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For the Better Protection of Wildlife in Hawaii

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BOARD OF COMMISSIONERS OF AGRICULTURE AND FORESTRY'S PROPOSED REGULATIONS
declaring certain islands as bird sanctuaries and providing for
the protection of certain sea birds:

Regulations 9 and 10 of the Board of Forestry and Agriculture are before the Board for adoption and will go then to the Governor for final approval, upon which act the regulations will have the force and effect of law. They are:

Regulation 9. The declaring of islands of Moku Manu, Moku Lua, and Manana off the coast of Oahu and Mokuhooniki off the coast of Molokai as bird sanctuaries and closing same to trespass except under permit.

The Board of Commissioners of Agriculture and Forestry, mindful of its responsibility under Sec. 1010 RLH 1945 to protect the bird, animal and vegetable life on certain islands and having good and full information that the presence of persons on said islands adversely affects the bird population of many species of sea birds, hereby adopts the following regulation of the Division of Fish and Game, the same to supersede all previous rules and regulations on the same subject heretofore adopted.

Section 1. It shall be unlawful for any person or persons to land, enter or trespass for any purpose whatsoever on the islands of Moku Manu, Moku Lua, Manana, and Mokuhooniki, unless such person or persons are in possession of a special permit issued by the Board of Commissioners of Agriculture and Forestry.

Section 2. All applications for permits to enter upon the aforesaid islands must be submitted in writing to the Board of Commissioners of Agriculture and Forestry, and such applications must contain a clear statement as to the applicants' reasons and purposes for visiting the aforesaid islands.

Section 3. Penalty. Any person convicted of violating this regulation is guilty of a misdemeanor and shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) as provided in Section 1031, RLH 1945.

Regulation 10. Providing for the protection of certain sea birds.

The Board of Commissioners of Agriculture and Forestry mindful of its responsibilities under Sec. 1010, RLH 1945, and having good and full information that certain sea birds of value to fishermen or else are worthy of preservation because of their beauty or interesting habits, are subject to destruction together with their nests and young for food or without cause, hereby adopts the following regulations of the Division of Fish and Game the same to supersede all previous rules and regulations on the same subjects heretofore adopted.

Section 1. It shall be unlawful to take, kill or destroy the following named birds or to disturb the nests, eggs or young thereof on the islands of Moku Manu, Moku Lua, Popoia, Manana, Kaohikaipu, Mokuhooniki and Kapapa:

Sooty Tern (*Sterna fuscata oahuensis*)
 Noddy Tern (*Anous stolidus pileatus*)
 Hawaiian Tern (*Anous minutus melanogenys*)
 Gray-backed Tern (*Sterna lunata*)
 White Tern (*Gygis alba rothschildi*)
 Bulwer's Petrel (*Bulweria bulweri*)
 Dark rumped Petrel (*Pterodroma phaeopygia sandwichensis*)
 Bonin Island Petrel (*Pterodroma leucoptera hypoleuca*)
 Hawaiian Storm Petrel (*Oceanodroma castro cryptoleucura*)
 Tristram's Petrel (*Oceanodroma markhami tristrami*)
 Wedge-tailed Shearwater (*Puffinus pacificus cuneatus*)
 Christmas Island Shearwater (*Puffinus nativitatus*)
 Newell's Shearwater (*Puffinus newelli*)
 Red-footed Booby (*Sula sula rubripes*)
 Brown Booby (*Sula leucogaster plotus*)
 Blue-faced Booby (*Sula dactylatra personata*)
 White-tailed Tropic Bird (*Phaethon lepturus dorotheae*)
 Red-tailed Tropic Bird (*Phaethon rubricauda rothschildi*)
 Hawaiian Duck (*Anas w. wyvilliana*)
 Frigate Bird (*Fregata minor palmerstoni*)
 Laysan Albatross (*Diomedea immutabilis*)

Section 2. Penalty. Any person convicted of violating this regulation shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00) or be imprisoned for not less than thirty (30) days or more than ninety (90) days or both such fine and imprisonment as provided in Section 1153 RLH 1945.

(Mr. Francis Evans who with Mr. E. H. Bryan represented the Audubon Society at the open hearing on these regulations, reports that "Regulation 10 was amended to include a clause prohibiting predatory or extraneous animals from entering these islands, and a new section (2) added to include the same penalty clause as contained in Regulation 9.")

