

Letters

Protecting turtles

I would like to commend the Hawaii Tribune-Herald for the 5/25 informative article by Dave Smith, on the recently approved SCR 89 concerning Punalu'u and Kamehame Beaches in Ka'u.

I would like to add a note of thanks to Sen. Andy Levin for his leadership in passing this piece of vital legislation. I also want to express my gratitude for the hard work of the dedicated office staff of Sen. Levin. Finally, mahalo to those who brought their concerns about Punalu'u to my attention, to those who attended the public forum at Punalu'u Beach, and to those who provided written comments on the legislation.

The residents, endangered Hawksbill turtles, the threatened green sea turtles, and other flora and fauna will benefit greatly if Punalu'u and Kamehame Beaches can be given the protections they deserve.

I would also like to correct a bit of misinformation. A vendor at Punalu'u called me today and requested that it should be noted that he does pay an unspecified amount of rent to Roberts Hawaii for the structure that is on the beach. It remains unclear as to why Roberts Hawaii is collecting rent on land that is makai of the high tide line and properly belongs to the people of the State of Hawaii. For these and other reasons, it is wonderful that this

study is being done, as required by SCR 89. We need to work out these concerns and answer these questions.

Councilmember Julie Jacobson
Puna, Ka'u & Kona

Aloha at Kiholo Bay

It's pretty amazing. I look back now on the kindness shown to me by a lady whose name I did not get.

Saturday afternoon hiking at Kiholo Bay, I fell and hurt my elbow. Sitting in pain and wondering how to handle this, she just appeared...from nowhere...with a First Aid Kit. "I never leave home without it," she explained. "I'm a health nurse at a school, here today with my kids."

Lucky for me! What a good heart she has. What a selfless sense of giving she has for a total stranger.

To that lady: Your help and advice were valuable to me. I'm much improved now by the way. Although I did thank you then for your help, I think you deserve more. If only I knew your name. I would repeat it here to recognize your aloha, and to thank you again.

Tom Forbes
Hilo

Punalu'u Preservation

Turtle Meeting Agenda

June 14, 2000

**For: Balazs
From: WGG
FYI**

- Pule
- Introductions – (who are you)
- What is your role in the protection of endangered species
- Immediate problems concerning Punalu'u's Green Sea turtles- Honu and Hawksbill turtles – Honu'ea
- Governmental responsibilities to endangered species
- Protective Laws
- Discussion/Possible solutions
- Protective measures for nesting season 2000
- Community involvement and support groups
- Networking
- Closing
- Pule
- Pau

Date: Mon, 3 Jul 2000 08:51:05 -1000
From: Casey Jarman <jarman@aloha.net>
To: Larry Katahira <larry_katahira@nps.gov>,
George Balazs <gbalazs@honlab.nmfs.hawaii.edu>
Subject: Sat Punalu'u mtg.

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A summary of "highlights of the meeting, FYI.....Bill

High attendance at the community center....I'd say 150+ !

Most "discussion" was on whether the area might be a state park and whether the beach road should be closed.....on both issues, nearly all speakers were against both.

A large part of the discussions focussed on the desire to continue camping near/on the beach....and that the state park may take this away. I suggested to the group that if camping was that important to the community (and irrespective of their concern for the turtle issue) they needed to do something to get the area around the beach into public property, away Roberts or any other private holder to ensure their long term access/use.

Turtles, per se, did not come up often, but when they did the presenters often said that they themselves were "threatened or endangered" by any limits on use of this area and that this beach was very important to the community of Pahala and all of Ka'u....esp in summer, kids had little else to do ex go to the beach! A few speakers (those that did mention Kamehame) suggested it should be the area where any restrictions on human actions should be taken.

The only other time I spoke was when turtles were getting blamed for this gov't assault on their recreational area.....I said that speaking for myself (I made this clear as best I could) that 1) I recognized the importance of this area to the community and their activities there should not be restricted, 2) the greens that were using these waters/beaches seemed pretty tolerant of the human activity and that the few locally proposed actions of fencing off baskers and educating the bus drivers should help keep this under control, and 3) that the few hawksbills that were nesting at punalu'u also (to best of my knowlwdge) nested at Kamehame, so they knew the beach options available to them and their occassional nesting at Punalu'u meant that area was acceptable to them, and if not, they knew the way to Kamehame.

Guy Enriques kept it all pretty well under control. The biggest disruption to the meeting came just before the end (it actually precipitated the end of the meeting) was Keola coming in with about 15 of her students, demanding to be heard (she had not attended any of the previous 2.5 hr of meeting, but other family members were there and spoke). She began a scathing commentary on the process and issues that had been discussed, though she had not been there for any of it....really turned most attendees off and the meeting ended as she was talking and most others walking out. Too bad she did this.

Jacobsen and Levin said they wanted to do what the community wanted....if this gathering was representative of the "community" then no change in the near future seems likely. And it only took 2.5 hr!

Date: Thu, 11 May 2000 08:44:08 +0100
From: BRENDAN & ANNETTE <MTN@SWANSEA.AC.UK>
To: "George H. Balazs" <gbalazs@honlab.nmfs.hawaii.edu>
Subject: Fw: MTN Editorial

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FYI

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>
>lisa lobello has submitted the following Letter to the Editors of the
Marine Turtle Newsletter:

