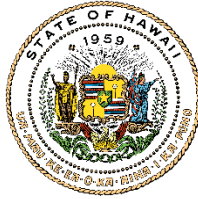


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LAY NET FISHING – NEW PERMIT REQUIREMENT AND OTHER AMENDMENTS

The following is a summary of the amended rules regulating the use of gill nets for lay net fishing. It is a summary and should not be used as a legal substitute for the rule itself. An unofficial copy of the rule (Chapter 13-75, Hawaii Administrative Rules) may be downloaded from the Division of Aquatic Resources (DAR) website at: <https://dlnr.hawaii.gov/dar/files/2014/05/ch75rev.pdf>

I. Definitions

- “**Lay net**” means a gill net that is used in lay net fishing.
- “**Lay netting**” or “**lay net fishing method**” means a technique of fishing where a person or persons engage in the act of or attempt to engage in the act of deploying a gill net in the water in a specific location, then retrieving the gill net from the same location, after a certain time period has passed to allow for the capture of aquatic life. The lay net primarily entangles aquatic life within the mesh of the net as the aquatic life swim or move into the stationary lay net. The lay net is most commonly deployed in a straight line or semi-circular configuration. The main characteristics of lay net fishing are the open net configuration, the stationary net, person or persons may chase the aquatic life into the net, and only aquatic life that becomes entangled in the net mesh are captured. This fishing method is also known as set netting, cross netting, pa'ipa'i netting, and moemoe netting.

II. Lay Net Fishing Restrictions

For waters where the use of lay nets is allowed, additional restrictions are:

A. Lay Net Permit

- Any person using or possessing a lay net in State waters must first obtain a lay net permit from the Department.
- Permits are non-transferrable and expire on June 30 of each year.
- Permit cost:

- Hawai'i residents – Free
- Active duty military and their spouses and minor children – Free
- Non-Hawai'i residents – \$25

B. Identification

- Nets must have at least four identification tags, one at each end of the float and lead lines
- Nets must have a surface buoy attached at each end of the float line (at least 2 total)
 - Buoys must legibly display the permit number
 - Buoys must be marked with reflective tape
 - Buoys must be visible above the surface of the water
- Nets must be retrieved from the water after 4 hours; no nets may be abandoned.
- The Department may seize any lay net found in the water that is not properly identified or is being fished improperly.

C. Net Dimensions

- Maximum net Length: 125 feet
- Maximum net height: 7 feet (stretched), except as provided in West Hawai'i rules.
- Minimum mesh: 2-3/4" (stretched) (3" for Kailua Bay Fisheries Management Area, on Hawai'i Island)
- Multi-panel nets are prohibited.

D. Fishing Protocols

- Fishers may fish with (set) only one net at a time.
- Minimum distance between any lay nets set in the same general area: 250 feet, except as provided in West Hawai'i rules.
- Nets may not be used at depths deeper than 25 feet; unless the fisher has a Commercial Marine License, then 80 feet, except as provided in West Hawai'i rules.
- Nets may not be used (set) for more than 4 hours at any one time.
- Nets must be inspected after two hours of being set; fisher shall inspect and release any unwanted, threatened or endangered species, or any prohibited species.
- Nets may not be used for at least 24 hours after any use.
- Fishers may not fish again with a lay net for at least 24-hours after having fished with a net.
- Fishers may not leave a lay net unattended for any amount of time.
- Nets are to be retrieved without breaking stony corals.
- No lay net fishing permitted in freshwater streams or stream mouths.
- No lay net fishing is allowed between from one-half hour after sunset to one-half hour before sunrise.

E. Area Restrictions

- Moloka'i, Lāna'i and Kaua'i and Ni'ihau will not have banned areas for lay net use; however, the proposed additional restrictions will apply.

F. Waters Where Lay-Net-Use is Banned

Island	Location
Hawai'i	Existing banned areas in West Hawai'i
Maui	Around the entire island
O'ahu	Portlock Point to Keahi Point (West of Pearl Harbor channel)
	Kailua Bay (Mōkapu Peninsula to Wailea Point (northern boundary for Bellows AFB)
	Kāne'ōhe Bay (a portion of the Bay; landward boundaries would be the main ship/sampan channels and landward of Ahu o Laka)