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EFFECT OF A TIDAL WAVE ON SOME SEA BIRD NESTING ISLANDS (Concluded) By George C. Munro

There has been difficulty in keeping these island camping grounds clean and the birds unmolested. It has been advocated by some that the public be barred from landing on them. This would be difficult to enforce without a constant patrol. There is no reason, however, why the people properly restricted cannot enjoy these outing places and treat them accordingly. To carry on an investigation such as I plan on the island it is necessary to have the goodwill of the campers. It is fortunate that on the little island of Kapapa there are now several camps of well behaved Hawaiians and part Hawaiians. My experience of 40 years with these people serves me well in this. These groups consist mostly of Hawaiian Chinese, but there are several other mixtures of European and South Sea Island blood in the groups. They furnish as interesting a study as the birds and the plants. If we gain the good will of the heads of these groups I am convinced they will cooperate by controlling their families and friends who visit them and exercise a restraining influence on the occasional visitor to the island.

The tidal wave came from the northeast and did tremendous damage to houses along the northeast coast of Oahu, north of Kaneohe Bay. The buildings on the shores of the bay suffered little if at all. The widening of the bay distributed the water

and the shallowness of the water in the bay also helped to lessen its force. Judging by the damage done along the northern coast of Oahu one might expect that Kapapa, out on the edge of the reef facing the open sea would have been badly damaged, but this was not so. The waves that struck it would not be more than 12 feet high. About 120 feet of the naupaka shrubbery at the west end was left uninjured; from there eastward for about 130 feet it was killed and partly buried in sand. But some of the roots are still alive and are sending out shoots. The waves broke over the ridge, except at the west end and came round the east end covering the flat on the south side, breaking the tops of the vegetation. This debris and the masses of ironwood spines carried down from the ridge were fortunately not swept off the island but left, held by the protruding coral, to furnish humus and build up the soil on the flat. Some of the plants, especially *Portulaccas* of several species are making a good comeback. An outcrop of jagged coral running down the middle of the flat was covered with masses of morning glory. These were torn out but the dry vines remain and young shoots are showing from some of the roots.

Shortly after my inspection of Kapapa I was able with some officials of the Hawaii Audubon Society to compare the effect of the tidal wave on Popoia Island, off Lanikai. It was evidently struck with much greater force than Kapapa being nearly denuded of vegetation and a large amount of bare coral exposed. The milo grove is much seared and a number of trees washed away. The spectacular *maiapilo* (*Capparis sandwichiana*) which covered so much of the rock surface and flowered heavily in the evenings has been torn back nearly to the roots. The roots, however, were wedged so tightly in the crevices and holes in the coral rock (as those of the milo also) that the water could not tear them out. The *maiapilo* seems to be recovering better than any other plants; some are already flowering and one had quite a number of half grown seedpods. So the unique spectacle of a mass of these splendid white flowers will yet be seen in the evenings on Popoia. I know of no place where this flower was seen to such advantage as on this island. Popoia is worth preserving if only to reestablish this unique native flower. The morning glories that were there in such masses are gone, though probably not completely killed. The little old fish heiau was nearly all washed away and I had difficulty in finding the site it had occupied. It saddened me to see the wonderful little island so devastated.

The evidence of nesting birds was a more cheering sight. There seemed to be quite a number of nesting sites occupied. It is, however, impossible on this island to make any estimate of the destruction of birds by the tidal wave or of the number remaining. I found but one dead body but many were probably washed off the island by the force of the waves which were evidently much stronger than on Kapapa. The wedge-tailed shearwaters on Popoia are even more disorganized than on Kapapa. Several were flying round and round the island near the middle of the day, a most unusual circumstance at any of their breeding islands. It is hoped that some banding can be done on the island after the young are hatched and some idea be obtained of the number remaining.

One cannot help wondering what amount of destruction to bird life occurred on the sand islands of the French Frigate Shoal and Pearl and Hermes Reef, of the Hawaiian Chain. Many hundreds, probably thousands of black-footed albatrosses must certainly have been swept away. Perhaps on higher islands such as Laysan and Lisiansky, on the same chain, there would be loss, as these birds nest habitually just above the high water and their young would be then more than half grown. I have not heard of destruction at Midway so possibly these higher islands escaped. The islands of the French Frigates would almost certainly be washed clean as they are only a few feet above the water.

FIELD NOTES:

January 10, 1946. The call of the great out of doors recognizes no race, nationality creed or locale - kindred souls find each other, speak the same language and need no introduction the world over - and so it is in Hawaii.

