



## 'Eel Bill' Dies Unmourned

By Carl Christenesen

The Hawaii Audubon Society has expended the bulk of its lobbying efforts this legislative session in joining other environmental groups in another successful effort to defeat the "eel bill" and in responding to a proposal by the Department of Land and Natural Resources to amend the State's version of the Federal Endangered Species Act ("ESA") to include procedures analogous to provisions of the ESA which permit incidental takings of listed species under certain circumstances.

Despite strong backing by Senators Richard Matsuura and Mamoru Yamasaki, a proposal to amend current law to allow the importation of live anguillid eels for aquaculture purposes again succumbed to a strong grass-roots lobbying effort by conservationists and others. We are hopeful that this hardy perennial died in Senator Anthony Chang's Agriculture Committee.

The second legislative action, the Administration's endangered species proposal, is evidently a result of a recent settlement agreement between the U.S. Fish and Wildlife Service and several conservation groups (HAS provided financial support, but was not a plaintiff in the suit) represented by the Sierra Club Legal Defense Fund which will lead to greatly accelerated listing by USFWS of Hawaiian plant species which have long languished as unlisted and unprotected "candidates" for endangered species status. DLNR no doubt anticipates increasingly frequent conflicts between development projects, some State-sponsored, and the prohibitions of the State law; the proposal would have given it discretion to permit such projects to go forward if the developer accepted conditions mitigating their adverse impacts.

The Administration bill was not heard in the House, where Representative Kenneth Hiraki, chairman of the relevant committee, has been strongly supportive of conservationists' goals. In the Senate, Senator Chang grafted a modification of DLNR's proposal onto a bill proposed by Senator Andrew

Levin to pay attorneys' fees to successful parties in suits brought under Chapter 195D. HAS testified in support of Senator Levin's language and against the "incidental take" provisions, while proposing modification to the latter that would ensure that any such permits or agreements would be issued only after adequate opportunity for public comment and that they would be enforceable by the public. Despite much hard work by Senator Chang and his staff, legislative deadlines did not leave enough time to resolve differences.

Many HAS members oppose any weakening of Chapter 195D, and with good reason. The Federal ESA is the biggest gun in the environmentalists' legal arsenal. The State law, although as yet rarely invoked in litigation, has similar potential. HAS's participation with other environmental groups (including the local representatives of the National Audubon Society and the Natural Resources Defense Council) in discussions of DLNR's proposal has thus been undertaken with mixed feelings in the belief that amendment to include some "incidental take" procedure may well be inevitable but that we can limit the damage by pushing hard for language constraining agency discretion, for pre-decision opportunities for full disclosure and public input, and for post-decision enforcement rights by the public. The willingness of DLNR under current management to discuss possible modifications to their proposal is a welcome change from the stonewalling of the Ariyoshi years. Although the issue is dead for this legislative session, it is likely that HAS will continue to participate in discussions with DLNR's Michael Buck and other interested parties (including development interests) over possible amendments to Chapter 195D, including but not limited to the incidental take-mitigation plant proposal at issue this session. Your Conservation Committee welcomes input from interested members. 🌿

## Munro Award and Cash Go to Madalyn Purcel

Madalyn Purcel of Haleiwa, Oahu has been selected to receive the George C. Munro Award for Environmental Law, John Engbring, chairman of the Hawaii Audubon Society awards committee, announced. The Society established the annual award to recognize outstanding students in environmental law at the Richardson School of Law at the University of Hawaii in Manoa.

HAS vice president Casey Jarman, assistant professor of law at UHM, was active in the selection which carries a cash award of \$250.

"Congratulations!" Engbring wrote Ms. Purcel. "The Hawaii Audubon Society recognizes the importance of environmental law in preserving natural resources. We hope that your career and efforts in environmental law will ultimately aid in the preservation and conservation of the unique ecosystems found in the Pacific." 🌿



## Grants and Scholarships

The Hawaii Audubon Society makes grants annually for research in Hawaiian or Pacific natural history. Awards generally do not exceed \$500 and are oriented toward small-scale projects within this state. HAS also awards a \$1,000 tuition scholarship to an undergraduate in an accredited university majoring in a field related to Hawaiian or Pacific Basin natural history.

