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U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Fisheries Center Honolulu Laboratory
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September 3, 1987

F/SWC2

MEMORANDUM FOR: F/SWR1 - Doyle E. Gates

FROM: F/SWC2 - *Richard S. Shomura*
Richard S. Shomura

SUBJECT: Requested clarification of procedures for handling injured turtles, memo of Balazs to Nitta of 7/28/87 and your response to Balazs of 8/27/87

On my return from recent Pacific island travels, Bill Gilmartin showed me the subject memos. I am perplexed by your response to the subject Balazs memo to Gene Nitta, with the exception that the request should have been routed through you. As you are aware, both George and Bill have provided comments and made inquiries directly to Gene in the past on technical matters. However, in the future, all correspondence with your office will be routed through you and me.

George and Bill had previously discussed the problems stated in George's memo to Gene Nitta. And I believe George's request for clarification of necessary approvals and procedures remains a legitimate one. According to George Balazs he recently spoke to Gene Witham about this and Gene also believes these questions need clarification. Furthermore, George Marshall (Witham's superior) believes George Balazs' item #1 is an important issue that must be resolved. These questions are based on situations that have arisen in the past and that the Honolulu Laboratory, Enforcement, and your office will certainly encounter in the future. George chose the recent Guam incident only to exemplify the concerns he raised. In no way did he ever conceive that anyone would interpret that reference as suggesting dereliction in duties by Harry Kami.

George Balazs believes your 27 August memo is very slanderous and insulting—both personally and professionally—and I concur. Because I fully agree with the concerns raised in, and the full content of, George's 28 July memo to Gene Nitta, I will address several of the statements made in your response.

The statements that George made in his first paragraph in regard to the Guam incident are true, based on a conversation between George and Gene Nitta as relayed to me by Bill Gilmartin. George summarized this conversation for Bill on the day it occurred. Gene noted that both dextral flippers were missing and that the animal had been collected by fishermen. Gene inquired what the chances were for survival of the animal. Before being willing to speculate on the turtle's chances for survival, George asked Gene for more information, but he was not recontacted. Several days later, George learned of the euthanasia and incineration from John Naughton.



The above is basically all that was stated in George's memo to Gene, relative to the turtle incident, which George used only to demonstrate the need for "clarification and overall guidelines on the handling of endangered species of sea turtles." You responded to his request for information by stating that George's statements were inaccurate and had "needlessly cast dispersion [sic] on Guamanian officials."

His memo neither stated nor intended aspersion on Guam officials as you suggest and elaborate at some length. I asked a few on my staff to read the memo to determine whether they interpret it as you did. They did not. Several of your comments, such as "Letters such as yours may well exacerbate this situation rather than be helpful," indicate that you have misinterpreted the memo.

The memo's intent clearly was to allow us to begin developing well defined procedures to deal with these incidents. Well defined procedures are needed because complications can arise, as in the recent situation in which a dolphin on Hawaii was euthanized: Some individuals, who believed there was insufficient cause to kill the animal, became very upset, and brought Greenpeace in to discuss their problem. Luckily, this did not progress to the ugly affair it could have. Such complications could occur with a turtle as well.

Several of the lab staff could easily argue that loss of one or both flippers is insufficient cause to euthanize a turtle. They have seen green turtles with single and, in one recent case, both foreflippers missing; the sites of loss healed over, with the animals in apparent good health. Also, easily arguable is your suggestion that "a local official on scene" can make the decision to euthanize "a severely injured turtle with no hope of recovery." "No hope of recovery" may require a veterinarian's or other expert's opinion. However, the point of George's memo was not to question the handling of the Guam incident and, instead, was to obtain information. Procedural guidelines have been or are being established for marine mammals to avoid complications arising from such incidents as that of the dolphin mentioned above. But what about turtles? Reiterating the point George attempted to address, I believe clear and appropriately approved procedures are necessary.

You misinterpreted George's statement about specimens, suggesting it was irrelevant because he knew the leatherback in Guam had already been destroyed. Unfortunately, you again missed his point that the Guam turtle incident is only another case demonstrating a need for better guidelines. Instead, you twisted George's inquiry as to "what mechanism...ensures that full scientific and zoological use is gained from the carcass" to mean that George was requesting your staff to "serve as an errand boy" in specimen collection! This is absurd! Members of the Marine Mammals and Endangered Species Program (MMES) collect as much information as possible from stranded specimens as part of their job as employees of NMFS, which has jurisdiction over these protected species. George and other MMES staff have spent many, many evenings and weekends collecting stranded turtles and cetaceans. It is an NMFS task; it is OUR job, Region's and Center's.

The many hours donated by George and others can only serve to demonstrate our awareness of and attempt to fulfill these responsibilities.

cc: E. Fullerton
H. Witham
I. Barrett
W. Gilmartin
G. Balazs