We met at the library at 8:30 arriving in scattered numbers, however, we were soon one eager group and as we were assigned to the available transportation furnished by kamaaina members of the Audubon Society, our interest was increased for we had learned our destination was to be the Upper Kipapa Gulch Trail. Advance information had it that much of interest was in store for us and true this was. The trail-blazer group used a "duck" as their means of transportation and they fairly outdid themselves in their eagerness to reach Forest Trail No. 6. However we all finally met and off we were on shank's mare to sights and beauties new and wondrous to several of us.

Our trail led up the ridge through sparsely covered ground. As we climbed a small rise a large field of ripe pili grass swaying and shimmering against a Mediterranean blue sky came to view, enhanced by a background of green trees into which we made our way, listening and ever on the watch for bird life. Soon we were filing along like Indians - one alone, as the trail narrowed on entering the deep wooded growth and the coolness of the verdant forest surrounded us.

Our guide, Walter Donaghio, was truly an expert. Imagine the surprise of the malihinis when they found Walter on a turn in the trail instead of an apapane as they had expected. Then we hear, "Overhead is an elepaio." "I hear an amakihi!" "There's another elepaio - oh! several of them." "Wish I could see them closer." Thus it went. The names were new, the locale so different and breathtaking in beauty that it required a bit of time to orient oneself, however, the members were kind, understanding and helpful. As we would pause to overlook a particularly beautiful glen, songs of birds would be wafted over to us and with coaxing, the birds would gradually arrive and "strut their stuff" - so near we often could get their markings with the naked eye.

During one of the pauses when the birds seemed a bit timid, we were told by the kamaainas about the woods - the ohia tree with lehua blossoms, the nectar of which is especially delectable to the birds; the koa, the Hawaiian mahogany, with its crescent shaped leaf, and then the kukui, the individualist of the forest with its frosted foliage. As we looked across the gulch we soon learned to identify these trees and were ready for another bit of information, and there it was - the Hawaiian mistletoe. Imagine finding mistletoe way out here - what a thrill!

As the trail wound itself along and the day progressed one heard the crackling of paper as lunch bags were surreptitiously being opened. One certainly gets hungry tramping and at the same time one hates to take time out for a snack - too much might happen - so along we walked munching until such time as a likely spot was located for the noon lunch. Somehow one would judge that the trails do not have many visitors. They seemed lonely and forlorn and in defense had hidden themselves in an abundant overgrowth of staghorn fern.

Along the path we found the naupaka - the half flower - half ocean and half mountain. There are many legends connected with this particular plant but we all prefer to believe the one our guide related which is to the effect that the King's daughter fell in love with a fisherman. The King was huhu and settled the difficulties by tearing a naupaka in half and tossing the torn parts into the wind and air. The lovers might marry when and if they were able to bring to the King both parts of the flower. They were never able to find them so we have the sea naupaka and the mountain naupaka, both of which are found only in Hawaii.

We played tag with the sun as we followed the trail along the ridge, weaving to the right and to the left finding the hiding and sleeping places of wild boars, eating thinble berries and collecting varieties of plants, the abundance of which was surprising. As we paused again we were certain we heard a new song. Yes, there it was again, and we saw a bit of color - red. "There are Iiwi here, I am sure." we heard our guide say, which remark was followed by a perfect imitation of its call. Before we could prepare ourselves the show was over; the Iiwi in all their glory, two of them, flew by so near one could almost touch them, and off they flitted. We had taken advantage of the moment, however, and could definitely identify them. Gracious, but that was worth walking miles for! Try as we might, not even Walter's persuasive whistle could bring them out again.

On we went anxiously awaiting surprises at each turn in the trail, but the clouds began rolling into the valleys, the sun was on its downward path and would soon go to rest, so we too decided to wend our way homeward. The casualties had been light though the trail was overgrown, wet and slippery in places; it is a bit difficult to be looking up and down at the same time. We had learned much and with the help of other members we too shall know intimately the Hawaii we have learned to love so easily.

Across the gulch there came the whisper of a song - we listened and heard it more distinctly - it was for the world like cathedral bells at eventide - the song of the thrush bade us Aloha.

IT TRULY WAS A BEAUTIFUL DAY.

----- Mrs. Ruth Rockefeller.

