



'ELEPAIO

Journal of the
Hawaii Audubon Society

For the Protection of
Hawaii's Native Wildlife

VOLUME 52, NUMBER 12

DECEMBER 1992

Hawaii Audubon Society Conservation Efforts: The Year in Review

by Marjorie Ziegler

The conservation community in Hawai'i faces enormous challenges as we approach the 21st century. Development of our limited land and water resources—upon which native plants and animals depend—continues to increase at an alarming rate. And, no one needs to be reminded that Hawai'i harbors more threatened and endangered species (and ecosystems) than anywhere else in the country. Although Hawai'i's extinction crisis is gaining attention nationally, we still receive far less than our share of federal dollars to deal with the problems related to species endangerment. In addition, scarce resources to protect and manage natural areas at the state level were severely cut back this past year.

On an encouraging note, federal legislation spearheaded by State Forester Michael Buck and Sens. Daniel Akaka and Daniel Inouye was enacted this year. It includes Hawai'i's forests in the nation's tropical forest initiatives, making Hawai'i eligible for additional federal funding. In addition, attempts toward consensus building and cooperation in protecting natural resources are clearly evident in Hawai'i.

This year, under the leadership of President Reginald David and with representation by the Sierra Club Legal Defense Fund (SCLDF), the Society successfully forged positive agreements to protect threatened and endangered birds. HAS's Conservation Committee, chaired by David Hill, focused on several cooperative initiatives at the federal, state, and county levels to protect native Hawaiian ecosystems. On behalf of native plants and animals, the Society participated in a number of working groups, often composed of diverse interests. These group sessions stimulated much needed dialogue between citizens' groups, government, and the private sector. Participation by nonprofit, public interest groups, such as HAS, is essential if native plants and animals are to be

adequately represented in the decision making arena. This is only possible with the involvement and support of Audubon members. Here is a report on the Society's efforts in 1992 to protect Hawai'i's native flora and fauna.

Threatened and Endangered Species

'Alala: In Hawai'i, many threatened and endangered species are found on private property. This presents an enormous challenge to resource managers because of the sensitive legal and emotional positions involving private property rights. On behalf of the endangered 'Alala (*Corvus hawaiiensis*), HAS and the National Audubon Society (NAS) filed a lawsuit last year under the federal Endangered Species Act (ESA) against the U.S. Fish and Wildlife Service (USFWS). The lawsuit would force the USFWS to implement necessary recovery tasks and prevent the extinction of this bird.

There are only 22 'Alala in the world: 10 in captivity and another 12 remaining in the wild on a private ranch on the island of Hawai'i. In April, we forged an interim settlement that provided USFWS biologists access to the ranch for the first time in 12 years. (See *'Elepaio*, 52:5, May 1992, page 29.) The settlement required an 'Alala population and nesting survey and monitoring throughout the 1992 nesting season. During the season, biologists observed three nesting pairs of 'Alala. In July, a second interim settlement was reached in which USFWS was given access to the ranch to monitor the health and survival of 'Alala nestlings and take precautions to protect them from predators and illness.

SCLDF attorneys Michael Sherwood and Skip Spaulding, Reginald David, and Dana Kokubun from NAS have been instrumental in obtaining the settlements. We are hoping to secure long-term protection for this critically endangered bird. USFWS will also be



The critically endangered 'Alala is represented by less than two dozen individuals.

reconvening recovery teams for endangered birds in Hawai'i and the Pacific, beginning with the 'Alala.

Newell's Shearwater and Dark-rumped Petrel: In March, HAS and co-plaintiffs Sierra Club and 1000 Friends of Kaua'i, represented by SCLDF attorney Denise Antolini, reached a landmark settlement of our lawsuit against the Kauai Electric Company under the ESA. The company proposed to construct an above ground, high voltage power line through Kalihiwai Valley, which would have violated ESA by "taking" two species of listed seabirds—the threatened Newell's Shearwater (*Puffinus newelli*) and endangered Dark-rumped Petrel (*Pterodroma phaeopygia sandwichensis*). Every year during the summer and fall on Kaua'i, over 1,500 of these birds (mostly juvenile Newell's Shearwaters) fall out from the sky, are disoriented by lights, and collide into power lines and other obstacles in their flyways. (See *'Elepaio*, 52:5, May 1992, page 29.)

The settlement has two main features: (1) Kauai Electric will not seek to build the objectionable power line through Kalihiwai for another 12 years (until after 2004); instead, it will "rebuild" the existing, low voltage line as an interim measure; and (2) Kauai Electric will fund a five-year, \$400,000 study on the causes and prevention of "fall out" of the Newell's Shearwater and Dark-rumped Petrel on Kaua'i. In return, we have agreed to support the company's efforts to obtain the necessary permits to implement the interim

power line projects and not to sue them for ESA violations for the term of the study.

To oversee the study, a scientific advisory panel selected by the parties convened in Hawai'i on 16-17 November. Members of the panel include three nationally recognized ornithologists: Dr. Sheila Conant, University of Hawai'i; Dr. Dee Boersma, University of Washington; and Dr. Stephen Kress, NAS. Dr. Elizabeth Flint, a distinguished biologist with USFWS, and three Mainland scientists appointed by the company also sit on the panel. The reconstruction of the low height, low voltage power line along Kalihiwai Road was recently completed according to the specifications agreed to in the settlement.

Critical Habitat Designations Needed for Endangered Forest Birds: At least 140 unique species of birds once inhabited the Hawaiian Islands. Of those, 70 are now extinct, and 30 of those species that remain have been listed as threatened or endangered. Yet, to date, critical habitat has been designated for only one of the 30 listed Hawaiian birds, the Palila (*Loxioides bailleui*).

