

EXHIBIT 3b

Rules Amending Title 13  
Hawaii Administrative Rules

1. Chapter 122 of Title 13, Hawaii Administrative Rules, entitled "Rules Regulating Game Bird Hunting, Field Trials, and Commercial Shooting Preserves" is amended and compiled to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 5  
FORESTRY AND WILDLIFE

PART 2  
WILDLIFE

CHAPTER 122

RULES REGULATING GAME BIRD HUNTING,  
FIELD TRIALS, AND COMMERCIAL  
SHOOTING PRESERVES

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Historical Note: Chapter 122 of Title 13, Hawaii Administrative Rules, is based substantially upon:  
(1) Regulation 3 [Eff 12/9/43; am 3/17/47; am 1/26/48; am 12/27/48; am 9/13/49 (Gov. approved); am 10/10/50 (Gov. approved); am 9/24/51; am 8/10/53; 10/22/54; am 10/10/55; am 10/4/56; am 10/19/57; am 10/6/58; am

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1/5/59 (Gov. approved); am 7/18/59 (Gov. approved); am 9/7/60 (Gov. approved); am 9/11/61; am 7/1/62; am 10/19/62; am 9/9/63; am 10/23/64; am 11/1/65; am 11/4/66; am 10/10/68; am 10/30/69; am 10/23/72; am 11/2/73; am 10/14/77]; and (2) Regulation 21 [Eff 10/13/56; am 3/28/58 and ren Regulation 4; am 1/5/59 (Gov. approved); am 9/7/60 (Gov. approved); am 9/23/61] of the Division of Fish and Game, Department of Land and Natural Resources. [R 9/28/81] am 7/1/96 of the Division of Forestry and Wildlife, Department of Land and Natural Resources

SUBCHAPTER 1[-]

PUBLIC GAME BIRD HUNTING

§13-122-1 Purpose. The purpose of these rules is to regulate game bird hunting, field trials, and commercial shooting preserves. [Eff 9/28/81; comp 11/06/99; am and comp ] (Auth: HRS §§183D-3, 183D-31, 183D-34) (Imp HRS §§183D-2, 183D-3, 183D-4)

§13-122-2 Definitions. As used in these rules unless context requires otherwise:

"Archery" means the use of a bow and arrows for the purpose of hunting.

"Board" means the board of land and natural resources.

"Bow" means a device which consists of flexible material having a string connecting its two ends and used to propel an arrow held in a firing position by hand only, including long bow, recurve bow, or compound bow.

"Closed area" means an area within or adjacent to a public hunting area, where entry is prohibited to prevent a hazard to people or property.

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"Cooperative game management or cooperative hunting area" means any lands, including but not limited to privately-owned lands or [State] state leased lands, where the landowner or lessee has entered into an agreement with the State, granting the board authority, subject to landowner review, to engage in activities that are mutually agreed upon for the purposes of game enhancement or public hunting or both~~[, as are stipulated in the agreement]~~.

"Crossbow" means a device which consists of a bow or curved latex material (referred to as linear bow) affixed to a stock that utilizes any device attached directly or indirectly to the bow for the purpose of keeping a crossbow bolt, an arrow, or the string in a firing position.

"Department" means the department of land and natural resources.

"Disabled hunter" means a hunter who has an impairment that substantially limits one or more of that person's major life activities, either in one or both arms or legs, vision, skeletal system, respiration, or circulation.

"Division" means the division of forestry and wildlife.

"Dog identification" means a license, tag, microchip, tattoo, or other documentation of ownership attached to or worn on a dog, which is registered with the county of ownership.

"Field trial" means the judging of performance of field dogs in locating, holding, and retrieving game birds released for such purposes.

"Game ~~[bird]~~ birds" means those birds designated by law or rule for hunting.

"Hunter" means a person who pursues with the means to take, kill, or capture [wildlife] game animals in compliance with this chapter. ~~[On]~~ In public hunting areas a person who has the appropriate hunting license, stamps, tags, permits, or permit tags on their person ~~[and who has signed in at a hunter checking station]~~ is deemed to be a hunter ~~[, until such time as they have signed out at a hunter checking station]~~.

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"Hunter assistant" means a person who accompanies a hunter and assists by carrying game or ~~[an]~~ unloaded ~~[weapon]~~ firearms or archery equipment. Hunter assistants may not have ~~[fireable cartridges or muzzleloading firing components]~~ ammunition or arrows in their possession.

"Hunting" means the act of pursuing with the means to take, kill, or capture ~~[wildlife]~~ game birds in compliance with this chapter.

"Means of take" refers to any device or set of devices capable of killing game animals; also referred to as hunting gear or hunting methods.

"Muzzleloading firearm" means a ~~[firearm]~~ shotgun that must be loaded through the discharge end of the firearm or the barrel and that employs flint or percussion ignition. Muzzleloading shotguns must have a shoulder stock and a barrel. The length of the barrel must be at least eighteen inches.

"Private land ~~[or hunting area]~~" means those lands that are not ~~[State-owned,]~~ state-owned, where hunting for game birds ~~[and mammals]~~ occurs.

"Public highway" means any roadway that is under the jurisdiction of the Hawaii~~[State]~~ state ~~[Department]~~ department of ~~[Transportation]~~ transportation or any of the ~~[Counties.]~~ counties. Access roads on public hunting areas that are maintained by the ~~[Department]~~ department of ~~[Land]~~ land and ~~[Natural Resources]~~ natural resources are not considered to be public highways.

"Public hunting area" means those lands designated by the board as public hunting areas where the public may hunt game birds ~~[and mammals]~~, including:

- (1) Game management areas;
- (2) Forest reserves and surrendered lands;
- (3) Natural area reserves;
- (4) Restricted watersheds;
- (5) Cooperative game management areas;
- (6) Military training areas;
- (7) Unencumbered ~~[State]~~ state lands;
- (8) Designated sanctuaries; and

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(9) Other lands designated by the board.

"Safety zone" means an area within or adjacent to a public hunting area, where possession or discharge of a loaded ~~[weapon]~~ firearms or ~~[the discharge of firearms or other weapons]~~ archery equipment is prohibited to prevent a hazard to people or property.

"Senior citizen" means a person who is sixty-five years of age or older.

"Youth hunter" as it pertains to specifically designated youth hunts, means a ~~[person]~~ hunter who is fifteen years of age or younger, who possesses a valid State of Hawaii hunting license ~~[-and who may take, kill or capture wildlife]~~. Youth hunters must be accompanied by a non-hunting adult, who also possesses a valid State of Hawaii hunting license. [Eff 9/28/81; am and comp 7/1/96; comp 11/06/99; am and comp ] (Auth: HRS §§183D-3, 183D-31) (Imp: HRS §§183D-2, 183D-3, 183D-4, 183D-31)

§13-122-2.1 Severability. These rules are declared to be severable and if any portion or the application thereof to any person or property is held invalid for any reason, the validity of the remainder of these rules or the application of the remainder to other persons or property shall not be affected. [Eff and comp 7/1/96; am and comp 11/06/99; am and comp ] (Auth: HRS §§183D-2, 183D-3) (Imp: §§183D-2, 183D-3)

§13-122-2.2 Permits. The Board or its authorized representative may issue permits to conduct activities otherwise prohibited by this Chapter. [Eff and comp ](Auth: HRS §§183D-2, 183D-3) (Imp: §§183D-2, 183D-3)

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§13-122-3 [~~Prohibited~~] Authorized hunting. [~~No~~] A person [~~shall~~] may hunt, kill, or have in their possession any game bird [~~except~~] only with a valid hunting license from the department and [~~except~~] only as provided by this chapter and the following exhibits which are located at the end of this chapter and by reference made a part hereof:

- (1) Chapter 122, Exhibit 1, "Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the island of Hawaii" 10/2013;
- (2) Chapter 122, Exhibit 3, "Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Maui" 04/2013;
- (3) Chapter 122, Exhibit 5, "Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Molokai" 04/2013;
- (4) Chapter 122, Exhibit 7, "Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Lanai" 05/2014;
- (5) Chapter 122, Exhibit 9, "Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Oahu" 04/2013; and
- (6) Chapter 122, Exhibit 11, "Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Kauai" 04/2013.

As [~~herein after~~] hereinafter used in this chapter, references made to [~~Exhibits~~] Exhibit 1, 3, 5, 7, 9, or 11 shall mean the exhibits listed in this section. [Eff 9/28/81; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §§183D-2, 183D-3, 183D-4, 183D-31)

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§13-122-4 Bag limits, open seasons, and hunting days. Bag limits, open seasons, ~~[and]~~ hunting days, special conditions for hunting, and game birds that may be hunted are listed in Exhibits 1, 3, 5, 7, 9, and 11, located at the end of this chapter and by reference made a part hereof.

~~[(b) The board or its authorized representative may add conditions and restrictions for hunts; set bag limits; limit, suspend, or postpone the hunting of any game mammal, or hunting in any area opened to hunting, including cooperative hunting areas and natural area reserves; lengthen hunting seasons; and open special hunting areas or seasons; whenever, after study by the division, the action is deemed to be in the public interest. Where special conditions are needed for a particular hunt, they shall be prescribed on specially prepared instruction sheets for that hunt and posted by legal notice, which by reference are made part of this chapter.] [Eff 9/28/81; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3)  
(Imp: HRS §§183D-2, 183D-32)~~

§13-122-5 Selection of hunters. (a) The board or its authorized representative shall have the authority to limit the number of hunters and to determine eligible hunters or assign hunting dates through a random selection method.

(b) The board or its authorized representative will follow policies and procedures for the fair and equitable selection of eligible hunters including, but not limited to, the following procedures:

- (1) Random drawing;
- (2) Telephone reservations; and
- (3) Other appropriate methods.

(c) These administrative policies and procedures referenced in ~~[Items 1, 2, and 3 of section (b) above]~~ subsection (b)(1), (2), and (3) will be available as public information. [Eff 9/28/81; am and

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comp 11/06/99; am and comp ] (Auth:  
HRS §183D-3) (Imp: HRS §§183D-2, 183D-3)

§13-122-5.1 Applications, permits, tags, and stamps. (a) The department shall have the authority to require application forms for the selection of hunters. ~~[and may require the use of tags and stamps or both, for purposes of hunting game birds.]~~ Exhibit 13, entitled "Fees for hunting licenses, wildlife stamps, applications, and tags for hunts, including special or lottery hunts" (07/2010), located at the end of this chapter and by reference made a part hereof, identifies and sets the costs for wildlife stamps, applications, and tags required for hunts, including special or lottery hunts. [The department may establish fees for wildlife stamps, application fees, and tags for special or lottery hunts; and determine the manner in which such tags or stamps may be affixed, displayed, or utilized.] The department shall have the authority to determine the manner in which such wildlife stamps, permits, or tags are to be affixed, displayed, or utilized. [Fees set for each of the following: applications, tags, and stamps shall not exceed the cost of a hunting license, with the exception that the board reserves the right to establish higher application fees for specific hunts that require special accommodations including, but not limited to, helicopter transportation costs.]

(b) The department shall have the authority to contract with an individual or a commercial stamp art firm to design, print, and provide said stamps to the department at no cost to the State. Further, the contracted party or firm, as consideration for providing the stamps to the department, upon approval of the board may produce and offer for sale, art prints of the selected wildlife stamp artwork and other products that display copies or replicas of that same artwork. Royalties or fees or both shall be paid to the department from such sales, which shall be

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deposited into the department's wildlife revolving fund.

(c) The department shall have the authority to establish specific qualifications for disabled hunters in accordance with national and state standards, and to issue special permits for disabled hunters which are consistent with existing disability definitions, rules, and statutes. Conditions of such permits may be less restrictive than conditions set for non-disabled hunters under other sections of this chapter. [Eff and comp 11/06/99; am and comp ]  
(Auth: HRS §183D-3) (Imp: HRS §§183D-2, 183D-3, 183D-10.5)

§13-122-6 Permitted hunting of certain game birds. The hunting of the following game birds is permitted with a valid hunting license and in accordance with Exhibits 1, 3, 5, 7, 9, and 11 and the provisions of this chapter:

- (1) Ring-necked Pheasant (Phasianus colchicus var.);
- ~~[-(2) White winged Pheasant (Phasianus colchicus subspecies)]~~
- ~~[-(2) Peafowl (Pavo cristatus)];~~
- (2) Melanistic mutant(blue) Pheasant(Phasianus spp.);
- (3) Green Pheasant (Phasianus versicolor);
- (4) Kalij Pheasant (Lophura leucomelana);
- (5) California Quail (Callipepla californicus);
- (6) Gambel's Quail (Callipepla gambelii);
- (7) Japanese Quail (Coturnix coturnix japonica);
- (8) Spotted Dove (Streptopelia chinensis);
- (9) Barred Dove (Geopelia striata);
- (10) Mourning Dove (Zenaida macroura);
- (11) Chestnut-Bellied Sandgrouse (Pterocles exustus);
- (12) Chukar Partridge (Alectoris chukar);
- (13) Gray Francolin (Francolinus pondicerianus);

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- (14) Black Francolin (Francolinus francolinus);
- (15) Erckel's Francolin (Francolinus erckelii);
- (16) Wild Turkey (Meleagris gallopavo); and
- (17) Other game birds the division may establish and designate. [Eff 9/28/81; am and comp 11/09/99; am and comp ]  
(Auth: HRS §183D-3) (Imp: HRS §§183D-3, 183D-31, 183D-32)

§13-122-7 Prohibited hunting of certain game birds. No person shall hunt, kill, or have in their possession any [~~of the following~~] game birds [~~unless~~] not authorized by the division. The division may establish and designate game bird species for which hunting is not allowed.

- ~~(1) Bamboo Partridge (Thoracica bambusicola); and~~
- ~~(2) Other game birds the division may establish and designate.~~ [Eff 9/28/81; am and comp 11/06/99; am and comp ]  
(Auth: HRS §183D-3) (Imp: HRS §§183D-3, 183D-31, 183D-32)

§13-122-8 Hunting hours. Hunting is permitted from one-half hour before sunrise to one-half hour after sunset for all legal game birds unless otherwise designated. No person shall hunt during the period from one-half hour after sunset to one-half hour before sunrise. [Eff 9/28/81; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §§183D-3, 183D-27, 183D-32)

§13-122-8.1 Hunting on private lands. Hunting on private lands requires a valid State of Hawaii hunting license and the permission of the landowner. This is provided for in Exhibits 1, 3, 5, 7, 9, and 11, under Special Conditions and Restrictions, located at

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the end of this chapter and by reference made a part thereof. [Eff and comp ] (Auth: §183D-26)

§13-122-9 Mourning doves. Mourning doves are considered migratory birds and subject to conditions set by federal regulations (Title 50, Code of Federal Regulations, Part 20.21). The following conditions and restrictions [~~apply~~] to the hunting of mourning doves are from the federal regulations:

- (1) Only shotguns, not larger than No. 10 gauge and incapable of holding more than three shells, using BB or smaller shot, or bows and arrows are permitted[~~-~~];
- (2) Rifle-shotgun combination firearms and arrows equipped with explosive heads or heads containing drugs or poison are prohibited[~~-~~];
- (3) Bird calls may be used except for recorded or electrically amplified bird calls or sounds[~~-~~];
- (4) Mourning doves may be taken on or over standing crops or over lands where grain or other crop residue remains as a result of valid agricultural operations or procedures[~~-~~];
- (5) The use or aid of live birds as decoys is prohibited[~~-~~];
- (6) One fully-feathered wing must remain attached to each mourning dove while being transported by any means[~~-~~]; and
- (7) No person shall have in their possession more than ten mourning doves, while they are in the hunting area.

[Eff 9/28/81; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §§183D-3, 183D-32; 50 CFR §20.21)

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§13-122-9.1 Nuisance or crop damage. (a) The board or its authorized representative, upon receipt of written notice of nuisance or damage to crops, vegetative habitat, or native plants by game birds, shall initiate an investigation of the damage or nuisance and, based on the investigation, may issue a permit or permits authorizing the destruction or control of game birds responsible for the damage or nuisance.

(b) The method of destruction or control shall be stated on the permit together with any other terms and conditions the board or its authorized representative may deem proper and applicable. [Eff and comp 11/06/99; am and comp ]  
(Auth: HRS §183D-3) (Imp: HRS §§183D-3, 183D-21, 183D-61)

§13-122-9.2 Scientific collection. (a) Authorized employees or agents of the division may take game birds for scientific, educational, and propagation purposes approved by the board.

(b) The board or its authorized representative, upon receipt of written requests or applications, may issue permits or licenses to scientific or educational institutions or individuals to collect a designated number of game birds for purposes approved by the board. [Eff and comp 11/06/99; am and comp ] (Auth: HRS §§183D-3, 183D-61)  
(Imp: HRS §183D-3)

§13-122-10 Penalty. Any person violating any of the provisions of this subchapter shall be subject to criminal and or administrative penalties as provided in section 183D-5, 171-6.4 or 171-31.6, Hawaii Revised Statutes. [Eff. 9/28/81; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3)  
(Imp: HRS §183D-5)

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SUBCHAPTER 2[-]

PUBLIC HUNTING AREAS

§13-122-11 Designations of public hunting areas.

(a) This subchapter designates the public hunting areas open to game bird hunting within the State of Hawaii and regulates the activities therein.

(b) Public hunting areas are shown in the following exhibits, which are located at the end of this chapter and by reference made a part hereof:

- (1) Chapter 122, Exhibit 2. "~~[Showing public]~~ Public hunting areas for game birds on the island of Hawaii" 10/2013;
- (2) Chapter 122, Exhibit 4. "~~[Showing public]~~ Public hunting areas for game birds on the island of Maui" 04/2013;
- (3) Chapter 122, Exhibit 6. "~~[Showing public]~~ Public hunting areas for game birds on the island of Molokai" 04/2013;
- (4) Chapter 122, Exhibit 8. "~~[Showing public]~~ Public hunting areas for game birds on the island of Lanai" 05/2014;
- (5) Chapter 122, Exhibit 10. "~~[Showing public]~~ Public hunting areas for game birds on the island of Oahu" 04/2013; and
- (6) Chapter 122, Exhibit 12. "~~[Showing public]~~ Public hunting areas for game birds on the island of Kauai" 04/2013. [Eff 9/28/81; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §183D-4)

§13-122-11.1 Public hunting areas on the island of Hawaii.

