

# Nonresident Recreational Marine Fishing License

Overview and spend plan for funds generated from the Nonresident Recreational Marine Fishing License to effectively manage marine fishery resources

*Chapter 188 Fishing Rights and Regulations - Hawaii Revised Statutes §188-72*



Fishing reel with Hawaiian Islands in background.  
Image Credit: NOAA Fisheries



## Background

On June 8, 2021, Act 48 was signed into law establishing a Nonresident Recreational Marine Fishing License (NRMFL) requirement and authorizing the Department of Land and Natural Resources (DLNR) to administer the new program and adopt rules to collect fees from nonresident noncommercial (subsistence and recreational) fishers. This license requirement and fee will support efforts to effectively manage marine fishery resources by the State of Hawai'i Department of Land and Natural Resources (DLNR), Division of Aquatic Resources (DAR).

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Fishing reel with Hawaiian Islands in background.  
Image Credit: NOAA Fisheries



# Introduction

Fishing in marine waters is an important activity and way of life to both the people of Hawai'i and visitors to the State. Noncommercial fishing provides valuable opportunities for outdoor recreation, subsistence, cultural practice, and contributions to the economy ([Grafeld et al, 2017](#)). As fishing is a vital aspect of the State's cultural and economic profile, it is critical to ensure that noncommercial fishing remains an accessible and sustainable activity for generations. Unfortunately, this activity is threatened by degraded marine ecosystems facing human overuse, pollution, and climate change induced impacts such as coral bleaching ([NOAA 2022 Integrated Ecosystem Assessment](#)). To sustainably manage marine fisheries, the State must implement robust and long-term programs that strengthen fishery resilience to these threats now and into the future.

Currently, the State of Hawai'i Department of Land and Natural Resources (DLNR) Division of Aquatic Resources (DAR) manages marine fishery resilience and accessibility of fishing activities through various programs including habitat enhancement, benthic and fish population monitoring, aquatic education, and maintaining public access to fishing. A blend of state and federally-funded programs support these initiatives, but could fall short of the comprehensive needs required by the increasingly threatened future of marine fisheries. This need is met in part through the establishment of the Nonresident Recreational Marine Fishing License (NRMFL), which is estimated to generate upwards of \$1 million annually ([H.B. 1023](#) and [HRS §188-72](#)). Therefore, long-term sustainable financing via the NRMFL is paramount to the success of effectively managing marine fisheries into the future.



# Benefits of Fishing Licenses

In general, fishing license programs are popular throughout the world and can provide a number of benefits to both fishers and resource managers. These benefits include:



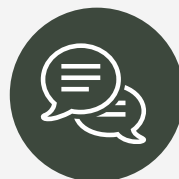
## No. 01 – Revenue

Revenue generation for fisheries management and enhancement



## No. 02 – Data

Better data to support fishery management decisions



## No. 03 – Communication

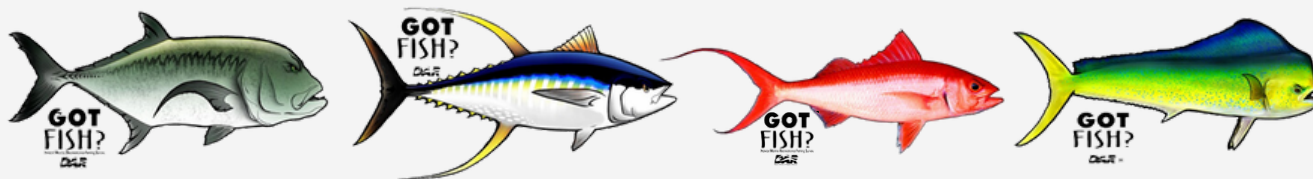
Improved two-way communication between fishers and managers



## No. 04 – Education

Opportunities for education and outreach on fishing rules, regulations, and best practices

The extent to which these benefits may be realized depends on the specifics of the license program and how it is implemented.



Examples of education products produced to promote the Hawai'i Marine Recreational Fishing Survey (HMRFS) program.  
Image Credit: DAR



## Justification for a Nonresident Recreational Marine Fishing License

Non-commercial (recreational and subsistence) fishing licenses are a common practice in other states throughout the U.S. and have an established precedent of success in generating financial resources and informing management actions. In fact, Hawai'i is the only coastal state in the U.S. without a nonresident noncommercial license in place (Feasibility of a Non-commercial Marine Fishing Registry, Permit, or License System in Hawai'i - appendix B and appendix D). Compared to other states, this leaves Hawai'i with less financial resources to manage comprehensive coastal resources for fishery management goals.



