

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawaii 96813

Date

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

SUBJECT: REQUEST FOR APPROVAL TO TEMPORARILY AMEND RULES REGULATING GAME MAMMAL HUNTING, CHAPTER 13-123, HAWAII ADMINISTRATIVE RULES, BY AMENDING THE ADMINISTRATIVE RULES REGULATING HUNTING IN UNIT A AT MAUNA KEA GAME MANAGEMENT AREA AND FOREST RESERVE, UNIT E AT POHAKULOA COOPERATIVE GAME MANAGEMENT AND TRAINING AREA AND PUU ANAHULU GAME MANAGEMENT AREA, EAST SECTION, AND UNIT F AT PUU WAAWAA FOREST RESERVE AND PUU ANAHULU GAME MANAGEMENT AREA, WEST SECTION.

SUMMARY

The Department of Land and Natural Resources (“Department”) Division of Forestry and Wildlife (“DOFAW”) requests approval from the Board of Land and Natural Resources (“Board”) for a temporary administrative rule change to Rules Regulating Game Mammal Hunting, Chapter 13-123, Hawai’i Administrative Rules (“HAR”), by amending the administrative rules found in Exhibit 11 for regulating hunting in the makai section of hunting Unit A (Mauna Kea Game Management Area and Forest Reserve), Unit E (Pohakuloa Cooperative Game Management and Training Area and Puu Anahulu Game Management Area East section) and Unit F at Puu Waawaa and Puu Anahulu Game Management Area. DOFAW requests changes in the seasons and bag limits for pigs, goats, and sheep in units previously listed. This action may help to reduce the population of these species in these areas. DOFAW requests approval of the proposed amendments using the authority issued to the Board by the Hawai’i legislature in HRS § 183D-3.

BACKGROUND

The Hawai’i legislature authorized the Department to “manage and administer the wildlife and wildlife resources of the [s]tate,” and “enforce all laws related to protecting, taking, hunting, killing, propagating, or increasing the wildlife within the [s]tate” through

HRS § 183D-2.¹ In addition, the Department “manage[s] and regulate[s] all lands which may be set apart as game management areas [and] public hunting areas,” and must “preserve, protect, and promote public hunting.”² DOFAW is the division that performs these functions for the Department.

DOFAW regulates game mammal hunting throughout the state using Chapter 13-123, HAR. In 2021, the Hawai‘i legislature authorized the Department to “adopt, amend, or repeal any rule pertaining to bag limits, size limits, open or closed hunting seasons, or gear restrictions by formal board action at a publicly noticed meeting” under certain conditions.³ The conditions are that the (1) Board finds that “timely adoption, amendment, or repeal of the rule is necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions; (2) the Department follows notice of rulemaking procedures outlined in HRS § 183D-3(b); and (3) if adopted, the new rule would be effective for an initial period of no longer than two years and be subject to legislative approval and renewal by the Board. If adopted, proposed rules become effective ten (10) days after the board action, unless a later date is specified in the proposed rule. Final rules are to be posted on DOFAW’s website.

Notice of rulemaking procedures outlined in HRS § 183D-3(b) requires the Department provide (1) notice statewide at least thirty (30) days in advance of the public meeting; (2) a statement of the proposed rule including when, where, and during what times the proposed rule is to be adopted, which may be mailed to any interested person who have made a timely written request of the Board for advance notice of its rulemaking proceedings; and (3) the date, time, and place of the public meeting where interested persons may hear the proposed rule.

¹ HRS § 183D-2(1) and (2) (1999).

² HRS § 183D-2(9) and (12) (1999).

³ HRS § 183D-3(b) (2021).

PROJECT DESCRIPTION

Table 1: Current administrative rules for hunting in Unit A Mauna Kea Game Management Area and Forest Reserve on Hawaii Island from Exhibit 11 in Chapter 13-123, HAR.

Hunting Unit	Game Mammals To Be Taken	Means of Take	Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
A Mauna Kea Game Management Area (GMA) and Forest Reserve	Feral pigs	Rifle, muzzleloader, handgun, shotgun, archery. Dogs not permitted.	One pig per hunter per day. No season limit.	Year-round, except on legal game bird hunting days.	Daily, except during spring turkey season (Mar 1-Apr 15), when firearm mammal hunting is restricted to elevations above treeline.**	Evidence of sex and species waived for sheep and goats.
	Wild sheep and feral goats		No bag limit. No season limit.	Year-round		

Table 2 Proposed changes in hunting Unit A Mauna Kea Game Management Area and Forest Reserve on Hawaii Island from Exhibit 11 in Chapter 13-123, HAR.