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(a) Unit A on the island of Hawaii (Exhibit 2) consists of the Mauna Kea Game Management Area and Forest Reserve and portions of the Puu Mali Restoration Area.

(b) Unit B on the island of Hawaii (Exhibit 2) consists of:

- (1) Kohala Forest Reserve;
- (2) Portions of the Hamakua Forest Reserve;
- (3) Manowaialee Forest Reserve;
- (4) Hilo Forest Reserve excluding Unit C portions of Piha and Laupahoehoe;
- (5) Waiakea Forest Reserve;
- (6) Olaa Forest Reserve;
- (7) Kapapala Forest Reserve;
- (8) Kau Forest Reserve, including Haao Spring Restricted Watershed;
- (9) South Kona Forest Reserve;
- (10) Portions of Upper Waiakea Forest Reserve between Tree Planting and Kulani Powerline Roads;
- (11) Honuaula Forest Reserve; [~~and~~]
- ~~(12) Unencumbered portions of Manuka, Kaulanamauna, and Kipahoehoe[.];~~
- (12) Waiaha Springs Forest Reserve; and
- (13) The Kapua-Manuka section of the South Kona Forest Reserve (also known as the Honamolino tract).

(c) Unit C on the island of Hawaii (Exhibit 2) consists of:

- (1) The upper portion of the Laupahoehoe Segment of the Hilo Forest Reserve; and
- (2) The upper portion of the Piha Section of the Hilo Forest Reserve.

(d) Unit D on the island of Hawaii (Exhibit 2) consists of:

- (1) Hilo Restricted Watershed;
- ~~[(2) Haao Spring Restricted Watershed;~~
- ~~(3)]~~ (2) A portion of Kohala Restricted Watershed;

and

- ~~[(4)]~~ (3) Keauohana Forest Reserve.

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(e) Unit E on the island of Hawaii (Exhibit 2) consists of:

- (1) Puuanahulu Game Management Area, East Section;
- ~~[(2) Pohakuloa Game Management Area;~~
- ~~(3)]~~ (2) Pohakuloa Training Areas [1-20 and 22];  
and
- ~~[(4)]~~ (3) Portions of the Mauna Loa Game Management Area, including Kipuka Ainahou.

(f) Unit F on the island of Hawaii (Exhibit 2) consists of [~~Pohakuloa Training Area 21 and the Redleg portion of the Pohakuloa Training Area.~~] the Puu Waawaa Forest Reserve and the Puuanahulu Game Management Area, West Section.

(g) Unit G on the island of Hawaii (Exhibit 2) consists of the Kaohe [~~Horse Pasture~~] Game Management Area and the Kaohe Restoration Area;

(h) Unit H on the island of Hawaii (Exhibit 2) consists of the Kulani Buffer Zone.

(i) Unit I on the island of Hawaii (Exhibit 2) consists of:

- (1) Portions of the Hamakua Forest Reserve known as Kalopa and Honokaa;
- (2) Nanawale Forest Reserve; and
- (3) Malama Ki Forest Reserve.

(j) Unit J on the island of Hawaii (Exhibit 2) consists of [~~cooperative game management areas and designated sanctuaries.~~] Kapapala Ranch Cooperative Game Management Area. Conditions for entry into the units and public use for the hunt are subject to landowner's approval review.

(k) Unit K on the island of Hawaii (Exhibit 2) consists of:

- (1) Puu O Umi Natural Area Reserve;
  - (2) Waiakea 1942 Lava Flow Natural Area Reserve;
  - (3) Kahaualea Natural Area Reserve;
  - (4) Kipahoe Natural Area Reserve;
  - (5) Laupahoehoe Natural Area Reserve;
  - (6) Manuka Natural Area Reserve;
  - (7) Mauna Kea Ice Age Natural Area Reserve;
- [~~and~~]

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- (8) Puu Makaala Natural Area Reserve~~[-]~~; and  
(9) Unencumbered portions of Manuka,  
Kaulanamauna, and Kipahoe.  
[Eff and comp 11/06/99; am and comp  
] (Auth: HRS §183D-3) (Imp:  
HRS §183D-4)

§13-122-11.2 Public hunting areas on Maui. (a)  
Unit C on the island of Maui (Exhibit 4) consists of:  
(1) [a] A portion of the Kula Forest Reserve  
including [the Papanui Tract and Upper  
Nakula and 940] nine hundred forty acres of  
Kaonoulu Ranch connecting the northern and  
southern portions of the Kula Forest Reserve  
making it a contiguous unit; and  
(2) The Kahikinui Forest Reserve.  
(b) Unit F on the island of Maui (Exhibit 4)  
consists of the Kahakuloa Game Management Area and  
portions of the West Maui Forest Reserve.  
~~[(c) Unit N on the island of Maui (Exhibit 4)~~  
~~consists of the Kahakuloa Natural Area Reserve (NAR).]~~  
[Eff 9/28/81; am and comp 11/06/99; am and comp  
] (Auth: HRS §183D-3) (Imp: HRS  
§183D-4)

§13-122-11.3 Public hunting areas on Molokai.  
(a) Unit C on the island of Molokai (Exhibit 6)  
consists of the ~~[State-owned or State-controlled]~~  
portions of the Molokai Forest Reserve which are  
included in Kalawao County.  
(b) Unit D on the island of Molokai (Exhibit 6)  
consists of the Molokai Forest Reserve ~~[State-owned]~~  
or ~~[State-controlled]~~ lands of ~~[Kawela],~~  
Makakupaia West, Kalamaula, Kahanui, and Kaunakakai,  
which lie north of the Maunahui Forest Access Road and  
east [from] of Kalahuapeo to Makakupaia along the  
common boundary fence of [between] The Nature

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Conservancy-Kamakou Preserve and the Molokai Forest Reserve Boundary.

(c) Unit E on the island of Molokai (Exhibit 6) consists of the Molokai Forest Reserve [~~State-owned or State-controlled~~] lands of Kawela, Makakupaia, Kamiloloa, Kapaakea, and Kaunakakai, makai (south) of the Maunahui Forest Road[, ~~which are included in the Molokai Forest Reserve~~]. [Eff and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS 183D-4)

§13-122-11.4 Public hunting areas on Lanai.

(a) All units are part of a Cooperative Game Management Area leased from the private landowner. Conditions for entry into the units and public use conditions for the hunt are subject to landowner's review. Unit 1 on the island of Lanai (Exhibit 8) consists of the portion of the Lanai Cooperative Game Management Area [~~between the Kaumalapau Highway and Polihua Road at the entrance to the Kanepuu Forest, with the eastern boundary being three hundred feet makai of and parallel to the Guard Road, and five hundred feet~~] bounded by the fifty foot safety zone along Polihua Road to the north, the Guard Road to the east, the five hundred foot safety zone at Kaumalapau Highway to the south, and the coast to the west, with the exception of the three hundred foot Safety Zone mauka of the coast from Polihua Road to Kaena Point.

(b) Unit 2 on the island of Lanai (Exhibit 8) consists of the portion of the Lanai Cooperative Game Management Area [~~between Polihua Road at~~] bounded by the three-hundred foot Safety Zone along the coast to the north, the five hundred foot safety zone at Keomuku and the fifty foot safety zone along Polihua Roads to the west and east, respectively, the western boundary of Kanepuu Preserve to the east, and with the southern boundary extending from the entrance to Kanepuu Forest [the Guard Road and continuing three hundred feet makai of and] parallel to the Guard Road to the horse pasture fence line, and continuing along

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~~the fencing of the pasture to [Mahana and five hundred feet mauka along the coast from Federation Camp to Polihua Road]~~ the south end of Keamuku Road.

(c) Unit 3 on the island of Lanai (Exhibit 8) consists of a portion of land on the eastern side of Unit 1. The eastern boundary of Unit 3 follows along "No. 57 Road" off the Kaunalapau Highway northward to Paliamaano Gulch, and continues along the cattle fence line to the fence intercept with the "Guard Road," with the southern boundary being along the Kaunalapa Highway.

~~[(e)]~~ (d) The seven units of the Kanepuu Preserve operated by The Nature Conservancy of Hawaii are excluded from the Lanai Cooperative Game Management Area. [Eff 9/28/81; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §183D-4)

§13-122-11.5 Public hunting areas on Oahu. (a) Unit 1 on the island of Oahu (Exhibit 10) consists of ~~[a portion of]~~ the Kuaokala Game Management Area and the Kuaokala Forest Reserve, ~~[east of Manini Gulch]~~ and a portion of the Mokuleia Forest Reserve west of the paved road leading from Peacock Flats to the Old Radar Station.

~~[(b) Unit 2 on the island of Oahu (Exhibit 10) consists of the Mokuleia Forest Reserve east of the paved road leading from Peacock Flats to the Old Radar Station.~~

~~(e)]~~ (b) Unit 2 on the island of Oahu (Exhibit 10) consists of a portion of the Makua-Keaau Forest Reserve.

~~[(d) Unit 4 on the island of Oahu (Exhibit 10) consists of a portion of the Waianae Kai Forest Reserve and the surrendered lands known as Lion Country] [Eff and comp 11/6/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §183D-4)~~

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§13-122-11.6 Public hunting areas on Kauai. (a) Unit A on the island of Kauai (Exhibit 12) consists of that portion of Puu Ka Pele Forest Reserve [~~lying west of the three thousand foot Contour Road in Puu Ka Pele Forest Reserve between Kauhao Ridge Road and Papaalai Ridge Road, and west of the Kokee Ditch between Papaalai Ridge Road and the Puu O Pue Hawaiian Homestead Boundary intersection at Kapue Valley, and south of Kauhao Stream~~] bounded by Kauhao Stream to the north, the three thousand foot Contour Road and the Kokee Ditch to the east, the Puu O Pue Safety Zone to the south, to a point north of Polihale State Park, including Kekaha Game Management Area and continuing north to Makaha Ridge Road.

(b) Unit B on the island of Kauai (Exhibit 12) consists of those [~~State-owned~~] state-owned portions of the Na Pali-Kona Forest Reserve and Puu Ka Pele Forest Reserve that lie one half mile east of Waimea Canyon State Park and Kokee State Park, and west of the Alakai Wilderness Preserve, [south of Mohihi Stream, and north of Waialae Stream] including areas known as Pihea, Kawaikinana, Kawaikoi, Waiakoali, Mohihi, Poomau, Kohua, Waialae and Mokihana ridge, including those State-owned lands west of the boundary fence which runs southerly from Kalehuahakihaki along the Mokihana Cart Road to fourteen-hundred feet elevation, and west of the pali which runs parallel and one-thousand feet to the east of Mokihana Stream to Waimea River; and those lands east of the six-hundred feet elevation contour between Waimea Ditch Intake and the Puu Ka Pele Forest Reserve Boundary.

~~[(c) Unit E on the island of Kauai (Exhibit 12) is the Mokihana Ridge Game Management Area which includes those State-owned lands within Waimea Canyon lying south of Waialae Stream, west of the boundary fence which runs southerly from Kalehuahakihaki along the Mokihana Cart Road to fourteen-hundred feet elevation, and west of the pali, which runs parallel and one thousand feet to the east of the Mokihana Stream to Waimea River; and those lands east of the six-hundred foot elevation contour between Waimea~~

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~~Ditch Intake and the Puu Ka Pele Forest Reserve Boundary.]~~

(c) Unit E1 on the island of Kauai (Exhibit 12) consists of the state-owned portions of the Na Pali-Kona Forest Reserve, and the Hono O Na Pali Natural Area Reserve which lie east of Kokee State Park, northeast of Waimea Canyon, north of Mohihi Stream, and southeast of Wainiha Pali; including portions of the Alakai Wilderness Preserve, upper Hanakapiai and Hanakoa stream drainages above three thousand feet elevation, Alakai Swamp Trail, Pihea Trail, Kawaikoi Stream, and Waiakoalii Stream.

~~[(d) Unit F (Archery only) on the island of Kauai (Exhibit 12) consists of those State owned lands within Waimea Canyon lying south of Puu Ka Pele Forest Reserve, west of [Hunting Unit E (Mokihana Ridge [Game Management Area])], north of a line due west of Waimea "Obake" Swinging Bridge and east of the Waimea Heights Road and Waimea Canyon State Park.]~~

(d) Unit E2 on the island of Kauai (Exhibit 12) consists of the state-owned portions of the Na Pali-Kona Forest Reserve including portions of the Alakai Wilderness Preserve which lie south of Mohihi Stream, southeast of Wainiha Pali, north of the privately-owned portion of the Na Pali-Kona Forest Reserve; including areas known as Kawaiiki Ridge, which lies north of the Kaluahaulu-Waiialae Trail, east of Waimea Canyon, and south of Koaie Stream.

(e) Unit H on the island of Kauai (Exhibit 12) consists of those parts of the Puu Ka Pele Forest Reserve, the Na Pali Kona Forest Reserve, ~~[and]~~ the Kuia Natural Area Reserve, and Kokee State Park, which lie north of ~~[Kauhao Stream]~~ Makaha Ridge Road and south of ~~[Kalalau Valley]~~ Kalepa Ridge [Line], and west of Kokee State Park, including areas known as Makaha Ridge, Milolii Ridge, Nualolo, Awaawapuhi, and Honopu.

(f) Unit I on the island of Kauai (Exhibit 12) consists of the Wailua Game Management Area. (Hunting may be closed in specific paddocks posted with "No Hunting" signs).

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(g) Unit J on the island of Kauai (Exhibit 12) consists of that portion of Puu Ka Pele Forest Reserve and Waimea Canyon State Park lying south of Kauhao Valley, east of the three-thousand foot Contour Road between Kauhao Ridge Road and Papaalai Ridge Road, and east of the Kokee Ditch between Papaalai Ridge Road and Kitano Reservoir, and west of State Highway 550.

(h) Unit L on the island of Kauai (Exhibit 12) consists of that portion of lands under the Agribusiness Development Corporation (ADC), which lie between Kokee Road (Hwy 552) and Waimea Canyon Road (Hwy 550), including areas known as Pokii Ridge, upper Waipao Valley, Paua Valley, Waiaka Ridge, Kapilimao Valley, Huluhulunui Ridge, Hukipo Ridge, and Kaleinamanu Ridge, north of Waimea and Kekaha Townships. [Eff and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §183D-4)

§13-122-11.7 Other public hunting areas. Hunting may be permitted on such other lands as the board may establish and designate. [Eff and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §183D-4)

§13-122-11.8 Safety [~~Zones~~] zones and closed areas. (a) On the island of Kauai, designated safety zones are as follows:

- (1) A zone fifty yards from any inhabited building or paved road, except that the safety zone on Makaha Ridge is fifty feet from the paved road;
- ~~[(2) All sugar cane fields within or adjacent to public hunting areas;~~
- ~~(3) A one half mile strip east of the Kokee Road along the rim of Waimea Canyon between Halemanu and Kukui Trail;~~

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- ~~(4)~~] (2) A one-half mile strip around the Hawaiian Homes Pasture Lease Lands, located at Puu Opae within Kekaha Game Management Area, except that the northern boundary of the safety zone is the Haleiele Valley Bottom;
- ~~[(5) Those lands between the Waimea Heights Road and the Kokee Road; and~~
- ~~(6)~~] (3) Makaha Ridge Military Reservation[-];  
(4) Polihale State Park, and Milolii State Park; and  
(5) The following are exceptions to the prohibition of firearms and other means of take from safety zones and closed areas on the island of Kauai:
- (A) Hunters may carry unloaded legal firearms or means of take within their vehicles during open hunting seasons on all authorized access routes to public hunting areas;
- (B) Authorized access routes include all improved jeep roads entering hunting Units A, B, D, E, F, H J, K and L from State Highways 50, 550, and 552; the Marine Road Hunter access route to Puu Opae-Unit A from State Highway 552 and the designated public access road to the Polihale Beach State Park boat launching area to Na Pali Coast, the Mana Tunnels Hunter Access route, and "Water Tank valley" access route to Hunting Units A from State Highway 50; and
- (C) Hunters may also carry unloaded legal hunting equipment during open seasons on the Kukui Trail, Waipo Falls Trail, or Cliff Trail, Halemanu Trail access routes to Hunting Unit B-Waimea Canyon and Unit E.
- (b) On the island of Oahu, designated safety zones are as follows:

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- (1) A zone fifty yards from any paved road or building, except that the safety zone around the Kaena Point Satellite Tracking Station is two hundred yards wide;
  - (2) A zone one hundred yards from the Peacock Flats Picnic and Camp Site Area; and
  - (3) A zone one hundred yards from the Old Radar Station and a zone fifty yards on each side of the paved road to the Old Nike Radar Site.
- (c) On the island of Maui, designated safety zones are as follows:
- (1) Polipoli State Park - A distance of one hundred feet from the picnic and camping area, parking lot, and cabin;
  - (2) A zone fifty yards wide mauka along Kahekili Highway in the Kahakuloa Game Management Area. The area north (makai) of Kahekili Highway is closed to hunting; and
  - (3) A zone fifty yards wide on either side of the Waipoli Access Road in Unit C up to the forest boundary.
- (d) On the island of Molokai, designated safety zones are as follows:
- (1) A zone five hundred feet wide surrounding the Boy Scout Camp at Kaunakakai;
  - (2) A zone five hundred feet wide surrounding the Sandal Wood Pit at Kamiloloa; and
  - (3) A zone five hundred feet wide surrounding Waikolu Park in Makakupaia.
- (e) On the island of Lanai, designated safety zones are as follows:
- ~~[(1) A strip five hundred feet wide bordering portions of the Kaunalapau Highway and Keomuku Highway.]~~
- ~~(2)]~~ (1) The entire breadth of the Kanepuu Forest [between] from the Guard Road [and] to the Nature Conservancy Kanepuu Preserve;
- ~~[(3)]~~ (2) The entire Federation Camp is within the safety zone; and
- (3) A zone extending three hundred feet inland of the mean high water line along the

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northeast-north coast of Lanai from the Federation Camp area to Kaena Point;

(4) A zone fifty feet wide along both sides of the "North-End/Polihua" roads, separating Hunting Units 1 and 2; and

(5) A zone five hundred feet wide bordering portions of the Kaunalapau Highway and Keomuku Highway.

