

**Department of Land and Natural Resources
Division of Forestry and Wildlife**

1151 Punchbowl St., Room 325; Honolulu, HI 96813
(808) 587-0063, (808) 587-0064 (Fax)

Application for NARS Special Use Permit



Name: Kūhea Paracuelles, Darrell Tanaka, Brian Yoshikawa
Title of Proposed Activity: Roi Round-up

The following activities require a Special Use Permit under HAR §13-209-5. If your work in the Natural Area Reserve (NAR) will involve one or more of the following, please indicate with an 'X' below:

- remove, injure, or kill any form of plant or animal life, except game mammals and birds hunted according to department rules*
- introduce any form of plant or animal life*
- remove, damage, or disturb any geological or paleontological features or substances*
- remove, damage or disturb any historic or prehistoric remains*
- engage in any construction or improvement*
- engage in any camping activity
- establish a temporary or permanent residence
- start or maintain a fire
- litter, or to deposit refuse or any other substance
- operate any motorized or nonmotorized land vehicle or air conveyance in any area (including roads and trails) not designated for its use
- operate any motorized water vehicle of any shape or form in freshwater environments or marine waters, except as otherwise provided by DLNR's boating rules
- enter into, place any vessel or material on, or otherwise disturb a lake or pond
- engage in commercial activities, defined as "the use of or activity on state lands for which compensation is received by any person for goods or services or both rendered to customers or participants in that use or activity"
- have or possess the following tools, equipments or implements: fishing gear or devices (in `Ahihi-Kina`u NAR), cutting or harvesting gear (in any NAR), and hunting gear or tools (except as permitted by the hunting rules of the department)
- hike or conduct nature study **with a group larger than 10**
- presence in an area closed pursuant to HAR §13-209-4.5 or after visiting hours established by §13-209-4.6
- anchor any motorized or non-motorized water vehicle in the marine waters of `Ahihi-Kina`u NAR
- other (please explain): _____

* May require additional State or Federal permits. Applicants are responsible for identifying and securing all approvals that may be required.

** The NARS rules and recent rule amendments can be viewed on-line at
<http://www.state.hi.us/dlnr/dofaw/Unofficial%20compilation%20HAR%2013.209.pdf>

*** Please allow for a minimum permit processing time of three months***

All permits will have the following standard conditions, pursuant to HAR § 13-209-5. Additional conditions may apply.

- 1) The permittee shall adhere to the specifications given in the permit application
- 2) Disturbance of vegetation and wildlife shall be avoided as much as possible
- 3) Precautions shall be taken to prevent introductions of plants or animals not naturally present in the area. The permittee is responsible for making sure that participants' clothing, equipment, and vehicles are free of seeds or dirt to lessen the chance of introducing any non-native plants or soil animals. Should an infestation develop attributable to the permittee, the permittee is responsible for eradication by methods specified by the department
- 4) Once approved, the permit is not transferable
- 5) Once approved, the permit does not exempt the permittee from complying with any other applicable rule or statute
- 6) The State of Hawaii shall be released and held harmless from any and all liability for injuries or death, or damage or loss of property however occurring during any activity related to the permit

I certify that the information contained in this application is true and correct.



Applicant's Signature

If approved, copies of the permit will be provided to:

- Applicant
- NARS Commission Executive Secretary
- NARS Branch staff
- DLNR-DOCARE

For internal use only:

Application received on: _____

Distributed to District staff for review on: _____

Approval () recommended () not recommended by NARS Commission or authorized representative on: _____ () with the attached special conditions.

() Approved

() Not Approved

Chairperson, DLNR

Date

Applicant Contact Information

Name: If you are applying on behalf of an organization, the organization and your title:

Kūhea Paracuelles, Maui County Environmental Coordinator/Roi Round-up Co-chair, Darrell Tanaka, Roi Round-up Co-chair, and Brian Yoshikawa, Roi Round-up Co-chair.

Title of Proposed Activity: Roi Round-up

Primary contact person for this permit application: Kūhea Paracuelles

Mailing Address: 200 South High Street, 9th Floor, Wailuku, HI, 96793

Phone: 808-270-8299

Fax: 808-270-7870

Email: Kuhea.Paracuelles@mauicounty.gov

Supporting Information

Please provide the following information about your proposed activity that requires a special-use permit ("proposed special-use"). Failure to provide responses to the following questions may result in your application being rejected.

