

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 4 FISHERIES

PART I MARINE LIFE CONSERVATION DISTRICTS

CHAPTER 32

HONOLUA-MOKULEIA BAY
MARINE LIFE CONSERVATION DISTRICT, MAUI

- §13-32-1 Boundaries
- §13-32-2 Prohibited activities
- §13-32-3 Permitted activities
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Historical Note: Chapter 32 of Title 13 is based substantially upon Regulation 44 of the Division of Fish and Game, Department of Land and Natural Resources, State of Hawaii. [Eff. 3/16/78; R MAY 26 1981]

§13-32-1 Boundaries. The Honolua-Mokuleia Bay Marine Life Conservation District, parts 1 and 2, shall include that portion of the submerged lands and overlying waters of Honolua and Mokuleia bays beginning at the highwater mark at the shoreline and those lands described in the survey description entitled "HonoluaMokuleia Bay Marine Life Conservation District, parts 1 and 2, situated in the offshore waters of Honolua, Lahaina (Kaanapali), Maui, Hawaii" and as identified as C.S.F. No. 18,140, dated October 19, 1977, on file with the departments of land and

natural resources, and accounting and general services, and delineated in "Map of the Honolua-Mokuleia Bay Marine Life Conservation District, Maui 10/19/77" attached at the end of this chapter. [Eff: MAY 26 1981] (Auth: HRS §190-3) (Imp: HRS §§190-1, 190-2, 190-3)

§13-32-2 Prohibited activities. No person shall engage in the following activities in the Honolua-Mokuleia Bay Marine Life Conservation District:

(1) Fish for, catch, take, injure, kill, possess, or remove any finfish, crustacean, mollusk including sea shell and opihi, live coral, algae or limu, or other marine life, or eggs thereof;

(2) Take, alter, deface, destroy, possess, or remove any sand, coral, rock, or other geological feature, or specimen; or

(3) Have or possess in the water, any spear, trap, net, crowbar, or other device that may be used for the taking or altering of marine life, geological feature or specimen. [Eff: MAY 26 1981] (Auth: HRS §190-3) (Imp: HRS §§190-1, 190-3)

§13-32-3 Permitted activities. A person may:

(1) Possess aboard any boat or water craft, any legal fishing gear, fish or other aquatic organism taken outside of and brought into the marine life conservation district; and

(2) Possess in the water, any knife and any shark billy, bang stick, powerhead, or carbon dioxide (CO₂) injector for the sole purpose of personal safety. [Eff: MAY 26 1981] (Auth: HRS §190-3) (Imp: HRS §§190-1, 190-3)

§13-32-4 Exceptions; permits. A person may engage in the following activities otherwise prohibited by law and section 13-32-2, not inconsistent with chapter 190 and section 187A-6,

Hawaii Revised Statutes, with a permit issued by the board under such terms and conditions as it deems necessary to carry out the purpose of chapter 190, Hawaii Revised Statutes:

- (1) To take for scientific, propagation, or other purposes, any form of marine life, or eggs thereof otherwise prohibited by law, or engage in any other prohibited activity; and
- (2) To bag and remove akule (Trachurops crumenophthalmus) netted outside the marine life conservation district provided the net is moved only over the sandy bottom areas; provided that the board may revoke any permit for any infraction of the terms and conditions of the permit, and a person whose permit was revoked shall not be eligible to apply for another permit until one year after the date of revocation. [Eff: 5/26/81; am MAR 2 1987] (Auth: HRS §190-3) (Imp: HRS §§187A-6, 190-4)

§13-32-5 Penalty. A person violating the provisions of this chapter or the terms and conditions of any permit issued as provided by this chapter, shall be guilty of a petty misdemeanor, and upon conviction thereof, shall be punished as provided by law. Eff: MAY 26 1981] (Auth: HRS §190-3) (Imp: HRS §190-5)