In January, HAS, NAS, and Conservation Council for Hawai'i formally petitioned the Secretary of the Interior, under the ESA, to designate critical habitat for 17 species of endangered Hawaiian forest birds: the Kaua'i 'Akiāloa (*Hemignathus procerus*); Kaua'i 'O'o'a (*Moho braccatus*); Kaua'i Nukupu'u (*Hemignathus lucidus hanapepe*); Kama'oa Large Kaua'i Thrush (*Myadestes myadestinus*); Puaiohi/Small Kaua'i Thrush (*Myadestes palmeri*); 'O'u (Kaua'i and Hawai'i) (*Psittirostra psittacea*); Maui Parrotbill (*Pseudonestor xanthophrys*); Maui Nukupu'u (*Hemignathus lucidus affinis*); Maui 'Akepa (*Loxops coccineus ochraceus*); 'Akohekohe/Crested Honeycreeper (*Palmeria dolei*); Po'ouli (*Melamprosops phaeosoma*); Oloma'o/Moloka'i Thrush (*Myadestes lanaiensis rutha*); Kakawahie/Moloka'i Creeper (*Paroreomyza flammea*); 'Alauahio/Hawai'i Creeper (*Oreomystis mana*); Hawai'i 'Akepa (*Loxops coccineus coccineus*); 'Akiapola'au (*Hemignathus munroi*); and 'Alala/Hawaiian Crow (*Corvus hawaiiensis*). Our attorney is Michael Sherwood.

These birds have been on the endangered species list since the ESA became law in 1973. Yet their numbers have continued to decline. This is in part because USFWS has not fully implemented the legal protection available to endangered species, including designation of critical habitat, as provided by ESA. The petition covers essential forest bird

habitat, identified by USFWS in species' recovery plans, on the islands of Kaua'i, Moloka'i, Maui, and Hawai'i. USFWS is in the process of gathering information on the birds' habitat. We are awaiting an official response from the secretary.

Kaua'i STARS Missile Launches: HAS critically commented on the U.S. Army's Environmental Impact Statement (EIS) for the proposed Strategic Target System (STARS) Program, which is woefully inadequate. The army proposes to launch 40 experimental missiles (fashioned from 27-year-old Polaris motor boosters) from the Pacific Missile Range Facility at Mana, Kaua'i, to Kwajalein Atoll in the Marshall Islands. HAS been following the proposal since 1990.

The army's EIS does not adequately discuss missile reliability and the potentially serious adverse impacts of the program on endangered humpback whales (*Megaptera novaeangliae*)—cows and calves utilize the nearshore waters between Kaua'i and Ni'ihau—, threatened Pacific green sea turtles (*Cheloniemydas*), endangered Hawaiian Stilts (*Himantopus mexicanus knudseni*), Coots, (*Fulica americana alai*), Moorhens (*Gallinula chloropus sandvicensis*), and Ducks (*Anas wyvilliana*), rare and endangered plants and communities, and archaeological sites and Hawaiian burials at Nohili. (The entire Mana Plain is identified by USFWS as essential waterbird habitat.)

HAS also commented on the state's in-

adequate Environmental Assessment for the use of Polihale State Park as a hazard area for the launches.

We also supported a one-year moratorium on the STARS Program until Kaua'i recovers from the devastation of Hurricane 'Iniki and until a congressional investigation of the STARS Program is completed. HAS is in contact with Hawai'i's congressional delegation on this matter. Denise Antolini is litigating the issues on behalf of Sierra Club and 1000 Friends of Kaua'i.

Endangered Species at the Makua Military Reservation: HAS joined citizens on the Wai'anae Coast in addressing the U.S. military's activities at the Makua Military Reservation on O'ahu. Makua Valley provides habitat for endangered Hawaiian tree snails (*Achatinella* spp.) and several species of Hawaiian plants recently listed as endangered. In addition to the ongoing live fire training activities at Makua, the army is currently applying to the Environmental Protection Agency (EPA) for a permit to continue its Open Burn/Open Detonation (OB/OD) Operation at Makua.

Hazardous wastes, including ordnance and obsolete chemicals from the University of Hawai'i and Tripler Hospital are detonated and burned in the valley. The permit application covers 1,650 tons per year of hazardous wastes brought in from other military installations in Hawai'i, which is a "minuscule" amount of the total hazardous waste



Burned and eroded slopes at the Makua Military Reservation on O'ahu, habitat for endangered Hawaiian tree snails and plants.

generated in Makua, according to the Army.

The OB/OD operation at Makua poses a significant human health hazard on the Wai'anae Coast, and it is only a matter of time before the army's live fire training activities destroy *Achatinella* and plant habitat. Fires caused by the military's activities also threaten the state's Pahole Natural Area Reserve overlooking Makua Valley.

As far as we know, in the 50 years that the military has occupied Makua, a public hearing has never been held to discuss land use options there. (Makua Valley is state and ceded land, which was "acquired" by the military through executive order and state lease.) The pending OB/OD permit application provides the opportunity to learn about and assess all the military's activities at Makua. We are requesting that copies of the permit application be made available at three locations on the Wai'anae Coast, that the public comment period be extended for 90 days (comments were originally due on 13 November), and that public hearings on the permit application be held in Honolulu and in Wai'anae. Rep. Neil Abercrombie recently supported these requests. Members are referred to the November 1992 issue of *Environment Hawai'i* for additional information on the military's occupation of Makua Valley.