1. What is the period of time for which the permit is requested (e.g., the date of a proposed single event or an ongoing research project from when to when)?

The period of time for which this permit is requested is from March 1, 2010 to March 1, 2011. Plans will be made to implement the invasive fish removal on a singular date (April 18, 2010), however, the event is weather dependent so backup dates during the approved permitted period may also be utilized. Additionally, biological surveys will need to be implemented pre and post event implementation. Planning for these surveys will remain flexible and will occur over several days dependent on weather and the availability of surveyors and staff (for escorts).

Depending on the success of the initial event and the analysis of the data, a second event may be held in the Winter of 2010.

2. List the individual Natural Area Reserve(s) involved:

‘Āhihi-Kina‘u Natural Area Reserve.

3. Attach a map that illustrates where in the Natural Area Reserve(s) you propose to conduct your special-use. *The map should be legible and reproducible in black and white. The map should also be at the appropriate scale for the type of activity proposed and of sufficient detail to allow the Division to identify activity sites within 10 meters. For any activity off established trails, entry and exit routes should be marked.*

Attached

4. Provide a thorough and detailed description of the proposed special use.

The special use that would be allowed by the granting of this permit is the implementation of an invasive fish species removal project. The goal of the project is to remove invasive roi (Blue Spot Grouper, *Cephalopholis argus*) and to'au (Blacktail Snapper, *Lutjanus fulvus*) from select areas within the marine portions of 'Āhihi-Kina'u NAR. The project will be implemented in several phases to document the effects of the invasive fish removal both before and after the event as well as investigate the feasibility of a long term invasive fish removal program.

Phase 1 – Baseline measurement

Phase 1 will consist of the steps necessary to complete a baseline measurement of roi and to'au populations and density before the fish removal is initiated. If time and weather permits, data on the density of other fish species will be taken to help determine the long term effects of invasive fish removal. In this phase, scientists and volunteers from The Nature Conservancy, Department of Land & Natural Resources – Division of Aquatic Resources, Kaho'olawe Island Reserve Commission (KIRC), and Roi Round-up will use a boat to travel into NAR waters and scuba dive to establish transects along removal sites. These RAT surveys will be conducted to gather baseline data on fish species densities with special attention being focused on prey species, juveniles, and predators (including roi and to'au). Transects will be recorded using GPS units and no permanent pins will be installed.

This phase will likely be implemented in 4 days depending on weather. We are also requesting permission to gain access into the closed area by foot in the event that the weather or other logistical conditions do not permit the use of a motorized vessel and/or scuba gear. As a backup plan, the survey team will hike into the closed area (guided by NARS staff) using established trails, swim from shore to the transects, and conduct a modified monitoring plan by snorkeling. Five minute snorkel surveys along a five meter corridor will be used to evaluate size and distribution of only roi and to'au species. This is not the preferred method, but will be used if other means are not possible.

Phase 2 – Public Notification and Diver Briefing

Because there will be vessels and spearfishermen conspicuously spread throughout the reserve spearing fish, there will be a public notification process to inform the public of the activity both before the event as well as in the reserve on the day it occurs. The goal of this phase is to increase public awareness of both the event itself (to avoid conflicts with unnecessary enforcement calls) and the harmful effects of roi and to'au on the marine environment. This will be accomplished by issuing press releases in conjunction with the Public Information Offices of DLNR and the County of Maui before the event occurs. On the day of the event, all participants will be visually identifiable by bright markings, DLNR vessels will be marked and staffed by uniformed individuals, and rangers and other volunteers will be present along the shoreline to explain the event to visitors and answer any questions.

Participants will also be briefed before the event to ensure a thorough understanding of the NAR rules, event/safety procedures, and the purpose and function of a Natural Area Reserve.