The deadline for receipt of grant applications was 1 April; for scholarships, is 1 May. For information and application forms, contact John Engbring, Chairman HAS Grants and Scholarship Chairman, P.O. Box 4443, Honolulu, HI 96812 Tel: (808) 541-2749 (days). 🌿

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ISSN 0013-6069

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## Can You Help?

Volunteers are still needed at the Hawaii Audubon Society office one day a month to answer the telephone, sort and distribute mail, and do other office-keeping chores. George Campbell, 941-1356, can give you more information.

## Notice to Authors

'*Elepaio*, the Journal of the Hawaii Audubon Society, invites submission of scientific articles on the natural history of Hawaii and the Pacific. Such articles are subject to peer review, and usually are published six to twelve months after submission.

'*Elepaio* is also a newsletter dealing with conservation issues, Audubon Society events, and other subjects of interest to members. Pertinent Hawaii-Pacific nonscientific material is welcome.

Manuscripts of articles and newsletter items should be sent to The Editor, '*Elepaio*, Hawaii Audubon Society, 212 Merchant St., Suite 320, Honolulu, HI 96813.

Articles not subject to peer review must be received no later than six weeks prior to publication (i.e., material for a December issue is due October 15). Late-breaking news and short announcements may be accepted at the editor's discretion.

IMPORTANT: Scientific articles should be typewritten and double-spaced. Four copies must be submitted. In addition, authors are asked to submit the article on a computer diskette, with clear indication of the word-processing program used.

Photographs may be either color or black-and-white prints (they will appear in black-and-white) 3.5 by 5 inches or larger. Cropping lines (if needed) should be indicated. Keep '*Elepaio*'s size and format in mind (examine a recent issue) in preparing illustrations. The originals of figures, maps, graphs, etc. should be clean and clear, with lettering large enough to remain legible after reduction to fit journal format. Submit two good-quality xerographic copies along with each original illustration.

Advance discussion with the Scientific Editor is invited.

## Seven Volunteers Needed

The Hawaii Research Group of the U.S. Fish and Wildlife Service (USFWS) needs seven volunteers to help with a radiotelemetry study of Palila, an endangered Hawaiian honeycreeper, between May 27 and July 5, 1991, says a note from the F&WS on the Big Island. The study area on the Big Island is in dry native forest on the southwestern slope of Mauna Kea, above Waikoloa. Volunteers will camp alone on mountain tops and operate radio-tracking equipment from fixed towers during alternate weeks.

Food, housing, camping equipment and local transportation will be supplied, and the USFWS will provide the volunteers with housing within Hawaii National Park during their weeks off. Volunteers must provide their own air transportation to Hilo. No radio-tracking experience is necessary, but volunteers must be in good physical condition, have good hearing, and be quick learners. If interested, send a letter summarizing your educational background, outdoor abilities, and a physical description (age, height, weight) to Dr. Steven Fancy, USFWS Hawaii Research Group, P.O. Box 44, Hawaii National Park, HI 96718.

## HAS Dues for 1991

All amounts in U.S. dollars.  
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(Includes delivery of '*Elepaio* and *Audubon Magazine* as bulk or 2nd class mail to U.S. Zip codes. Renewal \$30 annually.)

# Moloka'i 1990 Bird Count

Nineteen observers in two parties carried out the Christmas Bird Count on the Hawaiian Island of Moloka'i on 29 December 1990. Among 1,048 individual birds sighted, they identified 27 species. The count centered on the narrow neck of the island about five miles north of Kaunakakai. One of the parties operated at ocean level. It reported clear weather all day. The second group worked higher on the slopes of Puu Luahine in weather ranging from partly cloudy to cloudy to light rain. Both parties began the count at 6:30 a.m. and continued until 2 p.m. Temperatures ranged from 68 degrees to 78 degrees, with wind from the southwest 10-15 m.p.h.. Torrie Haurez of Kualapuu was the compiler of statistics.

