

[CHAPTER 188F]
WEST HAWAII REGIONAL FISHERY MANAGEMENT AREA

Section

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Note

L 2014, c 218, §8 purports to amend this chapter.

Cross References

Environmental courts, jurisdiction over proceedings arising under this chapter, see §604A-2.

" **[\$188F-1] Definitions.** As used in this chapter, unless the context requires otherwise:

"Department" means the department of land and natural resources.

"Management area" means the West Hawaii regional fishery management area established in section 188F-2.

"Plan" means the West Hawaii regional fishery management area plan established in section 188F-4. [L 1998, c 306, pt of §2]

" **[\$188F-2] West Hawaii regional fishery management area; establishment.** The department of land and natural resources shall establish the West Hawaii regional fishery management area to improve the management of consumptive and nonconsumptive uses of aquatic resources encompassing the regional ocean area on the west coast of Hawaii Island, from Ka Lae, Kau (South Point) to Upolu Point, North Kohala, but not including Kawaihae commercial harbor. [L 1998, c 306, pt of §2]

" **[\$188F-3] West Hawaii regional fishery management area; purpose.** The purpose of the West Hawaii regional fishery management area shall be to:

- (1) Ensure the sustainability of the State's nearshore ocean resources;
- (2) Identify areas with resource and use conflicts;
- (3) Provide management plans as well as implementing regulations for minimizing user conflicts and resource depletion, through the designation of sections of coastal waters in the West Hawaii regional fishery management area as fish replenishment areas where certain specified fish harvesting activities are prohibited, and other areas where anchoring and ocean recreation activities are restricted;
- (4) Establish a system of day-use mooring buoys in high-use coral reef areas and limit anchoring in some of these areas to prevent anchor damage to corals;
- (5) Identify areas and resources of statewide significance for protection;

- (6) Carry out scientific research and monitoring of the nearshore resources and environment; and
- (7) Provide for substantive involvement of the community in resource management decisions for this area through facilitated dialogues with community residents and resource users. [L 1998, c 306, pt of §2]

" **[\$188F-4] West Hawaii regional fishery management area plan.** The department shall develop a West Hawaii regional fishery management area plan that identifies and designates appropriate areas of the management area as follows:

- (1) Designates a minimum of thirty per cent of coastal waters in the West Hawaii regional fishery management area as fish replenishment areas in which aquarium fish collection is prohibited;
- (2) Establishes a day-use mooring buoy system along the coastline of the West Hawaii regional fishery management area and designates some high-use areas where no anchoring is allowed;
- (3) Establishes a portion of the fish replenishment areas as fish reserves where no fishing of reef-dwelling fish is allowed; and
- (4) Designates areas where the use of gill nets as set nets shall be prohibited. [L 1998, c 306, pt of §2]

" **[\$188F-5] Review.** A review of the effectiveness of the West Hawaii regional fishery management area plan shall be conducted every five years by the department of land and natural resources, in cooperation with the University of Hawaii. The department shall submit a report of its findings and recommendations based on the review to the legislature no later than twenty days before the convening of the regular session following the review. [L 1998, c 306, pt of §2]

" **[\$188F-6] Rules.** The department shall adopt rules to effectuate the purposes of this chapter in accordance with chapter 91. [L 1998, c 306, pt of §2]