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

P.O. BOX 621
HONOLULU, HAWAII 96809

June 18, 2024

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COMMISSION ON WATER RESOURCE
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Chairperson and Members
Natural Area Reserves System Commission
State of Hawaii
Honolulu, Hawaii

NARS Commission Members:

SUBJECT: REQUEST CONSIDERATION OF APPLICATION OF FOR SPECIAL USE PERMIT FOR TRADITIONAL AND CUSTOMARY FISHING PRACTICE IN 'ĀHIHI-KĪNA'U NATURAL AREA RESERVE, APPLICANT L. VEDDER.

BACKGROUND:

On March 13, 2023, the Division received an application (Exhibit A) for renewal of a special use permit (Exhibit B), pursuant to Chapter 13-209-5, Hawaii Administrative Rules, from Ms. Leina'ala Vedder (Kuloloio Ohana), requesting to engage in traditional and customary fishing practices in the 'Āhihi-Kīna'u Natural Area Reserve.

The 'Āhihi-Kīna'u Natural Area Reserve (Reserve) was established in 1973 for the purpose of protecting its unique native ecosystems, as unmodified as possible, in perpetuity. The Reserve includes an 807-acre marine reserve that supports one of the most intact marine ecosystems in the state. The coral reefs of the Reserve are among the healthiest in the main Hawaiian Islands, with research indicating that they are the only coral reefs on Maui in which coral cover has increased in recent years¹. At least 33 species of coral, 53 species of subtidal invertebrates, and 75 species of fish, 17 of which are endemic, have been documented in the Reserve. The Reserve supports numerous endangered and protected species and is encompassed by the Hawaiian Islands Humpback Whale National Marine Sanctuary. Pursuant to the statutory purpose of the Reserve, take of marine life is prohibited.

In 2023, the Division received three applications from separate persons and families requesting to engage in traditional and customary fishing practices in the Reserve, and a fourth inquiry for which an application may be pending. Subsequent to those applications, one application was withdrawn and the remaining two are pending a decision by the Commission. In addition to its constitutional and statutory responsibilities for the protection and management of the Reserve, the Division has a

¹ Rodgers et al. 2009. Biological Assessment of 'Āhihi Kīna'u Natural Area Reserve, Maui, Hawai'i

constitutional responsibility to facilitate and support the rights of native Hawaiians to engage in traditional and customary practice, as provided by law. In light of the significant number of applications and inquiries received, the Division submitted to the Commission under a separate agenda item a request for approval of terms, conditions, and guidance in consideration of the issuance of permits for traditional and customary fishing practice in the Reserve, including approval of cumulative annual take limits to be applied across all permits, should any such permits be approved. Included in that submittal is additional background and a detailed discussion of issues and considerations². The purpose of this submittal is to request a decision on the subject application.

CONSULTATION:

In reviewing the levels of take of marine life requested in the permit renewal application in consultation from experts with the Division of Aquatic Resources (DAR), staff noted concerns about potential take of marine life within the Reserve, particularly in light of the significant increase in applications and inquiries received, as well as concerns about levels of take levels of certain species that are at risk of impacts or for which populations are low or in decline in the Reserve or elsewhere. To discuss the application and staff concerns, a series of meetings were convened with the applicant and representatives from the Kuloloio ohana. Also in attendance at most of the meetings were representatives of the Lu‘uwai family, for which an application is also pending.

On June 21, 2023, staff met with the applicant and representatives from the families for a preliminary discussion of the application. During this meeting, staff shared concerns regarding take of marine life and the potentially large number of eligible applications.

On October 17, 2023, a second meeting was convened with the applicants from the Kuloloio and Lu‘uwai families. In attendance were the Department Chair and Land Deputy, and Division (DOFAW) and DAR staff. The applicants described their families’ past fishing practices at ‘Āhihi-Kīna‘u and what they propose in the subject application. The families described the significance of the reserve to their families and their practices, including the importance of resource conservation. Staff shared concerns about potential impacts from take of marine life and suggested that if there were to be permits issued it would be important to establish cumulative annual take limits that reflected minimal take and would apply across all permits. The meeting was productive and staff and the applicants agreed to follow up to see if they could come to a consensus about take limits and cumulative annual take limits to accompany permits, should such permits be approved.