>
>STUDENT
>Submitted Wednesday, May 10, 2000

>
>I WAS VERY HAPPY TO SEE A CONTRIBUTION TO YOUR NEWSLETTER #79...REGARDING
GREEN TURTLES IN THE UAE...BY DR. GEORGE BALAZS. LAST SUMMER I HAD THE
PLEASURE OF SPENDING SOME TIME WITH DR. BALAZS WHILE TAKING A SUMMER
SEMESTER AT THE UNIVERSITY OF HAWAI'I, HILO. AS PART OF AN ADVANCED
OCEANOGRAPHY LAB CLASS, OUR CLASS WAS GRANTED PERMISSION BY THE NATIONAL
MARINE FISHERIES SERVICE TO ASSIST DR. BALAZS AND HIS STAFF IN TAGGING
GREENS OFF OF A BLACK SAND BEACH, JUST SOUTH OF VOLCANOES NATIONAL PARK,
CALLED PUNALU'U. HE AND HIS STAFF STAYED ON LAND TO DO THE "WORK-UPS" OF THE
TURTLES, AND ALLOWED THE STUDENTS TO DO THE HAND CAPTURES. IT WAS THE BEST
AND MOST MEMORABLE EXPERIENCE OF MY LIFE, AND I LEARNED SO MUCH IN JUST THAT
ONE DAY! BECAUSE OF THIS, I AM SERIOUSLY CONSIDERING SPECIALIZING IN SEA
TURTLES. I HAVE JUST COMPLETED MY JUNIOR YEAR AT FAIRLEIGH DICKINSON
UNIVERSITY IN TEANECK, NEW JERSEY, AND WILL GRADUATE NEXT YEAR WITH A B.S.
IN MARINE BIOLOGY. I WILL SOON AFTER RELOCATE !
>TO THE WEST COAST OF FLORIDA, WHERE THERE ARE MANY OPPORTUNITIES IN THE
FIELD. I COULD NOT BE HAPPIER WITH MY CAREER CHOICE, AND I LOOK FORWARD TO
MY FUTURE, WHICH INCLUDES GRAD SCHOOL. IT WAS NICE TO READ SOMETHING
AUTHORED BY ONE OF THE GREATEST SEA TURTLE EXPERTS EVER! AND BY THE WAY,
BRAVO ON YOUR WEBSITE, AND I LOOK FORWARD TO CHECKING IT ON A REGULAR BASIS!
SINCERELY, LISA OCKELMANN-LOBELLO

>
>Ridgefield Park, NJ USA
>blondie2321@juno.com

Laupahoehoe students'

HAWAII TRIBUNE HERALD

J. Keolalani Hanoa
Viewpoint

2-18-00 7

This letter is to commend teacher Donna Leong and her outstanding students at Laupahoehoe High School for their support in educating their communities and fellow students about the serious problems that plague the endangered Hawksbill turtles and threatened green sea turtles that inhabit Punalu'u Black Sand Beach.

On Jan. 13, 2000, the students of Laupahoehoe High School held a turtle conference to educate fellow students and their communities about the daily desecration of our natural resources in conservation districts directly impacting the nesting habitat of our endangered sea turtles. They relentlessly investigated state, federal and County of Hawaii laws that pertain to special management areas. They inquired about the permitting process for existing building on the beach only to find that there are no CDUA permits, which are illegal to the State Con-

servation District administrative rules. They discovered numerous violations pertaining to the illegal sale of sand and rocks for commercial use and the lack of enforcement of existing federal laws that protect endangered species.

This controversy transpired last fall when Kumu Donna Leong along with her students came to Punalu'u for a two-day excursion to learn environmental science and traditional ahupua'a lifestyle from the resources of the Ka'u district. They were hosted at Kukulu Kumuhana's Learning Center, where students were immersed in culture, utilizing Punalu'u as a living classroom. They assisted interns from the National Park Service Honu Project for two days, monitoring nesting female Hawksbills. They were taught traditional shoreline fishing techniques by local fishermen and kupuna. Within those two days, the students immediately bonded with the aina and ancient turtles. They learned about the various places of significance while on their daily hikes and while clean-

conservation efforts praised

ing the beach. Students immediately noticed the "Removal of Sand Prohibited" sign erected directly in front of the vendor's shops. Then they saw vendor's with sand and rocks vividly displayed on the counters. As the "truth comes from the mouths of babes," they respectfully proceeded to ask the vendor's, "Why are you selling sand and rocks?" They expressed the fact that it was an illegal act of desecration to the Hawksbills nesting habitat. One vendor lashed out at them, asking who sent them and said it was none of their business. He then called the principal of their school and stated that the students were harassing him, and falsely reported that they were unsupervised and his point of views was not being represented fairly. The vendor was then invited to be a panelist at the turtle conference to express his concerns and have an opportunity for fair representation. He refused, stating he would be out of town. This is what inspired students to support Punalu'u Preservation's crusade to save the endangered Hawkbills (Honu'ea) and their

native habitat.

These students are a true example of leadership and integrity! They will make excellent leaders for the future! They deserve recognition for taking an active role in preserving their environment, and then taking it a step further as to educate their school, families and communities! On behalf of Punalu'u Preservation and the Hawksbills at Punalu'u, we would like to express our gratitude and aloha for your support in bringing forth awareness, and to Kumu Donna Leong! Teachers like you are the role models our children need to move forward into the 21st century! You have taught them well, the law of the land in sustaining all species of life. Our children become our greatest teachers, and the vendor's harshness towards innocent students for speaking the truth, and upholding the law only displays his ignorance. Be a part of the solution, not the problem.

J. Keolalani Hanoa is the cultural educator/director of Kukulu Kumuhana 'O Ka'u Learning Center.

Page 1 story

Solutions sought for problems at Punaluu

APLOGIES FOR POOR QUALITY - GHB

Resolution by two isle lawmakers creates group to study issues

By Dave Smith
Tribune-Herald

The issues are numerous, including conflicts between tourists and nature, a road some say must be closed, and vendors who may be selling off the very beach on which they operate.

Those and other problems at Punaluu, the most accessible beach in Ka'u, have plagued government officials for years. Two Big Island lawmakers have come up with what they hope is a path to solutions.

A resolution approved during the recent session of the state Legislature calls for the establishment of a "working group" to study the issues surrounding Punaluu and Kamehameha, a prolific turtle nesting beach



HTH
5-28-00

two miles to the north.