(f) On the island of Hawaii, designated safety zones unless otherwise posted or announced, are fifty yards from any paved road or building when hunting with a shotgun or ~~[bow and arrow]~~ archery equipment.

(g) Any other area in the State that may be designated as a safety zone or closed area by the division. [Eff and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §183-4)

§13-122-11.9 Temporary closure of public hunting areas. The board or its authorized representative may temporarily close or restrict conditions for use of public hunting areas for up to six months:

(1) In order to address threats to natural resources or to protect public safety; and

(2) To comply with the requirements of agreements made with private landowners or lessees. [Eff and comp ]

(Auth: HRS §183D-3) (Imp: HRS §183-4)

§13-122-12 Conditions and restrictions. (a) With respect to hunting licenses, permits, and check stations, the following conditions and restrictions shall apply:

(1) Hunters shall carry their ~~[appropriate]~~ valid hunting license, as well as required permits or tags on their person at all times while in the hunting area~~[-]~~;

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- (2) Hunting permits, stamps, and tags are not transferable and are valid only for the dates indicated and for the person to whom issued [~~Stamps, when they are required, shall be signed on the front in ink by the person to whom issued, and shall be affixed to the front of the person's hunting license in the space provided;~~
- (3) Where there are established check stations, [Each] each hunter and hunter assistant shall check in before hunting and check out after hunting; [~~at the same established checking station. Each hunter shall provide all information requested on forms and permit the inspection of their game and weapon by an authorized representative of the department, and fill out and return any hunter report form received in the mail;~~
- ~~(4)~~ ~~Hunters may be required to obtain permits from the division or its authorized representative for entry into any restricted watershed; and]~~
- ~~[-5-]~~ (4) [~~Before anyone may be issued] By signing a hunting license, stamp, tag, or permit, the person [shall] agrees to comply with all the terms and conditions of the applicable license, stamp, tag, or permit, as well as applicable laws and regulations; and consents to be subject to inspection for appropriate license, permit, stamp and/or tag, hunting equipment, and type and amount of game, by a duly authorized representative of the department; and~~
- (5) A person shall be issued a hunter education certificate after completion of the hunter education program and reaching at least 10 years of age.

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(b) With respect to ~~[weapons]~~ firearms and archery equipment, the following conditions and restrictions shall apply:

- (1) No person shall possess or discharge any firearm or archery equipment within any public hunting area without having a valid Hawaii ~~[State]~~ state hunting license in their possession;
- (2) Legal game bird ~~[hunting weapons]~~ means of take include shotguns [and bows and arrows], archery equipment, and crossbows with a disabled hunting permit;
- (3) No person shall possess any arrows equipped with explosive heads or heads containing drugs or poison;
- (4) While hunting, each hunter shall be limited to carrying on their person only one legal ~~[weapons]~~ firearm or archery device that ~~[are]~~ is consistent with the hunt. However, a hunter may, when assisting another hunter, carry that hunter's unloaded firearm or archery device. In addition, each hunter is required to make their ~~[weapon]~~ firearm or archery equipment, cartridges or muzzleloader firing components, game, and license available for inspection, upon the request of a duly authorized representative of the department. Refusal to permit said inspection shall be considered a game law violation and may result in the revocation of hunting privileges by the department, after notice and hearing;
- ~~[(5) When hunting with a bow, no person shall use:~~
  - ~~(A) Long bows with less than forty pounds of drawing tension at a twenty-eight inch draw;~~
  - ~~(B) Recurved bows with less than thirty-five pounds of drawing tension; or~~
  - ~~(C) Compound bows with less than thirty pounds of drawing tension[.];]~~

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[~~(6)~~] (5) A firearm that utilizes cartridges shall be considered unloaded if no ammunition is in the chamber or an attached magazine. A muzzle loading firearm is considered unloaded if the ignition component (primer, percussion cap, or priming powder) is removed from the ignition system and for flintlocks the powder is removed from the pan, the frizzen is up and the cock (hammer) is down. "Cartridge firing" and "muzzleloading" firearms must be unloaded [~~just~~] as described above to enter any safety zone or to transport the firearm in a vehicle within the hunting area. However, when crossing or entering a public highway or exiting a public hunting area, all [~~fireable~~] cartridges and muzzleloader firing components must be removed from the firearm, including powder and projectile(s) [~~-~~];

[~~(7)~~] (6) A bow shall be considered loaded if an arrow is nocked on the bowstring; and

[~~(8)~~] (7) [~~No person shall possess any rifle, combination rifle firearm, rifled slugs, buckshot or altered shotgun shells where game [mammal] bird hunting is closed.~~] Only the [~~weapons~~] firearms or archery equipment [~~that are~~] authorized for the particular hunt are to be in the hunter's possession while in the hunting area.

(c) With respect to motorized vehicles [~~and carriers~~], the following conditions and restrictions shall apply:

- (1) When required, only four-wheel drive vehicles will be permitted in public hunting areas;
- (2) No person shall use any aircraft to herd or drive game birds, or land any aircraft for the purpose of hunting, or discharge any

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means of take from any aircraft into a public hunting area except as provided for by the department;

~~[(2)]~~ (3) No person shall operate any motorized vehicle (including, but not limited to motorcycles and all-terrain vehicles) in any hunting area except on roads which have been constructed, maintained, and opened for vehicular use. However, vehicles may be parked within twenty feet of maintained roads; and

~~[(3)]~~ (4) No person shall have or carry any loaded ~~[weapon]~~ firearm or loaded archery equipment on horseback, in any vehicle, boat, or any other carrier or discharge any ~~[weapon]~~ firearm or archery device from any carrier, except for disabled hunters with a valid permit to do so ~~[in any hunting area]~~. It is also illegal for any hunter to discharge any ~~[weapon]~~ firearm or archery device into a public hunting area from ~~[any place]~~ outside the hunting area.

(d) With respect to safety zones and closed areas, no person shall hunt, possess a loaded ~~[weapon]~~ firearm or archery device or discharge any ~~[weapon]~~ firearm or archery equipment into, within or across a designated safety zone or closed area.

(e) With respect to the disposition of game, the following conditions and restrictions shall apply:

- (1) No person shall sell or attempt to sell any game bird or the carcass thereof, taken within any public hunting area;
- (2) No person shall remove any live game bird from any public hunting area at any time, except with a collection permit; and
- (3) The fully feathered head of any game bird, taken from any public hunting area, shall remain attached to the bird as evidence of sex and species while in the hunting area.

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(f) The following general restrictions shall also apply:

- (1) No person shall use a dog, electronic call, or live decoys during the Spring Turkey Hunt;
- (2) With the exception of Spring Turkey Hunting or designated archery areas, no person shall hunt, serve as a guide, accompany, or assist a hunter in any hunting area, where firearms are permitted, without wearing an exterior garment (shirt, vest, jacket, or coat) made of commercially manufactured, blaze-orange material or solid blaze-orange mesh material with a maximum mesh size of one-eighth inch. (All types of camouflage orange are prohibited for these garments). When carrying game or wearing a back pack, the blaze orange on the upper torso must be visible from both front and back[-];
- (3) Persons found to be in violation of any provision of this chapter may have their hunting privileges revoked by the department, after notice and hearing. The department may reinstate revoked hunting privileges upon subsequent completion of a [~~State approved~~] state-approved hunter education course. Any equipment, article, instrument, aircraft, vehicle, vessel, business record, or natural resource used or taken in violation of the provisions of this chapter may be seized and subject to forfeiture as provided by section 199-7 and chapter 712A, Hawaii Revised Statutes;
- (4) No person shall be in possession of an open or unsealed vessel or container of any intoxicating substance or use any such substance, while they are within a public hunting area; and
- (5) Unless prohibited, non-hunters and hunter assistants may accompany hunters in the field. Non-hunters and hunter assistants must also wear the appropriate blaze-orange

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outer garment and are prohibited from carrying any loaded ~~[weapon]~~ firearm, archery equipment, [and] or live ammunition. ~~[On the island of Lanai, hunter assistants are also required to have a valid hunting license and a special hunter assistant certificate in their possession.]~~

- (g) The following conditions and restrictions shall apply to the use of ~~[dogs while]~~ hunting dogs:
- (1) Dogs shall be ~~[restrained while traveling to and from the hunting area and within the hunting area when not actually hunting]~~ under control at all times and physically restrained except when hunting and actively in pursuit of game; and
  - (2) The dog's owner or handler shall at all times accompany any hunting dog and the dog's owner shall be held strictly liable for all actions, injuries, or damages caused by the owner's dog. ~~[while in the hunting area.]~~
  - (3) The dog shall be under voice control at all times and physically restrained in all safety zones and closed areas.
  - (4) Dog identification must be on the dog at all times, including while in a public hunting area and actively in pursuit of game.
- (h) The following additional condition shall apply to game bird hunting on the island of Hawaii:
- (1) The use of dogs shall be allowed for game bird hunting in the Kipuka Ainahou Nene Wildlife Sanctuary, except during the spring turkey season.
- ~~[(h)]~~ (i) The following additional condition~~[s]~~ and restriction~~[s]~~ shall apply to game bird hunting on the island of Maui:
- (1) Hunters, staying at the Polipoli State Park on hunting days, shall indicate their overnight stay on the check-in sheet at the hunter checking station; and
  - ~~[(2)]~~ ~~Persons, hunting in the Kahakuloa Game Management Area, shall check out at the~~

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~~hunter checking station no later than 6:00 p.m.; and~~

- ~~(3)]~~ (2) Only four-wheel drive vehicles will be permitted on the Kahakuloa Game Management Area access road.

~~[(i) The following additional condition and restriction shall apply to game bird hunting on the island of Molokai:~~

- ~~(1) Hunters using the self checking stations shall check out no later than 6:30 p.m.]~~

(j) The following additional conditions and restrictions shall apply to game bird hunting on the island of Lanai:

- (1) Hunter assistants are required to have a valid hunting license and a special hunter assistant certificate in their possession;  
(2) Each hunter and hunter assistant shall check in before hunting and check out after hunting.

~~[(j)]~~ (k) The following additional conditions and restrictions shall apply to game bird hunting on the island of Kauai:

- (1) No person, except authorized employees of the department or its lessees, shall use a motor vehicle in the Mokihana Ridge [~~Game Management Area~~] area; and  
(2) No person shall enter the Kekaha Game Management Area, except that hunters with valid hunting licenses may enter during legal hunting days and authorized employees of the department and its lessees or permittees, may enter at any time. [Eff 9/28/81; am and comp 11/06/1999; am and comp ] (Auth: HRS §183D-3)  
(Imp: HRS: §§183D-3, 183D-25, 183D-32)

§13-122-13 Preservation of public and private property. The following actions are prohibited within a public hunting area:

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- (1) The damage or disturbance of any property or improvement, including but not limited to litter including hunter checking station sign in sheets, water facilities, signs, equipment, fences, gates, buildings, food crop plantings, structures, or the failure to leave gates as found;
- (2) The dumping or disposing of any trash and any other waste materials except in receptacles provided for dumping or disposal purposes;
- (3) The removal, damage, or disturbance of any objects of antiquity, prehistoric ruins, fossil remains, monuments, or burial sites;
- (4) The discarding of lighted cigarettes, cigars, smoking tobacco, matches, or the setting off of any explosives within or into any public hunting area;
- (5) The building of any ground fires except where permitted in designated camping areas; and
- (6) Camping overnight except in designated areas or as provided in permits issued by the department or its authorized representative. [Eff 9/28/81; comp 11/06/1999; am and comp ] (Auth: HRS §183D-3)  
(Imp: HRS §183D-4)

§13-122-14 Penalty. Any person violating any of the provisions of this subchapter shall be subject to criminal and or administrative penalties as provided in section 183D-5, 171-6.4, or 171-31.6, Hawaii Revised Statutes. [Eff 9/28/1981; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §183D-5)

SUBCHAPTER 3

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FIELD TRIALS AND COMMERCIAL SHOOTING PRESERVES

§13-122-15 Field trials. (a) Any organization, which has filed the names of its officers with the board or its authorized representative and has been in operation and existence for longer than six months prior to filing of the application, may apply for a permit to hold a field trial.

(b) The application shall state the days on which the field trial is to be held, the location of the field trial, and the application shall be signed by the person or persons responsible for conducting the field trial.

(c) Upon receipt of an application, the division may issue a permit which shall contain:

- (1) The name of the agent or agents of the division who shall supervise the field trials;
- (2) The name of the organization;
- (3) The area and the dates of the field trial;
- (4) The number and sex of each species of farm-raised birds which are to be released;
- (5) An agreement to be signed by the person or persons responsible for the field trial, agreeing to defend, indemnify, and hold the State harmless from any claims, demands, or actions arising out of or related in any way to the field trials;
- (6) An agreement which allows a representative of the division access to the field trial and its related activities; and
- (7) Any other terms and conditions as specified by the division.

(d) The organization shall obtain, in an amount to be set by the division, public liability insurance to cover the organization, its members, and the State.

(e) The organization shall release in the same area, within one month after the field trial, three times the number of unbanded birds shot in the field trial.

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(f) Any birds that are released for the field trial and not shot may be used as replacements.

(g) The shooting of hen pheasants at field trials is permitted.

(h) All birds released in accordance with the provisions of this section shall be banded by an agent of the division prior to release. The division or its authorized representative may waive this requirement.

(i) All game birds to be released may be subject to spot checks by an accredited veterinarian, at [State] state expense. If problems are found, said birds shall not be released unless cleared by the veterinarian. [Eff 9/28/81; am and comp 11/06/99; am and comp ] Auth: HRS §183D-3) (Imp: HRS §§183D-3, 183D-32)

§13-122-16 Private and commercial shooting preserves. (a) Private or commercial shooting preserves may be established with the approval of the division.

(b) A written application shall be filed with the division. The application shall contain the name of the person or organization operating the shooting preserve, and the name, location, and legal description and boundaries of the preserve.

(c) The division shall issue a license only after it has been determined that the location of the shooting preserve is suitable for the purpose specified in the application and that the birds to be released will be properly banded, if required by the division. Birds to be released may be subject to spot checks by an accredited veterinarian at [State] state expense. If problems are found, said birds shall not be released unless cleared by the veterinarian.

(d) Upon approval by the division, a license shall be issued pursuant to section 183D-34, Hawaii Revised Statutes.

(e) The licensee shall comply with the provisions of [~~Chapter~~] chapter 183D, Hawaii Revised Statutes, and all applicable rules.

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(f) The licensee shall notify the division of the species of birds to be released and shall provide quarterly reports of the number and species of birds taken and the number of birds released as replacement stock.

(g) The shooting of hen pheasants in shooting preserves is permitted.

(h) The licensee shall replace and release three birds of the same species for every unbanded bird shot. Areas for release of replacements shall be designated by the division. Any banded birds released and not shot may be used as replacements.

(i) The licensee shall issue receipts to participants at the end of each hunting day giving the band numbers, date, and species of game birds taken. Bands shall be as specified by the division.

(j) A licensee's license may be revoked for violation of any provision of this section.

~~[(k) Hunting hours in private and commercial shooting preserves shall be daily between one half hour before sunrise and one half hour after sunset. Hunting is prohibited from one half hour after sunset to one half hour before sunrise.]~~

~~[(l)]~~ (k) The licensee shall comply with any other terms and conditions as specified by the division. [Eff 9/28/81; am and comp 11/06/99; am and comp ] Auth: HRS §183D-3) (Imp: HRS §§ 183D-3, 183D-27, 183D-32, 183D-34)

§13-122-17 Penalty. Any person violating any of the provisions of this subchapter shall be subject to criminal and or administrative penalties as provided in section 183D-5, 171-6.4, or 171-31.6, Hawaii Revised Statutes."

[Eff 9/28/81; am and comp 11/06/99; am and comp ] (Auth: HRS §183D-3) (Imp: HRS §183D-5)

EXHIBIT 3b

2. Material, except source notes, to be repealed is bracketed. New material is underscored.

3. Additions to update source notes to reflect these amendments and compilation are not underscored.

4. These amendments to and compilation of chapter 13-122, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of the section 91-4.1, Hawaii Revised Statutes, which were adopted on August 2, 1982 and filed with the Office of the Lieutenant Governor.

---

WILLIAM J. AILA, JR.  
Chairperson of the  
Department of Land and  
Natural Resources

EXHIBIT 3b

APPROVED AS TO FORM:

---

Deputy Attorney General

EXHIBIT 3b

[Island of Hawaii -] Exhibit 1: Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Hawaii.

Game Birds to be Taken	Daily Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
<del>Ring-neck Pheasant</del> <del>Green Pheasant]</del>  Pheasant species other than Nepal kalij	Three (cocks only) per hunter, which may be of one <del>other</del> species or a combination of species	First Saturday in November through <del>[Martin Luther King Day or the third Sunday in January whichever occurs later.]</del> the last Sunday in January.	Saturdays, Sundays, and State Holidays. Additionally, <u>Wednesday, Thursdays for Units A, G, PTA, and private lands****</u>	Public land and private lands <del>[Hunting on private lands requires a valid State of Hawaii hunting license and permission of the landowner.]</del>
Nepal Kalij Pheasant	Three birds of either sex per hunter			
California Valley Quail Japanese Quail Gambels' Quail	Fifteen birds of either sex per hunter, which may be of any one species or a combination of <del>these</del> species			
Chukar Partridge Gray Francolin Black Francolin	Eight birds of either sex per hunter, which may be of any one species or a combination of these species			
Erckel's Francolin	Three birds of either sex per hunter			
Chestnut bellied Sandgrouse Mourning Dove Spotted Dove (Large Dove)	Ten birds of either sex per hunter, which may be of any one species or a combination of these species			
Barred Dove (Small Dove)	Twenty birds of either sex per hunter			
Wild Turkey	One bird of either sex per hunter			
<b>SPECIAL BIRD SEASONS</b>				
Wild Turkey (Spring Hunt Only)	<del>[Two bearded birds (Gobbler only) per hunter per season. ***]</del> <u>Three bearded turkeys per season***</u>	March 1, through March 31, <u>Kipuka Ainahou**</u>	Daily <del>[from one-half hour before sunrise to one-half hour after sunset]</del>	*Permit and tag required for public and private areas. No dogs allowed.
		March 1, through April 15, Units <u>A, F and G, and private lands</u>	<u>Daily</u>	
Barred Dove (Small Dove)	Twenty birds of either sex per hunter	<del>[Fourth Saturday in January]</del> <u>First Saturday in February</u> through last Sunday in March.	Saturdays, Sundays, and State Holidays.	On private lands only <del>[with permission from the landowner.]</del>
Spotted Dove (Large Dove)	Ten birds per hunter	First Saturday in October thru the last Sunday in October		

10/2013

\* Hunters may be assigned permits by public drawing.