### Focusing in on Nonresidents

The decision to focus on nonresident noncommercial users is highlighted by a lack of representation of this user group in current financial contributions to fisheries management. The DLNR already collects financial resources for freshwater game management via the Freshwater Game Fishing License. In marine fishery management, the DLNR collects financial resources from Commercial Marine Fishing Licenses. The DLNR also collects financial resources from the residents of Hawai'i via state taxes, which go to support both marine and freshwater fishery management needs through the allocation of state funds to the DLNR. This creates a revenue generation gap for nonresident user groups.

A recent study from the US Fish and Wildlife Service (USFWS) in 2011 estimated there are 155,000 noncommercial marine fishers in Hawai'i, including residents and visitors. In contrast, there were only 3,715 commercial marine fishing license holders in 2015 (Feasibility of a Non-commercial Marine Fishing Registry, Permit, or License System in Hawai'i). Collecting financial resources from the nonresident recreational group would substantially improve management efforts for marine fisheries.

# The State of Hawai'i Nonresident Recreational Marine Fishing License

Per statute [HRS §188-72](#), each nonresident noncommercial (both recreational and subsistence) fisher will need to purchase a NRMFL if they plan to participate in marine noncommercial fishing. Per [HRS § 187A-1](#), fishing is defined as the catching, taking, or harvesting, or attempting to catch, take, or harvest taking or catching any aquatic life. Aquatic life is defined as any type or species of saltwater fish, shellfish, mollusk, crustacean, or other marine animal. This also includes limu, seaweed, or other marine plants. Some examples of activities that would be considered marine noncommercial fishing include participating in recreational fishing charters, surf/shore fishing, crabbing, picking opihi (limpet), gathering limu (algae), and spear fishing.

The NRMFL is sold via a predetermined fee, which is broken down into daily, weekly, and annually increments. The cost breakdown for these licenses will be:

- 1-day license: \$20
- 7-day license: \$40
- Annual license: \$70

After purchasing a NRMFL, the user is expected to keep an electronic or physical copy of their license on their person, as noncommercial (recreational and subsistence) fishers will be subject to periodic license checks by the Division of Conservation and Resources Enforcement (DOCARE) or federal enforcement personnel.

## Purchasing a license

Users will be able to directly purchase a license and pay the fee via the NRMFL online portal available in 2024. This platform will include a payment portal to allow users to directly pay and receive the license online. Users can either retain this electronic copy or print a copy of the NRMFL. These licenses will also be available for purchase in person at DAR's [regional locations throughout the state](#).

## Exemptions to the Nonresident Recreational Marine Fishing License

**Residents of the State of Hawai'i are exempt and do not need a NRMFL.**

Proof of residency can include:

1. Establishing primary residence by working in the State continuously for a period of twelve months or longer immediately prior to applying for, or obtaining a license or permit
2. Filing or paying individual state income taxes for the previous tax period
3. Establishing domicile in the State with the following forms of ID:
  - a. A valid state ID or driver's license
  - b. a valid school ID
  - c. an official document issued within the past 30 days

In addition, certain user groups are exempt from the user fee that would otherwise be considered nonresidents. **Children under 15, regardless of resident status, do not need a NRMFL. In addition, active military, including spouses and children, are exempt from the NRMFL.**



# The Sport Fish Restoration Strategy

State program operations related to marine fisheries are highlighted in DAR’s Sport Fish Restoration Strategy 2021-2025 which has the ultimate goal of benefitting marine fishery users such as subsistence fishers, recreational fishers, and commercial operators. This strategy outlines fishery management priorities for the State of Hawai’i utilizing Sport Fish Restoration (SFR) funds, a federal program through the U.S. Fish and Wildlife Service that supports fishery enhancement, monitoring, education, and fishing pressure management. To access these federal funds, the State must “match” through the contribution of non-federal funds. The generation of non-federal funds from the NRMFL will assist the State in matching needs for the SFR fund.



**There are four pillars to the Sport Fish Restoration Strategy:** stakeholder engagement, biological data, fishery opportunities, and adaptive internal operations. These pillars are addressed through programs like habitat enhancement, benthic and fish population monitoring, aquatic education, and maintaining public access to fishing.



