

## Fallen Shearwaters Need Your Help

It's that time of year again, when Newell's Shearwaters will be falling out of the sky, mainly on Kaua'i's highways and residential areas. A few birds also fall on the other islands. The State Department of Land and Natural Resources (DLNR) and the U.S. Fish and Wildlife Service (USFWS) will again be setting up shearwater aid stations. They are asking us to assist these fallen birds.

During October and November, Newell's Shearwater fledglings (pigeon-sized black and white seabirds) will be leaving their mountainside nesting burrows for the first time. They do so only after dark. They are headed directly for the open ocean where they will remain for their first year of life. These young birds are inexperienced. They must fly across brightly lit urban areas while enroute to the sea. Bright lights attract them, and they become temporarily blinded and fly into utility wires, trees, or buildings, and flutter to the ground. Most often they are just stunned or confused.

Because they are seabirds with webbed feet placed well aft on their bodies, they are adept at taking off from the ocean's surface, but have difficulty taking off from confined spaces on land. They often crawl into a dark corner to gain strength after their fall. While on the ground, they are susceptible



Newell's Shearwater. Photo by C.F. Zeillemaker.

to being struck by cars, mauled by dogs and cats, or become dehydrated. A few of them receive severe injuries such as broken wings, concussion, or paralysis, but thanks to the help of concerned citizens who pick them up, more than 94 percent are safely returned to the wild annually.

Last year more than 1,500 fallen seabirds were recovered in the shearwater aid station project.

Shearwater aid stations (cages) are provided at each county fire station, Hanalei Liquor Store, North Shore Clinic (Kilauea), and the old Y.M.C.A. building across the street from Poipu County Park. (On O'ahu birds should be taken to Sea Life Park.)

This is a "do it yourself" operation. Put the bird in an empty cage. Do not put more than one bird in a cage. Sign boards are located at each station where you are requested to write in the pick-up location of


your bird (by cage number). This information is very important because it helps wildlife officials identify those areas of the heaviest shearwater fallout and where measures might be taken to reduce the fallout risk in the future.

Birds turned in at aid stations are banded and taken to a safe release site, where they can fly out to sea at will. Residents are asked not to release the birds by tossing them, because some birds may have unseen internal injuries and they could become more seriously injured by a second fall.

Shearwaters are generally docile and easy to handle, but occasionally they bite. The easiest way to handle a bird is to grasp its folded wing tips, tail, and feet in one hand, well back from the head (like an ice cream cone), and place the bird in a small cardboard box with ventilation holes cut in it. Or, if you have an old towel available, just toss it over the bird and pick it up for transfer into the box. Take it to the nearest aid station and deposit it in an empty cage.

Shearwaters feed on small fish and squid. They can go a long time without food, because they have a built in fat reserve. They will not readily eat in captivity.

Also, turn off unnecessary lights, especially bright floodlights or spotlights, from 21 to 25 October and 19 to 22 Nov., during the critical new moon period.

For more information call DLNR on Kaua'i at 241-3433 or USFWS at 828-1413. 

## Nominating Committee Report

The Nominating Committee has presented a slate of officers and directors for the December election. The following members have been nominated:

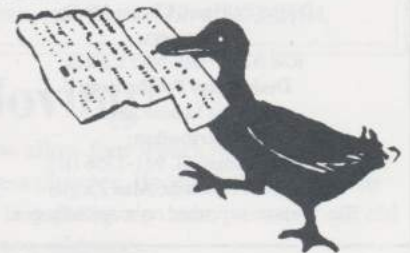
First Vice President, Casey Jarman; Treasurer, Lynne Matusow; and Corresponding Secretary, Carl Christensen. These positions are for two year terms.

For two year terms as director, Betsy Gagne, Luciana Honigman, Harvey King, and Daniel Moriarty; for one year terms, Kersten Johnson, Lance Tanino, and Marjorie Ziegler.

The terms of President Reginald David, Second Vice President Philip Bruner, Recording Secretary Linda Paul, and directors Glenn Chang and David Hill expire in December 1992.