On December 21, 2023, representatives from DAR and DOFAW met with the applicants and discussed take limits and the idea of cumulative take. DOFAW and DAR expressed concerns about some of the take levels requested, especially for certain species that are in decline, and provided a table of suggested take limits and cumulative annual take for the families to review. The applicant agreed to review the table and provide comments at a future meeting.

On February 13, 2024, representatives from DAR and DOFAW met with the applicant and representatives from the Kuloloio ohana. The Kuloloio family provided an updated proposed take table (Exhibit C). Staff noted that it was largely consistent with the levels identified in the table provided by staff at the prior meeting. In particular, staff noted that the Kuloloio family was agreeable to lower take

² <https://dlnr.hawaii.gov/ecosystems/nars/commission/>

limits for limu, opihi, and urchins, and agreed to no take of uhu, kala, papio, and kumu, species for which staff had expressed significant concerns. There was discussion about fish caught with throw nets and staff agreed based on those discussions that the requested bag limits for manini, kole, uouoa, and aholehole, were reasonable, noting that it would provide flexibility when fishing, while keeping the overall take within the cumulative take recommendations. This meeting ended on a positive exchange where staff felt the applicant was sincere in their application and their request consistent with reducing the level of take to the minimum amount needed to conduct their practice in Reserve.

Additional meetings were held in February and March of 2024 with representatives from the Lu‘uwai family, in which representatives of the Kuloloio family attended to listen only.

On April 24, 2024, staff met with the Lu‘uwai and Kuloloio families together to provide an update on the application review and consultation process. Staff indicated that it was developing a draft submittal for the Commission that requested decisions on both of the families’ applications and that it would make that draft available for review by the families. Representatives from the Kuloloio family requested that their application be considered separately, as a separate item and request on the Commission agenda. Kuloloio family members noted that they had productive discussions early on in the consultation process in the February 13, 2024 meeting with staff and wished that those discussions and process be considered on their own merits, indicating their desire that the staff submittal provide a recommendation of approval of their application. Staff acknowledged the requested and expressed appreciation for the productive dialogue and consultation.

DISCUSSION:

In a prior item on today’s agenda, the Commission considered terms, conditions, and guidance for the issuance of special use permits for traditional and customary fishing practices in the Reserve, including cumulative annual take limits to be applied across all permits, to accompany such permits, should any be approved. It is staff’s assessment that the subject application, including the updated proposed take table (Exhibit C) presented to staff by the applicant, is consistent with those terms, conditions, and guidance, including the cumulative annual take limits. Most of the take requested is furthermore significantly lower than the levels identified in the cumulative take recommendations. Staff believes that these requested levels are the result of the sincere desire on the part of the applicant to contribute to effective conservation of marine life in the Reserve and to work with staff on concerns expressed regarding potential impacts on the marine resources.

RECOMMENDATIONS:

That the Commission:

- 1) Approve or deny the subject application(s) for special use permit(s) to engage in traditional and customary practice, including take of marine life.
- 2) Should the Commission approve the subject application(s), approve the inclusion of terms, conditions, and guidance, as appropriate, including take limits identified in Exhibit C, to accompany the permit.

Respectfully submitted,



Emma Yuen, Natural Resources
Management Program Specialist
Division of Forestry and Wildlife

Exhibits

- Exhibit A. Application for renewal
- Exhibit B. Kuloloio Special Use Permit issued June 2014
- Exhibit C. Kuloloio Proposed take limits

Permit Activity Details Summary

Applicant

Name: FRANCILLE VEDDER
Address: 122 KAHIAPO PLACE
City/State/Zip: HAIKU Hawaii 96708

Application Information

Permit Type

Invertebrate Rare Plant NARS

Activity will involve:

Take of animal or plant life Install equipment or structures Commercial Use Damage / disturb cultural features Damage / disturb geological features Damage / disturb historical features Damage / disturb natural features

1) How will study/activity results benefit the area, resource, or management in the future?