## Stakeholder Engagement

Promote sport fishing through effective communication and partnership



## Fisheries

Provide diverse and sustainable sport fishing opportunities for present and future generations



## Biological

Inform adaptive and cooperative management through inquiry based science of sport fisheries, fishes, and their ecosystems



## Internal Operations

Ensure a high quality sport fish restoration program that is adaptive and sustainable

The four pillars of the Sport Fish Restoration Strategy



# Spend Plan

Funds generated from the NRMFL will complement projects highlighted as a priority to the continued management efforts of marine fisheries in the State. This includes increasing capacity within DAR by funding a sport fish biologist, fishery technicians, and licensing supervisors. In addition, the NRMFL will support active management programs such as funding fish enhancement projects such as stock replenishment, habitat enhancement projects such as artificial reefs and fish aggregation devices, and the Hawai'i Marine Recreational Fishing Survey.

DAR welcomes an open dialogue on priorities for revenues generated from this license and looks forward to working with community partners and user groups to implement projects related to this licensing system.

## **Leveraging funding sources for marine fishery management needs**

The DLNR primarily uses two funds to manage state fishery resources:

### ***01 - The Sport Fish Special (SFS) Fund***

The Sport Fish Special (SFS) Fund (HRS §187A-9.5) is managed by DAR and is used for the management, preservation, propagation, enforcement, and protection of sport fishes in the State and to serve as match for federal fund resources including the Sport Fish Restoration (SFR) funds. The specific activities designated are:

1. For programs and activities to implement Title 12, Subtitle 5, including the provision of state funds to match federal grants under the Federal Aid in Sport Fish Restoration Act, for projects concerning sport fish
2. For acquisition of the use, development, or maintenance of trails and access ways into public fishing areas, fishery management areas, marine life conservation districts, or private lands where public sport fishing is authorized; and
3. For research programs and activities concerning sport fish conservation and management.

Revenue generated from the NRMFL will be deposited into the Sport Fish Special Fund. Some of the other revenue sources for the special fund include fees associated with accessing sport fisheries-related facilities and fines or bail forfeitures for sport fishing violations. For a comprehensive list of sources of funding for the Sport Fish Special Fund, please see [HRS §187A-9.5](#).

## ***02- The Sport Fish Restoration (SFR) Funds***

DAR receives between \$3.5 - \$4 million annually from the [USFWS, Sport Fish Restoration \(SFR\) Program](#), authorized under the The Federal Aid in Sport Fish Restoration Act of 1950 ([16 U.S.C. 777](#)). These federal funds are generated from excise taxes on fishing equipment, motorboat and small engine fuels, import duties, and interest, which are paid out to states and territories based on the number of paid license holders and land area. Eighty-five percent (85%) of these funds are allocated to DAR projects related to sport fishing, sport fish species, and their habitats. The remaining 15% is allocated to boating access projects administered through the DLNR Division of Boating and Ocean Recreation (DOBOR). As previously mentioned, this funding source must be “matched” by the State utilizing a 25% non-federal match system.



## **Fund allocation**

The SFR funds and SFS funds will be leveraged to increase support for fishery management projects for the State.

### *Project uses for revenue generated*

In the chart below, projects highlighted in green indicate project uses. Projects highlighted are priority fishery management needs at DAR. These include creation of reef habitat, fish enhancement programs, and fishing surveys to better manage current and future fishery resources in the State.

### *Administrative uses of revenue generated*

In the chart below, the rows in blue indicate administrative uses. Administrative uses of the fishery management funds include funding positions to increase fishery management capacity within DAR and the creation of a licensing portal to relieve administrative burden of nonresidents pursuing a NRMFL.

