

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 4

FISHERIES

PART II MARINE FISHERIS MANAGEMENT AREAS

CHAPTER 58

KONA COAST, HAWAII

- §13-58-1 Definitions
- §13-58-2 Boundaries
- §13-58-3 Prohibited activities
- §13-58-4 Permitted activities
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§13-58-1 Definitions. As used in this chapter unless otherwise provided:

"Aquarium fish" means any aquatic organism taken for aquarium purposes with small-mesh net or trap pursuant to section 188-31, Hawaii Revised Statutes;

"Fish feeding" means deliberately introducing any food material, substance or device used as an attractant, directly to or in the vicinity of any aquatic organism, by any means, for any purpose except the purpose of catching and removing that aquatic organism;

"Kona Coast" means the southwestern portion of the Island of Hawaii that includes the four Fisheries Management Zones within this chapter;

"Zone" means the Fisheries Management Areas named Wawaloli Zone, Papawai Zone, Kailua Bay Zone and Red Hill Zone, as described in section 13-58-2 and depicted in the "Map of the Fisheries Management Area Zones on the Kona Coast, 7/10/91" at the end of this chapter.

[Eff 10/31/91; comp 11/12/01; comp AUG 01 2005 ]  
(Auth: HRS §§188-53) (Imp: HRS §188-53)

§13-58-2 Boundaries. (a) The "Wawaloli Zone" shall be bounded by two lines extending seaward at right angles from shore, one line beginning at a sign

posted approximately one-half mile south of Wawaloli Beach at the beginning of an unnamed sand beach and the other line beginning at a sign posted south of Wawahiwaa Point;

(b) The "Papawai Bay Zone" shall be bounded by two lines extending seaward at right-angles from shore, one line beginning at a sign posted at Keahuolu Point, the other line beginning at a sign posted at the northwestern end of the runway of the Old Kona Airport;

(c) The "Kailua Bay Zone" shall be bounded by two lines extending seaward at right-angles from shore, one line beginning at a sign posted at Kukailimoku Point near the Kailua lighthouse, the other line beginning at a sign posted at the former swimming pool fronting the Kona Inn Shopping Village;

(d) The "Red Hill Zone" shall be bounded by two lines extending seaward at right-angles from shore, one line beginning at a sign posted on shore fronting Puu Ohau ("Red Hill"), the other line beginning at a sign posted at Onouli.

(e) Unless otherwise provided, the seaward boundary of any area designated in this chapter shall be to a depth of 100 fathoms (600 feet).

(f) Unless otherwise specified, any zone designated in this chapter shall be bounded by four points or corners and further identified by their latitude and longitude coordinates. A table of the zones with their corresponding latitude and longitude coordinates is provided at the end of this chapter, entitled, "Fish Replenishment Areas", dated September 24, 2003. The zones shall be bounded by imaginary lines drawn between their respective corner points, except at the shoreline where the boundary shall follow along the mean high-water mark. Any area so designated in this chapter shall include the submerged lands and overlying waters within these four boundaries. [Eff 10/31/91; am and comp 11/12/01; am and comp **AUG 01 2005** ] (Auth: HRS §188-53) (Imp: HRS §188-53)

§13-58-3 Prohibited activities. (a) No person shall collect any aquarium fish within the Fisheries Management Area Zones (Zones);

(b) No person shall engage in fish feeding within the Zones, except for opelu fishing;

(c) Nothing in this chapter shall be construed as allowing within the Zones any activity otherwise prohibited by law or rules adopted by another