The 19 observers devoted a total of 10 party-hours and 68 party-miles to the operation. They did 12 miles and eight hours on foot, and 56 miles by car.

Participants in the count included: Miriam Bennett, Lynn Carey, Brenda Clawson, Mike Clawson, Fern Duvall, Betsy Gagné, Bob Grossman, Torrie Haurez, Paul Higashino, Jo Kennedy, Leif Larson, Tommy Larson, Heidi Meeker, Elias Poulson, Chris Scott, Pat Souza, Ben Sykes, Jason Sykes, and Sarah Sykes.

White-tailed Tropicbird (*Phaethon lepturus dorotheae*) 9; Red-tailed Tropic-bird (*Phaethon rubricauda rothschildi*) 1; Cattle Egret (*Bubulcus ibis*) 41; Black-crowned Night-Heron (*Nycticorax nycticorax hoactli*) 22; Scaup (Lesser) (*Aythya affinis*) 9; Black Francolin (*Francolinus francolinus*) 11; Erckel's Francolin (*Francolinus erckelii*) 31; Ring-necked Pheasant (*Phasianus colchicus*) 3; Lesser Golden-Plover (*Pluvialis fulva*) 126; Black-necked (Hawaiian) Stilt (*Himantopus mexicanus knudseni*) 4; Wandering Tattler (*Heteroscelus incanus*) 4; Ruddy Turnstone (*Arenaria interpres*) 14; Spotted Dove (*Streptopelia chinensis*) 36; Zebra Dove (*Geopelia striata*) 201; Eurasian Skylark (*Alauda arvensis*) 21; Japanese Bush-Warbler (*Cettia diphone*) 14; Melodious Laughing-Thrush (*Garrulax canorus*) 1; Red-billed Leiothrix (*Leiothrix lutea*) 2; Common Myna (*Acridotheres tristis*) 251; Japanese White-eye (*Zosterops japonicus*) 42; Northern Cardinal (*Cardinalis cardinalis*) 11; Red-crested Cardinal (*Paroaria coronata*) 15; Common (Moloka'i) 'Amakihi (*Hemignathus virens wilsoni*) 11; 'Apapane (*Himatione sanguinea*) 114; House Sparrow (*Passer domesticus*) 41; Warbling Silverbill (*Lonchura malabarica (cantans)*) 6. Species: 27 Individuals: 1,048 🐦

# Environment Hawaii

The March and April issues of *Environment Hawaii*, a monthly newsletter devoted to 'investigative reporting' of environmental issues in Hawaii, should be of special interest to members of the Hawaii Audubon Society. The March issue deals with the State's management of certain public lands on the Big Island. The State leases a large parcel at Pu'uwa'awa'a in North Kona for cattle ranching purposes. It includes one of the State's last remaining stands of native dryland forest, proposed unsuccessfully for inclusion in the Natural Area Reserves System. Until the early 1980s, an upland portion of the leased land supported one of the last wild populations of the endangered 'alala, the Hawaiian crow. *Environment Hawaii* documents serious violations of the terms of the lease by the current lessee, F. Newell Bohnett. Members will remember that HAS was involved in efforts to halt unauthorized koa logging on the land in 1984. Resolutions have been introduced in both houses of the State Legislature calling for a review by the Legislative Auditor of management of State land at Pu'uwa'awa'a (Senate Concurrent Resolution 237 introduced by Senator Andrew Levin and

House Resolution 155/House Concurrent Resolution 146 introduced by Representatives David Hagino, Virginia Isbell, and Mike O'Kieffe).

A hearing before Representative Hagino's Water Land Use, and Hawaiian Affairs Committee was highlighted by Representative Cynthia Thielen's tough questioning of DLNR officials responsible for overseeing the lease. Representative Jackie Young was also supportive of strong corrective measures.

DLNR Director Bill Paty's administration has been much more open to public input than was its predecessor. The Department's stonewalling on Pu'uwa'awa'a, however, suggests that the new "glastnost" hasn't yet reached the Division of Land Management.

