

STATE OF HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Forestry and Wildlife  
Honolulu, Hawai'i 96813

October 28, 2011

Chairperson and Members  
Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

Land Board Members:

**SUBJECT: REQUEST FOR APPROVAL TO INITIATE RULE MAKING PROCEEDINGS TO AMEND HAWAI'I ADMINISTRATIVE RULES TITLE 13 CHAPTER 124 TO REORGANIZE INTO SUBCHAPTERS; TO AMEND TITLE OF CHAPTER; TO AMEND SECTIONS 13-124-2 DEFINITIONS, 13-124-3 PROHIBITED ACTIVITIES, AND 13-124-8 PENALTIES; TO ADD SECTION 13-124-13 PENALTIES; AND TO UPDATE THE EXHIBITS OF INJURIOUS SPECIES, INTRODUCED WILD BIRDS, AND THREATENED AND ENDANGERED SPECIES**

**PURPOSE:**

**TO PROHIBIT THE TRANSPORT OF INTRODUCED SPECIES TO, OR RELEASE IN, ISLANDS OR LOCATIONS WITHIN THE STATE WHERE THEY ARE NOT ALREADY ESTABLISHED, AND TO ESTABLISH PENALTIES**

**SCOPE: STATEWIDE**

**STATUTE: HAWAI'I REVISED STATUTES CHAPTERS 183D, 195D**

**BACKGROUND**

Hawai'i Administrative Rules (HAR) Chapter 13-124 relates to the conservation, management, protection, and enhancement of indigenous wildlife, as well as the management of introduced wild birds. HAR Chapter 13-124 are the implementing rules for the wildlife statutes under Hawai'i Revised Statutes (HRS) Chapters 183D and 195D, and their primary purpose is to protect indigenous wildlife. The rules were first adopted in 1982 and most recently amended in 1998 when provisions were included to define and regulate activities related to injurious species. They are presently in need of revision to address concerns about the spread of other harmful introduced species to areas where those species are not already established.

Protection of indigenous wildlife depends on the protection of the habitats and ecosystems upon

which those species depend. Hawaiian ecosystems are among the most unique on the planet, with thousands of species that are found nowhere else in the world. These high levels of endemism are the result of the extreme isolation of the archipelago, lying more than 2500 miles from the nearest continental land mass, very low rates of natural colonization from mainland sources, and the rapid evolution of new species through the process of natural selection and adaptive radiation. However, this extreme isolation also means that the unique plants and animals that make up Hawaiian ecosystems are susceptible to disturbance from introduced species that bring novel selection pressures.

Prior to the arrival of humans, Hawaiian ecosystems evolved for millennia in the absence of mammalian browsers and grazers, predators such as rats, cats, and mongoose, mosquitoes and the numerous pathogens for which they serve as vectors, and many other invertebrate species that can have profound impacts on ecological communities. As a result, indigenous Hawaiian plants and animals have evolved no natural defenses against those species and are highly susceptible to their impacts.

Introduced species negatively affect Hawai'i's environment and indigenous species in a variety of ways, including but not limited to direct predation on indigenous species, spread of pathogens and diseases, competition with native species for limited food resources, destruction of native vegetation and habitat utilized by native species, erosion, alteration of hydrologic processes, and increases in standing water that may promote mosquitoes and other disease vectors. With no natural predators, the population sizes and densities of introduced species in Hawai'i may vastly exceed those found within a given species' native range, often outcompeting Hawai'i's indigenous species populations.

Unfortunately, Hawai'i's ecosystems have become host to a variety of introduced species that degrade the state's natural resources and compromise the conservation of indigenous wildlife. These introductions have been occurring since the initial colonization of the islands by humans and have resulted in wholesale destruction and degradation of habitats as well as the loss of hundreds of native species to extinction. The threats and impacts of introduced species remain one of the most urgent conservation issues that confront conservation biologists and land managers in Hawai'i today, and the ongoing conservation measures that are needed to mitigate their impacts cost taxpayers tens of millions of dollars every year.

While many introductions occur as a result of accidents, others may be purposeful and prohibitions are urgently needed to deter activities that may result in introductions that harm indigenous wildlife and their habitats. The proposed revisions aim to prevent the introduction of species that have not yet arrived to the state, and in instances when introduced species are established on some, but not all, of the Hawaiian islands, these rule changes aim to prevent the further spread of those introduced species. The proposed rule changes address this by prohibiting the introduction, transport, and release of such species into areas where they are not already established.

## ANALYSIS

Currently, HAR Chapter 13-124 identifies particular species as injurious by including a list of

such species as an exhibit, and provides strong prohibitions to prevent their spread. However, many very harmful species are not currently listed as injurious and the rules do not currently prohibit the introduction, transport, or release of those species. For instance, non-native axis deer are established on Maui, Moloka'i, and Lāna'i, where they are well documented to cause significant environmental damage, but they are not present on any of the other Hawaiian Islands. Unfortunately, axis deer sightings have now been confirmed on Hawai'i Island and it is suspected that their presence there is the result of the purposeful introduction of those species. There are numerous other examples of harmful species that are not on the list of injurious species for which their spread to new areas would cause extensive ecological damage and economic impacts. For example, mongoose are not present on Kaua'i and this is thought to be a major factor contributing to the relative protection of many indigenous bird species on that island. Alarmingly, the rules do not prevent the introduction of mongoose to Kaua'i, the consequences of which would be severe.

The division recommends that a comprehensive approach be adopted in which it is recognized that the vast majority of introductions of alien species into Hawaiian ecosystems are undesirable and likely to cause significant ecological and economic impacts. The rule changes proposed here take such an approach by explicitly prohibiting the transport of introduced species to, or release in, islands or locations within the state where they are not already established and living in a wild or feral state. In addition, the division proposes to update the exhibits of injurious species to better reflect current threats, and to also update the exhibits of introduced wild birds and threatened and endangered species.

The department recognizes that not all introductions are necessarily undesirable and has therefore included provisions to allow the board or its authorized representative to issue permits for such activities. Similarly, some such activities may fall under the purview of the department of agriculture, such as activities related to the use of biocontrol measures, or the department of health, such as may be undertaken pursuant to legitimate scientific research. The proposed revisions provide for the issuance of permits by those departments as well.

Associated proposed revisions include additions and clarifications to relevant definitions under HAR Chapter 13-124-2 and revisions to strengthen the penalties for violations.

The sections of HAR Chapter 13-124 and associated exhibits for which revisions are proposed are provided as Attachment 1 of this submittal and are summarized as follows:

- Title of Chapter
  - Amend title to read as “and Introduced Wildlife” rather than “and Introduced Wild Birds”
- Structure of Chapter
  - Reorganize Chapter in to Subchapters to accurately reflect Hawaii Revised Statutes (HRS) authorizing and implementing statutes
- § 13-124-2:
  - Provide a definition of “established”
  - Amend the definition of “injurious wildlife”
  - Provide a definition of “introduce”

- Provide a definition of “release”
  - Amend the definition of “wildlife”
- § 13-124-3
  - Amend the “prohibited activities” provision to prohibit the transport of introduced species to, or release in, islands or locations within the state where they are not already established and living in a wild or feral state, unless authorized by a permit issued by the board or its authorized representative, the department of agriculture, or the department of health
- § 13-124-8
  - Amend the “penalties” provision to include a fine system and seizure and forfeiture language
- § 13-124-13
  - Add “penalties” provision pursuant to HRS 195D and include seizure and forfeiture language
- Exhibits 2, 3, 4, and 5
  - Update lists of injurious species, introduced wild birds, and threatened and endangered species

Attachments 2 and 3 provide the current rule and exhibits for reference.

#### LEGAL AUTHORITY

- HRS Chapter 91-3; Related to the amendment of administrative rules
- HRS Chapter 195D-6; Related to the authority to establish rules

#### RECOMMENDATIONS

That the Board of Land and Natural Resources:

1. Authorize the Division of Forestry and Wildlife to conduct public hearings to amend HAR Chapter 13-124.
2. Authorize the Chairperson to set dates and times for public hearings, and appoint corresponding hearings masters.

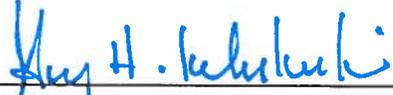
Respectfully submitted,




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PAUL J. CONRY, Administrator  
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:



*for*  
WILLIAM J. AILA, Chairperson  
Board of Land and Natural Resources

- Attachment 1: Exhibit A: Summary Page, Amendments to HAR Chapter 13-124 (Ramseyer), and updated Exhibits 2-5
- Attachment 2: HAR Chapter 13-124, as amended in 1998
- Attachment 3: HAR Chapter 13-124 Exhibits 1-5, as amended in 1997, 1996, 1996, 1997, and 1997 respectively

Amendments to Title 13 Chapter 124 Indigenous Wildlife,  
Endangered and Threatened Wildlife, and Introduced Wild Birds,  
and updates to associated Exhibits

SUMMARY

1. Title of chapter is amended
2. Structure of chapter is reorganized
3. Sections 13-124-2, 13-124-3, 13-124-8 are amended
4. Section 13-124-13 is added
5. Exhibits 2-5 are updated

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 5

FORESTRY AND WILDLIFE

PART 2

WILDLIFE

CHAPTER 124

INDIGENOUS WILDLIFE, ENDANGERED AND THREATENED  
WILDLIFE, INJURIOUS WILDLIFE, AND INTRODUCED [~~WILD BIRDS~~]  
WILDLIFE

Subchapter 1 General Provisions

§13-124-1	Purpose
§13-124-2	Definitions
§13-124-2.1	<u>Revocation of permits</u>
§13-124-2.2	<u>Compliance with laws</u>
§13-124-2.3	<u>Exemption</u>
§13-124-2.4	<u>Severability</u>

Subchapter 2 Indigenous, Injurious, and Introduced  
Wildlife

§13-124-3	Prohibited activities
§13-124-4	Scientific, propagation, and educational permits
§13-124-5	Repealed
§13-124-6	Permits for keeping indigenous wildlife, introduced wild birds, game birds, and game mammals
§13-124-7	Crop damage, nuisance, and threat to human health and safety permits
<del>§13-124-7.1</del>	<del>Revocation of permits</del>
<del>§13-124-7.2</del>	<del>Compliance with laws</del>
§13-124-8	Penalty
<del>§13-124-9</del>	<del>Exemption</del>
<del>§13-124-10</del>	<del>Severability</del>

Subchapter 3 Endangered and Threatened Wildlife

§13-124-11	Prohibited activities
§13-124-12	Scientific, propagation, and educational permits
§13-124-13	Penalty

Historical Note: Chapter 13-124, Hawaii Administrative Rules, is based substantially upon Regulation 18 of the Division of Fish and Game, Department of Land and Natural Resources. [Eff 8/10/53; am 10/10/55; am 3/28/58 and ren Regulation 6; am 9/8/73; R 3/22/82]

SUBCHAPTER 1

GENERAL PROVISIONS

§13-124-1 Purpose. The purpose of this chapter is to conserve, manage, protect, and enhance indigenous wildlife; and manage introduced wild birds. [Eff 3/22/82; am and comp 8/28/86; am and comp 3/2/98; am and comp ] (Auth: HRS §§183D-2, 183D-3, 183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§~~191-12,~~ 183D-2, 183D-3, 195D-3, 195D-4, 195D-6, [~~50-CFR~~ §§17.11, 17.12])

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

"Agriculture" means the production of crops which are planted, cultivated, and harvested for food, ornamental, grazing, cultural, medicinal or forest purposes.

"Aquaculture" means the farming or ranching of aquatic life in a controlled salt, brackish, or fresh water environment; provided that the farm or ranch is on or directly adjacent to land.

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

"Crops" means a plant or animal or product thereof that can be grown and harvested for profit or subsistence.

"Cultural use" means use for traditional native Hawaiian practices;

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

"Domestic animal" means any of various animals which have

been domesticated by humans in a condition mainly dependent on humans.