December 8, 1946. Six members of the Hawaii Audubon Society met at Punahou and Mohoa Streets for the walk up Tantalus Trail. In spite of heavy rains the preceding night, the day was bright and clear and everyone was in good spirits. On the way up Tantalus Road, a stop was made at the home of Mr. and Mrs. Thomas Gill to see and hear the many Japanese Hill Robins living in their beautiful garden. Evidently the Hill Robins are living in this canyon in considerable numbers as the canyon walls echoed with their liquid song and they flew in and out of the shrubbery constantly, alighting on the bird feeding tray in plain sight. All members of the party were able to obtain a good view of them and their pretty plumage, thanks to the kindness of Mr. and Mrs. Gill.

After leaving the Gill home, the party proceeded to the Tantalus hogback and the Tantalus Trail. Taking the lower trail with its frequent vistas of deep misty valley and cloud wreathed pali, the party proceeded leisurely along the path. Elepaio seem fairly numerous here and were encountered almost at once on entering the trail. Apapane were heard and a single specimen flew by in plain sight as the party was eating lunch on the highest point of Tantalus, making a lovely splash of scarlet as it crossed the valley. Mynahs and doves were numerous with a few cardinals feeding lower down on the slope of the mountain. In spite of threatening clouds, no rain fell during the walk and the warmth of the sun in the open spaces along the trail dried any wet clothing almost at once. The lovely sound of running water drifted up from the valley and small brooks crossed the trail in several places, running full from the rain of the night before. The walking on the trail was generally good with few muddy sections and the party made the round trip in about four hours. It was agreed by all present that this was one of the most delightful bird walks taken this year. Those present were Miss Grenville Hatch, Mr. L. E. B. Hamilton, Miss Unoyo Kojima, Miss Myrtle Johnson, Mr. Robert Partridge, and Mrs. Doris Smith.

----- Mrs. Doris L. Smith.

Jan. 4, 1947. A report from the marshes. Three observers, Walter Donaghho, David Woodside, and Larry Richards, set off, after being rained away from the Poamoho Trail, the first destination, for a trip around the island to visit several of our favorite shore and marshbird spots to check up on their activities.

The Haleiwa marshes were the first visited. Eight coot were counted in the large pond by the side of the road, and one gallinule in taro paddies back towards Kawaihoa. This area used to be a good spot for the gallinule, but water plants have choked the main channel running up toward Kawaihoa, thus depriving the gallinule of its habitat. These should be cleared.

Kahuku plains and pond were next on the list, and the observers noted a few plover, three turnstones in one flock, and in the pond, five gallinule. On mud flats were three sanderlings, plover, wandering tattler, and turnstones. Salt water from the tidal wave had entered the pond, killing many fish and possibly the waterplants growing on the makai side, thus ruining it for the coot.

The pond on the Mokapu peninsula had the biggest surprise of all the ponds in the 85 or more stilt that were counted. Other birds seen were wandering tattler, plover and turnstones.

The biggest surprise of the day, however, was enjoyed when the observers drove up the road running into Ulupau crater. The makai ridge of the crater came into view covered with white spots, which turned out to be an estimated 100 nests of a Red-footed Booby colony, formed there since the war. It is believed that the boobies on Moku Manu have packed up and come over here to nest, as there didn't seem to be as many white spots as formerly on those islands. The colony was in all stages of nesting, from courting up to chicks five or six inches in length. It is very urgent that this area be set aside as a sanctuary. Although the colony is now protected by isolation due to peoples' belief that Ulupau Head is still restricted, and the abandonment of the army, people are soon going to realize that the military no longer care whether anyone goes there. If the colony is protected, then more red-footed boobies will come over, and also the frigate birds, and possibly the blue faced booby. The frigate bird is always found nesting among the boobies in other seabird colonies, and may very likely do so here.

Brown boobies are still nesting in the bluffs along the eastern side of the head, in company with the greater and lesser noddies.

The Kaelepulu pond was the last pond visited, and resulted in a count of at least 1000 coot, several night herons, plover, four stilts, and a duck which may have been Koloa.

-----Walter R. Donaghho.

March Activities:

BIRD WALK, March 9th. Meet at the Library of Hawaii at 8:30. Mr. Thomas L. McGuire will lead us to Kawaihoa trail - a new one to our group, and will point out plant life and other interesting details to be found on the trail.

MEETING, March 17th. Auditorium of the Library of Hawaii at 7:30 p.m. Dr. and Mrs. Francis X. Williams will talk on "Mike the Mynah", and autograph copies of the book, if desired.

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