Hunting Unit	Game Mammals To Be Taken	Means of Take	Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
F Puu Waawaa Forest Reserve (mauka & makai) and Puu Anahulu Game Management Area, West Section	Feral pigs, wild sheep and Feral goats	Special Youth Hunt (Puu Lani Safety Zone) Dogs not permitted****.	Three non-typical rams and one typical ram per hunter per day. This is also the season limit.	August	Saturdays, Sundays, and State Holidays	Tags required.
		Special Disabled Hunt (Puu Lani Safety Zone) Dogs not permitted****.		September	Saturdays, Sundays, and State Holidays	
		General Archery (makai only) Dogs not permitted.	Two pigs, one non-typical ram, and three goats per hunter per day.	January 1 through July 31 and October 1 through December 31	Daily, except closed on fall game bird hunting and spring bearded turkey hunting days	Tags for non-typical rams required.
		Muzzle loader rifles (makai only). Dogs not permitted.		August and September	Saturdays, Sundays, and State Holidays	

Table 3: Current administrative rules for hunting in Unit E at Pohakuloa Cooperative Game Management and Training Area and Puu Anahulu Game Management Area, East Section on Hawai'i Island from Exhibit 11 in Chapter 13-123, HAR.

Hunting Unit	Game Mammals To Be Taken	Means of Take	Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
E Pohakuloa Cooperative Game Management and Training Area	Feral pigs, wild sheep and Feral goats	Archery only. Dogs not permitted.	One pig, one goat, and one sheep per hunter per day. No season limit.	Year-round	Daily, subject to training.	Entry permit to PTA Unit E required from PTA Commander.
Puu Anahulu Game Management Area (GMA), East Section			One pig, one ram, and two goats per hunter per season.	March through June	Saturdays, Sundays, and State Holidays	Tags required.

Table 4: Proposed changes in hunting in Unit E at Pohakuloa Cooperative Game Management and Training Area and Puu Anahulu Game Management Area, East Section on Hawai'i Island from Exhibit 11 in Chapter 13-123, HAR.

Hunting Unit	Game Mammals To Be Taken	Means of Take	Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
E Pohakuloa Cooperative Game Management and Training Area	Feral pigs, wild sheep and Feral goats	Archery only. Dogs not permitted.	Limits set by the PTA Commander.	Year-round	Daily, subject to training.	Entry permit to PTA Unit E required from PTA Commander.
Puu Anahulu Game Management Area (GMA), East Section			One typical ram, one non-typical ram. This is the season limit for sheep. Two pigs, and two goats per hunter per day. There is no season limit for goats or pigs.			Daily, except closed on fall game bird hunting and spring bearded turkey hunting days

Table 5: Current administrative rules for hunting in Unit F at Puu Waawaa Forest Reserve and Puu Anahulu Game Management Area, West Section on Hawai'i Island from Exhibit 11 in Chapter 13-123, HAR.

Hunting Unit	Game Mammals To Be Taken	Means of Take	Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
F Puu Waawaa Forest Reserve (mauka & makai) and Puu Anahulu Game Management Area, West Section	Feral pigs, wild sheep and Feral goats	Special Youth & Disabled Archery (Puu Lani Safety Zone) Dogs not permitted****.	Three non-typical rams and one typical ram per hunter per day. This is also the season limit.	August	Saturdays, Sundays, and State Holidays	Tags required.
		General Archery (makai only) Dogs not permitted.	One pig, one non-typical ram, and three goats per hunter per day. This is also the season limit.	Four consecutive weekends beginning the first weekend in August	Tags required.	
		Muzzle loader rifles (makai only). Dogs not permitted.	Three weekends following the end of the general archery season			

Table 6: Proposed changes in hunting in Unit F at Puu Waawaa Forest Reserve and Puu Anahulu Game Management Area, West Section on Hawai'i Island from Exhibit 11 in Chapter 13-123, HAR.

Hunting Unit	Game Mammals To Be Taken	Means of Take	Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
F Puu Waawaa Forest Reserve (makai) and Puu Anahulu Game Management Area, West Section	Feral pigs, wild sheep and Feral goats	Special Youth Hunt (Puu Lani Safety Zone) Dogs not permitted****.	Three non-typical rams and one typical ram per hunter per day. This is also the season limit.	August	Saturdays, Sundays, and State Holidays	Tags required.
		Special Disabled Hunt (Puu Lani Safety Zone) Dogs not permitted****.		September		
		General Archery (makai only) Dogs not permitted.	Two pigs, one non-typical ram, and three goats per hunter per day.	January 1 through July 31 and October 1 through December 31	Daily, except closed on fall game bird hunting and spring bearded turkey hunting days	Tags for non-typical rams required.
		Muzzle loader rifles (makai only). Dogs not permitted.		August and September	Saturdays, Sundays, and State Holidays	

If approved, these proposed amendments would be effective for two years from the date of Board approval.

RECOMMENDATION

That the Board

1. Approve and temporarily amend the Division of Forestry and Wildlife's Rules Regulating Game Mammal Hunting, Chapter 13-123, HAR, by amending the administrative rules for regulating hunting in Unit A (Mauna Kea Game Management Area and Forest Reserve), Unit E (Pohakuloa Cooperative Game Management and Training Area and Puu Anahulu Game Management Area East section) Unit F at Puu Waawaa and Puu Anahulu Game Management Area, West Section on Hawai'i Island to increase recreational hunting days and bag limits using the authority in HRS § 183D-3.

Respectfully submitted,

David G. Smith, Administrator
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL

Suzanne Case, Chairperson
Board of Land and Natural Resources

Attachments

1. Rules Regulating Game Mammal Hunting, Chapter 13-123, Hawai'i Administrative Rules.

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