Phase 3 – Invasive Fish Species Removal

Phase 3 will consist of the actual invasive fish removal. During this phase, DLNR staff from multiple Divisions, 18 volunteer spearfishermen, and agency partners will board DLNR vessels at Kīhei boat ramp at approximately 6am, be shuttled to the fish removal sites in the NAR, and conduct roi and to‘au fish removal using spear guns and three prong Hawaiian spears. Special consideration will be given to the divers during this phase to ensure the safe and effective fish removal. All divers will be in teams of two, with at least one dive float per team. Divers snorkels, fins, and floats will be marked with reflective/bright tape to make their appearance conspicuous. In this way, DOCARE enforcement officers will be able to distinguish between permitted and illegal spearfishing if it were to occur. Additionally, the reflective tape will help boat captains monitor the location of the divers. All divers will enter and exit the water from DLNR vessels to ensure safe return as well as monitor fish removal.

Dive teams will be divided into groups and will remain near their assigned vessels for the duration of the event. The divers will target roi and to‘au and use care when spearing the fish. When possible, all fish will be speared in the frontal or spinal area to avoid gut shots, and special care will be used to avoid damaging coral or other fragile marine resources. When each fish is speared, the fish will be bagged, given to a swimmer who will swim the bag to the assigned vessel to drop off the fish. The data on fish size and gut content will most likely be recorded at a later date offsite.

The total duration of the invasive fish removal day within the NAR will be approximately 5 hours (~7am-12pm) but will depend on weather.

The participant list is provided below. Participants have been selected using a criteria based on past participation in Roi Roundups. These participants have proven both their dedication to removing roi and the skill necessary to accurately and safely dispatch fish. The list may increase or decrease slightly depending on the availability of participants and includes 14 slots with 10 alternates.

- 1) Troy Baker-Sato
- 2) Westley Calvin
- 3) Dwayne de Serres
- 4) Rob Fujimoto
- 5) Cal Hirai
- 6) Dean Kawamura
- 7) Bryan Nakamoto
- 8) Grant Nakamura
- 9) Lance Otsubo
- 10) Max Renigado
- 11) Kapena Segundo
- 12) Keoni Tamayo
- 13) Darrell Tanaka
- 14) Todd Tyau
- 15) Kimi Werner
- 16) Demetrius Xenos
- 17) Brandon Yoshikawa (Minor)
- 18) Brian Yoshikawa

Alternates:

- a) Jeff Chong
- b) Ed Espelita
- c) Jake Ramey
- d) Brandon Shim
- e) Eric Warner
- f) Shane Yoshikawa

In addition to volunteer spearfishermen from past Roi Roundup Tournaments, the event will also include staff from DLNR and partner agencies including The Nature Conservancy of Hawai'i.

A total of four (4) DLNR vessels will be present in reserve waters that day as safety escorts for the divers as well to establish an enforcement presence and address any enforcement concerns that may arise. Jet skis may also be utilized to assist the vessels in providing an enforcement presence in the reserve.

- DAR Vessel
HA 0545XS
Operator: Darla White; Crew - Linda Castro and Skippy Hau
- DOCARE Vessels
HA 0609 XS, 36' ALMAR – Operator: Brooks Tamaye
HA 384 XS, 22' Force - Operator: Clarence "Matt" Yamamoto
HA 591 XS, Jetski – Operator: John de Jesus
HA 592 XS, Jetski – Operator: Gordon "Nalu" Yen
HA 450 XS, Jetski – Operator: Nathan Hillen
HA 492 XS, Jetboat - Operator: Howard Rodrigues
- KIRC Vessels
'Ohua -- HA 0579 XS or Hakilo - HA 490 XS
Operator: Captain Charlie Lindsey and/or Keone Laepa'a

Other supporting participants (Survey, coordination, etc.)

- Emily Fielding
- Kūhea Paracuelles
- The Nature Conservancy Staff - TBD

Phase 4 – Follow Up Survey

Similar to Phase 1, a survey team will return to the site of their original transects and repeat the survey after the invasive fish species are removed. This will most likely occur in late summer and will be dependent on weather.

Phase 5 – Follow Up Dives

Phase 5 will consist of follow up invasive species removal trips. This phase will largely depend on the NARS staff's assessment of Phases 1 thru 4.

5. Please answer the following questions about your proposed special use:

a. Can your proposed special use be conducted elsewhere? If not, why not?

