

# **Kaua'i Seabird Habitat Conservation Program (KSHCP)**

## **Participant Inclusion Plan (PIP)**

**Essex House Condominium  
Corporation, an affiliate of Marriott  
International, Inc.  
(Kaua'i Marriott Resort, Lihue)**

## **PART 1: Landowner & Property Information; Description of the Facilities; Avoidance & Minimization Measures; Monitoring of Take**

**Item 1. Provide the name of the landowner, business, agency, or institution and complete contact information. If the applicant/participant is different from the landowner, please attach power of attorney (or other documentation) allowing the party to act on the landowner's behalf.**

Participant/Applicant Name: Essex House Condominium Corporation, an affiliate of Marriott International, Inc. (herein "Kaua'i Marriott Resort")

Physical Address/Location of Facility: 3610 Rice Street, Lihue, HI 96766

Mailing Address: Same as above

Primary Contact: Paul Toner  
General Manager

Address: Kaua'i Marriott Resort  
3610 Rice Street  
Lihue, HI 96766

Telephone: 808-246-5010

Email: [Paul.Toner@marriott.com](mailto:Paul.Toner@marriott.com)

Alternate Contact: Kaupena Kinimaka  
Area Director of Global Safety & Security

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Preparer Contact:

Lisa A. Bail, Esq.  
Counsel for Kaua'i Marriott Resort

Address: Goodsill Anderson Quinn & Stifel  
999 Bishop Street, Suite 1600  
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Preparer Alternate Contact:

Reginald David  
Consultant for Kaua'i Marriott Resort

Address: Rana Biological Consulting , Inc.  
P. O. Box 1371  
Kailua-Kona, HI 96740

Telephone: (808) 937-0124

Email: [davidr003@hawaii.rr.com](mailto:davidr003@hawaii.rr.com)

**Item 2. Provide the legal description of the property at which the existing facilities and Covered Activities are located, including Tax Map Key (TMK) number. Provide a survey of the property and site plan drawings showing the locations of the Covered Activities (lights), property boundaries, buildings & structures, and site features. If properties containing the Covered Activities comprise separate parcels please include all Tax Map Key numbers and maps.**

The Kaua'i Marriott Resort is located at a physical street address of 3610 Rice Street, Lihue, HI 96766. The resort encompasses tax map keys numbered sequentially from 3-500-2002-0001 to 3-500-2002-0614 totaling 614 tax map keys. Copies of these TMKs maps are included in Appendix A, and a site plan is included in Appendix B. Lighting location is indicated in Table 1 below.

**Item 3. Describe the existing Covered Activities for which incidental take authorization is sought. Include list of buildings, type and description of lights present, purpose and location of lights and current seabird lighting accommodation in place (e.g. shielding, downward pointing, switched off during fledging season etc). For "Types of lights" please use the following categories:**

- **Parking Lights**
- **Signage Illumination**
- **Wall-pack Building Lights**
- **Landscaping/Grounds/Accent/Bollards**
- **Indoor lights visible from outdoors**
- **Roof Floodlights**
- **Other Lights**

**Facility lighting plan may be submitted as lighting inventory. Photos may be attached. The suggested light table, and Green Sea Turtle assessment table below may each be modified as needed to provide the necessary information.**

The Kaua'i Marriott Resort consists of a hotel and typical resort amenities lighting located in Nawiliwili fronting Kalapaki Beach. The property covers 41 acres of which the buildings comprise approximately 6.4 acres. Outdoor lighting includes lighting for the parking lots & delivery areas, grounds, buildings, and walkways. The property is landscaped throughout. Table 1 below provides the outdoor lighting at the Resort. The Avoidance and Minimization Plan (item 7) addresses light attraction.

