

TOKELAU FILE GH BALAZS



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OFIHA O NA MEA TAU TOKELAU
Office for Tokelau Affairs

12 December 1985

Mr Richard S Shomura
Director, Honolulu Laboratory
National Marine Fisheries Service NOAA
P O Box 3830
Honolulu, Hawaii 96812

Dear Sir,

We wish to acknowledge the good report on "Sea Turtle and their Traditional Usage in Tokelau" by George H Balazs who is one of your turtle scientists.

Several recommendations in the report have been followed up after the formation of an Agriculture and Fisheries Committee last year. This Committee strongly recommended to the Councils of Elders on each atoll the importance of pursuing these recommendations. Also, an agriculture and fisheries programme has been developed for the school in which special efforts will be made to strengthen any appropriate cultural aspects involving sea turtles.

On this same subject we wish to pursue the idea of obtaining raw scutes of the hawkskill turtle which we understand from George's report are held by the US Government in Hawaii. This material, which is extremely scarce in Tokelau, would be used for fishing hooks need in skipjack pearl shell lures. It would also be used for teaching the young people the skills of making these traditional fishhooks.

We guarantee that these materials will not be offered for sale in any form, and will be given free to the Council of Elders on each atoll for equal distribution.

We look forward to hearing from you.

Yours sincerely,

A H Macey

(A H Macey)
Official Secretary



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center
Honolulu Laboratory
P. O. Box 3830
Honolulu, Hawaii 96812

January 2, 1986

F/SWC2

Mr. A. H. Macey
Official Secretary
Office for Tokelau Affairs
P. O. Box 865
Apia, Western Samoa

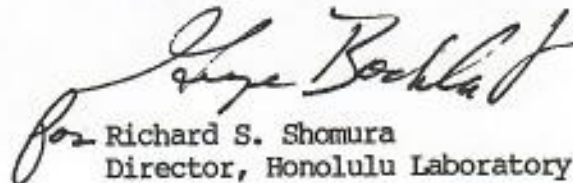
Dear Mr. Macey:

Thank you for your letter of December 12, 1985 concerning George Balazs' research on sea turtles in Tokelau. We are pleased to learn that his report has been helpful to the people of Tokelau.

With regard to obtaining raw tortoiseshell for use in working traditional skipjack lures, I have asked George to inquire about the possibility of obtaining material from confiscated stocks held by the U.S. Government. A special exemption will very likely have to be issued which will undoubtedly involve several months to process. George will be in contact with you when he has determined exactly what procedure must be followed.

We appreciate having the opportunity to work with you on this matter.

Sincerely,


For Richard S. Shomura
Director, Honolulu Laboratory



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center Honolulu Laboratory
2570 Dole St. • Honolulu, Hawaii 96822-2396

May 21, 1986

F/SWC2:GHB

Mr. Clark R. Bavin
Chief, Division of Law Enforcement
U.S. Fish and Wildlife Service
P.O. Box 28006
Washington, D.C. 20005

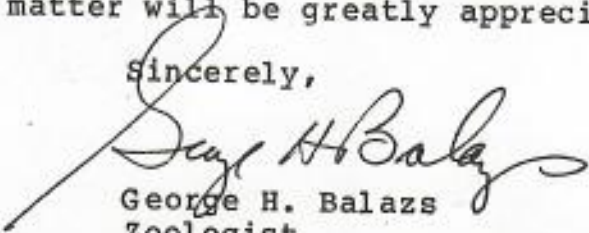
Dear Mr. Bavin:

Special Agent Kimberly Wright of your Honolulu Office suggested that I write to you to determine the best way to proceed in shipping a small quantity (20 kg) of confiscated tortoiseshell to the Tokelau Islands for making traditional fishhooks for noncommercial purposes. The enclosed correspondence and publications will provide you with background information on this cooperative conservation project. Endorsement of this idea has been received from a wide array of organizations and individuals, including SSC/IUCN, the Hawaiian Sea Turtle Recovery Team, the Center for Environmental Education, and numerous professional sea turtle biologists and conservationists. In addition, Jack Woody, Fish and Wildlife Service National Sea Turtle Coordinator, endorses the project.

It was been suggested to me that the easiest means of transferring tortoiseshell to Tokelau might be under your Fish and Wildlife Service "blanket CITES permit." Is this an appropriate route to take? If not, what course of action would you recommend?

Your assistance in this matter will be greatly appreciated.

Sincerely,


George H. Balazs
Zoologist
Leader, Hawaiian Sea
Turtle Recovery Team





United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR,
FISH AND WILDLIFE SERVICE

In Reply Refer To:
FWS/LE LAW 8-04

Mr. George H. Balazs
U.S. Department of Commerce
National Oceanic and Atmospheric
Administration
National Marine Fisheries Service
Southwest Fisheries Center
Honolulu Laboratory
2570 Dole St.
Honolulu, Hawaii 96822-2396

JUN 12 1986

Dear Mr. Balazs:

I have reviewed your letter of May 21, 1986, concerning the use of our blanket CITES permit. The conditions for which that permit can be utilized do not include the one in your letter. It is strictly for law enforcement purposes.

Sea turtles are protected by the Endangered Species Act and/or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the regulations covering these are contained in 50 CFR 17 & 23. You will have to apply for an Endangered Species export permit and also for the proper CITES export permit, prior to exportation, from the U.S. Fish and Wildlife Service, Federal Wildlife Permit Office, 1000 N. Glebe Road, Room 611, Arlington, VA 22201.

Please contact our local office in Honolulu, if we can be of any further assistance.

Sincerely,

C. R. Bavin
Chief, Division of Law Enforcement

Enclosures: 50 CFR 17 & 23

The entire meeting will be open to the public from 9:00 a.m. to adjournment. Agenda items include reports by the Chairman, President's Cancer Panel, and discussions to obtain information regarding center programs supported by the National Cancer Institute. Attendance by the public will be limited to space available.

Mrs. Winifred Lumsden, Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20892 (301/496-5708) will provide summaries of the meeting and rosters of Panel members, upon request.

Dr. Elliott Stonehill, Executive Secretary, President's Cancer Panel, National Cancer Institute, Building 31, Room 11A23, National Institutes of Health, Bethesda, Maryland 20892 (301/496-1148) will furnish substantive program information.

Dated: August 29, 1986.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 86-20133 Filed 9-5-86; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Solar Energy and Energy Conservation Bank

[Docket No. N-86-1635; FR 2296]

Meeting of the Solar Energy and Energy Conservation Advisory Committees

AGENCY: Solar Energy and Energy Conservation Bank, HUD.

ACTION: Notice; Meeting of the Solar Energy and Energy Conservation Advisory Committees.

SUMMARY: This Notice announces a meeting of the Solar Energy and Energy Conservation Advisory Committees. The meeting will be held on September 25, 1986 via a telephone conference call originating in Washington, DC. The purpose of the meeting is to discuss Bank business.

FOR FURTHER INFORMATION CONTACT: Walter Preysnar, Office of the Solar Energy and Energy Conservation Bank, Department of Housing and Urban Development, 451 7th Street, SW., Room 7110, Washington, DC 20410; Telephone (202) 755-7186. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The Energy Security Act of 1980 established Energy Conservation Solar Energy Conservation Advisory Committees for the purpose of assisting the Board in

carrying out the activities of the Bank which relate to energy conserving improvements and solar energy systems. Each committee consists of five members, appointed by the Board from among individuals who are not officers or employees of any governmental entity, as follows:

(1) One individual who is able to represent the views of consumers as a result of the individual's education, training and experience.

(2) One individual who is able to represent the views of financial institutions as a result of the individual's education, training and experience.

(3) One individual who is able to represent the views of builders as a result of the individual's education, training and experience.

(4) One individual who is able to represent the views of architectural or engineering interests as a result of the individual's education, training and experience.

(5)(a) For the Solar Energy Committee, one individual who is able to represent the views of the solar energy industry as a result of the individual's education, training and experience.

(b) For the Energy Conservation Committee, one individual who is able to represent the views of producers or installers of residential and commercial energy conserving improvements as a result of the individual's education, training and experience.

In accordance with the Federal Advisory Committee Act, 5 U.S.C. App. I, section 10(a)(2), announcement is made of the following meeting:

The Solar Energy and Energy Conservation Advisory Committees will meet on September 25, 1986. The meetings are open to the public and will convene at 3:45 p.m. via a telephone conference call originating from the Department of Housing and Urban Development, 451 7th Street, SW., Room 7202, Washington, DC 20410.

An agenda will be available at the meeting. Inquiries concerning the agenda and the meeting may be made by contacting the Office of the Solar Energy and Energy Conservation Bank at (202) 755-7186.

Authority: Title V, Subtitle A, of the Energy Security Act of 1980, (Pub. L. 96-294, 12 U.S.C. 3601-3620).

Dated: August 18, 1986.

Approved:

Walter Bruce,

Advisory Committee Chairperson.

Dated: August 21, 1986.

Approved:

Richard H. Francis,
Manager, Solar Energy and Energy Conservation Bank.

[FR Doc. 86-20136 Filed 9-5-86; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of Applications for Permits

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT-711493

Applicant: Jack Woody, National Sea Turtle Coordinator, U.S. Fish & Wildlife Service, Albuquerque, NM.

The applicant requests a permit to export 20 kg. of seized hawksbill turtle (*Eretmochelys imbricata*) shell, to be obtained from the U.S. Fish & Wildlife Service, Division of Law Enforcement, to the Tokelau Village elders, Tokelau Island, Western Samoa, for use in making traditional fishing lures. The natives will use the turtle shell for subsistence fishing only; the lures will not be entered into commerce. This export will increase the likelihood of the survival of the species by eliminating the need for taking the turtles from the wild.

PRT-711637

Applicant: Roger D. Harris, Berkeley, CA.

The applicant requests a permit to live trap and release salt marsh harvest mice (*Reithrodontomys raviventris*) on Blair Island, San Mateo County, CA. The purpose is to determine the possible occurrence of this species on the property.

Documents and other information submitted with these applications are available to the public during normal business hours (7:45 am to 4:15 pm) Room 611, 1000 North Glebe Road, Arlington, Virginia 22201, or by writing to the Director, U.S. Fish and Wildlife Service of the above address.

Interested persons may comment on any of these applications within 30 days of the date of this publication by submitting written views, arguments, or data to the Director at the above address. Please refer to the appropriate PRT number when submitting comments.

January 2, 1986

F/SWC2:GHB

Mr. Colin J. Limpus
National Park & Wildlife Service
Pallarenda
Townsville QLD 4810
Australia

Dear Col,

In 1981 I was able to visit the three small Polynesian atolls of Tokelau to gather biological, cultural, and historical information on sea turtles. The results of this study were published in 1983 in Atoll Research Bulletin (reprint enclosed). As described in this paper, Tokelau is a semiautonomous dependency of New Zealand, located in a remote area of the Pacific about 300 miles north of Samoa. The islands are only visited three to five times a year by a government chartered 150-foot cargo vessel. There is no regular transportation between the three islands which are separated from each other by at least 40 miles. All together, there are about 1,600 native inhabitants in Tokelau, with each island governed by a Council of Elders. The Office for Tokelau Affairs in Apia, Western Samoa, handles all external matters for the island communities. There is no tourism in the islands, and any outside visitors must receive prior approval from the Council of Elders. Anchorage for vessels is very poor in Tokelau, since there are no passes leading into the sheltered atoll lagoons.

As described in the enclosed paper, an impressive feature of life in Tokelau is the traditional community concept of "inati," whereby each individual receives from or contributes to the village his or her fair share. Fishing and agriculture are carried out on a subsistence basis. The atoll environment offers very limited natural resources. Canned goods are usually only available and eaten for a few weeks following each ship arrival.

While interviewing native fishermen in Tokelau, I was asked if I could direct them to a commercially available source of tortoise shell. I learned that the hook portion of their fishing lures for skipjack tuna is traditionally made from thick hawksbill scutes. The shank or spoon of the lure is made of pearl shell. Nothing else they have substituted matches the characteristics of tortoise-shell for this purpose. Tortoise shell is said to have the correct strength so that, under heavy stress, it will break just before the more valuable and difficult-to-fashion pearl shell. Plastic and

steel hooks have been periodically used on Tokelauan lures, but have never been found acceptable (see enclosure by R. Gillett). Tortoise-shell is now very scarce in Tokelau. I suspect that at least a portion of their needs has been met during recent years by purchases from Apia. Hawksbills in Western Samoa have been severely depleted by overexploitation, but are still not legally protected.

The purchase of tortoise-shell through commercial sources, whether by Tokelauans or anyone else, almost always results in the taking of more hawksbills to satisfy the demand. For this reason, I refrained from telling the Tokelauans where they could buy tortoise-shell. However, I came up with an alternate idea, in view of the special role fish lures play to these islands, and the sincere efforts being made to retain cultural identity. I proposed the possibility of obtaining tortoise-shell at no cost from stocks already confiscated by the U.S. Fish and Wildlife Service. In my published report, I offered to investigate this possible source, if there was an official interest in having me do so. I have recently received a letter to this effect, and am now further exploring the idea. I would appreciate hearing your thoughts on this subject. At the present time, I personally feel that the donation of tortoise-shell would: 1) prevent more hawksbills from being killed and sold, and 2) be a positive reinforcement to the Tokelauan culture. I can think of few negative factors to oppose such a plan. I suppose that one could argue that the tortoise-shell might be resold by the Tokelauans, possibly as a handicraft souvenir item. However, I believe the chances of this happening are slight. Tokelauan handicraft is among the finest in the Pacific islands, but none includes parts from sea turtles. In addition, all handicraft from the islands is transhipped to the Office for Tokelau Affairs in Apia where it is marketed internationally for the most favorable price. The top level administrators in the office monitor all of these items and sales, and are therefore fully aware of the situation. One might also argue that if Tokelauans receive free tortoise-shell from the United States for subsistence cultural use, then other island people would also feel they are entitled to it. My response would be that the Tokelauan situation is special, with the islands being isolated and a traditional life style reasonably intact. Each situation would have to be evaluated on a case-by-case basis. However, right now Tokelau is the only island group which has made such a request, and their circumstances seem to me to be justified for the donation of tortoise-shell.

In closing, I should mention that only about 20 kg of tortoise-shell would be involved in the Tokelauan request. It is my understanding that this quantity would last for at least several years. It would be equitably distributed to fishermen (by "inati") through the Council of Elders on each island.

Sincerely,

George H. Balazs
Zoologist

Enclosure

cc: Balazs ✓
HL

Identical letters/memos to:

Mr. Colin J. Limpus
National Park & Wildlife Service
Pallarenda
Townsville QLD 4810
Australia

Mr. G. S. de Silva
Turtle Islands National Park
P. O. Box 768
Sandakan, Sabah Malaysia

Dr. Peter C. H. Pritchard
Florida Audubon Society
P. O. Drawer 7
Maitland, FL 32751

Dr. Archie Carr
Department of Zoology
223 Bartram Hall
University of Florida
Gainesville, FL 32611

Dr. Robert Scott
SSC/IUCN
Ave. du Mont Blanc
CH-1196
Gland, Switzerland

Mr. Michael Weber
Center for Environmental
Education
624-9th St., N.W.
Washington, D. C. 20001

Identical letters/memos to:

Mr. Fredrick Berry
National Marine Fisheries Service
Southeast Fisheries Center
75 Virginia Beach Drive
Miami, FL 33149

Dr. Karen Bjorndal
Department of Zoology
223 Bartram Hall
University of Florida
Gainesville, FL 32611

Dr. Anne Meylan
American Museum of Natural History
Central Park West at 79th Street
New York, NY 10024

Dr. Jeanne Mortimer
Department of Zoology
223 Bartram Hall
University of Florida
Gainesville, FL 32611

Dr. Sheila Conant
University of Hawaii
Dean 101A
2450 Campus Road
Honolulu, HI 96822

Sally R. Murphy
Wildlife & Marine Resources
Box 12559
Charleston, SC 29412

Identical letters/memos to:

Mr. Mike McCoy
P. O. Box D
Kolonia, Ponape
Eastern Caroline Islands
96941

Dr. Nat B. Frazer
Biology Department
Mercer University
1400 Coleman Avenue
Macon, GA 31207

Dr. Dick Wass
U.S. Fish and
Wildlife Service
P. O. Box 50167
Honolulu, HI 96850

Mr. Paul Kawamoto
Division of Aquatic
Resources
Department of Land and
Natural Resources
1151 Punchbowl Street
Honolulu, HI 96813

Dr. Robert Johannes
Commonwealth Scientific
and Industrial Research
Organization
Box 20, North Beach
Western Australia 6020

Mr. Larry Ogren
National Marine Fisheries
Service, NOAA
3500 Delwood Beach Road
Panama City, FL 32407-7499

Dr. Harold Hirth
201 Biology Building
Salt Lake City, Utah 84112

F/SWR1 - Gene Nitta

F/SWC2 - Jerry Wetherall

Identical letters/memos to:

Dr. George R. Hughes
Natal Parks Board
P. O. Box 662
Pietermaritzburg 3200
South Africa

Dr. J. P. Ross
Division of Reptiles
and Amphibians
Museum of Comparative Zoology
Cambridge, MA 02138

April 15, 1986

F/SWC2:GHB

Ms. Kimberly Wright
U.S. Fish and Wildlife Service
P. O. Box 50223
Honolulu, HI 96850

Dear Kim,

The overwhelming majority of the people I've contacted concerning the donation of tortoiseshell to Tokelau feel that it is an excellent and appropriate idea.

The next step is to determine exactly what official paperwork might be needed, and from what source. I would greatly appreciate your assistance in this important phase. I have just finished reading 50 CPE 12 (Seizure and forfeiture procedures), revised version dated 2/15/85. Section 12.33 (Disposal) and section 12.36 (Donation or loan) seem to offer the latitude for giving tortoiseshell for noncommercial and traditional native usage. Is my interpretation correct? What exactly must I now do before packaging up 20 pounds of tortoiseshell and mailing it to Tokelau?

Best regards.

Sincerely,

George H. Balazs
Zoologist

cc: Gene Witham
WPPO

Balazs ✓
HL



United States Department of the Interior

FISH AND WILDLIFE SERVICE
POST OFFICE BOX 1306
ALBUQUERQUE, N.M. 87103

OCT 22 1986

George Balazs
National Marine Fisheries Service
2570 Dole Street
Honolulu, Hawaii 96822-2396

Dear Mr. Balazs:

This letter is to designate you as subpermittee under my CITES permit #US711493 (original attached) which authorizes the export of up to 20 kilograms of hawksbill (*E. imbricata*) turtle shell to the proper authorities within the Office of Tokelau Affairs, Western Samoa.

The hawksbill shell in question was obtained by FWS law enforcement agents and is being made available as a donation to the Tokelau Islanders for use in their historical and cultural fishing activities. It is not to be used for barter, trade, or any related commercial activities. Please make this very clear to the Tokelau elders. We hope this donation will further encourage the Tokelau people to conserve and manage the remaining sea turtle resources of the islands.

Sincerely,

Jack B. Woody
National Sea Turtle Coordinator

Enclosure

cc: (w/encl)
SAC, Region 1
SAC, Region 2
FWS Administrator, Honolulu, Hawaii

cc: (wo/encl)
Chief, WPO
Chief, OES
Regional Director, Region 1



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center Honolulu Laboratory
2570 Dole St. • Honolulu, Hawaii 96822-2396

October 30, 1986 F/SWC2:GHB

Mr. Foua Toloa
Agriculture and Fisheries
Office for Tokelau Affairs
Box 865
Apia, Western Samoa

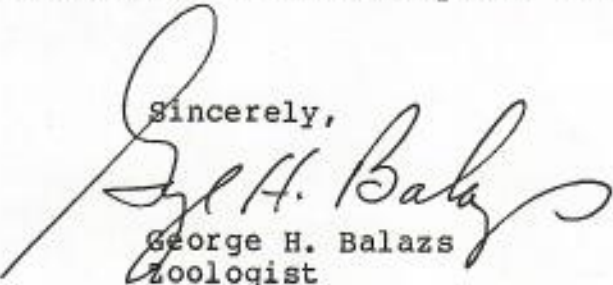
Dear Mr. Toloa:

I am pleased to report that, after much paperwork, we have finally received the necessary permit that will allow us to give the Tokelau people a small quantity of tortoiseshell to make traditional fishing lures. As stated in the letter of authorization (copy attached), the material is "not to be used for barter, trade, or any related commercial activities." In addition, it is hoped that this donation "will further encourage the Tokelau people to conserve and manage the remaining sea turtle resources of the islands."

The permit allows up to 20 kg of confiscated tortoiseshell to be sent. However, I presently have only about 4 kg in which the plates seem thick enough for the purpose intended. Apparently there are only one or two plates on each adult hawksbill turtle that are of sufficient thickness. I have notified the enforcement agents of both our agency and the U.S. Fish and Wildlife Service to send me additional confiscated material. In the meantime, the tortoiseshell I now have will be shipped to you in the near future. After you inspect this material, I would appreciate learning what the minimum plate thickness might be for fashioning the lures. Are all of the plates in this shipment thick enough?

Best regards.

Sincerely,


George H. Balazs
Zoologist

Attachment





U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center Honolulu Laboratory
2570 Dole St. • Honolulu, Hawaii 96822-2396

November 7, 1986 F/SWC2

Mr. A. H. Macey
Official Secretary
Office for Tokelau Affairs
P. O. Box 865
Apia, Western Samoa

Dear Mr. Macey:

With this letter, I am pleased to send you 3.5 kg of the 20 kg of tortoiseshell allowed under our CITES Permit No. US711493. As discussed earlier, the material should be equitably shared among the fishermen of Tokelau through the Council of Elders, and may not be used for commercial purposes.

The 3.5 kg of tortoiseshell being sent consists of 41 pieces, each of which has a labeled number (note that Nos. 19 and 20 were not used). I have recorded the weights, measurements, and other characteristics of each piece. It will be very helpful for me to know the label numbers of the pieces that are well suited for making fishing lures, and those that may be less desirable. This information will be used to assemble our next shipment.

Best regards.

Sincerely,

George H. Balazs
Zoologist



NOAA, National Marine Fisheries Service
 SWFC Honolulu Laboratory F/SWGS
 2570 Dole Street
 Honolulu, HI 96822-2396

Forty-one (41) pieces of tortoiseshell shipped to the Tokelau Islands for
 traditional fishing lures under CITES Permit US711493 7 NOV 86

Label No.	Length, cm	Width, cm	Weight, g	Comments
1	23	14	76	L
2	19	16	54	L, 1/2 H
3	21	18	74	C
4	20	17	59	L, H
5	15	16	42	C
6	27	17	116	L
7	21	15	68	L
8	34	19	173	L
9	21	14	54	L
10	16	15	65	L
11	18	17	85	L
12	20	18	99	L
13	18	15	62	C
14	16	14	51	C
15	19	16	57	C
16	24	16	91	L
17	17	14	54	C
18	16	13	42	L
19	—	—	—	—
20	—	—	—	—
21	23	14	59	L
22	27	18	119	L
23	28	17	125	L
24	24	15	82	L, 1/4 H
25	22	15	68	L, 1/4 H
26	23	14	85	L
27	23	19	96	C
28	20	18	79	C, 1/2 H
29	20	14	57	L
30	22	14	71	L
31	30	17	127	L
32	22	15	57	L
33	24	14	79	L
34	32	19	136	L
35	32	18	175	L
36	29	17	99	L
37	26	16	96	L
38	33	19	144	L
39	15	11	28	L
40	31	19	190	L
41	25	18	88	C, cc
42	19	16	59	L, H
43	22	15	74	L, cc

Total weight 3,515

Twenty-two (22) pieces of tortoiseshell shipped to the Tokelau Islands for traditional fishing lures under CITES Permit US711493.

Label No.	Length, cm	Width, cm	Weight, g	Comments
44	34	18	170	
45	22	18	127	
46	31	18	85	
47	31	16	85	
48	28	17	127	
49	27	18	227	
50	16	18	70	
51	18	22	198	
52	22	18	85	
53	20	18	113	
54	18	22	113	
55	23	18	113	
56	26	16	99	
57	28	17	113	
58	26	16	70	
59	28	19	241	
60	24	18	127	
61	18	16	56	
62	22	17	127	
63	17	19	113	
64	11	7	28	
65	16	14	170	

Total weight 2,657 g



Agr 5/3/1

OFIHA O NA MEA TAU TOKELAU
Office for Tokelau Affairs

20 January 1987

Mr George H Balazs
Southwest Fisheries Centre
Honolulu Laboratory
2570 Dole St
Honolulu, Hawaii 96822-2396

Dear Mr Balazs.,

I am pleased to inform you that the package of tortoise shells you sent 2 months ago, Permit No. US 711493 has finally arrived in good order.

Mr Foua Toloa, Director of Agriculture and Fisheries will be returning from Tokelau next week to give you clear guidelines of the material assessment. Meantime, thank you very much for the tortoise shells which, I hope will be distributed amongst the fishermen and Foua to send you reports of their success and suitability.

Yours sincerely,

(I Gualofa)
for Official Secretary

A handwritten signature in dark ink, appearing to be 'I Gualofa', written over the typed name.



OFIHA O NA MEA TAU TOKELAU
Office for Tokelau Affairs

25 March 1987

George Balazs
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
National Marine Fisheries Service
South West Fisheries Centre Honolulu Laboratory
2570 Dole St.
HONOLULU, HAWAII 96822-2396

Dear George,

I have enclosed for you one 1986 **First Day Cover** which focus on Tokelau Agriculture and Livestock Stamp Issues, also ten postage stamps that portrays a sea turtle as you requested.

We hope you will accept these as a token of our appreciation for the consignment of turtle shell that you send us. We will be dividing these shells between the **three** atolls in April and we know that they will be of great value to us especially the schools.

Best wishes and many **thanks**.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'F. Toloa'.

(F Toloa)
Acting Director of Agriculture &
Fisheries

Enc.



5/3/1

Do

~~SB~~

OFIHA O NA MEA TAU TOKELAU
Office for Tokelau Affairs

12 December 1985

Mr Richard S Shomura
Director, Honolulu Laboratory
National Marine Fisheries Service NOAA
P O Box 3830
Honolulu, Hawaii 96812

Dear Sir,

We wish to acknowledge the good report on "Sea Turtle and their Traditional Usage in Tokelau" by George H Balazs who is one of your turtle scientists.

Several recommendations in the report have been followed up after the formation of an Agriculture and Fisheries Committee last year. This Committee strongly recommended to the Councils of Elders on each atoll the importance of pursuing these recommendations. Also, an agriculture and fisheries programme has been developed for the school in which special efforts will be made to strengthen any appropriate cultural aspects involving sea turtles.

On this same subject we wish to pursue the idea of obtaining raw scutes of the hawkskill turtle which we understand from George's report are held by the US Government in Hawaii. This material, which is extremely scarce in Tokelau, would be used for fishing hooks need in skipjack pearl shell lures. It would also be used for teaching the young people the skills of making these traditional fishhooks.

We guarantee that these materials will not be offered for sale in any form, and will be given free to the Council of Elders on each atoll for equal distribution.

We look forward to hearing from you.

Yours sincerely,

A H Macey
(A H Macey)
Official Secretary



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center
Honolulu Laboratory
P. O. Box 3830
Honolulu, Hawaii 96812

January 2, 1986

F/SWC2

Mr. A. H. Macey
Official Secretary
Office for Tokelau Affairs
P. O. Box 865
Apia, Western Samoa

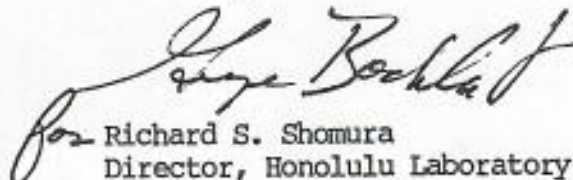
Dear Mr. Macey:

Thank you for your letter of December 12, 1985 concerning George Balazs' research on sea turtles in Tokelau. We are pleased to learn that his report has been helpful to the people of Tokelau.

With regard to obtaining raw tortoiseshell for use in working traditional skipjack lures, I have asked George to inquire about the possibility of obtaining material from confiscated stocks held by the U.S. Government. A special exemption will very likely have to be issued which will undoubtedly involve several months to process. George will be in contact with you when he has determined exactly what procedure must be followed.

We appreciate having the opportunity to work with you on this matter.

