

EXCERPTS FROM HAWAII'S WILDLIFE LAW

These excerpts from the State of Hawai'i's Wildlife Law are provided for information only. Before relying on any portion of these rules as they appear here, reference should be made to the official rules as issued by the State of Hawai'i, Department of Land and Natural Resources.

TITLE 13, CHAPTER 124, HAWAII ADMINISTRATIVE RULES

[Effective March 2, 1998]

13-124-1 Purpose. The purpose of this chapter is to conserve, manage, protect, and enhance indigenous wildlife....

13-124-2 Definitions. As used in this chapter unless context requires otherwise:

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

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

"Endangered wildlife" means any species, subspecies, or population of wildlife that has been officially listed by the federal government as endangered and any species, subspecies, or population of indigenous wildlife listed in, but not limited to the exhibit entitled "Exhibit 2, Chapter 13-124, Endangered Wildlife in Hawai'i" and as updated, which is located at the end of this chapter and incorporated by reference.

"Export" means shipment to any point outside the State.

"Indigenous wildlife" means any species or subspecies of animal, including migratory forms, occurring or living naturally in Hawai'i without having been brought to Hawai'i by humans and listed in, but not limited to, the exhibit entitled "Exhibit 1, Chapter 13-124, Indigenous Wildlife of Hawai'i and as updated, which is located at the end of this chapter and incorporated by reference.

"Take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect endangered or threatened species of wildlife, or to attempt to engage in any such conduct.

"Threatened wildlife" means any species, subspecies, or population of wildlife that has been officially listed by the federal government as threatened and any species, subspecies, or population of indigenous wildlife listed in, but not limited to, the exhibit entitled "Exhibit 3, Chapter 13-124, Threatened Wildlife in Hawai'i and as updated, which is located at the end of this chapter and incorporated by reference.

"Wildlife" means any member of any non-domesticated species of the animal kingdom, whether reared in captivity or not, including any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod, or other invertebrate, and includes any part, product, egg, or offspring thereof, or the

dead body or parts thereof.

13-124-3 Prohibited Activities.

(A) With respect to indigenous wildlife..., and except as provided in subsections (D) and (E), no person shall or attempt to:

- (1)** Catch, possess, injure, kill, destroy, sell, offer for sale, or transport any such species, or any young or egg, or the dead body or skin thereof;
- (2)** Export any such species, or any young or egg, or the dead body or skin thereof from the State.

(B) With respect to endangered and threatened species of wildlife except as provided in subsection (E), no person shall or attempt to:

- (1)** Take, possess, process, sell, offer for sale, or transport any such species, any young or egg, or the dead body or skin thereof within the State;
- (2)** Export any such species, or any young or egg, or the dead body or parts thereof, from the State.

(C) No person shall remove, damage, or disturb the nest of any indigenous, endangered, or threatened species except as provided in subsection (E);

(D) (Regards introduced wild birds.)

(E) The prohibited activities in this section shall not apply to authorized employees of the department, or enforcement agents and inspectors of the department of agriculture and U.S. Fish and Wildlife Service when acting in the course of their official duties, or persons authorized by the board or its authorized representative and as provided elsewhere in this chapter.

EXHIBIT 1, CHAPTER 13-124 - INDIGENOUS WILDLIFE OF HAWAII

Indigenous Reptiles

Pelamis platurus - Yellow-bellied Sea Snake

Caretta caretta - Loggerhead Sea Turtle

Chelonia mydas agassizi - Pacific Green Sea Turtle

Dermochelys coriacea schlegelii - Pacific Leatherback Sea Turtle

Eretmochelys imbricata bissa - Pacific Hawksbill Sea Turtle

Lepidochelys olivacea - Olive Ridley Sea Turtle

Indigenous Mammals

Monachus schauinslandi – Hawaiian Monk Seal
Balaenoptera physalus – Fin Whale
Balaenoptera acutorostrata – Minke Whale
Megaptera novaeangilae – Humpback Whale
Physeter catodon – Sperm Whale
Mesoplodon densirostris – Densebeaked Whale
Orcinus orca – Killer Whale
Pseudorca crassidens – False Killer Whale
Peponocephala electra – Melon-headed Whale
Globicephala macrorhynchus – Pilot Whale
Kogia breviceps – Pygmy Sperm Whale
Tursiops gilli – Pacific Bottlenose Dolphin
Steno bredanensis – Rough-toothed Dolphin
Stenella attenuata – Spotted Dolphin
Stenella longirostris – Spinner Dolphin
Stenella coeruleoalba – Striped Dolphin

EXHIBIT 2, CHAPTER 13-124 – ENDANGERED WILDLIFE IN HAWAII

Endangered Reptiles

Eretmochelys imbricata bissa – Pacific Hawksbill Sea Turtle
Dermochelys coriacea schlegelii – Pacific Leatherback Sea Turtle

Endangered Mammals

Monachus schauinslandi – Hawaiian Monk Seal
Balaenoptera physalus – Fin Whale
Megaptera novaeangilae – Humpback Whale
Physeter catodon – Sperm Whale

EXHIBIT 3, CHAPTER 13-124 – THREATENED WILDLIFE IN HAWAII

Threatened Reptiles

Caretta caretta – Loggerhead Sea Turtle
Chelonia mydas agassizi – Pacific Green Sea Turtle
Lepidochelys olivacea – Olive Ridley Sea Turtle