Access will be approximately quarterly and centered on learning the wahi pana (place names), nā alahele (trails), ka 'ike ku'una lawai'a (traditional fishing knowledge), nā loina (values); gathering by observing first, sampling on site, and taking only what is needed for the family ("E 'ai i kekahi, e kāpī i kekahi" - Eat what you need, return the rest). To conduct access to the Reserve to pass on ancestral and generational knowledge to the mo'opuna (descendants) of the Kuloloio 'Ohana (Ka 'Ike Ku'una o Nā Kūpuna 'Alaea o Honua'ula); in an area long held to be associated with the 'Ohana, in order to perpetuate traditional practices.

Submitted

- * Our 'ohana will examine conditions of trails along 'ae kai.
- * Dispose of 'opala, sore was debris, ets.
- * Identify users in area who are snorkeling, swimming, or disrespecting natural resources.

2) Study/activity objectives

Our objective is to protect the 'Aha Moku System. We supersede the NARS Management Plan because we come with traditional moku knowledge of Honua'ula. We come with respect for the lani, 'āina, and kai.

3) Specific study/activity location(s). Attach map if needed.

Code	Island	Land Designation	Locality Name	Other Locality
47	Maui	Natural Area Reserve	'Ahihi-Kina'u Natural Area Reserve	
129	Maui	City and County Lands	See Other Locality Field >>	Maonakala to Ahihi Kina'u, to Mamau, to Kanahena, to Keone'o'io, to Ka Lae Mamane.

4) Mode of travel to study/Activity site

Hiking/On foot Motor vehicle Helicopter

5) Duration of study/activity

- a. Overall: Planned visits will be approximately once a quarter to record seasonal changes, conditions, and species traditionally harvested. Access to the Reserve will be from shoreline and by foot only. Traditional use of observing, managing, and gathering natural resources from the shoreline and offshore will be followed using traditional methods.

b. Dates for this request:

Start Date: 06/01/2023 End Date: 05/31/2024

6) How is the study/activity to be accomplished? What are the methods to be used?

Be specific in listing study/survey techniques and include efforts that will be taken to minimize effects on the resource and/or area.

We will gather, identify, tase, collect data, compare, and visually examine alignment of papa 'āko'ako'a, limu papa, ko'u ku'ula. Examine conditions of trails along 'ae kai. Dispose of 'ōpala, shore wash debris, etc. Identify users in area who are snorkeling, swimming, or disrespecting natural resources.

a) Method of transportation will be on car traveling on the main road. We will then travel by foot from the parking lot to the shoreline.

*We will gather, identify, tase, collect data, compare, and visually examine alignment of papa 'āko'ako'a, limu papa, ko'u ku'ula.

- *Examine conditions of trails along ‘ae kai.
- *Dispose of ‘ōpala, shore wash debris, etc.
- *Identify users in area who are snorkeling, swimming, or disrespecting natural resources.

b) Ka ‘Ike Ku‘una o Nā Kūpuna Alaea o Honua‘ula is kept with makuakāne and makuahine of the Kuloloio ‘Ohana. Kuloloio ‘Ohana members include myself, my children, brother, sister, nieces, and nephews.

7) Justification:

a. Why is the proposed study/activity important?

Ka ‘Ike Ku‘una o Nā Kūpuna Alaea o Honua‘ula is kept with makuakāne and makuahine of the Kuloloio ‘Ohana. Kuloloio ‘Ohana members are left to pass on our lineal traditional and customary knowledge to the next generation. Leinā‘ala, family matriarch and keeper of knowledge of limu harvesting practices has the kuleana to pass on this traditional and customary knowledge to the children and grandchildren of my kūpuna.