Endangered Hawaiian Plants: In 1989, HAS supported legal efforts by SCLDF, Sierra Club, Conservation Council for Hawai'i, and Hawaiian Botanical Society, to protect dozens of candidate endangered Hawaiian plants. Today, USFWS is wrapping up its efforts to list over 170 species of threatened and endangered Hawaiian plants under the ESA—nearly half the listed plants in the country. As of November 1992, 104 species of Hawaiian plants were listed as threatened or endangered and 86 were proposed or will soon be proposed for listing.

USFWS announced that several species previously thought to be extinct were rediscovered recently and are being proposed for listing as well. HAS commends and thanks USFWS, especially Derral Herbst, Joan Canfield, Zella Ellshoff, and Joan Yoshioka, for their commitment to protecting Hawai'i's endangered flora.

Aquatic Resources

Kanaha Pond: HAS Maui representative Renate Gassmann-Duvall worked closely with Mary Evanson, Eda Kinnear, Lesley Bruce, and others this year to obtain adequate protection and management for Kanaha Pond.



Desilting basin and channel at Honokowai Stream, Maui County's solution to sedimentation of nearshore waters.

The pond is identified by USFWS as essential habitat for endangered waterbirds, provides important habitat for numerous species of migratory birds, and is managed by the Hawai'i Department of Land and Natural Resources (DLNR) as a wildlife sanctuary. It is situated in urban Kahului, next to the Kahului Airport, and is threatened by non-point source pollution, water drainage projects, adjacent land filling, and airport activities, including its proposed expansion. HAS's goals at Kanaha Pond are to develop and implement a long-term management plan and to achieve adequate predator control. The Society will likely be represented on a citizens' advisory committee, which is being established by DLNR.

Gassmann-Duvall and Kinnear, of the Native Hawaiian Plant Society, lead excursions to the pond so that schoolchildren and educators may witness natural systems and conservation efforts first hand. They also prepared an attractive display on Kanaha Pond, which was exhibited at the Hawai'i Environmental Education Association's annual meeting held on Maui in June.

During the 1992 legislative session, HAS supported a bill to appropriate funding for a natural resource interpreter position on Maui (within the DLNR), which would have enhanced HAS's environmental education efforts at Kanaha Pond. Unfortunately, the legislation did not pass.

Waihe'e Dunes and Wetlands: HAS is

urging the County of Maui and the State Land Use Commission to set aside the Waihe'e dunes and wetlands on Maui as a protected area. The integrity of native ecosystems at Waihe'e is threatened by golf course and urban development. The Society also feels that golf course development at an ancient Hawaiian burial site is a disrespectful and inappropriate use of the area. We are recommending that Waihe'e be set aside as a natural area for conservation, educational, and spiritual purposes.

Lentipes Concolor Listing Petition: A decision on our petition under the ESA to list the endemic diadromous fish, 'o'opu hi'u kole (*Lentipes concolor*), as threatened and endangered with critical habitat designation is expected within the next few months. In October 1989, on behalf of HAS, Conservation Council for Hawai'i, Sierra Club, Life of the Land, and 1000 Friends of Kaua'i, SCLDF submitted the petition to the Secretary of the Interior. In May 1990, the secretary initially found that the petition contained information indicating that the action may be warranted.

Although the ESA requires the secretary to make a decision on the petition within a year of having received it, we have not heard from the Interior Department. In May 1992, Michael Sherwood sent a 60-day notice of intent to sue under ESA for failure to make a finding on the petition. We expect a decision from the Secretary soon.

Hanalei River Petition: In March, on

behalf of HAS, Conservation Council for Hawai'i, Wai Ola, and 1000 Friends of Kaua'i, SCLDF submitted a petition to the Hawai'i Commission on Water Resource Management (COWRM) to establish permanent instream flow standards for the Hanalei River System. The petition is meant to encourage the COWRM to protect Hawai'i's important stream ecosystems and to initiate the necessary biological surveys and inventories of appurtenant and native Hawaiian water rights. The petition is the first of its kind under the State Water Code, and we are working with COWRM staff in bringing the attention and resources to the Hanalei that it deserves.

The Hanalei River System provides habitat for all four species of endangered Hawaiian waterbirds and endemic diadromous species, including the 'o'opu hi'u kole. The Hanalei National Wildlife Refuge is located at the lower reach of the river.

Stream Protection Program: HAS is among several environmental and native Hawaiian groups seeking a statewide protection program for culturally and ecologically significant streams. In the 1992 legislative session, we supported a successful resolution, introduced for the Conservation Council for Hawai'i, to establish such a program and a streamkeeper position to assist COWRM. Unfortunately, we were unable to get a resolution passed calling for a financial and management audit of COWRM, which would have been useful in a forthcoming review of the State Water Code.

Pesticides

Roadside Spraying Task Force: Public interest in pesticide use in Hawai'i is increasing, and in 1991, HAS and others succeeded in establishing (by legislative resolution) a Roadside Spraying Task Force under the Hawai'i Department of Health. The task force is composed of county and state employees involved in roadside maintenance, the University of Hawaii Environmental Center, representatives from agricultural organizations, and citizens' groups (including HAS, Sierra Club, SCLDF, and Outdoor Circle). In 1992, the task force was extended by the legislature.

In large part through the efforts of task force member Carol Burgess and cooperating county and state workers, herbicide-free test sites along public roadways and in public parks were established on Hawai'i and Maui, utilizing progressive approaches to vegetation management. The test sites are discussed

and illustrated in a forthcoming report by the task force, which also includes information on existing roadside maintenance, public notification of spraying, and integrated vegetation management in other states and counties.