No. The purpose of the special use will be to reduce the invasive fish (and the associated negative effects) in 'Āhihi-Kina'u Natural Area Reserve. Conducting similar action outside of the NAR will not provide the direct benefits to the reserve that the proposed action will.

b. Is your proposed special-use consistent with the purpose and objectives of the Natural Area Reserves System (the purpose and objective of the NARS is to protect in perpetuity specific land and water areas which support communities, as relatively unmodified as possible, of the natural flora and fauna of Hawai'i)? If so, how?

Yes. The removal of roi and to'au will provide a direct benefit to the natural marine flora and fauna. The introduction of these species into Hawai'i waters was a modification to a natural environment that will be remediated by implementing this action. Additionally, the results from the data gathered from this project will improve the understanding of invasive fish species management in marine protected areas and help to guide future management efforts.

c. Is your proposed special-use consistent with the management plan developed for the individual Reserve(s).

Yes. Roi and to'au have been identified as resource threats in the 'Āhihi-Kina'u draft management plan.

d. Does your proposed special-use provide a benefit (direct or indirect) to the Natural Area Reserves System or to the individual Reserve(s) or both?

Yes. The removal of invasive fish species will provide a direct benefit to the Reserve because it will immediately decrease the densities of invasive fish. This action will likely add to increased juvenile survivorship of native fish species and the reduced prevalence of alien algae by protecting herbivorous fish which are currently being preyed upon by roi and to'au..

- e. Will the proposed special-use damage or threaten to damage the integrity or condition of the natural, geological, or cultural resources in the individual Natural Area Reserve(s) and adjacent area or region? If so, how? If not, why not?

No. DLNR staff will review procedures before the implementation of the project to ensure minimal damage to the resources.

- f. Does the proposed special-use comply with the provisions and guidelines contained in HRS Chapter 205A, entitled 'Coastal Zone Management,' where applicable?

Yes.

- g. Have you (the applicant) previously received a NARS Special Use Permit? If so, did you comply with the conditions of any previously approved permit (including providing a final report as requested)?

No permit previously requested.

- h. Do you (the applicant) have any other current NARS special-use permits? If so, please list and state whether you are currently in compliance with the conditions of those permits.

No.

6. Is the proposed special-use expected to have an environmental impact on the Natural Area Reserve(s) or the surrounding area? If, so please elaborate. If not, why not? *Please include discussion of any off-trail work, such as mist-netting, setting of traps, removal of vegetation, etc. and any measures planned to mitigate any short and long-term damage.*