"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, List of Species of Endangered Wildlife in Hawaii, [6/13/96] 10/28/11" and as updated, which is located at the end of this chapter and incorporated by reference.

"Established" means documented as widely distributed, abundant, and self sustaining.

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

"Feral" means having escaped or been released from domestication and reverted to a wild state over several generations.

"Game birds" means those birds designated by law or rule for hunting.

"Game mammals" means those mammals designated by law or rule for hunting.

"Indigenous wildlife" means any species or subspecies of animal, including migratory forms, occurring or living naturally in Hawaii without having been brought to Hawaii by humans and listed in, but not limited to, the exhibit entitled "Exhibit 1, Chapter 13-124, Indigenous Wildlife of Hawaii, 2/1/97" and as updated, which is located at the end of this chapter and incorporated by reference.

"Injurious wildlife" means any species or subspecies of animal [~~except game birds and game mammals~~], except where specified otherwise by rule, which is known to be harmful to agriculture, aquaculture, indigenous wildlife or plants, or constitute a nuisance or health hazard and is listed in the exhibit entitled "Exhibit 5, Chapter 13-124, List of Species of Injurious Wildlife in Hawaii, [2/1/97] 10/28/11" and as updated, which is located at the end of this chapter and incorporated by reference; and as established and designated by the board as injurious wildlife.

"Introduce" means an act of releasing wildlife into a habitat to which it is not indigenous.

"Introduced wild birds" means any non-domesticated species of birds introduced or imported to Hawaii by humans and living in a wild state other than game birds, including, but not limited to, species listed in the exhibit entitled "Exhibit 4, Introduced Wild Birds Other Than Game Birds Which Have Become Established in the Wild, [2/1/97] 10/28/11" and as updated, which is located at the end of this chapter and incorporated by reference.

"Introduced wildlife" means any wildlife introduced or

imported to Hawaii by humans [~~and living in a wild and undomesticated state~~].

"Plant" means any member of the plant kingdom, including seeds, roots, and other parts thereof.

"Release" means to free an animal from effective confinement or restraint.

"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, List of Species of Threatened Wildlife in Hawaii, [2/1/97] 10/28/11" 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, and game mammals and game birds living in a wild and non-domesticated state, 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. [Eff 3/22/82; am and comp 8/28/86; am and comp 3/2/98; am and comp ] (Auth: HRS §§183D-2, 183D-3, 183D-31, 183D-51, 183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-2, 183D-3, 183D-31, 183D-51, 183D-61, 195D-3, 195D-4, 195D-6 [~~50 CFR §§17.11, 17.12~~])

§13-124-2.1 Revocation of permits. Any permit issued pursuant to this chapter shall be revocable for due cause and shall be nonassignable unless otherwise provided by law. Any person whose permit has been revoked shall not be eligible to apply for another permit until the expiration of two years from the date of revocation. [Eff 3/2/98; am and ren §13-124-2.1 ] (Auth: HRS §§183D-2, 183D-3, 183D-6, 183D-61, 195D-3, 195D-4, 195D-5, 195D-6) (Imp: HRS §§183D-2, 183D-3, 183D-6, 183D-61, 195D-3, 195D-4, 195D-5, 195D-6, 195D-8, 195D-9)

§13-124-2.2 Compliance with laws. All persons applying for and receiving permits under this chapter shall comply with all federal, state, and county laws, rules, and required permits or licenses. [Eff 3/2/98; ren §13-124-2.2 ] (Auth: HRS §§183D-3, 183D-6, 183D-61, 195D-3, 195D-4, 195D-5, 195D-6) (Imp: HRS §§183D-3, 183D-6, 183D-61, 195D-3, 195D-4, 195D-5, 195D-8, 195D-9)

§13-124-2.3 Exemption. This chapter shall not apply to any activity involving indigenous, endangered, or threatened wildlife which was held in captivity, or in a controlled environment on May 10, 1975; provided that the purposes of the holding were not contrary to the purposes of chapter 195D, HRS, and that the wildlife were not held for sale or resale. [Eff and comp 8/28/86; am and comp 3/2/98; ren §13-124-2.3 ] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-61, 195D-3, 195D-4, 195D-6)

§13-124-2.4 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 3/2/98; am and ren §13-124-2.4 ] (Auth: HRS §§183D-2, 183D-3, 195D-6, 195D-10) (Imp: HRS §§183D-2, 183D-3, 195D-6, 195D-10)

## SUBCHAPTER 2

### INDIGENOUS, INJURIOUS, AND INTRODUCED WILDLIFE

§13-124-3 Prohibited activities. (a) With respect to indigenous wildlife and introduced wild birds, and except as provided in [subsections (d) and (e)] subsection (e) or as permitted by the department, 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.]~~

~~[(e)] (b) No person shall remove, damage, or disturb the nest of any indigenous[, endangered, or threatened species] wildlife except as provided in subsection [(e)] (e) or as permitted by the department;~~

~~[(d)] (c) With respect to injurious wildlife, except as provided in subsection [(e)] (e), no person shall, or attempt to:~~

- (1) Release injurious wildlife into the wild;
- (2) Transport them to islands or locations within the State where they are not already established and living in a wild state;
- (3) Export any such species, or the dead body or parts thereof, from the State[-];
- (4) The prohibitions against the destruction of wild birds shall not apply to those introduced wild birds listed as injurious wildlife.

(d) With respect to introduced wildlife, except as provided in subsection (e), no person shall, or attempt to transport them to, or release in, islands or locations within the State where they are not already established, unless authorized by a permit issued by the board or its authorized representative, the department of agriculture, or the department of health.

(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. [Eff 3/22/82; am and comp 8/28/86; am and comp 3/2/98] (Auth: HRS §§183D-8, 183D-61, 183D-62, 183D-63, 183D-64, 195D-3, 195D-4, 195D-5, 195D-6) (Imp: HRS §§183D-8, 183D-61, 183D-62, 183D-63, 183D-64, 195D-3, 195D-4, 195D-6 [~~50 CFR §§17.11, 17.12~~])

§13-124-4 Scientific, propagation, and educational permits. (a) Permits for collecting, possessing, killing, selling or offering for sale, and transporting [~~threatened wildlife,~~]indigenous wildlife, introduced wild birds, game birds, or game mammals may be issued by the board or its authorized representative for scientific or educational purposes including cultural activities, or for activities which will enhance the survival of the wildlife species.

~~[(b) Permits to take, possess, process, sell or offer for sale, transport, or export any endangered species of wildlife may be issued only for scientific purposes or to enhance the propagation or survival of the wildlife species, except permits to possess legally obtained endangered species may be issued for educational purposes which enhance the survival of that species.]~~ [Eff 3/22/82; am and comp 8/28/86; am and comp 3/2/98] (Auth: HRS §§183D-6, 183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-6, 183D-61, 195D-3, 195D-4, 195D-5, 195D-6 [~~50 CFR §§17.11, 17.12~~])

§13-124-6 Permits for keeping indigenous wildlife, introduced wild birds, game birds, and game mammals. (a) Permits may be issued by the board or its authorized representative to qualified persons who apply in writing to maintain indigenous wildlife, introduced wild birds, game birds, or game mammals in captivity for the protection, treatment for injury or disease, propagation, and other purposes consistent with the preservation, protection, and conservation of the animals. [Eff 3/22/82; am and comp 8/28/86; am and comp 3/2/98] (Auth: HRS §§183D-6, 183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-6, 183D-61, 195D-3, 195D-4, 195D-6)

§13-124-7 Crop damage, nuisance, and threat to human health and safety permits. (a) The board or its authorized representative may issue permits to destroy or otherwise control game birds, game mammals, or introduced wild birds causing substantial damage to agricultural or aquacultural crops, indigenous plants or wildlife, or pose a threat to human health and safety under the following conditions:

- (1) An authorized agent of the department has investigated the complaint and is satisfied that substantial damage has occurred or is likely to occur;
- (2) Permits to control game mammals and game birds on parcels larger than 300 acres, may be issued only when it has been determined that public hunting is not a reasonable and appropriate method of control;
- (3) Permits shall state the species and may specify the number to be destroyed and the method of control to be used. The permit may include other terms and conditions as may seem proper and applicable;
- (4) Permits for restricted use pesticides may be issued only after an integrated animal damage control plan has been submitted to and approved by an authorized agent of the department [-];
- (5) When species of introduced wildlife or injurious wildlife are found to be generally harmful or destructive to agriculture or aquaculture, native plants or wildlife, or constituting a threat to human health or safety, the board or its authorized representative may authorize the destruction or control of the species in any area for a specified time period without requiring permits or reports.

(b) The board or its authorized representative may issue permits to destroy or otherwise control indigenous wildlife

other than threatened and endangered species, causing substantial damage to agricultural or aquacultural crops, indigenous plants or wildlife, or pose a threat to human health and safety under the following conditions:

- (1) An authorized agent of the department has investigated the complaint and is satisfied that substantial damage has occurred or is likely to occur;
- (2) Permits shall state the species to be destroyed or taken; the method of control to be used; the maximum number of individuals of each species to be destroyed or taken; and the disposition of individuals destroyed or taken. The permit shall include other terms and conditions as may seem proper and applicable[-]; i and
- (3) Permits to destroy indigenous wildlife shall be issued only after significant efforts to haze or non-lethally deter the pest animals have been attempted and proved ineffective.

(c) Permittees shall submit monthly summary reports to the department on forms provided or facsimiles that include:

- (1) The common name of the target and non-target wildlife taken;
- (2) The number of each wildlife species;
- (3) The disposition of the wildlife; and
- (4) Any other information required by the permit.

(d) Failure to submit monthly reports is grounds for cancellation of permits by the board or its authorized representative.

(e) No permit shall be issued or used for the destruction of any endangered or threatened species of wildlife.

(f) Permits may only be amended or otherwise altered by the board or its authorized representative. A copy of the amendment and written approval must be attached to the permit.

~~[(g) When species of introduced wildlife are found to be generally harmful or destructive to agriculture or aquaculture, native plants or wildlife, or constituting a threat to human health or safety, the board or its authorized representative may authorize the destruction or control of the species in any area for a specified time period without requiring permits or reports.]~~

~~[(h)]~~ (g) No permit is required merely to scare or herd depredating wildlife other than endangered or threatened species of wildlife. [Eff 3/22/82; am and comp 8/28/86; am and comp 3/2/98] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-5, 195D-6) (Imp: HRS §§183D-61, 195D-3, 195D-4, 195D-5, 195D-6 [~~7~~ 16 U.S.C.]

~~§§1531, 50 CFR §§17.11, 17.12]~~)

~~[§13-124-7.1 Revocation of permits. Any permit issued pursuant to this Chapter shall be revocable for due cause and shall be nonassignable unless otherwise provided by law. Any person whose permit has been revoked shall not be eligible to apply for another permit until the expiration of two years from the date of revocation. [Eff 3/2/98] (Auth: HRS §§195D-3, 195D-4, 195D-6) Imp: HRS §§195D-8, 195D-9)~~

~~§13-124-7.2 Compliance with laws. All persons applying for and receiving permits under this chapter shall comply with all federal, state, and county laws, rules, and required permits or licenses. [Eff 3/2/98] (Auth: HRS §§195D-3, 195D-4, 195D-6) Imp: HRS §§195D-8, 195D-9)~~

~~§13-124-8 Penalty. Any person violating any part of this subchapter shall be [penalized as provided by law.] guilty of a petty misdemeanor, and upon conviction thereof, shall be punished as follows:~~

- ~~(1) For a first conviction, by a mandatory fine of not less than \$100, or imprisonment of not more than thirty days, or both;~~
- ~~(2) For a second conviction within five years of a previous conviction, by a mandatory fine of not less than \$500, or by imprisonment of not more than thirty days, or both, and all firearms used in the commission of such violations shall be considered contraband to be forfeited to and disposed of by the State; and~~
- ~~(3) For a third or subsequent conviction within five years of the first two or more convictions, by a mandatory fine of not less than \$1,000, or by imprisonment of not more than thirty days, or both, and all firearms used in the commission of such violations shall be considered contraband to be forfeited to and disposed of by the State.~~
  - ~~(b) In addition to any other penalty imposed under this section, a mandatory fine of \$100 shall be levied for each bird illegally taken under this chapter and a mandatory fine of \$500 shall be levied for each mammal illegally taken under this chapter.~~
  - ~~(c) The disposition of fines collected for violations of the provisions concerning wildlife conservation shall be subject to HRS 183D-10.5.~~
  - ~~(d) Except as otherwise provided by law, the board is authorized to set, charge, and collect administrative fines or bring legal action to recover administrative costs of the~~

department or payment for damages or for the cost to correct damages resulting from a violation of subtitle 4 of title 12 or any rule adopted thereunder. The administrative fines shall be as follows:

(1) For a first violation, by a fine of not more than \$10,000;

(2) For a second violation within five years of a previous violation, by a fine of not more than \$15,000; and

(3) For a third or subsequent violation within five years of the last violation, by a fine of not more than \$25,000.

