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SENATE RESOURCES COMMITTEE
LEGISLATION CHECKLIST

IDENTIFICATION:

BILL NUMBER: *CS HB 256 (Res)*

BILL NAME: *Permits for development of resources affecting
salmon spawning streams*

SPONSOR(S): *H. Res (Flood)*

RELATED BILLS PENDING:

DATE INTRODUCED: *1-26-84*

REFERRALS: *Resources*

INITIAL RESEARCH:

BILL SUMMARY COMPLETED: *draft*

SUMMARY BY LEGAL DIVISION:

SPONSOR CONTACTED FOR
BACKUP MATERIALS:

DEPT. OF LAW SUMMARY:

FISCAL NOTE:

AGENCY RESPONSE:

OTHER INTERESTED SENATORS OR
REPS. NOTIFIED:

BACKGROUND RESEARCH:

SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES:

RESPONSES FROM INTERESTED PERSONS/GROUPS:

OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, LAWS:

HEARING PREPARATION:

CHAIRMAN BRIEFED:

DATE AND PLACE SET:

STAFF MEMO TO COMMITTEE:

TELECONFERENCE:

BACKGROUND MATERIAL DISTRIBUTED:

PSA/PRESS RELEASE:

LIST OF WITNESSES:

SUGGESTED AMENDMENTS/COMMITTEE
SUBSTITUTES DRAFTED:

*Joe Geldhof, AG
Randy Bayliss, DEC*

Rep Flood

Bruce Baker ADT-5

Offered: 4/19/83
Referred: Rules

Original sponsors: Flood, Uehling
and Grussendorf

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 256 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to permits for the development of
natural resources affecting salmon spawning streams
and waters."

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

10 * Section 1. AS 16.10.010(3) is amended to read:

11 (3) render the waters inaccessible or uninhabitable for
12 salmon for that purpose without first applying for and obtaining a
13 permit or license from the Department of ^{AS 16.05.870} Fish and Game [ENVIRONMENTAL
14 CONSERVATION]. The application shall set out the name and style of
15 the person or concern, describe the waters and location and state in
16 particular the plans, purpose and intention for which the application
17 is made.

18 * Sec. 2. AS 16.10.020 is amended to read:

19 Sec. 16.10.020. GROUNDS FOR PERMIT OR LICENSE If, in the
20 judgment of the Department of Fish and Game [HEALTH AND SOCIAL SERVI-
21 CES], the purpose of the applicant for the permit or license is to
22 develop power, obtain water for civic, domestic, irrigation, manufac-
23 turing, mining or other purposes tending to develop the natural re-
24 sources of the state, the department may grant the permit or license
25 and may require the applicant to construct and maintain adequate fish
26 ladders, fishways or other means by which fish may pass over, around
27 or through the dam, obstruction or diversion in the pursuit of the
28 propagation or spawning process.

*Call Bayless 2653
back-up H. Res*

OK

when Dept. created

used to be H₂SS

DEC never implemented

Title 16 authorities

Scope much wider -
could be tributaries, intertidal areas
not just anadromous streams.

Scope of activities may also be wider.

permit authority F&G has now is
anadromous streams only

where does authority stop?

where fish stop? how do you know?

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

465-2600

APR 4 1983
BILL SHEFFIELD, GOVERNOR

POUCH 0 - JUNEAU 99811
April 4, 1983

The Honorable Richard Shultz
House of Representatives
Co-Chairman House Resources
Pouch V
Juneau, Alaska 99811

Dear Mr. Shultz:

Please accept this letter as a reiteration of DEC's position on HB 256 (attached). This department objects to proposed legislation to amend AS 16.10.020 to read DEC instead of DHSS. The permitting responsibility contained in .020 more appropriately belongs to the Department of Fish and Game and could easily blend into their current Title 16 permitting activities.

Accordingly this department supports amending AS 16.10.010 to read Department of Fish and Game instead of DEC and amending AS 16.10.020 to read Department of Fish and Game instead of DHSS. This would support the intent of Title 16.

