

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 4 FISHERIES

PART V PROTECTED MARINE FISHERIES RESOURCES

CHAPTER 85

CLAM

- §13-85-1 Prohibited activities
- §13-85-2 Declaration of open season
- §13-85-3 Penalty

Historical Note: Chapter 85 of Title 13 is based substantially upon Regulation 15 of the Division of Fish and Game, Department of Land and Natural Resources, State of Hawaii. [Eff. 11/25/41 (Governor's approval date); am 9/14/48 (Governor's approval date); am and ren 3/28/58; am 7/20/67; am 7/4/68; R MAY 26 1981 ]

§13-85-1 Prohibited activities. No person shall catch, take, kill, possess, remove, sell, or offer for sale, any clam known as japanese littleneck clam (Tapes philippinarum) from the waters of the State unless an open season is declared by the chairperson of the board, provided that any clam raised in private ponds or waters may be harvested and sold at any time. [Eff: MAY 26 1981 ] (Auth: HRS §187A-5) (Imp: HRS §187A-5)

§13-85-2 Declaration of open season. The chairperson of the board may declare an open season for the taking of clam for home consumption purposes only which shall commence at 7:00 a.m. of the first monday of September (Labor Day) and continue to the last day of October, provided that:

- (1) The chairperson shall have the authority to limit, restrict or suspend taking of clam in any area if necessary to protect and conserve the clam resource;
- (2) Each person shall not take or possess more than one gallon (3.79 liters) of clam, with

- shell on, per day;
- (3) Each clam shall measure at least one inch (2.54 centimeters) across the widest part of the shell: and
  - (4) Any digging implement shall not measure more than eighteen inches (45.72 centimeters) in length and six inches (15.24 centimeters) in width. [Eff: MAY 26 1981 ] (Auth: HRS §187A-5) (Imp: HRS §187A-5)

§13-85-3 Penalty. A person violating the provisions of 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 §187A-5) (Imp: HRS §187-20)