



While you were Sleeping...

Has anyone seen the movie “While you were sleeping”? It’s a comedy that portrays how out of hand things can get when you aren’t paying attention... or are in a coma.

What I’m getting at here is that there were a number of Bills submitted to the legislature this year that had some really “interesting to hunters” language in it. Not that any of this is new; it’s just getting more shrill in some cases and absurd in others. For example how’s this? HB1831. Originally this bill was a fencing bill. In fact, it went so far as to say “(b) All game management areas shall be effectively fenced to prevent game mammals from encroaching on public and private lands outside the game management areas.”

Game management areas were defined by this bill to include “2) Any area where any individual, corporation, or government agency manages game mammals with food, water, or shelter, or otherwise maintains game mammals for commercial, public, or private hunting, or any other purpose.”

Who do you suppose comes up with this stuff anyway? Leading into many of our game animal or control bills is language like the following..



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Special points of interest:

- The Legislature and Bill Writers, how they manipulate the words to pursue an agenda.
- The assault on our game animals and the resulting actions by DLNR, DOFAW, USFWS, and Enviromentalists.
- Challenge the story and offer alternatives.
- Crossbow use in Hawaii.

The Assault on Hunting in Hawaii



“Introduced game mammals are a significant threat to native species and ecosystems; watersheds, public and private property; and human health and safety.”

- “ (1) *Introduced game mammals are a significant threat to native species and ecosystems; watersheds, public and private property; and human health and safety.*
- (2) *The department of land and natural resources, division of forestry and wildlife, has produced management guidelines that designate lands appropriate for sustained-yield hunting. Outside these lands, game mammal control is needed to protect other resources.”*

More.. *“ In order to accommodate these disparate land uses, provide a better hunting experience in game management areas and better protect public lands and private property, an integrated game management and ungulate control plan is needed for each island.”*

The supporters of these bills and who probably also had something to do with writing these bills were the Sierra Club-Hawaii Chapter, Conservation Council for Hawaii, The Nature Conservancy of Hawaii, the Hawaii Audubon Society, and other “concerned” individuals.

Management or Mantra

The hunting community has been taking too many naps recently, and while we have been sleeping, we have had thousands of acres of lands removed of animals or to be removed of animals because of a fence-and-eradicate mentality. Some of these lands are formerly land where Public Hunting was allowed, Pohakuloa Training Area for example. Some of these areas are privately owned, like Kamehameha Schools or Nature Conservancy, or work in conjunction with the National Park Service, US Fish and Wildlife Service, NARS, and Kulani Prison. These fences have created barriers to typical migration patterns, in addition to the usual slaughter of those remaining within the fences, affecting many adjacent public hunting areas.

While these fences are causing restrictions in animal movement and number, adjacent public hunting areas cannot be improved to hold or enhance game numbers. This is because of restrictions that US Fish and Wildlife have imposed on monies spent for game management here in Hawaii, because of Critical Habitat. Challenge these designations. Much if not most of it is boiler plate and when you read some of there assertions you realize that it has to be boilerplate because there are no proven threats that they can point to. And as is policy



The Assault on Hunting in Hawaii

with these groups there is no management proposed. It is strictly a fence-and-eradicate mindset, which shows the utter lack of imagination and commitment by these parties to cooperative conservation principles.

Challenge their story...

It's next to impossible to get government to change its mind about things, but now is a good time for us to act on several issues.

First, in my opinion, we should not let them get away with the rhetoric. *"Introduced game mammals are a significant threat to native species and ecosystems; watersheds, public and private property; and human health and safety."* There is no proof to any of this. We should call them on all of this to produce the evidence. We let them get too far out in front with this kind of hysterical oratory and it should be vigorously challenged. They get away with an unbounded amount of misinformation mostly because we seem to be afraid to challenge them because we don't have the "credentials" or the science.. Well they have credentials, but they don't have the science. Every statement they make can be challenged and should be questioned.



