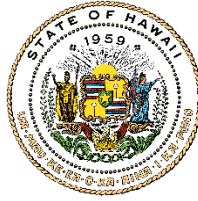


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LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

DIVISION OF AQUATIC RESOURCES  
1151 PUNCHBOWL STREET, ROOM 330  
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FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

July 14, 2023

PUBLIC HEARING NOTICE

FOR THE PROPOSED AMENDMENT AND COMPILATION OF HAWAII  
ADMINISTRATIVE RULES CHAPTER 13-74, "LICENSE AND PERMIT PROVISIONS  
AND FEES FOR FISHING, FISH, AND FISH PRODUCTS"

The Department of Land and Natural Resources (DLNR), Division of Aquatic Resources (DAR) will hold public hearings on the proposed amendment and compilation of Hawaii Administrative Rules (HAR) chapter 13-74, "License and Permit Provisions and Fees for Fishing, Fish, and Fish Products." The proposed amendments include:

- 1) Adding new definitions for "baitfish," "baitfishing report," "catch report," "Commercial Marine Vessel License," "fishing activities," "license period," "Main Hawaiian Islands," "nonresident," "permittee," and "qualified aquaculturist;"
- 2) Removing the definitions for "board" and "Northwestern Hawaiian Islands;"
- 3) Amending the definition of "resident;"
- 4) Clarifying that licenses and permits are non-refundable;
- 5) Clarifying the administrative penalty schedule for violations of the chapter;
- 6) Adding asset forfeiture as an administrative enforcement tool within the chapter;
- 7) Establishing and adding provisions for a new Nonresident Recreational Marine Fishing License (NRMFL) pursuant to [section 188-72, Hawaii Revised Statutes \(HRS\)](#);
- 8) Establishing and adding provisions for a new Commercial Marine Vessel License (CMVL) pursuant to [HRS §189-2](#);
- 9) Adding an exception for CMVL holders to the Commercial Marine License requirements;
- 10) Removing the Northwestern Hawaiian Islands Fishing Permit;
- 11) Increasing the fee for the Bait License, the Mullet Pond Operator and Closed Season Sales License, the Kona Crab and Lobster Closed Season Sales License, the Special Marine Animal or Product Possession and Sale License, and the Aquaculture License from \$50.00 to \$100.00;
- 12) Establishing a fee for duplicate Aquaculture Licenses and licenses to sell reared species;
- 13) Adding a catch reporting requirement for all Bait License holders;
- 14) Giving the Department discretion to require additional reports from Aquaculture License holders;

- 15) Establishing a fee of \$200 for a license to sell reared species;
- 16) Establishing and adding provisions for a new Commercial Marine Dealer License pursuant to [HRS §189-10](#); and
- 17) Other non-substantive housekeeping amendments for clarity and consistency with other chapters.

Interested persons are urged to participate in the public hearings to present relevant information and individual opinions for DLNR to consider. There are three ways to participate: online via internet or telephone; in-person at one of our host locations; or by written testimony.

### **PUBLIC HEARING SCHEDULE**

#### Maui, Molokaʻi, and Lānaʻi - Tuesday, August 15, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/Licenses08-15>)
- Maui DAR Office, 130 Mahalani Street, Wailuku, Hawaiʻi 96793
- Kūlana ʻŌiwi, 600 Maunaloa Highway, Kaunakakai, Hawaiʻi 96748
- Division of Boating and Ocean Recreation – Lānaʻi Office, Mānele Small Boat Harbor, Mānele Harbor Road, Lānaʻi City, Hawaiʻi 96763

#### Oʻahu and Kauaʻi - Wednesday, August 16, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/Licenses08-16>)
- Stevenson Middle School Cafeteria, 1202 Prospect Street, Honolulu, Hawaiʻi 96822
- Kauaʻi Veterans Center, 3215 Kapule Highway, Līhuʻe, Hawaiʻi 96766

#### Hawaiʻi island - Thursday, August 17, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/Licenses08-17>)
- State Office Building, Conference Room A, 75 Aupuni Street, Hilo, Hawaiʻi 96720
- West Hawaiʻi Civic Center – Community Meeting Hale, 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawaiʻi 96740

### **TESTIMONY INSTRUCTIONS**

#### 1) Online Testimony

Persons can present live video/oral testimony via internet or telephone at any of the three online public hearings. Interested persons are encouraged to participate on the date that corresponds with the island that you identify as your primary residence (see schedule below) unless you are unable to attend on the date of your island's meeting. To participate, you will need a computer with internet access, video camera, and microphone, or a telephone. If you wish to testify online, you must register using the links included on the schedule above.

Please note that all fields are required to register to testify. Once you submit the online registration form, a confirmation will be emailed to you with instructions and the meeting link and call-in number. If you do not receive an email with a Zoom link, please email [DLNR.Aquatics@hawaii.gov](mailto:DLNR.Aquatics@hawaii.gov) for assistance. We request that you register to testify at least one hour prior to the hearing to ensure that you receive the Zoom link on time. If you are unable to access the Zoom hearing, you may still provide oral testimony at one of the in-person host sites or you may also submit written testimony. If you do not wish to testify but want to watch the

public hearing online, you can view the online public hearing here:  
<https://bit.ly/DARYouTubeChannel>

2) In-person Testimony

DLNR will set up sites throughout the state where persons can attend in person to present live video/oral testimony via computer on the dates and at the locations listed on the schedule above.

3) Written testimony

Persons can mail or email written testimony by August 11, 2023 to: Division of Aquatic Resources, 1151 Punchbowl Street, Room 330, Honolulu, HI 96813,  
[DLNR.Aquatics@hawaii.gov](mailto:DLNR.Aquatics@hawaii.gov).

Anyone with a hearing impairment who desires to testify, may request assistance of a sign language interpreter. The request will need to be received at least seven days before the hearing is scheduled to start. Additional information or a copy of the proposed rules will be mailed at no charge upon receipt of verbal or written request. The requests may be made in writing (to the DAR address in the preceding paragraph), or by calling 587-0100 (voice or TDD) in Honolulu. The proposed rules can be reviewed in person, by appointment only, at the O'ahu DAR office at 1151 Punchbowl St. Room 330, Honolulu, Hawai'i 96813 from 8:00 am to 3:30 pm, Monday through Friday, except Holidays. To schedule an appointment to review the proposed rules in person, email [DLNR.Aquatics@hawaii.gov](mailto:DLNR.Aquatics@hawaii.gov). The proposed rules can also be reviewed online at <http://ltgov.hawaii.gov/the-office/administrative-rules> or at <http://dlnr.hawaii.gov/dar/rules-and-public-notice>.

Dawn N. S. Chang, Chairperson  
Board of Land and Natural Resources