



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

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DEC 14 1981

Division of
AQUATIC RESOURCES

Mr. Alika Cooper
163 Kaulani Street
Hilo, HI 96720

Dear Alika:

Southwest Region
300 South Ferry Street
Terminal Island, California
December 8, 1981

DIVISION OF AQUATIC RESOURCES	
DIRECTOR	Return Date
FISH CHIEF	Suspense Date
MARINE SEC.	P/SWRJ-JHL <input type="checkbox"/>
P.W. SEC.	Reply Direct <input type="checkbox"/>
AFRC	Comments <input type="checkbox"/>
SWERDLOFF	Information <input type="checkbox"/>
	Comp. Act & File <input type="checkbox"/>
	Return To:
SECRETARY	Copies To:
OFF. SERV.	Remarks:
FED. AID	

I am writing to respond to the questions raised about green sea turtles in our recent conversation on Molokai. As you know, the final rule listing central and western Pacific populations of green sea turtles as threatened pursuant to the Endangered Species Act permits the taking of green sea turtles by residents of the Trust Territory of the Pacific Islands for ceremonial and subsistence purposes. This exemption to the prohibition of taking green sea turtles was allowed because, during the regulatory review process, the Government of the Trust Territory of the Pacific Islands presented information substantiating the need for a subsistence take and that subsistence taking would not prevent the green sea turtle population from recovering. No such information was submitted by the State of Hawaii or any group or individual representing native Hawaiian's rights.

Responsibility for the management of sea turtles is shared by the National Marine Fisheries Service and the U.S. Fish and Wildlife Service pursuant to a July 18, 1977, Memorandum of Understanding. Therefore, any change in the regulations protecting sea turtles would require agreement by both agencies.

In order to effect a change in the regulations to allow native Hawaiians a ceremonial and subsistence take of green sea turtles, a case would have to be constructed to demonstrate there has been a historical dependence on sea turtles for ceremonial and/or subsistence purposes by native Hawaiians, and that such a take would not disadvantage the affected sea turtle populations. If such information is available, it should be submitted to Mr. William G. Gordon, Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Washington, D.C. 20235. The Assistant Administrator, in co-ordination with the Director of the U.S. Fish and Wildlife Service, will review the information and consider the proposed change in the regulations.

Sincerely,

Alan W. Ford
Regional Director

cc: Kenji Ego, Hawaii Fish and Game
Doyle Gates, NMFS, Honolulu