(e) In addition, an administrative fine of up to \$5,000 may be levied for each specimen of wildlife taken, killed, injured, or damaged in violation of subtitle 4 of title 12 or any rule adopted thereunder.

(f) Any criminal action against a person for any violation of subtitle 4 of title 12 or any rule adopted thereunder shall not be deemed to preclude the State from pursuing civil legal action to recover administrative fines and costs against that person. Any civil legal action against a person to recover administrative fines and costs for any violation of subtitle 4 of title 12 or any rule adopted thereunder shall not be deemed to preclude the State from pursuing any criminal action against that person.

(g) 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 HRS section 199-7 and chapter 712A. [Eff 3/22/82; am and comp 8/28/86; comp 3/2/98] (Auth: HRS §§[183D-61, 195D-3, 195D-4, 195D-6] 183D-3, 183D-5, 183D-10.5, 183D-12, 199-7, 712A-4, 712A-6) (Imp: HRS §§[183D-33, 183D-61, 183D-62, 183D-63, 183D-64, 195D-8, 195D-9] 183D-3, 183D-5, 183D-10.5, 183D-12, 199-7, 712A-4, 712A-6)

~~§13-124-9 Exemption. This chapter shall not apply to any activity involving indigenous, endangered, or threatened wildlife which was held in captivity, or in a controlled environment on May 10, 1975; provided that the purposes of the holding were not contrary to the purposes of chapter 195D, HRS, and that the wildlife were not held for sale or resale. [Eff and comp 8/28/86; am and comp 3/2/98] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-61, 195D-3, 195D-4, 195D-6)~~

~~§13-124-10 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 3/2/98] (Auth: HRS §§183D-2, 183D-3) (Imp: HRS §§183D-2, 183D-3)]~~

### SUBCHAPTER 3

#### ENDANGERED AND THREATENED WILDLIFE

§13-124-11 Prohibited activities. (a) With respect to endangered and threatened species of wildlife except as provided in subsection (c) or as permitted by the department, 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.

(b) No person shall remove, damage, or disturb the nest of any endangered or threatened species except as provided in subsection (c) or as permitted by the department;

(c) 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. [Eff \_\_\_\_\_] (Auth: HRS §§183D-8, 183D-61, 183D-64, 195D-3, 195D-4, 195D-5, 195D-6) (Imp: HRS §§183D-8, 183D-61, 183D-64, 195D-3, 195D-4, 195D-5, 195D-6)

§13-124-12 Scientific, propagation, and educational permits. (a) Permits for collecting, possessing, killing, selling or offering for sale, and transporting threatened wildlife may be issued by the board or its authorized representative for scientific or educational purposes including cultural activities, or for activities which will enhance the survival of the wildlife species.

(b) Permits to take, possess, process, sell or offer for sale, transport, or export any endangered species of wildlife may be issued only for scientific purposes or to enhance the propagation or survival of the wildlife species, except permits to possess legally obtained endangered species may be issued for educational purposes which enhance the survival of that species. [Eff \_\_\_\_\_] (Auth: HRS §§183D-6, 183D-61, 195D-3, 195D-4, 195D-5, 195D-6) (Imp: HRS §§183D-6, 183D-6, 183D-61, 195D-3, 195D-4, 195D-5, 195D-6)

§13-124-13 Penalty. (a) Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punished as follows:

(1) For a first offense by a fine of not less than \$250 or by imprisonment of not more than one year, or both; and

(2) For a second or subsequent offense within five years of a previous conviction by a fine of not less than \$500 or by imprisonment of not more than one year, or both.

(b) In addition to the above penalties, except for violations under approved habitat conservation plans under section HRS 195D-21 or approved safe harbor agreements under section HRS 195D-22 as determined by the board, a fine of \$5,000 for each specimen of a threatened species and \$10,000 for each specimen of an endangered species intentionally, knowingly, or recklessly killed or removed from its original growing location, shall be levied against the convicted person.

(c) The disposition of fines collected for violations of the provisions concerning wildlife conservation shall be subject to HRS 183D-10.5.

(d) Except as otherwise provided by law, the board or its authorized representative by proper delegation is authorized to set, charge, and collect administrative fines or bring legal action to recover administrative fees and costs as documented by receipts or affidavit, including attorneys' fees and costs, or bring legal action to recover administrative fines, fees, and costs, including attorneys' fees and costs, or payment for damages or for the cost to correct damages resulting from a violation of this chapter. The administrative fines shall be as follows:

(1) For a first violation, a fine of not more than \$2,500;

(2) For a second violation within five years of a previous violation, a fine of not more than \$5,000; and

(3) For a third or subsequent violation within five years of the last violation, a fine of not more than \$10,000.

(e) In addition, an administrative fine of up to \$5,000 may be levied for each specimen of wildlife or plant taken, killed, injured, or damaged in violation of this chapter.

(f) Any criminal action against a person for any violation of this chapter shall not be deemed to preclude the State from pursuing civil legal action to recover administrative fines and costs against that person. Any civil legal action against a person to recover administrative fines and costs for any violation of this chapter shall not be deemed to preclude the State from pursuing any criminal action against that person.

(g) 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 HRS section 199-7 and chapter 712A. [Eff ](Auth: HRS §§195D-3, 195D-4, 195D-6, 195D-7, 195D-8, 195D-9, 199-7, 712A-4, 712A-6) (Imp: HRS §§195D-3, 195D-4, 195D-6, 195D-7, 195D-8, 195D-9, 199-7, 712A-4, 712A-6)

EXHIBIT 2 - Chapter 13-124  
10/28/11

List of Species of Endangered Wildlife in Hawaii

SCIENTIFIC NAME	PORTION OF RANGE WHERE
COMMON NAME	ENDANGERED
HAWAIIAN NAME	

Endangered Birds

Pterodroma sandwichensis Hawaiian Petrel 'Ua'u	Entire
Pterodroma phaeopygia Galápagos Petrel	Entire
Oceanodroma castro Band-rumped Storm-petrel 'Oeoe	Entire
Branta sandvicensis Hawaiian Goose Nēnē	Entire
Anas laysanensis Laysan Duck	Entire
Anas wyvilliana Hawaiian Duck Koloa-maoli	Entire
Buteo solitarius Hawaiian Hawk 'Io	Entire
Gallinula chloropus sandvicensis Common Moorhen (Hawaiian Gallinule) 'Alae 'ula	Entire
Fulica alai Hawaiian Coot 'Alae ke'oke'o	Entire
Himantopus mexicanus knudseni Black-necked (Hawaiian) Stilt Āe'o	Entire
Asio flammeus sandwichensis Short-eared (Hawaiian) Owl Pueo	Oahu
Corvus hawaiiensis Hawaiian Crow 'Alalā	Entire
Chasiempis ibidis	Entire

Oahu Elepaio	
Myadestes lanaiensis rutha Molokai Thrush Oloma'o	Entire
Myadestes myadestinus Kauai Thrush Kāma'o	Entire
Myadestes palmeri Small Kauai Thrush Puaiohi	Entire
Acrocephalus familiaris kingi Nihoa Millerbird	Entire
Moho braccatus Kauai 'Ō'ō 'Ō'ō 'a'a	Entire
Hemignathus virens wilsoni Maui 'Amakihi 'Amakihi	Lanai
Oreomystis bairdi Kauai Creeper Akikiki	Entire
Oreomystis mana Hawaii Creeper	Entire
Paroreomyza flammea Molokai Creeper Kakawahie	Entire
Paroreomyza maculata Oahu Creeper 'Alauwahio	Entire
Loxops coccineus coccineus Hawaii 'Akēpa 'Akepeu'ie	Entire
Loxops caeruleirostris Kauai Akepa Akekee	Entire
Loxops coccineus ochraceus Maui 'Akēpa 'Akepeu'ie	Entire
Melamprosops phaeosoma Po'ouli Po'ouli	Entire
Hemignathus steinegeri Kauai 'Akialoa 'Akialoa	Entire
Hemignathus lucidus affinis Maui Nuku-pu'u Nuku-pu'u	Entire
Hemignathus lucidus hanapepe Kauai Nuku-pu'u Nuku-pu'u	Entire
Hemignathus munroi	Entire

'Akiapōlā'au 'Akiapōlā'au	
Pseudonestor xanthophrys Maui Parrotbill	Entire
Psittirostra psittacea 'Ō'ū 'Ō'ū	Entire
Telespyza cantans Laysan Finch	Entire
Telespyza ultima Nihoa Finch	Entire
Loxioides bailleui Palila Palila	Entire
Palmeria dolei Crested Honeycreeper 'Ākohekohe	Entire
Vestiaria coccinea 'I'iwi 'I'iwi	Oahu, Lanai, Molokai
Phoebastria albatros Short-tailed Albatross	Entire

#### Endangered Mammals

Lasiurus cinereus semotus Hawaiian (Hoary) Bat 'Ōpe'ape'a	Entire
Monachus schauinslandi Hawaiian Seal 'Īlio-holo-i-kauaua	Entire
Megaptera novaeangliae Humpback Whale Koholā	Entire
Balaenoptera physalus Fin Whale	Entire
Physeter catodon Sperm Whale Palaoa, Koholā kepama	Entire

#### Endangered Reptiles

Eretmochelys imbricata bissa Pacific Hawksbill Sea Turtle Ea	Entire
Dermochelys coriacea schlegelii Pacific Leatherback Sea Turtle	Entire

#### Endangered Mollusks

Achatinella spp. Oahu (Achatinella) Tree Snails	Oahu
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EXHIBIT 3 - Chapter 13-124  
10/28/11

List of Species of Threatened Wildlife in Hawaii

SCIENTIFIC NAME COMMON NAME HAWAIIAN NAME	PORTION OF RANGE WHERE THREATENED
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Threatened Birds

Puffinus auricularis newelli Townsend's (Newell's) Shearwater 'A'o	Entire
Gygis alba White Tern Manu-o-ku	Oahu

Threatened Reptiles

Threatened Reptiles Careta careta Loggerhead Sea Turtle	Entire
Chelonia mydas agassizi Pacific Green Sea Turtle Honu	Entire
Lepidochelys olivacea Olive (Pacific) Ridley Sea Turtle	Entire