**Table 1: Outdoor Lighting at Kaua'i Marriott Resort**

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Parking Lights</b>									
LED RAB/Flood	110w 12,281 Lumen (lm)	4000k	8	Haupu Parking Lot	Safety	Cutoff	Down	Yes	Tinted lens for 20% block
High Pressure Sodium (HPS) Flood	150w 16,000l m	2000k	3	Haupu Parking Lot	Safety	Cutoff	Down	Yes	Redirected for 100% cut off for Shearwater Fledgling Season (SFS)
HPS Lithonia Flood	250w 27,000l m	2100k	12	Valet Parking Lot	Safety	Cutoff	Down	No	
HPS Lithonia Flood	150w 16,000l m	2000k	22	Guest and Associate Lots	Safety	Cutoff	Down	No	Redirected for 100% cut off for SFS
LED Flood	50w 6,000lm	5000k	2	Associate Lot	Pedestrian Safety	Cutoff	Down	No	Redirected for 100% cut off for SFS
Metal Halide (MH) Lithonia Flood	250w 22,000l m	4200k	2	Dukes Valet Parking	Pedestrian Safety	1 Cutoff 1 Shielded	1 Down 1 Out	Yes	Shielded for SFS

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Signage Illumination</b>									
Fluorescent PL13 Electro Elf Flood	13w 825lm	2700k	2	Kukui's Restaurant Sign @ Promenade	Accent	Cutoff	Down	Yes	Redirected for SFS
LED Par 38 Kim Lighting Spot	12w 850lm	2700k	4	Dukes and Café Portofino Signs @ Promenade	Accent	Shielded	Up	Yes	
LED Par 38 Kim Lighting Flood	12w 850lm	2700k	4	Dukes Building Under Roof Gable	Accent	Cutoff by Eaves	Down/ Out	Yes	
LED Par 38 Kim Lighting Spot	12w 850lm	2700k	5	Rice Street Main Entrance	Accent	Cutoff by Vegetatio n	Out	No	
Fluorescent F 32/T8 Flood	32w 2400lm	3000k	1	Porte Cochere Marriott Sign	Accent	Cutoff by Vegetatio n	Out	No	

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Wall-Pack Building Lights</b>									
LED Par 38 Kim Lighting Flood	12w 850lm	2700k	1	Café Portofino	Pedestrian Safety	Shielded	Down	Yes	
LED Par 38 Flood	12w 850lm	2700k	1	Haupu Service Road	Pedestrian Safety	Shielded	Down	No	
LED Defiant Flood	26w 2100lm	5000k	1	Haupu Parking to Palikai Walkway	Pedestrian Safety	Cutoff	Down	No	Redirected for SFS
Fluorescent PL13 Wall Sconce	13w 825lm	2700k	5	Pool Hut	Pedestrian Safety	No	Down/ Out	Yes	
Fluorescent PL13 6" Recessed Cans	13w 825lm	2700k	3	Pool Hut	Pedestrian Safety	Cutoff	Down	Yes	
LED Par 38 RAB Floodlight	26w 2100lm	4000k	3	Dukes Parking Lot	Pedestrian Safety	Cutoff	Down	No	Redirected for SFS
HPS Stonco Flood	100w 9500lm	2000k	4	Dukes Parking, Green Storage Shed	Pedestrian Safety	Shielded	Down/ Out	No	
LED Defiant Flood	26w 2100lm	5000k	9	Service Road to Security	Pedestrian Safety	Cutoff	Down	No	Redirected for SFS

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Wall-Pack Building Lights</b>									
LED Defiant Flood	20w 1770lm	4000k	6	Service Road, Security and Associate Lot Entry	Pedestrian Safety	Cutoff	Down	No	Redirected for SFS
Fluorescent PL13 2 Bulb Electro Elf Flood	13w 825lm	4100k	2	Salon Access and Service Road	Pedestrian Safety	Cutoff	Down	No	Redirected for SFS
Fluorescent PL13 2 Bulb Electro Elf Flood	13w 825lm	2700k	2	Dukes Parking and Associate Smoking	Pedestrian Safety	Cutoff	Down	No	Redirected for SFS
Fluorescent PL13 Electro Elf Flood	13w 825lm	2700k	9	Aupaka's and Poi Pounder Planter	Pedestrian Safety	Cutoff	Down	7 Yes 2 No	
Fluorescent PL13 Electro Elf Flood	13w 825lm	4100k	6	Dukes Parking to Restaurant Walkway	Pedestrian Safety	Cutoff	Down	No	



Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
Landscaping/Grounds/Accents/Bollards									
High Pressure Sodium (HPS) Light Pole Flood	100w 9500lm	2000k	3	Walkway to Dukes Bridge	Pedestrian Safety	Cutoff	Down	Yes	
Metal Halide (MH) Antique Post Flood	100w 11000lm	4000k	4	Main Drive Associate Parking Crosswalk	Pedestrian Safety	Cutoff	Down	No	
LED A19 Light Post Flood	11w 800lm	2700k	10	Pali Kai Cottages Side Walks	Pedestrian Safety	Shielded	Out	Yes	
LED Par 38 Flood	12w 850lm	2700k	3	Pali Kai Landing, Promenade	Pedestrian Safety	Shielded	Down	Yes	
Halogen Q500 Lithonia Flood	500w 4000lm	3000k	2	Laundry Service Road Waialeale Promenade	Pedestrian Safety	Cutoff	Down	1 Yes 1 No	
LED Par 38 Kim Lighting Flood	12w 850lm	2700k	1	Lower Pali Kai Landing	Accent	None	Up	Yes	Off for SFS
Halogen 6 Volt Lithonia Narrow Spot	120w 850lm	2100k	2	Pali Kai Landing Statues	Accent	None	Down	Yes	

Light Type Make and Model	Wattage /rating	Bulb Color	Quantit y	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
Landscaping/Grounds/Accents/Bollards									
Fluorescent PL13 3 Bulb Elect. Elf Flood	13w 825lm	2700k	3	Promenade, Kukui's Service Entrance, Pali Kai Walkway	Pedestrian Safety	Cutoff	Down	Yes	
LED Defiant Flood	20w 1770lm	4000k	3	Pool Deck Plumeria, Guest BBQ	Pedestrian Safety	Cutoff	Down	2 Yes 1 No	Redirected for SFS
LED Par 30 Kim Lighting Spot	12w 1050lm	3000k	4	Pool Deck Royal Palm Uplights	Accent	None	Up	Yes	Off for SFS
LED Par 30 Kim Lighting Flood	12w 1050lm	3000k	2	Guest BBQ	Pedestrian Safety	Shielded	Down and Out	No	
Mercury Vapor Kim Lighting Flood	175w 7800lm	4000k	13	Promenade	Pedestrian Safety	Shielded	Down and Out	Yes	
Mercury Vapor Kim Lighting Flood	175w 7800lm	4000k	2	Beach Fronting Dukes	Accent	None	Down and Out	Yes	Off for SFS

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
Landscaping/Grounds/Accents/Bollards									
LED Par 38 Kim Lighting Spot	12w 850lm	2700k	6	Kukui's Patio, Pool, Plumeria, Nounou Garden, Promenade	Accent	None	Up	Yes	Off for SFS
LED Par 30 Kim Lighting Spot	12w 1050lm	3000k	6	Kukui's Restaurant, Pool Island	Accent	None	Up	Yes	Off for SFS
Mercury Vapor HR175 Kim Lighting Flood	175w 7000lm	4000k	4	Pool Island	Accent	None	Up	Yes	Off for SFS
LED Par 30 Kim Lighting Spot	12w 1050lm	3000k	9	Pool Island, Pool Bridge, Elephant Statues	8 Accent 1 Pedestrian Safety	Shielded	Down and Out	Yes	
LED String Lights A Type Bulbs	1w 50lm	2200k	120	Kukui's Patio Trees, Kukui's Gazebo	Safety and Accent	No	Out	Yes	

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
Landscaping/Grounds/Accents/Bollards									
LED Downlight Flood	2w 80lm	2700k	8	Haupu Garden Pool Walks, Coconut Trees	Safety	Shielded	Down	Yes	
Halogen Bipin Pagoda Floods	10w 140lm	2800k	15	Pool Deck, Pool Walkways	Safety	No	Out	No	
LED Par 38 Kim Lighting Flood	13w 950lm	2700k	10	Garden Court	Pedestrian Safety	Shielded	Down and Out	No	
Fluorescent PL13 Wall mount Flood	13w 825lm	2700k	11	Pond Bridge and Stairs	Pedestrian Safety	Shielded	Down	No	
Halogen MR16 Underwater Spot	50w 900lm	2950k	2	Pond Waterfall	Accent	Shielded by Vegetatio n	Up	No	
Metal Halide Stonco Flood	250w 22000l m	4200k	1	Garden Court Banyan Tree	Accent	Shielded by Vegetatio n	Up	No	Off for SFS