The Honua‘ula District of Maui (Kona) is a cultural depository to teach my children and the generations to come. I, along with my brother Manuel and sister Kekane, are the only mākuā in my family who have this knowledge. I learned how to fish and gather from the sea as a child with my parents and family members in Honua‘ula, Hāmākuapoko, and Hāmākualoa. My parents along with my kūpuna took my brother, sister, and me to these area and taught us what they knew before the area was turned into a reserve. Like my father, Leslie Kuloloio, it is important that my knowledge and experiences be passed down to the next generation so that they know the right stories and name places from kūpuna from that place rather than outsiders who claim to know the area. I want them to know how to survive off of our own foods from the sea. I will teach my children, nieces, and nephews how to collect data of the amount and kinds of fish we have gathered.

b. If work is in a Natural Area Reserve, can it be done elsewhere? If so, justify use of NARS. Is your proposed special-use consistent with the purpose and objectives of the Natural Area Reserve System, and Natural Area Reserve management plans? Does your proposed special-use provide a benefit (direct or indirect) to the Natural Area Reserve System or to the individual Reserve(s)? Where applicable, does the activity comply with HRS Ch.105A, “Coastal Zone Management”.

No. The Honua‘ula District of Maui (Kona) is a cultural depository to teach my family nā wahi pana (name places), nā alalehe (trails), ka ‘ike ku‘una lawai‘a (traditional fishing knowledge) and nā loina (values) that are unique to the places listed above.

Yes. The proposed special-use does comply with the provisions and guidelines contained in HRS Chapter 205A, entitled Coastal Zone Management. We will also be following our own traditional ways of gathering by taking only what is needed for the amount of people that will be eating it. “E ‘ai i kekahi, e kāpī i kekahi” – Eat what you need, return the rest.

c. How will the information learned be applied?

My ‘ohana feel that it is our kuleana to be protectors and stewards of the ‘āina and teach the next generation. Our special-use will be a benefit to the Reserve because we will teach the next generation how to do data collection of the amount of sea animals that are in the area and how many we have collected. My brother, sister, and I have seen first hand the impacts of tourists, development, and commercialized ocean activities have had on the shorelines for many years. We gather and eat sea animals and limu in Hāmākuapoko and Hāmākualoa. Therefore, it would be interesting to compare the likes and differences of these animals in Honua‘ula.

d. How will study/activity results be disseminated?

- Report to DLNR-DOFAW Technical Report Peer-Reviewed Publication Oral/Poster Publications
 Other If Other is selected, enter your option here:

e. Will any specimens be collected? (If yes, state kind, quantities, storage methods, and ultimate disposition.)

I am seeking permission to remove the following from the area: hā‘uke‘uke, limu līpepe‘e, ‘opihi, ‘ōkala, limu ‘aki‘aki, kūpe‘e, manini, ‘uhu, kole, kala, wana, hāwa‘e, wāwae‘iole, lepe moa, pālalahala, ‘ekahakaha, kala, līpoa, nei, pakanaka, kumu, weke, moi. All of these items that will be gathered may not be gathered and eaten all at once. We will gather enough to feed ourselves while staying in the area to show the next generation the amount you need to survive. We will store items in a small cooler while staying on the area.

8) Have any studies (in the case of research proposals) been made that are similar to the one proposed? If yes, please cite.

Yes, my ‘ohana was granted access to the Reserve to pass on ancestral and Generational Indigenous Knowledge Systems to makua and mo‘opuna descendants of the Kuloloio ‘Ohana on September 28, 2013.

9) Who will participate in the study? (Please list the names of additional researchers or research assistants.)

Manuel Wayne Makahiapo DeCosta Kuloloio (brother), Kekanemana‘opiliā‘oe Kuloloio (sister), Garrett Kekoa Vedder (spouse), Puniawa Kuloloio Vedder (son), Kamaluokalani Kuloloio Vedder (son), Ku‘umakalehiwaonālani Ruidas (niece), Dionne Yukie Ruidas (niece), Piper-Ann Kekauonohi DeCosta Kuloloia (niece), Abraham Kahiapo Kekahuna Kuloloia (nephew), Josh Kalani Ponce (nephew).

10) Will your research/activity require camping or night work? If yes, please describe the specific locations, durations, and dates.

No.

11) Will your research/activity involve the use of aircraft in any way? If yes, please describe specific locations, frequency of use, and dates.

No.

12) Will your research/activity involve the use of firearms? If yes, describe locations, frequency of use, safeguard to be employed. etc.

No.