In the legislature, we successfully opposed a bill that would have allowed the state to preempt county regulation of pesticide use, public notification of pesticide use, and information disclosure relating to pesticides. This legislation would have discouraged current county initiatives to experiment with non-chemical means of controlling noxious weeds in public areas.

Pesticides and Endangered Species:

HAS is also represented on the Pesticides/Endangered Species Protection Program Committee, an effort coordinated by the EPA and the Hawai'i Department of Agriculture. The primary objectives of the program are to protect listed threatened and endangered species from pesticides and to be responsive to the needs of agricultural production by developing a program that can be readily implemented without unnecessary disruption to pesticide users. Given Audubon's long standing interest in endangered species protection, it is in our best interest to monitor this federal/state effort.

HAS is also obtaining information on rodenticide use by sugar plantations to determine how such poisons affect native raptors, such as the Pueo (*Asio flammeus sandwichensis*).

Alien Species

Noxious Weeds and Seeds: HAS supported the addition of several species of noxious plants to the Hawai'i Department of Agriculture's lists of noxious weeds and seeds. HAS's recommendations were based on those made by the Noxious Plants Task Force, a coalition of biologists that includes HAS members. Listing these plants will result in an increased awareness of the threats they pose to native ecosystems, control over the sale and spread of such species, and additional resources for research, education, and eradication.

Among the dozens of species recommended for inclusion on the lists are Australian tree fern (*Cyathea* spp.), pampas grass (*Cortaderia* spp.), and members of the Melastome family.

Kahului Airport Expansion: One of the most serious threats to Kanaha Pond and other native ecosystems on Maui is the introduction of alien plants and animals to the island. The Society continues to monitor the

Hawai'i Department of Transportation's proposal to expand Kahului Airport, which includes possible direct international flights from countries in the Pacific. Not only will the expansion contribute to unconstrained growth in excess of Maui's carrying capacity and infrastructure, but it also seriously threatens Maui's remaining native ecosystems through the introduction of insect pests, noxious plants, and reptiles, such as the brown tree snake (*Boiga irregularis*). Legal action challenging the Kahului Airport EIS was recently taken by Maui attorney Isaac Hall and Skip Spaulding on behalf of several organizations, including NAS.

Hunting Regulations and Boundaries:

HAS members are preparing comments on the DLNR Division of Forestry and Wildlife's proposed hunting regulation and boundary amendments. This is an excellent opportunity for citizens to comment on the appropriateness of hunting programs in sensitive natural areas, to support the use of hunting as a management tool in areas where harmful ungulates should be eliminated, and to help hunters gain access to areas that are appropriate for recreational and subsistence hunting.

Natural Resource Management

Natural Area Reserves: Under the leadership of Audrey Newman and Kim Harris of The Nature Conservancy of Hawaii, a broad coalition, including HAS, supported state legislation that would have created permanent, dedicated funding for the Natural Area Reserves System (NARS), the Forest Stewardship Program, and Natural Area Partnership Program. Unfortunately, dedicated funding was not established in 1992. We will continue to support this in the upcoming session.

The Society also supported the reappointments of Charles Stone and John Ford to the Hawai'i NARS Commission. Ford and his family recently relocated to the Mainland, and his efforts in Hawai'i will be missed.

Koa Logging: HAS, SCLDF attorney Eric Walters, and others are monitoring logging proposals by DLNR and private interests at Kapapala, Keanakolu, and Laupahoehoe on Hawai'i, and at Kapa'ahu on Maui. The timber/wood products industry is exerting tremendous pressure on the state to provide precious public resources, such as koa (*Acacia koa*), because these resources are depleted on many privately owned lands. The Society is currently considering the adoption of policies aimed at relieving the pressure of koa logging on native ecosystems and key watersheds, and raising public awareness of

the impacts of koa consumption. Case in point: at the expense of native species (and at the taxpayers' expense), at least \$67,000 worth of koa benches was recently delivered to the State Capitol.



Although the clear-cutting days may be over in Hawai'i, logging proposals continue to pose a threat to remaining koa ecosystems.

Kona-Kohala Natural Resources

Round Table: We supported a state resolution that extended and expanded the Kona Watershed Round Table to include Kohala and other natural resources of the region. The general objective of the round table is to bring private and public interests together to discuss the myriad of land use issues in the Kona-Kohala region of the Big Island, including watershed management, endangered species protection, logging, and golf course development on mauka pasture lands. HAS and other citizens' groups will continue to participate in this effort at the request of DLNR Chairman William Paty.

Forest Bird Research: HAS participated in a two-day workshop on identifying research priorities for Hawaiian forest birds. The October workshop was organized by the Hawai'i Conservation Biology Initiative and attended by representatives of government, the research community, and citizens' groups. Priority research areas identified include habitat utilization, translocations, disease, predation, retrieval of unpublished information, and captive propagation.

In a related matter, in November HAS attended a workshop sponsored by DLNR and USFWS on surrogate species captive propagation.

Forestry Legislation Symposium 1992: In September, HAS participated in the Forestry Legislation Symposium held in Kona. The purpose of the symposium was to reach consensus on policies that enhance Hawai'i's

forests. HAS presented a position paper co-authored by *Environment Hawai'i* and Sierra Club (see 'Elepaio, 52:10, October 1992, page 75) calling for various administrative changes in the DLNR Division of Land Management's state leases program. HAS also submitted a position paper co-authored by Life of the Land and Conservation Council for Hawai'i (see 'Elepaio, 52:10, October 1992, page 76) encouraging the use of native plants in tree propagation and reforestation efforts, and calling for a phasing out of many nonnative trees currently used in reforestation. A steering committee has been established to coordinate legislative efforts.

