

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 4

FISHERIES

PART II MARINE FISHERIES MANAGEMENT AREAS

CHAPTER 52

KAILUA BAY, HAWAII

- §13-52-1 Definitions
- §13-52-2 Prohibited activities
- §13-52-3 Permitted activities
- §13-52-4 Penalty

§13-52-1 Definitions. As used in this chapter unless otherwise provided:

"Kailua Bay" means that bay situated offshore of Lanihau 2, Keopu 1, 2 and 3, North Kona, island of Hawaii, Hawaii.

"Kailua Bay Fisheries Management Area" means that portion of Kailua Bay with Zones A and B, bounded by a straight line drawn from Kukailimoku Point across Kailua Bay to the seawall of the Royal Kona Resort, thence along the shoreline to the seawall seaward of Alii drive, to Kailua Pier and boat launching facility, and along the shoreline to "Thurston" point, across the boat channel and along the shoreline back to Kukailimoku Point, as delineated in the "Map of Kailua Bay Fisheries Management Area, Hawaii 7/1/94," located at the end of this chapter.

"Zone A" means the northwestern portion of the Kailua Bay Fisheries Management Area enclosed by a straight line drawn from the northern edge of the channel at "Thurston" point, across the Bay to the corner of a seawall at "Wiha" point located south of Hulihee Palace and north of the former Kona Inn Hotel.

"Zone B" means that portion of the Kailua Bay Fisheries Management Area seaward of Zone A. [Eff: 6/25/84; am and comp JUL 31 1995 | (Auth: HRS §§188-35, 188-53) (Imp: HRS §§188-35, 188-53)]

§13-52-2 Prohibited activities. No person shall engage in any fishing activities within Zone A and Zone B of the Kailua Bay Fisheries Management Area, except as follows:

- (1) Zone A:
  - (A) Use not more than two lines, or two rods and lines, and with not more than two hooks each to take fish;
  - (B) Snagging or attempting to snag any fish is prohibited;
  - (C) Herding or chasing or paipai fish out of the area by swimming, diving or from a boat which results in fish being caught or taken by net is prohibited;
  - (D) Use not more than ten crab nets measuring two feet (0.61 meter) or less in diameter to take crabs;
  - (E) Use hand nets not exceeding three feet (0.92 meter) in any dimension to take shrimp for bait purposes only; and
  - (F) Possess any thrownet or spear while transiting the Zone.
- (2) Zone B:
  - (A) Use nets of mesh size not less than three inches to take fish or akule net to take akule only, provided that nets shall not be in the water between sunset and sunrise or remain in the water except during active retrieval or unloading of fish from that net.
  - (B) Use spears;
  - (C) Use thrownets; and
  - (D) All the provisions applicable to zone A.

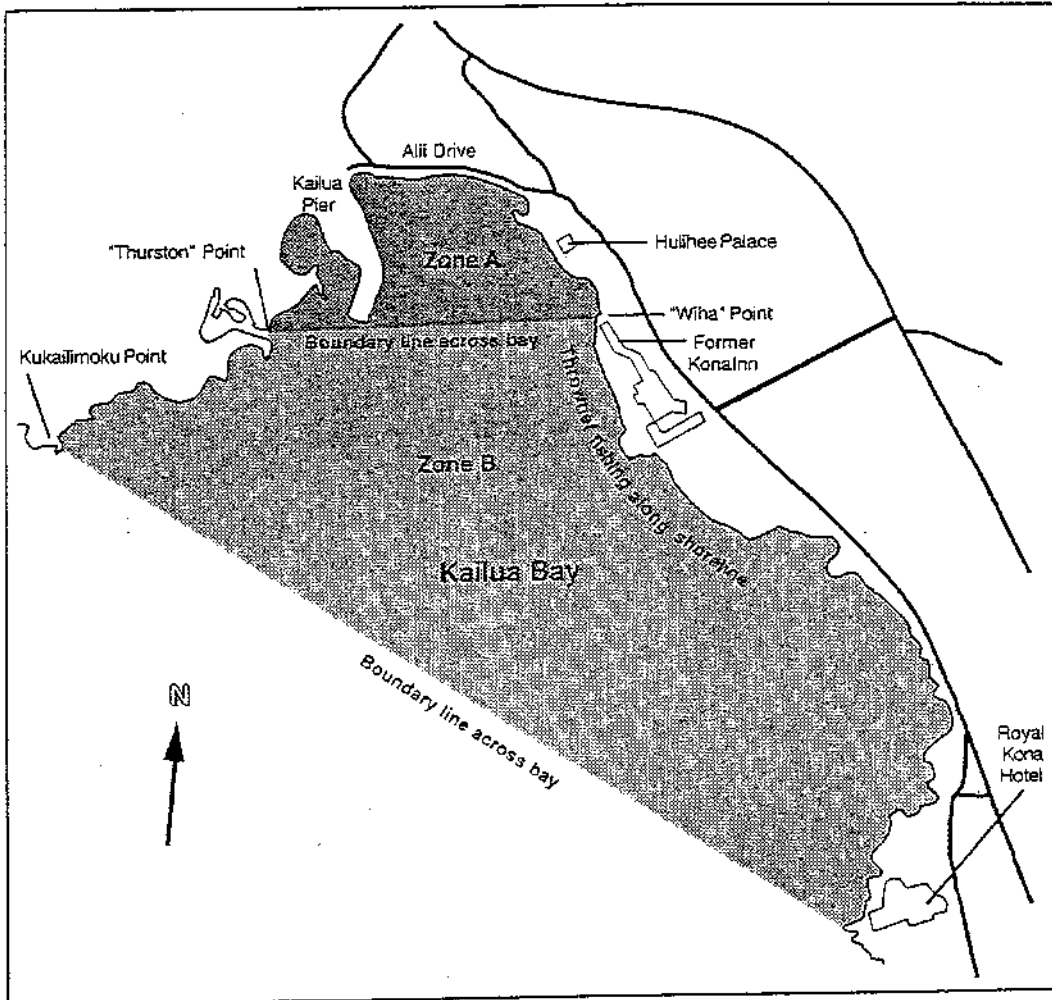
[Eff: 6/25/84; am and comp JUL 31 1995 ] (Auth: HRS §§188-35, 188-53) (Imp: HRS §§188-35, 188-53)

§13-52-3 Permitted activities. A person, with an appropriate license, may use nets to:

- (1) Take young mullet or pua (Mugil cephalus) or other small fish for the purpose of stocking their pond; or
- (2) Take nehu, iao, or other baitfishes for which an open season has been declared for bait purposes only. [Eff: 6/25/84; am and comp JUL 31 1995 ] (Auth: HRS §§188-35, 188-53) (Imp: HRS §§188-35, 188-44, 188-45, 188-53)

§13-52-4 Penalty. Any person violating the

provisions of this chapter shall be punished as provided by section 188-70, Hawaii Revised Statutes. [Eff: 6/25/84; comp JUL 31 1995 ] (Auth: HRS §§188-35, 188-53) (Imp: HRS §188-70)



Map of Kailua Bay Fisheries Management Area, Hawaii 7/1/94

1849