13) Will your research/activity require structures/equipment to be left in the field? If so, when will they be removed? Will the proposed special-use damage or threaten the integrity or condition of the natural, geological, or cultural resources in the study area?

No. Our proposed special-use will not threaten or damage the integrity or the condition of the natural, geological, or cultural resources as well as have any environmental impact on the NARS adjacent area or region because we will be gathering and eating only what we need. We are traditional gatherers and are respectful of the animals and kinolau of these areas.

14) Have you previously received a permit from the Division of Forestry and Wildlife? Were you or are you compliant with permit conditions? Will permits from other agencies be required for your study/activity? If yes, please list.

I was the Primary Contact of the NARS Special Use Permit granted to my 'ohana from Oct. 1, 2012 to Sept. 1, 2013 and June 1, 2014 to May 31, 2015 as approved by William Aila, Chairperson of BLNR. My father Leslie Apiu 'Aipalena Kuloloio was the Permit Holder on that permit. We were in compliance with the permit and a report was completed on September 28, 2013. Our 'ohana did not access the Reserve in the years that followed (2014 to 2015) as we felt that it was necessary to allow the marine life time to live in their natural environment in the Reserve without encumbrances.

15) What is the expected report date for your findings – in the case of research or commercial photographs?

The expected date will be determined according to traditional Hawaiian season and tides that is appropriate for the species that will be gathered.

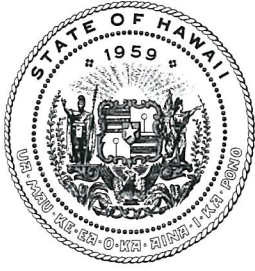
16) What information will be made available to the Dept. of Land & Natural Resources?

Information shared with the Department of Land and Natural Resources will include date and time of planned visit, names of persons who will use the permit, types of traditional gathering gear used and kinds of resources gathered.

17) Is this application part of graduate studies? If so, please include the name and affiliation of your major professor/advisor and his/her signature.

Ancestral and Generational Indigenous Knowledge Systems embraces the physical geography, which deals with the world in the present stage of its existence. The Kumulipo considers the relationship and machinery which makes day and night, seedtime and harvest; which lifts the vapor from the sea; forms clouds and waters the earth. Clothes the land with verdure and cheers it with warmth or covers it with snow and ice. The Moku System (physical geography), moreover, treats of the Nā 'Aumākua (agents) that causes the wonderful circulation of waters in the sea that diversify Nā Moku 'Āina (continents, atolls, volcanic islands) with mountains, hills, plains, valleys, and kaha (embellish) the landscape with rivers and lakes. This ancestral and generational knowledge teaches us to nānā i ke kumu the views of the earth-Papa (its surface), nā wai (its waters), and ka lani (its enveloping atmosphere) as the scene of Ke Komo (operation) of the great physical and creative forces. Their united action ke komo render possible the life of plants and animals, and studies the ola (life) of the globe. Both terrestrial and aquatic, noting particularly the circumstances, which are favorable or adverse to its development.

Common name	Scientific name	No. of species



SPECIAL USE PERMIT

NATURAL AREA RESERVES SYSTEM

DEPARTMENT OF LAND AND NATURAL RESOURCES
1151 PUNCHBOWL STREET, HONOLULU, HI 96813

EFFECTIVE: June 1, 2014 – May 31, 2015

RESERVE: 'Āhihi-Kina'u (open and closed portions)

The Board of Land and Natural Resources or its authorized representative, with the approval of the Natural Area Reserves System Commission, hereby issues this Special Use Permit in accordance with Section 195-5, Hawaii Revised Statutes; and Title 13-209-5, Department Administrative Rules, to

Leslie Apiu 'Aipalena Kuloloio, Permit Holder
Francille Leina'ala Kuloloio Vedder, Primary Contact
122 Kahiapo Place
Ha'iku, HI 96708

Phone: (808) 280-5060 Fax: (808) 579-2103

E-mail: puniawalei@hotmail.com pokaiuli2@gmail.com

to conduct access the Reserve to pass on ancestral and generational knowledge to the *mo'opuna* (descendants) of the *Kuloloio 'Ohana (Ka 'Ike Ku'una o Na Kupuna 'Alaea o Honoa'ula)*, in an area long held to be associated with the 'Ohana, in order to perpetuate traditional practices. Access will be approximately quarterly and centered on learning the *wahi pana* (place names), *na alahale* (trails), *ka 'ike ku'una lawai'a* (traditional fishing knowledge), *na loina* (values); gathering by observing first, sampling on site, and taking only what is needed for the family ("*E 'ai i kekahi, e kapi i kekahi*" – Eat what you need, return the rest).