- The removal of 46,000 sheep and other feral ungulates in the first half of the 20th century slowed destruction of the Mamane forest habitat.

"Subsequently, mouflon sheep were introduced for sport hunting, and forest degradation accelerated."

U.S. Fish and Wildlife

Offer an Alternative hypothesis ...

There is no question that introduced animals affect the ecosystem. Nor is there any question that man when he puts up his fences throughout the forests, also affect the ecosystem. Neither of them is a positive effect on the surface, but there is a question of which is worse. Just as an example, it is well known that the mosquito *Culex quinquefasciatus*, the mosquito responsible for the transmission of avian malaria and pox here in Hawaii, is an opportunistic feeder and will use whatever host is in abundance, whether mammal or bird. This is well documented (*Savage, H., and B. Miller. 1995., Deane 1951, Edman & Bidlingmayer 1969, Aragão 1975, Forattini et al. 1987a Margaret Zinser, Frank Ramberg, and Elizabeth Willott 2004*) So why is it that when the enemies of the pig so vehemently denounce the pig for the spread of avian malaria, we don't challenge those premises by countering that the pig may likely be a source of protection, a savior or sorts, since with the presence of the pig the mosquito will blood feed on what's available, for example the pig. One thing is certain, when you eradicate the pig, the only blood source left is the bird.

The other portrayal of the pig that should be challenged at every opportunity is the idea that mosquitoes only live in pig wallows or



“pigged out” hapuu. For one thing, their (the environmental community) own studies indicate that it’s only about 1/3 of the downed hapuu harbor mosquitoes. More importantly than that however, is the *Culex quinquefasciatus* habitat.

The *Culex* survives in decayed vegetative material, found everywhere from house gutters to standing water. Enter Hawaii’s largest single source of decayed vegetative material, the forest.. and here in Hawaii we call them “rain forests”. When you fly over the forests from Volcano to Pepeekeo here on Hawaii Island, between 2000 and 5000 feet after a good rainfall, large areas of the forest literally shimmer at noon when the sun can shine through the canopies to the ground below, indicating at least several hundred thousand acres of prime *Culex* habitat.

Reading Between the Lines ...

When the bill says “*The department of land and natural resources, division of forestry and wildlife, has produced management guidelines that designate lands appropriate for sustained-yield hunting. Outside these lands, game mammal control is needed to protect other resources*” what are they really saying?

For one thing, we don’t really have any management plans for any of the islands that manages animals for sustained yield hunting. We may have sustained yield hunting in certain areas, but this is more likely due to circumstance than management, although I would argue that doing nothing in some areas is the best management strategy.

When they say “*In order to accommodate these disparate land uses, provide a better hunting experience in game management areas and better protect public lands and private property, an integrated game management and ungulate control plan is needed for each island.*” What are they saying. Reading these words carefully is the key. They are referring to game management areas, not public hunting areas, of which most if not all of our hunting is conducted on. This is a significant point, and one that we should be careful of.

Hawaii Revised Statutes: §183D-4 Game management areas, wildlife sanctuaries, public hunting areas. (a) For the purposes of preserving, protecting, conserving, and propagating wildlife, the department shall establish, maintain, manage, and operate game management areas, wildlife sanctuaries, and public hunting areas on land under its control and, as it deems desirable, enter into agreements for taking control of privately owned lands for those purposes. For the purposes of this section:

"Game management area" means an area so designated by either executive order, rule, cooperative agreement, or action of the board of land and natural resources that has been set aside for the primary purpose of managing, sustaining, and enhancing habitat and populations of game mammals and/or game birds, and providing public hunting and, secondarily, other compatible uses.

Full Court Press by the Environmental Community ...

"**Public hunting area**" means those lands designated by the board of land and natural resources as 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 lands;
- (8) Designated sanctuaries; and
- (9) Other lands designated by the board.