The April issue of *Environment Hawaii* looks into State and Federal efforts over the last fifteen years to save the 'alala.

*Environment Hawaii* is published monthly; annual subscriptions cost \$25 for individuals, \$50 for institutions and supporting subscribers. For a sample copy or subscription order, contact *Environment Hawaii*, 733 Bishop Street, Suite 170-51, Honolulu, HI 96813. 🐦 Carl Christensen



## March HAS Field Trip to Kilauea Point Lighthouse

Despite threatening weather, 24 birders from Kauai, O'ahu, the Big Island, California, Michigan, Oregon, and South Carolina, made the March 17 field trip to Kilauea Point National Wildlife Refuge on the north shore of Kauai. After an amusing and informative slide show by Patrick Ching, the group hiked up Crater Hill, mauka of the lighthouse, for spectacular views of the coastline cliffs. We were rewarded with closeup sightings of Red-footed Boobies, Red-tailed Tropicbirds, White-tailed Tropicbirds, Frigatebirds, and Laysan Albatross, Western Meadowlarks, House Finches, Chestnut Mannikins, Pacific Golden-Plovers, and a Mockingbird were also spotted.

The success of the Kilauea Lighthouse program was evident. Native Hawaiian plants have replaced lantana and other introduced weeds. Red-footed Boobies were busy piling sticks in cliffside branches, apparently under the impression that they were providing suitable nests for future families. Seventeen fuzzy brown albatross chicks were doing very well in a grove of ironwood trees.

Later in the day, a drive to the Hanalei NWR gave the birders a chance to see Stilts, Mallards, Gallinules, Coots, a Black-crowned Night-Heron, along with some Lace-necked Doves and Cattle Egrets. The day passed all too quickly. All agreed to lengthen the visit next year.

🐦 Susan Schenck


## And Then The Rains Came Down...

Birdathon-3 got off to a rousing start on Saturday, 23 March. By 10 a.m. two Oahu teams had garnered 20 species when, meeting up at Makapu'u, they were inundated by a windy, watery deluge. Mindful of floods earlier that week, they decided to complete the Birdathon in early May.

However, all was golden on Maui. Fern Duvall II led Brenda Clawson, Renate Gassmann-Duvall, Eda Kinnear, Ian Kinnear, Charles Probst, and Glenn Shishido, and **Maui News** reporter Tim Hurley and photographer Wayne Tanaka through Kealia Pond, Kanaha Pond, the native forest near Hosmer's Grove, and lonely stretches past Ulupalakua. The group spotted 46 species, easily beating last year's 36. Special sightings included a Eurasian Wigeon, a Ring-billed Gull and a Brant.

Other species seen were Great Frigatebird, Cattle Egret, Black-crowned Night Heron, Northern Pintail, Northern

Shoveler, Mallard, American Wigeon, Lesser Scaup, Ring-necked Duck, Black Francolin, Chukar, Ring-necked Pheasant, Hawaiian Coot, Pacific Golden Plover, Long-billed Dowitcher, Hawaiian Stilt, Wandering Tattler, Ruddy Turnstone, Sanderling, Least Sandpiper, Nene, Rock Dove, Spotted Dove, Zebra Dove, Hawaiian Owl (Pueo), Eurasian Skylark, Melodious Laughing Thrush, Red-billed Leiothrix, Northern Mockingbird, Common Myna, Japanese White-Eye, Northern Cardinal, Red-crested Cardinal, House Finch, Common Amakihi, Maui Creeper, 'I'iwi, 'Apapane, House Sparrow, Warbling Silverbill, Nutmeg Mannikin, and Java Sparrow.

In all the Maui team raised approximately \$1,000 for programs of the Hawaii Audubon Society and the National Audubon Society. 



## You, Too, Can Influence Legislation

The "Unagi Eel Bill" of 1991 (S.B. 729), which would have changed State law to allow predatory freshwater eels to be brought into Hawaii for rearing, died when it failed to pass out of the Senate Agriculture and Environmental Protection Committee following a public hearing March 7. (See Carl Christensen's report on page one.)