Please feel free to call me or Randy Bayliss of my staff (465-2653) with any questions you may have on this position. Thank you for your attention to this matter.

Sincerely,



Richard A. Neve
Commissioner

cc: Bruce Baker, DFG
Paddy McGuire, DFG
Randy Bayliss

commercial purposes and by the Alaska Constitution, art. VIII, § 15, providing that "no exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the state." They were further modified by the enactment by the first state legislature of a law making it unlawful to erect, moor or maintain fish traps (SLA 1959, ch. 17), and by a later

enactment (SLA 1959, ch. 95) making it unlawful to operate fish traps and prescribing penalties therefor. (See AS 16.10.070 — 16.10.110). Metlakatla Indian Community, Annette Island Reserve v. Egan, Sup. Ct. Op. No. 42 (File Nos. 21—23), 362 P.2d 901 (1961), vacated and remanded on other grounds, 369 U.S. 45, 82 S. Ct. 552, 7 L. Ed. 2d 562 (1962).

Chapter 10. Fisheries and Fishing Regulations.

Article

1. Interference with Streams and Waters (§§ 16.10.010 — 16.10.055)
2. Fish Traps and Other Illegal Fishing Devices (§§ 16.10.060 — 16.10.130)
3. Herring Spawn (§§ 16.10.140 — 16.10.173)
4. Migratory Fish and Shellfish (§§ 16.10.180 — 16.10.230)
5. Transportation of Fish and Shellfish (§§ 16.10.240 — 16.10.250)
6. Purchase of Fish (§§ 16.10.270 — 16.10.296)
7. Commercial Fishing Loan Act (§§ 16.10.300 — 16.10.370)
8. Salmon Hatcheries (§§ 16.10.375 — 16.10.475)
9. Fisheries Enhancement Loan Program (§§ 16.10.500 — 16.10.620)

Article 1. Interference with Streams and Waters.

Section

10. Interference with salmon spawning streams and waters
20. Grounds for permit or license
30. Violation of §§ 10 — 55 of this chapter a misdemeanor
40. Disposition of money received for fines and penalties

Section

50. Construction of §§ 10 — 50 of this chapter
55. Interference with commercial fishing gear

Sec. 16.10.010. Interference with salmon spawning streams and waters. It is unlawful for a person to

(1) obstruct, divert or pollute waters of the state, either fresh or salt, utilized by salmon in the propagation of the species, by felling trees or timber in those waters, casting, passing, throwing or dumping any tree limbs or foliage, underbrush, stumps, rubbish, earth, stones, rock or other debris, or passing or dumping sawdust, planer shavings, or other waste or refuse of any kind in those waters;

(2) erect a dam, barricade or obstruction to retard, conserve, impound or divert these waters to prevent, retard or interfere with the free ingress or egress of salmon into these waters in the natural spawning or propagation process;

(3) render the waters inaccessible or uninhabitable for salmon for that purpose without first applying for and obtaining a permit or license from the Department of Environmental Conservation. The application shall set out the name and style of the person or concern, describe the waters and location and state in particular the plans, purpose and intention for which the application is made. (§ 39-2-31 ACLA 1949; am § 12 ch 117 SLA 1949; am § 6 ch 104 SLA 1971; am § 12 ch 208 SLA 1975)

Effect of amendment. — The 1975 amendemnt substituted "Department of Environmental Conservation" for "Department of Health and Social Services" at the end of the first sentence of

paragraph (3) and substituted "set out" for "set forth" near the beginning of the second sentence of that paragraph. Am. Jur. reference. — 22 Am. Jur., Fish and Fisheries, § 34 et seq.

Sec. 16.10.020. Grounds for permit or license. If in the judgment of the Department of Health and Social Services, the purpose of the applicant for the permit or license is to develop power, obtain water for civic, domestic, irrigation, manufacturing, mining or other purposes tending to develop the natural resources of the state, the department may grant the permit or license and may require the applicant to construct and maintain adequate fish ladders, fishways or other means by which fish may pass over, around or through the dam, obstruction or diversion in the pursuit of the propagation or spawning process. (§ 39-2-32 ACLA 1949; am § 12 ch 117 SLA 1949; am § 6 ch 104 SLA 1971)

Revisors's note (1962). — Under AS 16.05.840 the commissioner of fish and game determines when a fishway or other similar device should be constructed.