Game Management Areas account for a very limited resource for hunting in Hawaii. When they start extolling the virtue of enhancing our game management areas and limiting resources in other public lands, its more than likely that they are talking about limiting game in YOUR favorite hunting area.

Hawaii Administrative Rules — Crossbows and Rainbows.

From Hawaii Administrative rule Title §13-123-22

(10) No person shall possess or use tracer bullets, bullets with full metal jackets, blow guns, guns powered by compressed gas, animal traps, slingshots, crossbows, poison, explosives or snares.

Legal game mammal hunting weapons include rifles, shotguns, handguns, bows and arrows, spears and knives. Only weapons that are authorized for the particular hunt are to be in the hunter's possession, while on the public hunting area.



Just to reiterate ... Hawaii Administrative Rules §13-123-22



No person shall possess or use tracer bullets, bullets with full metal jackets, blow guns, guns powered by compressed gas, animal traps, slingshots, crossbows, poison, explosives or snares.

So how does the DLNR - DOFAW get away with allowing crossbows for the theoretically disabled when crossbows are SPECIFICALLY forbidden for game mammal hunting. I say theoretically disabled, because anyone would be able to get a doctor to sign off on this permit.

Hawaii Administrative Rules - §13-123-22

STATE OF HAWAII

SPECIAL INTERIM PERMIT ALLOWING DISABLED HUNTERS TO HUNT AND TAKE GAME WITH A CROSSBOW ON PUBLIC HUNTING AREAS

Eligibility Criteria: A person may obtain a special disabled hunter permit to take game with a crossbow if a licensed, practicing physician certifies that the applicant has a physical disability and that the applicant is functionally unable to effectively use regular archery or hunting equipment due to a physical disability.

Conditions and Restrictions: (1) Applicants for this special permit must provide proof of disability as certified by their physician, and proof of identity and residence, either by a notarized signature, or a legible copy of a government-issued valid photo I.D., such as a driver's license; (2) The disabled hunter permit shall indicate that the permit holder is authorized to use a crossbow; (3) The permit is non-transferable and may be revoked at any time if it is determined that it has been used by someone other than the person to whom it was issued or it has been altered to provide misinformation; (4) Only the permit holder is authorized to use a crossbow; (5) The crossbow shall have a minimum draw weight of 125 pounds; (6) The crossbow may be cocked and must be on safe while hunting, but the bolt must remain in the quiver until the permit holder is ready to shoot; (7) Transporting a loaded or unencased firearm or discharging a firearm on or across a public highway (as defined in Chapter 122 and 123) is prohibited; (8) All requirements of Chapter 122 and 123 will be followed with the exception of the permit holder using a crossbow and shooting from a vehicle on public hunting area access roads; (9) Anyone in violation of these permit requirements shall be in violation of Chapter 122 or 123, whichever is applicable, and the person in violation shall be subject to the penalties listed in 183D-5 and 183D-12; (10) This certification and the permit shall be valid for four years from the date of certification.

I hereby apply for a Disabled Hunter Permit to hunt with a crossbow in accordance with the above stipulations.

Name _____ Phone No. _____
Social Security No. _____ Date _____
Address _____ City _____
State _____ Zip Code _____
Sex _____ Weight _____ Height _____ Eye Color _____

I hereby certify under oath that the above information is true and-correct and that I am eligible to obtain this special permit.

Applicant Signature

Date

Should Crossbows be legalized?

This doesn't mean we don't support crossbows, we do. Crossbows like anything else, in my opinion, should be allowed for hunting in Hawaii just as they are around the world, but I don't see how we can allow them for use with the disabled or handicapped when they are right now strictly prohibited.

Crossbow use should be properly allowed for use in Hawaii. DLNR has not properly changed the rules in this instance, as they have not in other cases in the past, only to get burned in court. Either go through the proper procedures or change the process. That is one of my observations.