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
Landscaping/Grounds/Accents/Bollards									
Mercury Vapor H175 Kim Flood	175w 7800lm	4000k	1	Garden Court Banyan Tree	Accept	None	Up	No	Off for SFS
		2750k	1	Garden Court Side Waterfall	Accent	Shielded by Vegetatio n	Out	No	
LED Par 30 Kim Lighting Spot	12w 1050lm	3000k	1	Garden Court Main Waterfall	Accent	Shielded by Vegetatio n	Out	No	
LED Par 38 Kim Lighting Flood	13w 950lm	2700k	8	Garden Court	Pedestrian Safety	Shielded	Down/Ou t	No	
LED Par 38 Kim Lighting Bullet	13w 950lm	2700k	127	Main Drive Haupu Drive	Accent	Shielded by Vegetatio n	Up	No	
LED Par 38 Kim Lighting Bullet	13w 950lm	2700k	5	Porte Cochere, Limo Parking	Pedestrian Safety	Shielded	Down and Out	No	

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
Landscaping/Grounds/Accents/Bollards									
Halogen Pagoda Flood	20w 380lm	3000k	10	Porte Cochere, Exterior Walks	Pedestrian Safety	Shielded	Out	No	
Fluorescent PL13 Electro Elf Pagoda	13w 825lm	4100k	10	Main Drive to 800 Lot	Pedestrian Safety	Shielded by Vegetatio n	Out	No	
Fluorescent PL13 Flood Pagoda Electro Elf	13w 825lm	2700k	10	Limo Parking	Pedestrian Safety	Shielded by Vegetatio n	Out	No	
LED A Bulb Bollard Flood	11w 800lm	2700k	4	Associate Crosswalk	Pedestrian Safety	Shielded by Vegetatio n	Out	No	

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Other Lights</b>									
LED Par 38 Pentair Enclosed Flood	13.5w 950lm	3000k	30	Pool Lights (Inside)	Safety	No	Out	Yes	
Fluorescent Linear F17T8 Leviton Flood	17w 1200lm	4100k	48	Aupaka's Stairs Handrail	Safety	Cutoff	Down and Out	Yes	

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Roof Floodlights</b>									
				None					

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Indoor Lights Visible from Outdoors</b>									
Fluorescent PL13 Quad Tube Downlight	13w 810lm	2700k	9	Haupu- Makai Stairwell	Pedestrian Safety	Cutoff	Down	Yes	Retrofitted with Shorter Bulb
Fluorescent PL13 Quad Tube Downlight	13w 810lm	2700k	19	Kilohana Stairwell- West	Pedestrian Safety	Cutoff	Down	Yes	Retrofitted with Shorter Bulb

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Indoor Lights Visible from Outdoors</b>									
LED Par 38 Light oilier Recessed Downlight Spot	13.5w 950lm	3000k	30	Aupaka Gazebo Column	Accent	Cutoff	Down	Yes	
LED Sylvania Recessed Downlight Flood	10w 700lm	3000k	84	Aupaka's Walkway	Safety	Cutoff	Down	Yes	
LED BR30 Light oilier Recessed Downlight	9w 700lm	2700k	8	Pali Kai Bathroom Exterior	Safety	Cutoff	Down	Yes	
LED Par 38 Kim Lighting Bullet Spot	12w 850lm	2700k	8	Pali Kai Exterior Walkway	Safety	Shielded by Columns	Up	4 Yes 4 No	4 Off for SFS
LED A Bulb Wall sconce	4w 300lm	2700k	16	Kukui's Restaurant Dining	Accent	No	Out	Yes	
LED Par 38 Light oilier Recessed Downlight	12w 850lm	2700k	23	Kukui's Restaurant Dining Room	Safety	Cutoff	Down	Yes	
Fluorescent PL13 2 Tube Wall Sconce Flood	13w 825lm	2700k	2	Waialeale Exterior Stairs	Safety	No	Out	Yes	
LED BR30 Light oilier Recessed Downlight	9w 700lm	2700k	11	Waialeale Lobbies 3 Floors	Safety	Cutoff	Down	Yes	



Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Indoor Lights Visible from Outdoors</b>									
LED BR30 Uplight	9w 700lm	2700k	32	Column Uplights Puna, Kauai, Niihau	Accent	Shielded by Building	Up	No	
Fluorescent Linear T5 Flood Wallsconce	39w 3500lm	3000k	4	Aupaka's	Accent	No	Out	Yes	
Fluorescent PL13 8 Bulb Chandelier	13w 825lm	4100k	5	Aupaka Gazebo	Accent	No	Out	Yes	
LED BR30 Hubbel Flood	10w 700lm	2700k	2	DaLife Shop Entry	Pedestrian Safety	Cutoff	Down/Out	Yes	
LED A Bulb Wall Lantern Flood	10w 800lm	2700k	3	Kalapaki Beach Boys	Pedestrian Safety	No	Out	Yes	Off for SFS
LED Flood	20w 800lm	5600k	2	Café Portofino Stairs	Pedestrian Safety	Cutoff	Down/Out	Yes	Redirected for SFS
Incandescent R20 Flood	45w 380lm	2700k	20	Portofino Dining	Accent	Cutoff	Down/Out	Yes	
Halogen MR16 Flood	50w 890lm	2900k	10	Portofino Dining	Accent	Cutoff	Down	Yes	
LED BR30 Recessed Down Lights	10w 800lm	2700k	25	Portofino/ Dukes	Pedestrian Safety	Cutoff	Down	Yes	

Light Type Make and Model	Wattage /rating	Bulb Color	Quantity	Location	Purpose	Cut-off or Shielded Fixture	Light angle (down, out, up)	Visible from Beach (yes/no)	Notes
<b>Indoor Lights Visible from Outdoors</b>									
LED Rope Light	10w 800lm	5000k	16"	Portofino Nenu	Accent	Cutoff	Down	Yes	
LED Par 38 Recessed Downlight Flood	12w 850lm	2700k	8	Portofino/ Dukes Stairs, Promenade T-Shirt Shack	Pedestrian Safety	Cutoff	Down	Yes	
LED Pencil Light	7.5w 700lm	3000k	7	Dukes Dining	Accent	Cutoff	Down	Yes	
LED MR16 Recessed Downlight	7.5w 700lm	2700k	23	Dukes Dining	Accent	Cutoff	Down	Yes	
LED Par 30 Recessed Downlight	7.9w 1050lm	4000k	10	Dukes Dining and Bar	Pedestrian Safety	Cutoff	Down	Yes	
LED Rope Light Linear		2100k	75'	Dukes Dining Room Soffit	Accent	Shielded	Up	Yes	
LED MR16 Recessed Downlights	6.8w 520lm	3000k	26	Dukes Bar and T-Shirt Shack	Accent	Cutoff	Down	Yes	
LED A Bulb Basket Fixture	11.5w 1100lm	5000k	16	Dukes Bar	Pedestrian Safety	Partial Cutoff	Out	No	

The above description of outdoor lighting is current as of March 2020. The Resort has minimized lighting to the maximum extent practicable.

**Table 2: Green Sea Turtle Assessment for the Site & Facility**

Please provide the information requested below to help determine if measures to avoid impacts to the Green Sea Turtle(s) from the effects of light attraction are required to be implemented at any of the facility(s), parcel(s), or site(s) included in this PIP. Please consult with staff from the DLNR and the USFWS to arrange a site visit, if needed, discuss measures to avoid impacts to the Green Sea Turtle, and provide further guidance.		
Are any of the facilities located adjacent to a beach?	<u>YES</u> / No	<p>If yes, provide length of beach frontage &amp; brief description of facilities &amp; lights adjacent to the beach</p> <p>Kalapaki Beach is approximately ¼ mile long and is located fronting the swimming pool, but separated from the Resort proper by a paved walkway. Facilities adjacent to the beach include the pool, pool restaurant, pool activity desk and pool walkway, restaurants and hotel structures.</p>
Are any of the Covered Activities (lights) visible from a beach?	<u>YES</u> / No	<p>If yes, describe the specific lights (type, , height, purpose) &amp; specific location; provide map &amp; photos showing distance from beach</p> <p>See Table 1 above</p>
Have green sea turtles been known to nest on any beaches adjacent to the facilities?	<u>YES</u> / No	<p>If yes, provide information about nesting occurrences, if known, including location and date and any other information</p> <p>In the summer of 2019, a turtle nest was identified on Kalapaki Beach. The beach is owned by DLNR, and not Kauai Marriott. Kauai Marriott assisted by notifying DLNR of the nest location and by keeping hotel guests away from the nest location.</p>

