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

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

August 29, 2024

**PUBLIC HEARING NOTICE
FOR THE PROPOSED ADOPTION OF HAWAII ADMINISTRATIVE RULES
CHAPTER 13-48.5,
“MAUNALUA BAY FISHERIES MANAGEMENT AREA, O‘AHU”**

The Department of Land and Natural Resources (DLNR), Division of Aquatic Resources (DAR) will hold a public hearing on the proposed adoption of Hawaii Administrative Rules (HAR) chapter 13-48.5, “Maunalua Bay Fisheries Management Area, O‘ahu” on October 2, 2024 at 6:30PM. The purpose of the proposed rules is to: create long-term sustainable fishing within Maunalua Bay; implement fisheries management actions that protect ecologically critical and socially important marine life while minimizing impacts to sustainable fishing practices; develop and implement monitoring and data collection processes that integrate western, indigenous, and citizen science (including empirical knowledge from Maunalua Bay users) to provide decision-makers with a diversity of accurate, abundant, and timely information that contributes to fisheries management decision-making; and develop and implement an inclusive, transparent, adaptive stakeholder-endorsed and science-based decision-making process that lends to long-term sustainable fishing within Maunalua Bay. The proposed Maunalua Bay Fisheries Management Area extends from the southern tip of Kawaihoa Point (Spitting Caves) westward to the Diamond Head Buoy, then from the Diamond Head Buoy shoreward to the Diamond Head Lighthouse, and then from a line drawn along the shoreline between the Diamond Head Lighthouse and Kawaihoa Point.

The proposed rules would prohibit the take or possession of ‘alakuma (“seven-eleven crab”), horned helmet, Triton’s trumpet, ula (“spiny lobster”), and ula papapa (“slipper lobster”). The proposed rules would also make it unlawful between the hours of 6:00 p.m. and 6:00 a.m. to use or possess any spear while diving, to possess both diving equipment and spear at the same time, and to possess both diving equipment and any specimen of speared aquatic life at the same time. The proposed rules carve out an exception allowing vessels in possession of restricted gear or species to traverse through the Maunalua Bay FMA as long as they remain in active transit. The proposed rules also establish the administrative and criminal penalties that may be imposed for violations of the chapter, recognize the State’s asset forfeiture authority as an enforcement tool for violations of the chapter, and proscribe the duration of the rules (until June 30, 2026 unless amended/extended).

Before the public hearing at 6:30PM, there will be an informal informational briefing by Malama Maunalua at 5:30PM in which members of the public may ask questions and seek clarification on the proposed rules. This informational briefing will last approximately one hour and be followed by the

formal public hearing at 6:30PM in which members of the public may express their views and opinions on the proposed rules via oral or written testimony to DLNR.

Interested persons are urged to participate in the public hearing 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 the designated host site; 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 DATE, TIME, AND LOCATION

Wednesday, October 2, 2024,

5:30 – 6:30 - Informal Informational Briefing hosted by Malama Maunaloa

6:30 – 8:30 - Public Hearing hosted by DLNR

Online via Zoom (register at <https://bit.ly/MaunaloaFMA>)

In Person at:

Kalani High School Cafeteria
4680 Kalanianaʻole Highway,
Honolulu, Hawai‘i 96821

TESTIMONY INSTRUCTIONS

- Online Testimony

To provide online testimony, 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 registration link included 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 the in-person host site or you may also submit written testimony.

- In-person Testimony

DLNR will set up an in-person host site at the address listed above where persons can attend in person to present live video/oral testimony via computer on **Wednesday, October 2, 2024, 5:30 p.m. – 8:30 p.m.**

- Written testimony

Persons can email or mail written testimony by Wednesday, October 9, 2024 to the following addresses:

DAR.Testimony@hawaii.gov

Division of Aquatic Resources
1151 Punchbowl Street, Room 330
Honolulu, HI 96813

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 a.m. to 3:30 p.m., 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 viewed online at <https://dlnr.hawaii.gov/dar/rules-and-public-notice/>

A handwritten signature in black ink, appearing to read 'Dawn N. S. Chang', with a long horizontal stroke extending to the right.

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