Sincerely,


for Richard S. Shomura
Director, Honolulu Laboratory



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center Honolulu Laboratory
2570 Dole St. • Honolulu, Hawaii 96822-2396

May 21, 1986

F/SWC2:GHB

Mr. Clark R. Bavin
Chief, Division of Law Enforcement
U.S. Fish and Wildlife Service
P.O. Box 28006
Washington, D.C. 20005

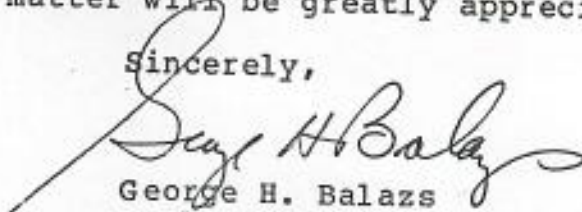
Dear Mr. Bavin:

Special Agent Kimberly Wright of your Honolulu Office suggested that I write to you to determine the best way to proceed in shipping a small quantity (20 kg) of confiscated tortoiseshell to the Tokelau Islands for making traditional fishhooks for noncommercial purposes. The enclosed correspondence and publications will provide you with background information on this cooperative conservation project. Endorsement of this idea has been received from a wide array of organizations and individuals, including SSC/IUCN, the Hawaiian Sea Turtle Recovery Team, the Center for Environmental Education, and numerous professional sea turtle biologists and conservationists. In addition, Jack Woody, Fish and Wildlife Service National Sea Turtle Coordinator, endorses the project.

It was been suggested to me that the easiest means of transferring tortoiseshell to Tokelau might be under your Fish and Wildlife Service "blanket CITES permit." Is this an appropriate route to take? If not, what course of action would you recommend?

Your assistance in this matter will be greatly appreciated.

Sincerely,


George H. Balazs
Zoologist
Leader, Hawaiian Sea
Turtle Recovery Team





United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR,
FISH AND WILDLIFE SERVICE

In Reply Refer To:
FWS/LE LAW 8-04

Mr. George H. Balazs
U.S. Department of Commerce
National Oceanic and Atmospheric
Administration
National Marine Fisheries Service
Southwest Fisheries Center
Honolulu Laboratory
2570 Dole St.
Honolulu, Hawaii 96822-2396

JUN 12 1986

Dear Mr. Balazs:

I have reviewed your letter of May 21, 1986, concerning the use of our blanket CITES permit. The conditions for which that permit can be utilized do not include the one in your letter. It is strictly for law enforcement purposes.

Sea turtles are protected by the Endangered Species Act and/or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the regulations covering these are contained in 50 CFR 17 & 23. You will have to apply for an Endangered Species export permit and also for the proper CITES export permit, prior to exportation, from the U.S. Fish and Wildlife Service, Federal Wildlife Permit Office, 1000 N. Glebe Road, Room 611, Arlington, VA 22201.

Please contact our local office in Honolulu, if we can be of any further assistance.

Sincerely,

C. R. Bavin
Chief, Division of Law Enforcement

Enclosures: 50 CFR 17 & 23

The entire meeting will be open to the public from 9:00 a.m. to adjournment. Agenda items include reports by the Chairman, President's Cancer Panel, and discussions to obtain information regarding center programs supported by the National Cancer Institute. Attendance by the public will be limited to space available.

Mrs. Winifred Lumsden, Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20892 (301/496-5708) will provide summaries of the meeting and rosters of Panel members, upon request.

Dr. Elliott Stonehill, Executive Secretary, President's Cancer Panel, National Cancer Institute, Building 31, Room 11A23, National Institutes of Health, Bethesda, Maryland 20892 (301/496-1148) will furnish substantive program information.

Dated: August 29, 1986.

Betty J. Beveridge,

Committee Management Officer, NIH

[FR Doc. 86-20133 Filed 9-5-86; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Solar Energy and Energy Conservation Bank

[Docket No. N-86-1635; FR 2286]

Meeting of the Solar Energy and Energy Conservation Advisory Committees

AGENCY: Solar Energy and Energy Conservation Bank, HUD.

ACTION: Notice; Meeting of the Solar Energy and Energy Conservation Advisory Committees.

SUMMARY: This Notice announces a meeting of the Solar Energy and Energy Conservation Advisory Committees. The meeting will be held on September 25, 1986 via a telephone conference call originating in Washington, DC. The purpose of the meeting is to discuss Bank business.

FOR FURTHER INFORMATION CONTACT: Walter Preysnar, Office of the Solar Energy and Energy Conservation Bank, Department of Housing and Urban Development, 451 7th Street, SW., Room 7110, Washington, DC 20410; Telephone (202) 755-7166. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The Energy Security Act of 1980 established Energy Conservation Solar Energy Conservation Advisory Committees for the purpose of assisting the Board in

carrying out the activities of the Bank which relate to energy conserving improvements and solar energy systems. Each committee consists of five members, appointed by the Board from among individuals who are not officers or employees of any governmental entity, as follows:

(1) One individual who is able to represent the views of consumers as a result of the individual's education, training and experience.

(2) One individual who is able to represent the views of financial institutions as a result of the individual's education, training and experience.

(3) One individual who is able to represent the views of builders as a result of the individual's education, training and experience.

(4) One individual who is able to represent the views of architectural or engineering interests as a result of the individual's education, training and experience.

(5)(a) For the Solar Energy Committee, one individual who is able to represent the views of the solar energy industry as a result of the individual's education, training and experience.

(b) For the Energy Conservation Committee, one individual who is able to represent the views of producers or installers of residential and commercial energy conserving improvements as a result of the individual's education, training and experience.

In accordance with the Federal Advisory Committee Act, 5 U.S.C. App. I, section 10(a)(2), announcement is made of the following meeting:

The Solar Energy and Energy Conservation Advisory Committees will meet on September 25, 1986. The meetings are open to the public and will convene at 3:45 p.m. via a telephone conference call originating from the Department of Housing and Urban Development, 451 7th Street, SW., Room 7202, Washington, DC 20410.

An agenda will be available at the meeting. Inquiries concerning the agenda and the meeting may be made by contacting the Office of the Solar Energy and Energy Conservation Bank at (202) 755-7166.

Authority: Title V, Subtitle A, of the Energy Security Act of 1980, (Pub. L. 96-294, 12 U.S.C. 3601-3620).

Dated: August 18, 1986.

Approved:

Walter Bruce,

Advisory Committee Chairperson.

Dated: August 21, 1986.

Approved:

Richard H. Francis,

Manager, Solar Energy and Energy Conservation Bank.

[FR Doc. 86-20136 Filed 9-5-86; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of Applications for Permits

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT-711493

Applicant: Jack Woody, National Sea Turtle Coordinator, U.S. Fish & Wildlife Service, Albuquerque, NM.

The applicant requests a permit to export 20 kg. of seized hawksbill turtle (*Eretmochelys imbricata*) shell, to be obtained from the U.S. Fish & Wildlife Service, Division of Law Enforcement, to the Tokelau Village elders, Tokelau Island, Western-Semosa, for use in making traditional fishing lures. The natives will use the turtle shell for subsistence fishing only; the lures will not be entered into commerce. This export will increase the likelihood of the survival of the species by eliminating the need for taking the turtles from the wild.

PRT-711637

Applicant: Roger D. Harris, Berkeley, CA.

The applicant requests a permit to live trap and release salt marsh harvest mice (*Reithrodontomys raviventris*) on Blair Island, San Mateo County, CA. The purpose is to determine the possible occurrence of this species on the property.

Documents and other information submitted with these applications are available to the public during normal business hours (7:45 am to 4:15 pm) Room 611, 1000 North Glebe Road, Arlington, Virginia 22201, or by writing to the Director, U.S. Fish and Wildlife Service of the above address.

Interested persons may comment on any of these applications within 30 days of the date of this publication by submitting written views, arguments, or data to the Director at the above address. Please refer to the appropriate PRT number when submitting comments.

January 2, 1986

F/SWC2:GHB

Mr. Colin J. Limpus
National Park & Wildlife Service
Pallarenda
Townsville QLD 4810
Australia

Dear Col,

In 1981 I was able to visit the three small Polynesian atolls of Tokelau to gather biological, cultural, and historical information on sea turtles. The results of this study were published in 1983 in Atoll Research Bulletin (reprint enclosed). As described in this paper, Tokelau is a semiautonomous dependency of New Zealand, located in a remote area of the Pacific about 300 miles north of Samoa. The islands are only visited three to five times a year by a government chartered 150-foot cargo vessel. There is no regular transportation between the three islands which are separated from each other by at least 40 miles. All together, there are about 1,600 native inhabitants in Tokelau, with each island governed by a Council of Elders. The Office for Tokelau Affairs in Apia, Western Samoa, handles all external matters for the island communities. There is no tourism in the islands, and any outside visitors must receive prior approval from the Council of Elders. Anchorage for vessels is very poor in Tokelau, since there are no passes leading into the sheltered atoll lagoons.

As described in the enclosed paper, an impressive feature of life in Tokelau is the traditional community concept of "inati," whereby each individual receives from or contributes to the village his or her fair share. Fishing and agriculture are carried out on a subsistence basis. The atoll environment offers very limited natural resources. Canned goods are usually only available and eaten for a few weeks following each ship arrival.

While interviewing native fishermen in Tokelau, I was asked if I could direct them to a commercially available source of tortoise shell. I learned that the hook portion of their fishing lures for skipjack tuna is traditionally made from thick hawksbill scutes. The shank or spoon of the lure is made of pearl shell. Nothing else they have substituted matches the characteristics of tortoise-shell for this purpose. Tortoise shell is said to have the correct strength so that, under heavy stress, it will break just before the more valuable and difficult-to-fashion pearl shell. Plastic and

steel hooks have been periodically used on Tokelauan lures, but have never been found acceptable (see enclosure by R. Gillett). Tortoise-shell is now very scarce in Tokelau. I suspect that at least a portion of their needs has been met during recent years by purchases from Apia. Hawksbills in Western Samoa have been severely depleted by overexploitation, but are still not legally protected.

The purchase of tortoise-shell through commercial sources, whether by Tokelauans or anyone else, almost always results in the taking of more hawksbills to satisfy the demand. For this reason, I refrained from telling the Tokelauans where they could buy tortoise-shell. However, I came up with an alternate idea, in view of the special role fish lures play to these islands, and the sincere efforts being made to retain cultural identity. I proposed the possibility of obtaining tortoise-shell at no cost from stocks already confiscated by the U.S. Fish and Wildlife Service. In my published report, I offered to investigate this possible source, if there was an official interest in having me do so. I have recently received a letter to this effect, and am now further exploring the idea. I would appreciate hearing your thoughts on this subject. At the present time, I personally feel that the donation of tortoise-shell would: 1) prevent more hawksbills from being killed and sold, and 2) be a positive reinforcement to the Tokelauan culture. I can think of few negative factors to oppose such a plan. I suppose that one could argue that the tortoise-shell might be resold by the Tokelauans, possibly as a handicraft souvenir item. However, I believe the chances of this happening are slight. Tokelauan handicraft is among the finest in the Pacific islands, but none includes parts from sea turtles. In addition, all handicraft from the islands is transhipped to the Office for Tokelau Affairs in Apia where it is marketed internationally for the most favorable price. The top level administrators in the office monitor all of these items and sales, and are therefore fully aware of the situation. One might also argue that if Tokelauans receive free tortoise-shell from the United States for subsistence cultural use, then other island people would also feel they are entitled to it. My response would be that the Tokelauan situation is special, with the islands being isolated and a traditional life style reasonably intact. Each situation would have to be evaluated on a case-by-case basis. However, right now Tokelau is the only island group which has made such a request, and their circumstances seem to me to be justified for the donation of tortoise-shell.

In closing, I should mention that only about 20 kg of tortoise-shell would be involved in the Tokelauan request. It is my understanding that this quantity would last for at least several years. It would be equitably distributed to fishermen (by "inati") through the Council of Elders on each island.

Sincerely,

George H. Balazs
Zoologist

Enclosure

cc: Balazs ✓
HL

Identical letters/memos to:

Mr. Colin J. Limpus
National Park & Wildlife Service
Pallarenda
Townsville QLD 4810
Australia

Mr. G. S. de Silva
Turtle Islands National Park
P. O. Box 768
Sandakan, Sabah Malaysia

Dr. Peter C. H. Pritchard
Florida Audubon Society
P. O. Drawer 7
Maitland, FL 32751

Dr. Archie Carr
Department of Zoology
223 Bartram Hall
University of Florida
Gainesville, FL 32611

Dr. Robert Scott
SSC/IUCN
Ave. du Mont Blanc
CH-1196
Gland, Switzerland

Mr. Michael Weber
Center for Environmental
Education
624-9th St., N.W.
Washington, D. C. 20001

Identical letters/memos to:

Mr. Fredrick Berry
National Marine Fisheries Service
Southeast Fisheries Center
75 Virginia Beach Drive
Miami, FL 33149

Dr. Karen Bjorndal
Department of Zoology
223 Bartram Hall
University of Florida
Gainesville, FL 32611

Dr. Anne Heylan
American Museum of Natural History
Central Park West at 79th Street
New York, NY 10024

Dr. Jeanne Mortimer
Department of Zoology
223 Bartram Hall
University of Florida
Gainesville, FL 32611

Dr. Sheila Conant
University of Hawaii
Dean 101A
2450 Campus Road
Honolulu, HI 96822

Sally R. Murphy
Wildlife & Marine Resources
Box 12559
Charleston, SC 20412

Identical letters/memos to:

Mr. Mike McCoy
P. O. Box D
Kolonia, Ponape
Eastern Caroline Islands
96941

Dr. Nat B. Frazer
Biology Department
Mercer University
1400 Coleman Avenue
Macon, GA 31207

Dr. Dick Wass
U.S. Fish and
Wildlife Service
P. O. Box 50167
Honolulu, HI 96850

Mr. Paul Kawamoto
Divison of Aquatic
Resources
Department of Land and
Natural Resources
1151 Punchbowl Street
Honolulu, HI 96813

Dr. Robert Johannes
Commonwealth Scientific
and Industrial Research
Organization
Box 20, North Beach
Western Australia 6020

Mr. Larry Ogren
National Marine Fisheries
Service, NOAA
3500 Delwood Beach Road
Panama City, FL 32407-7499

Dr. Harold Hirth
201 Biology Building
Salt Lake City, Utah 84112

F/SWR1 - Gene Nitta

F/SWC2 - Jerry Wetherall

Identical letters/memos to:

Dr. George R. Hughes
Natal Parks Board
P. O. Box 662
Pietermaritzburg 3200
South Africa

Dr. J. P. Ross
Division of Reptiles
and Amphibians
Museum of Comparative Zoology
Cambridge, MA 02138

April 15, 1986

F/SWC2:GHB

Ms. Kimberly Wright
U.S. Fish and Wildlife Service
P. O. Box 50223
Honolulu, HI 96850

Dear Kim,

The overwhelming majority of the people I've contacted concerning the donation of tortoiseshell to Tokelau feel that it is an excellent and appropriate idea.

The next step is to determine exactly what official paperwork might be needed, and from what source. I would greatly appreciate your assistance in this important phase. I have just finished reading 50 CFR 12 (Seizure and forfeiture procedures), revised version dated 2/15/85. Section 12.33 (Disposal) and section 12.36 (Donation or loan) seem to offer the latitude for giving tortoiseshell for noncommercial and traditional native usage. Is my interpretation correct? What exactly must I now do before packaging up 20 pounds of tortoiseshell and mailing it to Tokelau?

Best regards.

Sincerely,

George H. Balazs
Zoologist

cc: Gene Witham
WPPD
Balazs ✓
HL



United States Department of the Interior

FISH AND WILDLIFE SERVICE
POST OFFICE BOX 1306
ALBUQUERQUE, N.M. 87103

OCT 22 1986

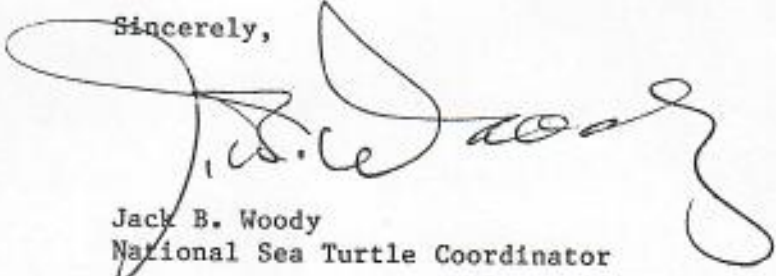
George Balazs
National Marine Fisheries Service
2570 Dole Street
Honolulu, Hawaii 96822-2396

Dear Mr. Balazs:

This letter is to designate you as subpermittee under my CITES permit #US711493 (original attached) which authorizes the export of up to 20 kilograms of hawksbill (*E. imbricata*) turtle shell to the proper authorities within the Office of Tokelau Affairs, Western Samoa.

The hawksbill shell in question was obtained by FWS law enforcement agents and is being made available as a donation to the Tokelau Islanders for use in their historical and cultural fishing activities. It is not to be used for barter, trade, or any related commercial activities. Please make this very clear to the Tokelau elders. We hope this donation will further encourage the Tokelau people to conserve and manage the remaining sea turtle resources of the islands.

Sincerely,



Jack B. Woody
National Sea Turtle Coordinator

Enclosure

cc: (w/encl)
SAC, Region 1
SAC, Region 2
FWS Administrator, Honolulu, Hawaii

cc: (wo/encl)
Chief, WPO
Chief, OES
Regional Director, Region 1



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center Honolulu Laboratory
2570 Dole St. • Honolulu, Hawaii 96822-2396

October 30, 1986

F/SWC2:GHB

Mr. Foua Toloa
Agriculture and Fisheries
Office for Tokelau Affairs
Box 865
Apia, Western Samoa

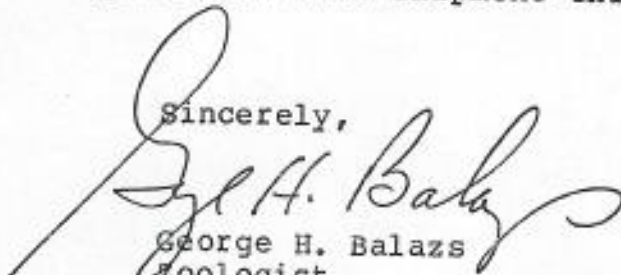
Dear Mr. Toloa:

I am pleased to report that, after much paperwork, we have finally received the necessary permit that will allow us to give the Tokelau people a small quantity of tortoiseshell to make traditional fishing lures. As stated in the letter of authorization (copy attached), the material is "not to be used for barter, trade, or any related commercial activities." In addition, it is hoped that this donation "will further encourage the Tokelau people to conserve and manage the remaining sea turtle resources of the islands."

The permit allows up to 20 kg of confiscated tortoiseshell to be sent. However, I presently have only about 4 kg in which the plates seem thick enough for the purpose intended. Apparently there are only one or two plates on each adult hawksbill turtle that are of sufficient thickness. I have notified the enforcement agents of both our agency and the U.S. Fish and Wildlife Service to send me additional confiscated material. In the meantime, the tortoiseshell I now have will be shipped to you in the near future. After you inspect this material, I would appreciate learning what the minimum plate thickness might be for fashioning the lures. Are all of the plates in this shipment thick enough?

Best regards.

Sincerely,


George H. Balazs
Zoologist

Attachment





U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center Honolulu Laboratory
2570 Dole St. • Honolulu, Hawaii 96822-2396

November 7, 1986 F/SWC2

Mr. A. H. Macey
Official Secretary
Office for Tokelau Affairs
P. O. Box 865
Apia, Western Samoa

Dear Mr. Macey:

With this letter, I am pleased to send you 3.5 kg of the 20 kg of tortoiseshell allowed under our CITES Permit No. US711493. As discussed earlier, the material should be equitably shared among the fishermen of Tokelau through the Council of Elders, and may not be used for commercial purposes.

The 3.5 kg of tortoiseshell being sent consists of 41 pieces, each of which has a labeled number (note that Nos. 19 and 20 were not used). I have recorded the weights, measurements, and other characteristics of each piece. It will be very helpful for me to know the label numbers of the pieces that are well suited for making fishing lures, and those that may be less desirable. This information will be used to assemble our next shipment.

Best regards.

Sincerely,

George H. Balazs
Zoologist



NOAA, National Marine Fisheries Service
 SWFC Honolulu Laboratory F/SWCS
 2570 Dole Street
 Honolulu, HI 96822-2396

Forty-one (41) pieces of tortoiseshell shipped to the Tokelau Islands for
 traditional fishing lures under CITES Permit US711493 7 Nov 86

Label No.	Length, cm	Width, cm	Weight, g	Comments
1	23	14	76	L
2	19	16	54	L, 1/2 H
3	21	18	74	C
4	20	17	59	L, H
5	15	16	42	C
6	27	17	116	L
7	21	15	68	L
8	34	19	173	L
9	21	14	54	L
10	16	15	65	L
11	18	17	85	L
12	20	18	99	L
13	18	15	62	C
14	16	14	51	C
15	19	16	57	C
16	24	16	91	L
17	17	14	54	C
18	16	13	42	L
19	---	---	---	---
20	---	---	---	---
21	23	14	59	L
22	27	18	119	L
23	28	17	125	L
24	24	15	82	L, 1/4 H
25	22	15	68	L, 1/4 H
26	23	14	85	L
27	23	19	96	C
28	20	18	79	C, 1/2 H
29	20	14	57	L
30	22	14	71	L
31	30	17	127	L
32	22	15	57	L
33	24	14	79	L
34	32	19	136	L
35	32	18	175	L
36	29	17	99	L
37	26	16	96	L
38	33	19	144	L
39	15	11	28	L
40	31	19	190	L
41	25	18	88	C, cc
42	19	16	59	L, H
43	22	15	74	L, cc

Total weight 3,515

Twenty-two (22) pieces of tortoiseshell shipped to the Tokelau Islands for traditional fishing lures under CITES Permit US711493.

Label No.	Length, cm	Width, cm	Weight, g	Comments
44	34	18	170	
45	22	18	127	
46	31	18	85	
47	31	16	85	
48	28	17	127	
49	27	18	227	
50	16	18	70	
51	18	22	198	
52	22	18	85	
53	20	18	113	
54	18	22	113	
55	23	18	113	
56	26	16	99	
57	28	17	113	
58	26	16	70	
59	28	19	241	
60	24	18	127	
61	18	16	56	
62	22	17	127	
63	17	19	113	
64	11	7	28	
65	16	14	170	

Total weight 2,657 g



Agr 5/3/1

OFIHA O NA MEA TAU TOKELAU
Office for Tokelau Affairs

20 January 1987

Mr George H Balazs
Southwest Fisheries Centre
Honolulu Laboratory
2570 Dole St
Honolulu, Hawaii 96822-2396

Dear Mr Balazs,

I am pleased to inform you that the package of tortoise shells you sent 2 months ago, Permit No. US 711493 has finally arrived in good order.

Mr Foua Toloa, Director of Agriculture and Fisheries will be returning from Tokelau next week to give you clear guidelines of the material assessment. Meantime, thank you very much for the tortoise shells which, I hope will be distributed amongst the fishermen and Foua to send you reports of their success and suitability.

Yours sincerely,

(I Gaulofa)
for Official Secretary



OFIHA O NA MEA TAU TOKELAU
Office for Tokelau Affairs

25 March 1987

George Balazs
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
National Marine Fisheries Service
South West Fisheries Centre Honolulu Laboratory
2570 Dole St.
HONOLULU, HAWAII 96822-2396

Dear George,

I have enclosed for you one 1986 First Day Cover which focus on Tokelau Agriculture and Livestock Stamp Issues, also ten postage stamps that portrays a sea turtle as you requested.

We hope you will accept these as a token of our appreciation for the consignment of turtle shell that you send us. We will be dividing these shells between the three atolls in April and we know that they will be of great value to us especially the schools.

Best wishes and many thanks.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'F. Toloa'.

(F Toloa)
Acting Director of Agriculture &
Fisheries

Enc.

TELEGRAMS: TOKALANI APIA
TELEPHONE: 20 822 20 823
TELEX: 281 SX FAX: 21 761



P.O. BOX 865 APIA
WESTERN SAMOA

5/0/9

OFIHA O NA MATAKUPU TOKELAU
Office for Tokelau Affairs

11 May 1990

George Balazs
US Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Southwest Fisheries Center Honolulu Laboratory
2570 Dole St
Honolulu, Hawaii 96822-2396

Dear George

After some discussions with Semu Uili who you may know, about future stamp issues, he was not aware of another sea turtle stamp issue. Since the topic was of interest to a lot of people and myself, this is endangered species, he was convinced that its worthwhile an exercise.

Semu for your information is now heading the newly established Department of Economic Affairs and Information. You may be interested to drop him a few lines to encourage him to proceed with this issue. He already have my ideas and he is quite receptive.

I have been pressing for many years for the turtle hatchery in Tokelau (Fenualoa in Fakaofu and Tokelau in Nukunonu) if you may recall our visit around those places. I have manage myself to talk to each individual Council forbidding the harvest of turtle eggs and have been instituted on Atafu and Nukunonu. ←

Your visit will be very helpful for we to revive these ideas and to follow through the recommendations in your report during your last visit.

Looking forward for your visit and I hope this could be done at your earliest convenience.

Best regards

A handwritten signature in red ink, appearing to read 'Foua Toloa'.

(Foua Toloa)
Director of Agriculture & Fisheries



5/3/1

Do

~~SB~~

OFIHA O NA MEA TAU TOKELAU
Office for Tokelau Affairs

12 December 1985

Mr Richard S Shomura
Director, Honolulu Laboratory
National Marine Fisheries Service NOAA
P O Box 3830
Honolulu, Hawaii 96812

Dear Sir,

We wish to acknowledge the good report on "Sea Turtle and their Traditional Usage in Tokelau" by George H Balazs who is one of your turtle scientists.

Several recommendations in the report have been followed up after the formation of an Agriculture and Fisheries Committee last year. This Committee strongly recommended to the Councils of Elders on each atoll the importance of pursuing these recommendations. Also, an agriculture and fisheries programme has been developed for the school in which special efforts will be made to strengthen any appropriate cultural aspects involving sea turtles.

On this same subject we wish to pursue the idea of obtaining raw scutes of the hawkskill turtle which we understand from George's report are held by the US Government in Hawaii. This material, which is extremely scarce in Tokelau, would be used for fishing hooks need in skipjack pearl shell lures. It would also be used for teaching the young people the skills of making these traditional fishhooks.

We guarantee that these materials will not be offered for sale in any form, and will be given free to the Council of Elders on each atoll for equal distribution.

We look forward to hearing from you.

Yours sincerely,

A H Macey

(A H Macey)
Official Secretary



5/0/9

OFIHA O NA MATAKUPU TOKELAU
Office for Tokelau Affairs

15 March 1990

Mr G Balaz
Honolulu Laboratory F/SWCZ
Southwest Fisheries Center
National Marine Fisheries Services
NOAA U.S. Dept of Commerce
2570 Dole Street
Honolulu, Hawaii 96822-2396

Dear George

I owe you an apology for replying so late to your letter concerning information on the scutes. We have been exchanging messages (telegrams, radio conversations) between this Office and the Administration Officers on the three atolls concerning the consignment of turtle scutes you sent.

Well, this is a short history of the consignment you sent. The box of scutes was handed to the three Councils of Elders at Atafu during one of the General Fono trip with the agreement that the consignment will be divided equally amongst the three atolls. The idea was, once the community training centre will be completed, and in place, the teaching and training of young Tokelauans on the art of making fish hooks,

with kagm.
When the 1987 cyclone struck Tokelau, one of the community training centre was completely destroyed and the other two were only at their initial stage of being built. This incidence prevent the original plan for the use of these turtle scutes in hook making.

From the information I have gathered so far from some of the elders that I showed the materials to, in their opinion most of them were too thin for good strong tuna hooks. They were on the other hand possessive of these rare materials which they think would still be of use for teaching purposes.

The consignment was divided in three lots and each atoll received their share as follows:

Atafu	-	29, 23, 32, 31, 24, 6, 22, 33, 9, 36, 26, 43	12
Nukunonu	-	7, 28, 13, 40, 21, 37, 25, 2, 8, 11, 14, 15, 18	13
Fakaofu	-	15, 3, 39, 22, 34, 38, 10, 17, 12, 5, 1, 42	12

Six turtle plates could not be identified and we assumed that they are number 16, 19, 20, 31 and 41. These remaining scutes are still in the custody of our Administration Officer on Atafu.

