

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Conservation and Resources Enforcement  
Hawaii Hunter Education Program  
Honolulu, Hawaii 96813

February 23, 2018

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

DESIGNATE A PORTION COMPRISING APPROXIMATELY 40.0 ACRES OF PUBLIC HUNTING AREA, UNIT D, HILO RESTRICTED WATERSHED, TMK 3-2-6-018:004, AS A PUBLIC SHOOTING RANGE, PURSUANT TO SECTIONS 183D-28, HAWAII REVISED STATUTES, AND 13-121-6, HAWAII ADMINISTRATIVE RULES.

APPROVE DECLARATION OF EXEMPTION FROM CHAPTER 343, HAWAII REVISED STATUTES, PURSUANT TO CHAPTER 11-200-8(1), HAWAII ADMINISTRATIVE RULES, ENVIRONMENTAL ASSESSMENT REQUIREMENT FOR THE DESIGNATION.

LEGAL REFERENCES:

§183D-28, Hawaii Revised Statutes  
§13-121-6, Hawaii Administrative Rules  
§343, Hawaii Revised Statutes  
§11-200-8(1), Hawaii Administrative Rules  
§13-123-22, Hawaii Administrative Rules

SUMMARY:

The Division of Conservation and Resources Enforcement (Division) requests that the Board of Land and Natural Resources (Board) designate a portion comprising approximately 40.0 acres of public hunting area, Unit D, Hilo Restricted Watershed, TMK 3-2-6-018:004, as a public shooting range, pursuant to Sections 183D-28, Hawaii Revised Statutes (HRS), and 13-121-6, Hawaii Administrative Rules (HAR). The subject portion of the public hunting area has longstanding use by the public as an unofficial public shooting range; this is ongoing and complicated by the fact that there are no public shooting ranges on Hawaii Island for the safe discharge of rifles and handguns.

The Division also requests that the Board, after considering the existing designation of the area as a public hunting area where firearms are permitted and longstanding use of a portion of the area as an unofficial public shooting range, determine that designation will

have no significant impact on the environment and, therefore, declare as exempt from the environmental assessment requirements of Chapter 343, HRS, pursuant to Subsection (1) of Chapter 11-200-8, HAR.

BACKGROUND:

Hawaii Island has no public shooting range for the safe discharge of rifles and handguns. Meanwhile, interest in hunting and shooting continues to grow statewide and is marked by an increase in firearms registrations: from 2015 to 2016 there was a 14% increase in firearms registrations statewide, with Hawaii County accounting for the second highest rate of firearms registered after the City and County of Honolulu. Consequently, target shooters and hunters utilize existing public hunting areas on Hawaii Island to target practice and safely discharge rifles and handguns.

Specifically, approximately 40.0 acres of public hunting area, Unit D, Hilo Restricted Watershed, TMK 3-2-6-018:004, is currently used by the public as an unofficial public shooting range. Discharge of firearms occurs within a 40-acre rectangular area inside the public hunting area adjacent to the Saddle Road. This area extends in a South-to-North direction, with discharge of firearms from the South boundary toward the North boundary, away from the Saddle Road.

The coordinates of the South boundary of the shooting area extend in a West-to-East direction from 155°17'41.33"W, 19°41'10.363"N to 155°17'35.916"W, 19°41'10.363"N. The coordinates of the North boundary of the shooting area extend in a West-to-East direction from 155°17'43.696"W, 19°42'3.816"N to 155°17'33.76"W, 19°42'3.78"N

Access to the area is permitted through possession of a valid Hawaii hunting license. Consequently, enforcement challenges result as target shooters, though in possession of a valid Hawaii hunting license, are not actively hunting and may be discharging rifles and handguns otherwise prohibited under Section 13-123-22, HAR.

Pursuant to Section 183D-28(e), HRS, the Department of Land and Natural Resources (Department) may construct, operate, and maintain public outdoor and indoor target ranges for hunter education. Further, pursuant to Section 13-121-6(b), HAR, the Department may set criteria for the use of public shooting ranges to provide for hunting and shooting safety, education and training, public safety, and public recreation. Accordingly, and in direct response to a need for hunting and shooting safety, education and training, public safety, and public recreation, the Department is actively engaged in shooting range development and enhancement statewide.

Though previous efforts to establish a public shooting range on Hawaii Island have been unsuccessful, the Department is pursuing the subject designation as the best, most viable, and immediate solution to establish a safe public shooting range on Hawaii Island: the designation of a portion of the subject public hunting unit as a public shooting range will

authorize the use of all legally possessed and used firearms, hunting equipment, and ammunition, except as prohibited by Chapter 13-121-6(d)(1-6).

Relating to environmental compliance, in accordance with the "Exemption List for the Department of Land and Natural resources", approved by the Environmental council on June 5, 2015, the proposed activities are exempt from the preparation of an environmental assessment. Specifically, the proposed activities fall under two Exemption Classes: Exemption Class 1, *Operations, repairs or maintenance of existing facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing*, and Exemption Class 4, *Minor alternation in the conditions of land, water, and vegetation*. The area is already designated as a public hunting area where firearms are permitted and actively discharged.

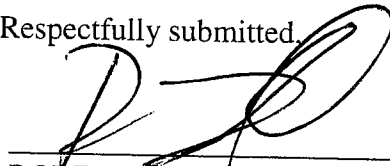
Designation of approximately 40.0 acres of this public hunting area as a shooting range will, in no way, impact the existing use of the area, nor the environment, nor public hunting opportunities in the area: no expansion or change of use beyond that previously existing and minor alterations in the conditions of land and vegetation are planned.

RECOMMENDATION:

That the Board:

- 1) Designate a portion comprising approximately 40.0 acres of public hunting area, Unit D, Hilo Restricted Watershed, TMK 3-2-6-018:004, as a public shooting range, pursuant to Chapters 183D-28(e), HRS, and 13-121-6(b), HAR.
- 2) Approve declaration of exemption from Chapter 343, HRS, pursuant to Chapter 11-200-8(1), HAR, environmental assessment requirement for the designation.

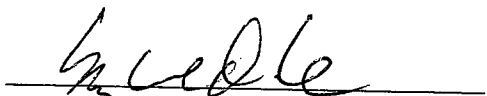
Respectfully submitted,



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ROBERT J. FARRELL, Enforcement Chief  
Division of Conservation and Resources Enforcement

APPROVED FOR SUBMITTAL:



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SUZANNE D. CASE, Chairperson  
Board of Land and Natural Resources