

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 4 FISHERIES

PART I MARINE LIFE CONSERVATION DISTRICTS

CHAPTER 33

LAPAKAHI MARINE LIFE CONSERVATION DISTRICT, HAWAII

- §13-33-1 Boundaries
- §13-33-2 Prohibited activities
- §13-33-3 Permitted activities
- §13-33-4 Exceptions; permits
- §13-33-5 Penalty

Historical Note: Chapter 33 of Title 13 is based substantially upon Regulation 51 of the Division of Fish and Game, Department of Land and Natural Resources, State of Hawaii. [Eff. 2/26/79; R MAY 26 1981]

§13-33-1 Boundaries. The Lapakahi Marine Life Conservation District, subzones A and B, shall include that portion of the submerged lands and overlying waters offshore of the Lapakahi state historical park beginning at the highwater mark at the shoreline and those lands described in the survey description entitled "Lapakahi Marine Life Conservation District, subzones A and B, situated in the offshore waters of the lands of Kaoma, Puukole, Lapakahi, Koaie, Koaieae, Kaipuhaa, Lamaloloa, and Paoo 1, North Kohala, Island of Hawaii, Hawaii" and as identified as C.S.F. No. 17,831, dated July 29, 1976, on file with the departments of land and natural resources, and accounting and general services, and delineated in "Map of the Lapakahi Marine Life Conservation District, Hawaii 7/29/76" attached at the end of this chapter. [EFF: MAY 26 1981] (Auth: HRS §190-3) (Imp: HRS §§190-1, 190-2, 190-3)

§13-33-2 Prohibited activities. No person shall engage in the following activities in the Lapakahi

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)

§13-33-3 Permitted activities. A person may:

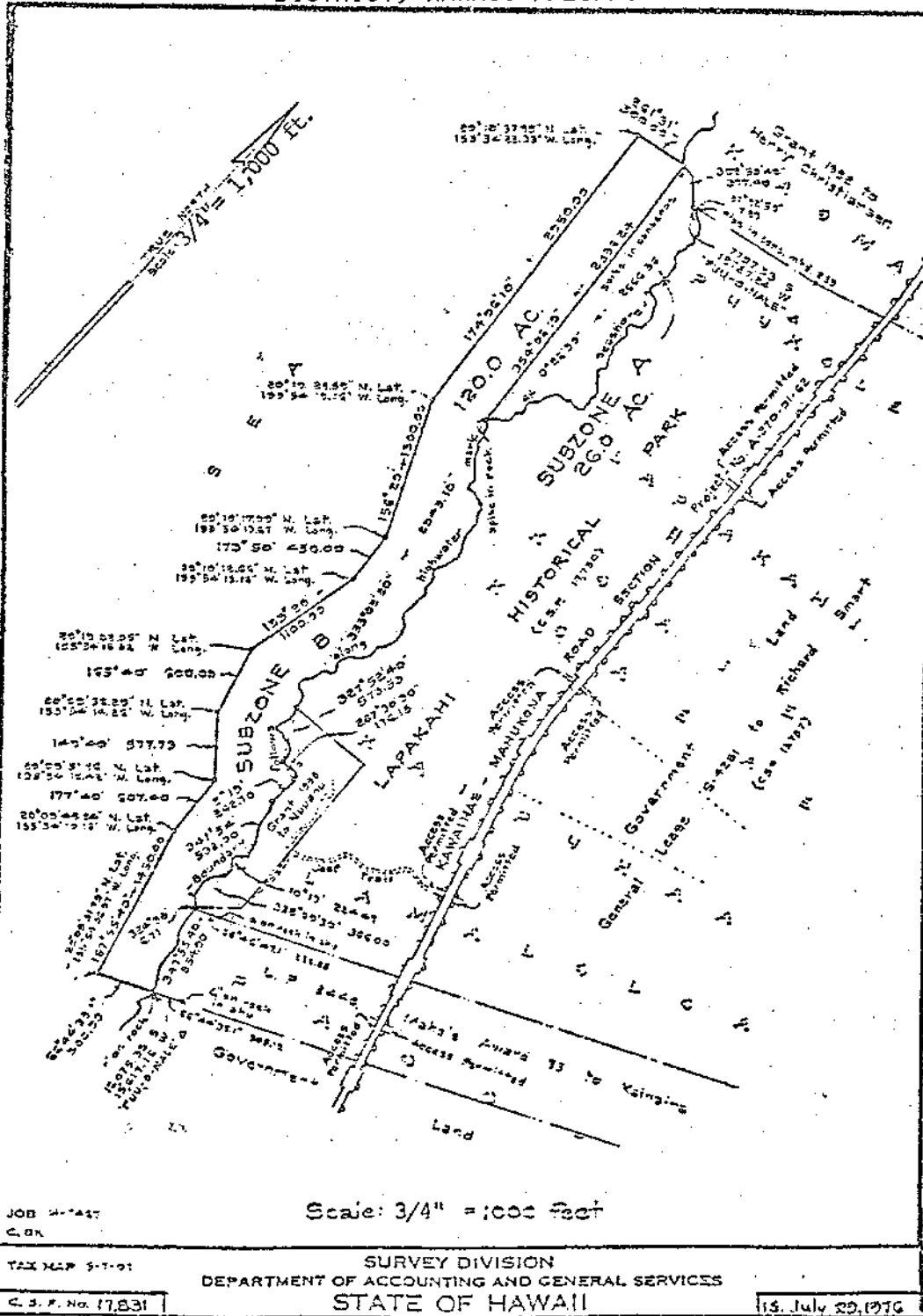
- (1) Fish for, catch, take, possess, or remove from subzone B:
 - (A) Opelu (Decapterus pinnulatus) by lift or opelu net method; and
 - (B) Any finfish and crustacean by hook-and-line or thrownet;
- (2) Possess in the water, any knife and any shark billy, bang stick, powerhead, or carbon dioxide (CO2) injector for the sole purpose of personal safety. [Eff: MAY 26 1981] (Auth: HRS §190-3) (Imp: HRS §§190-1, 190-3)

§13-33-4 Exceptions; permits. The department may issue permits to engage in activities otherwise prohibited by law and section 13-33-2 for scientific, propagation or other purposes not inconsistent with chapter 190 and section 187A-6, Hawaii Revised Statutes, provided that:

- (1) The board may impose terms and conditions it deems necessary to carry out the purpose of chapter 190, Hawaii Revised Statutes;
- (2) The board may revoke any permit for any infraction of the terms and conditions of the permit; and
- (3) 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)

§13-33-5 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)

MAP OF THE LAPAKAHI MARINE LIFE CONSERVATION
DISTRICT, HAWAII 7/29/76



JOB 4-747
C.B.K.

Scale: 3/4" = 1000 Feet

TAX MAP 9-7-01

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

C. S. P. No. 17,831

15 July 29, 1976