

Kaua'i Lagoons Endangered Species Awareness Program



Prepared by Reginald David

Purpose of Training

- Several protected bird species are present on the site
- Kaua'i Lagoons is committed to the protection of these species
- Kaua'i Lagoons has specific endangered bird protocols in place that will be followed by all construction and operations personnel
- All construction and operations personnel need to be familiar with the issues and protocols
- There are significant legal implications if any of these birds are harmed, or protocols are not followed

Regulatory Setting - Protected Species

Federal -

The Endangered Species Act of 1973, as amended (ESA)

Migratory Bird Treaty Act (MBTA)

State of Hawai'i -

Hawaii Revised Statutes (Chapter 195-D)

IT IS ILLEGAL TO:

“harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” any species listed under any of these statutes

Outline

- Agency and Endangered Species Program Contacts
- Endangered waterbird species
- Specific rules and restrictions in place to protect waterbird species
- Listed seabird species
- Specific rules and restrictions in place to protect seabird species

Agency and Endangered Species Program Contacts - who to call

- State Dept. Land & Natural Resources
Thomas Kaiakapu: Wildlife Manager (808) 274-3440
- Onsite biologist
Alan Silva: (808) 639-3641
- Kaua'i Lagoons Program Coordinators
Gary Siracusa - Construction: (808) 241-2066
Brad Snyder - Golf and development operations:
(808) 241-6033 Cell: (808) 652-3146
- Kaua'i Lagoons - Endangered Species Program Biologist
Reginald David: (808) 329-9141 Cell (808) 937-0124
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Endangered Waterbirds at Kaua'i Lagoons

- Hawaiian Goose - *nēnē*
- Hawaiian Coot - *alae'ula*
- Common Moorhen - *'alaeke'oke'o*
- Hawaiian Duck - *koloa*
- Hawaiian Stilt - *a'eo*

Nēnē



Hawaiian Coot - *'alaeke'oke'o*



Hawaiian Moorhen - *'alae'ula*



Hawaiian Duck - *koloa*



Black-necked Stilt - a'e'o



Onsite Nēnē Monitors

- Nēnē monitors will be onsite to ensure that construction activity does not harm Nēnē or other waterbird species
- Monitors are authorized to stop any and all construction activity that they deem may potentially be harmful to Nēnē and other endangered waterbird species
- Nēnē and waterbird safety takes precedent over construction activity

Obey all directives given to you by the
onsite monitors

Waterbird Special Rules

- Slow Down - Speed limit on the site is 15 mph
- No pets on the site
- Dispose of food and trash in trash cans
- Police up lunch area immediately after use
- Don't feed/pet/approach Nēnē or other waterbirds

Continued -

Waterbird Special Rules

- Don't approach Nēnē nests
- Immediately report any bird issues or concerns to the onsite Nēnē monitors
- Immediately report any injured birds to the onsite monitors
- Report damaged area or silt fencing to your supervisors so that they can be repaired immediately

Endangered Seabird Species



Listed Seabirds Issues

- Nocturnally flying seabirds are often attracted to lights
- Fledgling birds on their way to sea for the first time are often attracted to lights and can be confused by them
- Confused birds may collide with structures, or simply land on the ground too tired to continue flying
- Once on the ground they cannot take off again and will die from starvation or be killed by predators if not rescued

Seabird Season Lighting Protocols

- Between September 1 and December 15, no unshielded lights will be allowed within the project area
- The reason for the reduced lighting is to minimize the chance that seabirds will be attracted to the lights, become disoriented by them, and then land on the ground, or in a worst case scenario collide with a man-made structure
- Report all downed seabirds to the onsite monitors

Take Home Message

- The harming of listed waterbird or seabirds may be construed as “take” under the ESA, and/or HRS 195D.
- The minimization and avoidance of “take” to the maximum extent practicable is required under both federal and State of Hawaii endangered species statutes
- Failure to do so may result in enforcement action, which may result in significant civil and criminal penalties
- Penalties include civil fines of up to \$25,000 per incident, and criminal fines of up to \$50,000, and up to one year federal imprisonment per incident
- Non compliance with any of the endangered species rules and protocols will result in immediate disciplinary action inclusive of termination without warning

If You Want More Information

- Other questions? Please see me after the presentation
- Hard copies of this presentation are being distributed
- On the internet search
<http://www.fws.gov/pacificislands>

Parting Message

Kaua'i Lagoons thanks you for your attention to and assistance with this program

Kaua'i Lagoons takes pride in our continued efforts to protect the natural resources on the Island of Kaua'i

Protection of these native birds is everyone's responsibility, and is in the common interest of the Island community and future generations