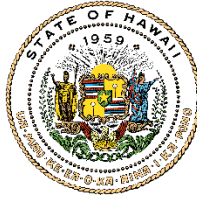
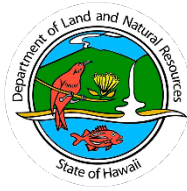


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

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CHAIRPERSON
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AQUATIC RESOURCES
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COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

NOTICE OF RULEMAKING PURSUANT TO HRS § 183D-3(b)
ADAPTIVE MANAGEMENT AUTHORITY

September 9, 2024

DATE: October 11, 2024
TIME: 9:00 a.m.
PLACE: In person at 1151 Punchbowl St., Room 132 (Kalanimoku Building), online via ZOOM (see <https://dlnr.hawaii.gov/meetings/>), or live stream via YouTube at <https://youtube.com/c/boardoflandandnaturalresourcesdlnr>, Meeting agendas are posted at least six days before the meeting date.

The Proposed Hawaii Administrative Rules (HAR) to be Amended under Hawaii Revised Statutes Section 183D-3(b) will increase game mammal bag limits, seasons, and days to expand game mammal hunting opportunities. These amendments are intended to provide additional recreational hunting opportunities for licensed hunters in public hunting areas and improve management of game mammal populations in the affected forest reserves. Proposed amendments are as follows:

1. HAR Chapter 13-123 ("RULES REGULATING GAME MAMMAL HUNTING"), by amending EXHIBIT 9, "Game mammals to be taken, means of take, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the island of Maui.", to Change Bag Limits, Open Hunting Periods and Open Hunting Days in Unit C and E Kula Forest Reserve and Unit D Makawao Forest Reserve. For the complete list of the rule changes, please review the **2024 Proposed Adaptive Management Rule Notices** under the following link: <https://dlnr.hawaii.gov/dofaw/rules/>.

Rules made under HRS section 183D-3(b) require the Board of Land and Natural Resources (Board) to find timely adoption necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions. The rule(s) adopted shall be effective for up to two years, with a one-year extension subject to legislative approval and renewal by the Board.

A copy of the proposed rule(s) to be adopted, amended, or repealed will be mailed to any interested person who requests a copy from the Division of Forestry and Wildlife (Division) within thirty (30) days of posting this notice and pays the required fees for the copy and the

postage. Submit written requests to dlnr.fw.outreach@hawaii.gov or via mail to Hunting Program, Division of Forestry & Wildlife, 1151 Punchbowl St. #325, Honolulu, HI 96813.

The proposed rule(s) may be reviewed at <https://dlnr.hawaii.gov/dofaw/rules/> following this public notice and, upon prior arrangement, will be made available during business hours (7:45 a.m. to 4:30 p.m.) at any state DLNR Division of Forestry and Wildlife Office. This notice will be mailed to all persons who have made a timely written request of the Board for advance notice of its rule-making proceedings via mail at P.O. Box 621, Honolulu, HI 96809, or via timely request to the Land Board Secretary at blnr.testimony@hawaii.gov or 808-587-0404.

Comments on the proposed rule(s) may be submitted to the Division before the day of the meeting at <https://dlnr.hawaii.gov/dofaw/comment/> or dlnr.fw.outreach@hawaii.gov. Comments may also be made during the Board and Land and Natural Resources meeting at the abovementioned time and place or submitted in advance to provide video testimony via blnr.testimony@hawaii.gov.

Adoption, amendment, or repeal of any rule under HRS §183D-3(b) shall be effective for a period of no longer than two years, subject to legislative approval and renewal by the Board, provided that renewal by the Board shall extend for up to one year at a time. Each rule adopted, amended, or repealed under this authority shall become effective ten (10) days after formal action by the Board, provided that if a later effective date is specified in the rule, then a later date shall be the effective date. Final rules are posted at <https://dlnr.hawaii.gov/dofaw/rules> and will remain posted during the duration they are in effect.

Done at Honolulu this _____ day of Sept. 9, 2024

Dawn N.S. Chang, Chairperson
Department of Land and Natural Resources.