5/0/9

I will be travelling to Tokelau on 21 April 1990 and I will personally take the opportunity to receive comments from the elders on the scutes in general and rediscussed the original project proposal. I am sure the elders are still keen with the idea and it only just required a bit of leverage to get things going. I believed too that there were some conflict of interest between young Tokelauans who are incharge of running the community training centres with a group of Tokelauans who are interested in learning traditional skills, etc like traditional hook making with contrast to welding.

Again, I wish to apologise for the late reply to your letter which I know created a good opportunity for my friend Bob to capitalise on me. You could sense and tell miles away of his frustrations working together with me because he like challenging people and the agony of defeat made him behave like that.

Yours sincerely



(Foua Toloa)

Director of Agriculture & Fisheries

cc: Bob Gillet, FAO, Suva

I have sent an apology for replying so late to your letter concerning information on the scutes. We have been exchanging messages (telegram, radio conversation) between this Office and the Administration Officers on the islands concerning the assignment of turtle scutes to the islands.

Well, this is a short note to inform you that the assignment of turtle scutes to the islands will be divided equally amongst the three atolls. The idea was, when the community training centre will be completed, set in place, the teaching and training of young Tokelauans on the art of making fish hooks, etc.

When the 1987 cyclone struck Tokelau, one of the community training centre was completely destroyed and the other two were left at their initial stage of being built. This incident prevent the original plan for the use of these turtle scutes in hook making.

From the information I have gathered so far from some of the elders that I showed the materials to, in their opinion most of them were too old and far gone strong tube hooks. They were on the other hand possessive of these rare materials which they think would still be of use for teaching purposes.

The assignment was divided in three lots and each atoll received their share as follows:

- Atafu - 23, 21, 32, 21, 24, 6, 22, 33, 9, 38, 26, 43
- Nukunono - 7, 23, 13, 46, 21, 32, 25, 2, 8, 11, 44, 15, 18
- Fakaofo - 13, 3, 33, 22, 34, 38, 10, 17, 12, 5, 1, 42

Some turtle plates could not be identified and we assumed that they are number 16, 19, 20, 22 and 41. These remaining



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center Honolulu Laboratory
2570 Dole St. • Honolulu, Hawaii 96822-2396

October 4, 1989

F/SWC2:GHB

Mr. F. Toloa
Director of Agriculture
and Fisheries
Office of Tokelau Affairs
Box 865
Apia, Western Samoa

Dear Mr. Toloa:

I enjoyed having the opportunity to read the interesting paper you coauthored with Bob Gillett that was presented at the recent SPREP meeting in Vanuatu. I hope that your suggestions for enhancing conservation practices in Tokelau can be implemented.

Balazs

I wonder if it would now be possible to obtain more specific information on the distribution and use of the tortoiseshell I sent to Tokelau to make traditional fishing lures. The material was shipped under a CITIES permit with the understanding that I would eventually provide a written evaluation of its use to the conservation and research communities. The sort of things I would be interested in include: 1) numbers of hooks made at each island; 2) effectiveness of the hooks in actual fishing; 3) which plates were the most suitable for making hooks (each plate was numbered); 4) whether or not the need exists for more shell to make hooks; and 5) the sociological implications of distributing the shell in terms of any problems or conflicts that may have been created.

Any information that you can provide me on these or other subjects regarding the shell will be greatly appreciated.

Sincerely,

George H. Balazs
Zoologist

cc: Bob Gillett, FAO/UNDP, Suva, Fiji



Volume in drive H has no label
Directory of H:\BARRY

	<DIR>		7-24-89	7:03a
	<DIR>		7-24-89	7:03a
P&H1986	PIC	30321	1-31-89	8:35a
OUTPUT		123227	1-30-89	3:41p
STOMACH		129303	1-31-89	8:39a
OGG		197807	6-23-89	1:52p
FFSMALF	WK1	7073	2-03-89	3:42p
FFSMALF	FRN	5786	2-06-89	10:51a
FFSFEMAL	WK1	25484	2-08-89	12:53p
GRAPH1	PIC	10562	6-13-89	11:55a
MONK	WK1	1888	1-04-80	12:07a
MONK	PIC	1757	6-23-89	1:28p
MONK1	WK1	1870	1-04-80	12:27a
MONK1	PIC	1776	3-07-89	11:28a
MONK2	WK1	1765	5-19-89	8:20a
MONK2	PIC	1158	5-19-89	8:20a
MNK		146146	3-07-89	1:05p
TR	WK1	22329	5-30-89	1:57p
TURTLE1	PIC	1318	4-25-89	11:06a
TURTLE1	WK1	2747	4-25-89	11:07a
TURTLE2	PIC	902	3-15-89	2:04p
TURTLE2	WK1	2399	3-09-89	1:43p
REG	PIC	673	3-09-89	11:01a
REG	WK1	2143	3-09-89	11:01a
REG2	PIC	994	3-14-89	3:10p
REG2	WK1	2136	3-14-89	3:10p
REG3	PIC	850	3-14-89	3:21p
REG3	WK1	2136	3-14-89	3:21p
EXMALE	WK1	3751	4-19-89	3:14p
EXFEM	WK1	5206	4-20-89	8:32a
GROWTHPH	WK1	6770	6-23-89	8:56a
P&HSEAL	PIC	923	5-18-89	3:31p
LUCI		768	4-25-89	3:18p
TR	PIC	2590	6-02-89	1:40p
DAT	WK1	75938	6-13-89	11:56a
BARRY		824	6-13-89	10:36a
P&H1988	TAB	25856	5-18-89	1:24p
P&HTAB	COP	2432	5-18-89	12:58p
P&HSEAL	WK1	2206	5-18-89	3:32p
P&HBB	TXT	26496	5-31-89	11:13a
TR		137340	5-30-89	10:47a
TUR	DAT	384	6-02-89	9:27a
RECAP	WK1	14967	6-19-89	9:23a
BARRY	BK!	583	6-13-89	10:24a
LIBRARY	STY	1744	1-03-89	11:00a
VONBLOG	GRT	5632	6-16-89	8:37a
VONLOG	DAT	1536	6-19-89	2:51p
P&HTAGS	WK1	17459	4-18-89	12:52p
GRAPH1	WK1	1787	3-06-89	10:40a
TAGNUM	WK1	5261	4-25-89	12:00p
GLOBALB	WK1	9076	5-08-89	2:24p
POPULATI	PIC	1803	2-27-89	11:59a
PHGROWTH	PIC	1791	6-23-89	8:29a

53 File(s) 21831680 bytes free

8/25
George -
these are the files on
the H: drive. As you can
see, they are different from
the list you gave me.

If these are meaningful
to you, and valuable, I would
recommend that you back them
up on a floppy disk, as
the network has been experiencing
problems lately.
(new mind - I did it for you - but they are)
Jim

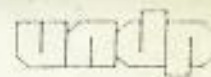
(P.S. - I printed most of them
out so you can see what
they are. The ones I
circled on the left are raw data.

LUCI
BARRY
and BARRY.BK! appears to be practice
files from Wordperfect seminar.



REGIONAL FISHERY SUPPORT PROGRAMME

FAO/UNDP PRIVATE MAIL BAG
SUVA, FIJI



FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS



UNITED NATIONS
DEVELOPMENT PROGRAMME

HQ REF: DP9/ RAS/87/002

YOUR REF:

OUR REF: TOK 1

LETTER NO: 122

CABLE: UNDEVPRO SUVA
FAX: (379) 300029
TELEX: 2512 "FAOFIS" FJ
TELEPHONE: 300802, 300677

23 February, 1990

George,

While in the Solomon Islands I received some information by fax that you were interested in finding out what happened to the turtle shell sent to Tokelau. As I am now sitting in a hotel room in downtown Port Moresby without anything to do, perhaps it would be a good time to explain to you what has happened.

I received a copy of your last enquiry to Foua on the subject. I copied your letter, added some expletives dealing with Foua's lack of acknowledgement to you and general slackness and sent it off to my Tokelaun colleague. A few weeks later when I was in Foua's office I noticed my letter along with yours sitting on his desk. This produced a "Bob, I was just about to answer it" response from him and a few expletives from me. In response to my threat to break his neck, Foua promised to answer it "straight away".

You must realize that after Foua (who prides himself on being a man of the sea) suffered a humiliating defeat in a spearfishing contest against a competitor from the USA. His ego was so crushed that I believe it has affected his brain. Perhaps instead of answering correspondence such as yours, he now stares blankly at the walls in his office.

Perhaps the thought of sending a reply to you in the USA causes our poor friend to think about the origin of the individual who caused him so much humiliation, that he breaks down and cries and is unable to muster even a brief response.

Regards,

Bob

Robert Gillett
Fisheries Development Adviser

Mr. G. Balazs
Honolulu Laboratory F/SWC2
Southwest Fisheries Center
National Marine Fisheries Service
NOAA, U.S. Dept. of Commerce
2570 Dole Street
Honolulu
HAWAII 96822-2396

*I believe that you will now
get a response from Foua*



c.c. F. Toloa, TOK

c.c. F. Tolosa, TOK

HAWAII 96822-2396

Honolulu
2570 Dole Street
NOAA, U.S. Dept. of Commerce
National Marine Fisheries Service
Southwest Fisheries Center
Honolulu Laboratory F/SWC2
Mr. G. Balazs

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get a response from Foua*

Robert Gillett
Fisheries Development Adviser

Bob

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George,

23 February, 1990

HO REF: DP9/ RAS/87/002
YOUR REF: TOK 1
OUR REF: 122
LETTER NO: 122

CABLE: UNDEVPRO SUVA
FAX: (579) 300029
TELEX: 2512 'FAOFIS' FJ
TELEPHONE: 300902, 300677

UNITED NATIONS
DEVELOPMENT PROGRAMME



FAO/UNDP PRIVATE MAIL BAG
SUVA, FIJI

FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS





United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

ADDRESS ONLY THE DIRECTOR,
FISH AND WILDLIFE SERVICE

In Reply Refer To:
FWS/LE LAW 8-04

Mr. George H. Balazs
U.S. Department of Commerce
National Oceanic and Atmospheric
Administration
National Marine Fisheries Service
Southwest Fisheries Center
Honolulu Laboratory
2570 Dole St.
Honolulu, Hawaii 96822-2396

JUN 12 1986

Dear Mr. Balazs:

I have reviewed your letter of May 21, 1986, concerning the use of our blanket CITES permit. The conditions for which that permit can be utilized do not include the one in your letter. It is strictly for law enforcement purposes.

Sea turtles are protected by the Endangered Species Act and/or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the regulations covering these are contained in 50 CFR 17 & 23. You will have to apply for an Endangered Species export permit and also for the proper CITES export permit, prior to exportation, from the U.S. Fish and Wildlife Service, Federal Wildlife Permit Office, 1000 N. Glebe Road, Room 611, Arlington, VA 22201.

Please contact our local office in Honolulu, if we can be of any further assistance.

Sincerely,

C. R. Bavin
Chief, Division of Law Enforcement

Enclosures: 50 CFR 17 & 23

December 26, 1985

F/SWC2:GHB

Mr. Fredrick Berry
National Marine Fisheries Service
Southeast Fisheries Center
75 Virginia Beach Drive
Miami, FL. 33149

Dear Fred,

In 1981 I was able to visit the three small Polynesian atolls of Tokelau to gather biological, cultural, and historical information on sea turtles. The results of this study were published in 1983 in Atoll Research Bulletin (reprint enclosed). As described in this paper, Tokelau is a semiautonomous dependency of New Zealand, located in a remote area of the Pacific about 300 miles north of Samoa. The islands are only visited three to five times a year by a government chartered 150-foot cargo vessel. There is no regular transportation between the three islands which are separated from each other by at least 40 miles. All together, there are about 1,600 native inhabitants in Tokelau, with each island governed by a Council of Elders. The Office for Tokelau Affairs in Apia, Western Samoa, handles all external matters for the island communities. There is no tourism in the islands, and any outside visitors must receive prior approval from the Council of Elders. Anchorage for vessels is very poor in Tokelau, since there are no passes leading into the sheltered atoll lagoons.

As described in the enclosed paper, an impressive feature of life in Tokelau is the traditional community concept of "inati," whereby each individual receives from or contributes to the village his or her fair share. Fishing and agriculture are carried out on a subsistence basis. The atoll environment offers very limited natural resources. Canned goods are usually only available and eaten for a few weeks following each ship arrival.

While interviewing native fishermen in Tokelau, I was asked if I could direct them to a commercially available source of tortoise shell. I learned that the hook portion of their fishing lures for skipjack tuna is traditionally made from thick hawksbill scutes. The shank or spoon of the lure is made of pearl shell. Nothing else they have substituted matches the characteristics of tortoise-shell for this purpose. Tortoise shell is said to have the correct strength so that, under heavy stress, it will break just before the more valuable and difficult-to-fashion pearl shell. Plastic and steel hooks have been periodically used on

Tokelauan lures, but have never been found acceptable (see enclosure by R. Gillett). Tortoise-shell is now very scarce in Tokelau. I suspect that at least a portion of their needs has been met during recent years by purchases from Apia. Hawksbills in Western Samoa have been severely depleted by overexploitation, but are still not legally protected.

The purchase of tortoise-shell through commercial sources, whether by Tokelauans or anyone else, almost always results in the taking of more hawksbills to satisfy the demand. For this reason, I refrained from telling the Tokelauans where they could buy tortoise-shell. However, I came up with an alternate idea, in view of the special role fish lures play to these islands, and the sincere efforts being made to retain cultural identity. I proposed the possibility of obtaining tortoise-shell at no cost from stocks already confiscated by the U.S. Fish and Wildlife Service. In my published report, I offered to investigate this possible source, if there was an official interest in having me do so. I have recently received a letter to this effect, and am now further exploring the idea. I would appreciate hearing your thoughts on this subject. At the present time, I personally feel that the donation of tortoise-shell would: 1) prevent more hawksbills from being killed and sold, and 2) be a positive reinforcement to the Tokelauan culture. I can think of few negative factors to oppose such a plan. I suppose that one could argue that the tortoise-shell might be resold by the Tokelauans, possibly as a handicraft souvenir item. However, I believe the chances of this happening are slight. Tokelauan handicraft is among the finest in the Pacific islands, but none includes parts from sea turtles. In addition, all handicraft from the islands is transhipped to the Office for Tokelau Affairs in Apia where it is marketed internationally for the most favorable price. The top level administrators in the office monitor all of these items and sales, and are therefore fully aware of the situation. One might also argue that if Tokelauans receive free tortoise-shell from the United States for subsistence cultural use, then other island people would also feel they are entitled to it. My response would be that the Tokelauan situation is special, with the islands being isolated and a traditional life style reasonably intact. Each situation would have to be evaluated on a case-by-case basis. However, right now Tokelau is the only island group which has made such a request, and their circumstances seem to me to be justified for the donation of tortoise-shell.

In closing, I should mention that only about 20 kg of tortoise-shell would be involved in the Tokelauan request. It is my understanding that this quantity would last for at least several years. It would be equitably distributed to fishermen (by "inati") through the Council of Elders on each island.

Sincerely,

George H. Balazs
Zoologist

Enclosure

cc: Balazs ✓
HL

January 14, 1986

F/SWC2:GHB

Dr. David Ehrenfeld
Department of Horticulture
and Forestry
Cook College
Rutgers University
P. O. Box 231
New Brunswick, NJ 08903

Dear David,

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As described in the enclosed paper, an impressive feature of life in Tokelau is the traditional community concept of "inati," whereby each individual receives from or contributes to the village his or her fair share. Fishing and agriculture are carried out on a subsistence basis. The atoll environment offers very limited natural resources. Canned goods are usually only available and eaten for a few weeks following each ship arrival.

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Sincerely,

George H. Balazs
Zoologist

November 7, 1986 F/SNC2

Mr. A. H. Macey
Official Secretary
Office for Tokelau Affairs
P. O. Box 865
Apia, Western Samoa

Dear Mr. Macey:

With this letter, I am pleased to send you 3.5 kg of the 20 kg of tortoiseshell allowed under our CITES Permit No. US711493. As discussed earlier, the material should be equitably shared among the fishermen of Tokelau through the Council of Elders, and may not be used for commercial purposes.

The 3.5 kg of tortoiseshell being sent consists of 41 pieces, each of which has a labeled number (note that Nos. 19 and 20 were not used). I have recorded the weights, measurements, and other characteristics of each piece. It will be very helpful for me to know the label numbers of the pieces that are well suited for making fishing lures, and those that may be less desirable. This information will be used to assemble our next shipment.

Best regards.

Sincerely,

George H. Balazs
Zoologist

cc: Balazs ✓
HL



United States Department of the Interior

FISH AND WILDLIFE SERVICE
POST OFFICE BOX 1306
ALBUQUERQUE, N.M. 87103

OCT 22 1986

George Balazs
National Marine Fisheries Service
2570 Dole Street
Honolulu, Hawaii 96822-2396

Dear Mr. Balazs:

This letter is to designate you as subpermittee under my CITES permit #US711493 (original attached) which authorizes the export of up to 20 kilograms of hawksbill (*E. imbricata*) turtle shell to the proper authorities within the Office of Tokelau Affairs, Western Samoa.

The hawksbill shell in question was obtained by FWS law enforcement agents and is being made available as a donation to the Tokelau Islanders for use in their historical and cultural fishing activities. It is not to be used for barter, trade, or any related commercial activities. Please make this very clear to the Tokelau elders. We hope this donation will further encourage the Tokelau people to conserve and manage the remaining sea turtle resources of the islands.

Sincerely,

Jack B. Woody
National Sea Turtle Coordinator

Enclosure

cc: (w/encl)
SAC, Region 1
SAC, Region 2
FWS Administrator, Honolulu, Hawaii

cc: (wo/encl)
Chief, WPO
Chief, OES
Regional Director, Region 1



United States Department of the Interior

FISH AND WILDLIFE SERVICE
POST OFFICE BOX 1306
ALBUQUERQUE, N.M. 87103

OCT 22 1986

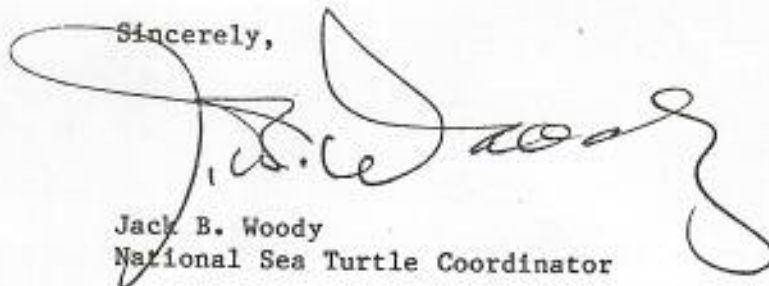
George Balazs
National Marine Fisheries Service
2570 Dole Street
Honolulu, Hawaii 96822-2396

Dear Mr. Balazs:

This letter is to designate you as subpermittee under my CITES permit #US711493 (original attached) which authorizes the export of up to 20 kilograms of hawksbill (*E. imbricata*) turtle shell to the proper authorities within the Office of Tokelau Affairs, Western Samoa.

The hawksbill shell in question was obtained by FWS law enforcement agents and is being made available as a donation to the Tokelau Islanders for use in their historical and cultural fishing activities. It is not to be used for barter, trade, or any related commercial activities. Please make this very clear to the Tokelau elders. We hope this donation will further encourage the Tokelau people to conserve and manage the remaining sea turtle resources of the islands.

Sincerely,



Jack B. Woody
National Sea Turtle Coordinator

Enclosure

cc: (w/encl)
SAC, Region 1
SAC, Region 2
FWS Administrator, Honolulu, Hawaii

cc: (wo/encl)
Chief, WPO
Chief, OES
Regional Director, Region 1

Twenty-two (22) pieces of tortoiseshell shipped to the Tokelau Islands for traditional fishing lures under CITES Permit US711493.

Label No.	Length, cm	Width, cm	Weight, g	Comments
44	34	18	170	
45	22	18	127	
46	31	18	85	
47	31	16	85	
48	28	17	127	
49	27	18	227	
50	16	18	70	
51	18	22	198	
52	22	18	85	
53	20	18	113	
54	18	22	113	
55	23	18	113	
56	26	16	99	
57	28	17	113	
58	26	16	70	
59	28	19	241	
60	24	18	127	
61	18	16	56	
62	22	17	127	
63	17	19	113	
64	11	7	28	
65	16	14	170	

Total weight 2,657 g

MERCER UNIVERSITY

MACON, GEORGIA
31207

Department of Biology
College of Liberal Arts

George Balazs
Southwest Fisheries Center
Honolulu Laboratory
2570 Dole Street
Honolulu, HI 96822-2396

31 October 1986

Dear George:

Here I am with egg on my face! Your understanding that your fibropapilloma article would appear in *MTN* 38 was absolutely correct. Two things happened. . . one of which is perhaps excusable, the other of which is definitely *not*!

As you can tell from looking at past issues, the printing and binding process we use depends upon there being exact multiples of 4 pages. Usually, I try to keep enough "filler" around to make up a half page or so if needed. I was intending to put your article in the last issue, but it just wouldn't come out to a multiple of 4 pages! By cutting your article, the desired 4-page standard was easily met. Thus, I "bumped" your article to the next issue.

What definitely is *not* excusable, however, is my failure to inform you of this! Please accept my apologies for any inconvenience or embarrassment this may have caused you.

The next issue will be going to the printer around 10 November and I plan to mail it out the first week of December. Your article will *definitely* be in it, *even if nothing else is!*

Again, I hope you'll accept the apologies of an overworked editor & teacher. As you know, I do all the typing, maintaining of the 900+ name mailing list, and correspondence for the newsletter in my "spare" time as a "volunteer." There are many, many "sins of omission" involved with this work and sometimes I wonder how I'm able to get 4 out each year. (One way I did this was to invest \$1500 of my own in a second computer to use at home so I can work on it there.) Anyway, enough for the sob story. I am sorry not to have informed you of the change.

I've seen the Florida job add several places and guess I should put it in the next *MTN* (since it's supposed to come out in December before their deadline). Several people have sent it to me (although I'm apparently *not* on the mailing list to receive one from the University of Florida!).

Let me know what happens with the Tokelau permit application. I won't put anything into the *MTN* until I hear from you that it would not interrupt any negotiations, etc. However, I would like to put something in about this someday! As you know, I am not constitutionally opposed to utilization of turtle products under certain conditions. Please keep me informed on this.

Sincerely,



Nat B. Frazer



United States Department of the Interior

FISH AND WILDLIFE SERVICE
POST OFFICE BOX 1306
ALBUQUERQUE, N.M. 87103

NOV 14 1986

George Balazs
National Marine Fisheries Service
P.O. Box 3830
Honolulu, Hawaii 96812

Dear George:

The recent CITES permit (#US 71 493), which I sent you to authorize the shipment of hawksbill scutes to the Tokelau Islands, named you as the subpermittee. I have been informed from on high that I cannot designate "subpermittees" under a CITES permit. So be it. By this letter, I am hereby designating you as my "agent" to carry out the intent and terms of said CITES permit.

Sincerely,

Jack B. Woody

cc:
Chief, WPO



CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

- IMPORT PERMIT
- EXPORT PERMIT
- RE-EXPORT CERTIFICATE
- OTHER CERTIFICATES (See block 9)

1. Original Permit/Certificate No. 711493 US

2. Valid until 3/31/87

3. Permittee (name and address, country) JACK WOODY NATIONAL SEA TURTLE COORD. USFWS P.O. BOX 1306 ALBUQUERQUE NM 87103 U.S.A.

4. Consignee/Exporter (name and address, country) OFFICE OF TOKELAU AFFAIRS P.O. BOX 865 APIA, WESTERN SAMOA TOKELAU

5. Special conditions -MUST COMPLY WITH ATTACHED GENERAL PERMIT CONDITIONS. -U.S. ENDANGERED SPECIES (50 CFR 17.22). -THIS REEXPORT IS AUTHORIZED IN ACCORDANCE WITH THE PROVISIONS OF CITES CONF. 4.17 OF THE FOURTH MEETING OF THE CONF. OF THE PARTIES

6. U.S. Management Authority FEDERAL WILDLIFE PERMIT OFFICE U.S. FISH AND WILDLIFE SERVICE DEPARTMENT OF THE INTERIOR WASHINGTON, D.C. 202 UNITED STATES OF AME 10/ 8/86 Issuing Date R. J. Kavetsky United States Management Authority AUTHORITY: Endangered Species Act of 1973 (16 USC 1531 et seq.)

7/8. Common Name and Scientific Name (genus and species) of Animal or Plant

9. Description of part or derivative, including identifying marks or numbers (age/sex if live)

10. Appendix No. and source (W, C, A or O)

11. Quantity, number of specimens, and/or net weight (kg. or lbs.)

A. COMMON NAME HAWKSBILL SEA TURTLE SCIENTIFIC NAME ERETMOCHELYS IMBRICATA

REEXPOR: 20 KILOGRAMS OF SEIZED TURTLE SHELL.

10. 1 W 11. 20 12. Country of origin* SEE BLOCK 5

Country of origin permit/certificate no.

B. COMMON NAME SCIENTIFIC NAME

10. 11. 12. Country of origin* Country of origin permit/certificate no.

C. COMMON NAME SCIENTIFIC NAME

10. 11. 12. Country of origin* Country of origin permit/certificate no.

D. COMMON NAME SCIENTIFIC NAME

10. 11. 12. Country of origin* Country of origin permit/certificate no.

* Country in which the specimens were taken from the wild, bred in captivity or artificially propagated.

13. Export/Re-export Endorsement: The official who inspects shipment upon exportation/re-exportation must enter the actual quantities of specimens being exported/re-exported in this block. See block 7

See block 7	Quantity
A	
B	
C	
D	

14. Bill of Lading/Air Way-Bill Number Port of Exportation/Re-exportation Total No. of Shipping Containers

15. This document valid only with inspecting official's ORIGINAL stamp, signature and date in this block. Inspecting Official's Stamp, Signature and Date



United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

Implemented May 1982

ADDRESS ONLY THE DIRECTOR,
FISH AND WILDLIFE SERVICE

GENERAL PERMIT CONDITIONS

1. All sections of Title 50 Code of Federal Regulations Part 13 provided on the reverse of this page are conditions of the permit.
2. All applicable foreign, state, local or other federal laws, including those requiring permits, must be observed.
3. Living specimens must be handled and shipped so as to minimize risk of injury, damage to health or cruel treatment.
4. Container in which authorized wildlife is shipped must be plainly marked with name and address of shipper and consignee and an accurate description of the contents including common and scientific name and number of each within OR with a symbol authorized by a Symbol Marking permit.
5. Permittee must carry a copy of permit while conducting authorized activities.
6. Permit number must be legibly printed on all documents and advertisements involving activities conducted under permit.

For permits authorizing import, export or reexport:

7. This permit and a completed copy of the Wildlife Declaration (Form 3-177) must be presented to a USFWS officer at the port upon import, export or reexport of wildlife shipments.
8. Import, export or reexport of pre-Act wildlife under the U.S. Endangered Species Act must be accompanied by documentation required by 50 CFR 17.4.
9. Import of species listed in Appendix I, II, or III of CITES must be accompanied by proper foreign documentation from the country of export.
10. Import, export or reexport of plants must be made through a U.S. Department of Agriculture (USDA) port (list attached if applicable). Permittee shall allow an authorized USDA agent to enter his premises at any reasonable hour to inspect any specimens held, or to inspect any records.
11. Import, export or reexport of wildlife must be made through one of the following designated ports or as authorized by an Exception to Designated Port permit: New York, NY; Miami, FL; New Orleans, LA; Dallas/Ft. Worth, TX; Los Angeles and San Francisco, CA; Honolulu, HI; Seattle, WA; and Chicago, IL.

Exception to Designated Port Permittees:

- a. Permittee is liable for all costs incurred by FWS in examining shipments including per diem, salary and travel cost. Payment shall be made by certified check or money order, payable to U.S. Fish and Wildlife Service prior to delivery of shipment to consignee.
- b. The nearest USFWS Law Enforcement Office (list attached) must be notified at least 72 hours prior to import, export or reexport.

§ 13.23 Amendment of applications or permits.