The measure introduced by state Sen. Andy Levin, D-Ka'u, South Kohala, calls for a panel made up of community members as well as various government representatives to come up with recommended solutions to be presented to the Legislature before its 2001 session.

According to Julie Jacobson, the County Council member who represents Ka'u, one of the primary issues that must be resolved is who has jurisdiction over what at Punaluu.

Jacobson, who helped write Senate Resolution 89, said she has had trouble finding government agencies willing to "step up to the bat" on Punaluu issues.

Part of the problems stems from questions about ownership of property around Punaluu's cove, a favorite feeding area for the Hawaiian green sea turtle. The cove is flanked by a county park to the south and privately owned land to the north. By law, the black sand beach up to the high wash of the waves is state property.

To complicate matters further, the upper part of the beach is a known nest-

BEACH: Resolution aims to improve Punaluu area

From Page 1

ing area for the Hawaiian monk seal turtle. The animal is protected under the Endangered Species Act, and the beach itself is a frequent resting spot for green sea turtles, which are more common but still considered threatened under the federal law.

Although Kaneohe has more turtles nesting than any other beach in Hawaii, some officials say it has fewer problems primarily because it is subjected to far less human impact since there is no road to the area.

Jacobson said she discovered the jurisdictional vagueness when she reported people camping illegally "almost on top of a turtle nest" at Punaluu.

She said the state and county agencies she spoke to claimed they lacked authority in the matter.

"No one wanted to step up and do the enforcement," she said. "It's a big muddy picture on who should be looking out for whose interests."

Jacobson said a shoreline survey

and certification should be the first step. That would at least determine where the state land ends and property belonging to the Sea Mountain Resort, which was developed by C. Brewer but is now owned by a subsidiary of Roberts Hawaii, begins.

She said the interaction between humans and the nesting hawksbills and basking green sea turtles is also a growing source of concern.

Wildlife officials agree that if possible care should be taken with nesting hawksbills, which can be adversely affected by traffic, street and house lights and other human impacts, all topics for discussion by the working group.

But there is an ongoing debate about their basking cousins, who are sometimes poked, prodded or worse by curious tourists and other beachgoers. While such activities are roundly condemned, some experts say that some form of interaction can lead to education which may help the

species' long-term survival.

Efforts to educate the numerous busloads of tourists that arrive daily, including advice to stay at least 10 feet away from the animals, have so far failed.

The sandy road between the county park and the beach which the buses use is another major point of contention.

Some area residents — and most of the people testifying at a public hearing last year — say the road should be closed to protect the turtles. Although there is a paved road alternative a few hundred feet away, others say closing the sandy road would make it harder to visit the beach as well as vendors located there.

The working group must also consider the presence and role of vendors who sell their wares — which includes packets of black sand — from booths located less than 50 feet from the water's edge. Critics question whether the vendors, which

according to Jacobson lack state permits and pay no rent, are operating within the law or if their booths were legally constructed or located in the first place.

Although it is illegal to take sand from the beach, the vendors claim they get their sand from private property elsewhere, Jacobson said.

But even if that is true, those critical of the vending say such distinctions may be lost on tourists who might decide it is easier just to grab a handful of sand themselves.

According to the resolution, the beach is suffering from the removal of sand along with the inevitable subsidence of the shoreline caused by the gradual sinking of the Big Island.

The state Department of Land and Natural Resources is in charge of establishing the working group.

People interested in participating can call Deirdre Mamiya of the Land Division at 587-0426 on Oahu.

LETTERS

Punalu'u, Kamehame beaches

Aloha, Sens. Lorraine Inouye and Andrew Levin, and Councilwoman Julie Jacobsen.

We are Punalu'u Preservation a grassroots Ka'u organization consisting of Punalu'u residents and concerned citizens, whose mission is to protect Punalu'u's fragile shoreline, natural resources and endangered Honu and Honu'ea. On behalf of Punalu'u Preservation, we would like to express our sincere mahalo for all of your hard work in creating SCR 89 and it's success in the legislature this past session. Your persevering efforts in addressing the problems that plague Punalu'u has been honorable and shows a true example of leadership. Your compassion, courage and respect for Hawaii and it's native inhabitants should be commended. You have chosen to take responsibility in insuring the preservation and protection of Ka'u's wahu kapu (sacred places) and unique natural resources. The problems are numerous and critical, but through this study a corner stone will set the path towards solutions. It will bring awareness to all about the desecration of Punalu'u and constant abuse witnessed daily by residents to the endangered Honu and Honu'ea. Maha-lo again dear friends for listening to concerns of the native people and hearing the cries of the ancient Honu'ea.

Nana aku na maka o na Honu'ea "Seeing through the eyes of the Hawksbill"

Pele Hanoa
Punalu'u Preservation

Date: Tue, 29 Aug 2000 09:07:27 -1000
From: Casey Jarman <jarman@aloha.net>
To: George Balazs <gbalazs@honlab.nmfs.hawaii.edu>
Subject: Kawa hawkbill

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Here's status:

turtle came up 3X last week, last time on 8/25, this date was her 23rd day since last nest and the same interval between previous nestings....of course beach crew goes to sleep at 0200, sometimes earlier, so she was never seen on these occasions. These were all attributed to false nesting crawls. On 8/26, I started going there and stayed up to cover the early shift 0100/0200 to dawn.....but no activity since 8/25, so most likely she did nest on this date, they just couldn't locate where. My plan now is to try for her on next nesting, about mid Sept, when I return.

By the way, I am going to Wash/Calif 8/31 -- 9/15, so no e-mail checking during that time. If you want to get me for any reason, leave a msg. on 985-7041.

on Maui green, I agree that little protection effort there is fine, just need to convince a few Mauians of this.
--Bill

Turtles' nesting habits surprise biologists

By Dave Smith
Tribune-Herald

The 2001 nesting season for the Hawaiian hawksbill turtle has resulted in some unusual occurrences, including an unexpected surge in activity at one remote beach and the near-absence of the reptiles at a normally busy nesting area.