What is adaptive management?

Adaptive management allows natural resource managers to implement effective management tools in response to rapidly changing resource conditions. In 2021, the Hawai'i legislature authorized DLNR to adopt, amend, or repeal any hunting rule pertaining to bag limits, size limits, open or closed hunting seasons, or gear restrictions by formal Land Board action at a publicly noticed meeting (HRS § 183D-3(b)). Typically, the administrative rule change process takes about one year or more to complete. The adaptive management authority allows DOFAW wildlife managers to respond more quickly when there are signs that protected resources are being impacted by increased game populations or to restrict hunting where game populations need time to recover. Under the adaptive management authority, the Land Board may approve administrative rules proposed by DOFAW, and 10 days after approval, those administrative rules would become law effective for 2 years. An extension of administrative rules initially approved by the Land Board through the adaptive management process beyond 2 years requires legislative approval and board renewal for up to one year at a time.

All language that has a stikethough will be temporarily removed from the rules. All language that is underlined will be newly added or updated rules that will take effect if approved 10 days after the Land Board public meeting which will be held on March 24th, 2023.

Please see the exhibit table below to review the planned rule amendments. All items that are underlined and all items that are **red** in font will be added as amendments to the current exhibits. All items with a ~~strikethrough~~ will be removed from the current exhibits for these temporary amendments.

Exhibit 9. Game Mammals to be taken, means of take, daily bag limits, hunting periods, hunting days, and special conditions for hunting on the island of Maui.

Hunting Unit*	Game Mammals To be Taken	Means of Take	Bag Limits Per Hunter	Open Hunting Periods	Open Hunting Days	Special Conditions and Restrictions
C Kula Forest Reserve and Kahikinui Forest Reserve	Feral goats	[Rifle, shotgun,] <u>Rifles, shotguns, archery[-], or crossbows.</u> Dogs not permitted.	Two goats of either sex per day. No daily or season limit	Year-round	Daily, except on legal bird hunting days	Evidence of species required.
	Feral [Pigs] pigs	[Rifle, shotgun,] <u>Rifles, shotguns, archery[-], or crossbows.</u> Dogs not permitted.	One pig of either sex per day. No daily or season limit	First full weekend in February through the last full weekend in June Year-round	[Saturday, Sunday, Saturdays, Sundays, and State Holidays Daily, except on legal bird hunting days	
	Axis deer	<u>Rifles, muzzleloaders, shotguns, archery, or crossbows.</u>	<u>No daily or season limit.</u>	<u>Year-round</u>	<u>Daily except on legal game bird hunting days</u>	
D Makawao Forest Reserve	Feral pigs and feral goats	[Rifle, shotgun,] <u>Rifles, shotguns, archery[-], or crossbows.</u> Dogs permitted. [**]	Two pigs and two goats of either sex per day. No daily or season limit	Year-round	[Saturday, Sunday, Saturdays, Sundays, and State Holidays Daily	[Handguns permitted for hunting pigs with or without dogs] [***] Reservations required for vehicular access into portions of the Forest Reserve.
	Axis deer	<u>Rifles, handguns, muzzleloaders, shotguns, archery, or crossbows.</u>	<u>No daily limit or season limit.</u>	<u>Year-round</u>	<u>Saturdays, Sundays, and State Holidays</u> Daily	<u>Reservations required for vehicular access into portions of the Forest Reserve.</u>
E Portions of Kula Forest Reserve	Feral [Pigs] pigs and feral goats	<u>Archery [Only-] or crossbows.</u> Dogs not permitted.	Two pigs of either sex per day. No daily or season limit	Year-round	Daily	Area is a state recreational area so firearms are not [allowed] <u>permitted</u> for safety reasons.
	Axis deer	<u>Archery or crossbows.</u> Dogs not permitted.	<u>No daily or season limit.</u>	<u>Year-round</u>	<u>Daily</u>	<u>Area is a state recreational area so firearms are not permitted for safety reasons.</u>