Should any member wish to run or nominate additional candidates, the nomination must be sent to the Elections Committee, Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813. Write-in nominations must be received by 10 November. The written nomination must be accompanied by a

four-line biographical description of the nominee and the nominee's written consent that he or she is willing to run for election and will serve in the designated post if elected.



# Hawaii Audubon Society

212 Merchant Street, Suite 320  
Honolulu, Hawai'i 96813  
Telephone (808) 528-1432

## Board of Directors

President: Reginald David, on Hawai'i,  
329-9141 (W), 329-8507 (FAX)  
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949-1943 (H), 956-7489 (W)  
Second Vice President:  
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Carl Christensen, 239-5136 (H)  
David Michael Hill, 943-2784 (H)  
Kersten Johnson, 236-2810  
Craig Rowland, 734-2904 (H)

## Committees

Adopt-A-Refuge: Phil Bruner (as above)  
Conservation: Carl Christensen (as above)  
Education: Kersten Johnson (as above)  
Field Activities: M. Casey Jarman (as above)  
Finance: Lynne Matusow (as above)  
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John Engbring, 541-2749 (W)  
Membership: Robert Pyle, 262-4046 (H)  
Programs: Allen Allison (as above)  
Publications: Reginald David (as above)  
Publicity: Glenn Chang (as above)

## Island Representatives

Maui: Renate Gassmann-Duvall,  
1-572-1584 (H)

# Hawai'i's Superfund Law

by Casey Jarman

The most important piece of environmental legislation to emerge from the 1991 Hawai'i Legislature is a restructured state Superfund bill. In the political give-and-take of amending the flaws of the previous statute, the law was improved, with some areas strengthened and others weakened. The following description highlights the main provisions of this complicated legislation; it is not meant to be an exhaustive analysis of the new law. For more detailed and complete information about this law, contact the state Department of Health (DOH).

The purpose of Chapter 128D, known more commonly as the state Superfund law, is to reduce the risks to health and the environment from the release and threatened release of hazardous substances, pollutants, and contaminants. A central provision authorizes the DOH to order potentially responsible parties (PRPs) to undertake clean-up of sites contaminated by hazardous substances. Alternatively, DOH can arrange for clean-up and then recover all reasonable costs from the PRP. A PRP can legally challenge a DOH clean-up order any time after receiving the order. However, if the order is contested prior to completing the clean-up activities, the PRP must begin and continue the required clean-up until such time as the court reaches a decision on its liability. The PRP has the burden of proving it is not legally liable for cleaning up the site. Failure to comply with a valid clean-up order can result in both civil and criminal penalties.

The state Superfund law casts a wide net in determining who is a PRP. With limited exceptions, the following persons are liable for clean-up: (1) the current owner or operator of the facility (and facility is broadly defined to mean almost any site, from one's backyard to a major industrial complex); (2) the owner or operator of the facility at the time the hazardous substances were disposed of; (3) persons who arranged to have their hazardous materials sent to the facility; and (4) transporters of hazardous substances to the facility. Any PRP found liable could be required to pay for all costs of clean-up. For example, the current owner, even if he disposed of nothing hazardous on the site, could be ordered to

pay the full costs of clean-up. However, any PRP who expends funds to pay clean-up costs can sue other PRPs for their share of the costs.

Guidelines for cleaning up sites are found in the state contingency plan. At present, Hawai'i's plan is not complete. Until it is finished, the federal contingency plan governs clean-ups in Hawai'i.

To facilitate identification of spills of hazardous substances, the law requires anyone with knowledge of a spill to report it to the DOH. Failure to do so subjects one to fines and a possible jail sentence.

Hawai'i's Superfund law, in conjunction with the federal Superfund law, represents part of a complex regulatory system designed to protect the public and the environment from the hazards of exposure to hazardous substances. But the system remains flawed. It does little to curb the production of hazardous substances and wastes in the first instance. Due to the inability of our current technology to adequately deal with the safe disposal of the massive volumes of hazardous materials that enter our environment daily, after-the-fact solutions are tantamount to putting one's finger in the dike to hold back the waters. Until we as individual citizens examine our daily lifestyles to determine how our demand for products contributes to the hazardous waste loads and make every possible effort to lower that demand, the problem of hazardous wastes in the environment will continue to mount. 