**Item 4. If applicable, describe any lighting standards (e.g., foot candles/area) required for facility operations or other requirements that necessitate the use of lighting (e.g., required for security, safety, operations). Describe the relevant standard, or regulation, and the areas and Covered Activities at the site (e.g., type of lighting) to which it applies.**

Marriott standards for light fixtures are 1 foot candle (10) lux for parking lots, and 2 foot candle (20) lux for hallways. Aside from these requirements, there are no specific lighting standards, rules, restrictions or requirements that the Resort must comply with, beyond assuring that lighting is adequate to ensure guest and employee safety and security. Pre-seabird season lighting audits are conducted by a seabird biologist and necessary tweaks to the lighting are completed prior to the start of the seabird season each year.

**Item 5. Describe any plans/proposals for future facilities or expansion of existing facilities. Include any proposed structures and lighting by type, purpose, and location. Plans (architecture and site plans), photos, and drawings can be attached.**

Kaua'i Marriott has no plans for the future on the books that would cause us to install extra interior or exterior lights.

**Item 6. Pursuant to the Endangered Species Act (ESA), Section 10 (a)(2)(A)(iii), describe alternatives to avoid the taking considered and evaluated. Provide reasons why those alternatives are not being utilized. Alternatives can include operational or facility design changes (attach pages as needed). The tables below may be altered as needed.**

Activities that the Kaua'i Marriott Resort has direct control over that may result in covered species landing on the property are restricted to those associated with lighting. Other programs that the Resort implements that result in benefits to seabirds include increased staff training, guest outreach (brochures go into guest rooms during seabird fledging seasons, and monitoring and rapid recovery of downed seabirds (Appendix C). The Resort has addressed all of these issues to the maximum extent practicable. Measures and protocols implemented are detailed in the following sections of the application.

In the following table light attraction avoidance and minimization alternatives that were analyzed are presented.

**Table 3: Light Attraction Alternatives to the Taking**

<b>Artificial Light Attraction Alternatives to the Taking Considered</b>	<b>Reasons Alternatives are not Being Utilized (provide justification)</b>
<ul style="list-style-type: none"><li>▪ <b>Deactivate <u>all</u> outdoor artificial lights from dusk to dawn during the fledgling fall-out season September 15 to December 15</b></li></ul>	Lighting is required for direction, safety, and security of the hotel grounds for guests, visitors, and employees.
<ul style="list-style-type: none"><li>▪ <b>Change operations to eliminate the need for outdoor artificial lighting (e.g., from nighttime to daylight hours)</b></li></ul>	Guest and staff safety and security, precludes this option. To do this the hotel would need to be closed at night, which is not a viable business option.
<ul style="list-style-type: none"><li>▪ <b>Shield all lights from visibility from the beach, or screen all Green Sea Turtle nests, from May 15 to December 15 to avoid impacting the green sea turtle (Green Sea Turtle)</b></li></ul>	Lights are shielded and the beach is dark. Some beach lighting is required for is required for direction, safety, and security of the beach for guests, visitors, and employees.
<ul style="list-style-type: none"><li>▪ <b>Other alternatives to the taking considered, if any. If facility is proposed, include alternative designs considered</b></li></ul>	The resort has replaced a very large number of lights on and in the resort to reduce the amount of stray light being produced. Window blinds or curtains have been placed in rooms in the resort reducing the visible lighting from outside the hotel. Windows have been tinted. Bulbs have been reduced in lumens over the past 10 years. All upward pointing lights have been removed or are turned off during seabird fledging season.