**EXHIBIT 4 - Chapter 13-124**  
**10/28/11**

**Introduced Wild Birds Other than Game Birds Which Have Become  
Established in the Wild**

COMMON NAME	SCIENTIFIC NAME
<b>GEESE, DUCKS</b>	
Mallard	<i>Anas platyrhynchos</i>
<b>DOVES</b>	
Rock Dove, Common Pigeon, Domestic Pigeon	<i>Columba livia</i>
<b>PARAKEETS</b>	
Rose-ringed Parakeet	<i>Psittacula krameri</i>
Red-crowned Amazon	<i>Amazona viridigenalis</i>
Mitred Conure	<i>Aratinga mitrata</i>
Red-masked Conure	<i>Aratinga erythrogenys</i>
<b>BARN OWLS</b>	
Barn Owl	<i>Tyto alba</i>
<b>SWIFTLETS</b>	
Island Swiftlet, Gray Swiftlet, Uniform Swiftlet	<i>Aerodramus vanikorensis</i>
<b>LARKS</b>	
Eurasian Skylark	<i>Alauda arvensis</i>
<b>BULBULS</b>	
Red-vented Bulbul	<i>Pycnonotus cafer</i>
Red-whiskered Bulbul	<i>Pycnonotus jocosus</i>
<b>BUSH-WARBLERS, THRUSHES, ETC</b>	
Uguisu, Japanese Bush-Warbler	<i>Cettia diphone</i>
Shama Thrush, White-rumped Shama	<i>Copsychus malabaricus</i>
Greater Necklaced Laughing-thrush	<i>Garrulax pectoralis</i>
Gray-sided Laughing-thrush	<i>Garrulax caerulatus</i>
Melodius Laughing-thrush, Chinese Thrush, Hwamei	<i>Garrulax canorus</i>
Red-billed Leiothrix, Pekin Nightingale, Japanese Hill-robin	<i>Leiothrix lutea</i>
<b>MOCKINGBIRDS</b>	
Northern Mockingbird	<i>Mimus polyglottos</i>

STARLINGS, MYNAS	STURNIDAE
Common myna	Acridotheres tristis

WHITE-EYES	ZOSTEROPIDAE
Mejiro, Japanese White-eye	Zosterops japonicus

CARDINALS, MEADOWLARKS, ETC.	EMBERIZIDAE
North American or Kentucky Cardinal, Northern Cardinal	Cardinalis cardinalis
Brazilian Cardinal, Red-crested Cardinal	Paroaria coronata
Yellow-billed Cardinal	Paroaria capitata
Yellow-faced Grassquit	Tiaris olivacea
Saffron Finch	Sicalis flaveola
Western Meadowlark	Sternella neglecta

FINCHES	FRINGILLIDAE
Linnet, House Finch	Carpodacus mexicanus
Green Singing-Finch, Yellow-fronted Canary	Serinus mozambicus
Canary, Common Canary	Serinus canaria

OLD WORLD SPARROWS	PASSERIDAE
English Sparrow, House Sparrow	Passer domesticus

WAXBILLS, MANNIKINS	ESTRILDIDAE
Red-cheeked Cordonbleu	Uraeginthus bengalus
Lavender Waxbill	Estrilda caerulescens
Orange-cheeked Waxbill	Estrilda melpoda
Red-eared Waxbill, Black-rumped Waxbill	Estrilda troglodytes
Common Waxbill	Estrilda astrild
Strawberry Finch, Red Munia, Red Avadavat	Amandava amandava
Warbling Silverbill	Lonchura malabarica
Ricebird, Spotted Munia, Nutmeg Mannikin	Lonchura punctulata
Black-headed Mannikin or Munia, Chestnut Mannikin	Lonchura malacca
Java Sparrow	Padda oryzivora

**EXHIBIT 5 - Chapter 13-124**  
**10/28/11**

**List of Species of Injurious Wildlife in Hawaii**

COMMON NAME

SCIENTIFIC NAME

**BIRDS**

Mannikin or Munia, Black-headed (Chestnut Mannikin)	Lonchura malacca
Sparrow, Java (Java Rice Finch)	Padda oryzivora
Mallards	Anas platyrhynchos
Doves and pigeons	All species in the family COLUMBIDAE
Parrots	All species in the family PSITTACIDAE
All introduced raptors	All species in the families ACCIPITIDAE, PANDIONIDAE, SAGITTARIIDAE, FALCONIDAE, CATHARTIDAE, STRIGIDAE, TYTONIDAE)
Bulbuls	All species in the family PYCNONOTIDAE
Warblers	All species in the family CETTIIDAE and associated allies
Old World Flycatchers	All species in the family MUSCICAPIDAE
Old World Babblers	All species in the family TIMALIIDAE
Starlings	All species in the family STURNIDAE
White eyes	All species in the family ZOSTEROPIDAE

**AMPHIBIANS/REPTILES**

Frogs	All species in the Order Anura
Gecko, Tokay	Gekko gekko
Gecko, Day	All species in the genus Phelsuma
Iguana, Green	All species in the Family Iguanidae
Lizards, Anole	All species in the genus Anolis
Agamid Lizards	All species in Family Agamidae
Skinks	All Species in Family Scincidae
Anguid Lizards	All species in Family Anguidae

Whiptails and Tegus	All species in Family Teiidae
All freshwater turtles and tortoises	All species in the Order Testudines
All snakes	All species in the suborder Serpentes, except Ramphotyphlops braminus and Pelamis platurus
Monitor lizards and Gila monsters	All species in the subfamily VARANOIDEA

#### INVERTEBRATES

Snails, Apple	All species in the genera: Pomacea, Pila, and Cipangopaludina
Snail, European brown	Helix aspersa
Snail, Giant African	Achatina fulica
Snail, Cannibal (no common name)	Euglandina rosea Gonaxis kibweziensis
Clam, Asiatic	Corbicula fluminea
Little fire ant	Wasmannia auropunctata
Red imported fire ant	Solenopsis invicta
Africanized honeybee	Apis mellifera scutellata
Asian honeybee	Apis cerana
Nettle caterpillar	Darna pallivitta
Small hive beetle	Aethina tumida
Coffee berry borer	Hypothenemus hampei
Varroa mite	Varroa destructor

#### MAMMALS

Small Indian Mongoose	Herpestes javanicus
Even-toed ungulates, except for game mammals	All species in the order ARTIODACTYLA (with paraxonic feet)

HAWAII ADMINISTRATIVE RULES

TITLE 13

DEPARTMENT OF LAND AND NATURAL RESOURCES

SUBTITLE 5

FORESTRY AND WILDLIFE

PART 2

WILDLIFE

CHAPTER 124

INDIGENOUS WILDLIFE, ENDANGERED AND THREATENED WILDLIFE,  
AND INTRODUCED WILD BIRDS

\$13-124-1	Purpose
\$13-124-2	Definitions
\$13-124-3	Prohibited activities
\$13-124-4	Scientific, propagation, and educational permits
\$13-124-5	Repealed
\$13-124-6	Permits for keeping indigenous wildlife, introduced wild birds, game birds, and game mammals
\$13-124-7	Crop damage, nuisance, and threat to human health and safety permits
\$13-124-7.1	Revocation of permits
\$13-124-7.2	Compliance with laws
\$13-124-8	Penalty
\$13-124-9	Exemption
\$13-124-10	Severability

Historical Note: Chapter 13-124, Hawaii Administrative Rules, is based substantially upon Regulation 18 of the Division of Fish and Game, Department of Land and Natural Resources. [Eff 8/10/53; am 10/10/55; am 3/28/58 and ren Regulation 6; am 9/8/73; R 3/22/82]

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§13-124-1 Purpose. The purpose of this chapter is to conserve, manage, protect, and enhance indigenous wildlife; and manage introduced wild birds. [Eff 3/22/82; am and comp 8/28/86; am and comp MAR 02 1998 ] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§191-12, 195D-3, 195D-4, 195D-6, 50 CFR §§17.11, 17.12)

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

"Agriculture" means the production of crops which are planted, cultivated, and harvested for food, ornamental, grazing, cultural, medicinal or forest purposes.

"Aquaculture" means the farming or ranching of aquatic life in a controlled salt, brackish, or fresh water environment; provided that the farm or ranch is on or directly adjacent to land.

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

"Crops" means a plant or animal or product thereof that can be grown and harvested for profit or subsistence.

"Cultural use" means use for traditional native Hawaiian practices;

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

"Domestic animal" means any of various animals which have been domesticated by humans in a condition mainly dependent on humans.

"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, List of Species of Endangered Wildlife in Hawaii, 6/13/96" 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;

"Feral" means having escaped or been released from domestication and reverted to a wild state over several generations.

"Game birds" means those birds designated by law or

rule for hunting.

"Game mammals" means those mammals designated by law or rule for hunting.

"Indigenous wildlife" means any species or subspecies of animal, including migratory forms, occurring or living naturally in Hawaii without having been brought to Hawaii by humans and listed in, but not limited to, the exhibit entitled "Exhibit 1, Chapter 13-124, Indigenous Wildlife of Hawaii, 2/1/97" and as updated, which is located at the end of this chapter and incorporated by reference.

"Injurious wildlife" means any species or subspecies of animal except game birds and game mammals which is known to be harmful to agriculture, aquaculture, indigenous wildlife or plants, or constitute a nuisance or health hazard and is listed in the exhibit entitled "Exhibit 5, Chapter 13-124, List of Species of Injurious Wildlife in Hawaii, 2/1/97" and as updated, which is located at the end of this chapter and incorporated by reference; and as established and designated by the board as injurious wildlife.

"Introduced wild birds" means any non-domesticated species of birds introduced or imported to Hawaii by humans and living in a wild state other than game birds, including, but not limited to, species listed in the exhibit entitled "Exhibit 4, Introduced Wild Birds Other Than Game Birds Which Have Become Established in the Wild, 2/1/97" and as updated, which is located at the end of this chapter and incorporated by reference.

"Introduced wildlife" means any wildlife introduced or imported to Hawaii by humans and living in a wild and undomesticated state.

"Plant" means any member of the plant kingdom, including seeds, roots, and other parts thereof.

"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, List of Species of Threatened Wildlife in Hawaii, 2/1/97" 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. [Eff 3/22/82; am and comp 8/28/86; am and comp MAR 02 1998 ] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-61, 195D-3, 195D-4, 195D-6, 50 CFR §§17.11, 17.12)

§13-124-3 Prohibited activities. (a) With respect to indigenous wildlife and introduced wild birds, 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) With respect to injurious wildlife, except as provided in subsection (e), no person shall, or attempt to:

- (1) Release injurious wildlife into the wild;
- (2) Transport them to islands or locations within the State where they are not already established and living in a wild state;
- (3) Export any such species, or the dead body or parts thereof, from the State.
- (4) The prohibitions against the destruction of

wild birds shall not apply to those introduced wild birds listed as injurious wildlife.

(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. [Eff 3/22/82; am and comp 8/28/86; am and comp **MAR 02 1998**] (Auth: HRS §§183D-61, 183D-64, 195D-3, 195D-4, 195D-5, 195D-6) (Imp: HRS §§183D-61, 195D-3, 195D-4, 195D-6, 50 CFR §§17.11, 17.12)

§13-124-4 Scientific, propagation, and educational permits. (a) Permits for collecting, possessing, killing, selling or offering for sale, and transporting threatened wildlife, indigenous wildlife, introduced wild birds, game birds, or game mammals may be issued by the board or its authorized representative for scientific or educational purposes including cultural activities, or for activities which will enhance the survival of the wildlife species.

(b) Permits to take, possess, process, sell or offer for sale, transport, or export any endangered species of wildlife may be issued only for scientific purposes or to enhance the propagation or survival of the wildlife species, except permits to possess legally obtained endangered species may be issued for educational purposes which enhance the survival of that species. [Eff 3/22/82; am and comp 8/28/86; am and comp **MAR 02 1998**] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-6, 183D-61, 195D-3, 195D-4, 195D-5, 195D-6, 50 CFR §§17.11, 17.12)

§13-124-5 Repealed.

[R **MAR 02 1998** ]

§13-124-6 Permits for keeping indigenous wildlife, introduced wild birds, game birds, and game mammals.