Sec. 16.10.030. Violation of §§ 10 — 55 of this chapter a misdemeanor. A person who violates §§ 10 — 55 of this chapter is guilty of a misdemeanor and, upon conviction, is punishable by a fine of not less than \$100 nor more than \$500. (§ 39-2-33 ACLA 1949; am § 13 ch 208 SLA 1975)

Effect of amendment. — The 1975 amendment substituted "§§ 10 — 55" for "§§ 10 — 50."

Sec. 16.10.040. Disposition of money received for fines and penalties. The proceeds of all fines and penalties imposed under §§ 10 — 50 of this chapter shall be paid into the general fund and they shall be immediately available for expenditure by the Department of Fish and Game. (§ 39-2-34 ACLA 1949)

Sec. 16.10.050. Construction of §§ 10 — 50 of this chapter. Sections 10 — 50 of this chapter do not affect the vested rights or privileges granted by federal statute to any person. (§ 39-2-35 ACLA 1949)

Sec. 16.10.055. Interference with commercial fishing gear. A person who wilfully or with reckless disregard of the consequences of his activity, interferes with or damages the commercial fishing gear of another person is guilty of a misdemeanor. For the purposes of this section "interference" means the physical disturbance of gear which results in economic loss or loss of fishing time, and "reckless disregard of the consequences" means a lack of consideration for the consequences of one's acts in a manner that is reasonably likely to damage the property of another. (§ 1 ch 55 SLA 1974)

Article

- Section
- 60. [Repealed]
- 70. Fish traps up waters in
- 80. Federal comp
- 90. Penalties for chapter
- 100. Fish traps or waters

Sec. 16.10. Repealed b

Editor's note derived from §

Sec. 16.10. state. It is u floating, pile lands, tidela prevent the ordinarily us operated in o

Purpose. — 16.10.070 — measure. Its of relief of ec fishermen, to supply of a competition in had every right applicable to unless its pol Natives while curtailed. Met Annette Island Op. No. 42 (Fil (1961), vacate grounds, 369 L 2d 562 (1962). Fish trap. principally of across or partl

Sec. 16.1 chapter sha Stat. 339, v Alaska, un other prop be held by l

HB 256 - RELATING TO PERMITS FOR
DEVELOPMENT OF SALMON STREAMS

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
POSITION PAPER

BEFORE THE HOUSE RESOURCES COMMITTEE
March 23, 1983

This department objects to proposed legislation to amend AS 16.10.020 to read DEC instead of DHSS, based upon the following reasoning:

1. Passage would result in duplication of existing permit functions in the Department of Fish and Game (AS 16.05.840-870).
2. This section is more habitat or enhancement-oriented than water quality.
3. DF&G staff agree that the permitting responsibilities contained in these two sections could be easily blended into DF&G's current Title 16 permitting activities.

The department does support amending AS 16.10.010 to read Department of Fish and Game instead of DEC and amending AS 16.10.020 to read Department of Fish and Game instead of DHSS. This would support the intent of Title 16 and minimize implementation costs.

Richard A. Neve

Richard A. Neve
Commissioner

*Concerns
mitigated
in H Res. 25*

STATE OF ALASKA 1984 LEGISLATIVE SESSION
 HOUSE RESOURCES COMMITTEE FISCAL NOTE

Revision Date: November 30, 1983

JAN 14 REC'D

I. REQUEST

Bill/Resolution No.: CSHB 256
 Title: Permits for Development of Streams
 Sponsor: House Resources Committee
 Requestor: _____
 Date of Request: _____

II. FISCAL DETAIL

Agency Affected: Fish and Game
 Program Category Affected: NRMEC
 BRU, Program of Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						
TOTAL						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

OFFICE OF
 MANAGEMENT & BUDGET

NOV 30 1983

BUDGET REVIEW

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Beverly Reaume Phone: 463-4120
 Division: Administration Date: _____
 Approved by Commissioner: *Dennis DeFuria* Date: 11/29/83
 Department: Fish and Game

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

9/14/83

BILL SUMMARY

CS HB 256 (Resources) - AN ACT RELATING TO PERMITS FOR THE DEVELOPMENT OF NATURAL RESOURCES AFFECTING SALMON SPAWNING STREAMS AND WATERS.