Where circumstances have changed so that an applicant or permittee desires to have any term or condition of his application or permit modified, he must submit in writing full justification and supporting information in conformance with the provisions of this part and the part under which the permit has been issued or requested. Such applications for modification are subject to the same issuance criteria as are original applications, as provided in § 13.21.

§ 13.24 Renewal of permit.

Where the permit is renewable and a permittee intends to continue the activity described in the permit during any portion of the year ensuing its expiration, he shall, unless otherwise notified in writing by the Director, file a request for permit renewal, together with a certified statement that the information in his original application is still currently correct, or a statement of all changes in the original application, accompanied by any required fee at least 30 days prior to the expiration of his permit. Any person holding a valid renewable permit, who has complied with the foregoing provision of this section, may continue such activities as were authorized by his expired permit until his renewal application is acted upon. The Director's intent not to renew a permit or to renew it in substantially amended form shall be made known in writing to the permittee. The written notice shall contain the reasons for the Director's action and shall allow the permittee an opportunity, in writing or in person, to present reasons why the permit should be renewed or should not be substantially amended.

(39 FR 1161, Jan. 4, 1974, as amended at 47 FR 20786, July 18, 1982)

§ 13.25 Permits not transferable, agency.

(a) Permits issued under this part are not transferable or assignable. Some permits authorize certain activities in connection with a business or commercial enterprise and in the event of any lease, sale, or transfer of such business entity, the successor must obtain a permit prior to continuing the permitted activity. However, certain limited rights of succession are provided in § 13.26.

(b) Except as otherwise stated on the face of a permit, any person who is under the direct control of the permittee, or who is employed by or under contract to the permittee for the purposes authorized by the permit, may carry out the activity authorized by the permit.

§ 13.27 Change of mailing address.

During the term of his permit, a permittee may change his mailing address without procuring a new permit. However, in every case notification of the new mailing address must be forwarded to the issuing official within 30 days after such change. This section does not authorize the change of location of the permitted activity for which an amendment must be obtained in accordance with § 13.23.

Excerpts from CODE OF FEDERAL REGULATIONS (50 CFR 13)

§ 13.28 Change in name.

A permittee continuing to conduct a permitted activity is not required to obtain a new permit by reason of a mere change in trade name under which a business is conducted or a change of name by reason of marriage or legal decree. Provided, That such permittee must furnish his permit to the issuing official for endorsement within 30 days from the date the permittee begins conducting the permitted activity under the new name.

§ 13.29 Official endorsement of changes required.

Any change in a permit must be made by endorsement of the Director or issuing officer. Any modification or change in an issued permit, other than those specifically provided for in this subpart, may be granted or denied in the discretion of the Director.

§ 13.30 Certain continuance of activity.

A permittee who furnishes his permit to the issuing official for endorsement or correction in compliance with the provisions of this subpart may continue his operations pending its return.

§ 13.31 Discontinuance of activity.

When any permittee discontinues his activity, he shall, within 30 days thereof, mail his permit and a request for cancellation to the issuing officer, and said permit shall be deemed void upon receipt. No refund of any part of an amount paid as a permit fee shall be made where the operations of the permittee are, for any reason, discontinued during the tenure of an issued permit.

§ 13.41 Recall and amendment of permit during its term.

Except for marine mammal permits (See Part 18), all permits are issued subject to the condition that the Service reserves the right to recall and amend the provisions of a permit for just cause at any time during its term. Such amendments take effect on the date of notification, unless otherwise specified. Permittees shall be notified in writing of such intent and the reasons therefor not less than 30 days prior to the proposed date of such action and shall be allowed an opportunity, in writing or in person, to present reasons why the permit should not be recalled or amended.

§ 13.42 Permits are specific.

The authorizations on the face of a permit which set forth specific times, dates, places, methods of taking, numbers and kinds of wildlife or plants, location of activity, authorize certain circumscribed transactions, or otherwise permit a specifically limited matter, are to be strictly construed and shall not be interpreted to permit similar or related matters outside the scope of strict construction.

§ 13.43 Alteration of permits.

Permits shall not be altered, erased, or mutilated, and any permit which has been altered, erased, or mutilated shall immediately become invalid.

Unless specifically permitted on the face thereof, no permit shall be copied, nor shall any copy of a permit issued pursuant to this Subchapter B be displayed, offered for inspection, or otherwise used for any official purpose for which the permit was issued.

§ 13.44 Display of permit.

Any permit issued under this part shall be displayed for inspection upon request to the Director or his agent, or to any other person relying upon its existence.

§ 13.45 Filing of reports.

Permittees may be required to file reports of the activities conducted under the permit. Any such reports shall be filed not later than March 31 for the preceding calendar year ending December 31, or any portion thereof, during which a permit was in force, unless the regulations of this Subchapter B or the provisions of the permit set forth other reporting requirements.

§ 13.46 Maintenance of records.

From the date of issuance of the permit, the permittee shall maintain complete and accurate records of any taking, possession, transportation, sale, purchase, barter, exportation, or importation of plants obtained from the wild (excluding seeds) or wildlife pursuant to such permit. Such records shall be kept current and shall include names and addresses of persons with whom any plant obtained from the wild (excluding seeds) or wildlife has been purchased, sold, bartered, or otherwise transferred, and the date of such transaction, and such other information as may be required or appropriate. Such records, unless otherwise specified, shall be entered in books, legibly written in the English language. Such records shall be retained for 5 years from the date of issuance of the permit.

§ 13.47 Inspection requirement.

Any person holding a permit under this Subchapter B shall allow the Director's agent to enter his premises at any reasonable hour to inspect any wildlife or plant held or to inspect, audit, or copy any permits, books, or records required to be kept by regulations of this Subchapter B.

§ 13.51 Penalties for violation of a permit, notice, demonstration of compliance.

(a) Any violation of the applicable provisions of this subchapter, or of the statute under which the permit was issued, or a condition of the permit, may subject the permittee to the following penalties:

(1) The penalty provided in the statute under which the permit was issued.

(2) Temporary suspension of the permit for a specified period, and

(3) Revocation of the permit. When revoked, permits must be surrendered to the Director on demand.

(b) Except in cases of willfulness or those in which the public health safety or interest requires, and prior to any suspension or revocation of a permit, the permittee shall be given:

(1) Notice by the Service in writing of the facts or conduct which may warrant the suspension or revocation, and

(2) Opportunity to demonstrate or achieve compliance with all permit requirements.

UNITED STATES FISH AND WILDLIFE SERVICE
DIVISION OF LAW ENFORCEMENT
ASSISTANT REGIONAL DIRECTORS



1. California, Hawaii,
Idaho, Nevada, Oregon,
Washington:
847 N.E. 19th Avenue
Suite 225
Portland, OR 97232
503/231-6125

2. Arizona, New Mexico
Oklahoma, Texas:
P.O. Box 329
Albuquerque, NM 87103
505/766-2091

3. Illinois, Indiana, Iowa
Michigan, Minnesota,
Missouri, Ohio, Wisconsin
P.O. Box 45
Twin Cities, MN 55111
612/725-3530

4. Alabama, Arkansas, Florida
Georgia, Kentucky, Louisiana,
Mississippi, North Carolina,
Puerto Rico, South Carolina,
Tennessee:
P.O. Box 4839
Atlanta, GA 30302
404/331-3555

5. Connecticut, District of
Columbia, Delaware, Maine
Maryland, Massachusetts, New
Hampshire, New Jersey, New
York, Pennsylvania, Rhode
Island, Vermont, Virginia,
West Virginia:
P.O. Box 129 New Town Branch
Boston, MA 02258
617/965-2298

6. Colorado, Kansas, Montana
Nebraska, North Dakota,
South Dakota, Utah, Wyoming:
P.O. Box 25486
Denver Federal Center
Denver CO 80225
303/236-7540

7. Alaska:
P.O. Box 4-2597
Anchorage, AK 99509
907/786-3311

U.S. Fish and Wildlife Service Designated Ports

50 CFR 14.12

6/80



CHICAGO
10600 Higgins Rd., Suite 707
Rosemont, IL 60018
312/298-3250

LOS ANGELES
1149 W. 190th Street, Suite 2024
Gardena, CA 90248
213/297-0063

NEW YORK
Savings of Amer. Bank Bldg.
700 Rockaway Turnpike, 2nd fl.
Lawrence, NY 11559
718/917-1767

DALLAS/FT. WORTH
Ft. Worth Federal Bldg., #23
P.O. Box 6519
Ft. Worth, TX 76115
214/574-3254

MIAMI
Monterey Bldg., Rm 118
8410 N.W. 53rd Terrace
Miami, FL 33166
305/536-4809 or 4788

SAN FRANCISCO
1290 Howard Ave., Suite 325
Burlingame, CA 94010
415/344-5900

HONOLULU
300 Ala Moana Blvd., Rm. 6307A
P.O. Box 50223
Honolulu, HI 96850
808/546-5602

NEW ORLEANS
1010 Gause Blvd., Bldg. 936
Slidell, LA 70458
504/255-7550 (ERA Office)
504/895-2881

SEATTLE
121 107th N.E. Suite 127
Bellevue, WA 98004
206/442-5543 or 764-3463



United States Department of the Interior

FISH AND WILDLIFE SERVICE
POST OFFICE BOX 1306
ALBUQUERQUE, N.M. 87103

OCT 22 1986

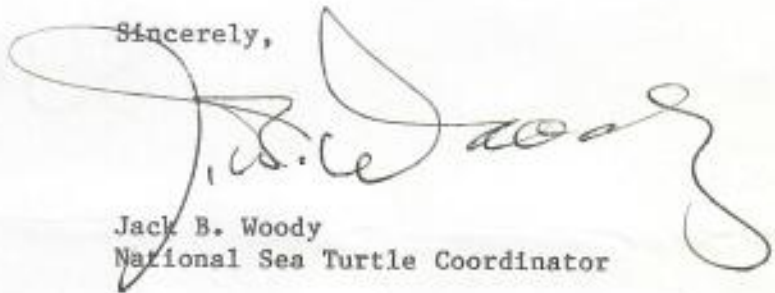
George Balazs
National Marine Fisheries Service
2570 Dole Street
Honolulu, Hawaii 96822-2396

Dear Mr. Balazs:

This letter is to designate you as subpermittee under my CITES permit #US711493 (original attached) which authorizes the export of up to 20 kilograms of hawksbill (*E. imbricata*) turtle shell to the proper authorities within the Office of Tokelau Affairs, Western Samoa.

The hawksbill shell in question was obtained by FWS law enforcement agents and is being made available as a donation to the Tokelau Islanders for use in their historical and cultural fishing activities. It is not to be used for barter, trade, or any related commercial activities. Please make this very clear to the Tokelau elders. We hope this donation will further encourage the Tokelau people to conserve and manage the remaining sea turtle resources of the islands.

Sincerely,



Jack B. Woody
National Sea Turtle Coordinator

Enclosure

cc: (w/encl)
SAC, Region 1
SAC, Region 2
FWS Administrator, Honolulu, Hawaii

cc: (wo/encl)
Chief, WPO
Chief, OES
Regional Director, Region 1

RD _____
 DRD _____
 ACA _____
 AFF _____
 ARW _____
 AWE _____
 ALE _____
 APA _____
 AHR _____
 Colo _____
 File _____
 Action _____
 CL -9-293

In Reply Refer To:
 FWS/OES PRT-711493 (Jack Woody)

SEP 24 1986

Memorandum

To: Chief, Wildlife Permit Office
 From: **ACTING** Chief, Office of Endangered Species
 Subject: Intra-Service Section 7 Consultation, Wildlife Permit Application PRT-711493

This responds to your August 22, 1986, request for a Section 7 consultation on the listed hawksbill sea turtle (*Eretmochelys imbricata*). This permit application concerns export of confiscated hawksbill scutes from Hawaii to the Tokelau islands for making traditional fishhooks for noncommercial purposes.

On September 8, 1986, we completed an examination of the above permit application and evaluated the biological information provided by you along with information available in our files.

A review of the information obtained indicates that the action proposed in the permit application is allowed according to the existing permit PRT-701833 (attached) on which we issued an earlier biological opinion and, therefore, does not require a second Section 7 consultation. Our conclusion is based on the interpretation that the proposed action will prevent more hawksbill sea turtles from being killed and sold, thus enhancing their survival. This material will not be used in commerce and will contribute to the enhancement of the species.

Rec'd
 FWS-Region 2
 SEP 26 '86
 RD

We thank you for the opportunity to review this permit application.

/s/ Kenneth R. Russell

Attachment

cc: 3024-MIB-FWS-FWE Reading File
 Moriarty Reading File, OES Surname
 OES Office Copy, OES Reading File
 527-Matomic-FWS-OSA
 FWS, Region 1, Portland, OR
 FWS, Region 2, Albuquerque, NM

FWS/OES:LThomas:sse:235-2760:9/8/86:disk#5-p-711493.lt
 corrected:ec:9/23/86



IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

POST OFFICE BOX 1306
ALBUQUERQUE, NEW MEXICO 87103

JUL 28 1986

MEMORANDUM

To: Director, FWS, Washington, D.C.
From: ^{Acting} Regional Director, Region 2
Subject: Supplying Tokelau Fishermen with Turtle Shell for Cultural and Historical Uses

On January 16, 1986, the National Sea Turtle Coordinator wrote to the Associate Director of Federal Assistance (AFA) on the above subject (copy attached) in an effort to assist NMFS (Honolulu Laboratory) in their request to obtain and supply the subsistence Tokelau fishermen (Western Samoa) with a small amount of hawksbill sea turtle scutes to use for their traditional tuna lures. In the meantime, we sent NMFS (Hawaii) approximately 50 pounds of confiscated shell from this region, which had been stored for a number of years. From these scutes, there is only a limited amount thick enough to be used. At any rate, NMFS contacted Washington Law Enforcement in May, and was told to proceed through proper channels with WPO and CITES. NMFS is not fully knowledgeable in regard to procedures for obtaining permits, and have asked for assistance from our National Sea Turtle Coordinator. Therefore, we are hereby applying for another CITES permit.

I might add that the National Sea Turtle Coordinator is being required to spend an inordinate amount of his time applying for CITES permits to perform our FWS operational sea turtle activities, including routine cooperation. I would certainly appreciate it if this could be somewhat "streamlined." Although a permit has never been denied, it often takes considerable amounts of time to acquire a permit; therefore, we have had costly biological delays as a result.

Our permit application is enclosed.


/s/ Conrad A. Fjetland

Enclosures (8)

cc:(wo/encl)
WPO
G. Balazs, NMFS

The entire meeting will be open to the public from 9:00 a.m. to adjournment. Agenda items include reports by the Chairman, President's Cancer Panel, and discussions to obtain information regarding center programs supported by the National Cancer Institute. Attendance by the public will be limited to space available.

Mrs. Winifred Lumsden, Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20892 (301/498-5706) will provide summaries of the meeting and rosters of Panel members, upon request.

Dr. Elliott Stonehill, Executive Secretary, President's Cancer Panel, National Cancer Institute, Building 31, Room 11A23, National Institutes of Health, Bethesda, Maryland 20892 (301/498-1148) will furnish substantive program information.

Dated: August 29, 1986.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 86-20133 Filed 9-5-86; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Solar Energy and Energy Conservation Bank

[Docket No. N-86-1635; FR 2286]

Meeting of the Solar Energy and Energy Conservation Advisory Committees

AGENCY: Solar Energy and Energy Conservation Bank, HUD.

ACTION: Notice; Meeting of the Solar Energy and Energy Conservation Advisory Committees.

SUMMARY: This Notice announces a meeting of the Solar Energy and Energy Conservation Advisory Committees. The meeting will be held on September 25, 1986 via a telephone conference call originating in Washington, DC. The purpose of the meeting is to discuss Bank business.

FOR FURTHER INFORMATION CONTACT:

Walter Preysnar, Office of the Solar Energy and Energy Conservation Bank, Department of Housing and Urban Development, 451 7th Street, SW., Room 7110, Washington, DC 20410; Telephone (202) 755-7166. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The Energy Security Act of 1980 established Energy Conservation Solar Energy Conservation Advisory Committees for the purpose of assisting the Board in

carrying out the activities of the Bank which relate to energy conserving improvements and solar energy systems. Each committee consists of five members, appointed by the Board from among individuals who are not officers or employees of any governmental entity, as follows:

- (1) One individual who is able to represent the views of consumers as a result of the individual's education, training and experience.
- (2) One individual who is able to represent the views of financial institutions as a result of the individual's education, training and experience.
- (3) One individual who is able to represent the views of builders as a result of the individual's education, training and experience.
- (4) One individual who is able to represent the views of architectural or engineering interests as a result of the individual's education, training and experience.

(5)(a) For the Solar Energy Committee, one individual who is able to represent the views of the solar energy industry as a result of the individual's education, training and experience.

(b) For the Energy Conservation Committee, one individual who is able to represent the views of producers or installers of residential and commercial energy conserving improvements as a result of the individual's education, training and experience.

In accordance with the Federal Advisory Committee Act, 5 U.S.C. App. I, section 10(a)(2), announcement is made of the following meeting:

The Solar Energy and Energy Conservation Advisory Committees will meet on September 25, 1986. The meetings are open to the public and will convene at 3:45 p.m. via a telephone conference call originating from the Department of Housing and Urban Development, 451 7th Street, SW., Room 7202, Washington, DC 20410.

An agenda will be available at the meeting. Inquiries concerning the agenda and the meeting may be made by contacting the Office of the Solar Energy and Energy Conservation Bank at (202) 755-7166.

Authority: Title V, Subtitle A, of the Energy Security Act of 1980, (Pub. L. 96-294, 12 U.S.C. 3801-3820).

Dated: August 18, 1986.

Approved:

Walter Bruce,

Advisory Committee Chairperson.

Dated: August 21, 1986.

Approved:

Richard H. Francis,

Manager, Solar Energy and Energy Conservation Bank.

[FR Doc. 86-20136 Filed 9-5-86; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of Applications for Permits

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT-711493

Applicant: Jack Woody, National Sea Turtle Coordinator, U.S. Fish & Wildlife Service, Albuquerque, NM.

The applicant requests a permit to export 20 kg. of seized hawksbill turtle (*Eretmochelys imbricata*) shell, to be obtained from the U.S. Fish & Wildlife Service, Division of Law Enforcement, to the Tokelau Village elders, Tokelau Island, Western Samoa, for use in making traditional fishing lures. The natives will use the turtle shell for subsistence fishing only; the lures will not be entered into commerce. This export will increase the likelihood of the survival of the species by eliminating the need for taking the turtles from the wild.

PRT-711637

Applicant: Roger D. Harris, Berkeley, CA.

The applicant requests a permit to live trap and release salt marsh harvest mice (*Reithrodontomys raviventris*) on Blair Island, San Mateo County, CA. The purpose is to determine the possible occurrence of this species on the property.

Documents and other information submitted with these applications are available to the public during normal business hours (7:45 am to 4:15 pm) Room 611, 1000 North Glebe Road, Arlington, Virginia 22201, or by writing to the Director, U.S. Fish and Wildlife Service of the above address.

Interested persons may comment on any of these applications within 30 days of the date of this publication by submitting written views, arguments, or data to the Director at the above address. Please refer to the appropriate PRT number when submitting comments.

by the Service or transferred to another government agency (including foreign agencies) for official use including, but not limited to, one or more of the following purposes:

(1) Training government officials to perform their official duties;

(2) Identifying protected wildlife or plants, including forensic identification or research;

(3) Educating the public concerning the conservation of wildlife or plants;

(4) Conducting law enforcement operations in performance of official duties;

(5) Enhancing the propagation or survival of a species or other scientific purposes;

(6) Presenting as evidence in a legal proceeding involving the wildlife or plant; or

(7) Returning to the wild in accordance with § 12.34 of this part.

(b) Each transfer and the terms of the transfer must be documented.

(c) The agency receiving the wildlife or plants may be required to bear all costs of care, storage, and transportation in connection with the transfer from the date of seizure to the date of delivery.

§ 12.36 Donation or loan.

(a) Except as otherwise provided in this section, wildlife and plants may be donated or loaned for scientific, educational, or public display purposes to any person who demonstrates the ability to provide adequate care and security for the item.

(b) Any donation or loan may be made only after execution of a transfer document between the Director and the donee/borrower, which is subject to the following conditions:

(1) The purpose for which the wildlife or plants are to be used must be stated on the transfer document;

(2) Any attempt by the donee/borrower to use the donation or loan for any other purpose except that stated on the transfer document entitles the Director to immediate repossession of the wildlife or plants;

(3) The donee/borrower must pay all costs associated with the transfer, including the costs of care, storage, transportation, and return to the Service (if applicable);

(4) The donee/borrower may be required to account periodically for the donation or loan;

(5) The donee/borrower is not relieved from the prohibitions, restrictions, conditions, or requirements which may apply to a particular species of wildlife or plant imposed by the laws or regulations of the United

States or any State, including any applicable health, quarantine, agricultural, or Customs laws or regulations.

(6) Any attempt by a donee to retransfer the donation during the time period specified in the transfer document within which the donee may not retransfer the donation without the prior authorization of the Director entitles the Director to immediate repossession of the wildlife or plants;

(7) Any attempt by a borrower to retransfer the loan without the prior authorization of the Director entitles the Director to immediate repossession of the wildlife or plants;

(8) Subject to applicable limitations of law, duly authorized Service officers at all reasonable times shall, upon notice, be afforded access to the place where the donation or loan is kept and an opportunity to inspect it;

(9) Any donation is subject to conditions specified in the transfer document, the violation of which causes the property to revert to the United States;

(10) Any loan is for an indefinite period of time unless a date on which the loan must be returned to the Service is stated on the transfer document; and

(11) Any loan remains the property of the United States, and the Director may demand its return at any time.

(c) Wildlife and plants may be donated to individual American Indians for the practice of traditional American Indian religions. Any donation of the parts of bald or golden eagles to American Indians may only be made to individuals authorized by permit issued in accordance with § 22.22 of this title to possess such items.

(d) Edible wildlife, fit for human consumption, may be donated to a non-profit, tax-exempt charitable organization for use as food, but not for barter or sale.

(e) Wildlife and plants may be loaned to government agencies (including foreign agencies) for official use. Each transfer and the terms of the transfer must be documented.

§ 12.37 Sale.

(a) Wildlife and plants may be sold or offered for sale, except any species which at the time it is to be sold or offered for sale falls into one of the following categories:

(1) Listed in § 10.13 of this title as a migratory bird protected by the Migratory Bird Treaty Act (16 U.S.C. 703-712);

(2) Protected under the Eagle Protection Act (16 U.S.C. 668-668d);

(3) Listed in § 23.33 of this title as "Appendix I" under the Convention

on International Trade in Endangered Species of Wild Fauna and Flora;

(4) Listed in § 17.11 of this title as "endangered" or "threatened" under the Endangered Species Act of 1973 (16 U.S.C. 1533), unless the item or species may be lawfully traded in interstate commerce; and

(5) Protected under the Marine Mammal Protection Act (16 U.S.C. 1361-1407), unless the item or species may be lawfully traded in interstate commerce.

(b) Wildlife and plants must be sold in accordance with current Federal Property Management Regulations (41 CFR Chapter 101) and Interior Property Management Regulations (41 CFR Chapter 114) or U.S. Customs laws and regulations, except the Director may sell any wildlife or plant immediately for its fair market value if the Director determines that it is liable to perish, deteriorate, decay, waste, or greatly decrease in value by keeping, or that the expense of keeping it is disproportionate to its value.

(c) Wildlife or plants which may not be possessed lawfully by purchasers under the laws of the State where held may be moved to a State where possession is lawful and may be sold.

(d) Wildlife or plants purchased at sale are subject to the prohibitions, restrictions, conditions, or requirements which apply to a particular species of wildlife or plant imposed by the laws or regulations of the United States or any State, including any applicable conservation, health, quarantine, agricultural, or Customs laws or regulations, except as provided by § 12.32 of this part.

(e) The Director may use the proceeds of sale to reimburse the Service for any costs which by law the Service is authorized to recover or to pay any rewards which by law may be paid from sums the Service receives.

§ 12.38 Destruction.

(a) Wildlife and plants not otherwise disposed of must be destroyed.

(b) When destroyed, the fact, manner, and date of destruction and the type and quantity destroyed must be certified by the official actually destroying the items.

§ 12.39 Information on property available for disposal.

Persons interested in obtaining information on property which is available for disposal should contact the appropriate Special Agent in Charge listed in § 10.22 of this title.

Subpart E—Restoration of Proceeds and Recovery of Storage Costs

§ 12.41 Petition for restoration of proceeds.

(a) Any person claiming any property or interest therein which has been forfeited under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*; Eagle Protection Act, 16 U.S.C. 668 *et seq.*; Airborne Hunting Act, 16 U.S.C. 742j-1; or the Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.*, and sold according to law, or any person claiming cargo or an interest therein, of a vessel or other conveyance employed in unlawful taking which has been forfeited under the Marine Mammal Protection Act, 16 U.S.C. 1361 *et seq.*, and sold according to law, may file with the Solicitor or, where forfeiture proceedings have been brought in United States District Court, the Attorney General, a petition for restoration of proceeds.

(b) A petition filed with the Solicitor need not be in any particular form, but it must be received within three months after the date of sale of the property and must contain the following:

- (1) A description of the property;
- (2) The time and place of seizure;
- (3) Evidence of the petitioner's interest in the property, including contracts, bills of sale, invoices, security interests, certificates of title, and other satisfactory evidence;
- (4) A request for restoration of the proceeds or such part thereof as is claimed by the petitioner; and
- (5) A statement of all facts and circumstances relied upon by the petitioner to justify restoration of the proceeds, including proof that the petitioner did not know of the seizure before the declaration or order of forfeiture and was in such circumstances as prevented the petitioner from knowing of the same.

(c) The petition shall be signed by the petitioner or the petitioner's attorney at law. If the petitioner is a corporation, the petition must be signed by an authorized officer, supervisory employee, or attorney at law, and the corporate seal shall be properly affixed to the signature.

(d) A false statement in the petition may subject the petitioner to prosecution under title 18, United States Code, section 1001.

(e) Upon receiving the petition, the Solicitor shall decide whether or not to grant relief. In making a decision, the Solicitor shall consider the information submitted by the petitioner, as well as any other available information relating to the matter.

(f) If the Solicitor finds the existence of such mitigating circumstances as to justify restoration of the proceeds or any part thereof and that the petitioner did not know of the seizure before the declaration or order of forfeiture and was in such circumstances as prevented the petitioner from knowing of the same, the Solicitor may order the proceeds or any part thereof restored to the petitioner, after deducting from such proceeds the costs of seizure, storage, forfeiture and disposition, the duties, if any, accruing on the seized property, and any sum due on a lien for freight, charges, or contribution in general average, notice of which has been filed with the Solicitor according to law.

(g) If the Solicitor decides that relief should not be granted, the Solicitor shall so notify the petitioner in writing, stating in the notification the reasons for denying relief. The petitioner may then file a supplemental petition, but no supplemental petition shall be considered unless it is received within 60 days from the date of the Solicitor's notification denying the original petition.

[45 FR 17864, Mar. 19, 1980, as amended at 47 FR 56861, Dec. 21, 1982]

§ 12.42 Recovery of certain storage costs.

If any wildlife, plant, or evidentiary item is seized and forfeited under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*, any person whose act or omission was the basis for the seizure may be charged a reasonable fee for expenses to the United States connected with the transfer, board, handling, or storage of such property. If any fish, wildlife or plant is seized in connection with a violation of the Lacey Act Amendments of 1981, 16 U.S.C. 3371, *et seq.*, any person convicted thereof, or assessed a civil penalty therefor, may be assessed a reasonable fee for expenses of the United States connected with the storage, care and maintenance of such property. Within a reasonable time after forfeiture, the Service shall send to such person by registered or certified mail, return receipt requested, a bill for such fee. The bill shall contain an itemized statement of the applicable costs, together with instructions on the time and manner of payment. Payment shall be made in accordance with the bill. The recipient of any assessment of costs under this section who has an objection to the reasonableness of the costs described in the bill may, within 30 days of the date on which he received the bill, file written objections with the Regional Director of the Fish and Wildlife Service for the Region in

which the seizure occurred. Upon receipt of the written objections, the appropriate Regional Director will promptly review them and within 30 days mail his final decision to the party who filed objections. In all cases, the Regional Director's decision shall constitute final administrative action on the matter.

[47 FR 56861, Dec. 21, 1982]

Subpart F—Return of Property

§ 12.51 Return procedure.