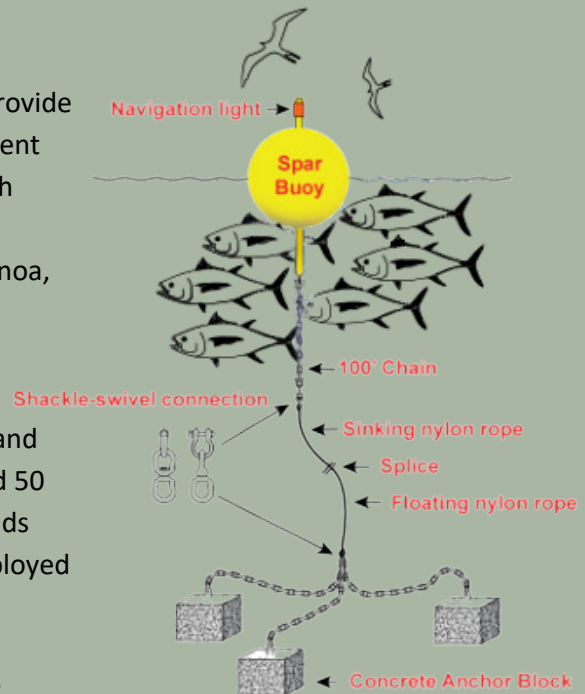
	Project	Description	SFR Funds	Other	SFS Funds	Total
Project Uses	<b>Fish Aggregation Devices</b>	Fish aggregation devices create artificial shelter for sport fish which are reliable sources for catching sport fish	\$570,000	\$90,000 <i>Via in-kind costs &amp; academic support</i>	\$200,000	\$860,000
	<b>Artificial Reefs</b>	Artificial reefs enhance habitat availability for sport fish	\$300,000	\$100,000 <i>Via materials donated</i>	\$200,000	\$600,000
	<b>Hawai'i Marine Recreational Fishing Survey (HMRFS)</b>	Surveys used by DAR to inform habitat conservation and restoration strategies, forecast fishery demand, and inform damage assessments	\$300,000	\$285,000	\$150,000	\$735,000
	<b>Sport Fish Enhancement Projects</b>	Sport fish enhancement projects include priorities such as Research and stock enhancement (moi, kumu), New public fishing areas, Fish cleaning stations	\$0.00	\$0.00	\$45,705	\$45,705
Administrative Uses	<b>Aquatic Biologist IV (Sport fish Biologist)</b>	An aquatic biologist position dedicated to managing sport fisheries in the State	\$0.00	\$0.00	\$100,170	\$100,170
	<b>(5) Fish Technician IV positions</b>	Five fish technician positions for each regional DAR office	\$0.00	\$0.00	\$354,125	\$354,125
	<b>Licensing Supervisor</b>	A licensing supervisor position to manage license revenue generated from fishing licenses	\$0.00	\$50,000 <i>Via commercial fish special fund</i>	\$50,000	\$100,000
	<b>Online Licensing system</b>	Online portal to relieve administrative burden for nonresidents pursuing a NRMFL	\$0.00	\$0.00	\$100,000	\$100,000
	<b>Total Funds</b>	----	\$1,170,000	\$525,000	\$1,200,000	\$2,895,000

# Program Descriptions

## Fish Aggregation Devices

The fish aggregation device (FAD) program is an effort to provide diverse and sustainable sport fishing opportunities for present and future generations through the creation of offshore fish habitat. The State of Hawai'i FAD array is a collaborative program between DAR and the University of Hawai'i at Mānoa, Hawai'i Institute of Marine Biology (HIMB). The program is designed to enable and enhance the offshore "blue water" fishing experience for a wide range of ocean recreational anglers. These devices, or FADs, float in the water column and attract pelagic fishes. Currently, the State maintains around 50 FADs throughout the main Hawaiian Islands. Additional funds from the NRMFL will support additional FAD structures deployed and maintained throughout the State.

To learn more about the FAD program, [please visit the DAR website](#) and [the HIMB website](#).



Schematic of FAD. Image Credit: HIMB

Artificial Reef Z structures aggregating fish and benthic species like coral. Image Credit: DAR



## Artificial Reefs

The artificial reef program aims to provide diverse and sustainable sport fishing opportunities for present and future generations through the creation of reef fish habitat throughout the State. Artificial reefs are created by placing large structures (typically concrete) on the ocean floor. These structures provide shelter for reef fish, similar to the shelter that coral reef structures provide. Therefore, these structures provide a reliable location for fishers to catch reef fish. Currently there are five artificial reefs, four on O'ahu and one on Maui. Additional funds from the NRMFL will support additional artificial reefs placed and maintained throughout the State.

To learn more about the artificial reefs program, [please visit the DAR website](#).



## Hawai'i Marine Recreational Fishing Survey (HMRFS)

The HMRFS program began in 2001 and has two primary goals.