Sponsor: Flood, Uehling, Grussendorf

Section 1: Application and obtaining a permit, which allows for the interference of the spawning or propagation process of salmon in state waters, is transferred from the Department of Environmental Conservation to the Department of Fish and Game.

Section 2: Judgements made in determining if the applicant's use of the permit or license conforms with the exceptions allowed by law is transferred from the Department of Health and Social Services to the Department of Fish and Game.

For the purposes of simplifying the permitting process, the original bill transferred authority under sections 1 and 2 to the Department of Environmental Conservation. During the hearing process, DEC took the position that the functions would be more appropriately handled by Fish and Game. Fish and Game agreed.

In Section 2, Fish and Game have, for the past ten years or so, been performing the conformity evaluations without direct legal authorization. This section legalizes the responsibility they've been assuming for the Department of Health and Social Services.

Sec. 16.10.010. Interference with salmon spawning streams and waters. A person may not

(1) obstruct, divert or pollute waters of the state, either fresh or salt, utilized by salmon in the propagation of the species, by felling trees or timber in those waters, casting, passing, throwing or dumping any tree limbs or foliage, underbrush, stumps, rubbish, earth, stones, rock or other debris, or passing or dumping sawdust, planer shavings, or other waste or refuse of any kind in those waters;

(2) erect a dam, barricade or obstruction to retard, conserve, impound or divert these waters to prevent, retard or interfere with the free ingress or egress of salmon into these waters in the natural spawning or propagation process;

(3) render the waters inaccessible or uninhabitable for salmon for that purpose without first applying for and obtaining a permit or license from the Department of Environmental Conservation. The application shall set out the name and style of the person or concern, describe the waters and location, and state in particular the plans, purpose and intention for which the application is made. (§ 39-2-31 ACLA 1949; am § 12 ch 117 SLA 1949; am § 6 ch 104 SLA 1971; am § 12 ch 208 SLA 1975)

Opinions of attorney general. — There is no conflict between AS 16.05.870 and this section. March 4, 1982. Op. Att'y Gen.
Collateral references. — 35 Am.Jur.2d, Fish and Game, §§ 29-37. 36A C.J.S., Fish, §§ 6-46.

Sec. 16.10.020. Grounds for permit or license. If in the judgment of the Department of Health and Social Services, the purpose of the applicant for the permit or license is to develop power, obtain water for civic, domestic, irrigation, manufacturing, mining or other purposes tending to develop the natural resources of the state, the department may grant the permit or license and may require the applicant to construct and maintain adequate fish ladders, fishways or other means by which fish may pass over, around or through the dam, obstruction or diversion in the pursuit of the propagation or spawning process. (§ 39-2-32 ACLA 1949; am § 12 ch 117 SLA 1949; am § 6 ch 104 SLA 1971)

Cross references. — For power of commissioner of fish and game to determine when a fishway or other similar device should be constructed, see AS 16.05.840.

Sec. 16.10.030. Violation of AS 16.10.010 — 16.10.055. A person who violates AS 16.10.010 — 16.10.055 is guilty of a misdemeanor and, upon conviction, is punishable by a fine of not less than \$100 nor more than \$500. (§ 39-2-33 ACLA 1949; am § 13 ch 208 SLA 1975)

Collateral references. — Entrapment with respect to violation of fishing laws, 75 ALR2d 709.

