
A BILL FOR AN ACT

RELATING TO FISHING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 188F, Hawaii Revised Statutes, is
2 amended by amending its title to read as follows:

3 " ~~[WEST]~~ HAWAII REGIONAL FISHING MANAGEMENT ~~[AREA]~~ AREAS"

4 SECTION 2. Chapter 188F, Hawaii Revised Statutes, is
5 amended by designating sections 188F-1 through 188F-5 as part I,
6 entitled:

7 "PART I. WEST HAWAII REGIONAL FISHING MANAGEMENT AREA"

8 SECTION 3. Chapter 188F, Hawaii Revised Statutes, is
9 amended by adding three new parts to be appropriately designated
10 and to read as follows:

11 "PART . OAHU REGIONAL FISHING MANAGEMENT AREAS

12 §188F- Definitions. As used in this part, unless the
13 context requires otherwise:

14 "Management area" means the Oahu regional fishery
15 management area established in section 188F- .

16 "Plan" means the Oahu regional fishery management area plan
17 established in section 188F- .



1 "Plan" means the Oahu regional fishery management area plan
2 established in section 188F- .

3 §188F- Oahu regional fishery management area;
4 establishment. The department of land and natural resources
5 shall establish the Oahu regional fishery management areas to
6 improve the management of consumptive and nonconsumptive uses of
7 aquatic resources encompassing the regional ocean area on the
8 island of Oahu.

9 §188F- Oahu regional fishery management area; purpose.

10 The purpose of the Oahu regional fishery management area shall
11 be to:

- 12 (1) Ensure the sustainability of the State's nearshore
13 ocean resources;
- 14 (2) Identify areas with resource and use conflicts;
- 15 (3) Provide management plans as well as implementing
16 regulations and adopting rules for minimizing user
17 conflicts and resource depletion, through the
18 designation of sections of coastal waters in the Oahu
19 regional fishery management area as fish replenishment
20 areas where certain specified fish harvesting
21 activities are prohibited, and other areas where



- 1 anchoring and ocean recreation activities are
2 restricted;
- 3 (4) Establish a system of day-use mooring buoys in
4 high-use coral reef areas and limit anchoring in some
5 of these areas to prevent anchor damage to corals;
- 6 (5) Identify areas and resources of statewide significance
7 for protection;
- 8 (6) Carry out scientific research and monitoring of the
9 nearshore resources and environment; and
- 10 (7) Provide for substantive involvement of the office of
11 the mayor of the city and county of Honolulu and the
12 community in resource management decisions for these
13 areas through facilitated dialogues with community
14 residents and resource users.

15 **§188F- Oahu regional fishery management area plan.** The
16 department shall, in conjunction with the office of the mayor of
17 the city and county of Honolulu, or the mayor's designee,
18 develop an Oahu regional fishery management area plan that
19 identifies and designates appropriate areas of the management
20 area as follows:

- 21 (1) Designates a minimum of thirty per cent of coastal
22 waters in the Oahu regional fishery management area as



- 1 fish replenishment areas in which aquarium fish
2 collection is prohibited;
- 3 (2) Establishes a day-use mooring buoy system along the
4 coastline of the Oahu regional fishery management area
5 and designates some high-use areas where no anchoring
6 is allowed;
- 7 (3) Establishes a portion of the fish replenishment areas
8 as fish reserves where no fishing of reef-dwelling
9 fish is allowed; and
- 10 (4) Designates areas where the use of gill nets as set
11 nets shall be prohibited.

12 **§188F- Review.** A review of the effectiveness of the
13 Oahu regional fishery management area plan shall be conducted
14 every five years by the department of land and natural
15 resources, in cooperation with the University of Hawaii and in
16 conjunction with the office of the mayor of the city and county
17 of Honolulu. The department shall submit a report of its
18 findings and recommendations based on the review to the
19 legislature no later than twenty days before the convening of
20 the regular session following the review.

