

## Item F-1, Exhibit C

**Department of Land and Natural Resources (DLNR)  
Division of Aquatic Resources (DAR)  
State of Hawai'i**

**West Hawai'i Aquarium Permit  
Terms and Conditions**

Possession of a West Hawai'i Aquarium Permit authorizes an individual to engage in aquarium collecting activities in the West Hawai'i Regional Fishery Management Area (WHRFMA). "**Aquarium collecting activities**" refers to the use, operation, or handling of any aquarium collecting gear to take aquatic life for aquarium purposes and the handling of any aquatic life taken for aquarium purposes. To be issued this permit, an individual must first agree to all terms and conditions of this permit.

Carefully read the permit terms and conditions below. **By signing this document, you are confirming that you understand and agree to all the following terms and conditions:**

### General Terms and Conditions

1. The West Hawai'i Aquarium Permit authorizes permitted aquarium collection activities within the WHRFMA only. The boundaries of the WHRFMA are defined in §13-60.4-2, Hawaii Administrative Rules (HAR).
2. Only individuals possessing in their name a valid West Hawai'i Aquarium Permit may engage in aquarium collecting activities within the WHRFMA. Possession of this permit does not authorize assistance by unpermitted individuals during any aquarium collecting activities. However, on any trip where aquarium collecting activities occur, one unpermitted individual may be on board the aquarium collecting vessel for the purpose of operating the vessel, provided that they do not engage in any aquarium collecting activities, and provided further that they remain onboard the vessel at all times for the duration of the trip, except in the case of an emergency.
3. The West Hawai'i Aquarium Permit is valid for one year from the date of issuance and is non-transferable.
4. All activities performed under the West Hawai'i Aquarium Permit must be in compliance with chapter 13-60.4, HAR.
5. All West Hawai'i Aquarium Permit holders must also possess a valid State of Hawai'i Aquarium Fish Permit to engage in aquarium collecting activities within the WHRFMA. Both permits must be in the possession of the permittee while conducting aquarium collecting activities within the WHRFMA.
6. Failure to adhere to all terms and conditions of the West Hawai'i Aquarium Permit may result in penalties including revocation of the permit.

7. In addition to this West Hawai'i Aquarium Permit and a valid State of Hawai'i Aquarium Fish Permit, a valid Commercial Marine License (CML) is also required to engage in aquarium collection activities within the WHRFMA for commercial purposes. The CML, as well as both permits, must be in the possession of the permittee while conducting commercial aquarium collecting activities within the WHRFMA.
8. This West Hawai'i Aquarium Permit authorizes the limited take of eight marine finfish species, each managed under an annual Total Allowable Catch (TAC) limit as listed in the table below:

Common Name	Hawaiian or Local Name	Scientific Name	Total Allowable Catch (TAC)
Yellow Tang	Lau'īpala	<i>Zebrasoma flavescens</i>	200,000
Goldring Surgeonfish	Kole	<i>Ctenochaetus strigosus</i>	12,775
Orangespine Unicornfish	Umaumalei	<i>Naso lituratus</i>	5,827
Black Surgeonfish	Hawaiian Kole	<i>Ctenochaetus hawaiiensis</i>	3,152
Potter's Angelfish		<i>Centropyge potteri</i>	1,086
Brown Surgeonfish	Mā'ī'ī	<i>Acanthurus nigrofuscus</i>	800
Bird Wrasse	Hīnālea 'i'iwi	<i>Gomphosus varius</i>	344
Thompson's Surgeonfish		<i>Acanthurus thompsoni</i>	182

- a. TAC tracking will begin on January 1 and end on December 31 each year.
  - b. When the TAC is close to being reached for a given species, DAR will notify West Hawai'i Aquarium Permit holders that collection of that species will soon close for the remainder of the year.
  - c. Notice shall be made in writing by mail or email to the address on file with DAR no less than three days prior to the closure of the season.
  - d. Following a species-specific TAC closure, permittees may not take or possess any live specimens of the closed species within the WHRFMA for the remainder of the calendar year.
9. Permittees must complete and submit aquarium fish catch reports to DLNR including:
    - a. At Sea Reporting

- i. All marine life collected must be documented in a written "at sea report" prior to final departure to the landing port.
- ii. At sea reports must be submitted to DAR digitally via email or text message to [aquarium@hawaii.gov](mailto:aquarium@hawaii.gov) prior to final departure to the landing port, provided that in areas where there is no mobile connectivity, reports must be submitted as soon as mobile connectivity returns and prior to landing.
- iii. Collectors may create their own reporting forms, though they must follow the same format and include all fields shown in ATTACHMENT A.
- iv. For trips in which more than one West Hawai'i Aquarium Permittee participates, only one at sea report per trip shall be completed, with all permittees noted on the form.
- v. Once reported at sea, all marine life must be retained and remain in the possession of the reporting permittee until transfer to a registered Commercial Marine Dealer, even if dead. Dead marine life collected under the permit may not be sold or offered for sale, but may be disposed of at the time of transfer.
- vi. The total number of fish reported at sea for each species shall not differ by more than 5% of the final aquarium catch report.

b. Final Aquarium Catch Report

- i. Final aquarium catch reports with confirmed catch numbers must be submitted within one calendar day after the end of each aquarium fishing trip.
- ii. Reports shall include all marine life taken, including organisms that died while in possession of the permittee. Total number of mortalities by species while in the possession of the permittee shall be noted on each final aquarium catch report.

*I understand and agree to abide by the West Hawai'i Aquarium Fish Permit Specific Terms and Conditions and the provisions of HRS, Title 12, Subtitle 5, and HAR, Title 13, Subtitle 4. I understand that any violation of HRS, Title 12, Subtitle 5, or of HAR, Title 13, Subtitle 4, or of any term or condition of this permit, including any misstatement of fact or circumstance, may result in the invalidation and/or revocation of this permit, and the prosecution of an enforcement action against me as provided by law. In the event of any difference between the terms and conditions of this permit, as stated above, and the applicable administrative rules or law, the rules and law shall apply.*

---

Signature

---

Date

## Attachment A

### WHRFMA AT SEA AQUARIUM REPORT

Licensee [Permitted]:

Other Licensee(s) [Permitted]:

Vessel Operator [Non-Permitted]:

Trip Date	Vessel ID#	Port of Landing
Species	Number in Possession	
Yellow Tang		
Goldring Surgeonfish		
Orangespine Unicornfish		
Black Surgeonfish		
Potter's Angelfish		
Brown Surgeonfish		
Bird Wrasse		
Thompson's Surgeonfish		

Comments