\*\* Archery only.

\*\*\* Distinct feathering characteristics unique to the male turkey are located on the upper breast.

\*\*\*\*Units J and PTA are managed by cooperators. Access and public use conditions are subject to cooperator review. Confirm with the Hilo or Kamuela office of the Division of Forestry and Wildlife before hunting.

# HAWAII : Public Hunting Areas for Game Birds

Chapter 122, Exhibit 2, Page 1 of 12

Extents of Section Maps

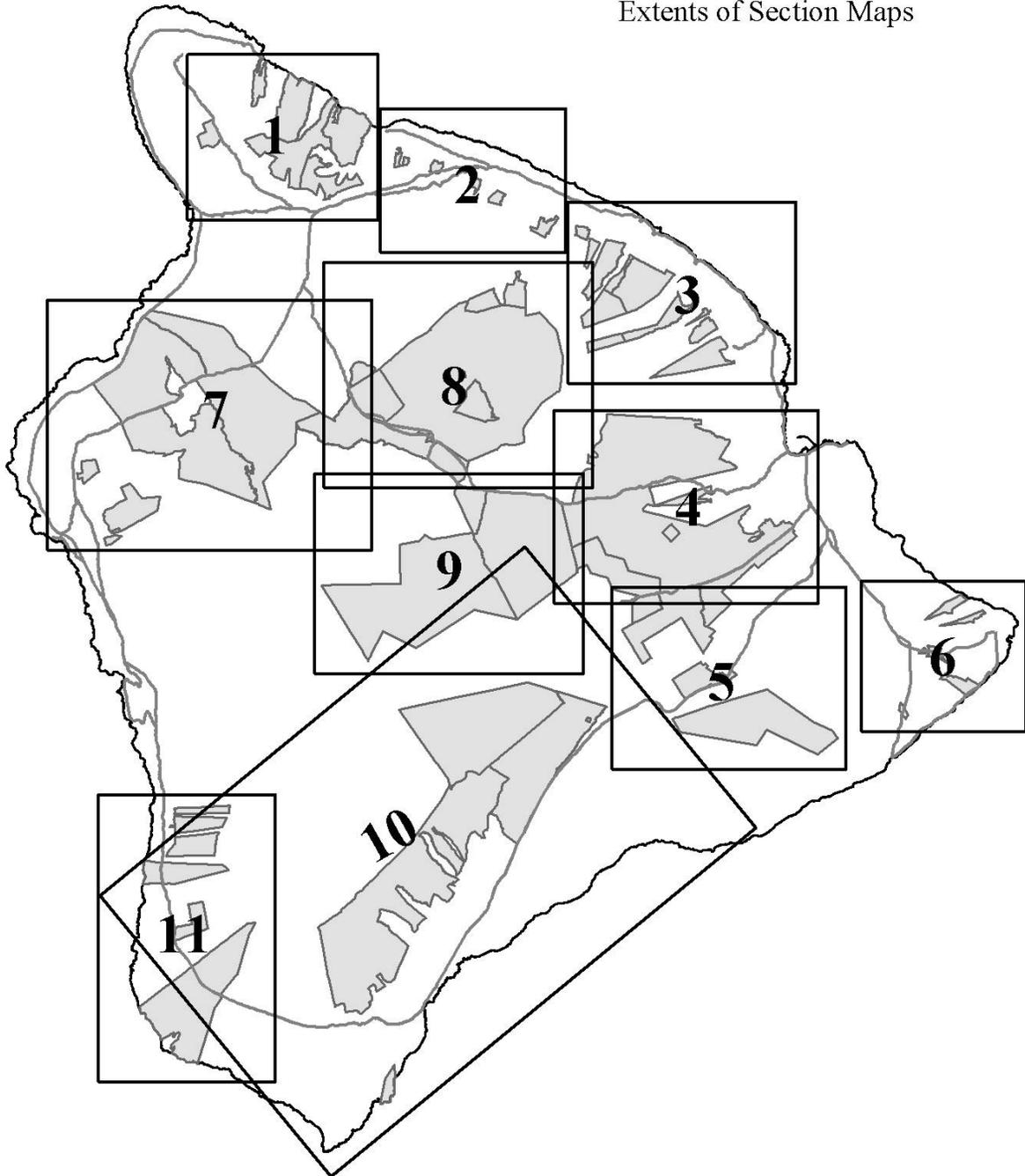


EXHIBIT 3b

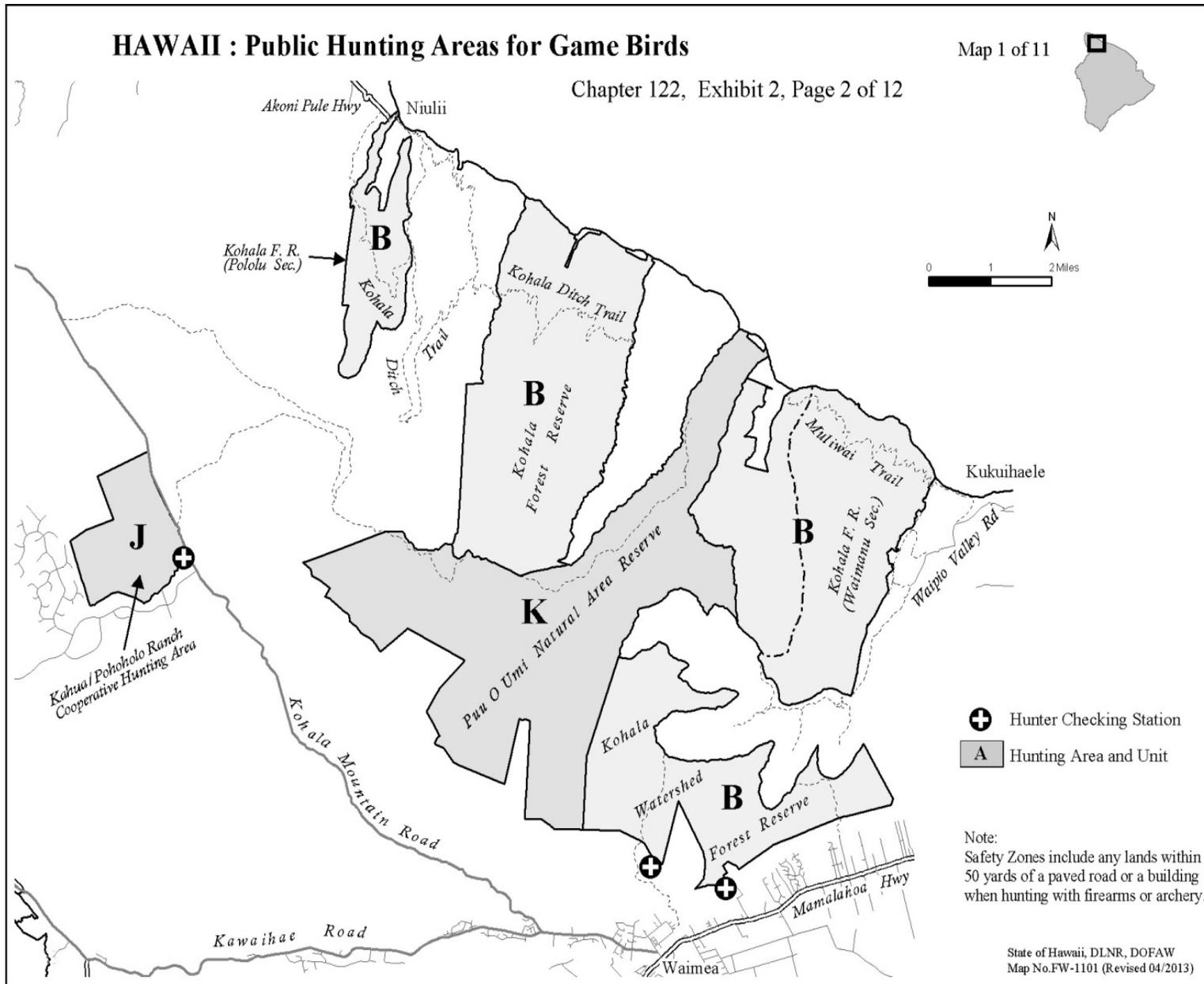


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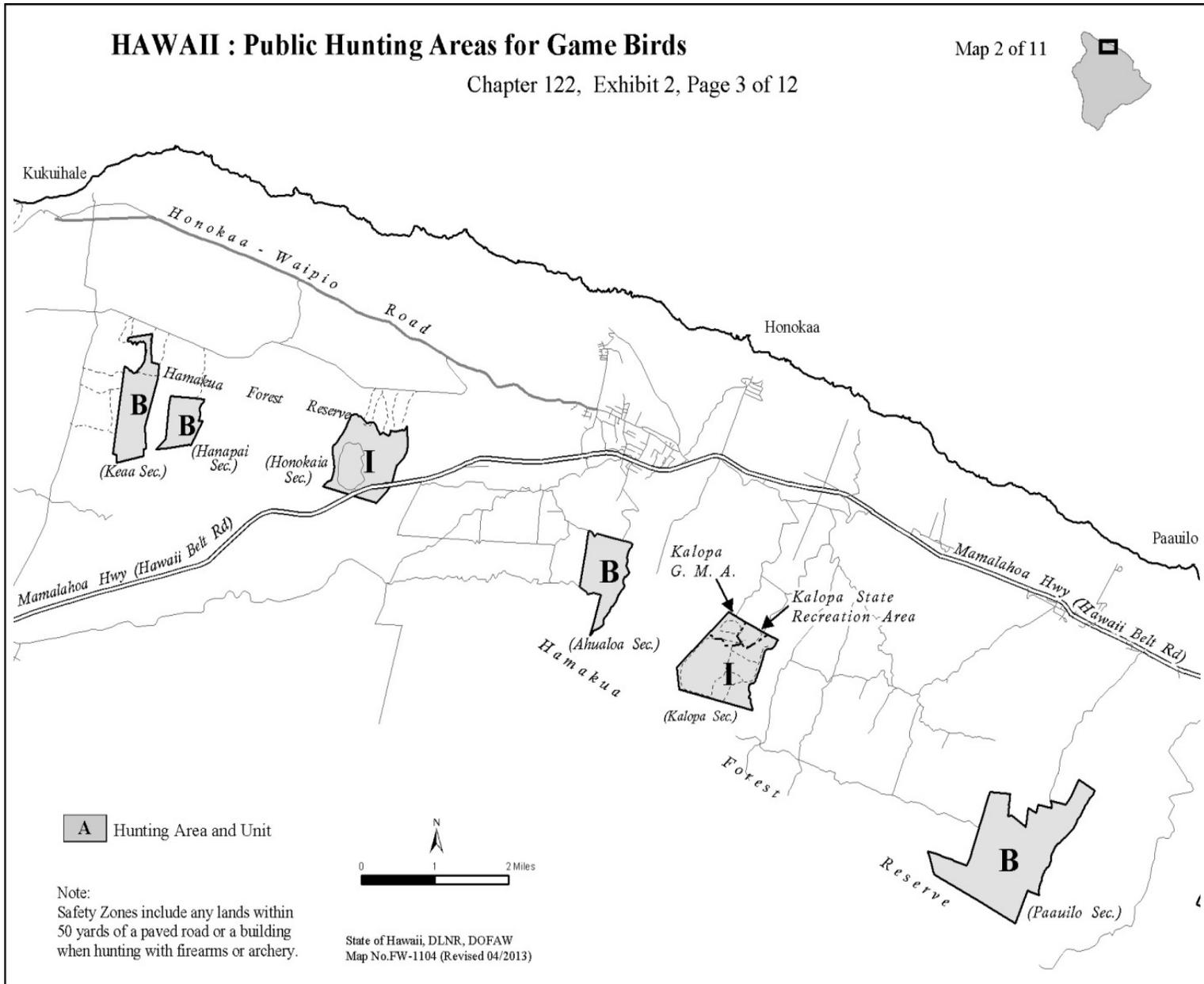


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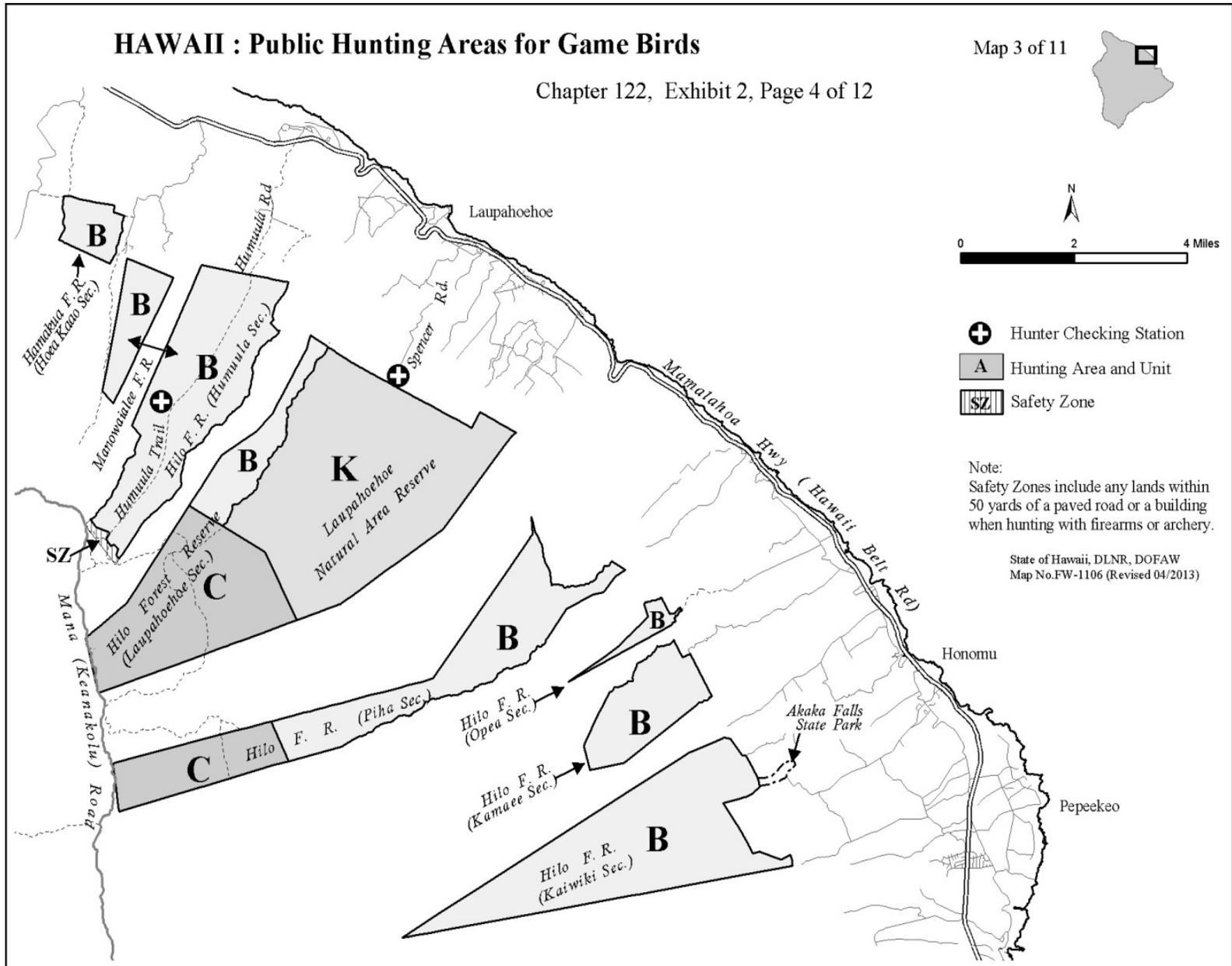
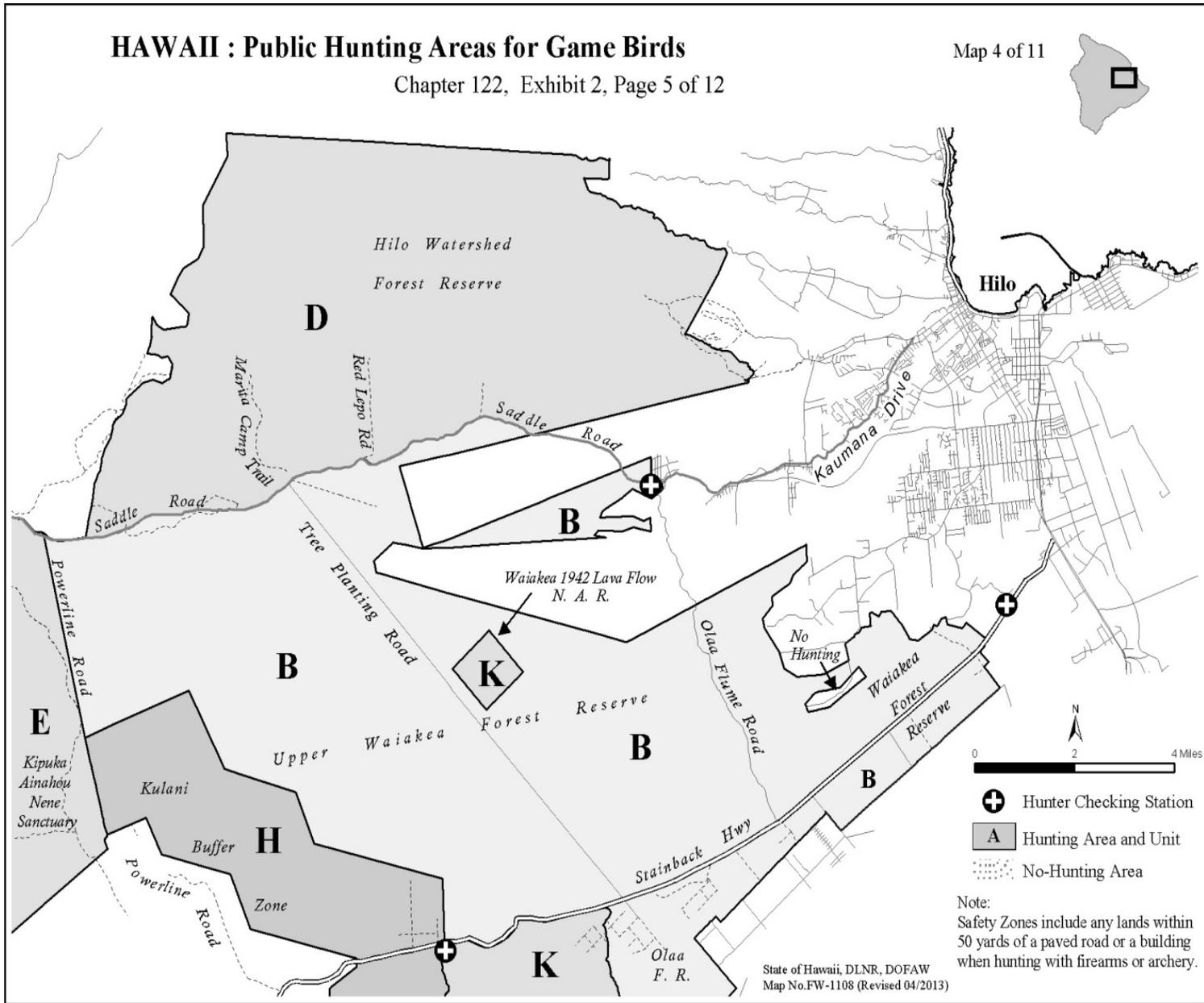