- 1) Collect essential, noncommercial fishing information to support effective fishery management decisions and
- 2) Document fishing activities and provide fishery statistics that justify an appropriate allocation of fishing quotas to the noncommercial fishing sector.

This is accomplished through in person surveys with noncommercial shore and boat fishers throughout the State. This effort has created a long-term database, which is integral to understanding long-term trends in the state's recreational fishery. Additional funds from the NRMFL will support increased staff capacity to distribute surveys and to manage and interpret the associated HMRFS database.

To learn more about the NMRFS program, [please visit the DAR website.](#)



Recreational Fishers. Image Credit: DAR



## Sport Fish Enhancement Projects

Sport fish enhancement consists of a myriad of projects outlined in the SFR strategy. This includes research on best practices in stock enhancement, especially for critical species such as Moi (Pacific Threadfin) and Kūmū (goatfish). Additionally, continued maintenance and establishment of current and future fishing areas is a priority for DAR. Included in this effort to maintain and establish fishing areas, DAR would like to implement fish cleaning stations at public fishing areas. Additional funds from the NRMFL will support these efforts.

To learn more about the SFR strategy, [please visit the SFR strategy 2021-2025 document.](#)

# Frequently Asked Questions

## FAQ overview

To review specific frequently asked questions about the NRMFL, click on the links below.

[How do I get a license?](#)

[Can I get an annual license?](#)

[Where is the revenue going?](#)

[Are fishing charter operators expected to enforce the NRMFL?](#)

[How will information on the NRMFL be made available to the public ?](#)

[Who can I contact at DAR with questions?](#)

[What is the penalty for nonresident recreational fishers without a license?](#)

[Can the NRMFL be revoked?](#)

## FAQ

### How do I get a license?

*Licenses can be purchased online via the web portal and at all regional DAR offices throughout the State.*

### Can I get an annual license?

*Yes, annual NRMFL are available for \$70. In addition, there are day licenses for \$20, and weeklong licenses for \$40.*

### Where is the revenue going?

*The revenue is going towards various fish enhancement, research, and administrative efforts to manage fishery resources throughout the State. These efforts are listed in the spend plan outlined on page 7 of this document.*

**Are fishing charter operators expected to enforce the NRMFL?**

*No, charter operators are not expected to enforce the NRMFL, nor will they be penalized for offering charters to nonresidents without a fishing license. However, charter operators should be aware that nonresidents may be cited for fishing without a license while participating in a charter service. Charter operators are encouraged to share resources with patrons on how to obtain a NRMFL and the consequences if a license is not obtained.*

**How will this be made available to the public ?**

*The NRMFL will be shared with the public through outreach campaigns conducted by DAR. This outreach process will also include informational signs and associated outreach materials at participating bait stores and fishing gear rental locations. DAR will also create a webpage to house the fishing license.*

**Who can I contact at DAR with questions?**

*For questions, comments, and concerns regarding the NRMFL, please contact the DAR email address at [DLNR.aquatics@hawaii.gov](mailto:DLNR.aquatics@hawaii.gov).*

**What is the penalty for nonresident recreational fishers without a license?**

*Nonresidents without a license are subject to administrative penalties. These penalties can be found in section [187A-12.5](#). [[L 2021, c 48, §2](#)].*

**Can the NRMFL be revoked?**

*Yes, the NRMFL can be revoked if the person in any way violates the terms and conditions of the license. For example, selling marine life or purchasing a license on behalf of another individual. Any person whose NRMFL has been revoked shall not be eligible to apply for another NRMFL until one year after the date of revocation.*

# Appendix

The resources listed below were used to inform this document and outline appropriate uses of funds generated from the NRMFL.

## Division of Aquatic Resources

- [Feasibility of a Non-commercial Marine Fishing Registry, Permit, or License System in Hawai'i](#)
- [Sport Fish Restoration Strategy 2021-2025](#)
- [Media Release - DLNR](#)

## Legislative Resources

- [Sport Fish Special Fund](#)
- [§188-72 - NRMFL legislation](#)
- [Hawai'i Administrative Penalties](#)
- [House Bill 1023 - a bill for an act relating to the NRMFL](#)
- [Hawai'i State Definitions - Marine Life](#)

## Academic Resources

- [NOAA 2022 Integrated Ecosystem Assessment](#)
- [Follow that fish: Uncovering the hidden blue economy in coral reef fisheries](#)