STANDARD CONDITIONS:

1. Besides conditions stipulated here, the permit holder will adhere to project specifications given in the permit application.
2. Disturbance of vegetation and wildlife will be avoided as much as possible.
3. Reports: (a) A field report will be submitted within 1 week of each access. (b) Results of the project, as published or unpublished reports, also will be submitted. (c) The reports will identify the Natural Area Reserve as a project site and acknowledge the special-use permit approved by the NARS Commission.
4. Precautions will be taken to prevent introduction of plants or animals not naturally present in the area. Should an infestation develop, Permit Holder is responsible for eradication by methods to be specified by NARS--whether it occurs during or after the permit period, and even though it may be

only indirectly attributable to the project activities. **Permit Holder is responsible for ensuring that all clothing and gear is cleaned before entering any Natural Area Reserve.**

5. This permit is not transferable.
6. This permit does not exempt the Permit Holder from complying with any other applicable rule or statute.
7. 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 this permit. **Provision of Chapters 183, 185, and 195, Hawai'i Revised Statutes, 1985, as amended, and any other laws applicable thereto, and all rules and regulations of the Department of Land and Natural Resources shall be strictly observed. Infractions or misconducts will constitute grounds for revocation of this permit and criminal prosecution. Any person whose permit has been revoked shall not be eligible to apply for another permit until the expiration of two years from the date of revocation.**
8. The Permit Holder is responsible for notifying appropriate DOFAW/NARS Staff, prior to conducting visits to inform them of exact dates for each site visit, family names and numbers, so that they are aware that there will be an activity involving fishing gear otherwise prohibited in the NAR. This is particularly important also, to be sure that proposed site visits do not conflict with other NARS Staff or other management activities, as well as to be sure that areas are not closed due to hazardous conditions. NARS staff will also notify DOCARE so they are aware of this permit.
9. The Permit Holder is responsible for explaining permit terms to participants and ensuring their compliance at all times. **A copy of this permit will accompany participants in the field at all times.**
10. The proposed activities to be conducted in the Natural Area Reserves fall under the Division of Forestry and Wildlife's exemption list of June 12, 2008, including but not limited to **Exemption Class 5: Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource (5-2).** Division analysis of the proposed resource management actions concluded it will provide a positive environmental benefit and will be done in a manner to have no negative impact on the conditions that define the area. Furthermore, the cumulative impact of these actions over the duration of the permit (1 year) will not have a significant adverse impact and will have minimal or no significant effect on the environment and are exempt from the need to prepare an environmental assessment.
11. Permits are issued on an annual basis; if a **renewal** is required, please submit a report detailing progress to date (not just species lists; species however, should be listed for each Reserve they were observed or collected from for NARS management purposes) prior to submitting an application form for renewal detailing future plans. Renewals may be delayed or denied without prior reporting. In the case of single year permits, submit a report following the permit expiration date that details what was accomplished during the permit period. In the case of hikes or other single event activities, submit a brief summary of observations, problems, experiences of students/participants and their views of the NARS, having participated in such an activity.

