§13-47-1  Definitions.  As used in this chapter unless otherwise provided:

"Hilo Harbor" means the waters of that portion of the bay in Hilo bounded by the breakwater, thence along a line from the tip of the breakwater southwestward to Alealea Point, then along the shoreline to the inshore end of the breakwater as delineated in "Locations and Landmarks of Hilo Harbor, Wailoa River and Wailuku River, Hawaii 11/12/87" attached at the end of this chapter.

"Moi" means any fish known as *Polydactylus sexfilis* or a recognized synonym. Also known as, among other names, moi li‘i, mana moi, pala moi, pacific threadfin, and six-fingered threadfin.

"Mullet" means any fish known as *Mugil cephalus* or a recognized synonym. The young of this species are known as, among other names, pua ama‘ama, pua, po‘ola, and o‘ola. Also known as, among other names, ama‘ama,
"Netting" means the taking or killing of fish by means of any net except throw nets, opae/dip nets, crab nets, and nehu nets.

"Spear" means any fishing device consisting of a straight rigid shaft with one or more sharpened points at one end of the shaft, along with, any device that aids in the aiming accuracy or the force of propulsion of the shaft. A spear includes, but is not limited to, spear gun, bow and arrow, Hawaiian sling, and three-prong spear. Also includes any similar device that is capable of impaling aquatic life to allow capture, with or without the aid of artificial propulsion.

"Spearing" means using or attempting to use a spear, on or near the water where aquatic life may be taken.

"Throw net" means a type of fishing net usually made into the shape of a circle or cone with an extra panel of netting material, sometimes called the skirt, and weighted along the open edge of the circle or cone.

"Throw netting" means using or attempting to use a throw net, on or near the water where aquatic life may be taken, by throwing the net over fish or fishes as they swim in the water. Once the net is thrown over and covers the fish or fishes, the fish or fishes are caught either in between the net and the extra panel of netting or in the mesh.

"Trap" means a device or structure, formed or covered with netting, welded wire, wire mesh or other material, into which fish, crabs and other marine organisms can enter through one or more openings that may be so arranged that egress is more difficult than ingress.

"Ulua" means any fish belonging to the genera Gnathanodon, Alectis, Carangoides, and Caranx or recognized synonyms. The young of these genera are known as, among other names, papio, papiopio, and pau u‘u. Also known as, among other names, omilu, ulua aukea, ulua ele‘ele, jacks, and trevallys.

"Wailoa River" means that body of water bounded by a straight line drawn across the mouth of the river and the foot bridge at the mouth of Waiakea pond and including the Waiolama canal upstream to the highest wash of the tidal water as delineated in "Locations and Landmarks of Hilo Harbor, Wailoa River and Wailuku
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Prohibited activities. (a) No person shall engage in the following activities within Hilo harbor, Wailoa river, and Wailuku river:

(1) Take or possess any aquatic life that is in violation of a season, minimum size, or other law;

(2) Take or possess more than an aggregate total of twenty fishes of mullet, moi and ulua including papio; provided that this bag limit shall not include either more than fifteen moi per day or more than ten mullet per day;

(3) Take or possess more than three Samoan crabs per day;

(4) Take or possess any crab with external eggs, or with a missing or mutilated abdomen or tail;

(5) Take any crab with spears or any other implement capable of inflicting a puncture wound, or to possess any crab with a puncture wound;

(6) Take aquatic life with more than two poles with one line each, or two hand lines, or with more than two hooks or two lures per line;

(7) Take crabs except by the use of:
   (A) Baited lines, provided that dip nets may be used to land crabs lured by the bait attached to the line; and
   (B) Crab nets not exceeding two feet (0.61 meter) in the longest straight line dimension and stretched mesh of not less than two inches (5.08 centimeters); provided that any fisherman shall not
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fish with more than five crab nets at any
time and those nets shall be attended at
all times;

(8) Use traps;
(9) Use netting except:
   (A) Opae nets not exceeding three feet (0.91
    meter) in any dimension; and
   (B) Nehu nets not longer than fifty feet to
take nehu for family consumption or bait
purposes; and
(10) Snag any fish.

(b) Unless otherwise allowed by law, it is
unlawful for any person to possess a throw net or to
engage in throw netting in the Wailoa River.

(c) Unless otherwise allowed by law, it is
unlawful for any person to possess a spear or to engage
in spearing in the Wailoa River. [Eff: 5/26/81; am and
comp 3/20/87; am and com 3/7/88; am and comp 1/15/99; am
(Imp: HRS §§188-34, 188-44, 188-45, 188-58)

§13-47-3  Permitted activities. A person may, with
valid authorization:

(1) Issued pursuant to section 13-74-22, use small
mesh nets to take bait-fish; or

(2) Issued pursuant to sections 13-74-40 or
13-74-43, use small mesh nets to take young
mullet or pua for the purpose of stocking
their fish pond or licensed aquaculture
facility; provided that such taking of pua is
not allowed in the Wailoa river; or

(3) Engage in other activities, as may be
authorized by law. [Eff: 5/26/81; comp
3/20/87; com 3/7/88; am and comp 1/15/99; comp
DEC 19 2002 ] (Auth: HRS §188-53) (Imp:
HRS §§188-34, 188-44, 188-45, 188-53)

§13-47-4  Penalty. A person violating the
provisions of this chapter shall be punished as provided
by sections 187A-12.5, 188-70, Hawaii Revised Statutes
and as may be otherwise provided by law.” [Eff:
5/26/81; am and comp 3/20/87; comp 3/7/88; am and comp
1/15/99; am and comp DEC 19 2002 ] (Auth: HRS
188-70)