State Water Code Review: Past Senate President Richard Wong and past Speaker of the House Daniel Kihano appointed Alan Murakami, Charlene Hoe, Bina Chun, Fred Trotter, Douglas MacDougal, Kazu Hayashida, and Ray Sato as commissioners to review the State Water Code. Legislation enacting the code in 1987 requires that a commission be established to review the code in 1992. This will be a two-year process.

Unfortunately, nonconsumptive ecological benefits of water resources protected by the code are not represented on the review commission. Consequently, HAS will be following the commission's efforts closely to insure that provisions in the code to protect native stream ecosystems are strengthened. The Society also urges the commission to actively seek public input so that all beneficial uses of water are considered in the review process.

HAS also supported the reappointment of Rev. Robert Nakata to COWRM.

Federal Legislation: At the federal level, HAS supported Rep. Patsy Mink's amendment to the energy bill to exempt Hawai'i from the Federal Energy Regulatory Commission's (FERC) jurisdiction of hydroelectric development projects. Unfortunately, the amendment was not included in the final bill.

Hawai'i should be exempt from FERC jurisdiction for several reasons. Unlike streams and rivers on the Mainland, Hawaiian streams are relatively short, isolated, steep, and flashy. There is no interstate commerce involving electrical energy. There are no streams or dams owned by the federal government in Hawai'i. Consequently, there is no use of surplus water from federal dams. Most of our streams are not navigable, and those that are are only so near the mouth at the sea.

Streams are protected and regulated by

the State Water Code, which is responsive to native Hawaiian rights, appurtenant water rights, riparian rights, and wildlife protection. Because of the geographically and culturally unique situation in Hawai'i, HAS believes that our streams are better protected by the code than by FERC's preemptive authority.

David Hill initiated the Audubon phone tree to support additional federal legislation aimed at protecting tropical forests in Hawai'i, ancient forests in the Pacific Northwest, and wetlands across the country. The Society also appreciated the opportunity to meet with Hawai'i's congressional delegation and its staff this year.

Land Use and Environmental Policy

State Conservation District: In July, HAS and SCLDF submitted comments on the Office of State Planning's (OSP) Land Use Classification and Boundary Review. (See 'Elepaio, 52:11, November 1992, page 82.) At the state level, all the land in Hawai'i is classified as Urban, Rural, Agricultural, or Conservation District. District boundaries have not been reviewed comprehensively since the 1970s. HAS's comments were focused on important natural areas that should be included in the Conservation District, recognizing that the statute governing the district must be strengthened as well. We successfully opposed special interest, site specific legislation that would have exempted the Hanalei and Lumaha'i Valleys and Streams from OSP's recommended boundary amendments.

In a related effort, the legislature appropriated funds to OSP to review and evaluate Hawai'i's land use statutes. HAS members are participating in this two-year review process. One of the Society's greatest concerns is that there is no state or county land use classification that protects important cultural and natural resources in perpetuity. DLNR is also seeking input from the public on the state's administrative rules governing the Conservation District.

HAS also supported a bill in the legislature that would have prohibited the development of golf courses in the Conservation District. Unfortunately, the bill did not pass out of the Senate Planning, Land, and Water Use Committee.

The Department of Environmental Protection: In 1991, the legislature passed a bill that created a Department of Environmental Protection and required that a plan to establish the department be completed in 1992. HAS participated in statewide focus

groups, convened by OSP, and in an informal working group to hammer out the details. Unfortunately, the department will not be established this year, as we had hoped, mainly because of lack of enthusiasm and consensus on the state's part. The 1992 legislature passed a bill giving the state another year to determine whether such a department can be established. However, the bill was vetoed by Gov. Waihee.

Public Reviewing of Environmental Assessments: In 1992, the legislature finally passed a bill that amends the Hawai'i Environmental Policy Act, providing a 30-day public review and comment period for state and county Environmental Assessments and Negative Declarations. Previously, the public had no official forum for challenging inadequate assessments and declarations other than in the courts. Although this option still remains open, public review and comment will decrease the likelihood of shoddy documents and court challenges.

Land Use Initiative: HAS joined citizens across the state in supporting our right to land use by initiative at the county level. Unfortunately, the bill that would have reinstated this right died in the House Judiciary Committee and the Senate Planning, Land, and Water Use Committee.

Pacific Regional Initiatives

Plutonium Shipments: In September, Greenpeace International's Rainbow Warrior sailed to Hawai'i, bringing to our attention Japan's plans to ship tons of radioactive plutonium from France, beginning in November. Serious conflicts are occurring between concerned citizens and the French and Japanese governments. Several countries banned the shipments in their seas, and Hawai'i has taken a similar position. However, in the past, ships containing other radioactive substances and smaller quantities of plutonium entered Pearl Harbor. A speck of plutonium smaller than a grain of salt, if inhaled, would result in fatal lung cancer in humans, and a plutonium spill, fire, or accident at sea could genetically alter the global food chain forever.

The concerned world community is challenging the wisdom of these shipments. The American government must also reexamine its current commercial activities, which include supplying Japan with the initial source of plutonium in the form of nuclear energy rods. Greenpeace is leading a coalition opposed to the shipments. The recent violent actions against Greenpeace ships and crews,

Christmas Bird Counts Need Your Help

Participants are needed to make the annual statewide Christmas counts a success. This is a sincere plea for help. You do not need to be an expert birdwatcher or ornithologist to participate.

