

August 22, 1974
P.O. Box 1346
Kaneohe, Hawaii 96744

Mr. Michio Takata
Director
Division of Fish and Game
1179 Punchbowl
Honolulu, Hawaii 96813

Dear Mr. Takata,

I have only recently returned from French Frigate Shoals where intensive studies on this year's green turtle breeding and basking population have been in progress. Over the past few days I have had the opportunity to review the status and effectiveness of Regulation 36 (relating to the protection of marine turtles) which, as you are aware, became law on May 30th of this year. Unfortunately, I must conclude that one of the most important aspects of this new regulation is not being enforced. I am, of course, referring specifically to that section (2d) which allows for the sale of turtles captured from Hawaiian waters prior to the effective date. In compliance with section 2d and as stated in the Division's Permit for the Sale of Marine Turtle Products (which bears the signature of Mr. Sunao Kido, Board Chairman):

"The permittee shall accurately complete a Marine Turtle and/or Product Inventory Report that describes and tallies all marine turtles or products thereof purchased, sold and/or remaining in possession of the permittee on forms provided by the Department of Land and Natural Resources and return the filled form to the Division of Fish and Game no later than 10 days following the end of each month."

Further, it is stated that:

"This Marine Turtle Sales Permit will be cancelled if the permittee fails to comply with any of the conditions listed above."

According to records made available by the Division, as of July 30, 1974 five firms or individuals had applied for and received permits which would allow for the liquidation of previously captured marine turtles. One permit was issued on May 31, one each on June 4, 17 and 18 and one which failed to show an issuance date. Compliance with the terms of these permits is apparently not being required by the Division as no inventory reports have subsequently been filed by the permittees. Nearly three months have elapsed since the regulation was signed into law and during that time voluntary compliance by the permittees should have taken place if, in fact, they intended to do so. Further the Division has apparently not taken action to cancel the permits as legally called for. Without the enforcement of this monitoring system, firms could conceivably continue to sell newly

acquired turtles indefinitely while claiming to have had a supply on hand from before the effective date.

I would also like to bring to your attention the fact that at least one large volume establishment is continuing to sell turtle meat without having obtained a permit. Additionally, if the restaurant's advertisements can be believed, the meat being sold was obtained well after the effective date as it is represented as being "fresh". I can personally attest to this public solicitation in that it was aired on Kauai radio station KIVM on the evening of August 11. The advertisement, sponsored by the Wailua Marina Restaurant (which incidentally is situated on land leased from the State of Hawaii) indicated that 'fresh Island turtle steak prepared in two different manners' was available at their establishment. Ironically enough, I heard this advertisement while stationed on East Island, French Frigate Shoals studying the small remnant breeding population that such restaurants have selfishly helped to destroy.

I hope that by calling these points to your attention action will be initiated to achieve full compliance with both the letter and spirit of this new law that was overwhelmingly supported by the people of Hawaii. It may be significant to point out that this year's study at French Frigate Shoals has confirmed my estimates of a low breeding population - estimates that were made after last year's study and played an important part in demonstrating the urgent need for protection of America's last green sea turtle colony.

Sincerely,

George H. Balazs

cc
P. Sekora
E. Kridler
M. Dillon
M. Taylor
R. Endrizal