SPECIAL CONDITIONS:

12. This Permit allows a maximum of twelve Family Members only (including the Permit Holder; his children and grandchildren and Kamaka, Family Matriarch and keeper of knowledge of *limu* harvesting practices. The Permit Holder must be present for each visit; generally no more than six family members per visit.
13. This Permit is specifically for access to the following areas within the Reserve: currently open areas and from Maonakala to 'Āhihi, to Mamau, to Kanahena, to Ka Lae Mamane. Planned visits will be approximately once a quarter to record seasonal changes, conditions, and species traditionally harvested.
14. Access to the Reserve will be from shoreline (by foot) only; no access by boat or fishing from boat; no camping will be done in the Reserve; day visits only.
15. Catch or harvest must be carried out on foot in same way Permit Holder and accompanying family entered the Reserve. No catch or harvest may be transferred to any type of vessel.
16. Use of fishing gear or methods not in conformance with applicable statutes or rules is prohibited; in particular, use of gill nets is prohibited.
17. Any species or numbers or categories not listed on this permit are prohibited from collection.


SPECIES REGULATIONS AND OTHER SPECIAL CONDITIONS:

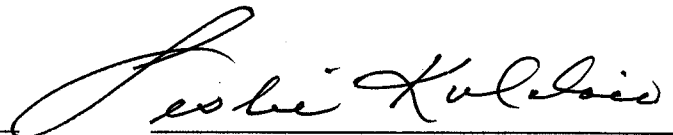
The following conditions refer to state regulations and rules, and NARS-imposed conditions for specific species sizes, limits, and seasons. Condition 17 of the Special Use Permit is also in full effect in addition to the following species regulations and conditions.

18. Fish species to be gathered are as follows: *moi* (*Polydactylus sexfilis*), *weke* (Mullidae, including goatfish), *manini* (*Acanthurus triostegus*), *aholehole* (*Kuhlia sandvicensis*), *'ama'ama* (*Mugil cephalus* or mullet), *uouoa* (*Neomyxus chaptalli* or false mullet), *enenu* (*Kyphosus bigibbus* or pilot fish), *uhu* (*Scarus perspicillatus* and other species or varieties of parrotfish), *palani* (*Acanthurus dussumeri* or surgeonfish), *kole* (*Ctenochaetus strigosus* or surgeonfish), *pāpio* (*Caranx* spp. young form of jack crevalle or *ulua*),
19. Fish not specified in Condition 18, or those listed that are out of season or are not the legal size, which are inadvertently caught will be immediately be returned to the ocean.
20. *Moi*: Adherence to the minimum size of 7 inches, the closed season of June-August, and bag limit of 1 fish per person.
21. *Aholehole*: Adherence to the minimum size of 5 inches for spearing. Throw nets will not be used on large fish schools to avoid exceeding the Bag limit of 1 fish per person.
22. *'Ama'ama*: Adherence to the minimum size of 7 inches for spearing, maximum 5 individuals per visit; closed season between December to February.

23. Uhu: In addition to the minimum size of one pound for spearing, no more than 1 individual may be taken during any one fishing day.
24. Papio: Adherence to the minimum size of 7 inches and one pound for spearing; bag limit of one per person.
25. Invertebrate species and amounts to be gathered are as follows: 'a'ama (*Grapus grapsus tenuicrustatus* or rock crab), no more than five individuals; none with eggs; 'opihi or limpets (*Cellana* spp.) no more than two dozen, in addition to the minimum size of 1 ¼ inches with shell or ½ inches meat only; three fishing days may occur between March and August and only one fishing day may occur between September to February so as not to affect breeding season and recruitment of young 'opihi; sea urchins including hā 'uke 'uke (*Colobocentrotus atratus*), hā 'ue'ue (*Heterocentrotus mammillatus*); wana (*Diadema paucispinum* and *Echinothrix diadema*): no more than five each; seaweeds including limu līpe'e pe'e or lip'e'e (*Laurencia* spp.), no more than one gallon per trip; he'e or octopus (*Polypus* spp.) no more than one per visit.
26. Maximum number of participants per fishing day is six, accompanying the Permit Holder.
27. Gathering will be limited on site sampling and offsite consumption for family members, not for commercial or other purposes.
28. Number of fishing days: each fishing day shall be separated by a minimum of 30 days and subject to seasonal conditions, such as for 'opihi and other species, to have as little effect on species in Reserve.
29. Fishing gear may include small throw nets, Hawaiian sling spears, he'e lures, 'opihi knife.
30. Use of fishing poles and non-traditional lures is prohibited.
31. Use of nets (including *hukilau* seines and gill nets) other than throw nets (legal mesh size only) is prohibited. Scoop nets may be used to simply look at fish species, show them to family members then put them back).
32. For reporting purposes: for each access, list the date, participants by name accompanying Permit Holder and family relationship (such as grandchildren, children); locations, amounts and species gathered. Also report any unusual observations or anyone asking questions or raising concerns at the presence, under permit, of fishing gear and fishing activities (which will better aid staff in providing future onsite coverage).
33. Reports are due within one week to Maui NARS staff. (either Maui NARS Specialist or Lead Ranger; this is so that staff is aware of the amounts and species for each visit; they should be signed first; date will be shared with Division of Aquatic Resources (DAR) staff.
34. For each fish species, the total weight in pounds shall be cumulative weight of all of one species.
35. The total length in inches is the measuring from the tip of the fish's snout to the tip of its tail for each individual specimen.
36. Harvested 'opihi should be separated by species: 1) blackfoot, 2) yellowfoot, and 3) ko'ele (very large specimens).
37. Each species of 'opihi should be weighed separately.
38. Each 'opihi should be measured by its greatest shell length to the nearest 1/16 inch.

