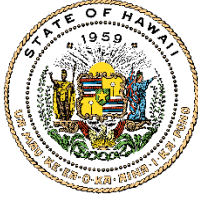


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N.S. CHANG
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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
HONOLULU, HAWAII 968139

August 25, 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," TO ESTABLISH A NONRESIDENT RECREATIONAL MARINE FISHING LICENSE, A COMMERCIAL MARINE VESSEL LICENSE, AND A COMMERCIAL MARINE DEALER LICENSE, AND TO MAKE OTHER 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 13-74, "License and Permit Provisions and Fees for Fishing, Fish, and Fish Products." The main purposes for the proposed amendments are to:

- 1) Establish and add provisions for a new Nonresident Recreational Marine Fishing License (NRMFL) pursuant to [section 188-72, Hawaii Revised Statutes \(HRS\)](#);
- 2) Establish and add provisions for a new Commercial Marine Vessel License (CMVL) pursuant to [HRS §189-2](#), including an exemption from Commercial Marine License requirements for CMVL holders;
- 3) Establish and add provisions for a new Commercial Marine Dealer License pursuant to [HRS §189-10](#);
- 4) Increase 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;
- 5) Remove the Northwestern Hawaiian Islands Fishing Permit;
- 6) Add a catch reporting requirement for all Bait License holders;
- 7) Establish a fee for duplicate Aquaculture Licenses and licenses to sell reared species;
- 8) Give the Department discretion to require additional reports from Aquaculture License holders; and
- 9) Establish a fee of \$200 for a license to sell reared species.

Additionally, the Department is taking this time to make the following housekeeping amendments throughout the chapter: Adding new definitions and amending current definitions

for clarity; removing definitions that are no longer applicable; clarifying that licenses and permits are non-refundable; clarifying the administrative penalty schedule for violations of the chapter; adding asset forfeiture as an administrative enforcement tool within the chapter; and 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.

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>

PUBLIC HEARING SCHEDULE

Maui, Moloka‘i, and Lāna‘i - Wednesday, September 27, 2023, 5:30-8:30 p.m.

- Online via Zoom (register at: <https://bit.ly/Licenses09-27>)
- 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

TESTIMONY INSTRUCTIONS

1) Online Testimony

Persons can present live video/oral testimony via internet or telephone. 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 DAR.Rulemaking@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.

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 October 13, 2023 to: Division of Aquatic Resources, 1151 Punchbowl Street, Room 330, Honolulu, Hawai‘i 96813, DAR.Testimony@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 Street, 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 DAR.Rulemaking@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