

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 4 FISHERIES

PART II MARINE FISHERIES MANAGEMENT AREAS

CHAPTER 49.6

NAWILIWILI HARBOR, KAUAI

- §13-49.6-1 Definitions
- §13-49.6-2 Prohibited activities
- §13-49.6-3 Exceptions; permits
- §13-49.6-4 Penalty

§13-49.6-1 Definitions. As used in this chapter unless otherwise provided:

"Area" means the fisheries management area at Nawiliwili Harbor.

"Hand net" means a net consisting of a bag of mesh material attached to a frame to hold the bag open and a handle. The net is small enough to use with one hand by one person.

"Landing net" means a hand net that is used to further secure capture of marine life, after the marine life has been first hooked or otherwise detained, to prevent the marine life from becoming unhooked or lost.

"Nawiliwili Harbor" means that portion of the submerged lands and overlying waters of Nawiliwili bay on the island of Kauai, beginning at the highwater mark at the shoreline seaward to an imaginary straight line drawn from the tip of the main breakwater northward to Kukii Point as delineated on "Map of Nawiliwili Harbor, Kauai Fisheries Management Area," dated 3/5/01 attached at the end of this chapter.

"Zone A" means that portion of Nawiliwili Harbor bounded by an imaginary straight line drawn from the southernmost tip of the western pier northeastward to the corner formed where pier 1 meets the eastern pier as delineated on "Map of Nawiliwili Harbor, Kauai Fisheries Management Area," dated 3/5/01 attached at the end of

this chapter. The boundaries may be further identified by signs placed on metal security fences. [Eff 1/11/02] (Auth: HRS §188-53) (Imp: HRS §188-53)

§13-49.6-2 Prohibited activities. It is unlawful for any person to engage in the following activities within Zone A:

- (1) Use any net, except for a landing net not exceeding three feet (0.91 meter) in any dimension, excluding the handle;
- (2) Snag any fish; and
- (3) Possess or take more than seventy-five akule per person per day. [Eff 1/11/02] (Auth: HRS §188-53) (Imp: HRS §188-53)

§13-49.6-3 Exceptions; permits. The department may issue permits to engage in activities otherwise prohibited by law and section 13-49.6-2 in accordance with sections 187A-6 and 188-53, Hawaii Revised Statutes, provided that:

- (1) The board may impose terms and conditions it deems necessary to carry out the purpose of section 188-53, Hawaii Revised Statutes;
- (2) The board may revoke any permit for any infraction of the terms and conditions of the permit;
- (3) A person whose permit was revoked shall not be eligible to apply for another permit until one year after the date of revocation; and
- (4) The department may limit the permits to purposes of public health, safety, and welfare, for resource management, or as described in section 187A-6, HRS. [Eff 1/11/02] (Auth: HRS §188-53) (Imp: HRS §188-53)

§13-49.6-4 Penalty. A person violating the provisions of this chapter shall be guilty of a petty misdemeanor, subject to administrative penalties, and punished as provided by law. [Eff 1/11/02] (Auth: HRS §§187A-12.5, 188-53, 188-70) (Imp: HRS §§187A-12.5, 188-70)

**Nawiliwili Harbor, Kauai Fisheries Management Area 3/5/01**

