

Public Hearing Notice

For the Proposed Amendment and Compilation of Hawaii Administrative Rules Chapter 13-95, “Rules Regulating the Taking and Selling of Certain Marine Species,” to Update Rules for Manini, Kala, Uhu, and Pāpa‘i Kualoa (Kona Crab), to Establish Rules for Kole, and to Update the Chapter with Other Various Housekeeping Amendments.

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 13-95, updating rules for manini, kala, uhu, and pāpa‘i kualoa (Kona crab), establishing rules for kole, and updating the chapter with other various housekeeping amendments. The proposed amendments include:

- 1) Increasing the minimum length of manini (Convict Tang) from five inches to six inches;
- 2) Creating a daily bag limit for kala (Bluespine Unicornfish) of two per person per day and prohibiting the possession of more than two kala at any one time with an exception for commercial marine dealers;
- 3) Prohibiting the take of any uhu ‘ele‘ele or uhu uliuli;
- 4) Increasing the minimum length for uhu pālupaluka and uhu ‘ahu‘ula from twelve to fourteen inches;
- 5) Creating a minimum length of ten inches for all other uhu;
- 6) Creating a daily bag limit of two uhu per person per day and prohibiting the possession of more than two uhu at any one time with an exception for commercial marine dealers;
- 7) Creating a minimum length of five inches for kole (Goldring Surgeonfish);
- 8) Extending the current closed season (May-August) for pāpa‘i kualoa (Kona Crab) to May-September;
- 9) Allowing the take of female pāpa‘i kualoa; and
- 10) Making other minor housekeeping amendments for clarity and consistency with other chapters including adding new definitions, amending old definitions, and other stylistic and grammatical corrections throughout the chapter.

Additionally, the proposal includes separate provisions for commercial uhu and kala fishers and dealers including establishing separate bag limits (including annual catch limits), size limits, and open and closed seasons, as well as provisions for a permitting system for commercial take of uhu and kala and a registration requirement for commercial uhu and kala dealers.

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, Moloka‘i, and Lāna‘i - Tuesday, August 1, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/Herbivores08-01>)
- Maui DAR Office, 130 Mahalani Street, Wailuku, Hawai‘i 96793
- Kūlana ‘Ōiwi, 600 Maunaloa Highway, Kaunakakai, Hawai‘i 96748
- Division of Boating and Ocean Recreation – Lāna‘i Office, Mānele Small Boat Harbor, Mānele Harbor Road, Lāna‘i City, Hawai‘i 96763

Hawai‘i island - Wednesday, August 2, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/Herbivores08-02>)
- Aupuni Center Conference Room, 101 Pauahi Street, Suite #1, Hilo, Hawai‘i 96720

- West Hawai'i Civic Center – Community Meeting Hale, 74-5044 Ane Keohokālole Highway, Kailua-Kona, Hawai'i 96740

Kaua'i - Thursday, August 3, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/Herbivores08-03>)
- Kaua'i Veterans Center, 3215 Kapule Highway, Līhu'e, Hawai'i 96766

O'ahu – Monday, August 7, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/Herbivores08-07>)
- Stevenson Middle School Cafeteria, 1202 Prospect Street, Honolulu, Hawai'i 96822

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 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 14, 2023 to: Division of Aquatic Resources, 1151 Punchbowl Street, Room 330, Honolulu, HI 96813, 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. 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