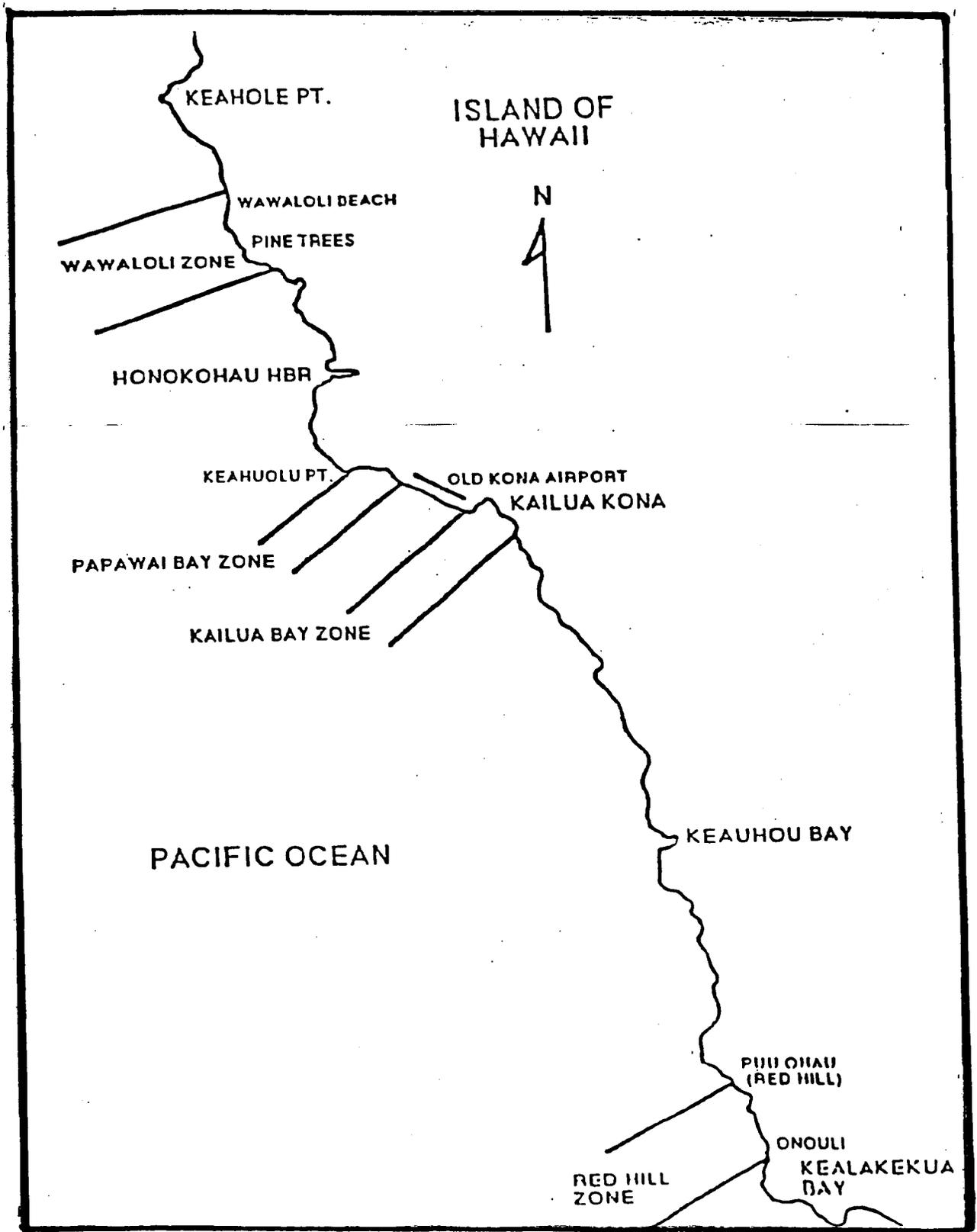
department of the state. [Eff 10/31/91; am and comp  
11/12/01; comp **AUG 01 2005** ] (Auth: HRS §188-53)  
(Imp: HRS §188-53)

§13-58-4 Allowed activities. (a) Any person may catch fish in the Zones with legal fishing gear for personal consumption.

(b) The Department may issue permits to engage in activities otherwise prohibited by law or section 13-58-3, for scientific, propagation, or other purposes as provided by law, provided, however:

- (1) The Board of Land and Natural Resources may revoke any permit for any infraction of the terms and conditions of the permit; and
- (2) A person whose permit is revoked shall not be eligible to apply for another permit, until the expiration of a specified period from the date of revocation, as provided by law. [Eff 10/31/91; am and comp 11/12/01; comp **AUG 01 2005** ]  
(Auth: HRS §188-53) (Imp: HRS §188-53)

§13-58-5 Penalty. Any person violating the provisions of this chapter, or the terms and conditions of any permit issued as provided by this chapter, shall be punished as provided by sections 187A-12.5 and 188-70, Hawaii Revised Statutes, and as may be otherwise provided by law. [Eff 10/31/91; am and comp 11/12/01; comp **AUG 01 2005** ] (Auth: HRS §§187A-12.5, 188-53)  
(Imp: HRS §§187A-12.5, 188-70)



Map of the Fisheries Management Area Zones on the Kona Coast,  
 July 10, 1991.  
 Boundaries of the Area Zones are shown in relation to local landmarks.

**FISHERIES REPLENISHMENT AREAS**  
September 24, 2003

Location :	Landward dGPS Coordinates		Seaward dGPS Coordinates (@ 600 ft.)				
	North Boundary	South Boundary	North Boundary	D (nm)	South Boundary	D (nm)	@
Kona Coast FMA Wawaloli	19°42.436'N 156°02.883'W	19°41.473'N 156°02.301'W	19°42.128'N 156°03.424'W	0.59	19°41.155'N 156°03.424'W	0.55	240°
Kona Coast FMA Papawai	19°38.812'N 156°01.495'W	19°38.816'N 156°01.065'W	19°38.377'N 156°01.873'W	0.57	19°36.084'N 156°01.695'W	0.96	220°
Kona Coast FMA Kailua Bay	19°38.226'N 156°00.063'W	19°38.217'N 155°59.623'W	19°36.745'N 156°01.316'W	1.88	19°36.384'N 156°01.316'W	2.33	220°
Kona Coast FMA Red Hill	19°30.732'N 155°57.417'W	19°29.675'N 155°56.912'W	19°30.037'N 155°58.907'W	1.58	19°29.170'N 155°58.009'W	0.53	245°