Over the past six months volunteers and staff of a turtle monitoring program documented nesting by 10 female hawksbill turtles on Big Island beaches. The turtles, including two tagged for identification purposes for the first time, laid a total of 28 nests. Hawksbill turtles can lay up to six clutches of eggs each season.

During the 2000 nesting season seven of the endangered turtles were observed laying a total of 25 nests. The previous year 18 turtles were documented nesting, the second-highest

total since tagging of hawksbills began in 1991. In the past 11 years a total of 52 nesting female hawksbills have been given tags.

As in past years, most of the nesting activity in 2001 took place at Kamehame. The remote Ka'u beach, located several miles north of Punaluu, accounted for 15 of this year's nests.

However, for the second year in a row turtle activity was down significantly at Apua Point, a beach some 20 miles further north which is usually the second-most prolific hawksbill nesting beach on the island. Only two nests were laid this year at Apua and none the year before.

Larry Katahira, a resource management specialist at Hawaii Volcanoes National Park, said biologists are unsure why the turtles have not been frequenting Apua. The beach pro-

See HAWKSBILL
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2001
APOLOGIES
for quality
GMB

HAWKSBILL: Turtles changing nesting sites

From Page 1

duced six nests in 1999.

Katahira said the complete lack of nesting at Apua last year was a surprise to those involved in the 11-year-old turtle program.

"That was the first time since we've been monitoring that we haven't documented a nesting at Apua," he said, adding that some turtles that usually nest at Apua may have nested unnoticed at other beaches.

The change does not necessarily signal a problem as

hawksbill turtles nest every two to five years.

Hawksbill nesting has been known to occur at at least nine beaches on the Big Island, one beach on Maui and at an unknown number on Mo'orea.

On the Big Island, volunteers under Katahira's direction maintain vigils at Apua and Kamehame and visit other nesting areas as often as possible to check for signs of nesting.

This year marked a marked increase of nesting activity at

Keauhou, including visits by a female hawksbill which had previously been tagged while nesting at Apua.

Hawksbill activity at Keauhou — one of three nesting areas, along with Apua and Halape, located inside the park's boundaries — was first observed by a camper in 1997.

This year two turtles, including one that was untagged, laid a total of five nests at Keauhou, the first documented activity there since 1997.

This year also marked the first time hawksbill nesting was observed on the north side of the Big Island, near where hawksbills are known to live between nesting forays. Evidence of nesting was found at Waimanu Valley by a park employee on a camping trip.

Satellite transponders have been used to verify that at least some hawksbills can be found most of the time feeding on sponges off the Hamakua coast.

Protecting Punalu'u and Its Threatened Honu

Two families whose roots go deep at Punalu'u, a popular but fragile beach area in Ka'u, one state senator and a county councilwoman are among those working together and individually to protect a resident whose ancestry goes back to the age of the dinosaurs — the Hawaiian green sea turtle, better known here as "honu."

BY LEILEHUA YUEN

The Senator's Resolution

A resolution introduced recently by State Senator Andy Levin calls for the convening of a working group to study Punalu'u and Kamehame beaches. The study will recommend actions to preserve and protect the beaches and endangered species, including turtles, which frequent them.

Levin has had a lifelong interest in endangered species, but has not before had much personal interaction specifically with turtles, although he laughingly says, "I did have a pet box turtle when I was five."

Levin says, "After going to [Ka'u Councilwoman] Julie Jacobson's meeting a couple of months ago, I was thinking of what I could do to help the turtles. So I introduced a resolution to call on DLNR to bring the community together to decide what can and should be done. I think Punalu'u is a tremendous natural resource which deserves to be protected.

... I give the credit to Julie for getting this started," Levin says.

Among the concerns to be addressed by the resolution are: Compliance with the federal Endangered Species Act; restoration of currently polluted resources, removal of dangerous or illegal structures, and the potential to recover costs from parties responsible for habitat destruction; integration of the area as a state park into the Ala Kahakai Trail System; opportunities for local craft and food vendors in the beach area; rights of way, including the elimination of motorized traffic on the existing road, and plans and designs for appropriate parking facilities; elimination or control of predators that harm endangered species; and identification of existing and potential sources of water pollution.

The Councilwoman's Park Proposal

Jacobson says, "Keolalani Hanoa called me shortly after I got elected to tell me that the county was prepar-



Efforts are underway to protect Punalu'u Black Sand Beach and the Hawaiian green sea turtle that often basks on the sand there. A monument recognizes the honu and tells an ancient legend.

HU PHOTO

ing to pave the road at Punalu'u. The county was trying to do the work based on an EIS (environmental impact statement) which had been done in 1988."

While work based on a ten-year-old environmental impact statement could be questionable, most of the environmental change appears to have occurred in 1975, when the coastline subsided.

Old maps show house lots on both

sides of the county road. Until then, the beach primarily was ma kai of all the house lots. After the subsidence, what remained of the beach moved ma uka, covering the road, filling in a pond, and burying portions of the stone walls which formerly stood between the house lots and the road. Though they are unusable, owners of the now-submerged ma kai lots still are required to pay property tax

on them.

Jacobson says, "the shoreline needs to be re-certified so we can say the state is responsible for this, and the feds are responsible for this, and C. Brewer is responsible for this. It needs to be clarified. When I first got started, it seemed like the issues were endangered species protection and erosion. But as I got into it I found a whole bunch of other issues," including historical, Hawaiian rights, and property rights."

The road "can't be closed off altogether," Jacobson says.

"There are inhabited properties and the residents need access. If they don't use the beach road, there is no vehicular way to reach the properties." The ma uka road, which has been suggested for access, is private, not a public right-of-way, and does not reach all of the lots.