This is the eighth time in the past 14 years that the proposal has been killed. Just as in the past, the committee members were provided essential scientific background information on *Anguilla* eels by the U.S. Fish and Wildlife Service (through Robert P. Smith and Andy Yuen) and the University of Hawaii Environmental Center (through Jon Harrison and Jackie Miller). Hearing testimony against the bill was submitted by environmental protection organizations and local citizen groups as well as by concerned individuals. Committee members' offices were bombarded by

telephone calls from residents of the Neighbor Islands expressing displeasure — to put it mildly — over the prospect of allowing eels to be imported. Mahalo nui loa to all!!

These combined citizen actions assured that this particular Unagi Eel Bill had no chance of passage, and it is heartening that essentially all of our State legislators apparently also oppose this measure. In fact, only two lawmakers, Senators Mamoru Yamasaki of Maui and Richard Matsuura of Hawai'i, still cling to the ill-conceived and outdated notion that introducing still more potentially destructive alien species might prove financially beneficial to the State. Hopefully, they now will abandon this idea of unagi eel importation and join the mainstream effort to protect and preserve all of Hawaii's native resources!



Alan C. Ziegler

## Environmental Directory

**Hawaii Green Pages**, listing more than 150 environmental efforts in the state, was compiled and published by the Hawaii Audubon Society to mark Earth Day 1990. Copies are available without charge. Send a stamped, self-addressed No.10 envelope to Directory, Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813.

## Publications of the Hawaii Audubon Society

**Hawaii's Birds**, 4th edition, 1989. Hawaii Audubon Society. More than 150 color photographs and drawings. \$8.95, plus \$1.25 postage.

**Checklist of Birds of Hawaii—1988**, by R.L.Pyle. Lists all taxa naturally appearing in Hawaii, plus introduced species that have established viable populations. Includes changes from the 1983 checklist. \$2 postpaid.

**Checklist of the Birds of Micronesia**, by P.Pyle and A. Engbring, 1985. Includes all naturally occurring taxa and viable introduced species that have established viable populations. \$2 postpaid.

**Field Card of the Birds of Hawaii**, by R.L.Pyle and A. Engbring, 1987. A pocket-size card listing all taxa with space for field-trip notes. 25 cents each, postpaid; ten or more, 10 cents per copy.

**Endangered Waterbirds of the Hawaiian Islands**, by R.J.Shallenberger, 1978. Hawaiian stilt, Coot, Gallinule (Moorhen), and Duck each receives two pages of text and photographs. \$1, postpaid.

The following posters measuring 43 x 56 cm, are available for \$1.50 each, postpaid:

**Our Homes Are Hawaii's Wetlands**, 1984. Shows the native wildlife of a Hawaiian marshland.

**Hawaiian Forests Are More Than Trees**, 1988. Hawaiian forest plants, invertebrates, birds and the Hawaiian Hoary Bat. Booklet included.

Send orders, with check payable to the Hawaiian Audubon Society, to HAS, 212 Merchant St. Suite 320, Honolulu, HI 96813.

# The Snows of Mauna Kea

by Peggy Hickok Hodge

(Dedicated to the memory of the late Mae Mull, a fellow Audubon Society member)

Powdery mists of kaleidoscopic snow flakes  
fall silently, floatingly,  
like caresses and kisses not quite lipped,  
but quite caressed  
tenderly, flawlessly without sound  
and heard by none  
But birds that dare to fly that high,  
far up into the blue blue sky;

The pristine snows of Mauna Kea  
before man pimpled her rounded breasts,  
defacing curves and sloping grace  
with bruising wounds,  
wounds atop her sacred face  
with crude concrete ground in her crown  
to see, if they in turn,  
could find in space  
a planet here, a star out there  
with their test-tubed lenses thick  
aimed to the heavens to reveal  
what Mauna Kea wished to conceal!

