

Molokini Shoal Marine Life Conservation District, Maui

- Established by DLNR in 1977
- Encompasses the sea around Molokini Islet (off of Kihei coastline) out to 30 fathoms
- Comprises some of the State's most valuable and unique marine resources. Highly protected under statute, rule, and permit terms.
- Approx. 40 Commercial Use Permits are issued by DAR for activity in Molokini. Predominately snorkel tour operators.

Statutory Authority

- HRS Chapter 190 establishes the marine life conservation program
- HRS § 190-1: No person shall fish for or take any fish, crustacean, mollusk, live coral, algae or other marine life, or take or alter any rock, coral, sand or other geological feature" within any MLCD.
- HRS § 190-4: DLNR may issue permits for scientific, education, or other public purpose

Administrative Rules

- HAR Title 13, Chapter 31
- HAR § 13-31-3 prohibits the following activities within Molokini:
 - fishing for, catching, taking, injuring, killing, possessing, or removing any finfish, crustacean, mollusk, live coral, algae or limu, or other marine life or eggs;
 - having or possessing in the water any spear, trap, net, crowbar, or other device used for the taking or altering of marine life, geographical feature, or specimen;
 - taking, altering, defacing, destroying, possessing, or removing any sand, coral, rock, or other geographical feature or specimen;
 - feeding or introducing food material, substance, or attractant directly to or in the vicinity of any aquatic organism;
 - mooring boats for commercial activities except as provided in section 13-31-5;
 - anchoring a boat within the MLCD.

Penalties

- Criminal: petty misdemeanor, HRS § 190-5
- Permit Revocation: HRS § 190-4; HAR § 13-31-5
- Administrative fines, fees, and costs: HRS § 187A-12.5 (including per-specimen fine for aquatic life & administrative fees and costs.)