Jacobson says she "would like to create a state park, taking the beach back to turtle habitat, putting the old restaurant back into use, moving the vendors, using the old parking lot for the buses. . . we need to keep the buses on pavement, where they belong." She also would like "the situation to be comparable to Hapuna or Richardson's, where you park a way off and then walk to the beach. . . There also needs to be more of a presence of personnel. That might be difficult, but an endangered species is concerned. It could be done like the rangers do it at Pu'uhonua o Honaunau, so you're not just telling people, 'Don't do that,' but you're explaining the value and importance of these animals."

Beach Vendors Help to Educate Tourists

On a recent Saturday, curio shop owner Guy Enriques appeared to be implementing some of the plan on his own. His family-owned line of kiosks sits in a disputed area of the beach. Enriques and his family are

active in educating people about the turtles at Punalu'u, and are trying to address other concerns as well.

Starting in the early 1950s, Enriques says, his "mom was pushing carts" to the beach, selling seed lei and souvenirs to visitors. Eventually the family built the kiosks. Since then, three tidal waves have washed across Punalu'u, and after each one, the family has pulled together to reopen the business. Today, four families, three of which are related, run the shops.

Responding to proposals to move vendors to another location, Enriques says, "we have made a living off these shops for over half a century. Move us in the back, and we may lose that ability to earn a living."

Enriques heads 'Ohana o Punalu'u, which seeks to address the access and use problems and provide education to visitors, including tour guides. The group would like to see better signage and speed bumps. The organization was formed about eight months ago in response to "the movement to shut the road down," Enriques says.

Jeannette Howard, Enriques' mother, was born, raised, and still lives in Punalu'u on a 99-year Bishop Estate lease property, Enriques says. He calls her the "longest living resident of Punalu'u."

A sign on one kiosk encourages visitors to ask about the turtles, how to observe them, swim with them, and learn "turtle etiquette." When questioned about the sign, Enriques is friendly, informative and knowledgeable. "There's one, right there," he points out. Apparently unperturbed, the turtle continues to bask as visitors watch and take photos. During a three-hour period, no visitors are observed touching the turtle.

"They're pretty used to people around here," Enriques says. "before, when it was legal to eat them, you never saw a turtle in here. If one showed up, we were on it! As long as this was a Hawaiian settlement, it probably hasn't been turtle

habitat. But now, we protect them. So they're coming around."

Enriques goes on to explain that these are honu, the threatened green sea turtles, which forage here and lay their eggs in the French Frigate Shoals. The honu 'ea, the endangered hawksbill, is the one which nests here and forages off Maui and this island's Hamakua coast.

Enriques says the turtle census report for 1999 listed four nest sites which, he says, is the highest recorded number of nests.

What about turtle etiquette? "Treat them like you want to be treated. If you see a turtle lying on the beach, don't go walking up to it and hitting it or trying to pick it up. Give it space.

Think. If you were lying on the beach, would you want someone to walk up to you and get in your face? Knock on your head? Dump water on you? It boils down to 'show respect.' Show the turtles the same respect you'd like to be shown."

Enriques has come under fire for selling sand at the kiosks.

"We used to sell sand from the beach. . . these kiosks have been here a long time. . . but now we get sand from another area. You know, things change, you learn more. Now when we see someone filling a container with sand, we try to discourage that and explain that this beach is an irreplaceable resource. We sell less sand in a whole day than one tourist takes

with one soda cup."

For This Original "Kuleana" Family, Saving the Turtles Means Saving Hawaiians

Another group, the Punalu'u Preservation Society, which is headed by Keolalani Hanoa, monitors turtles, cleans up the beach, and provides more formalized educational programs. The mission of the 13-year-old society is to protect and preserve the natural ecosystems of Punalu'u. "We were instrumental in stopping the big C. Brewer development which was going to take away three-fourths of the shoreline." The old C. Brewer property is now owned by Roberts.

"We are one of the three kuleana landowners who acquired these properties in the Great Mahele, nine generations ago, and continue to live on the land," Hanoa says. The three original kuleana families, she says, were the Carmichael-Whittingtons, Delbert Beamers, and Kuaimoku-Bangays, "the original 'oiwi of this area. . . We have blood ties to this place. This is a sacred area. This fishing village of Punalu'u is where the ali'i of

PUNALU'U—

Continued on page 14.

PUNALU'U —

Continued from page 13.

Hawai'i Island came under kapu. Kalaniopu'u, Keoua, Keawe, Kamehameha all came here for training."

Hanoa attributes at least part of the hawkbill increase at Punalu'u to the loss of Kaimu beach to the ongoing lava flow. She says that between human encroachment and natural beach loss, the turtles have had steadily decreasing options for nesting sites.

While Punalu'u may not have had a lot of turtles in historic times, the legend of Kauila, the turtle kupua protectress of Punalu'u, indicates that, in the past, the honu was an important feature of the area. Now that the turtles have returned, they must be protected, she says. "It's about responsibility, the responsibility we have to the 'aina and the village we have genealogical ties to. These honu are our aumakua. If they leave, the Hawaiian people leave. We have to save them to save ourselves."

Hanoa says, "My mana'o is that this beach belongs to all of the people of this state, not to one family. We should not sell sand and rocks. She says the larger issue is that when anyone sells the sand and stones, even in a controlled situation, then visitors are more likely to take larger quantities in uncontrolled situations, causing increased erosion. She also cites heavy traffic, especially buses and speeding cars, as a contributing factor in the accelerated erosion of the sand.

Hanoa reports sightings of people sitting on the turtles, poking, and otherwise abusing them - the same problems which occur at Pu'u honua o Honaunau National Historical Park and Kaloko-Honokohau NHP. Both Enriques and Hanoa try to educate such people.