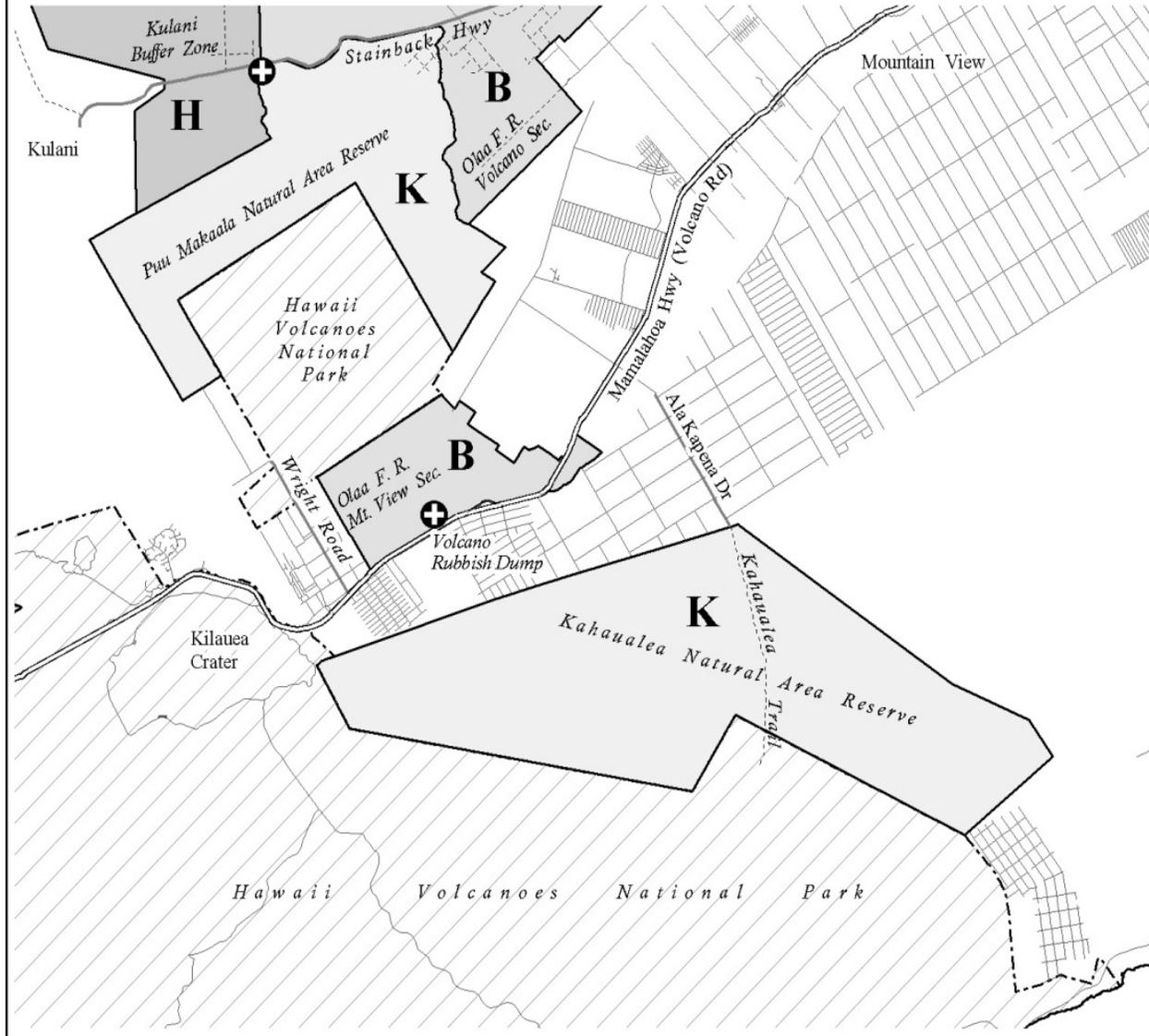
EXHIBIT 3b



# HAWAII : Public Hunting Areas for Game Birds

Chapter 122, Exhibit 2, Page 6 of 12

Map 5 of 11



- Hunter Checking Station
- Hunting Area and Unit

Note:  
Safety Zones include any lands within 50 yards of a paved road or a building when hunting with firearms or archery.

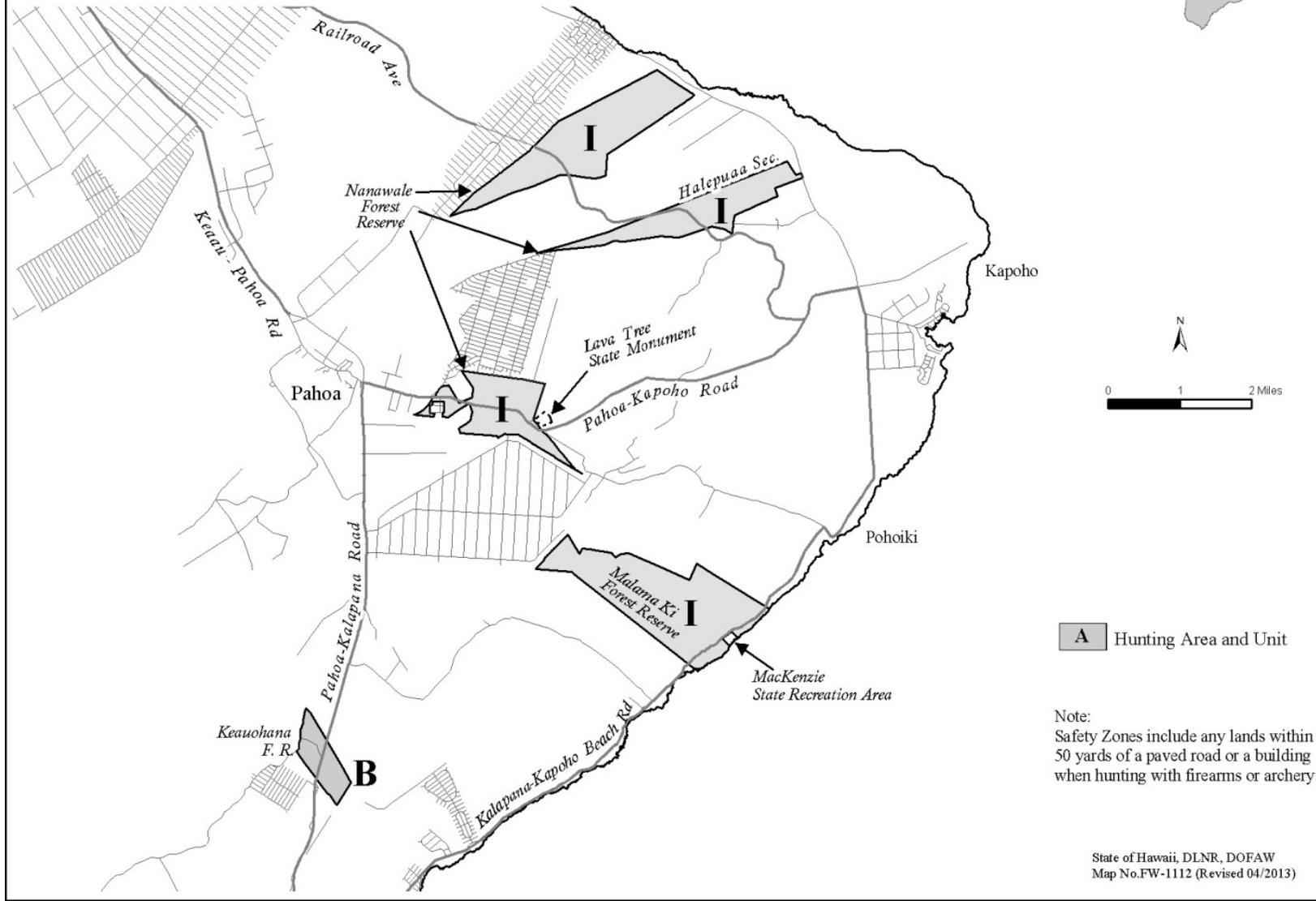


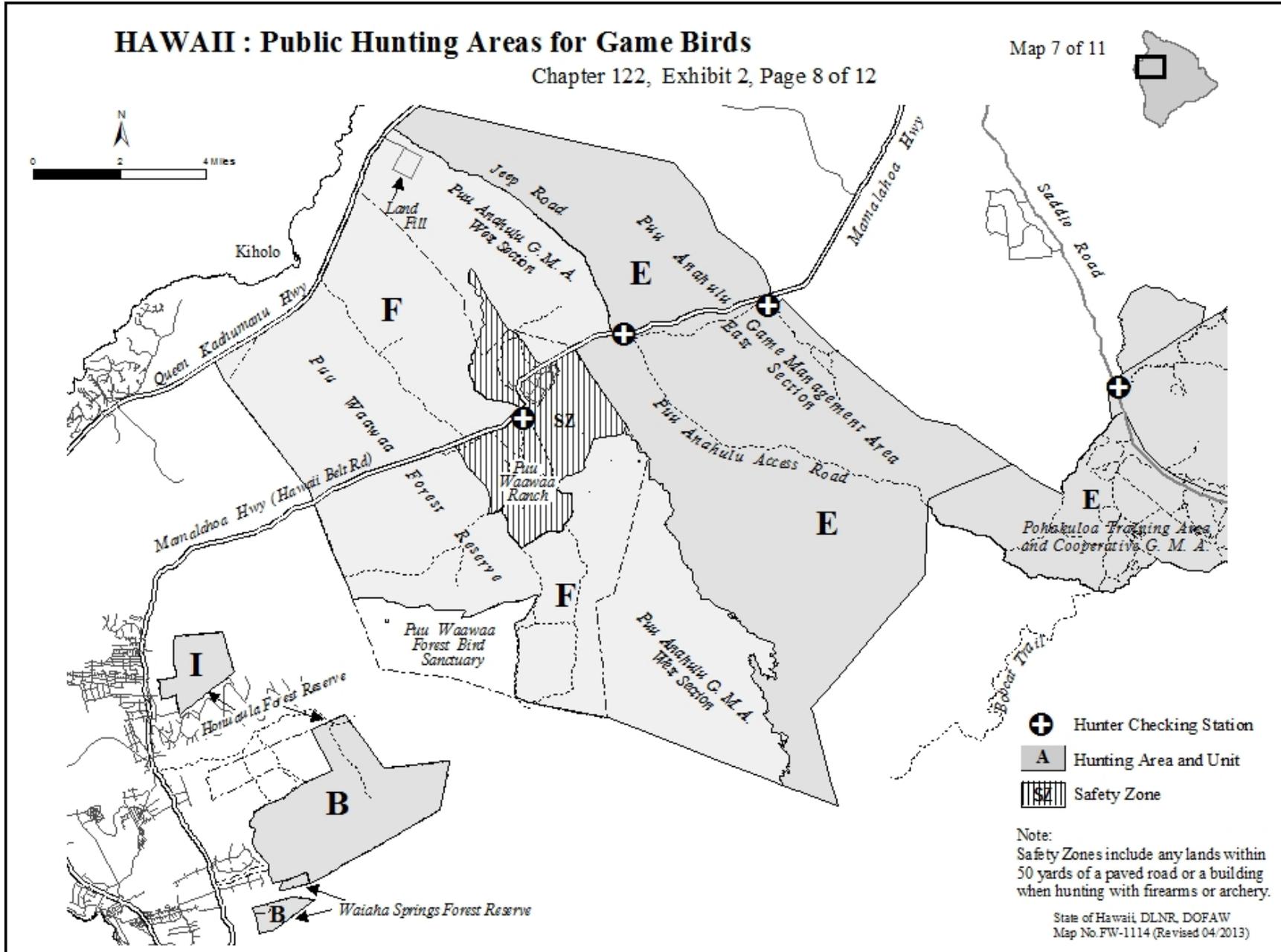
State of Hawaii, DLNR, DOFAW  
Map No.FW-1110 (Revised 04/2013)

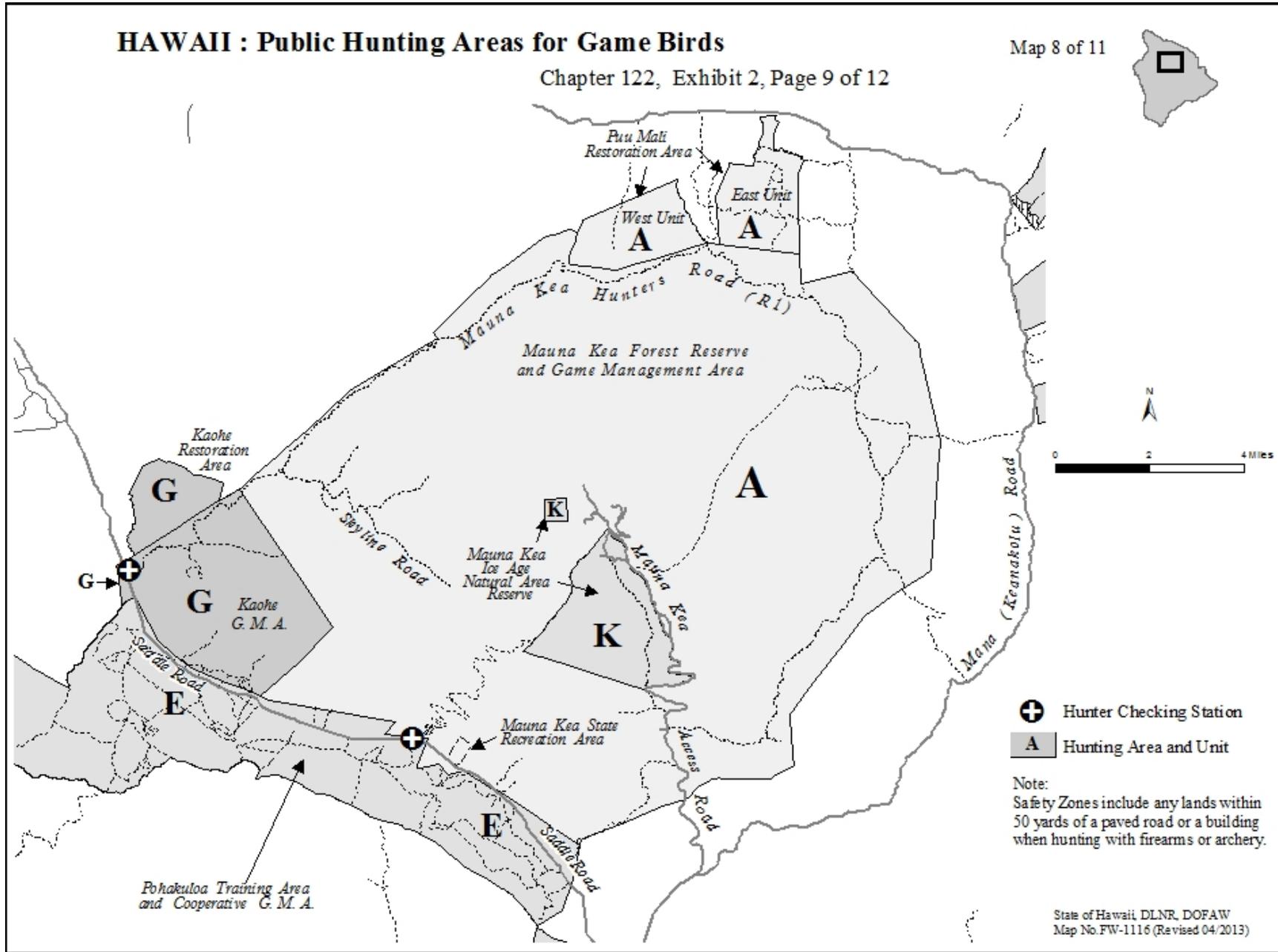
# HAWAII : Public Hunting Areas for Game Birds

