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DEPT. OF LAND
& NATURAL RESOURCES
STATE OF HAWAII
December 10, 1975

Mr. Harvey M. Hutchings
Acting Associate Director
for Resource Management
U.S. Department of Commerce
National Oceanic & Atmospheric
Administration
Washington, D.C. 20235

DIVISION OF FISH & GAME	
DIRECTOR	Referral Date:
ASST. CHIEF	Response Date:
W.C. CHIEF	Draft Reply
V.P. CHIEF	Reply Direct
SH. BR.	Comments
ALD. BR.	Information
CL. BR.	Comp. Act. & File
IN. SERV.	Return To:
MAIL ROOM	Remarks:

Dear Mr. Hutchings:

Thank you for your letter of November 19, 1975, extending an invitation to the public hearing re-scheduled for February 25, 1976, concerning the proposed inclusion of the green sea turtle (Chelonia Mydas) and two other species of marine turtles within the "threatened species" list. Since our State Legislature will be in session at that time, I must regretfully decline the invitation.

Previous comments which I submitted on the proposed rulemaking still remain applicable; therefore, I would like to take this opportunity to summarize Hawaii's position on the matter.

Studies on green sea turtles conducted cooperatively between the State of Hawaii and the U. S. Fish and Wildlife Service have indicated that Hawaii has a discrete and viable nesting population of green sea turtles which is probably the largest in the United States. Aware of the seeming declining trend of our Hawaiian marine turtle population, the State of Hawaii through the Department of Land and Natural Resources promulgated a regulation in May, 1974 which has totally protected the Leatherback (Dermochelys sp.) and Hawksbill (Eretmochelys sp.) turtles while permitting the very limited and controlled harvest of the green sea turtle for home use only. Due to the restrictive nature of this regulation, only thirteen turtles have been reportedly taken for home use to date since the regulation became effective. Yet, retention of the historical and traditional privilege to harvest turtles in Hawaii has made this regulation far more acceptable to our people than would be the case if a complete closure had been imposed.

It is my understanding that inclusion within the threatened species list could, among other things, completely prohibit the taking of green sea turtles for home use thereby conflicting with and overriding our State regulation that has been functioning very effectively in conserving our turtle resource. Thus,

Handwritten initials and date: "S. L. 12/10/75"

Mr. Harvey M. Hutchings

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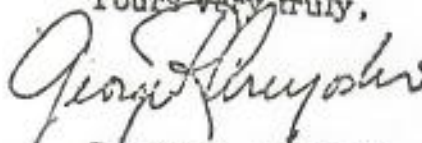
December 10, 1975

In view of this possible conflict with our present regulation, our unique geographical location, the historical usage and a population of green sea turtle apparently discrete to Hawaii, we recommend that Federal measures not be adopted that will interfere with or preempt the State of Hawaii's right and responsibility of managing our green sea turtle resource. We have confidence in our present regulatory provisions imposed to conserve our green sea turtle and sincerely believe that these measures will continue to provide adequate and effective protection for the species.

Your time and effort in extending us this opportunity to comment on the above is very much appreciated.

With warm personal regards, I remain,

Yours very truly,


George R. Ariyoshi

bcc: / Hon. Christopher Cobb