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Lay Gillnets A Proposed Rule Amendment

The following is a summary of the Department of Land and Natural Resources (DLNR) proposed revisions concerning the use of lay nets.

Definition: Lay Nets or Lay Gillnets:

Stationary gillnets used in nearshore waters.

These are also referred to as "set" nets or "moemoe" nets. The lay net is used passively because a panel of net is set in one location and usually not actively tended. Fish are caught as they run into it and become entangled in the net. The nets are commonly made of monofilament nylon which has been manufactured into netting with floats on one length and weights on the other length.

History of lay net management by DLNR:

DLNR's Division of Aquatic Resources (DLNR-DAR) has been working on improving management of lay nets for some time. The following chronology illustrates some key events.

- 1977 - Maximum soak time: 12 hours, previously no limit; minimum mesh size: 2"
- 1992 - Report on lay net management in response to HCR 401 HD1 recommends mesh size increase and soak time reduction
- 1993 - Maximum soak time reduced to 4 hours with required inspection at 2 hours
- 1994 - Minimum mesh size increased to 2 3/4"; to take effect 12/31/96
- 1998-99 - Gill Net Task Force meets and recommends lay net regulations
- 2000-02 - Draft regulations developed from recommendations and reviewed internally
- 2002 - Statewide public meetings on proposed lay net management regulations
- 2003 - Statewide lay net ban proposed by DLNR, public meetings approved
- 2003-2004 - State wide public meetings on proposed ban of lay nets
- 2005 - Evaluation of public comments (from '03-'04 public meetings) and from mail-in survey

The current regulations on lay nets set a maximum soak time of four hours, with a requirement to inspect the net every two hours. The minimum mesh size is 2 3/4" (stretched). For the West Hawaii coastline on the Island of Hawaii, recent amendments to fishing regulations additionally restrict the use of lay nets (based on recommendations from the Gillnet Task Force,) as well as a ban on netting in certain locations. The following is a summary of proposed revisions to the present regulations that would apply to lay net fishing and areas not including West Hawaii.

DLNR's Proposed Lay Gillnet Gear Restrictions:

For waters where lay nets are to be permitted, additional restrictions are proposed:

Registration and Identification & Registration:

Nets must be registered with the Department

Net owners must report any registered lay net that is lost, stolen, given away or otherwise no longer the property of said owner

Nets must have four identification tags, one at each end of the float and lead lines

Nets must have at least two surface buoys (with registration numbers) placed at either end of the float line.

The Department may seize any lay net found in the water that is not registered or without identification or is being fished improperly.

Net Dimensions:

Maximum net Length: 125 feet

Maximum net height: 7 feet (stretched)

Minimum mesh: 2-3/4" (stretched) (3" for Kailua Bay FMA, on the Big Island)

Multi-panel nets are prohibited.

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

Nets may not be used at depths deeper than 25 feet; unless the fisher has a Commercial Marine License, then 80 feet

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.

Nets may not be used for at least 24 hours after any use

Fishers may not fish again with a net for at least 24-hours after having fished with any net

Fishers may not leave a lay net unattended for longer than 30 minutes

No lay net fishing permitted in freshwater streams or stream mouths

No lay net fishing between from one-half hour after sunset to one-half hour before sunrise

Proposed Area Restrictions:

Molokai, Lanai and Kauai and Niihau will not have banned areas for lay net use; however, the proposed additional restrictions will apply.

Proposed waters where lay net use would be banned:

Hawaii - existing banned areas in West Hawaii

Maui - around the entire island

Oahu - Portlock Point to Keahi Point (west of Pearl Harbor channel)

- Kailua Bay (Mokapu Peninsula to Wailea Point (northern boundary for Bellows AFB))

- Kaneohe Bay (a portion of the Bay; landward boundaries would be the main ship/sampan channels and landward of Ahu o Laka)

Evaluation for Effectiveness

The proposed ban and additional restrictions on lay net use will be evaluated for its effectiveness in conserving fishery resources.