

CHAPTER 276.

[S. B. 393.]

FISHERIES CODE—REEF NETTING.

AN ACT relating to the fisheries code of the state of Washington; creating reef net fishing areas; making it unlawful to fish for salmon commercially with reef net gear except in said reef net areas; providing for the regulation of distances between reef net gears; and adding new sections to chapter 12, Laws of 1955 and chapter 75.12 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Sections 2 through 4 of this act are added to chapter 12, Laws of 1955, and chapter 75.12 RCW. New sections.

SEC. 2. The following reef net fishing areas are hereby created: *Provided*, That nothing in this act shall be interpreted as prohibiting other types of legal gear from fishing within the areas created: Reef net fishing areas created.

(1) Point Roberts reef net fishing area includes those waters within 250 feet on each side of a line projected 129° true from a point at longitude 123° 01' 15" W. latitude 48° 58' 38" N. to a point one mile distant, as such description is shown upon the United States Coast and Geodetic Survey map numbered 6300, published September, 1941, in Washington, D. C., eleventh edition. Point Roberts.

(2) Cherry Point reef net fishing area includes those waters inland and inside the 10-fathom line between lines projected 205° true from points on the mainland at longitude 122° 44' 54" latitude 48° 51' 48" and longitude 122° 44' 18" latitude 48° 51' 33", as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition. Cherry Point.

(3) Lummi Island reef net fishing area includes those waters inland and inside a line projected from Lummi Island.

Village Point 208° true to a point 900 yards distant, thence 128° true to the point of intersection with a line projected true west from the shore of Lummi Island at $122^{\circ} 40' 42''$ longitude $48^{\circ} 41' 34''$, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Sinclair
Island.

(4) Sinclair Island reef net fishing area includes those waters inland and inside a line projected from the northern point of Sinclair Island to Boulder reef, thence 200° true to the northwesterly point of Sinclair Island, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Flat Point.

(5) Flat Point reef net fishing area includes those waters within a radius of 125 feet of a point off Lopez Island located at longitude $122^{\circ} 55' 24''$ longitude $48^{\circ} 32' 33''$, as such description is shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Lopez Island.

(6) Lopez Island reef net fishing area includes those waters within 400 yards of shore between lines projected true west from points on the shore of Lopez Island at longitude $122^{\circ} 55' 04''$ longitude $48^{\circ} 31' 59''$ and longitude $122^{\circ} 55' 54''$ longitude $48^{\circ} 30' 55''$, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Iceberg Point.

(7) Iceberg Point reef net fishing area includes those waters inland and inside a line projected from Davis Point on Lopez Island to the west point of Long Island, thence to the southern point of Hall Island, thence to the eastern point at the entrance to Jones Bay, and thence to the southern point at the entrance to Mackaye Harbor on Lopez Island; and those

waters inland and inside a line projected 320° from Iceberg Point light on Lopez Island, a distance of 400 feet, thence easterly to the point on Lopez Island at longitude $122^\circ 53' 00''$ latitude $48^\circ 25' 39''$, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

(8) Aleck Bay reef net fishing area includes those waters inland and inside a line projected from the southwestern point at the entrance to Aleck Bay on Lopez Island at longitude $122^\circ 51' 11''$ latitude $48^\circ 25' 14''$ southeasterly 800 yards to the submerged rock shown on U.S.G.S. map number 6380, thence northerly to the cove on Lopez Island at longitude $122^\circ 50' 49''$ latitude $48^\circ 25' 42''$, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

(9) Shaw Island reef net fishing area number 1 includes those waters within 300 yards of shore between lines projected true south from points on Shaw Island at longitude $122^\circ 56' 14''$ latitude $48^\circ 33' 28''$ and longitude $122^\circ 57' 29''$ latitude $48^\circ 32' 58''$, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

(10) Shaw Island reef net fishing area number 2 includes those waters inland and inside a line projected from Point George on Shaw Island to the westerly point of Neck Point on Shaw Island, as such description is shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

(11) Stuart Island reef net fishing area number 1 includes those waters within 600 feet of the shore of Stuart Island between lines projected true east from points at longitude $123^\circ 10' 47''$ latitude 48°

39° 47'' and longitude 123° 10' 47'' latitude 48° 39' 33'', as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Stuart Island,
number 2.

(12) Stuart Island reef net fishing area number 2 includes those waters within 250 feet of Gossip Island, also known as Happy Island, as such description is shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Johns Island.

(13) Johns Island reef net fishing area includes those waters inland and inside a line projected from the eastern point of Johns Island to the northwestern point of Little Cactus Island, thence northwesterly to a point on Johns Island at longitude 123° 09' 24'' latitude 48° 39' 59'', as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March 1947, in Washington, D. C., eighth edition.

Battleship
Island.

(14) Battleship Island reef net fishing area includes those waters lying within 350 feet of Battleship Island, as such description is shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Open Bay.

(15) Open Bay reef net fishing area includes those waters lying within 150 feet of shore between lines projected true east from a point on Henry Island at longitude 123° 11' 34½'' latitude 48° 35' 27½'' and a point 250 feet south, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Mitchell Reef.

(16) Mitchell Reef net fishing area includes those waters within a line beginning at the rock shown on U.S.G.S. map number 6380 at longitude 123° 10' 56'' latitude 48° 34' 49½'', and projected 50

feet northwesterly, thence southwesterly 250 feet, thence southeasterly 300 feet, thence northeasterly 250 feet, thence to the point of beginning, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

(17) Smugglers Cove reef [net] fishing area includes those waters within 200 feet of shore between lines projected true west from points on the shore of San Juan Island at longitude $123^{\circ} 10' 29''$ latitude $48^{\circ} 33' 50''$ and longitude $123^{\circ} 10' 31''$ latitude $48^{\circ} 33' 45''$, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Smugglers
Cove.

(18) Andrews Bay reef net fishing area includes those waters lying within 300 feet of the shore of San Juan Island between a line projected true south from a point at the northern entrance of Andrews Bay at longitude $123^{\circ} 09' 53\frac{1}{2}''$ latitude $48^{\circ} 33' 00''$ and the cable crossing sign in Andrews Bay, at longitude $123^{\circ} 09' 45''$ latitude $48^{\circ} 33' 04''$, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Andrews Bay.

(19) Orcas Island reef net fishing area includes those waters inland and inside a line projected true west a distance of 1,000 yards from the shore of Orcas Island at longitude $122^{\circ} 57' 40''$ latitude $48^{\circ} 41' 06''$ thence northeasterly to Point Doughty, as such descriptions are shown upon the United States Coast and Geodetic Survey map numbered 6380, published March, 1947, in Washington, D. C., eighth edition.

Orcas Island.

SEC. 3. The director may by appropriate regulations specify the distances to be maintained between rows of reef net gears.

Distances
specified.

SEC. 4. It shall be unlawful to fish for salmon for commercial purpose with reef net fishing gear in

Commercial
purpose
salmon fish-
ing unlawful.

any waters of the state of Washington except in those waters within the reef net areas described in this chapter.

Invalidity.

SEC. 5. The several provisions of this act are hereby declared to be separate and severable, and if any clause, sentence, paragraph, subdivision, section or part thereof shall, for any reason, be adjudged invalid, or the applicability thereof to any person, circumstance or product adjudged invalid, such judgment shall not affect, impair or invalidate the remainder of the act, and the applicability thereof to other persons, circumstances or products shall not thereby be affected, but such judgment, if any, shall be confined in its operation to the particular clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Emergency

SEC. 6. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 4, 1955.

Passed the House March 2, 1955.

Approved by the Governor March 18, 1955.