21 **PART . MAUI REGIONAL FISHING MANAGEMENT AREA**



1 **§188F- Definitions.** As used in this part, unless the
2 context requires otherwise:

3 "Management area" means the Maui regional fishery
4 management area established in section 188F- .

5 "Plan" means the Maui regional fishery management area plan
6 established in section 188F- .

7 **§188F- Maui regional fishery management area;**
8 **establishment.** The department of land and natural resources
9 shall establish the Maui regional fishery management area to
10 improve the management of consumptive and nonconsumptive uses of
11 aquatic resources encompassing the regional ocean area on the
12 island of Maui.

13 **§188F- Maui regional fishery management area; purpose.**
14 The purpose of the Maui regional fishery management area shall
15 be to:

16 (1) Ensure the sustainability of the State's nearshore
17 ocean resources;

18 (2) Identify areas with resource and use conflicts;

19 (3) Provide management plans as well as implementing
20 regulations and adopting rules for minimizing user

21 conflicts and resource depletion, through the

22 designation of sections of coastal waters in the Maui



1 regional fishery management area as fish replenishment
2 areas where certain specified fish harvesting
3 activities are prohibited, and other areas where
4 anchoring and ocean recreation activities are
5 restricted;

6 (4) Establish a system of day-use mooring buoys in
7 high-use coral reef areas and limit anchoring in some
8 of these areas to prevent anchor damage to corals;

9 (5) Identify areas and resources of statewide significance
10 for protection;

11 (6) Carry out scientific research and monitoring of the
12 nearshore resources and environment; and

13 (7) Provide for substantive involvement of the office of
14 the mayor of the county of Maui and the community in
15 resource management decisions for these areas through
16 facilitated dialogues with community residents and
17 resource users.

18 **§188F- Maui regional fishery management area plan.** The
19 department shall, in conjunction with the office of the mayor of
20 county of Maui, or the mayor's designee, develop a Maui regional
21 fishery management area plan that identifies and designates
22 appropriate areas of the management area as follows:



- 1 (1) Designates a minimum of thirty per cent of coastal
2 waters in the Maui regional fishery management area as
3 fish replenishment areas in which aquarium fish
4 collection is prohibited;
- 5 (2) Establishes a day-use mooring buoy system along the
6 coastline of the Maui regional fishery management area
7 and designates some high-use areas where no anchoring
8 is allowed;
- 9 (3) Establishes a portion of the fish replenishment areas
10 as fish reserves where no fishing of reef-dwelling
11 fish is allowed; and
- 12 (4) Designates areas where the use of gill nets as set
13 nets shall be prohibited.

14 **§188F- Review.** A review of the effectiveness of the
15 Maui regional fishery management area plan shall be conducted
16 every five years by the department of land and natural
17 resources, in cooperation with the University of Hawaii and in
18 conjunction with the office of the mayor of the county of Maui.
19 The department shall submit a report of its findings and
20 recommendations based on the review to the legislature no later
21 than twenty days before the convening of the regular session
22 following the review.



PART . OTHER REGIONAL FISHING MANAGEMENT AREAS

§188F- Other regional fishing management areas. The department may establish other regional fishing management areas within the State as it deems necessary.

§188F- Rules. The department shall adopt rules to effectuate the purpose of this chapter in accordance with chapter 91."

SECTION 4. Section 188F-6, Hawaii Revised Statutes, is repealed.

~~["§188F-6] Rules. The department shall adopt rules to effectuate the purposes of this chapter in accordance with chapter 91."]~~

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2008-2009 for the purposes of this Act.

The sum appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval; provided that section 5 shall take effect on July 1, 2008.



Report Title:

Fish Replenishment Areas; Ornamental Fish

Description:

Provides that the department of land and natural resources is to establish a network of fish replenishment areas on Maui and Oahu with the option of establishing them on additional islands as warranted in the future. (SD1)