Chapter 122, Exhibit 2, Page 7 of 12

Map 6 of 11







# HAWAII : Public Hunting Areas for Game Birds

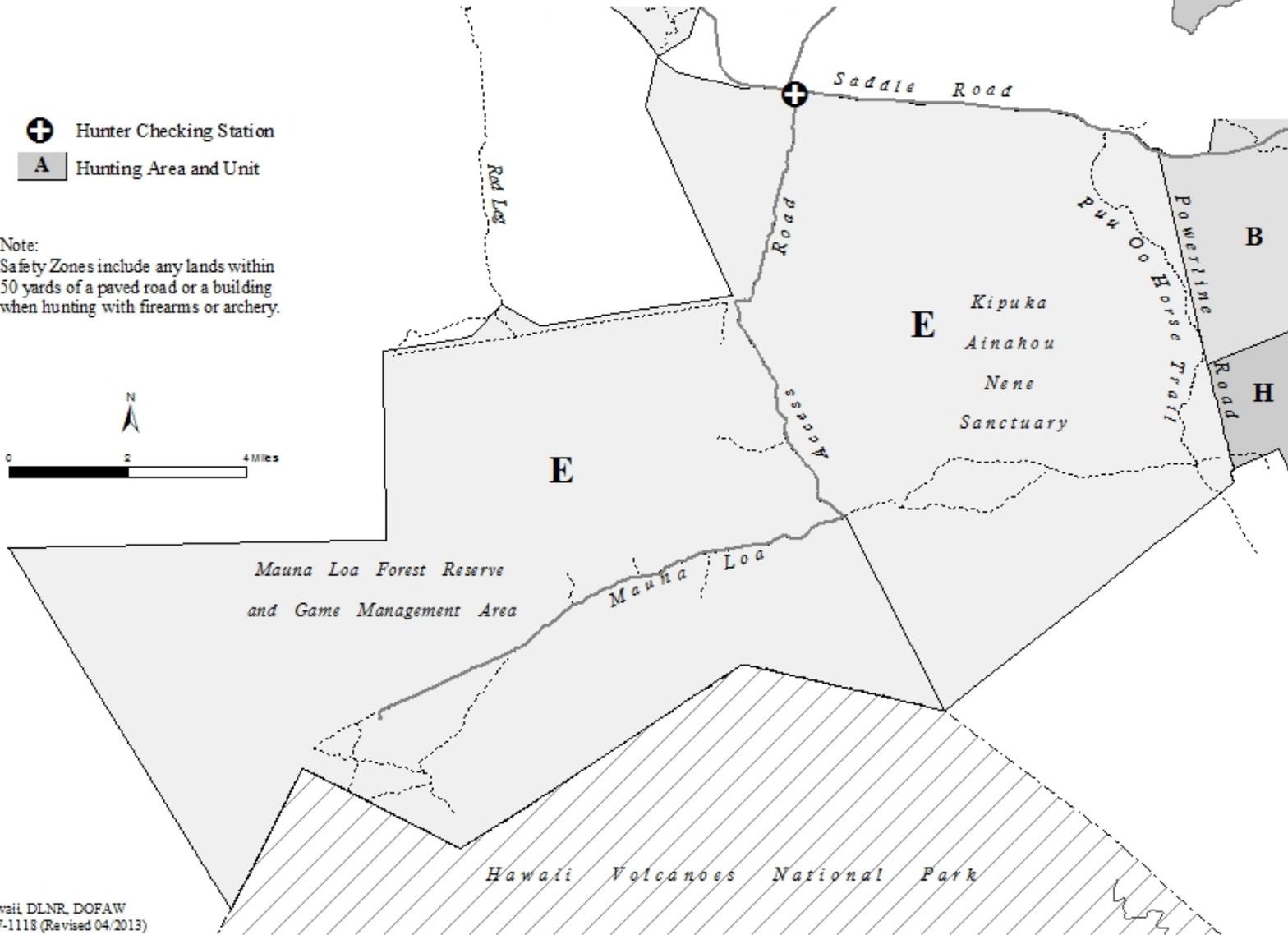
Map 9 of 11

Chapter 122, Exhibit 2, Page 10 of 12



- Hunter Checking Station
- Hunting Area and Unit

Note:  
Safety Zones include any lands within 50 yards of a paved road or a building when hunting with firearms or archery.



State of Hawaii, DLNR, DOFAW  
Map No. FW-1118 (Revised 04/2013)

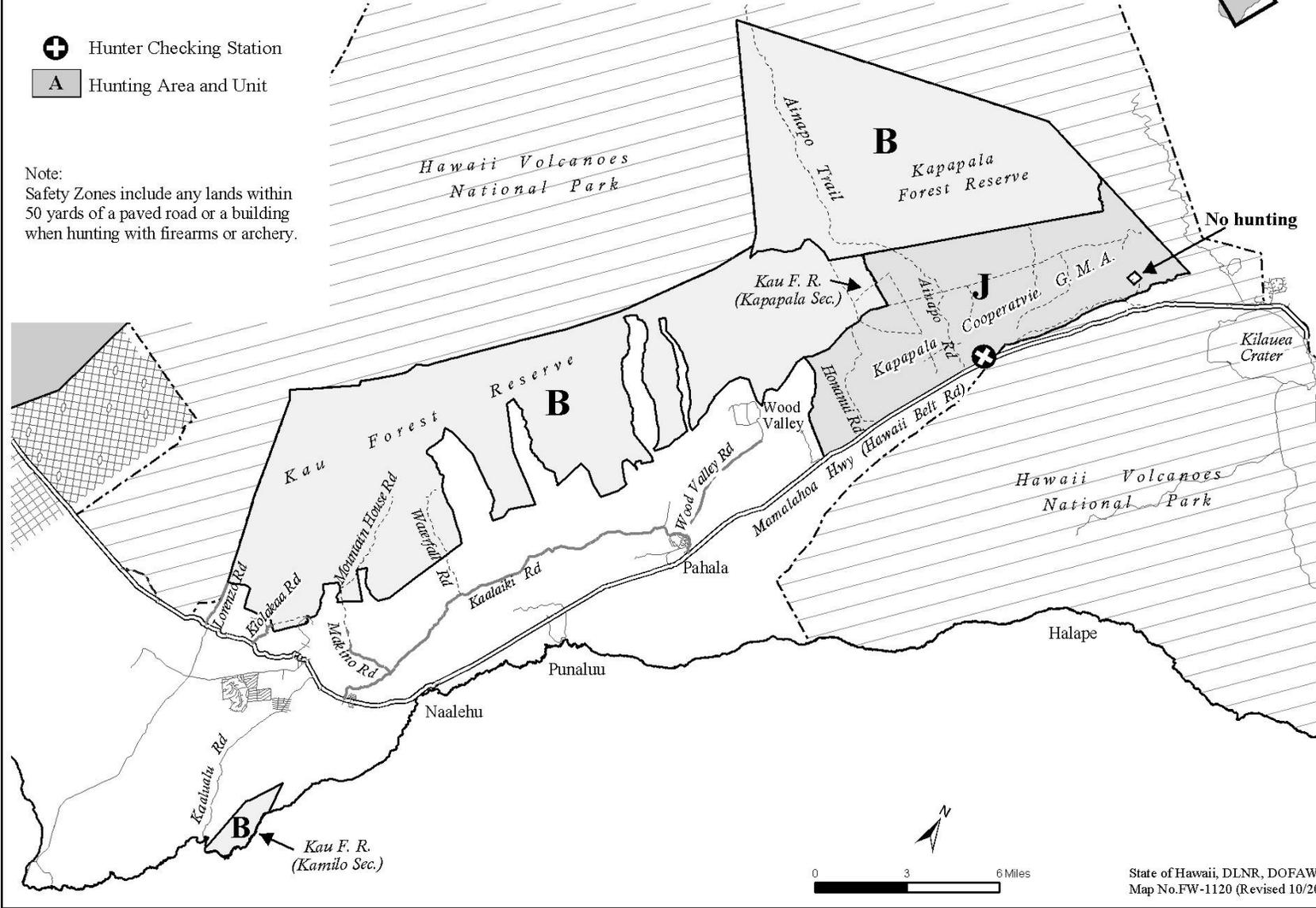
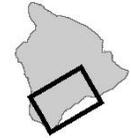
# HAWAII : Public Hunting Areas for Game Birds

Map 10 of 11

Chapter 122, Exhibit 2, Page 11 of 12

-  Hunter Checking Station
-  Hunting Area and Unit

Note:  
Safety Zones include any lands within 50 yards of a paved road or a building when hunting with firearms or archery.

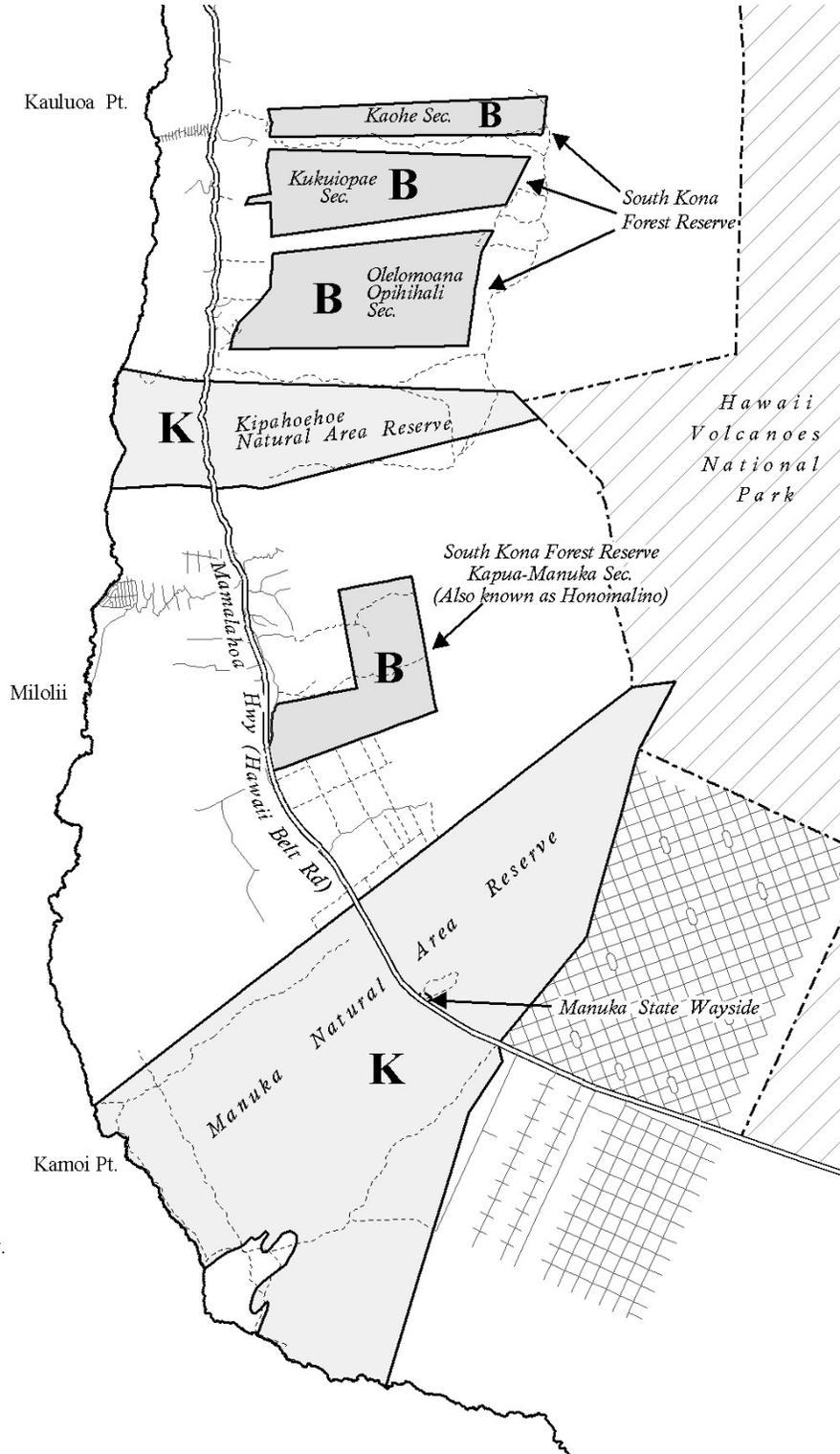
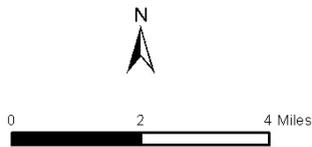


State of Hawaii, DLNR, DOFAW  
Map No.FW-1120 (Revised 10/2013)

# HAWAII : Public Hunting Areas for Game Birds

Chapter 122, Exhibit 2, Page 12 of 12

Map 11 of 11



**A** Hunting Area and Unit

Note:  
Safety Zones include any lands within 50 yards of a paved road or a building when hunting with firearms or archery.

EXHIBIT 3b

~~[Maui-]~~ Exhibit 3: Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Maui.

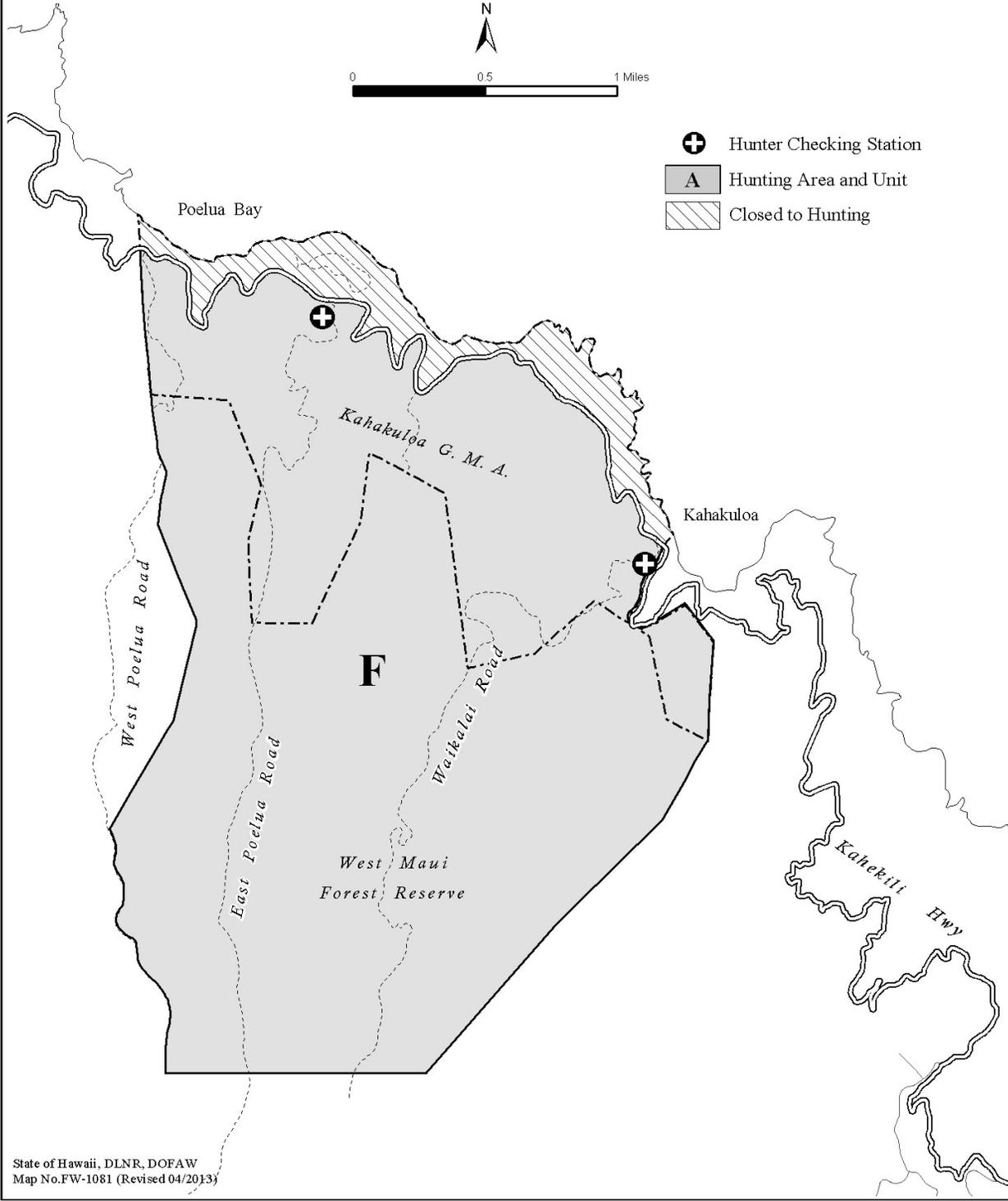
Game Birds to be Taken	Daily Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
Ring-neck Pheasant Green Pheasant	Three (cocks only) per hunter, which may be of <del>[either]</del> <u>any one</u> species or a combination of these species	First Saturday in November through <del>[Martin Luther King Day or the third Sunday in January whichever occurs later,]</del> <u>the last Sunday in January</u>	Saturdays, Sundays, and State Holidays	Public and Private Lands  <del>[Hunting on Private lands requires a valid State of Hawaii hunting license and permission of the landowner.]</del>
California Valley Quail Japanese Quail	Eight birds of either sex per hunter, which may be of <del>[either]</del> <u>any one</u> species or a combination of these species			
Chukar Partridge Gray Francolin Black Francolin	Eight birds of either sex per hunter, which may be of any one species or a combination of these species			
<u>Mourning Dove</u>	<u>Ten birds of either sex per hunter</u>			
Spotted Dove (Large Dove)	Ten birds of either sex per hunter.			
Barred Dove (Small Dove)	Twenty birds of either sex per hunter			
Wild Turkey	One bird of either sex per hunter			Private lands only  <del>[NOTE: Hunting on private lands requires a valid State of Hawaii hunting license and permission of the landowner.]</del>
<u>SPECIAL BIRD SEASONS</u>				Private lands only
Barred Dove (Small Dove)	20 birds of either sex per hunter	First Saturday in October through the last Sunday in October	Saturdays, Sundays, and State Holidays	<del>[NOTE: Hunting on private lands requires a valid State of Hawaii hunting license and permission of the landowner.]</del>
Spotted Dove (Large Dove)*	10 birds of either sex per hunter	<del>[Fourth Saturday in January]</del> <u>First Saturday in February</u> through the last Sunday in March		