If, at the conclusion of the appropriate proceedings, seized property is to be returned to the owner or consignee, the Solicitor or Service shall issue a letter or other document authorizing its return. This letter or other document shall be delivered personally or sent by registered or certified mail, return receipt requested, and shall identify the owner or consignee, the seized property, and, if appropriate, the bailee of the seized property. It shall also provide that upon presentation of the letter or other document and proper identification, and the signing of a receipt provided by the Service, the seized property is authorized to be released, provided it is properly marked in accordance with applicable State or Federal requirements.

50 CFR 12

PART 12—SEIZURE AND FORFEITURE PROCEDURES

Subpart A—General Provisions

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- 12.2 Scope of regulations.
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- 12.41 Petition for restoration of proceeds.
- 12.42 Recovery of certain storage costs.

Subpart F—Return of Property

- 12.51 Return procedure.

Authority: Act of September 8, 1906, 5 U.S.C. 301; Bald and Golden Eagles Protection Act, 16 U.S.C. 668-668b; National Wildlife Refuge System Administration Act, 16 U.S.C. 668dd(e)-(f); Migratory Bird Treaty Act, 16 U.S.C. 704, 706-707, 712; Migratory Bird Hunting and Conservation Stamp Act, 16 U.S.C. 718f-718g; Fish and Wildlife Act of 1956 [Airborne Hunting Amendments], 16 U.S.C. 742j-(d)-(f); Black Bass Act, 16 U.S.C. 852d-853; Marine Mammal Protection Act of 1972, 16 U.S.C. 1375-1377, 1382; Endangered Species Act of 1973, 16 U.S.C. 1540; Lacey Act, 18 U.S.C. 48, 44; Lacey Act Amendments of 1981, 96 Stat. 1073-1080, 16 U.S.C. 3371 *et seq.*; Tariff Act of 1980, 19 U.S.C. 1602-1624; Fish and Wildlife Improvement Act of 1978, 16 U.S.C. 7421; Exotic Organisms, E.O. 11867, 42 FR 28949; American Indian Religious Freedom Act, 42 U.S.C. 1996.

Source: 45 FR 17864, Mar. 19, 1980, unless otherwise noted.

Subpart A—General Provisions

§ 12.1 Purpose of regulations.

The regulations of this part establish procedures relating to property seized or subject to forfeiture under various laws enforced by the Service.

§ 12.2 Scope of regulations.

Except as hereinafter provided, the regulations of this part apply to all property seized or subject to forfeiture under any of the following laws:

- (a) The Eagle Protection Act, 16 U.S.C. 668 *et seq.*;
- (b) The National Wildlife Refuge System Administration Act, 16 U.S.C. 668dd *et seq.*;
- (c) The Migratory Bird Treaty Act, 16 U.S.C. 703 *et seq.*;
- (d) The Migratory Bird Hunting Stamp Act, 16 U.S.C. 718 *et seq.*;
- (e) The Airborne Hunting Act, 16 U.S.C. 742j-1;
- (f) The Black Bass Act, 16 U.S.C. 851 *et seq.*;
- (g) The Marine Mammal Protection

Act, 16 U.S.C. 1361 *et seq.*;

(h) The Endangered Species Act, 16 U.S.C. 1531 *et seq.*; and

(i) The Lacey Act, 18 U.S.C. 43-44.

(j) The Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.*

[45 FR 17864, Mar. 19, 1980; 45 FR 31725, May 14, 1980, as amended at 47 FR 56860, Dec. 21, 1982]

§ 12.3 Definitions.

(a) As used in this part:

(1) "Attorney General" means the Attorney General of the United States or an authorized representative;

(2) "Disposal" includes, but is not limited to, remission, return to the wild, use by the Service or transfer to another government agency for official use, donation or loan, sale, or destruction.

(3) "Domestic value" means the price at which the seized property or similar property is freely offered for sale at the time and place of appraisalment, in the same quantity or quantities as seized, and in the ordinary course of trade. If there is no market for the seized property at the place of appraisalment, such value in the principal market nearest to the place of appraisalment shall be reported.

(4) "Solicitor" means the Solicitor of the Department of the Interior or an authorized representative.

(b) The definitions of paragraph (a) of this section are in addition to, and not in lieu of, those contained in § 1.1 through 1.8 and § 10.12 of this title.

[45 FR 17864, Mar. 19, 1980, as amended at 47 FR 17525, Apr. 23, 1982]

§ 12.4 Filing of documents.

(a) Whenever any document is required by this part to be filed or served within a certain period of time, such document will be considered filed or served as of the date of receipt by

the party with or upon whom filing or service is required. The time periods established by this part shall begin to run on the day following the date of filing or service.

(b) If an oral or written application is made before the expiration of a time period established by this part, an extension of such period for a fixed number of days may be granted where there are reasonable grounds for the failure to file or serve the document within the period required. Any such extension shall be in writing. Except as provided in this paragraph, no other requests for an extension shall be granted.

§ 12.5 Seizure by other agencies.

Any authorized employee or officer of any other Federal agency who has seized any wildlife or other property under any of the laws listed in § 12.2 will, if so requested, deliver such seizure to the appropriate Special Agent in Charge designated in § 10.22 of this title, or to an authorized designee, who shall either hold such seized wildlife or other property or arrange for its proper handling and care.

§ 12.6 Bonded release.

(a) Subject to the conditions set forth in paragraphs (b) and (c) of this section, and to such additional conditions as may be appropriate, the Service, in its discretion, may accept an appearance bond or other security (including, but not limited to, payment of the value as determined under § 12.12) in place of any property seized under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*; Marine Mammal Protection Act, 16 U.S.C. 1361 *et seq.*; Lacey Act, 18 U.S.C. 43; Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.*; Airborne Hunting Act, 16 U.S.C. 742j-1; or Eagle Protection Act, 16 U.S.C. 668 *et seq.*

(b) Property may be released under this section only to the owner or consignee.

(c) Property may be released under this section only if possession thereof will not violate or frustrate the purpose or policy of any applicable law or regulation.

[45 FR 17864, Mar. 19, 1980; 45 FR 31725, May 14, 1980, as amended at 47 FR 56860, Dec. 21, 1982]

Subpart B—Preliminary Requirements

§ 12.11 Notification of seizure.

Except where the owner or consignee is personally notified or seizure is made pursuant to a search warrant, the Service shall, as soon as practicable following the seizure or other re-

ceipt of seized wildlife or other property, mail a notification of seizure by registered or certified mail, return receipt requested, to the owner or consignee, if known or easily ascertainable. Such notification shall describe the seized wildlife or other property, and shall state the time, place, and reason for the seizure.

§ 12.12 Appraisalment.

The Service shall determine the value of any cargo, of a vessel or other conveyance employed in unlawful taking, seized under the Marine Mammal Protection Act, 16 U.S.C. 1361 *et seq.*, and the value of any property seized under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*; Eagle Protection Act, 16 U.S.C. 668 *et seq.*; Airborne Hunting Act, 16 U.S.C. 742j-1, *et seq.*; or the Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.* If the seized property may lawfully be sold in the United States, its domestic value shall be determined in accordance with § 12.3. If the seized property may not lawfully be sold in the United States, its value shall be determined by other reasonable means.

[47 FR 56860, Dec. 21, 1982]

Subpart C—Forfeiture Proceedings

§ 12.21 Criminal prosecutions.

If property is subject to criminal forfeiture, such forfeiture will be obtained in accordance with the *Federal Rules of Criminal Procedure*.

§ 12.22 Civil actions to obtain forfeiture.

The Solicitor may request the Attorney General to file a civil action to obtain forfeiture of any property subject to forfeiture under the Airborne Hunting Act, 16 U.S.C. 742j-1; Lacey Act, 18 U.S.C. 43-44; Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.*; Black Bass Act, 16 U.S.C. 851 *et seq.*; Marine Mammal Protection Act, 16 U.S.C. 1361 *et seq.*; Migratory Bird Treaty Act, 16 U.S.C. 703 *et seq.*; Migratory Bird Hunting Stamp Act, 16 U.S.C. 718 *et seq.*; Eagle Protection Act, 16 U.S.C. 668 *et seq.*; or Endangered Species Act, 16 U.S.C. 1531 *et seq.* Before any such action is filed against property subject to forfeiture under the Lacey Act, 18 U.S.C. 43, or against property, other than the cargo of a vessel or other conveyance employed in unlawful taking, subject to forfeiture under the Marine Mammal Protection Act, 16 U.S.C. 1361 *et seq.*, a civil penalty must first be assessed in accordance with the statute and applicable regulations, and no such action may be filed more than 30 days after

the conclusion of civil penalty assessment proceedings.

[47 FR 56860, Dec. 21, 1982]

§ 12.23 Administrative forfeiture proceedings.

(a) *When authorized.* Whenever any property subject to forfeiture under the Eagle Protection Act, 16 U.S.C. 668 *et seq.*, or Airborne Hunting Act, 16 U.S.C. 742j-1, or any wildlife or plant subject to forfeiture under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*, or any fish, wildlife or plant subject to forfeiture under the Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.*, is determined under § 12.12 to have a value not greater than \$100,000, the Solicitor may obtain forfeiture of such property in accordance with this section.

(b) *Procedure—(1) Notice of proposed forfeiture.* As soon as practicable following seizure, the Solicitor shall issue a notice of proposed forfeiture.

(A) *Publication.* The notice shall be published once a week for at least three successive weeks in a newspaper of general circulation in the locality where the property was seized. If the value of the seized property as determined under § 12.12 does not exceed \$1000, the notice may be published by posting, instead of newspaper publication, for at least three successive weeks in a conspicuous place accessible to the public at the Service's enforcement office, the United States District Court or the United States Customhouse nearest the place of seizure. In cases of posting, the date of initial posting shall be indicated on the notice. In addition to newspaper publication or posting, a reasonable effort shall be made to serve the notice personally or by registered or certified mail, return receipt requested, on each person whose whereabouts and interest in the seized property are known or easily ascertainable.

(B) *Contents.* The notice shall be in substantially the same form as a complaint for forfeiture filed in United States District Court. The notice shall describe the property, including, in the case of motor vehicles, the license, registration, motor, and serial numbers. The notice shall state the time and place of seizure, as well as the reason therefor, and shall specify the value of the property as determined under § 12.12. The notice shall contain a specific reference to the provisions of the laws or regulations allegedly violated and under which the property is subject to forfeiture. The notice shall state that any person desiring to claim the property must file a claim and a bond in accordance with paragraph (b)(2) of this section, and

shall state that if a proper claim and bond are not received by the proper office within the time prescribed by such paragraph, the property will be declared forfeited to the United States and disposed of according to law. The notice shall also advise interested persons of their right to file a petition for remission of forfeiture in accordance with § 12.24.

(2) *Filing a claim and bond.* Upon issuance of the notice of proposed forfeiture, any person claiming the seized property may file with the Solicitor's office indicated in the notice a claim to the property and a bond in the penal sum of \$5,000, or ten per centum of the value of the claimed property, whichever is lower, but not less than \$250. Any claim and bond must be received in such office within 30 days after the date of first publication or posting of the notice of proposed forfeiture. The claim shall state the claimant's interest in the property. The bond filed with the claim shall be on a United States Customs Form 4615 or a similar form provided by the Department. There shall be endorsed on the bond a list or schedule in substantially the following form which shall be signed by the claimant in the presence of the witnesses to the bond, and attested by the witnesses:

List or schedule containing a particular description of seized article, claim for which is covered by the within bond, to wit:

The foregoing list is correct.

Claimant

Attest:

The claim and bond referred to in this paragraph shall not entitle the claimant or any other person to possession of the property.

(3) *Transmittal to Attorney General.* As soon as practicable after timely receipt by the proper office of a proper claim and bond in accordance with paragraph (b)(2) of this section, the Solicitor shall transmit such claim and bond to the Attorney General for institution of forfeiture proceedings in United States District Court.

(4) *Motion for stay.* Upon issuance of the notice of proposed forfeiture, any person claiming the seized property may file with the Solicitor's regional or field office indicated in the notice a motion to stay administrative forfeiture proceedings. Any motion for stay

must be filed within 30 days after the date of first publication or posting of the notice of the proposed forfeiture. Each motion must contain: (i) The claimant's verified statement showing that he or she holds absolute, fee simple title to the seized property, free and clear of all liens, encumbrances, security interests, or other third-party interests, contingent or vested; and (ii) the claimant's offer to pay in advance all reasonable costs anticipated to be incurred in the storage, care, and maintenance of the seized property for which administrative forfeiture is sought. Where a stay of administrative forfeiture proceedings would not injure or impair the rights of any third parties and where the claimant has agreed to pay in advance anticipated, reasonable storage costs associated with the granting of a stay, the Regional or Field Solicitor as appropriate may, in his discretion, grant the motion for stay and specify reasonable and prudent conditions therefor, including but not limited to the duration of the stay, a description of the factors which would automatically terminate the stay, and any requirement for a bond (including amount) to secure the payment of storage and other maintenance costs. If a motion for stay is denied, or if a stay is terminated for any reason, the claimant must file, if he or she has not already done so, a claim and bond in accordance with paragraph (b)(2) of this section not later than 30 days after receipt of the Solicitor's Office denial or termination order. Failure to file the claim and bond within 30 days will result in summary forfeiture under paragraph (c) of this section.

(c) *Summary forfeiture.* If a proper claim and bond are not received by the proper office within 30 days as specified in paragraph (b)(2) of this section, the Solicitor shall declare the property forfeited. The declaration of forfeiture shall be in writing, and shall be sent by registered or certified mail, return receipt requested, to the Service and to each person whose whereabouts and prior interest in the seized property are known or easily ascertainable. The declaration shall be in substantially the same form as a default judgment of forfeiture entered in United States District Court. The declaration shall describe the property and state the time, place, and reason for its seizure. The declaration shall identify the notice of proposed forfeiture, describing the dates and manner of publication of the notice and any efforts made to serve the notice personally or by mail. The declaration shall state that in response to the notice a proper claim and bond were

not timely received by the proper office from any claimant, and that therefore all potential claimants are deemed to admit the truth of the allegations of the notice. The declaration shall conclude with an order of condemnation and forfeiture of the property to the United States for disposition according to law.

[46 FR 17864, March 19, 1980, as amended at 46 FR 44759, Sept. 8, 1981; 47 FR 56860, Dec. 21, 1982; 50 FR 6350, Feb. 15, 1985]

§ 12.24 Petition for remission of forfeiture.

(a) Any person who has an interest in cargo, of a vessel or other conveyance employed in unlawful taking, subject to forfeiture under the Marine Mammal Protection Act, 16 U.S.C. 1361 *et seq.*, or any person who has an interest in any property subject to forfeiture under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*; Eagle Protection Act, 16 U.S.C. 668 *et seq.*; Airborne Hunting Act, 16 U.S.C. 742j-1; or the Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.*, or any person who has incurred or is alleged to have incurred a forfeiture of any such property, may file with the Solicitor or, when forfeiture proceedings have been brought in United States District Court, the Attorney General, a petition for remission of forfeiture.

(b) A petition filed with the Solicitor need not be in any particular form, but it must be received before disposition of the property and must contain the following:

- (1) A description of the property;
- (2) The time and place of seizure;
- (3) Evidence of the petitioner's interest in the property, including contracts, bills of sale, invoices, security interests, certificates of title, and other satisfactory evidence; and
- (4) A statement of all facts and circumstances relied upon by the petitioner to justify remission of the forfeiture.

(c) The petition shall be signed by the petitioner or the petitioner's attorney at law. If the petitioner is a corporation, the petition must be signed by an authorized officer, supervisory employee, or attorney at law, and the corporate seal shall be properly affixed to the signature.

(d) A false statement in the petition may subject the petitioner to prosecution under title 18, United States Code, section 1001.

(e) Upon receiving the petition, the Solicitor shall decide whether or not to grant relief. In making a decision, the Solicitor shall consider the infor-

mation submitted by the petitioner, as well as any other available information relating to the matter.

(f) If the Solicitor finds the existence of such mitigating circumstances as to justify remission or mitigation of the forfeiture or alleged forfeiture, the Solicitor may remit or mitigate the same upon such terms and conditions as may be reasonable and just or may order discontinuance of any proceeding under § 12.23

(g) If the Solicitor decides that relief should not be granted, the Solicitor shall so notify the petitioner in writing, stating in the notification the reasons for denying relief. The petitioner may then file a supplemental petition, but no supplemental petition shall be considered unless it is received within 60 days from the date of the Solicitor's notification denying the original petition.

145 FR 17864, Mar. 19, 1980, as amended at 47 FR 56861, Dec. 21, 1982

§ 12.25 Transfers in settlement of civil penalty claims.

In the discretion of the Solicitor, an owner of wildlife or plants who may be liable for civil penalty under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*; Lacey Act, 18 U.S.C. 43; Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.*; Eagle Protection Act, 16 U.S.C. 668 *et seq.*; or Marine Mammal Protection Act, 16 U.S.C. 1361 *et seq.*, may be given an opportunity to completely or partially settle the civil penalty claim by transferring to the United States all right, title, and interest in any wildlife or plants that are subject to forfeiture. Such transfer may be accomplished by the owner's execution and return of a United States Customs Form 4607 or a similar compromise transfer of property instrument provided by the Department.

[47 FR 56861, Dec. 21, 1982]

Subpart D—Disposal of Forfeited or Abandoned Property

Source: 47 FR 17525, Apr. 23, 1982, unless otherwise noted.

§ 12.30 Purpose.

Upon forfeiture or abandonment of any property to the United States under this part the Director shall dispose of such property under the provisions of this Subpart D.

§ 12.31 Accountability.

All property forfeited or abandoned under this part must be accounted for

in official records. These records must include the following information:

- (a) A description of the item.
- (b) The date and place of the item's seizure (if any) and forfeiture or abandonment.
- (c) The investigative case file number with which the item was associated.
- (d) The name of any person known to have or to have had an interest in the item.
- (e) The date, place, and manner of the item's initial disposal.
- (f) Name of the official responsible for the initial disposal.
- (g) Domestic value of the property.

§ 12.32 Effect of prior illegality.

The effect of any prior illegality on a subsequent holder of any wildlife or plant disposed of or subject to disposal is terminated upon forfeiture or abandonment, but the prohibitions, restrictions, conditions, or requirements which apply to a particular species of wildlife or plant under the laws or regulations of the United States or any State, including any applicable conservation, health, quarantine, agricultural, or Customs laws or regulations remain in effect as to the conduct of such holder.

§ 12.33 Disposal.

(a) The Director shall dispose of any wildlife or plant forfeited or abandoned under the authority of this part, subject to the restrictions provided in this subpart, by one of the following means, unless the item is the subject of a petition for remission of forfeiture under § 12.24 of this part, or disposed of by court order:

- (1) Return to the wild;
- (2) Use by the Service or transfer to another government agency for official use;
- (3) Donation or loan;
- (4) Sale; or
- (5) Destruction.

In the exercise of the disposal authority, the Director ordinarily must dispose of any wildlife or plant in the order in which the disposal methods appear in this paragraph (a) of this section.

(b) The Director shall dispose of any other property forfeited or abandoned under the authority of this part (including vehicles, vessels, aircraft, cargo, guns, nets, traps, and other equipment), except wildlife or plants, in accordance with current Federal Property Management Regulations (41 CFR Chapter 101) and Interior Property Management Regulations (41 CFR Chapter 114), unless the item is the subject of a petition for remission

of forfeiture under § 12.24 of this part, or disposed of by court order.

(c) The Director shall dispose of property according to the following schedule, unless the property is the subject of a petition for remission of forfeiture under § 12.24 of this part:

(1) Any live wildlife or plant and any wildlife or plant that the Director determines is liable to perish, deteriorate, decay, waste, or greatly decrease in value by keeping, or that the expense of keeping is disproportionate to its value may be disposed of immediately after forfeiture or abandonment; and

(2) All other property may be disposed of no sooner than 60 days after forfeiture or abandonment.

(d) If the property is the subject of a petition for remission of forfeiture under § 12.24 of this part, the Director may not dispose of the property until the Solicitor or Attorney General makes a final decision not to grant relief.

§ 12.34 Return to the wild.

(a) Any live member of a native species of wildlife which is capable of surviving may be released to the wild in suitable habitat within the historical range of the species in the United States with the permission of the landowner, unless release poses an imminent danger to public health or safety.

(b) Any live member of a native species of plant which is capable of surviving may be transplanted in suitable habitat on Federal or other protected lands within the historical range of the species in the United States with the permission of the landowner.

(c) Any live member of an exotic species of wildlife (including injurious wildlife) or plant may not be returned to the wild in the U.S., but may be returned to one of the following countries for return to suitable habitat in accordance with the provisions of § 12.35 of this part if it is capable of surviving:

(1) The country of export (if known) after consultation with and at the expense of the country of export, or

(2) A country within the historic range of the species which is party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249) after consultation with and at the expense of such country.

§ 12.35 Use by the Service or transfer to another government agency for official use.

(a) Wildlife and plants may be used

1/31
RSS -

Concerning use of
confiscated hawksbill shell -
Should I proceed, or
save it as a topic for
the first recovery team
meeting? Potentially controversial.

GHB

My first inclination would be the
second option - discuss at Recovery
Team meeting. Avoid ad hoc decision
since may need broad policy decisions

Richard P.

CABLE ADDRESS :
" SOUTH PACOM " NOUMEA
TELEPHONE : 26.20.00
TELEX : SOPACOM 139 NM

ADRESSE TELEGRAPHIQUE :
" SOUTH PACOM " NOUMEA
TELEPHONE : 26.20.00
TELEX : SOPACOM 139 NM

SOUTH PACIFIC COMMISSION
POST BOX 05
NOUMEA CEDEX
NEW CALEDONIA



COMMISSION DU PACIFIQUE SUD
BOITE POSTALE 05
NOUMEA CEDEX
NOUVELLE-CALEDONIE

In reply, please quote ORG 103/1
PLEASE ADDRESS REPLY TO
THE SECRETARY-GENERAL

16 July 1985

Mr George Balazs
National Marine Fisheries Service
Southwest Fisheries Center
Honolulu Laboratory
P.O. Box 3830
HONOLULU, Hawaii 96812

Dear George,

Thanks for your letter which I received just as I was leaving Tokelau. As I was not sure whether you would want any information, I didn't do a whole lot of work on turtles. What I did do was mainly in conjunction with finding out about the hooks for pearl shell lures.

During the five weeks I spent on Fakaofu, not a single turtle was captured. When I questioned the old masterfishermen, I learned that the last time a hawksbill turtle ("Fonu una") of suitable size for making turtle hooks was captured was in about 1920.

In your report on Fakaofu turtles you mentioned the possibility that you could make enquiries to the U.S. customs service about obtaining confiscated turtle shells for use by the traditional fishermen in Tokelau. Several Fakaofu fishermen very much wish you to do this.

At present there is much discussion about the desirability of a turtle hatchery on Fakaofu. I am sure that you must have some very good ideas on this subject. Foua Toloa (Head of the Department of Agriculture and Fisheries, Tokelau Affairs Office, P.O. Box 865, APIA, Western Samoa) would very much appreciate learning of your thoughts on this subject.

Yours sincerely,

Bob

Robert Gillett
Fisheries Research Scientist

c.c. Mr Foua Toloa
RDG/cm

To be expected -
Breeding season doesn't
start until approx. Sept.

MUSEUM OF COMPARATIVE ZOOLOGY

The Agassiz Museum



HARVARD UNIVERSITY . CAMBRIDGE, MASSACHUSETTS 02138 . TEL. 617 495-2466

Dr. George Balazs,
National Marine Fisheries Service,
Southwest Fisheries Centre,
Honolulu Laboratory,
PO. box 3830.
Honolulu, Hawaii 96812

14 Mar. 1986

Dear George,

I was very interested to receive your letter concerning the use of sea turtle materials in traditional fishing techniques in the Tokelau atolls, with the additional background papers. I admire your proposal to incorporate the continuing traditions of the Tokelaun people into a sea turtle management plan. I think this is likely to be a fruitful technique and more effective than a heavy handed imposition of protective rules that would be virtually impossible to police in this remote locality. We have to get the people themselves preserving their own resources for their own reasons.

In this context your proposal to supply a source of Hawksbill shell from existing confiscated stock for use in traditional tuna hooks has considerable merit. With the qualifications indicated in my comments below, I would approve the proposal and recommend putting it into action.

First a practical thought. From my reading of the material you sent it appears that a fairly large and robust piece of hawksbill scute is needed for hook construction (perhaps a large marginal scute ?). Much of the confiscated material consists of small hawksbills , either stuffed or as polished shells. We should be careful to ensure that the material sent meets the requirements for the purpose. It would be a pity to go to a lot of fuss and trouble to send 20kg. of useless thin scutes!

A more substantial issue is how to ensure that the provision of hawksbill scutes has a beneficial long term conservation effect. I am reassured that the traditional governance on the islands will try to prevent the shell finding its way illicitly into trade and will discourage the production of trade items. Perhaps a very clear and stern signal from the New Zealand authorities combined with some careful vigilance in Apia, Western Samoa (the only possible outlet for trade items) would ensure that a misuse of the shell will not occur. There is a need to make an obvious stand on this issue as you describe in your paper that expatriate Tokelauns do constitute a conduit for turtle product export for nontraditional use off island.

On a positive note, is it possible to make the supply of hawksbill shell contingent upon an energetic application of your

conservation proposals by the residents of the atolls? I would recommend that the program be clearly explained to the Tokelauns as a one time assistance after which they would have to be responsible for building up their resident hawksbill stock and managing it in a sustainable fashion. I would not like to see the traditional hook manufacture become dependent on a reliable external supply of scutes to the extent that preservation of their own stock becomes unnecessary.

However, from the descriptions you give of the structure and function of Tokelaun society, it appears to me that easy mechanisms exist to ensure that all the positive benefits of the program are realised and the possible disadvantages can be avoided. I think you have the potential here to establish a model program integrating traditional values and customs with modern conservation thought. Your proposal to provide hawksbill shell to Tokelau is in accord with the World Conservation Strategy and with the Sea Turtle Conservation Strategy (1980) of IUCN. It is not contraindicated by any SSC sea turtle specialist group policy and seems like it could be easily included in current CITES and US Endangered Species Act policies.

It is my judgement that your proposal should be approved. If it is useful please use this letter to support your proposal. Please keep me informed of progress in putting it into action and let me know of any additional assistance I can provide to help.

Best wishes,
Yours Sincerely,


James Perran Ross
member IUCN/SSC Marine Turtle Specialist Group.

NATAL PARKS, GAME AND FISH PRESERVATION BOARD

P.O. BOX 662, PIETERMARITZBURG 3200



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RAAD VIR DIE BEWARING VAN NATALSE PARKE, WILD EN VIS

POSBUS 662, PIETERMARITZBURG 3200

INQUIRIES
NAVRAE

Dr. G. R. Hughes

OUR REFERENCE
ONS VERWYSING

E 6/1

Please address all communications to the Director
Gedien alle briefwisseling aan die Direkteur te rig

7 March 1986

11/14
Mr. George Balzs
U.S. Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Southwest Fisheries Centre
Honolulu Laboratory
P.O. Box 3830
HONOLULU
Hawaii 96812

Dear George,

Thank you for your letter of 14 February and the enclosed turtle pamphlets. To answer your last question first; no I didn't get any letter concerning confiscated tortoiseshell.

To turn to tagging, we have been tagging hindflippers on leatherbacks for ten years and like you, have hit the 50% recovery rate (now, that isn't 50% of any one tagged cohort but 50% of all turtles encountered during a season. That means that the tagged remigrants may be drawn from 10 years of tagging or from 10 different cohorts). There are, as you point out, lots of missing turtles!

We have just finished our second season with titanium tags. There are problems but nothing too serious according to my field staff. We are awaiting next year with interest when we should get our first bulk returns.

I'll be interested to see whether there is any significant change in recovery rates. Personally I don't expect any dramatic change.

We have had a quiet season and translocated another 20 000 loggerhead eggs to a 'safe' beach - hatchling rate from mesh basket has been excellent so far - some 75%+.

I'll let you know the final result in due course. What about your results some time!?

2.

Glad you enjoyed the film, I agree that the rhino pictures were excellent. You should come and enjoy a rhino capture with us - its great fun. Look after yourself.