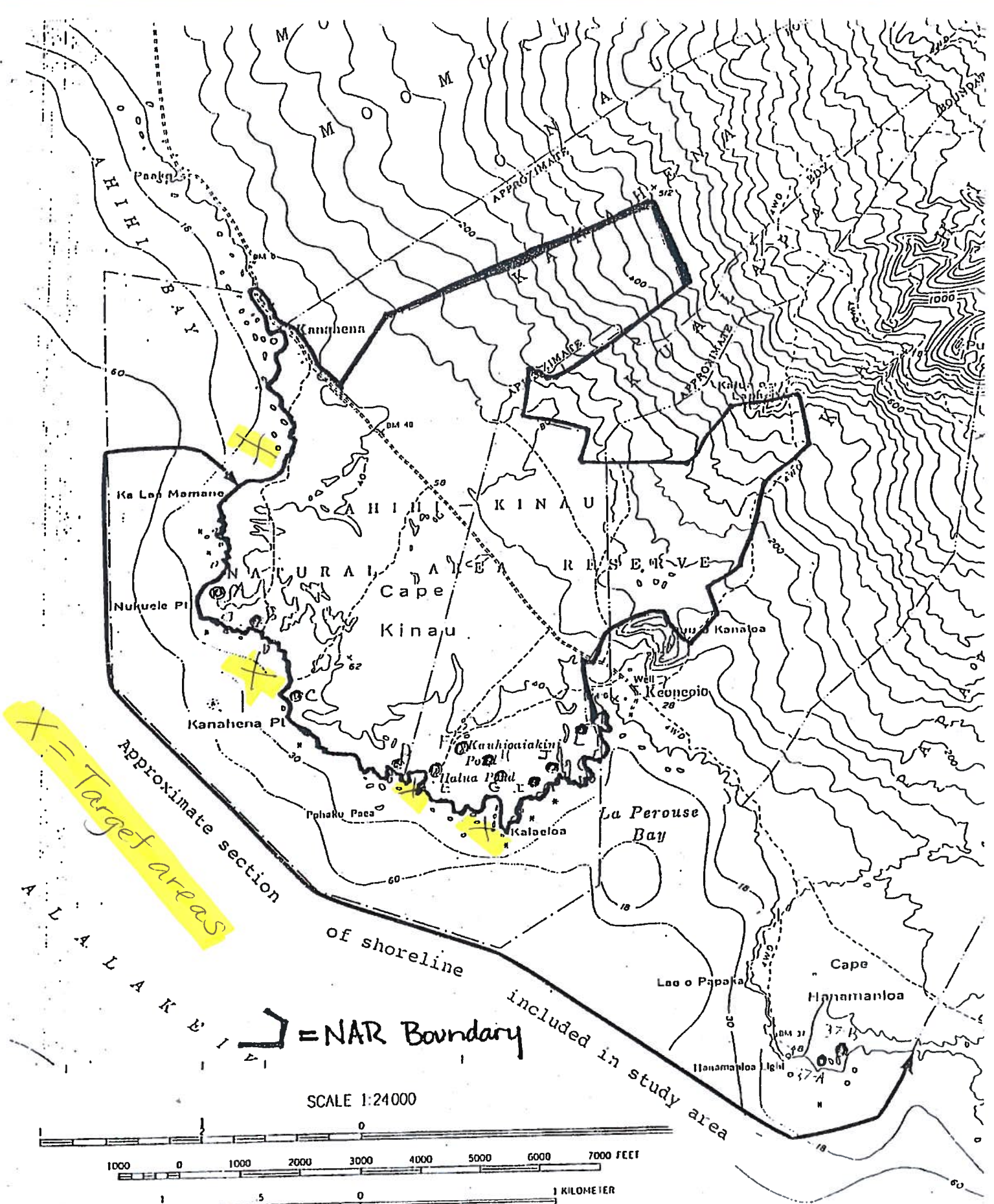
No negative impact to the environment is expected. Removal of the invasive fish species is expected to have a positive impact on the coral reef systems and encourage productivity and survivorship of native fish populations.

7. There is an application fee of \$50 to cover the cost of processing; please attach a check made out to: *Department of Land and Natural Resources*. Fee waivers are rarely granted; if you would like to be considered for a fee waiver, please check here **X**, and explain in the space below why the proposed special-use is in the public interest, benefits the State, or is for traditional and customary practices. If the waiver is granted, the \$50 check will be returned.

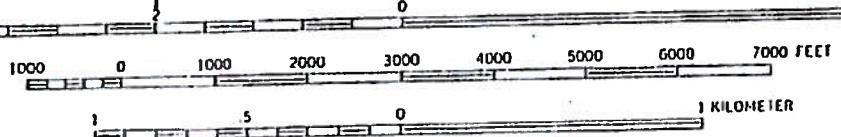
We would like to request a fee waiver based on the Roi Round-up providing invasive fish removal as a community-based service to the NARS Division and for the benefit of the Reserve and its natural resources. There will be accompanying opportunities for scientific study that will be enjoyed solely by the DLNR and its partner agencies. The spearfishermen will not benefit personally from participating in this event, but are doing so to support the DLNR and Maui's marine environment.

8. For research proposals, please list any local collaborators or contacts (if any).

- DLNR-DAR: Linda Castro, Skippy Hau, Russell Sparks, Darla White
- DLNR-DOCARE: Randy Awo, John de Jesus, Nathan Hillen, Howard Rodrigues, Brooks Tamaye, Clarence “Matt” Yamamoto, Gordon “Nalu” Yen
- DLNR-KIRC: Michele McClean, Charlie Lindsey, Cheryl King, Keone Laepa‘a, Dean Tokishi
- DLNR-NARS: Bill Evanson, Matt Ramsey
- Roi Round-up Divers: Darrell Tanaka, Brian Yoshikawa
- The Nature Conservancy: Zach Caldwell, Eric Conklin, Emily Fielding, Kydd Pollack, Evelyn Wight