**Item 7. Describe all site-specific seabird minimization measures considered for the Covered Activities. This item should follow KSHCP minimization objectives and measures as specified in *Appendix E (Guidelines for Adjusting Lighting at Facilities)* of the KSHCP document. Please consult with staff from the DOFAW and the USFWS as needed. The suggested tables below can be altered as needed.**

**Minimization measures modify the Covered Activities to reduce the effects of the activity on the Covered Species. KSHCP Participants will be required to implement minimization measures that apply to the facility to the “maximum extent practicable” per applicable state and federal laws which regulate incidental take license/permit issuance by the DLNR and the USFWS.**

**Minimization also entails searching and recovering grounded seabirds to minimize the chance of mortality. In addition, the presence of on-site predators (i.e. feral cats, dogs) should be controlled and removed because these animals can prey on grounded seabirds.**

**Provide justification, such as policies, regulations, or other rationale for measures that will not be implemented.**

**Table 4: Seabird Light Attraction Minimization Measures Considered**

<b>Minimization Measures Considered</b>	<b>Feasible? (Y / N)</b>	<b>If not Feasible to Implement Measures, Provide Reason</b>
▪ <b>Change time of light use (lights off earlier)</b>	<b>Yes / <u>NO</u></b>	Facility operates at all hours and grounds safety is required.
▪ <b>Deactivate unnecessary lights</b>	<b><u>YES</u> / No</b>	
▪ <b>Replace all outdoor lights with full cut-off fixtures</b>	<b><u>YES</u> / No</b>	Except very low to ground and shielded by vegetation.
▪ <b>Shield all outdoor lights with full cut-off shields</b>	<b><u>YES</u> / No</b>	Except very low to ground and shielded by vegetation.
▪ <b>Angle all lights downward</b>	<b><u>YES</u> / No</b>	Except very low to ground and shielded by vegetation.
▪ <b>Lower intensity (lumens) of outdoor lights</b>	<b><u>YES</u> / No</b>	
▪ <b>Change bulb color to non-white spectrum</b>	<b><u>YES</u> / No</b>	
▪ <b>Prohibit/control unleashed predatory animals; prohibit outdoor feeding of animals; require sealed rubbish containers</b>	<b><u>YES</u> / No</b>	
▪ <b>Provide Worker Seabird Awareness Training to staff</b>	<b><u>YES</u> / No</b>	See Item 6, above, and Appendix C (Standard Operating Procedure).
▪ <b>Provide outreach materials to staff &amp; guests</b>	<b><u>YES</u> / No</b>	See item 6, above, and Appendix D (guest brochure).
▪ <b>Host Save Our Shearwaters (SOS) Aid Station</b>	<b><u>YES</u> / No</b>	

**Item 8. Minimization Plans. Provide a plan to minimize the effects to the Covered Seabirds due to the Covered Activities. KSHCP Participants will be required to minimize the effects of the Covered Activities to the “maximum extent practicable” per applicable state and federal laws which regulate take license/permit issuance. The KSHCP document provides minimization objectives and measures to follow.**

**The Minimization Plans should include the proposed minimization measures, timeline, and estimated cost for each facility. In this item, the Participant can include measures already completed or in place (new lights, shields, operational changes). Timeline should include estimated completion schedule, and annual schedule for minimization that will occur only during fledging season.**

**Minimization measures not yet determined but anticipated to occur at the facility; this section should include an estimated cost that will be earmarked for future minimization measures.**

**If applicable, the participant must provide the reasoning why certain measures will not be implemented. The suggested table below may each be altered to best describe the Minimization Plan. Attach additional pages, photos, and drawings as needed.**

Starting in 2003, as the KSHCP staff was beginning outreach on seabird light attraction issues, lights were modified through shielding, down pointing, tinting guest room windows and other means, to help reduce impacts to seabirds. Thus, most of the specifics outlined in the Avoidance and Minimization Plan below have already been in place for 10+ years, and the Kauai Marriott is committed to continue managing their lights to reduce light attraction issues.

The foregoing avoidance and minimization measures were implemented, and costs associated with implementing these measures have already been incurred.