Sec. 16.10.040. Disposition of money received for fines and penalties. The proceeds of all fines and penalties imposed under AS 16.10.010 — 16.10.050 shall be paid into the general fund and they shall be immediately available for expenditure by the Department of Fish and Game. (§ 39-2-34 ACLA 1949)

Sec. 16.10.050. Construction of AS 16.10.010 — 16.10.050. AS 16.10.010 — 16.10.050 do not affect the vested rights or privileges granted by federal statute to any person. (§ 39-2-35 ACLA 1949)

Sec. 16.10.055. Interference with commercial fishing gear. A person who wilfully or with reckless disregard of the consequences, interferes with or damages the commercial fishing gear of another person is guilty of a misdemeanor. For the purposes of this section "interference" means the physical disturbance of gear which results in economic loss or loss of fishing time, and "reckless disregard of the consequences" means a lack of consideration for the consequences of one's acts in a manner that is reasonably likely to damage the property of another. (§ 1 ch 55 SLA 1974)

Article 2. Fish Traps and Other Illegal Fishing Devices.

Section	Section
70. Operation of fish traps	120. Use of drum or reel in operation of purse seine
80. Federal compact exempted	125. Use of termination device on shellfish and bottom fish pot required
90. Penalties for violation of AS 16.10.070	130. Penalties for violation of AS 16.10.120 — 16.10.125
100. Erection of fish traps prohibited on land or water owned by state	
110. Penalties for violation of AS 16.10.100	

Sec. 16.10.060. Prohibition against use of fish traps. [Repealed, § 27 ch 127 SLA 1974.]

Sec. 16.10.070. Operation of fish traps. Fish traps, including but not limited to floating, pile-driven or hand-driven fish traps, may not be operated in the state on or over state land, tideland, submerged land, or water. This section does not prevent the operation of small hand-driven fish traps of the type ordinarily used on rivers of the state which are otherwise legally operated in or above the mouth of a stream or river. (§ 1 ch 95 SLA 1959)

as a trophy for monetary gain, including the receiving of the fish or game or parts of fish or game for such purposes;

(26) "trapping" means the taking of mammals declared by regulation to be fur bearers;

(27) "vessel" means a floating craft powered, towed, rowed, or otherwise propelled, which is used for delivering, landing, or taking fish within the jurisdiction of the state, but for the purposes of this chapter does not include aircraft;

(28) "visitor" means a nonresident or alien temporarily sojourning in the state as a visitor or tourist. (§ 2 art I ch 95 SLA 1959; am §§ 1 — 4 ch 131 SLA 1960; am § 1 ch 21 SLA 1961; am §§ 1, 2 ch 102 SLA 1961; § 9 art III ch 94 SLA 1959; am § 23 ch 131 SLA 1960; am § 1 ch 160 SLA 1962; am §§ 13, 14 ch 31 SLA 1963; am § 2 ch 32 SLA 1968; am § 3 ch 73 SLA 1970; am § 1 ch 91 SLA 1970; am § 4 ch 110 SLA 1970; am § 1 ch 90 SLA 1972; am § 5 ch 82 SLA 1974; am §§ 26, 82 ch 127 SLA 1974; am §§ 18 — 20 ch 206 SLA 1975; am § 12 ch 105 SLA 1977; am §§ 14, 15 ch 151 SLA 1978; am § 1 ch 78 SLA 1979; am § 1 ch 24 SLA 1980; § 4 ch 74 SLA 1982)

Revisor's note. — Reorganized in 1983 to alphabetize the defined terms.

Effect of amendments. — The 1979 amendment added "but for the purposes of this chapter does not include aircraft" to the end of present paragraph (27).

The 1980 amendment added present paragraph (8).

The 1982 amendment added present paragraph (17).

Legislative history reports. — For report on ch. 32, SLA 1968 (HCSCSSB 50 am), see 1968 House Journal, p. 169. For report on ch. 127, SLA 1974 (SCSHB 817 am S), see 1974 House Journal, p. 657.

Opinions of attorney general. — Paragraph (14) does not grant special resident privileges to military personnel. 1964 Op. Att'y Gen., No. 2.

Term "customary trade" as used in definition of "subsistence uses" allows for limited exchanges for cash other than for purely personal or family consumption. 1981 Op. Att'y Gen., No. 11.