Information collected during the counts will be compiled and submitted for publication in *American Birds*, a magazine which includes the Christmas count volume and four other seasonal issues reporting bird observations throughout North America and Hawai'i. Participants' fees (\$5 per person) go entirely to help offset the cost of publishing the Christmas count issue.

Christmas bird counts in Hawai'i have been a longstanding tradition and one of the Hawaii Audubon Society's favorite annual field and social events. Bird counting will be done in towns, suburbs, wetlands, sea cliffs, beaches, grasslands, mountains, and forests.

Following are a list of the counts, dates, and the person to contact for more information and to sign up.

Hawai'i Island

North Kona, Sunday, 20 December.
Contact: Reginald David, 329-9141 (H).

Volcano, Saturday, 19 December.
Contact: Larry Katahira, 967-8226.
Participants wishing to go with the party to Kulani Correctional Facility must get their social security number and birthdate to Larry Katahira no later than 4 December.

Kaua'i

Kapa'a, Sunday, 27 December. Contact:
Barbara Stuart, 826-9233 (H).

by the Japanese and French, is cause for great concern.

On a brighter note, in early September, HAS had the pleasure of co-sponsoring a meeting on environmental issues in the Pacific region and a reception for Greenpeace and the Rainbow Warrior crew. The ship was opened to the public on O'ahu and Kaua'i, and it led the way in the Sail for Peace from Nawiliwili to Majors Bay on Kaua'i.

If you would like to become involved in any of the issues above, or would like more information, please contact the HAS Conservation Committee Chairman David Hill, 943-2784 (H).

Lihu'e, Saturday, 19 December. Contact
Winona Sears, 822-3045 (H).

Waimea, date to be determined. Contact:
Mark Jeffers, 335-9975.

Maui

Pu'u O Kaka'e, date to be determined.
Contact: Fern Duvall, 572-1584 (H).

Moloka'i

Kualapu'u, date to be determined.
Contact: Wes Voth, 552-0034.

O'ahu

Honolulu, Sunday, 20 December.
Contact: Lance Tanino, 247-5965 (H), 247-7878 (W).

Waipi'o, Saturday, 19 December.
Contact: David Bremer, 623-7613 (H).

Research Grants

The Hawaii Audubon Society makes grants for research in Hawaiian or Pacific natural history. Awards generally do not exceed \$500 and are oriented toward small-scale projects within Hawai'i. Special consideration will be given to those applicants studying the Northwest Hawaiian Islands, dryland forests, and aeolian systems on Hawai'i.

The deadlines for receipt of grant applications are 1 April and 1 October. For an application form send a self-addressed stamped envelope to Grants, Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813. For more information, call Phil Bruner, (808) 293-3820 (W).

Birding on O'ahu

A two-page guide listing areas on O'ahu where interesting birds may be found and where access is not a problem is now available. Written by Peter Donaldson, it offers important information for birders unfamiliar with Hawai'i. The guide is not designed to give detailed directions or information on bird identification. For a free copy, send a self-addressed stamped envelope to O'ahu Birding Guide, Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813.

New Law to Save Exotic Birds

The hope for survival of some of the world's most beautiful and threatened exotic birds grew stronger in October as President Bush signed into law the Wild Bird Conservation Act of 1992.

The law is designed to restrict the import of wild caught birds, primarily parrots and parrot-like species, as pets. The United States is the world's largest importer of these birds, with imports totalling nearly a half million each year.

The Act imposes an immediate moratorium on the import of eight species of wild birds thought to be particularly at risk due to trade. Already listed as threatened under the 116 nation Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), these species include the Fisher's Lovebird and the Blue-fronted Amazon Parrot.

Other bird species can continue to be imported for one year, after which imports of all CITES listed birds will be prohibited unless the species is on an approved list published by the Interior Department's U.S. Fish and Wildlife Service (USFWS). In considering a species for this list, USFWS will use the best available scientific and management information and ascertain whether or not regulatory and enforcement measures in the country of origin are adequate.

The Act also gives the Interior Department authority to ban the import of any non-CITES bird species if the exporting

country does not meet specific criteria established by the Act. In addition, USFWS is to determine the status and management, if any, of wild or captive-bred species entered into international commerce. Captive-breeding facilities must meet criteria described in the Act which are designed to ensure that trade is not detrimental to wild birds. For wild caught CITES listed birds, USFWS must determine that CITES is being effectively implemented for the species in its country of origin.

The new law also seeks to ensure humane treatment of birds. The methods of capture, transport, and maintenance enroute must minimize the risk of injury or damage to health.

Another provision of the Act establishes the Exotic Bird Conservation Fund. This fund will use monies collected from penalties, fines, donations, and any additional appropriations for projects to conserve exotic birds in their native countries. Many of the countries where these birds are found do not have funds available to conduct conservation activities or develop acceptable management plans.

"The law will help assure American consumers that they can safely purchase pet birds knowing that they are not harming populations in the wild or contributing to inhumane treatment," said USFWS Director John Turner.

Watch Your Mailbox

by Lynne Matusow

In the next few days, members will receive a special first class mailing from HAS. This packet contains your ballot for the election of officers and directors, a dues renewal notice for those who are not joint Hawaii Audubon/National Audubon Society members, and our annual fundraising appeal.