\*Spotted Dove = Lace-necked Dove

# MAUI : Public Hunting Areas for Game Birds

Chapter 122, Exhibit 4, Page 1 of 2

Map 1 of 2

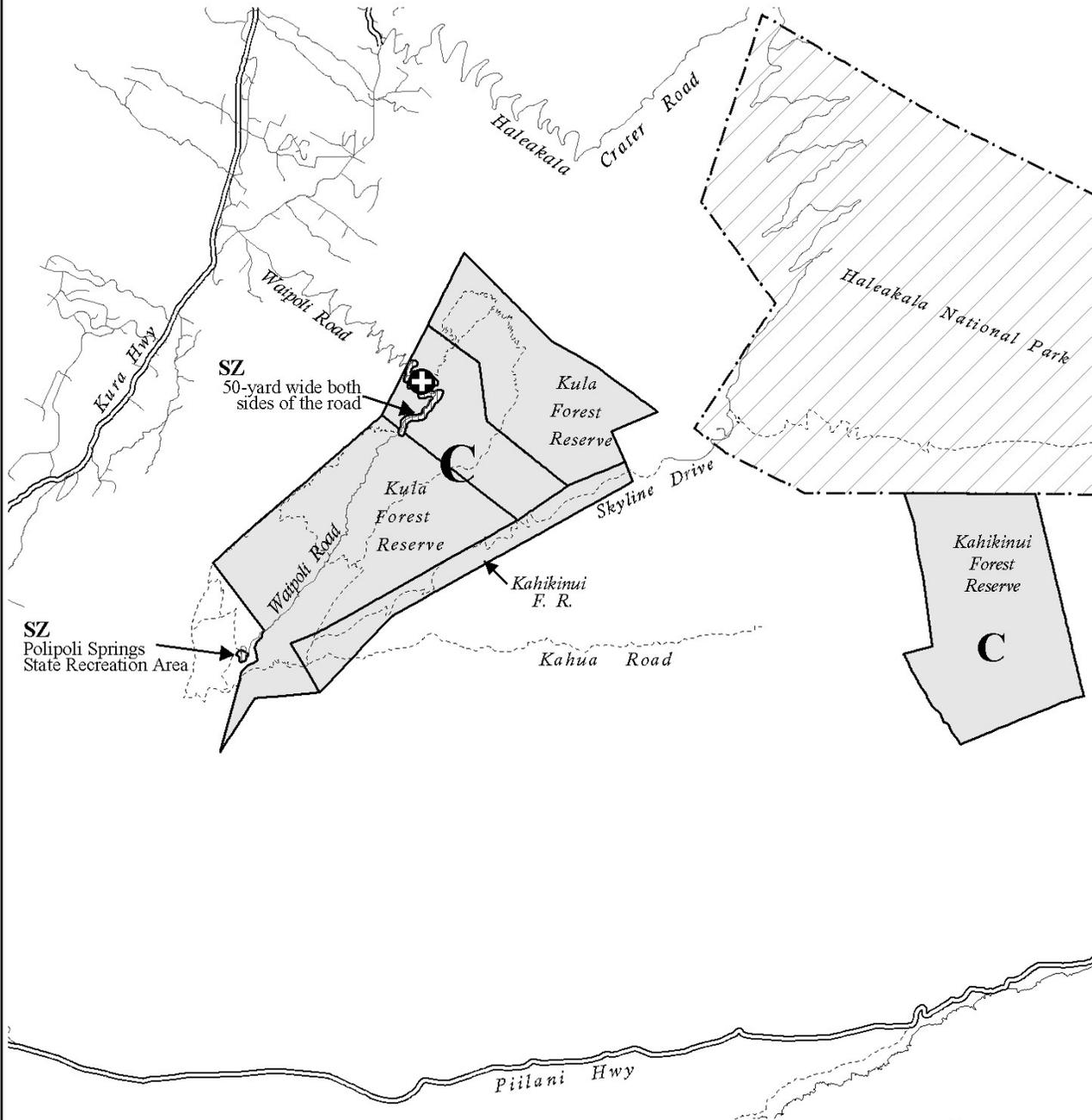
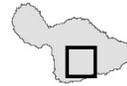


State of Hawaii, DLNR, DOFAW  
Map No.FW-1081 (Revised 04/2013)

# MAUI : Public Hunting Areas for Game Birds

Chapter 122, Exhibit 4, Page 2 of 2

Map 2 of 2



-  Hunter Checking Station
-  Hunting Area and Unit
-  Safety Zone



State of Hawaii, DLNR, DOFAW  
Map No.FW-1092 (Revised 04/2013)

EXHIBIT 3b

~~[Molokai]~~ Exhibit 5: Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Molokai.

Game Birds to be Taken	Daily Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
Ring-neck Pheasant	Three (cocks only) per hunter	First Saturday in November Through <del>[Martin Luther King Day or the third Sunday in January whichever occurs later]</del> the last Sunday in January	Saturdays, Sundays, and State Holidays	Public and Private Lands <del>[Hunting on private lands requires a valid State of Hawaii hunting license and permission of the land owner.]</del>
California Valley Quail Japanese Quail	Eight birds of either sex per hunter, which may be of <del>[either]</del> any one species or a combination of these species			
Chukar Partridge Gray Francolin Black Francolin	Eight birds of either sex per hunter, which may be of any one species or a combination of these species			
Spotted Dove (Large Dove)	Ten birds of either sex per hunter			
Barred Dove (Small Dove)	Twenty birds of either per hunter			
Wild Turkey	One bird of either sex per hunter			
<b><u>SPECIAL BIRD SEASONS</u></b>				
Barred Dove (Small Dove)	Twenty birds of either sex per hunter	<del>[Fourth Saturday in January]</del> First Saturday in February through the last Sunday in March	Saturday, Sundays, and State Holidays	On private lands only <del>[, with the Owner's permission.]</del>
Spotted Dove (Large Dove)*	Ten birds of either sex per hunter			

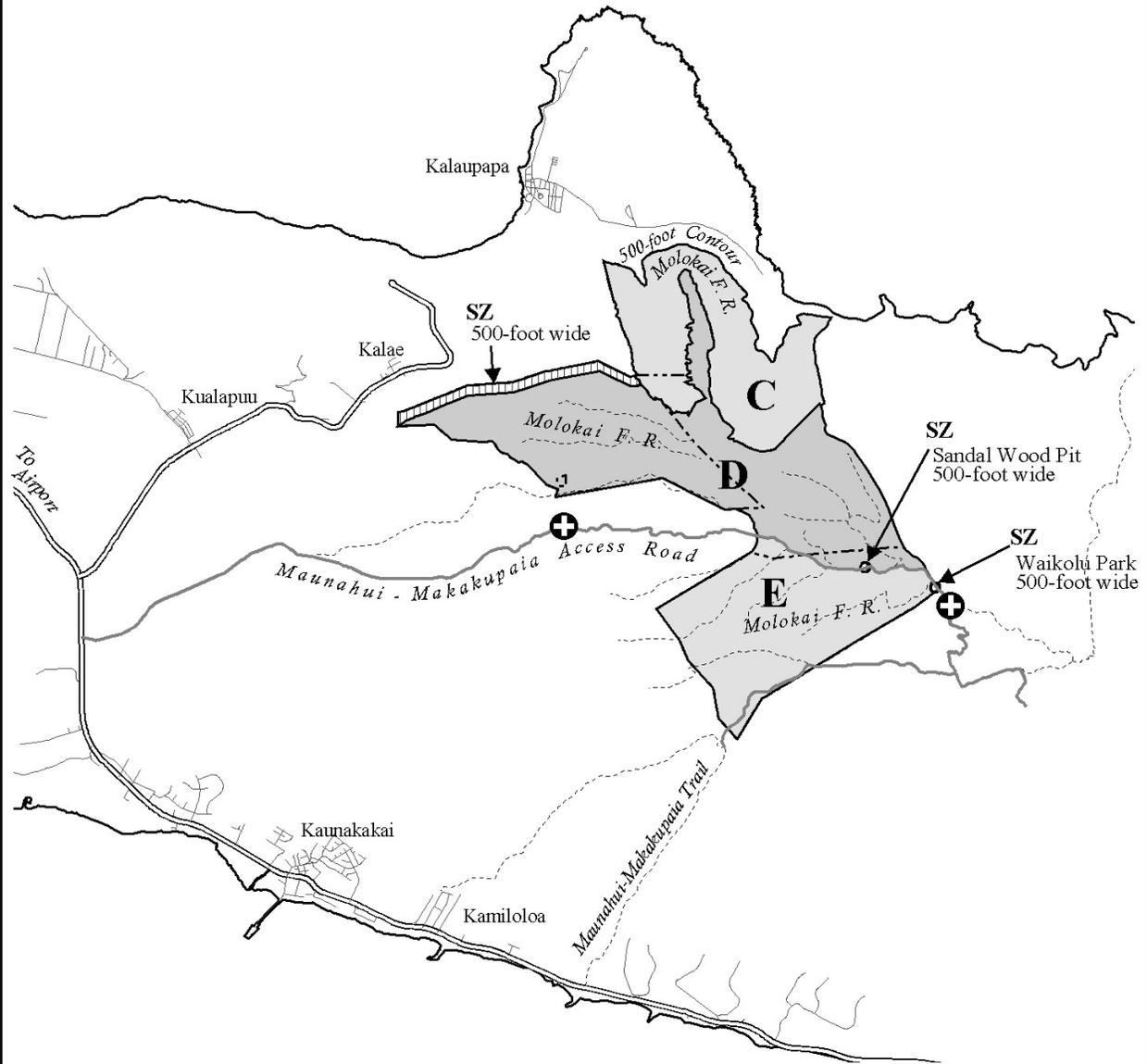
\*Spotted Dove = Lace-necked Dove

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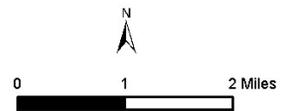
# MOLOKAI : Public Hunting Areas for Game Birds

Chapter 122, Exhibit 6

Map 1 of 1 



-  Hunter Checking Station
-  Hunting Area and Unit
-  Safety Zone



State of Hawaii, DLNR, DOFAW  
Map No.FW-1075 (Revised 04/2013)

EXHIBIT 3b

[Lanai] Exhibit 7: Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the Island of Lanai.

Game Birds to be Taken	Daily Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions
Ring-neck Pheasant Green Pheasant	Three (cocks only) per hunter, which may be of <del>either</del> <u>any one</u> species or combination of these species	First Saturday in November through <del>[Martin Luther King Day or the third Sunday in January whichever occurs later.]</del> <u>the last Sunday in January</u>	Saturdays, Sundays, and State Holidays	Public and private lands  <del>[NOTE: Hunting on private land requires a valid State of Hawaii hunting license and the permission of the land owner.]</del>
Gambels' Quail California Valley Quail Japanese Quail	Eight birds of either sex per hunter, which may be of any one species or a combination of these species			
Chukar Partridge Gray Francolin	Eight birds of either sex per hunter, which may be of <del>either</del> <u>any one</u> species or a combination of these species			
Erckel's Francolin	Three birds of either sex per hunter			
Spotted Dove (Large Dove)	Ten birds of either sex per hunter			
Barred Dove (Small Dove)	Twenty birds of either sex per hunter			
Wild Turkey	One bird of either sex per hunter			
<u>SPECIAL BIRD SEASONS</u>	Twenty birds of either sex per hunter			
Barred Dove (Small Dove) Spotted Dove (Large Dove)*	Ten birds of either sex per hunter	<del>[Fourth Saturday in January]</del> <u>First Saturday in February</u> through the last Sunday in March		

\*Spotted Dove = Lace-necked Dove

05/2014

# LANAI : Public Hunting Areas for Game Birds

Chapter 122, Exhibit 8

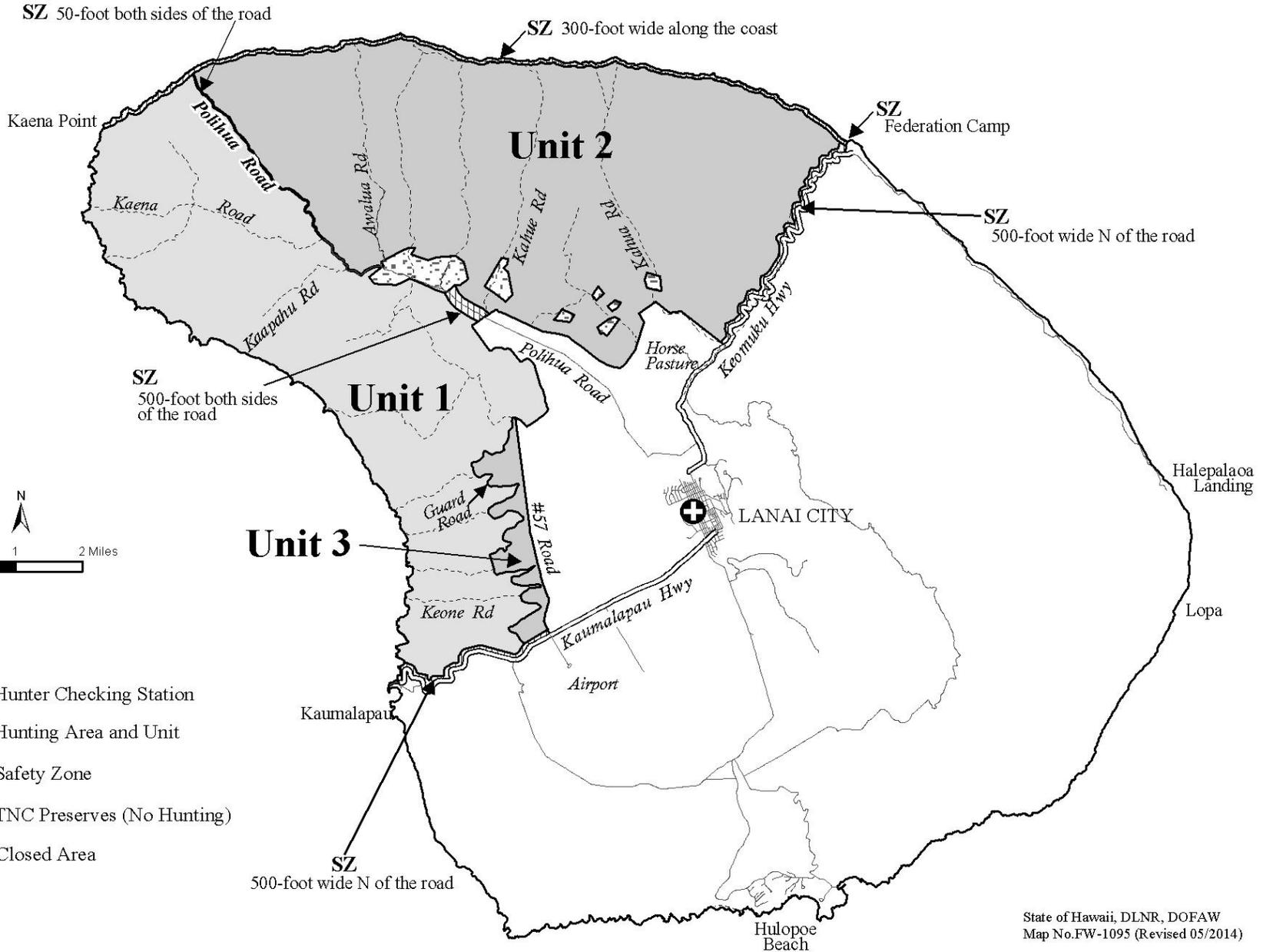


EXHIBIT 3b

[~~Oahu\*~~] Exhibit 9: Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the island of Oahu.

