating secs. 870 - 895 of this chapter or continues a use, work or project without fully complying with secs. 870 - 895 of this chapter, the use, work, or project is a public nuisance and is subject to abatement. The cost of restoring a specified river, lake, or stream to its original condition shall be borne by the violator and shall be in addition to the penalty imposed by the court.

* Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.