Pollution is another concern of Hanoa. "We have a shoreline filled with anchialine ponds which are being destroyed by pollution sources such as people defecating and urinating" in the area, she says, adding that the existing restrooms are inadequate for the current visitor count, which can reach 1,000 on a holiday. She would like to see the Roberts property become an educational center, with parking and a camping area with composting toilets. This would be an opportunity to right an old wrong, she says. "They built the restaurant on ancient ali'i burials. The restaurant has always been haunted, the golf shop has been haunted . . . the aina has it's own laws."

Hanoa does not want to see either human exacerbation of, or mitigation of, erosion at Punalu'u. She believes that the natural processes should be allowed to move the beach inland as it will.

"If akua is going to claim it, we cannot stop anything. We all eventually will be underwater, but we have to protect what we have right now," she says.

She does not see an immediate solution, but does see the working group as a first step in defining the problems and proposing possible solutions. "The problems are 50 years in the making," she said.

SENATE CONCURRENT
RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
CONVENE A WORK GROUP TO STUDY CONDITIONS AT PUNALU'U BEACH
AND THE NEAR-BY KAMEHAME BEACH AND RECOMMEND APPROPRIATE
ACTIONS TO PRESERVE AND PROTECT THE AREA'S ENDANGERED
SPECIES AND THE ECOSYSTEM.

1 WHEREAS, Punalu'u Beach, in the Ka'u district of Hawaii
2 County, is the only beach in the area that is accessible to
3 both Hawaii residents and tourists; it is the natural habitat
4 for the endangered Hawksbill turtle and other threatened
5 animals, including the green sea turtle; and
6

7 WHEREAS, Kamehame Beach, approximately two miles down the
8 coast from Punalu'u, is also a significant nesting site for the
9 Hawksbill turtle; and
10

11 WHEREAS, the endangered egg-laying turtles and hatchlings
12 such as the Hawksbill turtle, the green sea turtle, and the
13 Hawaiian duck that are known to breed, nest, or hatch at
14 Punalu'u Beach and the nearby Kamehame Beach, are disoriented
15 or harmed and their nesting sites are damaged or destroyed by
16 unmonitored camping and recreational activities, park lights,
17 road repairs, and predators that include rats, mongoose, cats,
18 and dogs; and
19

20 WHEREAS, Punalu'u Beach, a black sand beach formed by past
21 lava flows into the ocean, is a non-renewable beach because no
22 new black sand is replenishing it; it is suffering also from
23 the effects of subsidence and the illegal removal of beach sand
24 for sale by vendors; and
25

26 WHEREAS, overlapping jurisdiction among government

27 agencies has led to a lack of coordination in efforts in
28 protecting and managing Punalu'u Beach; and
29

30 WHEREAS, the establishment of a state park at Punalu'u
31 Beach or Kamehame Beach in Hawaii County would serve a public
32 interest by preserving and restoring the fragile ecosystem of
33 the area to protect the resident endangered and threatened
34 species, and by aiding the area's economy by creating a clean,

Page 2

S.C.R. NO.

89
S.D. 2

1 safe, and accessible beach with opportunities for local craft
2 and food vendors in the park; now, therefore,
3

4 BE IT RESOLVED by the Senate of the Twentieth Legislature
5 of the State of Hawaii, Regular Session of 2000, the House of
6 Representatives concurring, that the Department of Land and
7 Natural Resources is requested to convene a working group of
8 community members and representatives from state, county, and
9 federal government agencies to review the current conditions of
10 Punalu'u Beach and Kamehame Beach area and to recommend a
11 course of action that would provide a comprehensive solution to
12 protect endangered turtles and other threatened species and to
13 preserve the natural resources of the area; and
14

15 BE IT FURTHER RESOLVED that the Chairperson and the
16 working group are requested to consider the management and
17 staffing needs, jurisdiction, and enforcement of the Punalu'u
18 Beach and Kamehame areas, including the feasibility and
19 appropriateness of establishing a state park at Punalu'u Beach
20 or Kamehame Beach that would include a strong public education
21 and interpretive program, or, in the alternative, establishing
22 a nature or marine preserve in the area. The Chairperson and
23 the working group is requested to study, analyze, and provide
24 recommendations for issues including:
25

- 26 (1) Compliance with the Endangered Species Act;
- 27
- 28 (2) Restoration of currently polluted resources, the
29 removal of dangerous or illegal structures, and the
30 potential to recover costs from parties responsible
31 for habitat destruction;
- 32
- 33 (3) Integration of a state park into the federal Ala
34 Kahakai Trail System;
- 35
- 36 (4) Opportunities for local craft and food vendors in the
37 beach area;
- 38
- 39 (5) Rights of way, including the elimination of motorized
40 traffic on the existing sand road, and plans and
41 designs for appropriate parking facilities;
- 42

- 1 (6) Elimination or control of predators that harm
- 2 endangered species; and
- 3
- 4 (7) Identification and control of existing and potential
- 5 sources of water pollution;
- 6
- 7 and
- 8

9 BE IT FURTHER RESOLVED that the Chairperson of the Board
 10 of Land and Natural Resources is requested to submit an interim
 11 report of the working group to the Legislature twenty days
 12 before the convening of the Regular Session of 2001; and
 13

14 BE IT FURTHER RESOLVED that the Chairperson of the Board
 15 of Land and Natural Resources is requested to submit a final
 16 report of the working group to the Legislature twenty days
 17 before the convening of the Regular Session of 2002; and
 18

19 BE IT FURTHER RESOLVED that certified copies of this
 20 Concurrent Resolution be transmitted to the Chairperson of the
 21 Board of Land and Natural Resources, the Mayor and the
 22 Chairperson of the Council of the County of Hawaii, the
 23 Director of the Environmental Center of the University of
 24 Hawaii at Manoa, and the Earthjustice Legal Defense Fund.