(a) Permits may be issued by the board or its authorized representative to qualified persons who apply

in writing to maintain indigenous wildlife, introduced wild birds, game birds, or game mammals in captivity for the protection, treatment for injury or disease, propagation, and other purposes consistent with the preservation, protection, and conservation of the animals. [Eff 3/22/82; am and comp 8/28/86; am and comp MAR 02 1998 ] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-6, 183D-61, 195D-3, 195D-4, 195D-6)

§13-124-7 Crop damage, nuisance, and threat to human health and safety permits. (a) The board or its authorized representative may issue permits to destroy or otherwise control game birds, game mammals, or introduced wild birds causing substantial damage to agricultural or aquacultural crops, indigenous plants or wildlife, or pose a threat to human health and safety under the following conditions:

- (1) An authorized agent of the department has investigated the complaint and is satisfied that substantial damage has occurred or is likely to occur;
- (2) Permits to control game mammals and game birds on parcels larger than 300 acres, may be issued only when it has been determined that public hunting is not a reasonable and appropriate method of control;
- (3) Permits shall state the species and may specify the number to be destroyed and the method of control to be used. The permit may include other terms and conditions as may seem proper and applicable;
- (4) Permits for restricted use pesticides may be issued only after an integrated animal damage control plan has been submitted to and approved by an authorized agent of the department.

(b) The board or its authorized representative may issue permits to destroy or otherwise control indigenous wildlife other than threatened and endangered species, causing substantial damage to agricultural or aquacultural crops, indigenous plants or wildlife, or pose a threat to human health and safety under the following conditions:

- (1) An authorized agent of the department has investigated the complaint and is satisfied

- that substantial damage has occurred or is likely to occur;
- (2) Permits shall state the species to be destroyed or taken; the method of control to be used; the maximum number of individuals of each species to be destroyed or taken ; and the disposition of individuals destroyed or taken. The permit shall include other terms and conditions as may seem proper and applicable.
  - (3) Permits to destroy indigenous wildlife shall be issued only after significant efforts to haze or non-lethally deter the pest animals have been attempted and proved ineffective.
  - (c) Permittees shall submit monthly summary reports to the department on forms provided or facsimiles that include:
    - (1) The common name of the target and non-target wildlife taken;
    - (2) The number of each wildlife species;
    - (3) The disposition of the wildlife; and
    - (4) Any other information required by the permit.
  - (d) Failure to submit monthly reports is grounds for cancellation of permits by the board or its authorized representative.
  - (e) No permit shall be issued or used for the destruction of any endangered or threatened species of wildlife.
  - (f) Permits may only be amended or otherwise altered by the board or its authorized representative. A copy of the amendment and written approval must be attached to the permit.
  - (g) When species of introduced wildlife are found to be generally harmful or destructive to agriculture or aquaculture, native plants or wildlife, or constituting a threat to human health or safety, the board or its authorized representative may authorize the destruction or control of the species in any area for a specified time period without requiring permits or reports.
  - (h) No permit is required merely to scare or herd depredating wildlife other than endangered or threatened species of wildlife. [Eff 3/22/82; am and comp 8/28/86; am and comp MAR 02 1998 ] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-5, 195D-6) (Imp: HRS §§183D-61, 195D-3, 195D-4, 195D-5, 195D-6, 16 U.S.C. §§1531, 50 CFR §§17.11, 17.12)

§13-124-7

§13-124-7.1 Revocation of permits. Any permit issued pursuant to this Chapter shall be revocable for due cause and shall be nonassignable unless otherwise provided by law. Any person whose permit has been revoked shall not be eligible to apply for another permit until the expiration of two years from the date of revocation. [Eff **MAR 02 1998** ] (Auth: HRS §§195D-3, 195D-4, 195D-6) Imp: HRS §§195D-8, 195D-9)

§13-124-7.2 Compliance with laws. All persons applying for and receiving permits under this chapter shall comply with all federal, state, and county laws, rules, and required permits or licenses. [Eff **MAR 02 1998** ] (Auth: HRS §§195D-3, 195D-4, 195D-6) Imp: HRS §§195D-8, 195D-9)

§13-124-8 Penalty. Any person violating any part of this chapter shall be penalized as provided by law. [Eff 3/22/82; am and comp 8/28/86; comp **MAR 02 1998** ] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-33, 183D-61, 183D-62, 183D-63, 183D-64, 195D-8, 195D-9)

§13-124-9 Exemption. This chapter shall not apply to any activity involving indigenous, endangered, or threatened wildlife which was held in captivity, or in a controlled environment on May 10, 1975; provided that the purposes of the holding were not contrary to the purposes of chapter 195D, HRS, and that the wildlife were not held for sale or resale. [Eff and comp 8/28/86; am and comp **MAR 02 1998** ] (Auth: HRS §§183D-61, 195D-3, 195D-4, 195D-6) (Imp: HRS §§183D-61, 195D-3, 195D-4, 195D-6)

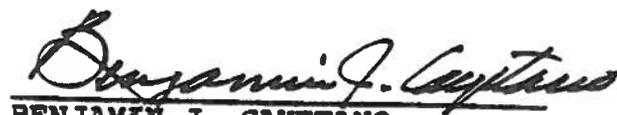
§13-124-10 Severability. These rules are declared to be severable and if any portion or the application thereof to any person or property is held invalid for any reason, the validity of the remainder of these rules or the application of the remainder to other persons or property shall not be affected. [Eff **MAR 02 1998** ] (Auth: HRS §§183D-2, 183D-3) (Imp: HRS §§183D-2, 183D-3)

DEPARTMENT OF LAND AND NATURAL RESOURCES

Amendments to and compilation of chapter 124, title 13, Hawaii Administrative Rules Regulating Indigenous Wildlife, Endangered And Threatened Wildlife, And Introduced Wild Birds, on the Summary Page dated December 19, 1997, 1997 were adopted on January 30, 1998 following public hearings held on August 4, 6, 11, 12, and 13, after public notice was given in the "Honolulu Advertiser" on July 5, 1997, "Hawaii Herald Tribune" on July 6, 1997, "West Hawaii Today" on (none), "Maui News" on July 6, 1997; "Molokai Dispatch" on (none), and the "Garden Island" on July 6, 1997.

They shall take effect ten days after filing with the Office of the Lieutenant Governor.

  
MICHAEL D. WILSON  
Chairperson of the Board  
Land and Natural Resources

  
BENJAMIN J. CAYETANO  
Governor  
State of Hawaii

Date: 2-19-98  
**FEB 20 1998**  
Filed

APPROVED AS TO FORM

  
Deputy Attorney General

98 FEB 20 NO:46  
LIEUTENANT GOVERNOR'S OFFICE

EXHIBIT 1 - Chapter 13-124  
2/1/97

Indigenous Wildlife of Hawaii

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Reptiles</u>			
<i>Pelamis platurus</i>	Yellow-bellied Sea Snake		R+
<i>Careta careta</i>	Loggerhead Sea Turtle		R+
<i>Chelonia mydas agassizi</i>	Pacific Green Sea Turtle	Honu	X
<i>Dermochelys coriacea schlegelii</i>	Pacific Leatherback Sea Turtle		R+
<i>Eretmochelys imbricata bissa</i>	Pacific Hawksbill Turtle	Ea	R+
<i>Lepidochelys olivacea</i>	Olive (Pacific) Ridley Sea Turtle		R+
<u>Indigenous Mollusks</u>			
* <i>Achatinella</i> spp.	Oahu Tree Snails		X
<u>Indigenous Birds</u>			
<i>Diomedea nigripes</i>	Black-footed Albatross		X
<i>Diomedea immutabilis</i>	Laysan Albatross	Moli	X
<i>Puffinus pacificus chlororhynchus</i>	Wedge-tailed Shearwater	'Ua'u-kani	X
<i>Puffinus nativitatis</i>	Christmas Shearwater		X
* <i>Puffinus auricularis newelli</i>	Townsend's (Newell's) Shearwater	'A'o	X
* <i>Pterodroma phaeopygia sandwichensis</i>	Dark-rumped (Hawaiian) Petrel	'Ua'u	X
<i>Pterodroma hypoleuca hypoleuca</i>	Bonin Petrel		X
<i>Bulweria bulwerii</i>	Bulwer Petrel	'Ou	X
<i>Oceanodroma tristrami</i>	Sooty Storm-petrel		X

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
* <i>Oceanodroma castro cryptoleucura</i>	Band-rumped (Hawaiian, Harcourt) Storm-petrel	'Ake'ake	X
<i>Phaethon lepturus dorotheae</i>	White-tailed Tropicbird	Koa'e-kea	X
<i>Phaethon rubricauda rothschildi</i>	Red-tailed Tropicbird	Koa'e-'ula	X
<i>Sula dactylatra personata</i>	Masked (Blue-Faced) Booby	'Ā	X
<i>Sula leucogaster plotus</i>	Brown Booby	'Ā	X
<i>Sula sula rubripes</i>	Red-footed Booby	'Ā	X
<i>Fregata minor palmerstoni</i>	Great Frigatebird	'Iwa	X
<i>Nycticorax nycticorax hoactli</i>	Black-crowned Night-heron	'Auku'u	X
* <i>Nesochen sandvicensis</i>	Hawaiian Goose	Nēnē	X
* <i>Anas laysanensis</i>	Laysan Duck		X
* <i>Anas wyvilliana</i>	Hawaiian Duck	Koloa-maoli	X
<i>Anas acuta</i>	Northern Pintail	Koloa-māpu	M
<i>Anas americana</i>	American Wigeon		M
<i>Anas clypeata</i>	Northern Shoveler	Koloa-mohā	M
<i>Aythya affinis</i>	Lesser Scaup		M

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
*Buteo solitarius	Hawaiian Hawk	'Io	X
*Porzana palmeri	Laysan Rail		O
*Porzana sandwichensis	Hawaiian Rail	Moho	O
*Gallinula chloropus sandvicensis	Common Moorhen (Hawaiian Gallinule)	'Alae-'ula	X
*Fulica americana alai	American (Hawaiian) Coot	'Alae-ke'oke'o	X
Pluvialis dominica	Lesser (Pacific, American) Golden Plover	Kōlea	M
Pluvialis squatarola	Black-bellied Plover		M
Numenius tahitiensis	Bristle-thighed Curlew	Kioea	M
Heteroscelus incanus	Wandering Tattler	'Ūlili	M
Arenaria interpres	Ruddy Turnstone	'Akekeke	M
Calidris alba	Sanderling	Huna-kai	M
*Himantopus mexicanus knudseni	Black-necked (Hawaiian) Stilt	'Āe'o	X
Sterna fuscata oahuensis	Sooty tern	'Ewa'ewa	X
Sterna lunata	Gray-backed Tern	Pakalakala	X
Procelsterna cerulea saxatilis	Blue-gray Noddy		X

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- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
Anous stolidus pileatus	Brown (Common) Noddy	Noio-kōhā	X
Anous minutus melanogenys	Black (Hawaiian, White-capped) Noddy	Noio	X
Gygis alba rothschildi	White (Fairy) Tern	Manu-o-ku	X
*Asio flammeus sandwichensis	Short-eared (Hawaiian) Owl	Pueo	X
*Corvus hawaiiensis	Hawaiian Crow	'Alalā	X
*Myadestes obscurus	Hawaii Thrush	'Ōma'o	X
*Myadestes lanaiensis lanaiensis	Lanai Thrush	Oloma'o	O
*Myadestes lanaiensis rutha	Molokai Thrush	Oloma'o	X
*Myadestes oahuensis	Oahu Thrush	'Āmaui	O
*Myadestes myadestinus	Kauai Thrush	Kāma'o	X
*Myadestes palmeri	Small Kauai Thrush	Puaiohi	X
*Acrocephalus familiaris familiaris	Laysan Millerbird		O
*Acrocephalus familiaris kingi	Nihoa Millerbird		X
*Chasiempis sandwichensis sandwichensis	Hawaii 'Elepaio	'Elepaio	X
*Chasiempis sandwichensis gayi	Oahu 'Elepaio	'Elepaio	X

