

United States Senate

ROOM 442, RUSSELL SENATE BUILDING
WASHINGTON, D.C. 20510
(202) 224-3934

September 26, 1977

Mr. George Balazs
Jr. Marine Biologist
University of Hawaii at Manoa
Hawaii Institute of Marine Biology
P.O. Box 1346
Coconut Island
Kaneohe, Hawaii 96744

Dear Mr. Balazs:

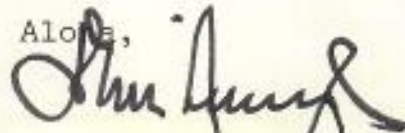
I would like to acknowledge receipt of your letter regarding the inclusion of three species of sea turtles on the endangered species list.

The U.S. Fish and Wildlife Service is presently negotiating with the National Marine Fisheries Service to afford a "threatened" status to the Loggerhead Turtle, Pacific Riddly Turtle and the Green Turtle under the Endangered Species Act. A resolution is expected to be reached within the next four to six weeks.

Since many of the laws protecting turtles presently overlap in terms of regulations and regulatory authority both Fish and Wildlife Service and the Fisheries Service wanted to work these out before including the three new species. This has caused the delay.

I hope this information answers your questions. If I can be of any further service please do not hesitate to contact me.

Aloha,



DANIEL K. INOUE
United States Senator

DKI:ib



University of Hawaii at Manoa

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

November 30, 1977

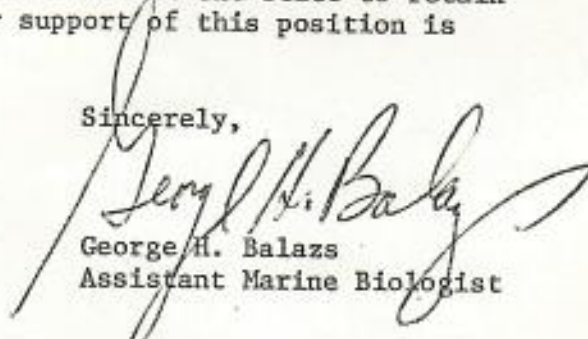
The Honorable Daniel K. Inouye
United States Senate
Room 442, Russell Senate Building
Washington, D. C. 20510

Dear Senator Inouye:

Thank you for your letter of 26 September concerning my inquiry about the status of pending federal rulemaking relating to green, loggerhead and olive ridley sea turtles. Further information on this case was also provided in correspondence which I received from R. M. Parsons of the Fish and Wildlife Service (FWS) and R. W. Schoning of the National Marine Fisheries Service (NMFS). Copies of these letters are enclosed for reference purposes.

For more than three years now, FWS and NMFS in Washington have been involved in an interagency dispute over who should have jurisdiction over sea turtles. This lengthy disagreement, in my opinion, has been both unwarranted and counterproductive to rational conservation efforts aimed at slowing the decline of sea turtle populations. While inactivity prevailed at the federal level, in 1976 the State of Hawaii took decisive action by making funds available to conduct an in-depth management study of the Hawaiian green turtle population. I am the principal investigator of this project, which has recently entered into its second year of research. Given this fact, along with the history to date of federal involvement with sea turtles, it seems ironic that jurisdiction over Hawaii's green turtles may soon pass to FWS and/or NMFS. In view of the commitment by the State to further our understanding of this native species for the purposes of protection and perpetuation, I believe it is entirely appropriate at this time for the State to retain jurisdiction over its green turtles. Your support of this position is respectfully requested.

Sincerely,


George H. Balazs
Assistant Marine Biologist

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Enclosures

cc: Dr. J. Craven, Marine Affairs Coordinator
Mr. M. Takata, Director, Div. of Fish & Game

United States Senate

ROOM 442, RUSSELL SENATE BUILDING
WASHINGTON, D.C. 20510
(202) 224-3934

December 7, 1977

Mr. George Balazs
Assistant Marine Biologist
Hawaii Institute of Marine Biology
University of Hawaii at Manoa
P. O. Box 1346
Coconut Island
Kaneohe, Hawaii 96744

Dear Mr. Balazs:

I have received your letter of November 30, 1977 which acknowledges my reply of September 26, 1977 concerning federal rulemaking for the protection of sea turtles. I am pleased to learn of your interest in checking the decline of populations for all these species, and your professional involvement with management studies for the green sea turtle species. However, I do not understand the concern which you express about jurisdictions.

The United States has recognized some levels of international jurisdiction in agreeing to the prohibition on the use of green sea turtles in trade as provided in the Convention on International Trade in Endangered Species of Wild Fauna and Flora. In doing so the United States did not forsake any opportunity to define national jurisdictional interests; and in fact would define such interests if the green sea turtle is designated a threatened species, and thus given benefit of several regulatory measures under Public Law 93-205. Should our State wish to enact still greater regulatory measures, for conservation or management reasons, it has jurisdictional opportunities to do so.

I believe we have reason to hope that rulemaking on the three species of sea turtles now under consideration will proceed more rapidly, henceforth.

Mr. George Balazs
Page Two
December 7, 1977.

The memorandum of understanding between the two departments did come within six months of the start of the new administration. I understand that an interagency meeting on the proposed rulemaking will occur on Monday, December 12.

Aloha,



DANIEL K. INOUE
United States Senator

DKI:jmpl



University of Hawaii at Manoa

Hawaii Institute of Marine Biology
P.O. Box 1346 • Coconut Island • Kaneohe, Hawaii 96744
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December 19, 1977

The Honorable Daniel K. Inouye
United States Senate
Room 442, Russell Senate Building
Washington, D. C. 20510

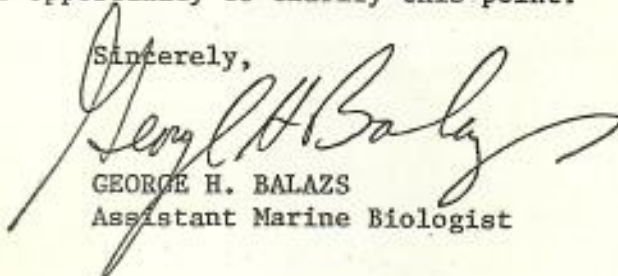
Dear Senator Inouye:

Thank you for your letter of 7 December which replies to my correspondence of 30 November about pending federal rulemaking for sea turtles.

As you have indicated, the State of Hawaii will still have jurisdiction to enact greater regulatory measures, for conservation or management reasons, should the green turtle be designated a threatened species under Public Law 93-205. However, the concern which I previously expressed over jurisdiction relates to the fact that Hawaii will apparently not have the option to enact *less* stringent regulatory measures, should there be justifiable reasons for doing so at some time in the future. This would seem to me to be an important point in view of the State's commitment to a research program.

I appreciate having the opportunity to clarify this point.

Sincerely,



GEORGE H. BALAZS
Assistant Marine Biologist

GHB:ec