Yours sincerely,

George

ASSISTANT DIRECTOR CONSERVATION

for DIRECTOR

GRH/jcl

rm-1TR2
Balazs

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

March 3, 1986

BUSUMU ONO, CHAIRMAN
BOARD OF LAND & NATURAL RESOURCES

EDGAR A. HAMASU
DEPUTY TO THE CHAIRMAN

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AQUACULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

Mr. George H. Balazs, Zoologist
Honolulu Laboratory
National Marine Fisheries Service
P. O. Box 3830
Honolulu, Hawaii 96812

Dear George:

This responds to your recent request for an opinion on donating to the Tokelau Islanders about 20 kg. of confiscated tortoise shell for their use in fashioning traditional fishing lures. It is my understanding that the lures are used by the Tokelauans to catch skipjack tuna for subsistence purpose.

I am not aware of the legalities involved for accommodating the Tokelau request. However, from the perspective of practicality, and if the transfer of confiscated tortoise shell is legally permissive, I feel that use of the tortoise shell by the Tokelauans for making fishing lures is far more appealing than having the contraband merely collected and stored.

From your December 23, 1985, letter regarding this matter, it is my impression that the taking and selling of tortoise shell in Tokelau is legal. This letter implies the Tokelauans are able to legally take Hawksbill for making fishing lures, but a shortage of turtles has resulted from overexploitation of this resource.

My position regarding this matter, then, would be in favor of the proposed transfer of confiscated tortoise shell from the U.S. to the Tokelauans provided they can satisfy the U.S. that: 1) the shortage of tortoise shell is not a result of their fashioning and selling "other" commercial items from the tortoise shell; and 2) that the tortoise shell they receive will only be used for making fishing lures to be used for fishing, and such fishing lures would not be sold.

Yours truly,

PAUL KAWAMOTO
Aquatic Biology Program Manager

February 26, 1986

F/SWC2:GHB

Mr. Paul Kawamoto
Division of Aquatic Resources
1151 Punchbowl St.
Honolulu, HI 96813

Dear Paul,

During late December I sent you a lengthy letter with supporting literature describing a proposed plan to donate a small quantity of confiscated tortoiseshell to the Tokelau Islanders. The material would be fashioned into traditional fishing lures used to catch skipjack tuna for subsistence purposes. Tokelau consists of three isolated atolls about 300 miles north of Samoa.

Paul, as a member of the Recovery Team, I need your professional opinion, preferably in writing, on this proposed idea. At Mr. Shomura's suggestion, I had planned to formally solicit opinions during our Team meeting last October. Unfortunately, we simply ran out of time before the subject could be brought up. Your response in the very near future would be greatly appreciated so I can make a final review of all comments received.

Sincerely,

George H. Balazs
Zoologist

cc: Balazs ✓
HL



United States Department of the Interior

FISH AND WILDLIFE SERVICE

300 ALA MOANA BOULEVARD
P. O. BOX 50167
HONOLULU, HAWAII 96850

Mr. George H. Balazs
National Marine Fisheries Service
Southwest Fisheries Center
P. O. Box 3830
Honolulu, Hawaii 96812

JAN 28 1986

Dear Mr. Balazs:

Thank you for your letter of December 23, 1985 which described the need for hawksbill turtle shell in the traditional manufacture of fishing lures in the Tokelau Islands. Your case seems well made that permitting the fishermen there to legitimately get access to shell that has been confiscated or otherwise obtained by this Service or NMFS would (1) help to preserve the traditional customs of fishing and, thereby, support the cultural basis of conservation in those islands; (2) possibly discourage the taking of hawksbills in Western Samoa for the purpose of supplying the Tokelau demand; and (3) would decrease the agencies' stockpiles of shell that are otherwise essentially useless.

We have discussed your idea with Kim Wright of our Division of Law Enforcement, and she agrees that permitting the shell to go for lure manufacture (within the bounds set out in your letter) would probably neither contribute to the development of a trade in the shell nor encourage additional take in Western Samoa or elsewhere. It is our opinion that establishing a legal conduit for getting the shell to the Tokelau elders is both well within the intention of the various acts and legislation regulating the taking of turtles and a practical means of providing a needed service.

I have forwarded your letter to our regional office with our endorsement, and have asked them for an outline of the administrative procedures required to allow for the donation of shell. The process may be administratively arduous, but I agree that the Tokelauans obtaining a permit may be worth the effort.

We'll keep you posted on any progress made.

Sincerely yours,

Ernest Kosaka
Project Leader
Office of Environmental Services

cc: Regional Director, FWS, Portland, OR (AFA-SE)
SAC, LE, Honolulu, HI



Save Energy and You Serve America!

January 30, 1986

F/SMC2:GHB

Dr. Peter C. H. Pritchard
Florida Audubon Society
1101 Audubon Way
Maitland, FL 32751

Dear Peter,

Many thanks for your quick response to my form letter seeking comments on the tortoiseshell-for-Tokelau idea. I've received a "mixed-bag" of opinions, as expected, but most have been supportive of the plan. When it's all over, I'll probably summarize the comments for distribution, or maybe even publication in the newsletter if agency (NMFS) approval is granted.

Thanks also for your offer to gather up some discarded tortoiseshell in Guyana to bring back for Tokelau. Right now that probably won't be necessary because the Fish and Wildlife Service has said they have a ready supply of thick scutes. Twenty kilograms are being shipped to Honolulu right now. If for some reason it's not suitable, I'll contact you before you leave in May.

At the recent East Pacific Symposium in San Jose, I was pleased to see local people debating and mapping out plans for the future conservation of their sea turtle resources. This is far more the ideal of what I had in mind, as opposed to the Turtle Group meeting at Tortuguero where no one resident to Costa Rica was even present. But I realize there is a wide difference of opinion of this subject.

Sincerely,

George H. Balazs
Zoologist

cc: Balazs ✓
HL

NATIONAL MARINE FISHERIES SERVICE
HONOLULU LABORATORY
P. O. BOX 3830
HONOLULU, HAWAII 96812

November 18, 1985

F/SWC2:GRB

Mr. Foua Toloa
Agriculture and Fisheries
Office for Tokelau Affairs
Box 865
Apia, Western Samoa

Dear Mr. Toloa:

I recently had the opportunity to meet with Mr. Bob Gillett of UNDP who was visiting here in Honolulu. Bob told me about his very successful 50-day study visit to Tokelau dealing with traditional tuna fishing. He also informed me that considerable interest exists in following up on my 1981 study of Tokelau sea turtles, and especially the statement in my published report (copy enclosed) that I would be willing to pursue a legal source of tortoiseshell in the U.S. for making traditional fish lures. Commercial dealing in tortoiseshell is illegal under the U.S. Endangered Species Act and the Convention on International Trade in Endangered Species (CITES). The hawksbill turtle, from which tortoiseshell is obtain, along with all other species of sea turtles, are covered under these precepts. When illegal shipments of derived products are found by enforcement agents, the items are confiscated and stored as evidence by the U.S. Fish and Wildlife Service. After the judicial process is completed, the material is donated to museums and other educational institutions, or if space permits, it is retained in storage. It was my thought that stocks of confiscated tortoiseshell might be made available at no cost in controlled quantities for native Tokelauans living in Tokelau to make their traditional fishing lures.

The first step needed for me to actively pursue this idea would be for your official secretary, Mr. Adrian Macey, to write a formal letter asking for my assistance in this matter. The letter should be addressed to:

Mr. Richard S. Shomura
Director, Honolulu Laboratory
National Marine Fisheries Service, NOAA
P. O. Box 3830
Honolulu, HI 96812

The letter should refer to my report. It should also emphasize that the tortoiseshell will in no way enter into handicraft that will be offered for sale, and that it will be

given free to the Council of Elders on each island for equitable distribution. I am not certain how much tortoiseshell can be obtained, should permission be granted. However, it would be good to have some estimate of how much material would be needed by the fishermen. I had originally thought that perhaps 20 kg, the scutes from 20 adult hawksbills, would be sufficient for an extended period--5 years or more. Please let me know if this is a realistic project. I am uncertain how often the hooks break or are lost while fishing.

I look forward to hearing from you at your earliest convenience.

Sincerely,

George H. Balazs
Zoologist

Enclosure

cc: Balazs
HL

January 28, 1986

F/SWC2:GHB

Dr. Judith Huntsman
The University of Auckland
Private Bag
Auckland, New Zealand

Dear Dr. Huntsman:

As you will read in the enclosed correspondence, I have recently been asked to follow-up on my offer (made in 1983) to obtain tortoiseshell for Tokelauans to make traditional fishing lures. I've sent out about a dozen letters to sea turtle researchers and conservationists seeking opinion on this idea. I would also value and appreciate hearing your thoughts as to any problems this donation might create. Is it an appropriate and helpful thing to do? Your many years of studying the people of Tokelau surely make you one of the best persons I can turn to for advice.

I look forward to hearing from you at your earliest convenience.

Sincerely,

George H. Balazs
Zoologist

cc: Balazs ✓
HL

MERCER UNIVERSITY

MACON, GEORGIA
31207

COLLEGE OF LIBERAL ARTS
DEPARTMENT OF BIOLOGY

George Balazs
NMFS Honolulu Lab.
PO Box 3830
Honolulu, HI 96812

31 December 1985

Dear George:

Thank you for your letter concerning the Tokelau fishermen and their need for hawksbill shell. I find it very interesting and would like to print it (with some slight editing) as a "guest editorial" in the MTN. What do you think of this? I have attached an edited version I'd like to print, but of course will do nothing until I hear from you. Please feel free to make any changes or to opt out altogether if you prefer.

Personally, I can't imagine why anyone would object to such a request. It seems perfectly reasonable to me. Of course, there are always those die-hard hot-heads who will accuse you of "promoting trade in sea turtle products!"

In response to your request to hear my personal thoughts on the matter, I can't think of any reason **not** to honor the request of the Tokelauans. Of course, there may be regulatory hassles, paperwork, etc. And also, one must worry about setting legal precedents. That is, in the absence of written guidelines (and who in his/her right mind would want to draft them?!) where does one draw the line once you allow the USFWS to dole out its hawksbill shell? Still, on a gut level, my intuition says that the request is a just one and should be honored.

Sincerely,
Nat B. Frazer



P.S. I have **not** proof-read this yet!

GUEST EDITORIAL: APPROPRIATE TITLE?

In 1981 I visited the three small polynesian atolls of Tokelau to gather biological, cultural and historical information on sea turtles (Balazs 1983). Tokelau is a semiautonomous dependency of New Zealand, located in a remote area of the Pacific about 300 miles north of Samoa. The islands are visited only three to five times a year by a government chartered 150-foot cargo vessels. There is no regular transportation among the three islands, which are separated from each other by at least 60 kilometers. All together, there are some 1600 native inhabitants in Tokelau, and each island is governed by a Council of Elders. The Office for Tokelau Affairs in Apia, Western Samoa, handles all external matters for the island communities. There is no tourism in the islands, and any outside visitors must receive prior approval from the Council of Elders. Anchorage for vessels is very poor, because there are no passes leading into the sheltered atoll lagoons.

An impressive feature of life in Tokelau is the traditional community concept of "inati," whereby each individual receives from or contributes to the village his or her fair share. Fishing and agriculture are carried out on a subsistence basis. The atoll environment offers very limited natural resources. Canned goods are usually available only for a few weeks following each ship arrival.

While interviewing native fishermen in Tokelau, I was asked if I could direct them to a commercially available source of tortoise shell. I learned that the hook portion of their fishing lures from skipjack tuna is traditionally made from thick hawksbill scutes. The shank or spoon of the lure is made of pearl shell. Nothing else they have substituted matches the characteristics of tortoiseshell for this purpose. Tortoiseshell is said to have the correct strength so that, under heavy stress, it will break just before the more valuable and difficult-to-fashion pearl shell. Plastic and steel hooks have been used periodically on Tokelauan lures, but have never been found acceptable. Tortoiseshell is now very scarce in Tokelau. I suspect that at least a portion of their needs has been met during recent years by purchases from Apia. Hawksbills in Western Samoa have been severely depleted by overexploitation, but are still not legally protected.

The purchase of tortoiseshell through commercial sources, whether by Tokelauans or anyone else, almost always results in the taking of more hawksbills to satisfy the demand. For this reason, I refrained from telling the Tokelauans where they could buy tortoiseshell. However, I came up with an alternative idea, in view of the special role fish lures play on these islands, and the sincere efforts being made to retain cultural identity. I proposed the possibility of obtaining tortoiseshell at no cost from stocks already confiscated by the U.S. Fish and Wildlife Service. In my published report (Balazs, 1983), I offered to investigate this possible source, if there was any official interest in my doing so.

I have recently received a letter to this effect, and am now further exploring the idea. At present, I feel that the donation of tortoiseshell would:

- 1) prevent more hawksbills from being killed and sold;
- 2) be a positive reinforcement to Tokelaun culture.

On the other hand, I can think of few negative factors to oppose such a plan.

I suppose one could argue that the tortoiseshell might be resold by the Tokelauans, possibly as a handicraft souvenir item. However, I believe that the chances of this are slight. Tokelaun handicraft is among the finest in the Pacific Islands, but none includes parts from sea turtles. In addition, all handicraft from the islands is transshipped to the Office for Tokelaun Affairs in Apia where it is marketed internationally for the most favorable price. The top level administrators in the office monitor all of the items and sales, and are therefore fully aware of the situation.

One might also argue that if Tokelauans receive free tortoiseshell from the USA for subsistence cultural use, then other island peoples would also be entitled to it. My response would be that the Tokelaun situation is special, with the islands being isolated and a traditional life style reasonable intact. Each situation would have to be evaluated on a case-by-case basis. However, right now Tokelaun is the only island group which has made such a request, and their circumstances seem to justify a donation of tortoiseshell.

In closing, I should mention that only about 20 kg of tortoiseshell would be involved in the Tokelaun request. It is my understanding that this quantity would last for at least several years and would be equitably distributed to fishermen by "inati" through the Council of Elders on each island. I would appreciate hearing any thoughts that readers of the MTN might have concerning this subject.

GEORGE BALAZS, etc. (Maybe you'd want to use your personal address instead of NMFS??)



UNIVERSITY OF FLORIDA
GAINESVILLE, FL 32611

DEPARTMENT OF ZOOLOGY
223 BARTRAM HALL
904/392-1107

4 January 1986

Dr. George Balazs
NMFS
P.O. Box 3830
Honolulu, Hawaii 96812

Dear George:

I found the problem you described in your letter of 26 December absolutely fascinating. I personally would be in favour of your proposal to give the Tokelauans about 20 kgs of raw hawksbill shell, although I suspect there may be others who would disagree with me. From what you say it seems that such a move might even save the lives of a few hawksbills that would otherwise be hunted for their shell. Even if it doesn't actually save turtles it seems unlikely to harm them and is thus a far more benign proposition than, for example, allowing Eskimos to hunt bowhead whales.

I did receive the sand sample that you sent me last July and I am very sorry that I apparently did not acknowledge it. I thought I had, but I suppose I rather over-optimistically figured I would send you the results of the analysis at the same time. I must admit that I have not yet done the analysis on this sample. I can only promise you that the sample will most definitely not go to waste unless I am unfortunate enough to drop dead sometime within the next year or so. I am, I fear, over my ears at the moment. I spent the entire month of September in China (on vacation with my mother.) I suppose you have heard that Jack Frazier spent several months in China. We were there at the same time although we did not meet. We do seem to be following each other around don't we.

I was back from China for exactly one week when I was offered a job studying Podocnemis expansa down in Brazil. I went down immediately (to be exact, 96 hours after they offered it to me) and stayed for two months. It looks like it will carry on for the next two years (this study) and I will spend about half my time in Brazil each year and half my time in Gainesville. I rushed down as I did so that I might be there for the nesting season of these marvellous turtles, and was fortunate to arrive at the site exactly two days before they started nesting. Since their season lasts about two weeks this really was lucky. I am sorry to say, however, that these turtles are really in a bad way in Brazil and the outlook for their survival in the wild is very grim.

Once again, thank you for sending me the sand samples. Did I tell you that I did do some of the analysis on the French Frigate Shoals sand you sent me? The sand from East Island is absolutely incredible it is so powdery. Do turtles really nest successfully in that stuff? Amazing.

Take care. Best wishes for the New Year to you and your family.

Best regards,


Jeanne Morimer



THE
UNIVERSITY
OF UTAH

DEPARTMENT OF BIOLOGY
201 BIOLOGY BUILDING
SALT LAKE CITY, UTAH 84112
801-581-6517

January 2, 1986

Mr. George Balazs
National Marine Fisheries Service
Honolulu Laboratory
P.O. Box 3830
Honolulu, Hawaii 96812

Dear George,

Here are my brief comments pertaining to your letter of 23 December 1985 concerning the donation of tortoiseshell to Tokelau islanders.

It appears that the Tokelau islanders pride themselves in their independence and are proud of their cultural heritage. It seems to me that inherent in this cultural pride is the ability and prescience to live within the limits of their island ecosystem. Therefore, I would have no objection to their using hawksbills that they catch or rear to make fishhooks, but I object to supplying them with shell -- from any source.

Cheers,

A handwritten signature in blue ink, appearing to read "Hirth".

Harold F. Hirth,
Professor

HFH/nc

SINCE NINETEEN HUNDRED



"THE VOICE OF CONSERVATION"

Dr. George Balazs
National Marine Fisheries Service
SW Fisheries Center
Honolulu Laboratory
P.O.Box 3830
Honolulu, Hawaii 96812

January 14 1985

Dear George:

Many thanks for your letter. You have obviously given a great deal of thought to the Tokelau hawksbill situation, and, knowing your generally careful attitude in matters of this kind, I am quite prepared to give the concept of distributing a supply of non-commercial (salvaged or confiscated) hawksbill scutes to the people of Tokelau my approval, with whatever safeguards seem necessary to prevent it entering commercial channels. I assume the Council of Elders could make the distribution to the individual fishermen in an equitable manner.

I note also that the thick scutes, taken from large turtles, would be most suitable. The majority of confiscated specimens are, I would guess, entire stuffed juvenile hawksbills, whose scutes would probably not be thick enough. However, I visited the beaches of Northwestern Guyana last summer, and hope to revisit this area in May. In Guyana, the local people (primarily Arawak Indians) kill nesting hawksbills for meat, and leave the shells on the beach without stripping the scutes. These are large hawksbills, up to about 36 inches in carapace length, and the scutes would probably be highly suitable for use in Tokelau. It might be possible for me to gather up some of these scutes next May, if my trip proceeds as planned, and bring the material into the US under a federal salvage permit.

Let me know if you think this will be useful. It could be there is easily enough adult hawksbill shell already in federal hands, making collection in Guyana unnecessary.

With all best wishes,

Peter C. H. Pritchard Ph.D.

FLORIDA AUDUBON SOCIETY

1101 Audubon Way • Maitland, Florida 32751 • (305) 647-2615

CSIRO

MARINE LABORATORIES

Division of Fisheries Research
Division of Oceanography

Castray Esplanade, Hobart, Tas. 7000

A Division of the Institute of Animal and Food Sciences
A Division of the Institute of Physical Sciences

GPO Box 1538, Hobart, Tas. 7001
Telephone (002) 20 6222 Telex AA 57182
Facsimile (002) 23 7125

8th January, 1985

Dr. G. Balazs,
Zoologist,
U.S. Department of Commerce,
National Oceanic and Atmospheric Administration,
Honolulu Laboratory,
P.O. Box 3830,
Honolulu, Hawaii 96812

Dear George,

In response to your letter concerning the possible use of hawksbill turtle shell confiscated by U.S. Fish and Wildlife for donation to the Tokelau people for use in the making of fishing lures.

I think it's an excellent way of making good use of material that will otherwise simply clog up a warehouse somewhere for who knows how many generations. (I recall reading somewhere a few years ago that there is a government warehouse where U.S. cavalry saddles are still stored and maintained).

In the longer term it would be an interesting exercise to approach a plastics manufacturer interested in a little good publicity and ask them to try to match the characteristics of tortoise shell with the plastics already available commercially. I suspect that to be generally acceptable the plastic would not only have to function like turtle shell but, because fishermen are such a conservative lot, also look like it. As you know manufacturers have long been able to produce a product that looks like tortoise shell. I suspect that it would not be a big problem to produce something that not only looked like it, but functioned better. Tortoise shell deforms and breaks easier than many plastics. Even if all the tropical fishermen who like tortoise shell hooks were to purchase such material it would probably never become a commercially viable proposition - and probably one that declined with time. So you would have to approach industry with a proposition that they could gain kudos rather than profits. (It would be an interesting academic exercise, as well, to get a plastics expert to analyze and compare the physical characteristics of tortoise shell with plastics - could even generate a neat little paper orchestrated and coauthored by you if you were interested. The only biologist I know who is interested in the physical characteristics of bone and shell in this

sense is Steve Wainwright at Duke University (a one time coral researcher). If the notion intrigues you, you might write him to find out what, if anything is known about turtle shell physics (unless you are way ahead of me and already know) and get his suggestions concerning how to proceed.

Let me know how things progress.

Sincerely,



R.E. Johannes



UNION INTERNATIONALE POUR LA CONSERVATION DE LA NATURE ET DE SES RESSOURCES
INTERNATIONAL UNION FOR CONSERVATION OF NATURE AND NATURAL RESOURCES

COMMISSION DE LA SAUVEGARDE DES ESPÈCES - SPECIES SURVIVAL COMMISSION

RFS/PC
Sa/3/4

Dr. George H. Balazs
US Dept of Commerce
National Oceanic &
Atmospheric Administration
Nat. Marine Fisheries Service
Southwest Fisheries Center
Honolulu Laboratory
P.O. Box 3830
Honolulu, Hawaii 96812
USA

15 January 1986

Dear George,

Thank you for your letter of 2 January 1986 and material on the Tokelau islanders and their need for hawksbill turtle shell.

From our standpoint, your suggestion that tortoise-shell be donated from stocks confiscated by the U.S. Fish and Wildlife Service seems an excellent solution, with the possible problems clearly outweighed by the desirable benefits.

Yours sincerely,

Robert F. Scott
Executive Officer
Species Survival Commission



**Center for
Environmental
Education**

19 January 1986

George H. Balazs
Southwest Fisheries Center
National Marine Fisheries Service
P.O. Box 3830
Honolulu, HI 96812

Dear George:

I was so pleased to hear from you again. It has been such a long time since we have corresponded, but I am sure that both of us have been quite busy. I took a leave of absence for three months or so after the CITES meeting and tried to collect my wits for another foray into marine conservation. Emily is now doing a very effective job raising funds for the Center. Marydele Donnelly is now our chief turtle staffer and is focusing upon reducing beach lighting and promoting CITES among countries in the Caribbean, many of whom do not now belong. My own work revolves about the TED, publications, protection of humpbacks on Navidad and Plata Banks off the Dominican Republic and periodic efforts in preparation for the next CITES meeting. I have enclosed some materials that describe some of what we have been doing and apologize for being so long in silence.

Your recent letter is certainly thought provoking. Providing hawksbill materials to the Tokelauans would not be an unprecedented use of materials confiscated under the Endangered Species Act, I understand. Apparently, the feathers of certain birds, confiscated under the ESA, have been provided to natives in a South American country in return for their not killing native birds. Nonetheless, providing hawksbill materials to Tokelauans might seem inconsistent to those who requested an amendment to the subsistence regulations on green sea turtles. I certainly see a difference between the two situations, but I am not at all sure that those who stood to gain from a relaxation of the subsistence regulations will recognize any such difference. That, of course, is an entirely political question.

Providing hawksbill materials would lead to a renaissance of the manufacture of traditional hooks by Tokelauans. If I understand the literature accompanying your letter, it is likely that such a renaissance would maintain or increase hunting

pressure on pearl-shell, which is already rare in Tokelauan waters. Is it reasonable to believe that encouraging the manufacture of traditional hooks will lead to the extinction of pearl-shell? Is my concern misplaced? If my concern is not misplaced, providing tortoiseshell to the Tokelauans would be inappropriate on this score at least.

If the Tokelauans are given access to confiscated tortoiseshell, it should be on condition of accepting the conditions that you have set out in your paper. I would also suggest that NMFS or FWS might also usefully enter into a cooperative agreement with the Tokelauans to provide them with whatever support they might need to insure compliance with the conditions. The Center would be happy to assist to the extent we can with providing educational materials. In the end, however, providing the Tokelauans with tortoiseshell should lead to new, substantive conservation actions for wild turtle populations in their waters.

It may be--and you are much more familiar with the South Pacific than I--that the Tokelauans are going to have to treat turtles and traditional hooks much as they do the kanava tree. Perhaps they will be able to resume their traditional use of these materials in twenty years if they forego their use now. If they do not forego their use, their society will be forced into increasing reliance on the modern conveniences that will undermine the cultural norms that have allowed them to survive with so little for so long. The choices confronting them are not easy ones.

I understand that a Pacific Sea Turtle Recovery Team is finally underway. Please let me know details. We are very concerned about wild turtle populations in the Trust Territories and the approach of Japanese turtle "ranching".

Thank you so much for writing. Please let us know about the progress of your efforts.

Sincerely,


Michael Weber
Marine Habitat Program Director

MW:mw
Encl.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

SEFC, Panama City Laboratory
3500 Delwood Beach Road
Panama City, FL 32407-7499

January 24, 1986 F/SEC5:LHO:rb

Mr. George Balazs
NOAA, NMFS
Honolulu Laboratory
P. O. Box 3830
Honolulu, HI 96812

Dear George:

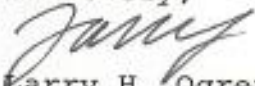
Thank you for all the interesting information you have assembled on the Tokelauans, and specifically, the tuna lure used by the native fishermen. It would appear that this is a classic example of subsistence use that should be exempt from any country's prohibited acts regarding the hawksbill. By locating an alternate source of the shell used in the lure, your argument for recommending continued use is all the more persuasive.

However, I can't help wondering if such a decision would set a precedent that would compromise future, less obvious, requests for exemption in other islands under our jurisdiction--not to mention our efforts to discourage questionable "traditional" use of tortoiseshell in other countries. I realize you want to remain flexible in these matters and treat each case separately rather than develop universal criteria for exemptions, but that is not always easy to accomplish. Those denied use elsewhere will claim discrimination.

Reinforcing the natives conservation ethic by providing them tangible proof of the value of the resource and obtaining their good will and cooperation in compliance of the other conservation measures you proposed are good arguments. But I suppose the confiscated source is finite and someday they will again have to look elsewhere for their shell.

I do see an incongruity here, however, and it detracts from the terms traditional and isolated used to describe the Tokelauan way of life. It is the widespread use of aluminum skiffs and outboard motors. I guess a shortage of suitable logs was the initial reason for their acceptance over the sailing outrigger, but it also shortened the time between bites, I bet. A comparable situation exists with the tuna lure. Maybe now is the time to encourage the Tokelauans to complete the transition. I am sure the dealer that supplies them with the boats, motors and spare parts could also obtain lures for them. Either Japanese or American spoons or jigs would do, I imagine. What do you think, George?

Sincerely,


Larry H. Ogren





UNIVERSITY OF FLORIDA
GAINESVILLE, FL 32611

DEPARTMENT OF ZOOLOGY
223 BARTRAM HALL
904/392-1107

January 21, 1986

Mr. George Balazs
National Marine Fisheries Services
P.O. Box 3830
Honolulu, HI 96812

Dear George:


I thought I had pondered every possible twist of the subsistence plea in my time, but your Tokelau fish hook reaches a peak beyond my imagining. It's really the epitome of the dilemma of how to deal wisely and humanely with such claims. At first thought this one made me shed all hard-nosed tendencies and say what the hell, the hooks are so ethnic and aesthetic why not just let the people have the confiscated shell? It's only gathering dust in the NMFS attic.

But then I thought about the case of the Japanese carey-carving guild and how traditional and artistic it is, and what a source of pride to the nation, and how in spite of all that we're trying to deprive the guild of shell to carve.

But then I backed up again, and began thinking how there probably never was a tuna able to tell plastic from carey, so why not send out a few gross of plastic hooks with the same pattern and breaking strength as carey, and get the people to try them alongside traditional hooks trolled from the other side of the same traditional aluminum outboard-powered boats--of the kind I observe are in use out there. How about that, George? Anyway you scratched up a real tricky one this time, and thanks for letting me share your perplexity over it.

Best regards.