Game Birds to be Taken	Daily Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions
Ring-neck Pheasant <del>Melanistic Mutant (Blue)</del> Other Pheasant spp.	Three (cocks only) per hunter, which may be of <del>either</del> <u>any one</u> species or combination of these species	First Saturday in November through last Sunday in January	Saturdays, Sundays, and State Holidays	Public and Private Lands  <del>[NOTE: Hunting on private lands requires a valid State of Hawaii hunting license and permission of the landowner.]</del>
California Valley Quail, Japanese Quail, Gambel's Quail	Fifteen birds of either sex per hunter			
Erckel's Francolin, Gray Francolin Black Francolin	Three birds of either sex per hunter			
Chukar Partridge*	Three birds of either sex per hunter			
Barred Dove (Small Dove)	Twenty birds of either sex per hunter			
Spotted Dove (Large Dove)	Ten birds of either sex per hunter			
<b><u>SPECIAL BIRD SEASONS</u></b>				
Barred Dove (Small Dove)	Twenty birds of either sex per hunter	First Saturday in February through the last Sunday in March; and First Saturday in October through the last Sunday in October	Saturdays, Sundays, and State Holidays.	Private lands only  <del>[NOTE: Hunting on private lands requires a valid State of Hawaii hunting license and permission of the landowner.]</del>
Spotted Dove (Large Dove)	Ten birds of either sex per hunter	First Saturday in October through the last Sunday in October		

[\* ~~Consult with the Division of Forestry and Wildlife Oahu District Office for current open hunting periods prior to the start of each season.~~] 04/2013

# OAHU : Public Hunting Areas for Game Birds

Map 1 of 1



Chapter 122, Exhibit 10

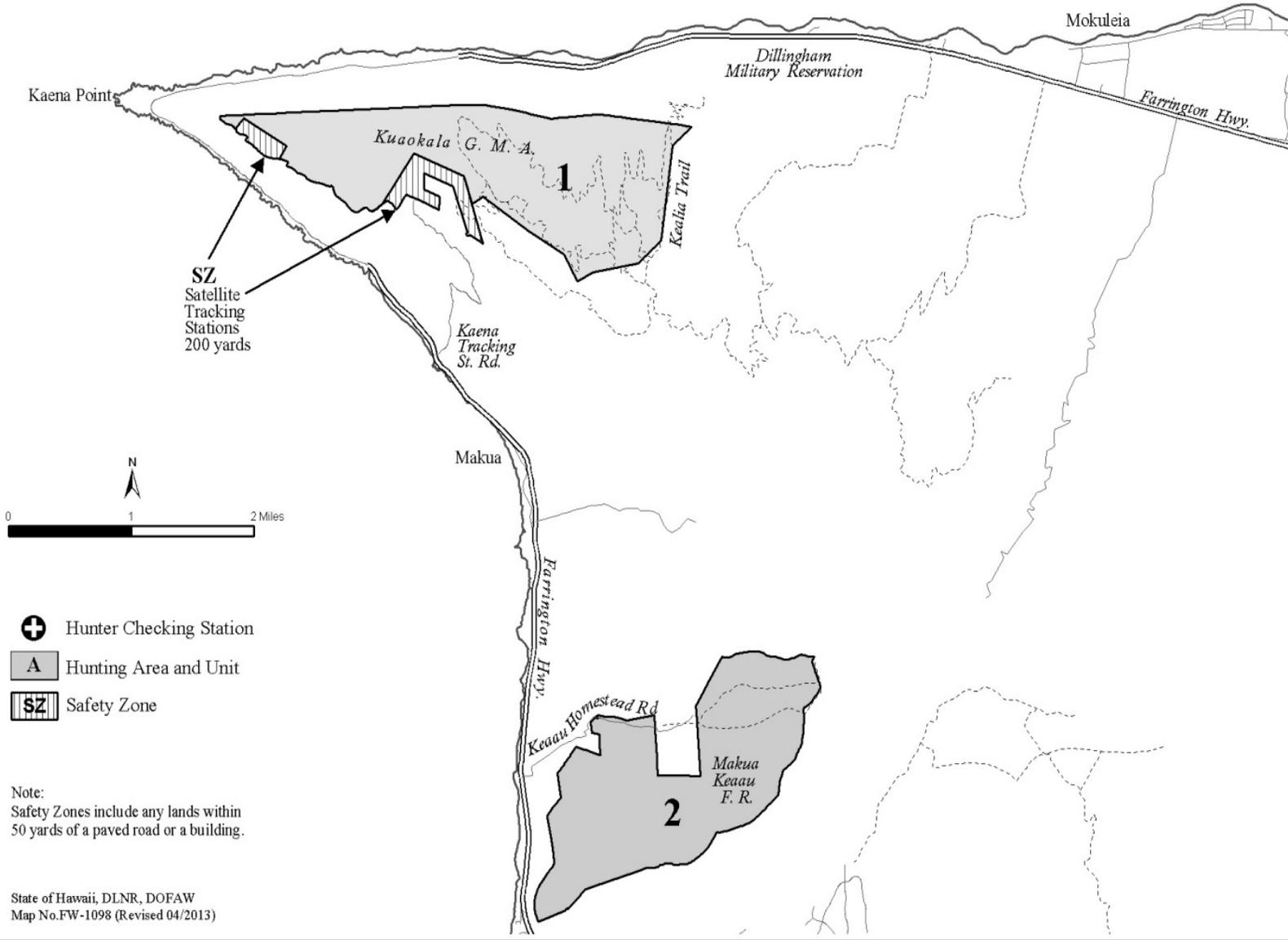


EXHIBIT 3b

[Kauai -] Exhibit 11: Game birds to be taken, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the island of Kauai.

Game Birds to be Taken	Daily Bag Limits	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
Any Pheasant species	Three (cocks only) per hunter, <u>which may be of any one species or a combination of these species</u>	First Saturday in November through last Sunday in January	Saturdays, Sundays, <u>Mondays</u> and State Holidays only, <u>with the exception of Unit L, which is open on Saturdays and Sundays only</u>	Public and Private Land  <u>Public hunting areas include: Units A, B, E, H, I, J and L.</u> NOTE: Hunting Unit [F] <u>J</u> is <del>[bow and arrow]</del> archery hunting only and [F] <u>firearms</u> are not permitted.  <del>[Private Land</del> NOTE: <del>Hunting on private lands requires a valid State of Hawaii hunting license and permission of the landowner.]</del>
Erckels' Francolin	Three birds of either sex per hunter			
Japanese Quail <u>California Quail</u>	<del>[Fifteen]</del> <u>Six</u> birds of either sex per hunter, <u>which may be of any one species or a combination of these species</u>			
Chukar Partridge Gray Francolin Black Francolin	Six birds of either sex per hunter, which may be of any one species or a combination of these species			
Barred Dove (Small Dove)	Twenty birds of either sex per hunter			
Spotted Dove* (Large Dove)	Ten birds of either sex per hunter			
<b><u>SPECIAL BIRD SEASONS</u></b> Barred Dove (Small Dove)	Twenty birds of either sex per hunter	First Saturday in July through the last Sunday in October	Saturdays, Sundays, <u>Mondays</u> and State Holidays	On private lands only  <del>[NOTE: Hunting on private lands requires a valid State of Hawaii hunting license and permission of the landowner.]</del>
Spotted Dove* (Large Dove)	Ten birds of either sex per hunter	<del>[Fourth Saturday in January]</del> First Saturday in February through the last Sunday in March		

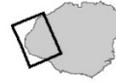
\* Spotted Dove = Lace-necked Dove

04/2013

# KAUAI : Public Hunting Areas for Game Birds

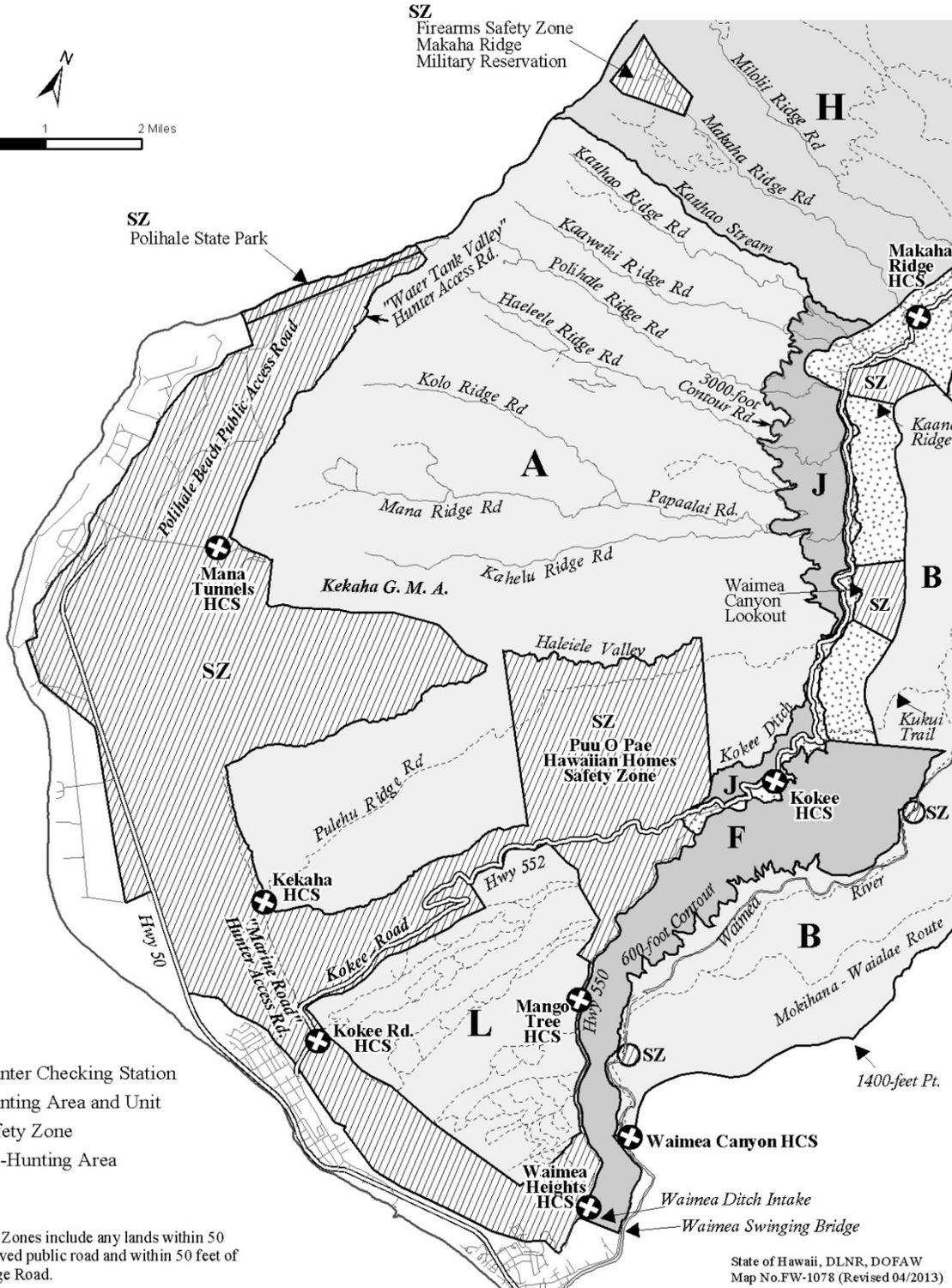
Chapter 122, Exhibit 12, Page 1 of 3

Map 1 of 3



**SZ**  
Firearms Safety Zone  
Makaha Ridge  
Military Reservation

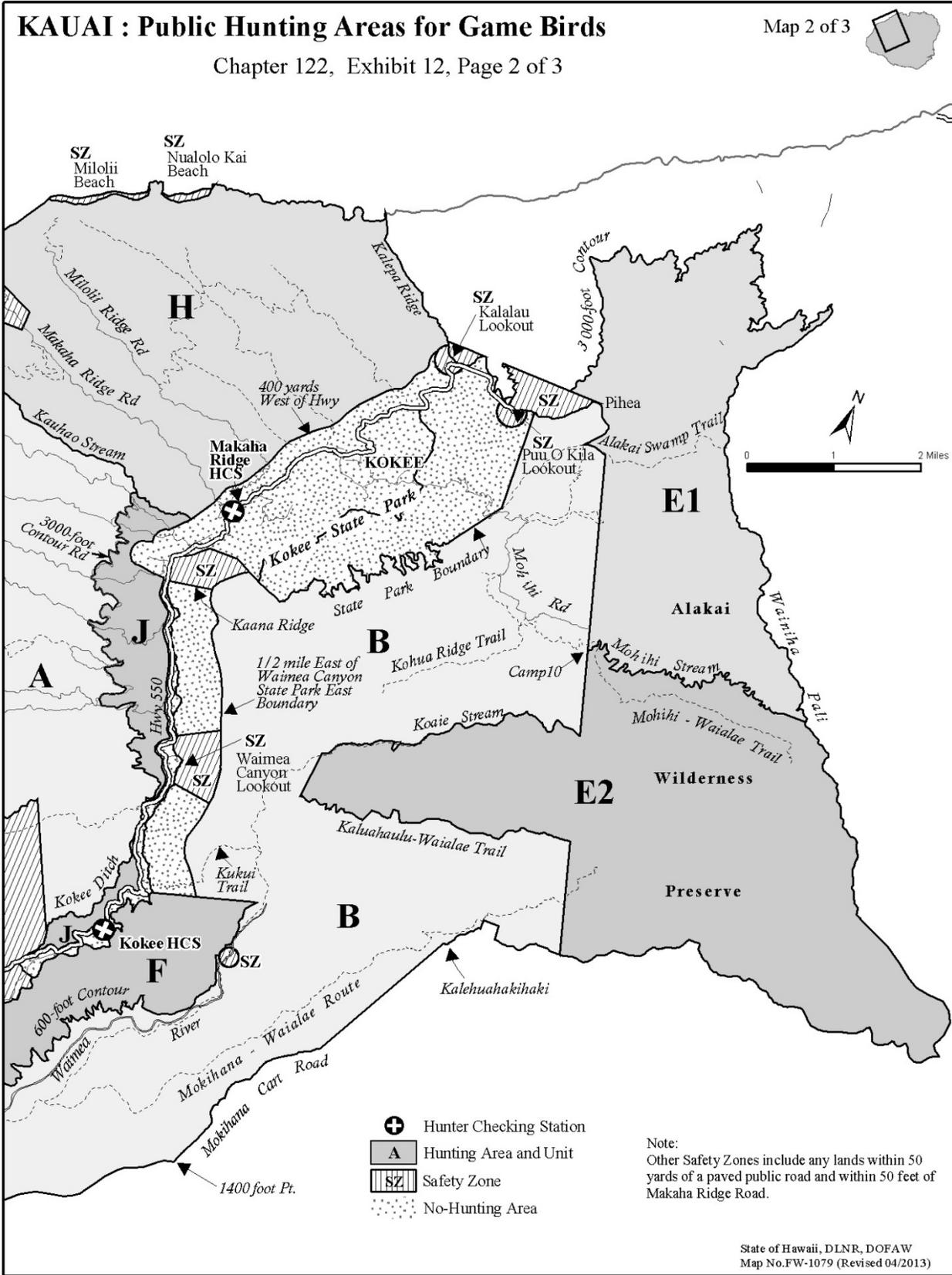
**SZ**  
Polihale State Park



- ⊕ Hunter Checking Station
- A Hunting Area and Unit
- SZ Safety Zone
- ⋯ No-Hunting Area

Note:  
Other Safety Zones include any lands within 50 yards of a paved public road and within 50 feet of Makaha Ridge Road.

State of Hawaii, DLNR, DOFAW  
Map No.FW-1078 (Revised 04/2013)

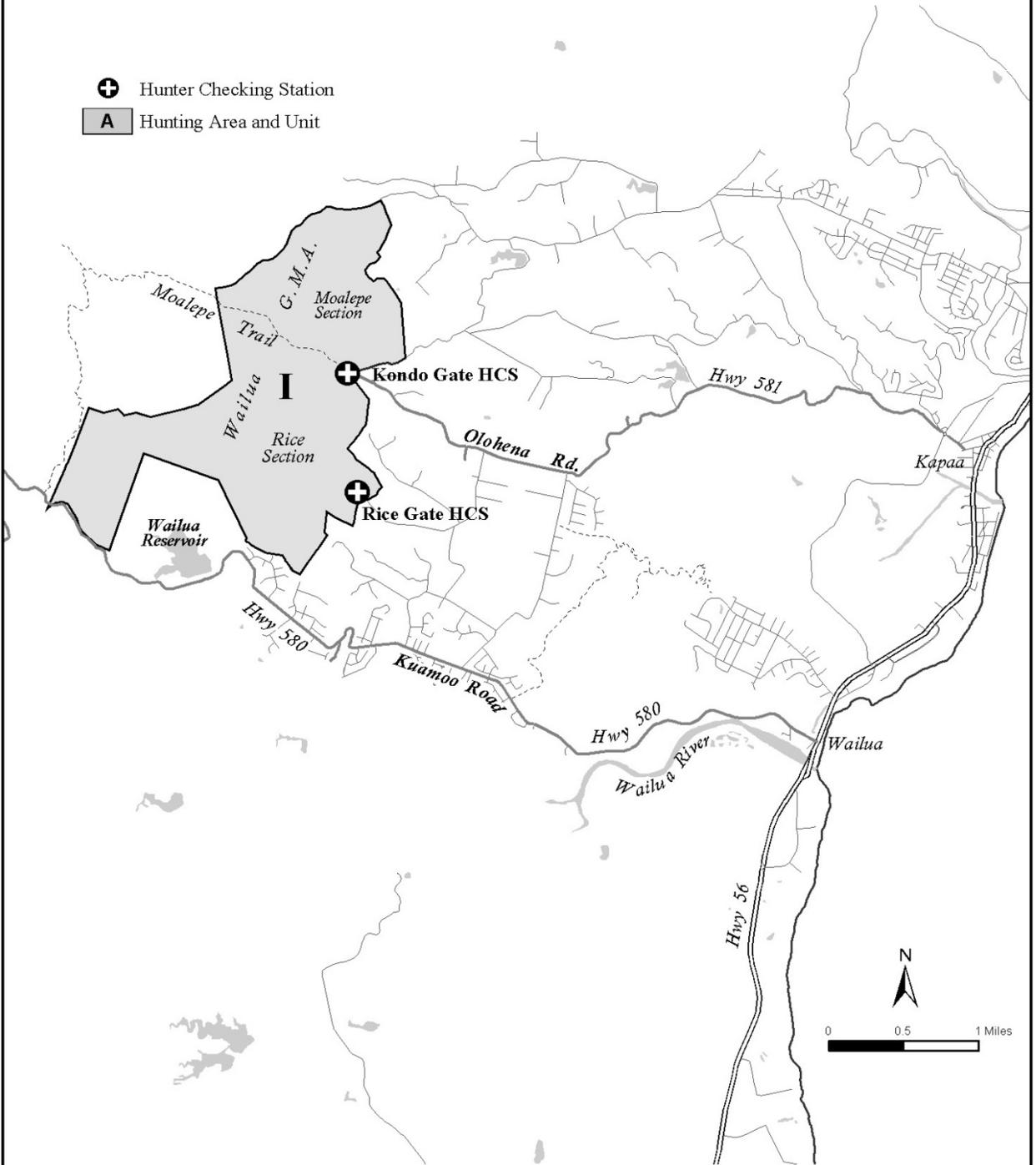


# KAUAI : Public Hunting Areas for Game Birds

Map 3 of 3

Chapter 122, Exhibit 12, Page 3 of 3

- ⊕ Hunter Checking Station
- A Hunting Area and Unit



Note:  
Safety Zone: Any lands within 50 yards of an  
inhabited building or a paved public road.

State of Hawaii, DLNR, DOFAW  
Map No.FW-1100 (Revised 04/2013)

EXHIBIT 3b

Chapter 122

Exhibit 13. Fees for hunting licenses, wildlife stamps, applications, and tags for hunts, including special or lottery hunts

<u>Island</u>	<u>Item</u>	<u>Resident</u>	<u>Non-resident</u>
<u>All islands statewide</u>	<u>Hunting license*</u>	<u>\$10</u>	<u>\$95</u>
	<u>Wildlife Conservation Stamp</u>	<u>\$10</u>	<u>\$10</u>
	<u>Game Bird Stamp</u>	<u>\$10</u>	<u>\$10</u>
	<u>Spring Turkey Tags</u>	<u>\$5</u>	<u>\$20</u>

\* Free to all Hawaii residents 65 years or older and to all persons with Hansen's disease who are residents of Kalaupapa, Molokai