## HAS Dues for 1992

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## 'ELEPAIO

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## BOOK REVIEW

by Donna de Haan

### *The Burning Island, A Journey Through Myth and History in Volcano Country, Hawai'i*

Pamela Frierson, 267 pages, includes bibliographical references and index, 1991, \$22.50. Sierra Club Nature and Nature Philosophy Library, 30 Polk Street, San Francisco, CA 94109

*The Burning Island* is set in the Volcano region of the island of Hawai'i, giving "an intimate and multilayered portrait of that region, one of the world's most dramatic and varied landscapes." The author, Pamela Frierson, was reared on the windward side of O'ahu where the geologic past of these islands first was revealed to her and she became aware that she "had been living in the ghostly curves" of eroded and ancient volcanos most of her life. Out of that realization, this book, which at times seems a loving tribute to the great forces that shaped the Hawaiian Islands, explores the place where geology, myth, and history are alive today, the Volcano country of Hawai'i.

From her ascent to the wild, thin-atmosphered summit of Mauna Loa volcano to her descent into the green, sun filtered wonderland of the Hawaiian rainforest with Bill Mull as guide, the reader is drawn into revelations about this primordial land where new and old meet. In an expedition with geologists to the rim of Kupaianaha lava lake she describes:

"a stretch of 150 feet or so of gray-skinned lava that was being split and rent apart by the force of magma from below. Red waves of molten rock

seethed up and crested over the cooled skin of the surface. Large rafting pieces of the crust tilted upward and were sucked below. At the edges of the drowning crusts, lava boiled up in red gouts. A dizzying shift from solid to liquid, liquid to solid. I had expected a sight resembling perhaps a gently frothing tomato sauce in an iron skillet. Nothing in my experience had prepared me for this uncanny motion. It was like looking into a wound in the earth that revealed the pulse of some deep vital organ."

Frierson weaves excerpts from Western historical accounts of the region with tales from Hawaiian mythology giving contrasting views of the land from different cultural perspectives. She has spoken with many professionals, business people, and Hawaiian elders to bring a picture of this fragile and dramatic landscape into focus for the reader. From descriptions of sometimes hidden archeological remains to endangered flora and fauna, she paints a portrait of a land in flux, not only from the dynamic geological forces that continually change it but the short-sighted planning of developers and politicians who would use it for personal gain. 🌿

## T-shirts for Sale

The Hawaii Audubon Society has a new stock of T-shirts designed to spread the Audubon message. Not only are they attractive personal apparel, but they make excellent presents as well.

T-shirts bearing the Society's 'Elepaio logo are available in aqua, navy, white, and beige. In addition, the "hot" new Kolea (Pacific Golden Plover) T-shirts are also available. This T-shirt is white with a four-color design of the Kolea and native hibiscus. Proceeds from the Kolea T-shirt go to help HAS fund research on shorebirds in Hawai'i and elsewhere in the Pacific region.

T-shirts are \$12 each, plus \$2.00 per shirt for postage. They are available in medium, large, and extra large adult sizes only. These handsome T-shirts can also be picked up at the regular meetings of the Hawaii Audubon Society. When ordering T-shirts by mail, be sure to list color preference and size. To order shirts by mail write to: Andrea Bruner, Box 1775, BYU-H, La'ie, HI 96762. Don't forget to add \$2.00 per shirt for postage. Insufficient postage will delay your order until the proper amount is remitted. T-shirts are not available at the HAS office.

## Bird With Us in Costa Rica and Arizona

The Hawaii Audubon Society is sponsoring two birding tours in 1992. On the first trip, we will explore Costa Rica from 18 February to 28 February. We will traverse various ecological zones, including dry and cloud forests, lowlands, and marshlands. We expect to see numerous species of birds and mammals.