Sincerely yours,


Archie Carr
Graduate Research Professor

1-28-86

Archie -

Many thanks for your response to my request for opinion on the tortoise-shell "handout" to the Tokelauan people. I feel a bit "unsettled" in this matter now. You brought up the point of comparison with Japanese Carey carvers. But isn't that completely different, because those items are for commerce?

I don't know why they don't prefer to use plastic and steel flures. But I've written a letter trying to find out why not. I think the point is that if they flatly refuse to use them, they will do whatever is needed to get tortoise shell. Buy it in Western Samoa, or another neighbor island, is what they have undoubtedly been doing. In doing so, aren't they causing more hawksbills to be killed? I simply wanted to stop that practice, encourage good will, and help develop a greater turtle conservation awareness in their own islands. I need more advice from you. Aloha, Gene

January 31, 1986

F/SWC:GHB

Dr. Steve Wainwright
Duke University
Box 6665
College Station
Durham, NC 27708

Dear Dr. Wainwright:

I am sending you the enclosed letters to follow up on a recent suggestion by Bob Johannes that I contact you about the physical characteristics of tortoiseshell. Can you please tell me what, if anything, might be known about this subject? As Bob also suggested, it would be an interesting academic exercise to analyze and compare the characteristics of tortoiseshell with certain plastics.

Any insight or ideas that you can offer on this matter will be greatly appreciated.

Sincerely,

George H. Balazs
Zoologist

cc: Balazs ✓
HL



United States Department of the Interior

FISH AND WILDLIFE SERVICE

300 ALA MOANA BOULEVARD
P. O. BOX 50167
HONOLULU, HAWAII 96850

IN REPLY REFER TO:

FEB 3 1986

Mr. George Balazs
Honolulu Laboratory
National Marine Fisheries Service
P.O. Box 3830
Honolulu, HI 96812

Dear George:

I am writing to lend my support as a member of the Sea Turtle Recovery Team and as a biologist familiar with Pacific island cultures to the request by the Tokelau islanders for hawksbill turtle scutes confiscated by the U.S. Government. The scutes would be of great worth for teaching cultural values and traditional methods of fish-hook fabrication to Tokelauan young people. I believe that the opportunity for youths to handle and work with this material in the company of elders, and the conversations and teaching opportunities that would inevitably ensue, would help to foster a greater appreciation for sea turtles and a better sense of their value in the marine ecosystem. These experiences will ultimately prove more beneficial to the sea turtle conservation effort than the negative effects that might arise from the knowledge that turtle scutes make good fish-hooks.

Once the scutes are confiscated, there is no further gain in their destruction. If given to the Tokelau islanders, however, there is potential for considerable positive benefit for the local turtle population as well as the culture.

Sincerely,

Dick

Richard C. Wass
Refuge Manager (Remote Islands)



Save Energy and You Serve America!

THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS

Cook College • Department of Horticulture and Forestry • P.O. Box 231 • New Brunswick • New Jersey 08903

January 29, 1986


George H. Balazs
Zoologist
NMFS Southwest Fisheries Center
Honolulu Laboratory
P.O. Box 3830
Honolulu, Hawaii 96812

Dear George,

Your work on Tokelau sounds very interesting, and much more sensitive to local needs than most studies by visiting experts. I agree that a contribution of 20 kg. of confiscated tortoise shell to the Councils of Elders on the islands would be a wise and humane use of this otherwise wasted material, and the risks of this use are trivial. Future contributions could be made contingent on the use of the first batch for the stated purpose of making fishing lures. Perhaps as a small incentive to USFWS to make the donation, we could ask the Tokelauans to contribute especially fine specimens of the lures and other handcrafts to the Smithsonian in return for the tortoiseshell -- not a payment, but an exchange of gifts.

I hope you are successful in persuading the government bureaucracy that this is a totally innocuous use of the otherwise wasted shell, and that because it is a special and unique case it can have no adverse effects on the conservation of sea turtles. Please let me know what happens.

Sincerely,


David Ehrenfeld
Professor of Biology and
Member of the IUCN Marine Turtle
Specialist Group

DWE:wp

2-Way Memo

Subject: Turtles for Tokelau

From: Jack Woody

INSTRUCTIONS

Use routing symbols whenever possible.

SENDER (Originator of message):

Use brief, informal language.

Conserve space.

Forward original and one copy.

RECEIVER (Replier to message):

Reply below the message, keep one copy, return one copy.

DATE OF MESSAGE

30 JAN 86

ROUTING SYMBOL

DARD/SE/R2

SIGNATURE OF ORIGINATOR

John

TITLE OF ORIGINATOR

Chief, DES

MESSAGE

Jack, in response to your memorandum of 16 January we have requested LE to consider your request, copy attached FYI. Is there a meaningful mechanism by which the impact of distributing hawkbill scutes, if possible, can be measured in terms of reduced take? It appears from reading the background information you supplied that take for food would occur for both hawksbills and greens on an opportunistic basis.

*Geo - Over Alaska
LE office is shipping
you 4-5 boxes of scutes -
e/o our agent in Hon.
I'm working on Lee. Team
funding what the problem is
Portland & Hawaii
was to salary # all going*

To :

DATE OF REPLY

ROUTING SYMBOL

SIGNATURE OF REPLIER

TITLE OF REPLIER

2. RETURNED TO ORIGINATOR

memorandum

DATE: 30 January 1986
REPLY TO
ATTN OF: Chief, Office of Endangered Species
SUBJECT: Sea Turtles
TO: Chief, Division of Law Enforcement

We have recently received from Jack Woody, National Sea Turtle Coordinator, the attached request to consider making available confiscated hawksbill scutes to Tokelau natives to use in their traditional fishing activities. This appears to be a very practical use of such material in that it could contribute directly to the conservation of the species, if such distribution is legal under Service regulations.

I would appreciate your consideration of this matter, as well as your thoughts on difficulties presented by legal, policy, or precedent issues.

John Spinks

Attachment

cc: AFA
Jack Woody



American Museum of Natural History

31 January 1986

Mr. George Balazs
National Marine Fisheries Service
Southwest Fisheries Center
Honolulu Laboratory
P.O. Box 3830
Honolulu, Hawaii 96812

Dear George:

I received your letter of 26 December asking for my opinion on the request by Tokelau for tortoiseshell from confiscated stocks of the United States for use in traditional fishing gear. I am writing to say that I see no problems with granting the request. To do so would be consistent with one of the recommendations of the World Conference on Sea Turtle Conservation held in Washington, D.C., in November 1979, in which recycling of existing stocks of tortoiseshell was encouraged. I would much rather see the request met by a carefully supervised shipment from U.S. stockpiles than have the fishermen of Tokelau seeking tortoiseshell on the open market.

I trust your analysis of the situation that Tokelau merits special attention in this matter because of the cultural significance of tortoiseshell in the society, and also your assessment that the tortoiseshell will not enter into commercial trade. The latter would be my most serious concern.

Sincerely yours,

Anne Meylan, Ph.D.
Associate in Herpetology

however, that this goal will be achieved quickly. An end to international trade in all sea turtles and their products was mandated by placement of the species (with the exception of some Australian-Papua New Guinea populations) on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in 1973 and 1976. But because many of the principal international trading nations are not Party to the Treaty or even though they are Party to it, have taken reservations for sea turtles, or do not adequately implement it, the Convention has had only limited effect. At the moment, the highest priority should be given to ending:

- a. The leather trade. This is a new industry whose demise would not have any major undesirable cultural or economic side effects. The present leather trade constitutes an intolerable drain on the sea turtle populations, especially those of *Lepidochelys olivacea* and *Chelonia mydas*. Current world trade should be terminated and all measures taken to achieve this end.
- b. The trade in tortoiseshell. The trade in tortoiseshell should cease in those countries where it has no special traditional cultural significance. Those countries where tortoiseshell has a cultural value (e.g., in marriage ceremonies) should be encouraged to preserve and recycle antique supplies, to promote the use of synthetic substances, and with all dispatch to phase out the importation of new material.
- c. Eggs collected for sale in distant markets. Eggs should be collected only for noncommercial consumption—and then only in those cases where a program is in effect to ensure that the great majority of eggs from that beach will be left to hatch, and that hatching will be under conditions as natural as possible. Conservation Education (see VI, below) should be used to counter the myths about special properties of eggs, in those countries where these superstitions are a cause of high commercial demand.
- d. Trade in stuffed juvenile sea turtles. This totally unnecessary luxury trade is having a serious impact on popu-

lations of *Eretmochelys imbricata*. It should cease and all measures should be taken to achieve this end.

After the demonstrated recovery of abundance of sea turtles, some level of exploitation may be possible. However, any exploitation program must be based on the best available biological information and must be in accordance with national and international law.

B. Noncommercial Hunting

1. Noncommercial hunting is defined as a traditional way of obtaining food practiced by aboriginal peoples who are not yet part of a cash economy or technological society. In this context, noncommercial hunting can be a valid activity, especially when it is carried out so as to have a minimum impact on turtle populations. Nevertheless, there are some turtle populations that are endangered even by legitimate noncommercial hunting, and in those cases techniques of self-regulation and biologically sound conservation practices should be encouraged (see I. Habitat Protection, II. Management, and V. Research and Population Assessment sections). Where the noncommercial hunting of sea turtles is valid, subsistence users have first right to the resource.

C. Farming

In addition to the prime objective of marketing sea turtles raised under artificial and/or semiartificial conditions, farming has been claimed by some to provide incidental conservation benefit by relieving the commercial pressure on wild animals. Others feel that such operations create the risk of increasing pressures on wild populations.

1. Before the benefits and risks of commercial turtle culture can be fully evaluated, more data are needed, as follows:
 - a. The feasibility of complete, closed-cycle farming, with no dependence on wild populations (either eggs or adult breeders) should be studied. "Feasibility" refers to both biological and economic factors.
 - b. The considerations that determine the minimum (and possibly maximum) sized operation that is commercially feasible ought to be ascertained.
 - c. The impact of commercial turtle culture (farming and ranching) on prices of turtle products, on the creation of

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CONSERVATION ON SMALL ISLANDS

the human dimension

THE earth is a small island of life in the emptiness of space, and man is coming to learn that he must live within the limits of our planet. On a much smaller scale, the populations of small islands in the sea must live within the limits of their island.

An island system is not only the land and coastal waters, but also the natural communities of plants and animals that found their way there and evolved to suit its particular conditions.

Ever since Darwin immortalised the Galapagos, islands have often been celebrated for their unique flora and fauna. Such species richness often goes with small population sites and high endemism on all but the smallest islands. Typical island species and ecosystems have adapted to their isolation, so are fragile and easily upset by disturbances or the introduction of alien species. Many of the world's recent extinctions have happened on islands, and the proportion of rare and endangered species relative to their land area or human population may be a hundred times higher on islands than in most continental areas.

Man, too, has had to adapt to the small island environment, where at the same time he both faces and has his back to the sea. There is no escape on an island and no new frontier. The island cultures of the South Pacific, for example, are based on consensus, cooperation and sharing within extended families, with a complex social structure in which roles are clearly defined to diminish conflicts. When populations were small and resources abundant, there was no need to worry about the next day's food. Anyone could take what they needed, and the rest would still be there for tomorrow. Food storage was often not possible, so there was no incentive to hoard.

However, where resources were limited, or vulnerable to natural disasters such as cyclones, conservation measures were necessary for survival and could be quite elaborate. Human use was spread over a wide range of existing resources, resources were exploited in moderation, and some resources were reserved for times of unfavourable conditions or shortages.

An islander's attachment to his terrain is very strong, since land is so limited. In some Melanesian societies, the land is regarded as the origin of all; the individual is not seen as separate from his family, his ancestors and the land from which they sprang. The ties to the land and coastal waters are as much spiritual as material. 'Ownership' (if such a western word is appropriate) is generally collective, and individuals may have complex rights to the exclusive or partial use of different areas or resources. A local animal or fish may be the family totem, protected because of its sacred associations. People live close to



The proportion of rare and endangered species on small islands can be up to a hundred times higher than in most continental areas.

Photo: J. Thorsell

Arthur Lyon Dahl

taboo, with entry reserved to certain individuals or circumstances. Such protected areas functioned as strict nature reserves. Other taboos might be placed temporarily during a particular season, or upon the death of the owner, or to set aside resources for a ceremonial occasion. Such temporary protection allowed resources to build up.

Magic touch

Religion or magic may have been used to justify every conservation-related act, continuing as a rite long after the original sense was lost. In the Solomon Islands, for example, fishing for certain shells used to make shell money was controlled by the pagan priests, who placed taboos for three to five years on different parts of the lagoon — thus allowing the shells to grow to maturity. However, when the villagers converted to new religions, one priest kept up the taboo for more than 30 years, waiting to be given enough sacrificial pigs for the ceremony necessary to lift it.

The priests or elders were the experts or 'scientists' of their day, advising on the use and protection of resources on the basis of knowledge accumulated over generations. The processes of observation and deduction were much the same as in modern science; only the frame of reference for interpreting the results was different.

Customary conservation measures were closely associated with and often enforced through the traditional religion. However, they have tended to be lost under the impact of missionaries, colonial administrators and European ways. Even the extensive traditional knowledge of island natural history is rapidly disappearing as children go to school rather than learning from their elders.

Transition

Today, island societies are in a state of transition as their isolation breaks down and outside influences, new values and western laws or administrative systems are introduced. They share many of the problems of the Third World; rapid population growth and increasing pressure on resources, both for subsistence and economic development. The islands' small size and isolation makes these problems worse by presenting difficult choices between a simple lifestyle with self-sufficiency or dependence with greater material benefits.

Outsiders may now come and take the resources formerly left for tomorrow, and self-interest and greed are starting to replace cooperation and sharing. New technologies make the accumulation of wealth possible, and increase the likelihood of destructive development through easy land clearance and more efficient hunting and fishing techniques. The traditional conservation ethic of taking just what is needed for today and leaving the rest for

CONSERVATION ON SMALL ISLANDS

the human dimension

THE earth is a small island of life in the emptiness of space, and man is coming to learn that he must live within the limits of our planet. On a much smaller scale, the populations of small islands in the sea must live within the limits of their island.

An island system is not only the land and coastal waters, but also the natural communities of plants and animals that found their way there and evolved to suit its particular conditions.

Ever since Darwin immortalised the Galapagos, islands have often been celebrated for their unique flora and fauna. Such species richness often goes with small population sites and high endemism on all but the smallest islands. Typical island species and ecosystems have adapted to their isolation, so are fragile and easily upset by disturbances or the introduction of alien species. Many of the world's recent extinctions have happened on islands, and the proportion of rare and endangered species relative to their land area or human population may be a hundred times higher on islands than in most continental areas.

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However, where resources were limited, or vulnerable to natural disasters such as cyclones, conservation measures were necessary for survival and could be quite elaborate. Human use was spread over a wide range of existing resources, resources were exploited in moderation, and some resources were reserved for times of unfavourable conditions or shortages.

An islander's attachment to his terrain is very strong, since land is so limited. In some Melanesian societies, the land is regarded as the origin of all; the individual is not seen as separate from his family, his ancestors and the land from which they sprang. The ties to the land and coastal waters are as much spiritual as material. 'Ownership' (if such a western word is appropriate) is generally collective, and individuals may have complex rights to the exclusive or partial use of different areas or resources. A local animal or fish may be the family totem, protected because of its sacred associations. People live close to their island and its resources and understand them intimately.

Traditional conservation was closely linked to customary beliefs and magic. A mountain, forest or islet might be sacred or



The proportion of rare and endangered species on small islands can be up to a hundred times higher than in most continental areas.

Photo: J. Thorsell

Arthur Lyon Dahl

taboo, with entry reserved to certain individuals or circumstances. Such protected areas functioned as strict nature reserves. Other taboos might be placed temporarily during a particular season, or upon the death of the owner, or to set aside resources for a ceremonial occasion. Such temporary protection allowed resources to build up.

Magic touch

Religion or magic may have been used to justify every conservation-related act, continuing as a rite long after the original sense was lost. In the Solomon Islands, for example, fishing for certain shells used to make shell money was controlled by the pagan priests, who placed taboos for three to five years on different parts of the lagoon — thus allowing the shells to grow to maturity. However, when the villagers converted to new religions, one priest kept up the taboo for more than 30 years, waiting to be given enough sacrificial pigs for the ceremony necessary to lift it.

The priests or elders were the experts or 'scientists' of their day, advising on the use and protection of resources on the basis of knowledge accumulated over generations. The processes of observation and deduction were much the same as in modern science; only the frame of reference for interpreting the results was different.

These cultural characteristics of island societies are strongest among indigenous island people, but even some later migrant populations have taken on some of the traits of the island way of life.

Customary conservation measures were closely associated with and often enforced through the traditional religion. However, they have tended to be lost under the impact of missionaries, colonial administrators and European ways. Even the extensive traditional knowledge of island natural history is rapidly disappearing as children go to school rather than learning from their elders.

Transition

Today, island societies are in a state of transition as their isolation breaks down and outside influences, new values and western laws or administrative systems are introduced. They share many of the problems of the Third World; rapid population growth and increasing pressure on resources, both for subsistence and economic development. The islands' small size and isolation makes these problems worse by presenting difficult choices between a simple lifestyle with self-sufficiency or dependence with greater material benefits.

Outsiders may now come and take the resources formerly left for tomorrow, and self-interest and greed are starting to replace cooperation and sharing. New technologies make the accumulation of wealth possible, and increase the likelihood of destructive development through easy land clearance and more efficient hunting and fishing techniques. The traditional conservation ethic of taking just what is needed for today and leaving the rest for tomorrow has largely been lost.

In addition, the strong attachment to and collective ownership of the land makes modern conservation measures such as the creation of parks and reserves more dif-

ficult. Where land is so limited, no one wants to lose any possible resource, and land use controls or zoning are strongly resisted. Even taking land for essential public purposes like roads can be almost impossible. Exposure to the outside world has created desire for development and a high material standard of living. But this desire cannot be met with limited island resources. The result is heavy pressure the island system cannot resist.

Natural areas are rapidly diminishing, and on some islands they are already gone. There is confrontation between human needs and desires on the one hand, and conservation interests on the other. The confrontation seems more acute because the islands are so small and their natural values so unique and irreplaceable.

The conservation of fragile island ecosystems requires scientific understanding and trained managers. Yet, tiny microstates of a few thousand or a few tens of thousands of people cannot afford such specialisation. Many island countries have no scientists and perhaps only one or two officers responsible for all aspects of conservation and environmental protection, among other duties. It is hard for such a voice to be heard in the press of competing interests.

These human dimensions require different approaches to conservation on small islands. The protection of natural areas or species will only be possible with the understanding and support of the population. Enforcement is almost impossible when everyone is a friend or part of the family, but peer pressure can be even more effective if the majority and particularly the traditional leaders support protective measures.



Conservation on small islands has to start with education which teaches people to appreciate the island heritage and to understand its limits. Since conservation was part of many traditional island societies, educational programmes can build on that foundation, showing that conservation is not new, but an extension of traditional practices. Islanders will always be in a better position to manage their own resources than any number of outsiders. Conservation education can give them the understanding to do the job well.

More and more islands are approaching the limits of their carrying capacity for human populations. Without permanent outside subsidies to bolster their



economies, inhabitants face the choice of exhausting every island resource, or halting the destructive over-exploitation of their

island while it is still possible to conserve essential ecosystems and genetic resources for the future. They have before them the tragic example of Easter Island, where the total destruction of the forest and the deterioration of the soils apparently led to social disintegration and the collapse of the population during prehistory.

The challenge is great, but approaches sometimes work on small islands that would seem impractical anywhere else. If island societies can apply the principles of the *World Conservation Strategy* and learn to live within their resource limits, they will set an example for all humanity on our small planet. □

Arthur Lyon Dahl has lived and worked in the South Pacific region for many years. An expert on Pacific island ecosystems and cultures, he steered the creation and adoption of the South Pacific Action Plan under the UNEP Regional Seas Programme.

Dugong hunting in the Great Barrier Reef Marine Park

Richard Kenchington

THE Great Barrier Reef is the largest system of coral reefs in the world. It runs for about 2000 km from its landward start off the coast of Queensland in northeastern Australia, and supports a spectacular diversity of life forms, including 1500 species of fish and 400 species of hard and soft corals. Among the rarest and most intriguing creatures of the region is the dugong, *Dugong dugon*, the world's only strictly herbivorous marine mammal, listed in the IUCN Mammal Red Data Book as a species in danger of extinction.

Many dugongs are found in the Great Barrier Reef Marine Park, the largest marine protected area in the world, embracing almost the whole of the Great Barrier Reef Region. It is there that many of the problems involving conservation of the species and rational use by man have come to a head.

The Great Barrier Reef Marine Park Authority manages the park, the largest of its kind in the world. Its goal is to provide for protection, wise use, appreciation and enjoyment of the Reef in perpetuity. It tackles this task by minimising regulation of human activity, by maximising the involvement of the community in manage-

ment of the Marine Park and by nurturing community understanding and acceptance of necessary restraints.

Reasonable use

Day-to-day management of the Region is undertaken by the Queensland National Parks and Wildlife Service with plans and guidelines prepared by the Authority. The Authority's main management tool is the preparation and implementation of zoning plans intended to separate potentially conflicting uses, while still allowing all reasonable activities. The overall care of the Reef is always the prime consideration.

In November 1983 the Zoning Plan for the Cairns and Cormorant Pass Sections of the Great Barrier Reef Marine Park came into effect. Among other things, it provides that traditional hunting of dugong may only be continued in the Marine Park subject

Continued, over



Dugong dugon — the world's only strictly herbivorous marine mammal.

Photo: WWF/Anderson



SOUTH PACIFIC REGIONAL FISHERIES DEVELOPMENT PROGRAMME
UNDP PRIVATE MAIL BAG
SUVA, FIJI



FOOD AND AGRICULTURE ORGANIZATION
 OF THE UNITED NATIONS

UNITED NATIONS
 DEVELOPMENT PROGRAMME

PROJECT NO: RAS/85/004
 LETTER NO: 97
 YOUR REF:
 OUR REF: USA:1

CABLE: UNDEVPRO SUVA
 TELEX: 2512 FAOFIS FJ
 TELEPHONE: 22489

03 February 1986

Dear George,

.... (Thanks for your recent letter. To answer your question of why turtle shell is better for Tuna Hooks than steel, I attach a copy of the section in my Tokelau tuna paper. In addition to those reasons given by Tokelauans, fishermen in the outer islands of Yap say that turtle 'tastes' better than steel and go so far as to totally ban the use of steel on some of the tuna fishing areas.)

Recently I did some work with Observers who regularly make trips on foreign fishing vessels. Talking to several of these men from Federated States of Micronesia and Kiribati, it appears that, on the average, one turtle is caught per trip during which an average of about 60,000 hooks are set. An extrapolation of these catches would show, for example, in Papua New Guinea in 1977 the Japanese fleet set 9,227,000 hooks and possible caught 153 turtles, the Taiwanese 1,332,000 hooks (22 turtles?) and the Koreans 7,000,000 hooks (116 turtles?). I wonder if you :

- (1) have thought about this type of mortality
- (2) have an idea of why turtles (which I assume are herbivorous) go after 10 inch longline baitfish?

Yours sincerely

Bob

Robert Gillett
Fisheries Development Adviser

Mr. Goerge Balazz
 Zoologist
 National Marine Fisheries Service
 PO Box 3830
 2570 Dole St
 Honolulu
 HAWAII 96812

c.c. Mr. Mike McCoy
 Executive Director
 Micronesian Maritime Authority - PO Box D, Kolonia, Pohnpei, FSM 96941
 Encl:



THE UNIVERSITY OF AUCKLAND

PRIVATE BAG AUCKLAND NEW ZEALAND TELEPHONE 737-999

Department of Anthropology

10 February 1986

THE UNIVERSITY OF AUCKLAND
Anthropology/Huntsman
PRIVATE BAG
AUCKLAND
NEW ZEALAND

George H. Balazs
Zoologist, Honolulu Laboratory
National Marine Fisheries Service, NOAA
P.O. Box 3830
Honolulu, HI 97812

Dear Mr Balazs,

I can think of no reason why the donation of tortoiseshell would create any problems. There might be some local controversy about exactly how the inati division would be done, but that is normal. I could think of all kinds of possible scenarios whereby the material could be misused, but I do not think they are probable, particularly if the purpose and restrictions on the gift are made clear to the elders of each atoll. As a body they are "honorable men" even if there may be some "crooks" among them.

As to amounts required, that would depend on the extent of skipjack fishing, in turn dependent on the presence of skipjack. I would certainly applaud the encouragement of "traditional" skipjack fishing, rather than tin-boat trolling.

Hope it works out.

Sincerely,

Judith Huntsman

Judith Huntsman



Dear George,

I feel sure there is information at all on mechanical properties of sea turtle shell. There is an infinite number of interesting academic exercises involving comparisons of the properties of materials, but turtle shell would be low on my priority list. My research group unanimously agrees that turtle shells should be given to Tokelau fisherman.

They care! Yours
- Steve Wainwright

Above The Clouds - Traveling the crest of the Blue Ridge in the early morning, visitors may be fortunate enough to find themselves riding above a fleecy blanket of clouds.

BR-32

Photo by © Fred Nicholson

© Eastern National Park & Mon. Assoc.

Duke Univ. 19 Feb 86



POST CARD

George A. Balazs
National Marine Fisheries Serv
P.O. Box 3830
Honolulu, HAWAII
96812

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Printed in Maine

TURTLE ISLANDS NATIONAL PARK

BOX 768, SANDAKAN, SABAH, MALAYSIA.
CABLES "NATAPARK", SANDAKAN. TEL. 2188



Your Ref:-

Our Ref:- ECPRO/27/2/153

Date: 17th Feb., 1986

Mr. George Balazs,
Zoologist,
U.S. Department of Commerce,
National Oceanic and Atmospheric Administration,
National Marine Fisheries Service,
Southwest Fisheries Center,
Honolulu Laboratory,
P. O. Box 3830,
Honolulu, Hawaii 96812



Dear George,

Hawksbill Shell

Many thanks for your letter of 2nd January, 1986 and the enclosures. The delay in sending you a reply was due to my being away on long leave. I have just returned.

I personally think that you have a good idea. I am willing to support it. Incidentally, what happens to material when it is confiscated by the U.S. Fish and Wildlife Service? What is the ultimate fate of say a confiscated carapace? Instead of the material being destroyed, why not utilise it for the greatest good? After all, 20 kg. will last them about 5 years or more and equitable distribution is assured.

I trust this finds you doing well. Please convey my best wishes to Linda. With kind regards and the best of everything for 1986.

Yours sincerely,

G. S. de Silva
G. S. de Silva



TURTLE ISLANDS NATIONAL PARKS
BOX 768 SANDAKAN MALAYSIA
CANTON MENTABAN KAMPUNG TELUK



Mr. George Balass,
Zoologist,
U.S. Department of Commerce,
National Oceanic and Atmospheric Administration,
National Marine Fisheries Service,
Southwest Fisheries Center,
Honolulu Laboratory,
P. O. Box 3830,
Honolulu, Hawaii 96812, U.S.A.

← Second fold here →

Sender's name and address: Turtle Islands National Parks
P. O. Box No: 768 Sandakan,
Sabah, East Malaysia



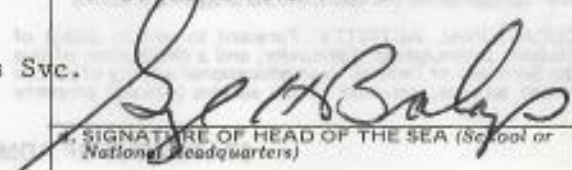
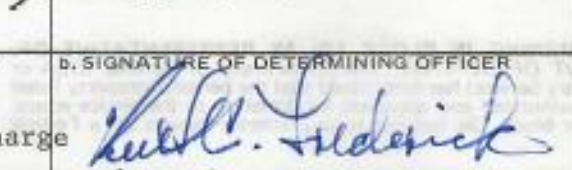
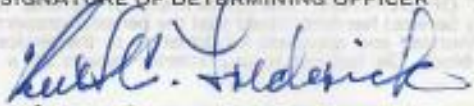

AN AIR LETTER SHOULD NOT CONTAIN ANY
ENCLOSURE: IF IT DOES IT WILL BE SURCHARGED
OR SENT BY ORDINARY MAIL.

↑ To open out here

Handwritten signature and date: "Balass" and "0. 2. 80".