In 1992 a good portion of our fundraising proceeds were spent on restoring environmentally sensitive areas damaged by Hurricane 'Iniki on Kaua'i and at James Campbell National Wildlife Refuge on O'ahu. In addition, funds were used to prevent the imminent extinction of the 'Alala (Hawaiian Crow), to develop a cooperative management plan with the state at Kanaha Pond, to educate the public about Hawai'i's environment, to support graduate research, and to aid the Bishop Museum in creating a computer accessible register of historic and current bird records in Hawai'i. (See Bird Sighting Records story below.)

Projects such as those listed above can only be undertaken because of the generous contributions of our members and friends. Dues basically cover the cost of printing and mailing the 'Elepaio.

Please send in your ballot and give us that something extra, whatever you can afford, to enable us to continue our educational and conservation projects.

Scholarships

The Hawaii Audubon Society will be awarding an undergraduate tuition scholarship of \$1,340 to a Hawai'i resident attending the University of Hawai'i for the 1993-94 school year. This scholarship, named the Rose Schuster Taylor Scholarship, is made available by the Yao Shen Trust, in honor of Rose Schuster Taylor. Terms of the trust require that recipients be Hawai'i residents, attending the University of Hawai'i, whose area of study is related to Hawaiian natural history, especially if it may lead to the better protection of native wildlife in Hawai'i. We will also be awarding the Clara Grenville Hatch undergraduate scholarship. This \$1,000 stipend for the 1993-94 school year is for a student at any college or university in the state whose area of study is related to Hawaiian natural history.

Applicants should submit the following information: name, address, telephone

number, class year, and explain how their academic major relates to Hawaiian natural history. They should also discuss how they plan to apply their academic degree to further study or work experience in Hawaiian natural history, how their course of study will enable them to contribute to the better protection of native Hawaiian wildlife, and if they have made contributions to the study of Hawaiian natural history, especially to anything that might contribute to the protection of native wildlife.

Applicants should attach a transcript of their college or high school records and three letters of recommendation. Applications for scholarships to Mainland schools will not be considered.

Applications should be sent to Phil Bruner, Chair, Scholarships and Grants Committee, Box 1775, BYU-H, La'ie, HI 96762, telephone 293-3820 (W). The application deadline is 1 May, 1993.

Bird Sighting Records

Once again the Hawaii Audubon Society has given a \$1,000 donation to the Bishop Museum for its project "Occurrence and Status of Birds in Hawai'i." The file now contains about 25,000 bird sighting reports for the years 1977 through 1990. According to Allen Allison, Chairman of the Zoology Department at the Museum, "a few more years of sightings remain to be entered, and sightings reports from other sources, including the Hawai'i Rare Bird Documentary Photograph File, are waiting to be added to the computer file. Lists of sightings for any desired species, places, and dates can be generated from the data already entered."

Chairs Needed for Education and Programs Committees

Two important Hawaii Audubon Society Committees, education and programs, are seeking new chairpersons for 1993.

Program Committee Chair: This committee is responsible for running the general membership meetings six times a year. The committee finds guest speakers, prepares press releases concerning the meeting, conducts the meeting, and serves refreshments. Most of the work can be done from your home or office. If you can spare four hours a month to coordinate these activities, call Lynne Matusow, 531-4260 (H) or Phil Bruner, 293-3820 (W).

Education Committee Chair: The Education Committee is busy working with National Audubon Society to promote and run the Paradise Pursuits Quiz Show for high school students. The show is a means of educating Hawai'i's teenagers about the state's environment. The show is televised twice a year.

In addition, plans are underway to have newspapers in the state publish a series of articles about Hawai'i's environment. The committee also judges the annual state science fair, at which HAS gives two prizes. This volunteer position will require five hours a month. For more information call Lynne Matusow, 531-4260 (H).

Also, we desperately need help in the following areas:

Phone Tree Coordinator. You will be responsible for maintaining the list of persons participating in the telephone tree and giving information to phone tree participants when calls need to be made. We need a self starter who is a good communicator and who can devote four to eight hours a month for a minimum of a year. This work can be done from home. Some knowledge of environmental issues and legislators is a plus. To volunteer call David Hill, 943-2784 (H).

Phone Tree Callers. We are 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.

Testimony Presenters. Here we need self-starters who can tactfully and effectively present testimony at the legislature, county councils, and hearings of governmental boards and agencies, usually on weekdays during

daytime hours. If you can't write the testimony, we will have someone else do it. A knowledge of Hawai'i, including issues, politicians, and who the players are is a big plus. A minimum of four hours a month is required. To volunteer call David Hill, 943-2784 (H).

Recordkeeper. This position, which requires you to spend one morning or afternoon a week at the office, entails integrating our membership records with our fundraising records and locating telephone numbers for all new members. The work is done manually. To volunteer call Lynne Matusow, 531-4260 (H).

Volunteer Coordinator. This hardworking, gregarious individual will match volunteers with available jobs, see that volunteers are trained, and maintain contact with volunteers to see if they are happy or have suggestions for improving things, and plan volunteer recognition events. This job will take two hours or more weekly. To volunteer call Lynne Matusow, 531-4260 (H).

Office Staff. We would like to have our office open five days a week. People are needed for morning or afternoon shifts Monday, Tuesday, Thursday, and Friday. Among the duties are answering the telephone, distributing the mail, referring problems to the appropriate officer or committee chair, filing, and responding to routine correspondence. To volunteer call Lynne Matusow, 531-4260 (H).

Writers and Editors for 'Elepaio. A reporter is needed to write the monthly Volunteer Corner column. Also, if you can write stories, edit copy, and come up with story ideas call Lynne Matusow, 531-4260 (H).