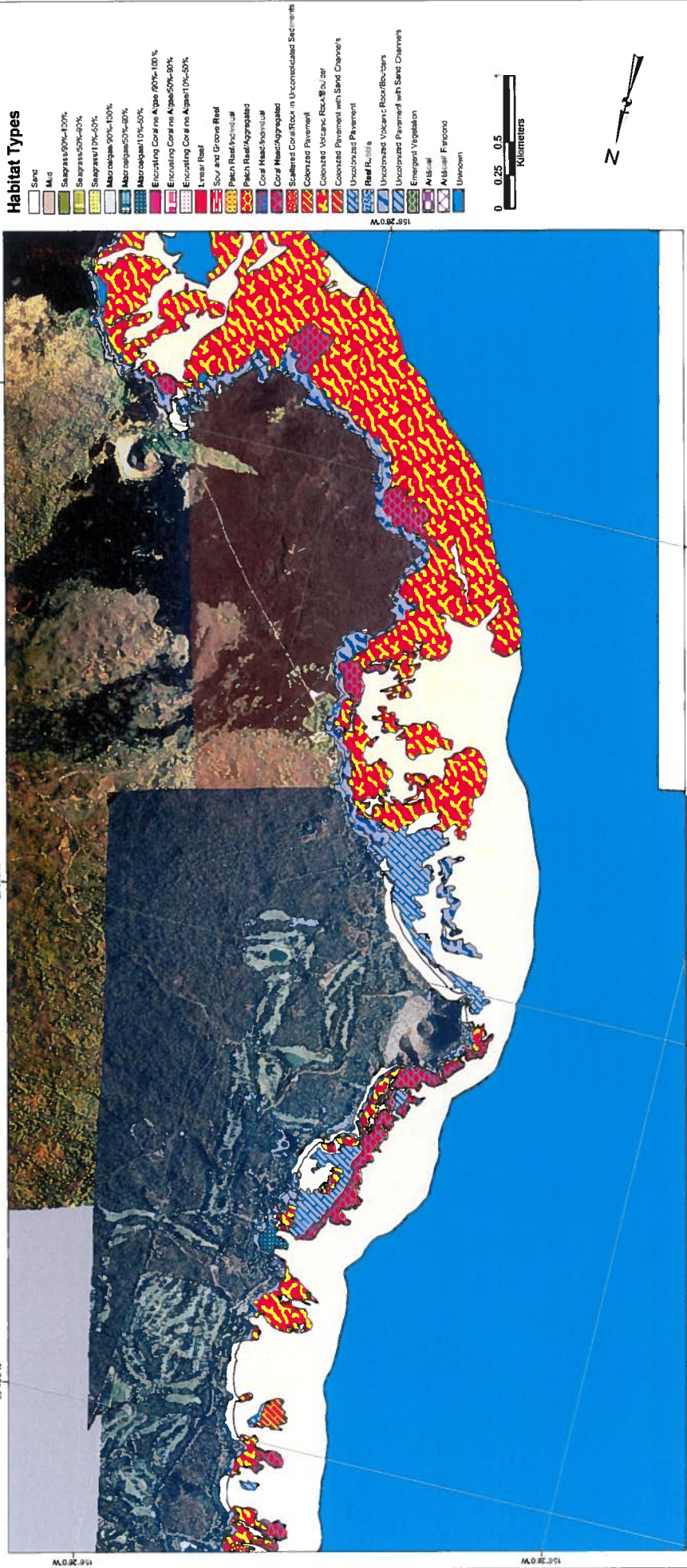
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CONTOUR INTERVAL 40 FEET
 DATUM 1: AN SEA LEVEL.

SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER
 THE RELATIONSHIP BETWEEN THE TWO DATUMS IS VARIABLE

Attachment A

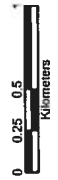


Maui Benthic Habitat Map

Frame 27



Map prepared by the National Ocean Service, Beaufort, North Carolina, in cooperation with Analytical Laboratories of Hawaii, 2002.



20°43'00"N 156°28'00"W 20°43'00"N 156°28'00"W 20°43'00"N 156°28'00"W 20°43'00"N 156°28'00"W