Our guide is naturalist Rafael Campos, former assistant curator for the University of Costa Rica and field assistant to Gary Stiles, author of *A Guide to the Birds of Costa Rica*. This trip is limited to 20 participants. The per person, double occupancy round-trip cost is \$2,595 from Honolulu, \$1,945 from Dallas, and \$1,895 from Miami. This trip will be cancelled unless 10 participants are registered by 15 November.

Former Hawaii Audubon Society President and prize winning wildlife photographer Bruce Eilerts will lead an eight-day trip to Arizona, from 2 May to 9 May. This tour is timed to see the south-eastern Arizona specialty birds, resident desert birds, and Mexican species. The cost of this trip, which is limited to 13 participants, is \$1,290 per person, double occupancy, round-trip from Tucson.

For a complete itinerary write to Trips, Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813, and specify which trip(s) you are interested in. The cost of each trip includes a \$100 donation to the Hawaii Audubon Society. 🌿

### Join Our Phone Tree

The Hawaii Audubon Society is growing a phone tree--a chain of people who can make calls to decision-makers on environmental issues. This allows the environmental community to respond very quickly with public pressure on important issues. To join our phone tree, call David Hill at 943-2784.

## Moving?

Please allow four weeks for processing address changes. Because our records are kept in order by zip code, we need both old and new addresses.

# Calendar of Events

## 1st Wednesday of Every Month

Education Committee Meeting, Hale Manoa, East-West Center, 7:30 p.m. to 9:00 p.m. Call Kersten Johnson, 236-2810, for details and directions.

## October 5, Saturday

This trip is for beach lovers who are tired of sunbathing among man-made beach debris. We will take part in the national marine debris clean-up drive, organized in Hawai'i by the state Litter Control Office. For more information call Casey Jarman, 956-7489 (W).

## October 14, Monday

Conservation Committee Meeting, Croissanterie Restaurant, 222 Merchant Street, 6:00 p.m. to 7:00 p.m. Call Carl Christensen, 239-5136 (H), for details.

## October 14, Monday

Board meeting, HAS office, 7:00 p.m. Call Reggie David on Hawai'i, 329-9141 (W), for details.

## October 21, Monday

General meeting, 7:30 p.m., Atherton Halau, B.P. Bishop Museum. "Bird

Pollination of the Hawaiian Flora," by Loyal A. Mehrhoff. Many Hawaiian plants are thought to have been pollinated originally by Hawaiian honeycreepers. These plants generally share morphological characteristics common to bird-pollinated flowers in other parts of the world. Early naturalists frequently observed species such as the Mamo and 'O'o feeding on the nectar of many different flowers. Unfortunately, many of the nectar feeding bird species are now extinct. While Hawaiian plants have fared somewhat better—less than one quarter are extinct—it is important to ask what is happening to those plants once pollinated by now extinct birds. Refreshments will be served; all are welcome.

## November 16, Saturday

Do you want to improve your skills photographing birds? If so, don't miss this field trip. Two wildlife photographers will be on hand to offer guidance and answer your questions. For more information call Casey Jarman, 956-7489 (W). Suggested donation: \$2.00.

## December 28, Saturday

Waipi'o Christmas Bird Count, call David Bremer, 623-7613.

# Table of Contents

Fallen Shearwaters Need Your Help ..65

Hawai'i's Superfund Law ..... 66  
by Casey Jarman

Book Review: The Burning Island ..... 67  
by Donna de Haan

# Biological Technician Positions Available

The U.S. Fish and Wildlife Service has several biological technician positions available, including one at Laysan Island, Hawaiian Islands National Wildlife Refuge. The successful candidate will participate in a program to control the exotic grass *Cenchrus echinatus*, facilitate revegetation by native species, and assist in monitoring seabirds and two species of endemic endangered landbirds. For more information contact Ken McDermond, Beth Flint, or Craig Rowland at Hawaiian /Pacific Islands NWR Complex, P.O. Box 50167, Honolulu, HI 96850, (808) 541-1201.

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