TRANSFER ORDER SURPLUS PERSONAL PROPERTY		1. ORDER NUMBER(S) a. _____ b. _____		FORM APPROVED OMB NUMBER 3090-0014	PAGE 1 OF 1 PAGES
2. TYPE OF ORDER <input type="checkbox"/> STATE AGENCY <input type="checkbox"/> DOD(SEA) <input type="checkbox"/> FAA		3. SURPLUS RELEASE DATE	4. SET ASIDE DATE	5. <input type="checkbox"/> NON- REPORTABLE <input type="checkbox"/> REPORTABLE	6. TOTAL ACQUISITION COST
7. TO: GENERAL SERVICES ADMINISTRATION (FPRS) *				8. LOCATION OF PROPERTY U.S. Fish & Wildlife Service 123 Fourth St., SW Albuquerque, NM 87103	
9. HOLDING AGENCY (Name and address) * U.S. Fish & Wildlife Service Division of Law Enforcement Albuquerque, New Mexico				10. FOR GSA USE ONLY SOURCE CODE <input type="checkbox"/> STATE <input type="checkbox"/> CITY <input type="checkbox"/> TYPE OF DONATION: <input type="checkbox"/> ADJUSTED ALLOCATION CODE <input type="checkbox"/>	
11. PICKUP OR SHIPPING INSTRUCTIONS *					

12. SURPLUS PROPERTY LIST							
L/I NO.	IDENTIFICATION NUMBER(S)	DESCRIPTION	DEMIL CODE	COND. CODE	QUANTITY AND UNIT	ACQUISITION COST	
						UNIT	TOTAL
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
	ST# 7757	Hawksbill Turtle Scutes (INV# 8-3102)			10/8/76		
	7759	Hawksbill Turtle Scutes (INV# 8-3102)			10/8/76		
	7528	Hawksbill Turtle Scutes (INV# 8-3102)			10/8/76		
	7529	Hawksbill Turtle Scutes (INV# 8-3102)			10/8/76		
	7530	Hawksbill Turtle Scutes (INV# 8-3102)			10/8/76		
	6193	Hawksbill Turtle Scutes (no INV#)			1/16/79 (UNSUB; Customs/Houston, TX)		

13. TRANSFEREE ACTION Transferee certifies and agrees that transfers and donations are made in accordance with 41 CFR 101-44, and to the terms, conditions, and assurances as specified on this document.	a. TRANSFEREE (Name and address of State Agency, SEA, or public airport) * George Balazs National Marine Fisheries Svc. Honolulu, Hawaii	b. SIGNATURE AND TITLE OF STATE AGENCY OR DONEE REPRESENTATIVE 	c. DATE
		e. SIGNATURE OF HEAD OF THE SEA (School or National Headquarters) 	e. DATE
14. ADMINISTRATIVE ACTION I certify that the administrative actions pertinent to this order are in accordance with 41 CFR 101-44 and as specified on this document have been and are being taken.	a. DETERMINING OFFICER (DOD or FAA) * Keith C. Frederick Asst. Special Agent in Charge	b. SIGNATURE OF DETERMINING OFFICER 	c. DATE 1/25/86
	e. GSA APPROVING OFFICER John E. Cross Special Agent in Charge	e. SIGNATURE OF APPROVING OFFICER 	f. DATE 1/25/86



EQUAL OPPORTUNITY AGENCY

*South Carolina
Wildlife & Marine
Resources Department*

James A. Timmerman, Jr., Ph.D.
Executive Director
Jefferson C. Fuller, Jr.
Director of
Wildlife and Freshwater Fisheries

February 25, 1986

Dr. George Balazs
NOAA/NMFS
P. O. Box 3830
Honolulu, Hawaii 96812

Dear George,

Finally I have gotten some "breathing room" since the workshop schedule is now fairly complete, and there is time to answer your letter.

You have presented a strong case for providing the Tokelausans with confiscated tortoise-shell. I would support this on a trial basis, with the following suggestions:

- 1.) That only a one year supply of tortoise-shell be sent to see if abuses occur, rather than 20 kg which is several years' supply.
- 2.) That some kind of educational information be included to make them aware of the hawksbill's plight and its causes.
- 3.) Our government should work with that of Western Samoa to bring the hawksbill under some kind of protection, even if law enforcement is difficult in such island regions.

X I have never disapproved of subsistence take because I feel it has never jeopardized any turtle populations. Somehow the Tokelausans need to make the connection that they are not able to make lures because other greedy people have exploited the resource, a resource they depend upon. Unfortunately the rest of the world does not practice "inati".

The Tokelausans should be praised for their traditional conservation efforts and hopefully the confiscated hawksbill will only have to be supplied temporarily until their populations can recover.

'See you in about a month.

Sincerely,

Sally Murphy
Biologist

/jdl



PEJABAT TAMAN PANTAI TIMUR
REGIONAL OFFICE, EAST COAST PARKS

90008
BOX 768/SANDAKAN, SABAH, MALAYSIA. TEL : 42188
CABLES : "NATAPARK" SANDAKAN.

Your Ref :

Our Ref : ECPRO/27/2/156

22nd Feb., 1986

Mr. George Balazs,
Zoologist,
U.S. Department of Commerce,
National Oceanic and Atmospheric Administration,
National Marine Fisheries Service,
Southwest Fisheries Center,
Honolulu Laboratory,
P. O. Box 3830,
Honolulu, Hawaii 96812,
U.S.A.

Dear George,

Hawksbill Shell - Tokelau

Many thanks for your letter of 14th February, 1986 and trust
... that you received my letter of 17th February. A copy is attached.

Your idea to utilise confiscated Hawksbill Shell and put it
to good use in Tokelau is excellent. It has my wholehearted support
and encouragement.

With all good wishes.

Yours sincerely,


G. S. de Silva

XXXXXXXXXXXX

ECPRO/27/2/153

17th Feb., 1986

Mr. George Balazs,
Zoologist,
U.S. Department of Commerce,
National Oceanic and Atmospheric Administration,
National Marine Fisheries Service,
Southwest Fisheries Center,
Honolulu Laboratory,
P. O. Box 3830,
Honolulu, Hawaii 96812

Dear George,

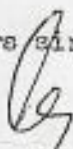
Hawksbill Shell

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I trust this finds you doing well. Please convey my best wishes to Linda. With kind regards and the best of everything for 1986.

Yours sincerely,



G. S. de Silva



UNIVERSITY OF FLORIDA
GAINESVILLE, FL 32611

DEPARTMENT OF ZOOLOGY
223 BARTRAM HALL
904/392-1107

February 6, 1986

George Balazs
National Marine Fisheries Service
P.O. Box 3830
Honolulu, HI 96812

Dear George:

Thanks for your letter. I wish I could give you some helpful advice on the Tokelau problem, but only Solomon could handle that situation. And he would be hard pressed. You can't just recommend chopping this baby in half.

I have just been invited to talk about advection, persistent plastics, and the developmental migrations of sea turtles at the Pacific Grove conference, where you ought to be holding forth. I've been going through your presentation for the Honolulu conference and am overcome by the volume of your documentation.

Best regards.

Sincerely yours,


Archie Carr
Graduate Research Professor

Enclosure



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
Western Pacific Program Office
P. O. Box 3830
Honolulu, Hawaii 96812

March 11, 1986

F/SWR1:ETN

TO: F/SWC2 - George Balazs
FROM: F/SWR1 - *Gene Nitta*
SUBJECT: Tokelau Fish Hooks

I support the concept of utilizing seized material to fill a documented traditional need for fish hooks in Tokelau. However, some legal questions should be explored before proceeding too far along. First, is it possible to legally ship forfeited or seized endangered species material out of the country? Second, since this material is to be worked into implements can it legally be utilized for this purpose? Third, what guarantees or assurances do you have that this shell material will not find its way into international commerce?

I understand that you have discussed this with SA Kim Wright of the U.S. Fish and Wildlife Service. If she has not done so it might be wise to touch bases with our enforcement agents and General Counsel Martin Hochman at (FTS) 796-2756 as well. Good luck with the project.

A Tokelau pearl-shell lure (Figure 3) consists of a shank, hook, feathers, lashings, and leader line. The pearl-shell for the shank occurs in the lagoons of Tokelau but it apparently has never been very plentiful and is quite rare at present. MacGregor (1937) reported the supply of pearl-shell in Atafu "has grown less as succeeding generations comb the lagoon for the precious material". Van Pel (1958) stated that "one or two were found occasionally over a period of years". During the present study "tautai" reported that about 10 years has lapsed since the last pearl-shell was found in Fakaofu lagoon.

The distribution of pearl-shell in Fakaofu lagoon appears to be random. Residents state there were no particular areas where the shell was more prevalent than others, although more were probably found in the lagoon area close to Fenualoa due to the increased diving activity in that area in search of giant clam (Tridacna sp.). Pearl-shell was most often encountered inside small caves and underneath rock ledges. The older "tautai" interviewed said that during their youth diving was done without the aid of goggles; divers cupped one hand over the eye (Figure 1) trapping a small pocket of air in the palm which would enable underwater vision. As pressure increases with depth, this technique could only be used to a maximum depth of about eight metres, after which the air bubble would be too compressed to be of any use.⁴

Pearl-shell was also brought to Tokelau from other localities. Missionaries from Tokelau serving in New Guinea from the turn of the century to the early 1940s returned home with thick shell, probably the gold-lip variety (Pinctada maxima). "Tautai" cited other sources of shell as being Pukapuka, Nassau, and Penryhn in the northern Cook Islands, and finished lure shanks from Samoa.

The pearl-shell is cut into pieces to form one or more shanks for lures (Figure 4). The shank size, always as large as possible, is determined by the section of shell from which it is made. The largest comes from the centre cut ("pa matus") with adjacent cuts being progressively smaller. Lure shanks measured in this study ranged in size from 6 to 17 cm.

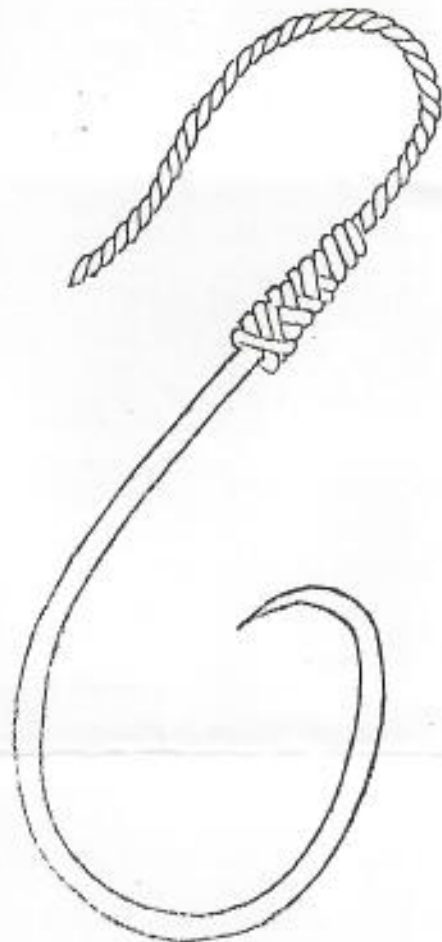
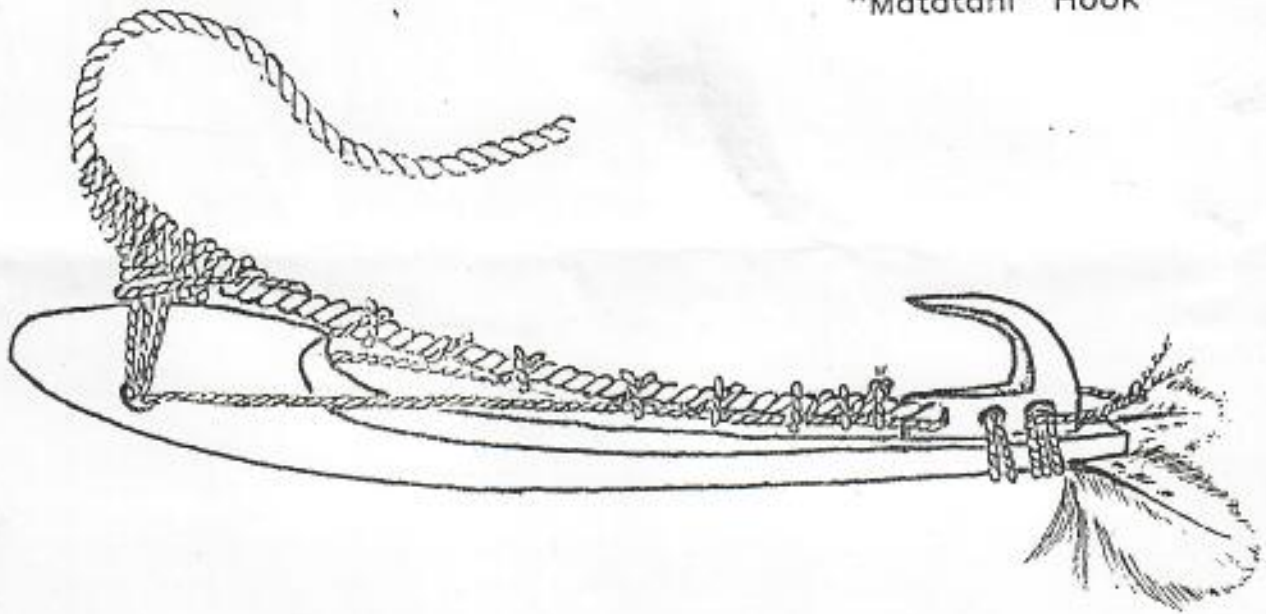
The hook portion of the lure is usually made from the shell of the hawksbill turtle ("fonu una", Eretmochelys imbricata). Although cow horns, coconut shell, whales' teeth, marlin spikes, aluminium, and plastic are occasionally used, turtle shell predominates despite the rarity of the animal. Most "tautai" interviewed on Fakaofu could not recall the local capture of a hawksbill turtle of a size with a shell of adequate thickness for hooks during their lives⁵, however it is reported in Balazs (1982) that hawksbill are known to nest at Nukunonu

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Figure 3

Tokelau Pearl Shell Lure (top)
and
"Matatahi" Hook



atoll. Sources cited for turtle shell for lure manufacture were similar to that for pearl-shell, with the addition of Hull Island in the Phoenix group.

After European contact, metal replaced local materials in hooks for many types of fishing, but such was not usually the case for pearl shell lures. Ironically, turtle shell was regarded as superior to metal due to its weakness; under a very heavy load a turtle hook would break before the extremely valuable pearl-shell shank. A turtle hook was also less likely to cause injury to a fisherman when rapidly poling tuna. Furthermore, the colour of the turtle hook, opaque-brown mixed with translucent amber, was thought to attract skipjack.

Bird feathers are attached to the distal portion of the shank. The white breast feathers of the red-tailed tropic bird ("tevake") are considered by most fishermen to be the best type, but due to the scarcity of this animal, feathers of two species of boobies, and occasionally chicken feathers or even plastic, are used.

Formerly, the line which attaches the lure to the pole and the more delicate lashings which attach the various lure components was three-stranded line made from "fau" (Pipturus argenteus). The strength of the line was given as about 50 kg and that for the lashings as about 12 kg. Although this line ("laufau") is thought to be superior to synthetic materials due to its durability and tendency not to kink, it had been replaced by nylon monofilament on all lure specimens examined during this study. The amount of effort required for "laufau" manufacture was given as the reason.

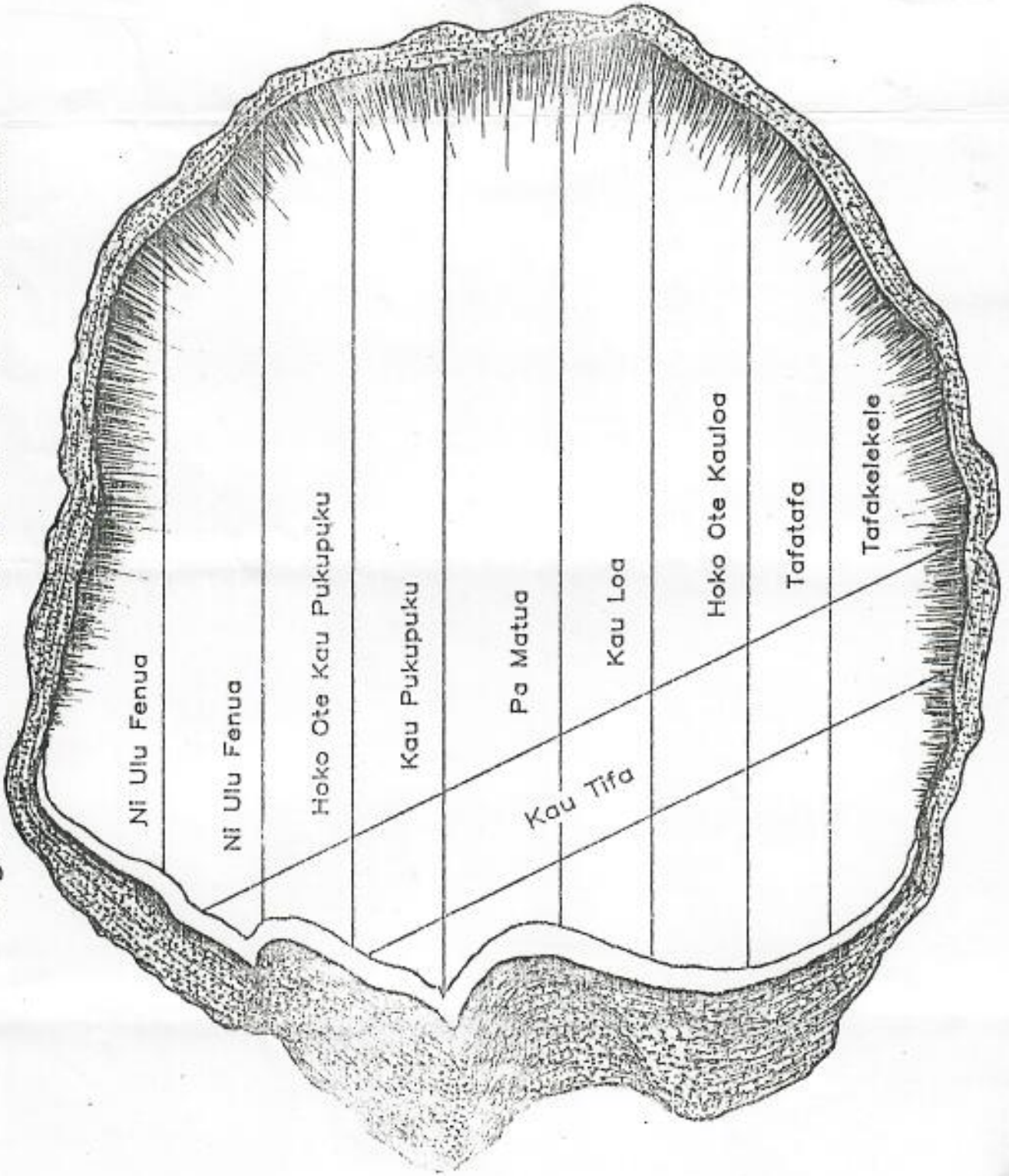
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Pearl-shell lures are known in many areas of Polynesia, Micronesia, and Melanesia. Information in Hiroa (1932) and Anell (1955) helps clarify the relationship of the Tokelau-style lure to those of other areas. Lures from Tokelau are considered typically Polynesian due to the attachment of the leader line to both the head of the pearl-shell shank and to the base of the turtle shell hook. In Melanesia and areas of Micronesia the line is characteristically attached only to the shank

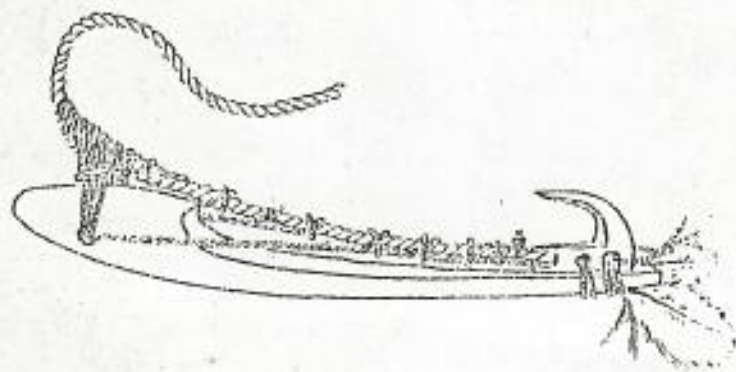
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See other drawing

Figure 4: The Cuts of a Pearl Shell




TRADITIONAL
TUNA FISHING
IN TOKELAU



Robert Gillett
July 1985

TO LOYALTY
AND FISHING
INDUSTRY



Pearl-Shell Lures

The most essential item of gear for skipjack fishing, the pearl shell lure ("pa"), is made from the black-lip pearl oyster ("tifa", *Pinctada margaritifera*). In addition to its use in fishing, pearl-shell is also used for body decoration, wedding and death gifts, and more recently, graduation presents. As diamonds are cherished in the cosmopolitan world for their ornamental, sentimental, and utilitarian value, so are pearl-shells in Tokelau.

A Tokelau pearl-shell lure (Figure 3) consists of a shank, hook, feathers, lashings, and leader line. The pearl-shell for the shank occurs in the lagoons of Tokelau but it apparently has never been very plentiful and is quite rare at present. MacGregor (1937) reported the supply of pearl-shell in Atafu "has grown less as succeeding generations comb the lagoon for the precious material". Van Pel (1958) stated that "one or two were found occasionally over a period of years". During the present study "tautai" reported that about 10 years has lapsed since the last pearl-shell was found in Fakaofu lagoon.

The distribution of pearl-shell in Fakaofu lagoon appears to be random. Residents state there were no particular areas where the shell was more prominent than others, although more were probably found in the lagoon area close to Fenua Loa due to the increased diving activity in that area in search of giant clam (*Tridacna* sp.). Pearl-shell was most often encountered inside small caves and underneath rock ledges. The older "tautai" interviewed said that during their youth diving was done without the aid of goggles; divers cupped one hand over the eye (Figure 1) trapping a small pocket of air in the palm which would enable underwater vision. As pressure increases with depth, this technique could only be used to a maximum depth of about eight metres, after which the air bubble would be too compressed to be of any use.⁴

Pearl-shell was also brought to Tokelau from other localities. Missionaries from Tokelau serving in New Guinea from the turn of the century to the early 1940s returned home with thick shell, probably the gold-lip variety (*Pinctada maxima*). "Tautai" cited other sources of shell as being Pukapuka, Nassau, and Penryhn in the northern Cook Islands, and finished lure shanks from Samoa.

The pearl-shell is cut into pieces to form one or more shanks for lures (Figure 4). The shank size, always as large as possible, is determined by the section of shell from which it is made. The largest comes from the centre cut ("pa mataua") with adjacent cuts being progressively smaller. Lure shanks measured in this study ranged in size from 6 to 17 cm.

The hook portion of the lure is usually made from the shell of the hawksbill turtle ("fonu una", *Eretmochelys imbricata*). Although cow horns, coconut shell, whales' teeth, marlin spikes and plastic are occasionally used, turtle shell predominates despite the rarity of the animal. Most "tautai" interviewed on Fakaofu could not recall the local capture of a hawksbill turtle of a size with a shell of adequate thickness for hooks during their lives⁵, however it is reported in Balazs (1982) that hawksbill are known to nest at Nukunonu atoll.

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Pearl-shell lures are known in many areas of Polynesia, Micronesia, and Melanesia. Information in Hiroa (1932) and Anell (1955) helps clarify the relationship of the Tokelau-style lure to those of other areas. Lures from Tokelau are considered typically Polynesian due to the attachment of the leader line to both the head of the pearl-shell shank and to the base of the turtle shell hook. In Melanesia and areas of Micronesia the line is characteristically attached only to the shank head. Polynesian-type lures are subdivided into eastern and western

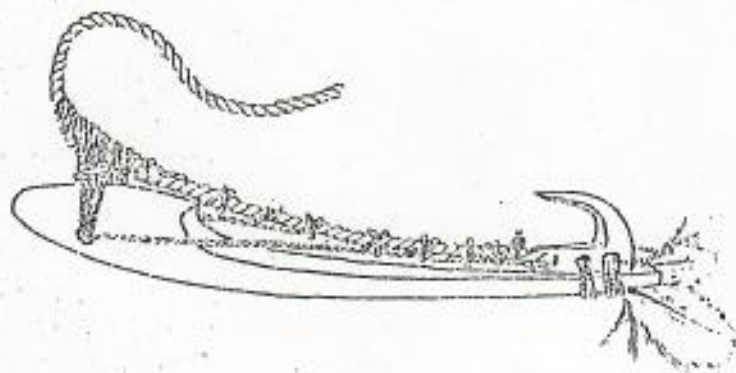
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Character	Variation	Description	Note
Colour of convex surface	Lau milo	Golden with some red and green	Used first in Takafakauli-type school. Name also used in Samoa and Tuvalu for pearl-shell; also called lautiale; New Guinea lures are this colour. Other shell colours can be changed to hiku uli by additional grinding.
	Fa hina	White	Used first in Fakapula-type school. Other colour lures can be changed to hiku uli by additional grinding.
	Hiku uli	Blacktail	Some fishermen say works well when tuna feeding on goatfish.
	Fulu fakalupu	Shiny blacktail with some red/green	Also called fakanunua.
	Lano faka pugapuga	Entire surface brownish	
Head shape	Ulu faka kalo	Sharp head	Lure tends to dive. Preferred for use when skipjack are feeding on goatfish.
	Ulu faka ula	Round head	Lure tends to stay on surface and wiggle; used in tahikupa-type school.
Hook angle	Tala fomu	Dull angle	Fish can be unhooked faster; turtle shell material for this type must be thick.
	Haga	Sharp angle	Less chance of fish falling off hook prematurely.
Shell cuts (20 cm diameter shell)	Ni ulu fenua	Edge cut	Smallest size; used on completely calm days, e.g. no wind or swell.
	Hoko ote kau pukupuku	Adjacent cuts	Decreasing size
	Kau pukupuku		↓
	Fa matus	Centre cut of shell	Biggest; never used first in school; good to use when fish biting fast. Usually pa hina or hiku uli; never use with yellowfin.
	Kau loa		↓
	Hoko ote kauloa	Adjacent cuts	Decreasing size
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groups, the Tokelau lure being in the western group along with those from Samoa, Pukapuka, Tuvalu, Wallis, and Polynesian outliers in Melanesia, due to the hook base. (the interface between the pearl-shell and turtle shell) extending towards the head of the shank rather than away from it. Tokelau lures have three holes in the base of the turtle shell hook; one for attaching the line and the other two for lashing the hook to the shank. Outside of Tokelau, the western Polynesian, three-hole lure is found only in Wallis⁷ and Tuvalu.

The value of a pearl-shell lure to its owner should be stressed. An idea of the importance can be given by relating that in the speeches which accompany a funeral ceremony, it is common for the death of a family member to be compared to the loss of a well-known pearl-shell lure.

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TABLE 6. VARIATION IN PEARL-SHELL LURES

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	Pa hina	White	Used first in Fakapala-type school. Other colour lures can be changed to hiku uli by additional grinding.
	Hiku uli	Blacktail	Some fishermen say works well when tuna feeding on goatfish.
	Fulu fakalupu	Shiny blacktail with some red/green	Also called fakauanua.
	Lano faka pugapuga	Entire surface brownish	
Head shape	Ulu faka kalo	Sharp head	Lure tends to dive. Preferred for use when skipjack are feeding on goatfish.
	Ulu faka ula	Round head	Lure tends to stay on surface and wiggle; used in tahikupa-type school.
Hook angle	Tala fusu	Dull angle	Fish can be unhooked faster; turtle shell material for this type must be thick.
	Naga	Sharp angle	Less chance of fish falling off hook prematurely.
Shell cuts (20 cm diameter shell)	Ni ulu fenua	Edge cut	Smallest size; used on completely calm days, e.g. no wind or swell.
	Hoko ote kau pukupuku	Adjacent cuts	Decreasing size
	Kau pukupuku		↓
	Pa matua	Centre cut of shell	Largest; never used first in school; good to use when fish biting fast. Usually pa hina or hiku uli; never use with yellowfin.
	Kau loa		↓
	Hoko ote kauloa	Adjacent cuts	Decreasing size
	Tafa tafa		↓
	Tafa kekekele	Edge cut	Smallest size
Kau tifa	Cross cut	Only one possible from each shell; many colours present.	

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