What have they done in greedy haste  
to beat each other in the race  
and succeed in being First? An ego proof,  
a biopsy of her life,  
with crass computers grinding grid  
into her sacred throne in space  
upon her dome high in the he sky!

What irreverence, desecration  
of her cameo-ed sacred face  
of lava fields and snowy flakes!  
What blemish on our native land,  
what meddling with her *mana* rare,  
supreme over they who dare  
to name the stars she alone knew in space;

No permission did she grant,  
to deface her mounting slant,  
and soon Pele in fiery mood  
will vomit lava in their face  
and shake to pieces with earthquakes,  
and they will crumble as will man  
soon upon this planet Earth  
for their intrusion on her land!

I'm glad I saw her misty snows  
beneath the mellowed light of Moon  
and searing light of Sun  
when I walked up, gasping fast,  
toe-ing footholds in lava rock,  
unpaved, tread only by the lot  
who found her breathing  
without man,  
before the roads were in,

before the scientists in labs up there  
computered everything she saw,  
every inch in heaven's sight,  
before her soul was crushed and sealed,  
before the roads were made and paved  
and camera-ed tourists clad in shorts  
trampled on her very face  
with jogging shoes and climbed up stairs  
to get a better view in space  
and VCRs wound constantly  
to take back home the view she owned,  
her view, her mystery in space!

Mauna Kea's crown's ajar  
upon her keloided head,  
and lecturers in uniform  
explain how natives once got flint  
from the crater just below,  
and inattentive listeners frown  
when speakers bore them  
and it's time for them to eat and return  
in busloads to hotels  
where more *haoles* will gear up  
for more tours up the hill  
and leave her mountain with debris  
of soda tops and camera foil  
while she beneath this man-made mess  
can hardly breathe or see the sky  
that she alone should view . . .

## Your Bequest Can Help

The late George C. Munro, a tireless naturalist and field ornithologist, bequeathed to the Hawaii Audubon Society funds to be used exclusively for the protection of Hawaii's native dry forests. Today, the Munro Fund finances research on those forests.

A bequest to the Hawaii Audubon Society is an excellent way to advance the cause of conservation. Although an attorney should be consulted in drafting a will, a model clause would be: "I hereby give, devise, and bequeath to the Hawaii Audubon Society, Honolulu, Hawaii, the sum of \_\_\_\_\_ dollars (or identify property) to be used for the general purpose of said organization."

Further information and assistance is available from the Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813. Tel: (808) 528-1432.

## Mahalo Donors!

The Hawaii Audubon Society thanks the following members and friends whose donations were received from 31 March through 9 April:

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# Calendar of Events

## May 19

Kahana Valley State Park, in the wettest valley on Oahu, is a 5,000-acre park. In addition to viewing the birds that inhabit the park, we will visit archeological and military sites. Residents of the park will be our guides. Bring swimming suits as we will picnic by a prime swimming hole. For those interested in stream fish, prawns and opae may be viewed by snorkel and mask or caught by dipnets. Meet at the state library on Punchbowl Street at 8 a.m. or at the office of Kahana Valley State Park at 9 a.m. We should finish by 2 p.m. Call Casey Jarman at 956-7489 for more information and to sign up.

## June 15

Visit the sink holes at Campbell Industrial Park, Leeward Oahu. Allen Ziegler will lead the party and explain the birds, animals and archeological wonders of this area, usually off-limits to the public. Come armed with sturdy shoes, hat, sunscreen and water. Meet at 8 a.m. in front of the State Library,

Punchbowl and King Streets, or at the Campbell Industrial Park entrance guard shack at 8:45. For more information call 956-7489.

## July 21-27

The Audubon National Convention will be held in Estes Park, Colorado. Ted Turner will be the keynote speaker at this conference themed "Audubon in the Americas." More information may be obtained by writing Audubon National Convention, 4150 Darley Avenue, Suite 5A, Boulder, Colorado 80303.

### Filing Cabinet Needed

Once again we are looking for a new or used four-drawer filing cabinet. Please call George Campbell at 941-1356 if you can donate one. All contributions are tax deductible to the extent allowed by law.

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