39. Each crab should be measured for its greatest carapace (head shell) width.
40. Harvested sea urchins should be reported by species and size.
41. For *limu* report the amount (pint, quart, ½ or 1 gallon, etc).
42. The Army Corps of Engineers (USCAE) has not issued a final report with recommendations due to reported presence of Unexploded Ordnance (UXO) in closed portions of the Reserve. While recent surveys have not reported any live UXO; because the Reserve was used as a bombing target, Permit Holder needs to exercise caution when leaving any known trails. In addition to notifying NARS staff prior to any access; letting them know specific areas to be visited will help staff determine if they should accompany the group or review the concerns and liabilities of the area. This is for the safety of participants, as well as the resources. Signs have been posted noting the presence of UXO; all entering such areas are responsible for exercising caution and reporting any suspicious-looking objects. If any UXO is located, either on land or in water, Permit Holder will notify NARS staff immediately so that USACE may be notified for further action. If an object is found to be too dangerous for any further entry to the area, access may be curtailed until the object is cleared.


WILLIAM J. AILA, JR., Chairperson,
Board of Land and Natural Resources


LESLIE APIU 'AIPALENA KULOLOIO
Permit Holder

Hawaiian Name	Scientific Name	Annual limit	Limit per trip	Notes*
		Total	Total	

Fish

All fish		100	50	
Manini	<i>Acanthurus triostegus</i>		12	
Kole	<i>Ctenochaetus strigosus</i>		12	
Uouoa	<i>Neomyxus leuciscus</i>		12	
Weke	<i>Mullidae spp.</i>		2	spear
Aholehole	<i>Kuhlia marginata</i>		12	
Enenue	<i>Kyphosidae spp.</i>	10	4	
Moi	<i>Polydactylus sexfilis</i>	10	4	
Amaama	<i>Mugil cephalus</i>		1	
Uhu	<i>Scarus spp.</i>	0	0	
Kumu	<i>Paurupeneus porphyreus</i>	0	0	
Palani	<i>Acanthurus dussumieri</i>	0	1	
Papio	<i>Caranx spp.</i>	0	0	
Kala	<i>Naso spp.</i>	0	0	

Urchins

Ha'uke'uke	<i>Colobocentrotus atratus</i>	10	2 per person	eaten on site
Hawae	<i>Gnathophylloides maneri</i>	10	1 per person	eaten on site
Wana	<i>Diadema paucispinum,</i> <i>Echinothrix diadema,</i> <i>Echinothrix calamaris</i>	12	5 + 1 'ina	eaten on site

Gastropods

Opihi		84	1 Koele, 20 other	
Kupee	<i>Nerita polita</i>	10	1 kupepe, 10 pipipi	
Cowrys		0	0	

Others

He'e	Octopus		1	
A'ama	<i>Graspus tenuicrustatus</i>		2 per person + 1 paiea	eaten on site
Limu	All limu	1 quart	1 quart	eaten on site