Definition of "subsistence uses" in terms of "customary and traditional uses" of wild, renewable resources reflects the equating of "subsistence use" with use by rural residents. 1981 Op. Att'y Gen., No. 11.

NOTES TO DECISIONS

For construction of "commercial fisherman" under former law, see *Martinsen v. Mallaney*, 12 Alaska 455, 85 F. Supp. 76 (D. Alaska 1949).

Cited in *Starry v. Horace Mann Ins. Co.*, Sup. Ct. Op. No. 2548 (File No. 6472), 649 P.2d 937 (1982).

Sec. 16.05.950. Title of the chapter. This chapter may be cited as the Fish and Game Code. (§ 1 art I ch 94 SLA 1959)

NOTES TO DECISIONS

Chapter supersedes federal law. — When the various articles of the state law providing for the administration, management and conservation of fish and

wildlife became effective, acts of Congress on the same subject were no longer of any force. *Metlakatla Indian Community v. Egan*, Sup. Ct. Op. No. 42 (File No. 21 —

23), 362 P.2d 901 (1961), vacated and remanded on other grounds, 369 U.S. 45, 82 S. Ct. 552, 7 L. Ed. 2d 562 (1962).

There is no intimation in the Alaska Statehood Act of an intent that any United States administration under the commercial fishery laws be carried out after the state had been certified as capable of its own management. *Metlakatla Indian Community, Annette Island Reserve v. Egan*, Sup. Ct. Op. No. 42 (File Nos. 21 — 23), 362 P.2d 901 (1961), vacated and remanded on other grounds, 369 U.S. 45, 82 S. Ct. 552, 7 L. Ed. 2d 562 (1962).

Upon Alaska's admission on January 3, 1959, the Alaska game laws and acts regulating commercial fisheries as "territorial laws," continued in force, but were modified by Ordinance No. 3 of the state constitution prohibiting the use of fish

traps for the taking of salmon for commercial purposes and by the Alaska Constitution, art. VIII, § 15, providing that "no exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the state." They were further modified by the enactment by the first state legislature of a law making it unlawful to erect, moor or maintain fish traps (SLA 1959, ch. 17), and by a later enactment (SLA 1959, ch. 95) making it unlawful to operate fish traps and prescribing penalties therefor. (See AS 16.10.070 — 16.10.110). *Metlakatla Indian Community, Annette Island Reserve v. Egan*, Sup. Ct. Op. No. 42 (File Nos. 21 — 23), 362 P.2d 901 (1961), vacated and remanded on other grounds, 369 U.S. 45, 82 S. Ct. 552, 7 L. Ed. 2d 562 (1962).

Chapter 10. Fisheries and Fishing Regulations.

Article

1. Interference with Streams and Waters (§§ 16.10.010 — 16.10.055)
2. Fish Traps and Other Illegal Fishing Devices (§§ 16.10.070 — 16.10.130)
3. Herring Spawn (§§ 16.10.172 — 16.10.175)
4. Migratory Fish and Shellfish (§§ 16.10.180 — 16.10.230)
5. Transportation of Fish and Shellfish (§§ 16.10.240 — 16.10.250)
6. Purchase of Fish (§§ 16.10.265 — 16.10.296)
7. Commercial Fishing Loan Act (§§ 16.10.300 — 16.10.370)
8. Salmon Hatcheries (§§ 16.10.375 — 16.10.475)
9. Fisheries Enhancement Loan Program (§§ 16.10.500 — 16.10.620)

NOTES TO DECISIONS

Cited in *State, N.S.E. Regional Aquaculture Ass'n v. Alex*, Sup. Ct. Op. No. 2488 (File Nos. 5065, 5086, 5142), 646 P.2d 203 (1982).

Collateral references. — 36 C.J.S., Fish, §§ 13 et seq., 26 et seq.

Article 1. Interference with Streams and Waters.

Section	Section
10. Interference with salmon spawning streams and waters	50. Construction of AS 16.10.010 — 16.10.050
20. Grounds for permit or license	55. Interference with commercial fishing gear
30. Violation of AS 16.10.010 — 16.10.055	
40. Disposition of money received for fines and penalties	