STAND. COM. REP. NO. 3436

Honolulu, Hawaii
 , 2000

RE: S.C.R. No. 89
 S.D. 2

Honorable Norman Mizuguchi
 President of the Senate
 Twentieth State Legislature
 Regular Session of 2000
 State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred
 S.C.R. No. 89, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF
 LAND AND NATURAL RESOURCES TO CONVENE A WORK GROUP TO STUDY

CONDITIONS AT PUNALU'U BEACH AND THE NEAR-BY KAMEHAME BEACH
AND RECOMMEND APPROPRIATE ACTIONS TO PRESERVE AND PROTECT
THE AREA'S ENDANGERED SPECIES AND THE ECOSYSTEM, "

begs leave to report as follows:

The purpose of this measure is to request the Department of Land and Natural Resources to convene a study group to determine how to protect the endangered turtles and other threatened species at Punalu'u Beach and Kamehame Beach as well as the beaches themselves.

Your Committee finds that the overlapping governmental jurisdiction over the beach area is not functioning optimally in protecting the animals or the beaches. Your Committee believes that a comprehensive integrated multi-lateral public-private cooperative approach is highly desirable and beneficial in effectuating the common goal of conserving the ecosystem at the beach park areas.

a

SCR89 SD2

STAND. COM. REP. NO. 3436
Page 2

Your Committee has amended this measure by requesting an interim report for the Regular Session of 2001 as well as the final report for the Regular Session of 2002.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 89, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 89, S.D. 2.

Respectfully submitted on behalf
of the members of the Committee
on Ways and Means,

CAROL FUKUNAGA, Co-Chair

ANDREW LEVIN, Co-Chair

SCR89 SD2



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Science Center Honolulu Laboratory
2570 Dole St. • Honolulu, Hawaii 96822-2396
(808)983-5300 • Fax: (808)983-2902

150 COOMIS COURT
PRINCETON, NJ 08540

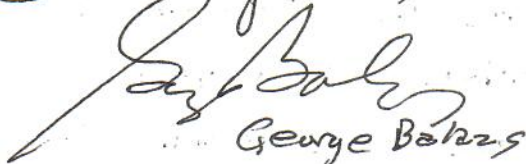
May 20, 2000

Dear Frank and Virginia Wiener:

Copies of your two letters to our governor, and to NMFS Headquarters office, have been shared with me. I am the principal researcher of sea turtles in Hawaii. I share your concerns. There is no excuse for people having "bad manners" - a lack of aloha - toward sea turtles. Education and a better understanding of turtle behavior are the key. Turtles have become more tame and accepting of human presence, during the past 20 years. I am doing what I can to improve the situation at Penalua. The area comes under several jurisdictions - State and county.

My view is that a "tour bus driver training/education project would be very helpful. This would facilitate better communication to the hundreds of visitors that stop for a short time each day at Penalua.

Best regards,


George Barz





**NATIONAL MARINE FISHERIES SERVICE
 OFFICE OF PROTECTED RESOURCES
 1315 EAST WEST HIGHWAY, ROOM 13657
 SILVER SPRING, MD 20910**

Pages to Follow: 2

Date: 5/12

TO: George Balanz

Phone #:

Fax #:

FROM: Barbara Schroeder

Phone #: 301-713-1401

Fax #: 301-713-0376

E-Mail #: barbara.schroeder@noaa.gov

SUBJECT/COMMENTS:

please see my e-mail

Frank Wiener
150 Loomis Court
Princeton, New Jersey 08540

April 25, 2000

Office of Protected Resources (F/PR)
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, Maryland 20910

To Whom It May Concern:

During our trip to the Big Island of Hawaii earlier this month, we were quite disturbed to discover sea turtles repeatedly being disturbed by tourists at a location called Punaluu County Park, also known as the Punaluu Black Sand Beach. The location of this site is at the southern end of the island near the town of Pahala.

Although there is tiny, engraved lettering on an official marker near the turtle habitat that explains that the sea turtles are protected by the Endangered Species Act and that they are not to be touched, most of the many tourists who visit the site are completely unaware of the marker, especially if they drive their cars close to the black sand beach where many turtles can be found in the ocean and on the land. There is also hand-lettered, wooden sign, that also cannot be seen by tourists as they leave their cars for the beach, which simply states "do not touch the turtles" without mentioning that disturbing the turtles is against both state and federal law and is punishable as a crime.

During the hour or so that we spent at the location, we observed the following incidents:

1. a teenage boy, among an unsupervised group of several peers, throwing sand in the face of a turtle on the beach in order to produce a reaction from the animal;
2. a family touching the turtle's shell and otherwise disturbing it on several occasions as it lay resting on the beach while they shot photographs of themselves with the turtle;
3. a woman actually stepping on the head of the turtle as she attempted to clumsily position herself for a photograph with the turtle.

On several occasions, we warned all of these people that the turtles were protected under both Hawaii and Federal laws and that it was illegal to approach them. In all instances, we received reactions of surprise and even mild annoyance with our warnings. In fact, there is no way that any of these people would have been aware of the protected status of turtles as there was not a single sign within sight that indicated this and not a single law enforcement agent anywhere in sight. Tourists could simply drive their cars up to the turtles, disturb them to their heart's content, and return to their cars for the next tourist sight.

We should add that several turtles were also swimming in the ocean at that same time. There were many human visitors swimming and snorkeling within very close proximity, but we could not determine if any of the swimmers were disturbing the turtles in the water. How would any of these swimmers know that they were not to disturb the turtles as there were no clearly posted signs at the site and no law enforcement agents present to advise them of the law?

We emphatically appeal for your help in correcting the present situation at Punaluu County Park on the Big Island of Hawaii. Tourists must be clearly notified of the protected status of sea turtles and of the consequences of disturbing them. In addition, the federal and state laws that are supposed to protect the turtles must actually be enforced by the authorities. Thank you for your timely response to this urgent appeal.