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- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
*Chasiempis sandwichensis sclateri	Kauai 'Elepaio	'Elepaio	X
*Moho nobilis	Hawaii 'O'ō	'O'ō	O
*Moho bishopi	Molokai 'O'ō	'O'ō	O
*Moho apicalis	Oahu 'O'ō	'O'ō	O
*Moho braccatus	Kauai 'O'ō	'O'ō'a'a	X
*Chaetoptila angustipluma	Kioea		O
*Hemignathus virens virens	Hawaii 'Amakihi	'Amakihi	X
*Hemignathus virens wilsoni	Maui 'Amakihi	'Amakihi	X
*Hemignathus virens chloris	Oahu 'Amakihi	'Amakihi	X
*Hemignathus virens stejnegeri	Kauai 'Amakihi	'Amakihi	X
*Hemignathus parvus	'Anianiau (Lesser 'Amakihi)	'Anianiau	X
*Hemignathus sagittirostris	Greater 'Amakihi		O
*Oreomystis mana	Hawaii Creeper		X
*Oreomystis bairdi	Kauai Creeper	'Akikiki	X

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- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
* <i>Paroreomyza montana newtoni</i>	Maui Creeper	'Alauwahio	X
* <i>Paroreomyza montana montana</i>	Lanai Creeper	'Alauwahio	O
* <i>Paroreomyza flammea</i>	Molokai Creeper	Kakawahie	X
* <i>Paroreomyza maculata</i>	Oahu Creeper	'Alauwahio	X
* <i>Loxops coccineus coccineus</i>	Hawaii 'Akepa	'Akepeu'ie	X
* <i>Loxops coccineus ochraceus</i>	Maui 'Akepa	'Akepeu'ie	X
* <i>Loxops coccineus rufus</i>	Oahu 'Akepa	'Akepeu'ie	O
* <i>Loxops coccineus caeruleirostris</i>	Kauai 'Akepa	'Akeke'e	X
* <i>Melamprosops phaeosoma</i>	Po'ouli		X
* <i>Hemignathus obscurus obscurus</i>	Hawaii 'Akialoa	'Akialoa	O
* <i>Hemignathus obscurus lanaiensis</i>	Lanai 'Akialoa	'Akialoa	O
* <i>Hemignathus obscurus ellisianus</i>	Oahu 'Akialoa	'Akialoa	O
* <i>Hemignathus procerus</i>	Kauai 'Akialoa	'Akialoa	X
* <i>Hemignathus lucidus affinus</i>	Maui Nuku-pu'u	Nuku-pu'u	X
* <i>Hemignathus lucidus lucidus</i>	Oahu Nuku-pu'u	Nuku-pu'u	O

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
*Hemignathus lucidus	hanapepe	Kauai Nuku-pu'u	
		Nuku-pu'u	X
*Hemignathus munroi		'Akiapōlā'au	
		'Akiapōlā'au	X
*Pseudonestor xanthophrys		Maui Parrotbill	X
*Psittirostra psittacea		'Ō'u	
		'Ō'u	X
*Telespyza ultima		Nihoa Finch	X
*Telespyza cantans		Laysan Finch	X
*Loxioides bailleui		Palila	
		Palila	X
*Rhodacanthis palmeri		Greater Koa Finch	
		Hopue	O
*Rhodacanthis flaviceps		Lesser Koa Finch	O
*Chloridops kona		Kona (Grosbeak) Finch	O
*Himatione sanguinea	sanguinea	'Apapane	
		'Apapane	X
*Himatione sanguinea	freethii	Laysan Honeycreeper	O
*Palmeria dolei		Crested Honeycreeper	
		'Ākohekohe	X
*Ciridops anna		'Ula-'ai-hāwane	
		'Ula-'ai-hāwane	O
*Vestiaria coccinea		'I'iwi	
		'I'iwi	X
*Drepanis funerea		Black Mamo	
		Hoa or Oo-nuku-umu	O

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
* <i>Drepanis pacifica</i>	Hawaii Mamo	Mamo	O
<u>Indigenous Mammals</u>			
* <i>Lasiurus cinereus semotus</i>	Hawaiian (Hoary) Bat	'Ōpe'ape'a	X
* <i>Monachus schauinslandi</i>	Hawaiian Seal	'Īlio-holo-i-kauaua	X
<i>Balaenoptera physalus</i>	Fin Whale		R+
<i>Balaenoptera acutorostrata</i>	Minke Whale		M
<i>Megaptera novaengliae</i>	Humpback Whale	Koholā	M
<i>Physeter catodon</i>	Sperm Whale	Palaoa, Koholā kepama	M
<i>Mesoplodon densirostris</i>	Densebeaked Whale		R+
<i>Orcinus orca</i>	Killer Whale		R+
<i>Pseudorca crassidens</i>	False Killer Whale		R
<i>Feresa attenuata</i>	Pygmy Killer Whale		R
<i>Peponocephala electra</i>	Melon-headed Whale		R
<i>Globicephala macrorhynchus</i>	Pilot Whale		R
<i>Kogia breviceps</i>	Pygmy Sperm Whale		R+
<i>Tursiops gilli</i>	Pacific Bottlenose Dolphin	Nai'a	X
<i>Steno bredanensis</i>	Rough-toothed Dolphin	Nai'a	X
<i>Stenella attenuata</i>	Spotted Dolphin	Nai'a	X

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Mammals (cont.)</u>			
<i>Stenella longirostris</i>	Spinner Dolphin	Nai'a	X
<i>Stenella coeruleoalba</i>	Striped Dolphin		R+

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

EXHIBIT 2 - Chapter 13-124  
6/13/96

List of Species of Endangered  
Wildlife in Hawaii

SCIENTIFIC NAME COMMON NAME HAWAIIAN NAME	Portion of Range where Endangered
<u>Endangered Birds</u>	
Pterodroma phaeopygia sandwichensis Dark-rumped (Hawaiian) Petrel 'Ua'u	Entire
Oceanodroma castro cryptoleucura Band-rumped (Hawaiian, Harcourt) Storm-petrel 'Oeoe	Entire
Nesochen sandwichensis Hawaiian Goose Nēnē	Entire
Anas laysanensis Laysan Duck	Entire
Anas wyvilliana Hawaiian Duck Koloa-maoli	Entire
Buteo solitarius Hawaiian Hawk 'Io	Entire
Gallinula chloropus sandvicensis Common Moorhen (Hawaiian Gallinule) 'Alae 'ula	Entire
Fulica americana alai American (Hawaiian) Coot 'Alae ke'oke'o	Entire
Himantopus mexicanus knudseni Black-necked (Hawaiian) Stilt Āe'o	Entire
Asio flammeus sandwichensis Short-eared (Hawaiian) Owl Pueo	Oahu
Corvus hawaiiensis Hawaiian Crow 'Alalā	Entire
Myadestes lanaiensis rutha Molokai Thrush Oloma'o	Entire
Myadestes myadestinus Kauai Thrush Kāma'o	Entire

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Portion of Range where Endangered
<u>Endangered Birds (cont.)</u>			
Myadestes palmeri	Small Kauai Thrush	Puaiohi	Entire
Acrocephalus familiaris kingi	Nihoa Millerbird		Entire
Moho braccatus	Kauai 'Ō'ō	'Ō'ō 'a'a	Entire
Hemignathus virens wilsoni	Maui 'Amakihi	'Amakihi	Lanai
Oreomystis mana	Hawaii Creeper		Entire
Paroreomyza flammea	Molokai Creeper	Kakawahie	Entire
Paroreomyza maculata	Oahu Creeper	'Alauwahio	Entire
Loxops coccineus coccineus	Hawaii 'Akēpa	'Akepeu'ie	Entire
Loxops coccineus ochraceus	Maui 'Akēpa	'Akepeu'ie	Entire
Melamprosops phaeosoma	Po'ouli	Po'ouli	Entire
Hemignathus procerus	Kauai 'Akialoa	'Akialoa	Entire
Hemignathus lucidus affinis	Maui Nuku-pu'u	Nuku-pu'u	Entire
Hemignathus lucidus hanapepe	Kauai Nuku-pu'u	Nuku-pu'u	Entire
Hemignathus munroi	'Akiapōlā'au	'Akiapōlā'au	Entire
Pseudonestor xanthophrys	Maui Parrotbill		Entire
Psittirostra psittacea	'Ō'ū	'Ō'ū	Entire

SCIENTIFIC NAME COMMON NAME HAWAIIAN NAME	Portion of Range where Endangered
<u>Endangered Birds (cont.)</u>	
Telespyza cantans Laysan Finch	Entire
Telespyza ultima Nihoa Finch	Entire
Loxioides bailleui Palila Palila	Entire
Palmeria dolei Crested Honeycreeper 'Ākohekohe	Entire
Vestiaria coccinea 'I'iwi 'I'iwi	Oahu, Lanai & Molokai
<u>Endangered Mammals</u>	
Lasiurus cinereus semotus Hawaiian (Hoary) Bat 'Ōpe'ape'a	Entire
Monachus schauinslandi Hawaiian Seal 'Īlio-holo-i-kauaua	Entire
Megaptera novaeangliae Humpback Whale Koholā	Entire
Balaenoptera physalus Fin Whale	Entire
Physeter catodon Sperm Whale Palaoa, Koholā kepama	Entire
<u>Endangered Reptiles</u>	
Eretmochelys imbricata bissa Pacific Hawksbill Sea Turtle Ea	Entire
Dermochelys coriacea schlegelii Pacific Leatherback Sea Turtle	Entire
<u>Endangered Mollusks</u>	
Achatinella spp. Oahu (Achatinella) Tree Snails	Oahu

EXHIBIT 3 - Chapter 13-124  
6/13/96

List of Species of Threatened  
Wildlife in Hawaii

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Portion of Range where Threatened
<u>Threatened Birds</u>			
<i>Puffinus auricularis newelli</i>	Townsend's (Newell's) Shearwater	'A'o	Entire
<i>Gygis alba rothschildi</i>	White (Fairy) Tern	Manu-o-ku	Oahu
<u>Threatened Reptiles</u>			
<i>Careta careta</i>	Loggerhead Sea Turtle		Entire
<i>Chelonia mydas agassizi</i>	Pacific Green Sea Turtle	Honu	Entire
<i>Lepidochelys olivacea</i>	Olive (Pacific) Ridley Sea Turtle		Entire

EXHIBIT 4 - Chapter 13-124  
2/1/97

Introduced Wild Birds Other than  
Game Birds Which Have Become  
Established in the Wild

<u>Common Name</u>	<u>Scientific Name</u>
GEESE, DUCKS Mallard	ANATIDAE Anas platyrhynchos
DOVES Rock Dove, Common Pigeon, Domestic Pigeon	COLUMBIDAE Columba livia
PARAKEETS Rose-ringed Parakeet	PSITTACIDAE Psittacula krameri
BARN OWLS Barn Owl	TYTONIDAE Tyto alba
SWIFTLETS Island Swiftlet, Gray Swiftlet, Uniform Swiftlet	APODIDAE Aerodramus vanikorensis
LARKS Eurasian Skylark	ALAUDIDAE Alauda arvensis
BULBULS Red-vented Bulbul Red-whiskered Bulbul	PYCNONOTIDAE Pycnonotus cafer Pycnonotus jocosus
BUSH-WARBLERS, THRUSHES, ETC. Uguisu, Japanese Bush-Warbler Shama Thrush, White-rumped Shama  Greater Necklaced Laughing-thrush Gray-sided Laughing-thrush Melodious Laughing-thrush, Chinese Thrush, Hwamei Red-billed Leiothrix, Pekin Nightingale, Japanese Hill-robin	MUSCICAPIDAE Cettia diphone Copsychus malabaricus Garrulax pectoralis Garrulax caerulatus Garrulax canorus  Leiothrix lutea
MOCKINGBIRDS Northern Mockingbird	MIMIDAE Mimus polyglottos
STARLINGS, MYNAS Common myna	STURNIDAE Acridotheres tristis

WHITE-EYES

Mejiro, Japanese White-eye

CARDINALS, MEADOWLARKS, ETC.

