



University of Hawaii at Manoa

Hawaii Institute of Marine Biology
P.O.Box 1346 • Coconut Island • Kaneohe, Hawaii 96744
Cable Address: UNIHAW

July 3, 1975

Director (FWS/LE)
Fish and Wildlife Service
U. S. Department of the Interior
P. O. Box 19183
Washington, D. C. 20036

Dear Sir:

I would like to take this opportunity to offer comments on the proposal to provide "threatened" status protection for the green, loggerhead and Pacific ridley sea turtles as detailed in the Federal Register on May 20, 1975. As the principal investigator of studies relating to the mariculture and population ecology of green turtles in Hawaii, these comments will represent the position of the Hawaii Institute of Marine Biology.

It is apparent that the proposed rules have resulted from a careful and in-depth examination of the conservation problems confronting the vast majority of the populations which comprise the three species under consideration. Although delays have resulted since the original petition was filed, both the Fish and Wildlife Service and the National Marine Fisheries Service deserve commendation for taking decisive action in this matter. I strongly support the proposed rules in essentially their present form and urge that implementation occur at the earliest possible date.

The following specific comments and suggestions have been set forth for consideration:

1. I was particularly encouraged to see that the proposal recognizes that each species of sea turtle consists of distinct and reproductively isolated populations. Although seemingly large numbers of animals may still occur at certain locations, the majority of the populations are indeed threatened (if not endangered) with extinction, thereby deserving of protection for the entire group. Protecting one population will in no way aid in the survival of other unique and preservation-worthy populations.

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2. Although some subsistence taking of green turtles still occurs in Hawaii, I nevertheless must endorse the total ban of such activity, at least for the present time. As suggested, numerous alternate food sources are available from the sea and, based on my knowledge of the Hawaiian green-turtle population, continued killing cannot be justified if viability is to be ensured. Recent protective measures enacted by the State of Hawaii must be regarded as less than optimal and extremely belated. Comprehensive investigations are needed on those animals utilizing feeding pastures around the major inhabited Hawaiian islands. The results of such studies are absolutely essential to the formulation of a harvesting plan for subsistence or any other purposes. Unfortunately, the State has not yet seen fit to commit specific research funds to study its own native green turtle resource. Given the dismal history of exploitation and habitat destruction of Hawaii's turtles, continued taking in the absence of an ecologically sound management plan may very well result in the total elimination of this unique land basking Chelonia population.

3. Concerning the exception which involves incidental catch, I believe that sub-section 2 should correctly read:

"The person responsible for the fishing gear or vessel was not fishing in an area of substantial breeding or feeding of any such wildlife;"

4. The exception which relates to mariculture operations places the welfare of naturally occurring turtle populations ahead of vested foreign or domestic corporate interests. The "burden of proof" for all claims in this complex matter rightfully rests with the advocates. The proposed rules make this point entirely clear. Without the qualifications that have been carefully spelled out, that is, without full accountability accompanied by adequate safeguards, conservation results of the proposal would at best be problematic.

5. Concerning the exception which involves wildlife held in captivity or in a controlled environment, it would appear that sufficient allowances have not been made for "commercial" display facilities such as aquaria and oceanaria. Because of the educational benefits derived, specimens held by these establishments should receive exemption, provided they were previously acquired in a legal manner. Because some establishments are in possession of excessive numbers of sea turtles (specifically Chelonia), and because some facilities are grossly inadequate for larger specimens,

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it would seem desirable to encourage a retention of only those animals that can be given proper care and are actually needed for the purposes intended.

As you may be aware, the subject of commercial exploitation of sea turtles, including the problems of mariculture, was investigated by a special task force convened by the International Union for the Conservation of Nature during November, 1974. The results of this meeting are most relevant to the proposed rules. If for some reason you are not already in possession of the findings, I suggest that you directly contact IUCN headquarters in Morges, Switzerland at the earliest possible opportunity.

Sincerely,

George H. Balazs
Jr. Marine Biologist

GHB:md