Yours Truly,



Frank & Virginia Wiener
150 Loomis Court
Princeton, New Jersey 08540

33515

RECEIVED

Gov

From: <Wienefr@aol.com>
To: <gov@gov.state.hi.us>
Sent: Monday, April 24, 2000 3:34 PM
Subject: (no subject)

2000 MAY -2 PM 3:41

DOCARE - ADMIN
DEPT. OF LAND AND
NATURAL RESOURCES

DIVISION OF AQUATIC RESOURCES	
DIRECTOR	<input checked="" type="checkbox"/> Science Staff
COMPLIANCE	<input type="checkbox"/> Draft Reply
AQ REGULATORY	<input type="checkbox"/> Reply Direct
ADMINISTRATION	<input type="checkbox"/> Comments
STATE SERVICES	<input type="checkbox"/> Information
REGISTRATION	<input type="checkbox"/> Comp. App. & File
PERMITTING	<input type="checkbox"/> Research
ENFORCEMENT	<input type="checkbox"/> Contact
EDUCATION	<input type="checkbox"/> Remarks
INSPECTION	
GENERALISTS	
RECORDS	00-377

sent to DOCARE
NO

Dear Governor Cayetano:

On our recent visit to the Big Island, we were quite disturbed to witness the constant harassment of exhausted sea turtles by drive-up tourists at Punahoa State Park at the extreme south end of the Big Island. With the exception of a hand written sign that cannot be seen by the throngs of tourists who leave their cars for the black sand beach, there are no visible signs at all to indicate that these creatures are protected and that no one should approach them. We witnessed teenagers throwing sand in the face of a turtle, a family touching the shell of a turtle as they photographed themselves, and a woman stepping on the head of a turtle as she tried to position herself for a photograph. We did not see harassment of sea turtles in any other part of the Big Island as it took much greater effort to observe them at other sites, especially on the Kona and Kohala Coasts. We are very concerned about the specific situation at Punahoa State Park. Would you kindly refer our concern to the appropriate person or agency. We love your state and are most appreciative of your help in this matter.

Sincerely,

Frank & Virginia Wiener
150 Loomis Court
Princeton, New Jersey 08540

wienefr@aol.com

Colorado Veterinary Diagnostic Laboratory
College of Veterinary Medicine and Biomedical Sciences
Colorado State University, Fort Collins, CO 80523
Phone: 970-491-1281 Fax: 970-491-0320

DL#: 990-31691

Date: 2/1/00

Vet/Clinic: George Balazs/NOAA
Owner: NOAA
Animal ID: H915 Date Specimen Taken: NA
Species: C. mydas Breed: NA Age: Adult Sex: NA

History: This is an adult green turtle #H915 which has a large single tumor in the left eye. The tumor has progressed rapidly over the last year. The tumor is approximately 5 to 6 cm by 5 cm. Much of the tumor is relatively solid and it appears to have surrounded the eyeball. There are some black hues throughout this tumor.

DIAGNOSIS: Fibroma, eye, green turtle.

REMARKS: This tumor is somewhat difficult to classify histologically because of the small degree of epithelium (epidermis) on these sections. The primary lesions of the dermis are identical to what one sees with the fibropapillomas of green sea turtles, however, one small area of epithelium is not typical of what is seen with the fibropapilloma. Therefore, in regard to the history of having only one single tumor and the lack of the epithelial component of this tumor, this tumor could be classified as a fibroma or perhaps an extremely low grade fibrosarcoma as is observed in the jaw of green sea turtles. The etiology of this ocular tumor is probably the same as the other types of tumors but the manifestation in this particular turtle appears to be a little different. I would like to repeat that the diagnosis being a fibroma or an extremely low grade fibrosarcoma, similar to what is seen in the jaw, is based on the history of having only one tumor on the whole body that grew relatively rapidly and the fact that the epithelial component of the tumor was not observed in these sections of tumor.

HISTOPATHOLOGY: Four sections of tumor are examined, one including the eye. There is very little epithelium to examine in these four sections, however, what epithelium is present is characterized by being relatively thin but shows no evidence of pseudoepitheliomatous hyperplasia or other features typical of a fibropapilloma. All four sections of tissue contain tumor. The tumor is composed of neoplastic mesothelial cells forming wide interweaving bundles. There are a few parasitic ova surrounded by granulomatous reaction within at least two of the slides. The majority of the vessels

DL# 990-31691
Page 2

throughout these sections of tumor are not surrounded by lymphocytes, however, there are a few small focal areas of inflammation within at least two slides. This inflammation is characterized by extremely small number of lymphocytes in small aggregates and a few of them are in the adventitia of vessels. The tumor is composed of large interweaving bundles of fusiform cells typical of the mesenchymal portion of the fibropapilloma of green turtles. A section of eye is examined. There is no evidence that the tumor has invaded into the globe of the eye, however, the tumor has caused such compression of the eye that the majority of the internal structures, including the lens and the retina have been totally destroyed.

Terry R. Spraker, DVM/PhD

Faxed: 2/11/00 ea
Typed: 2/11/00 ea

From: Robert Morris
To: tspraker@vth1.vth.colostate.edu
Sent: Thursday, February 17, 2000 11:34 AM
Subject: Eye histo report

Aloha Terry:

I read your histology report for the green turtle eye George sent. This was of interest since I removed the eye and the turtle was later released. The skin or orbit did not seem to be invaded and appeared normal. I removed the eyeball with tumor, trimmed the lid margins and sutured the lid margins closed. The tumor seemed to be on and covering the entire eyeball. Most of the eye tumors start on the conjunctiva and sometimes invade the cornea. I hope that this may be of some help.

Is the jaw fibrosarcoma paper been published yet?? This should probably be reported soon as I see these lesions on a weekly basis. I have enclosed a photo of one I recently removed.

Missing
GHB