North American or Kentucky Cardinal,

Northern Cardinal

Brazilian Cardinal, Red-crested  
Cardinal

Yellow-billed Cardinal

Yellow-faced Grassquit

Saffron Finch

Western Meadowlark

FINCHES

Linnet, House Finch

Green Singing-Finch, Yellow-fronted  
Canary

Canary, Common Canary

OLD WORLD SPARROWS

English Sparrow, House Sparrow

WAXBILLS, MANNIKINS

Red-cheeked Cordonbleu

Lavender Waxbill

Orange-cheeked Waxbill

Red-eared Waxbill, Black-rumped  
Waxbill

Common Waxbill

Strawberry Finch, Red Munia, Red  
Avadavat

Warbling Silverbill

Ricebird, Spotted Munia, Nutmeg  
Mannikin

Black-headed Mannikin or Munia,  
Chestnut Mannikin

Java Sparrow

ZOSTEROPIDAE

Zosterops japonicus

EMBERIZIDAE

Cardinalis

cardinalis

Paroaria coronata

Paroaria capitata

Tiaris olivacea

Sicalis flaveola

Sternella neglecta

FRINGILLIDAE

Carpodacus

mexicanus

Serinus mozambicus

Serinus canaria

PASSERIDAE

Passer domesticus

ESTRILDIDAE

Uraeginthus

bengalus

Estrilda

caerulescens

Estrilda melpoda

Estrilda

troglodytes

Estrilda astrild

Amandava amandava

Lonchura malabarica

Lonchura punctulata

Lonchura malacca

Padda oryzivora

EXHIBIT 5 - Chapter 13-124  
2/1/97

List of Species of Injurious  
Wildlife in Hawaii

<u>Common Name</u>	<u>Scientific Name</u>
<b>BIRDS</b>	
Bulbul, Red-vented	<i>Pycnonotus cafer</i>
Bulbul, Red-whiskered	<i>Pycnonotus jocosus</i>
Mannikin or Munia, Black-headed (Chestnut Mannikin)	<i>Lonchura malacca</i>
Parakeet, Ring-necked (Rose-ringed Parakeet)	<i>Psittacula krameri</i>
Sparrow, Java (Java Rice Finch)	<i>Padda oryzivora</i>
<b>AMPHIBIANS/REPTILES</b>	
Frogs	All species in the Order Anura
Chameleon, Jackson's	<i>Chamaeleo jacksoni</i>
Gecko, Tokay	<i>Gekko gekko</i>
Geckos, Day	All species in the genus <i>Phelsuma</i>
Iguana, Green	<i>Iguana iguana</i>
Lizards, Anole	All species in the genus <i>Anolis</i>
Slider, Red-eared	<i>Trachemys scripta</i>
Turtle, Wattle-necked soft-shelled	<i>Palea steindachneri</i>
Turtle, Chinese soft-shelled	<i>Pelodiscus sinensis</i>
<b>INVERTEBRATES</b>	
Snails, Apple	All species in the genera: <i>Pomacea</i> , <i>Pila</i> , and <i>Cipangopaludina</i>
Snail, European brown	<i>Helix aspersa</i>
Snail, Giant African	<i>Achatina fulica</i>
Snail, Cannibal (no common name)	<i>Euglandina rosea</i>
Clam, Asiatic	<i>Gonaxis kibweziensis</i> <i>Corbicula fluminea</i>

EXHIBIT 1 - Chapter 13-124  
2/1/97

Indigenous Wildlife of Hawaii

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Reptiles</u>			
<i>Pelamis platurus</i>	Yellow-bellied Sea Snake		R+
<i>Careta careta</i>	Loggerhead Sea Turtle		R+
<i>Chelonia mydas agassizi</i>	Pacific Green Sea Turtle	Honu	X
<i>Dermochelys coriacea schlegelii</i>	Pacific Leatherback Sea Turtle		R+
<i>Eretmochelys imbricata bisca</i>	Pacific Hawksbill Turtle	Ea	R+
<i>Lepidochelys olivacea</i>	Olive (Pacific) Ridley Sea Turtle		R+
<u>Indigenous Mollusks</u>			
* <i>Achatinella</i> spp.	Oahu Tree Snails		X
<u>Indigenous Birds</u>			
<i>Diomedea nigripes</i>	Black-footed Albatross		X
<i>Diomedea immutabilis</i>	Laysan Albatross	Moli	X
<i>Puffinus pacificus chlororhynchus</i>	Wedge-tailed Shearwater	'Ua'u-kani	X
<i>Puffinus nativitatis</i>	Christmas Shearwater		X
* <i>Puffinus auricularis newelli</i>	Townsend's (Newell's) Shearwater	'A'o	X
* <i>Pterodroma phaeopygia sandwichensis</i>	Dark-rumped (Hawaiian) Petrel	'Ua'u	X
<i>Pterodroma hypoleuca hypoleuca</i>	Bonin Petrel		X
<i>Bulweria bulwerii</i>	Bulwer Petrel	'Ou	X
<i>Oceanodroma tristrami</i>	Sooty Storm-petrel		X

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
* <i>Oceanodroma castro cryptoleucura</i>	Band-rumped (Hawaiian, Harcourt) Storm-petrel	'Ake'ake	X
<i>Phaethon lepturus dorotheae</i>	White-tailed Tropicbird	Koa'e-kea	X
<i>Phaethon rubricauda rothschildi</i>	Red-tailed Tropicbird	Koa'e-'ula	X
<i>Sula dactylatra personata</i>	Masked (Blue-Faced) Booby	'A	X
<i>Sula leucogaster plotus</i>	Brown Booby	'A	X
<i>Sula sula rubripes</i>	Red-footed Booby	'A	X
<i>Fregata minor palmerstoni</i>	Great Frigatebird	'Iwa	X
<i>Nycticorax nycticorax hoactli</i>	Black-crowned Night-heron	'Auku'u	X
* <i>Nesochen sandvicensis</i>	Hawaiian Goose	Nēnē	X
* <i>Anas laysanensis</i>	Laysan Duck		X
* <i>Anas wyvilliana</i>	Hawaiian Duck	Koloa-maoli	X
<i>Anas acuta</i>	Northern Pintail	Koloa-māpu	M
<i>Anas americana</i>	American Widgeon		M
<i>Anas clypeata</i>	Northern Shoveler	Koloa-mohā	M
<i>Aythya affinis</i>	Lesser Scaup		M

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
*Buteo solitarius	Hawaiian Hawk	'Io	X
*Porzana palmeri	Laysan Rail		O
*Porzana sandwichensis	Hawaiian Rail	Moho	O
*Gallinula chloropus sandvicensis	Common Moorhen (Hawaiian Gallinule)	'Alae-'ula	X
*Fulica americana alai	American (Hawaiian) Coot	'Alae-ke'oke'o	X
Pluvialis dominica	Lesser (Pacific, American) Golden Plover	Kōlea	M
Pluvialis squatarola	Black-bellied Plover		M
Numenius tahitiensis	Bristle-thighed Curlew	Kioea	M
Heteroscelus incanus	Wandering Tattler	'Ūlili	M
Arenaria interpres	Ruddy Turnstone	'Akekeke	M
Calidris alba	Sanderling	Huna-kai	M
*Himantopus mexicanus knudseni	Black-necked (Hawaiian) Stilt	Āe'o	X
Sterna fuscata oahuensis	Sooty tern	'Ewa'ewa	X
Sterna lunata	Gray-backed Tern	Pakalakala	X
Procelsterna cerulea saxatilis	Blue-gray Noddy		X

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SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
Anous stolidus pileatus	Brown (Common) Noddy	Noio-kōhā	X
Anous minutus melanogenys	Black (Hawaiian, White-capped) Noddy	Noio	X
Gygis alba rothschildi	White (Fairy) Tern	Manu-o-ku	X
*Asio flammeus sandwichensis	Short-eared (Hawaiian) Owl	Pueo	X
*Corvus hawaiiensis	Hawaiian Crow	'Alalā	X
*Myadestes obscurus	Hawaii Thrush	'Ōma'o	X
*Myadestes lanaiensis lanaiensis	Lanai Thrush	Oloma'o	O
*Myadestes lanaiensis rutha	Molokai Thrush	Oloma'o	X
*Myadestes oahuensis	Oahu Thrush	'Āmaui	O
*Myadestes myadestinus	Kauai Thrush	Kāma'o	X
*Myadestes palmeri	Small Kauai Thrush	Puaiohi	X
*Acrocephalus familiaris familiaris	Laysan Millerbird		O
*Acrocephalus familiaris kingi	Nihoa Millerbird		X
*Chasiempis sandwichensis sandwichensis	Hawaii 'Elepaio	'Elepaio	X
*Chasiempis sandwichensis gayi	Oahu 'Elepaio	'Elepaio	X

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SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
*Chasiempis sandwichensis sclateri	Kauai 'Elepaio	'Elepaio	X
*Moho nobilis	Hawaii 'Ō'Ō	'Ō'Ō	O
*Moho bishopi	Molokai 'Ō'Ō	'Ō'Ō	O
*Moho apicalis	Oahu 'Ō'Ō	'Ō'Ō	O
*Moho braccatus	Kauai 'Ō'Ō	'Ō'Ō'a'a	X
*Chaetoptila angustipluma	Kioea		O
*Hemignathus virens virens	Hawaii 'Amakihi	'Amakihi	X
*Hemignathus virens wilsoni	Maui 'Amakihi	'Amakihi	X
*Hemignathus virens chloris	Oahu 'Amakihi	'Amakihi	X
*Hemignathus virens stejnegeri	Kauai 'Amakihi	'Amakihi	X
*Hemignathus parvus	'Anianiau (Lesser 'Amakihi)	'Anianiau	X
*Hemignathus sagittirostris	Greater 'Amakihi		O
*Oreomystis mana	Hawaii Creeper		X
*Oreomystis bairdi	Kauai Creeper	'Akikiki	X

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- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
*Paroreomyza montana newtoni	Maui Creeper	'Alauwahio	X
*Paroreomyza montana montana	Lanai Creeper	'Alauwahio	O
*Paroreomyza flammea	Molokai Creeper	Kakawahie	X
*Paroreomyza maculata	Oahu Creeper	'Alauwahio	X
*Loxops coccineus coccineus	Hawaii 'Akepa	'Akepeu'ie	X
*Loxops coccineus ochraceus	Maui 'Akepa	'Akepeu'ie	X
*Loxops coccineus rufus	Oahu 'Akepa	'Akepeu'ie	O
*Loxops coccineus caeruleirostris	Kauai 'Akepa	'Akeke'e	X
*Melamprosops phaeosoma	Po'ouli		X
*Hemignathus obscurus obscurus	Hawaii 'Akialoa	'Akialoa	O
*Hemignathus obscurus lanaiensis	Lanai 'Akialoa	'Akialoa	O
*Hemignathus obscurus ellisianus	Oahu 'Akialoa	'Akialoa	O
*Hemignathus procerus	Kauai 'Akialoa	'Akialoa	X
*Hemignathus lucidus affinus	Maui Nuku-pu'u	Nuku-pu'u	X
*Hemignathus lucidus lucidus	Oahu Nuku-pu'u	Nuku-pu'u	O

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- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
*Hemignathus lucidus hanapepe	Kauai Nuku-pu'u	Nuku-pu'u	X
*Hemignathus munroi	'Akiapōlā'au	'Akiapōlā'au	X
*Pseudonestor xanthophrys	Maui Parrotbill		X
*Psittirostra psittacea	'Ō'u	'Ō'u	X
*Telespyza ultima	Nihoa Finch		X
*Telespyza cantans	Laysan Finch		X
*Loxioides bailleui	Palila	Palila	X
*Rhodacanthis palmeri	Greater Koa Finch	Hopue	O
*Rhodacanthis flaviceps	Lesser Koa Finch		O
*Chloridops kona	Kona (Grosbeak) Finch		O
*Himatione sanguinea sanguinea	'Apapane	'Apapane	X
*Himatione sanguinea freethii	Laysan Honeycreeper		O
*Palmeria dolei	Crested Honeycreeper	'Ākohekohe	X
*Ciridops anna	'Ula-'ai-hāwane	'Ula-'ai-hāwane	O
*Vestiaria coccinea	'I'iwi	'I'iwi	X
*Drepanis funerea	Black Mamo	Hoa or Oo-nuku-umu	O