The other is that this permit process for archers is as loose as a requirement as I've ever seen and ripe for abuse. I don't have a dog in this issue, but many archery hunters might object to crossbows in the archery season or maybe they won't, but if they do, and although they may not object to a truly disabled hunter using a crossbow in an archery season, I'm sure that they would object strenuously to someone playing the system.

We've asked the Chairperson of DLNR to look into this situation, and to properly authorize crossbow use in Hawaii, especially since they went to all the trouble to explain what a legal crossbow is pursuant to the disabled permit.

What Else is New? ... Pohakuloa Training Area



Soon it looks like that there will be a requirement to obtain a permit to hunt in Pohakuloa Training Area. I've been trying to reach several individuals at Pohakuloa with my questions on this and also detail on the new fencing at PTA but so far have been unsuccessful in getting definitive answers to either. I've been told by range control that they are in the process of devising new requirements that will likely take the form of a class that will in all probability include information on the environment and dangers of ordinance at Pohakuloa Training Area. So expect changes at Pohakuloa in the next 60 days or so.

Muzzleloading again in Kaohe?

Kaohe Archery Only Area. This was once the Kaohe Archery and Muzzleloader Area till a lawsuit challenging the process by which this area was designated such was filed and won. Many muzzleloader hunters would love to have this area back as it essentially was the only area they could hunt with their muzzleloaders, and they argue, archers have not only Kaohe, they have Puuanahulu, Kipuka Ainahou, and Puuwaawaa which are archery areas. Right now muzzleloader hunters are restricted to rifle or open hunting areas. When I asked Miles Nakahara of DOFAW how much hunting was being done in Kaohe, he said that there was quite a bit of hunting going on in Kaohe and when I asked him who was hunting there, he answered "mostly muzzleloader hunters that now have to go back to their archery equipment".

Were more game being taken with muzzleloaders as with archery equipment in Kaohe? We don't know that answer, but what we do know is that neither form of hunting was significantly depleting game numbers in Kaohe. Should muzzleloaders be allowed back into the area? That is one of the issues that we know muzzleloader hunters are going to be pressing with upcoming rule changes.

The Quest to Hunt ... Passing on the legacy



In order to go hunting in Hawaii, you must pass a hunter education class, be 10 years or older, or qualify for an exemption AND having had a Hawaii Hunting License prior to 1990. These requirements create several impediments to Hunting in Hawaii. One is to older out of state hunters who do not have a hunter education card whether or not they have an exemption from their own states can't hunt without a hunter education card. Several partial remedies are in the works, but they don't solve all problems. For example, hunters from the mainland hunting on private land with guides may be able to hunt for 3-7 days without the hunter education card and so far that may be the extent of remedies.

Most folks don't have a problem with the hunter education card requirement. Where the rub comes is with kids, people who are busy, single moms, single dads, and with those who have failed the test. Lets start with that first. If you have failed the test, you have to wait till the next class, and then take the class all over again in order to take the test. Lets look at our current class schedule in Hilo to see the problem. We have classes scheduled in July. If you failed that test, it would be October before you could take the class again to pass the test. In the meantime, you cannot go hunting. This by itself is absurd.

In Hawaii, a child cannot go hunting with a firearm without adult supervision till they are 16. It would make more sense to acknowledge that a youngster who has taken the class but failed, be allowed to go hunting with a parent and both youngster and parent be restricted to the parents bag limit. This approach will at least keep the fires burning. Many states permit children under the ages of 12 or 15 to hunt with parents without a hunter education card. That we can't allow children to hunt with their parents if they've taken the class seems to me to be unreasonable.



What can we do?

Getting change accomplished in Hawaii is sometimes like trying to change the course of a river with a spoon. But no matter, if change is what we want, we need to get started. Challenge their story; it's not the only version. Call the Hunter Education Program and express your views of the program. Every class has an evaluation form and for 15 years people have been wanting shooting ranges, more convenient class choices, advanced classes in bow hunting and survival, and now that people know that online courses are available, they want that too. Rules are up for change again so make yourself a part of the process. Aloha... Tom Lodge ©