The above is only a partial list. If you have a particular skill or interest, call Lynne Matusow, 531-4260 (H). Who knows, maybe we have the right opening but haven't publicized it yet. All of the above are volunteer positions. Hawaii Audubon does not have paid staff.

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.



Have You Seen Any Ae'o?

Ae'o (Hawaiian Stilt) have been color banded on O'ahu, Maui, and Kaua'i. They are banded with an aluminum (USFWS) band and three color bands, two bands above each knee. Band colors are white, black, kelly green, royal blue, red, orange, and yellow.

If you see banded Ae'o, please contact Michael Reed, University of Nevada, Reno, EECB/186, 1000 Valley Road, Reno, NV 89512, phone (702) 784-1157; FAX (702) 784-4583. Your report should include the date, exact location, sex (female stilts have browner backs), and the bands seen (bird's left leg, right leg, colors on top and bottom).

Publications Available

The Hawaii Audubon Society publishes books, checklists, and field cards relating to birds of Hawai'i and the Pacific. For a complete price list send a self-addressed stamped envelope to Publications List, Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813.

Hawaii Audubon Society

212 Merchant Street, Suite 320
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Telephone (808) 528-1432

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Education:
Field Activities: M. Casey Jarman (as above)
Finance: Lynne Matusow (as above)
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Programs: Peter Luscomb
Publications: Reginald David (as above)
Publicity: Glenn Chang (as above)

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'ELEPAIO

ISSN 0013-6069

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The 'Elepaio is printed on recycled paper.

T-shirts for Sale

The Hawaii Audubon Society has a 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 ash (gray) with a black design. We also have a few in aqua, navy, white, and beige. In addition, the "hot" Kolea (Pacific Golden Plover) T-shirts are also available. This T-shirt is white with a three-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. When ordering T-shirts, be sure to list size and first, second, and third choice of color. To order T-shirts send your check, payable to the Hawaii Audubon Society, to Yvonne Izu, 2069 California Avenue, #20B, Wahiawa, HI 96786. 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.

HAS Dues for 1993

All amounts are in U.S. dollars.
Includes delivery of 'Elepaio.

Life Membership \$300.00

Payable in full or three equal installments.
(The Board of Directors recently increased the amount of life dues. Those life members who are currently on the installment plan will be billed for their remaining payments at the old rate.)

Delivery to U.S. zip code addresses

Via bulk mail 6.00

(Not forwardable to new address)

Via first class mail 12.00

(Hawai'i residents: there is no significant time difference between bulk and first class mail to addresses within the state of Hawai'i.)

Junior Membership (18 and under) 3.00

Delivery to non-U.S. addresses:

Mexico (airmail only) 12.00

Canada (airmail only) 13.00

All other countries (surface mail) 14.00

All other countries (airmail) 24.00

Introductory dues for National and Hawaii Societies: 20.00

(Includes delivery of 'Elepaio and Audubon Magazine as bulk or 2nd class mail to U.S. zip codes. Renewal, \$30 annually.)

Notice to Authors

'Elepaio invites submission of original scientific articles of between 1,500 and 3,000 words on the natural history of Hawai'i and the Pacific. Such articles are subject to peer review.

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 a clear indication of the word processing program used. Because we have a Macintosh computer, we prefer you use that Macintosh compatible software, although we can convert DOS.

We do all layouts directly on the computer. For that reason, authors are asked to adhere to the following guidelines: only one space after periods; no indentations, except for paragraphs and tables; no underlines, if on a diskette underlines should be shown as italics; no bold face type; use upper and lower case, nothing is to be in all capital letters; Hawaiian glottals should be used; capitalization for all bird species should follow American Ornithologists' Union nomenclature; dates should be shown as date, month, year; and the address of all authors should be included.

Photographs/illustrations may be either color or black-and-white prints, 3.5 by 5 inches or larger. They should be clearly labelled as to subject and photographer/artist. Cropping lines (if needed) should be indicated. 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.

Manuscripts should be sent to 'Elepaio, Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813.

Mahalo Donors!

The Hawaii Audubon Society thanks the following members and friends for their continued support:

Terry Clark, Alan Davis, Craig Faanes, Richard Ferraro, Brenda Kuessner, Rhonda Myers, and Dan Sheedy.

Calendar of Events

First Monday of Every Month

Monthly meeting of the Conservation Committee, 6:00 p.m., HAS office. To join or for more information call David Hill, 943-2784 (H).

December, various dates

Christmas Bird Counts. See story page 92 for dates and locations.

December 14, Monday

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

December 21, Monday

Annual meeting, 7:30 p.m., Paki Conference Room, Bishop Museum. Announcement of election returns. Society President Reginald David will present an illustrated slide show on seabirds and shorebirds of Hawai'i. Refreshments will be served.

Your Bequest Can Help

A bequest to the Hawaii Audubon Society is an excellent way to help in our conservation efforts. George C. Munro, enthusiastic and tireless field ornithologist and naturalist, provided for a fund to be used exclusively for the protection of native dry forests. Today, the George C. Munro Fund provides money for research projects on such forests.

Although an attorney should be consulted in the drafting of your will, a model clause for bequests is set forth below.

"I hereby give, devise, and bequeath to the Hawaii Audubon Society, Honolulu, Hawai'i, the sum of _____ dollars (or set forth a description of property), to be used for the general purpose of said organization."

For more information and assistance, contact the Hawaii Audubon Society, 212 Merchant Street, Suite 320, Honolulu, HI 96813, (808) 528-1432.

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