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Birds (cont.)</u>			
* <i>Drepanis pacifica</i>	Hawaii Mamo	Mamo	O
<u>Indigenous Mammals</u>			
* <i>Lasiurus cinereus semotus</i>	Hawaiian (Hoary) Bat	'Ōpe'ape'a	X
* <i>Monachus schauinslandi</i>	Hawaiian Seal	'Īlio-holo-i-kauaua	X
<i>Balaenoptera physalus</i>	Fin Whale		R+
<i>Balaenoptera acutorostrata</i>	Minke Whale		M
<i>Megaptera novaengliae</i>	Humpback Whale	Koholā	M
<i>Physeter catodon</i>	Sperm Whale	Palaoa, Koholā, kepama	M
<i>Mesoplodon densirostris</i>	Densebeaked Whale		R+
<i>Orcinus orca</i>	Killer Whale		R+
<i>Pseudorca crassidens</i>	False Killer Whale		R
<i>Feresa attenuata</i>	Pygmy Killer Whale		R
<i>Peponocephala electra</i>	Melon-headed Whale		R
<i>Globicephala macrorhynchus</i>	Pilot Whale		R
<i>Kogia breviceps</i>	Pygmy Sperm Whale		R+
<i>Tursiops gilli</i>	Pacific Bottlenose Dolphin	Nai'a	X
<i>Steno bredanensis</i>	Rough-toothed Dolphin	Nai'a	X
<i>Stenella attenuata</i>	Spotted Dolphin	Nai'a	X

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Status
<u>Indigenous Mammals (cont.)</u>			
<i>Stenella longirostris</i>	Spinner Dolphin		
	Nai'a		X
<i>Stenella coeruleoalba</i>	Striped Dolphin		R+

- \* Endemic to Hawaiian Islands
- X Breeding population
- R Regular migrant
- R+ Uncommon but regular sightings
- M Regular winter migrant
- O Considered to be extinct

EXHIBIT 2 - Chapter 13-124  
6/13/96

List of Species of Endangered  
Wildlife in Hawaii

SCIENTIFIC NAME COMMON NAME HAWAIIAN NAME	Portion of Range where Endangered
<u>Endangered Birds</u>	
<i>Pterodroma phaeopygia sandwichensis</i> Dark-rumped (Hawaiian) Petrel 'Ua'u	Entire
<i>Oceanodroma castro cryptoleucura</i> Band-rumped (Hawaiian, Harcourt) Storm-petrel 'Oeoe	Entire
<i>Nesochen sandwichensis</i> Hawaiian Goose Nēnē	Entire
<i>Anas laysanensis</i> Laysan Duck	Entire
<i>Anas wyvilliana</i> Hawaiian Duck Koloa-maoli	Entire
<i>Buteo solitarius</i> Hawaiian Hawk 'Io	Entire
<i>Gallinula chloropus sandvicensis</i> Common Moorhen (Hawaiian Gallinule) 'Alae 'ula	Entire
<i>Fulica americana alai</i> American (Hawaiian) Coot 'Alae ke'oke'o	Entire
<i>Himantopus mexicanus knudseni</i> Black-necked (Hawaiian) Stilt Āe'o	Entire
<i>Asio flammeus sandwichensis</i> Short-eared (Hawaiian) Owl Pueo	Oahu
<i>Corvus hawaiiensis</i> Hawaiian Crow 'Alalā	Entire
<i>Myadestes lanaiensis rutha</i> Molokai Thrush Oloma'o	Entire
<i>Myadestes myadestinus</i> Kauai Thrush Kāma'o	Entire

SCIENTIFIC NAME COMMON NAME HAWAIIAN NAME	Portion of Range where Endangered
<u>Endangered Birds (cont.)</u>	
Myadestes palmeri Small Kauai Thrush Puaiohi	Entire
Acrocephalus familiaris kingi Nihoa Millerbird	Entire
Moho braccatus Kauai 'Ō'ō 'Ō'ō 'a'a	Entire
Hemignathus virens wilsoni Maui 'Amakihi 'Amakihi	Lanai
Oreomystis mana Hawaii Creeper	Entire
Paroreomyza flammea Molokai Creeper Kakawahie	Entire
Paroreomyza maculata Oahu Creeper 'Alauwahio	Entire
Loxops coccineus coccineus Hawaii 'Akēpa 'Akepeu'ie	Entire
Loxops coccineus ochraceus Maui 'Akēpa 'Akepeu'ie	Entire
Melamprosops phaeosoma Po'ouli Po'ouli	Entire
Hemignathus procerus Kauai 'Akialoa 'Akialoa	Entire
Hemignathus lucidus affinis Maui Nuku-pu'u Nuku-pu'u	Entire
Hemignathus lucidus hanapepe Kauai Nuku-pu'u Nuku-pu'u	Entire
Hemignathus munroi 'Akiapōlā'au 'Akiapōlā'au	Entire
Pseudonestor xanthophrys Maui Parrotbill	Entire
Psittirostra psittacea 'Ō'u 'Ō'u	Entire

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Portion of Range where Endangered
<u>Endangered Birds (cont.)</u>			
Telespyza cantans	Laysan Finch		Entire
Telespyza ultima	Nihoa Finch		Entire
Loxioides bailleui	Palila	Palila	Entire
Palmeria dolei	Crested Honeycreeper	'Akohekohe	Entire
Vestiaria coccinea	'I'iwi	'I'iwi	Oahu, Lanai & Molokai
<u>Endangered Mammals</u>			
Lasiurus cinereus semotus	Hawaiian (Hoary) Bat	'Ope'ape'a	Entire
Monachus schauinslandi	Hawaiian Seal	'Īlio-holo-i-kauaua	Entire
Megaptera novaeangliae	Humpback Whale	Koholā	Entire
Balaenoptera physalus	Fin Whale		Entire
Physeter catodon	Sperm Whale	Palaoa, Koholā kepama	Entire
<u>Endangered Reptiles</u>			
Eretmochelys imbricata bissa	Pacific Hawksbill Sea Turtle	Ea	Entire
Dermochelys coriacea schlegelii	Pacific Leatherback Sea Turtle		Entire
<u>Endangered Mollusks</u>			
Achatinella spp.	Oahu (Achatinella) Tree Snails		Oahu

EXHIBIT 3 - Chapter 13-124  
6/13/96

List of Species of Threatened  
Wildlife in Hawaii

SCIENTIFIC NAME	COMMON NAME	HAWAIIAN NAME	Portion of Range where Threatened
<u>Threatened Birds</u>			
<i>Puffinus auricularis newelli</i>	Townsend's (Newell's) Shearwater	'A'o	Entire
<i>Gygis alba rothschildi</i>	White (Fairy) Tern	Manu-o-ku	Oahu
<u>Threatened Reptiles</u>			
<i>Careta careta</i>	Loggerhead Sea Turtle		Entire
<i>Chelonia mydas agassizi</i>	Pacific Green Sea Turtle	Honu	Entire
<i>Lepidochelys olivacea</i>	Olive (Pacific) Ridley Sea Turtle		Entire

EXHIBIT 4 - Chapter 13-124  
2/1/97

Introduced Wild Birds Other than  
Game Birds Which Have Become  
Established in the Wild

<u>Common Name</u>	<u>Scientific Name</u>
GEESE, DUCKS Mallard	ANATIDAE Anas platyrhynchos
DOVES Rock Dove, Common Pigeon, Domestic Pigeon	COLUMBIDAE Columba livia
PARAKEETS Rose-ringed Parakeet	PSITTACIDAE Psittacula krameri
BARN OWLS Barn Owl	TYTONIDAE Tyto alba
SWIFTLETS Island Swiftlet, Gray Swiftlet, Uniform Swiftlet	APODIDAE Aerodramus vanikorensis
LARKS Eurasian Skylark	ALAUDIDAE Alauda arvensis
BULBULS Red-vented Bulbul Red-whiskered Bulbul	PYCNONOTIDAE Pycnonotus cafer Pycnonotus jocosus
BUSH-WARBLERS, THRUSHES, ETC. Uguisu, Japanese Bush-Warbler Shama Thrush, White-rumped Shama  Greater Necklaced Laughing-thrush Gray-sided Laughing-thrush Melodious Laughing-thrush, Chinese Thrush, Hwamei Red-billed Leiothrix, Pekin Nightingale, Japanese Hill-robin	MUSCICAPIDAE Cettia diphone Copsychus malabaricus Garrulax pectoralis Garrulax caerulatus Garrulax canorus  Leiothrix lutea
MOCKINGBIRDS Northem Mockingbird	MIMIDAE Mimus polyglottos
STARLINGS, MYNAS Common myna	STURNIDAE Acridotheres tristis

WHITE-EYES

Mejiro, Japanese White-eye

CARDINALS, MEADOWLARKS, ETC.

North American or Kentucky Cardinal,

Northern Cardinal

Brazilian Cardinal, Red-crested

Cardinal

Yellow-billed Cardinal

Yellow-faced Grassquit

Saffron Finch

Western Meadowlark

FINCHES

Linnet, House Finch

Green Singing-Finch, Yellow-fronted  
Canary

Canary, Common Canary

OLD WORLD SPARROWS

English Sparrow, House Sparrow

WAXBILLS, MANNIKINS

Red-cheeked Cordonbleu

Lavender Waxbill

Orange-cheeked Waxbill

Red-eared Waxbill, Black-rumped  
Waxbill

Common Waxbill

Strawberry Finch, Red Munia, Red  
Avadavat

Warbling Silverbill

Ricebird, Spotted Munia, Nutmeg  
Mannikin

Black-headed Mannikin or Munia,  
Chestnut Mannikin

Java Sparrow

ZOSTEROPIDAE

Zosterops japonicus

EMBERIZIDAE

Cardinalis

cardinalis

Paroaria coronata

Paroaria capitata

Tiaris olivacea

Sicalis flaveola

Sternella neglecta

FRINGILLIDAE

Carpodacus

mexicanus

Serinus mozambicus

Serinus canaria

PASSERIDAE

Passer domesticus

ESTRILDIDAE

Uraeginthus

bengalus

Estrilda

caerulescens

Estrilda melpoda

Estrilda

troglodytes

Estrilda astrild

Amandava amandava

Lonchura malabarica

Lonchura punctulata

Lonchura malacca

Padda oryzivora

EXHIBIT 5 - Chapter 13-124  
2/1/97

List of Species of Injurious  
Wildlife in Hawaii

<u>Common Name</u>	<u>Scientific Name</u>
<b>BIRDS</b>	
Bulbul, Red-vented	<i>Pycnonotus cafer</i>
Bulbul, Red-whiskered	<i>Pycnonotus jocosus</i>
Mannikin or Munia, Black-headed (Chestnut Mannikin)	<i>Lonchura malacca</i>
Parakeet, Ring-necked (Rose-ringed Parakeet)	<i>Psittacula krameri</i>
Sparrow, Java (Java Rice Finch)	<i>Padda oryzivora</i>
<b>AMPHIBIANS/REPTILES</b>	
Frogs	All species in the Order Anura
Chameleon, Jackson's	<i>Chamaeleo jacksoni</i>
Gecko, Tokay	<i>Gekko gekko</i>
Geckos, Day	All species in the genus <i>Phelsuma</i>
Iguana, Green	<i>Iguana iguana</i>
Lizards, Anole	All species in the genus <i>Anolis</i>
Slider, Red-eared	<i>Trachemys scripta</i>
Turtle, Wattle-necked soft-shelled	<i>Palea steindachneri</i>
Turtle, Chinese soft-shelled	<i>Pelodiscus sinensis</i>
<b>INVERTEBRATES</b>	
Snails, Apple	All species in the genera: <i>Pomacea</i> , <i>Pila</i> , and <i>Cipangopaludina</i>
Snail, European brown	<i>Helix aspersa</i>
Snail, Giant African	<i>Achatina fulica</i>
Snail, Cannibal	<i>Euglandina rosea</i>
(no common name)	<i>Gonaxis kibweziensis</i>
Clam, Asiatic	<i>Corbicula fluminea</i>