A biologist will accompany the head of loss prevention and the engineering department to conduct a lighting audit of the entire property prior to the onset of the seabird fallout season annually. The biologist will follow up with the Resort to ensure that any lighting minimization modifications that the biologist identified have been implemented. The biologist will also check the hotel several times during the season without notifying the Resort to ensure that all measures are in place. The biologist monitors will monitor the fallout season in real time and returns to the Resort if anything shows up in the fallout data that suggests that there may be a problem with the lighting minimization measures.



**Table 5: Lighting Minimization Measures**

List of Buildings	Minimization Measures	Cost to Implement	Responsible Staff	Timeline
Parking lot lights (66)	Lights are full cut-off fixtures; lights are down directed; poles are minimum height (25 feet)	N/A	Engineering	Completed
Signage lights (36)	Lights are downward angled; lights are low to ground (1-2 ft.); lights are low wattage	N/A	Engineering	Completed
Wall-pack lights (36)	Lights are angled down; lights are shielded (either by eaves overhang or retrofit shields)	N/A	Engineering	Completed
Landscaping & grounds lighting (321)	Most grounds and accents lights directed downward; others shielded by vegetation; grounds lights low to ground.	N/A	Engineering	Completed
Individual guest room interior lights	Avoidance Measures 1. Encourage guests to switch off unnecessary room lighting. See Appendix D (guest brochure). The hotel also places an awareness poster in the lobby during seabird seasons. 2. Encourage guests to cover room windows at night during fallout season Minimization Measures. 1. All guest room windows were tinted to reduce amount of light visible from the exterior.	N/A	Security	Completed

**Table 6: Seabird Mortality Minimization Plan**

Minimization Measures	Describe minimization method (e.g. trapping, outreach, enact policy)	Cost to Implement	Responsible Staff
Remove & control loose predatory animals at the facility. (Loose animals can kill grounded seabirds and this measure aims to prevent seabird mortality by animals.)	The resort actively implements this measure, deploying cat traps as needed. The resort will meet the biological goals and objectives in KSHCP Table 5-1 to “Minimize mortality of Covered Seabirds downed due to light attraction by implementing actions to reduce presence of free-roaming seabird predators such as cats and dogs at Participant facilities.” It will also satisfy the requirement in Section 5.3.2 of the KSHCP that “All measures to reduce presence of predators must be implemented within Year 1 of an ITP/ITL.”	N/A	Grounds department
Prohibit outdoor feeding of predatory animals. (Feeding animals attracts them to the site and this measure aims to reduce the presence of animals that can cause seabird mortality.)	The resort implements this measure, except as noted in Table 4, above. Staff is trained that this is not allowed, and security monitors compliance	N/A	Management staff.
Conduct searches to recover downed birds at the property & turn them into SOS following protocols (see monitoring plan below).	See Item 9 below.	N/A	Engineering, grounds and security staff.
Train staff to follow minimization measures.	See Item 9 below, and Appendix C.	N/A	Management staff.

**Item 9. Take Monitoring Plan. Provide a plan to monitor take of the Covered Seabirds at the facilities proposed to be covered by the incidental take permit/license. The take monitoring plan describes how the property will be searched for downed Covered Seabirds. The KSHCP document provides standards and guidelines for take monitoring to ensure that take of the species is accurately measured and recorded.**

**The regulatory agencies will make the final determination as to the adequacy of the take monitoring plan.**

In 2008, the Marriott developed Standard Operating Procedures (SOP) for patrolling, monitoring, documenting and reporting downed seabirds during the fledgling flight season (see Appendix D, SOP attachment). This document was updated in 2011, 2014, and 2019. The General Manager, or designee, will continue to update the SOP as needed during the KSHCP permit term, based on advice from its seabird biologist for best practices for finding, recovering and documenting any downed seabirds.

**Table 7: Covered Seabird Take Monitoring Protocols**

Please provide the following information for the protocol items below		
Item	Protocol (fill in protocol & provide reasons)	KSHCP Guideline
Percentage of the total property that will be searched & the total area to be searched	The entire built upon portion of the property is inspected each day year round. Rooftops are checked by engineering, housekeepers check balconies, and grounds are checked by security and groundskeepers. Groundskeepers also check shrubbery and bushes (laua'e fern and naupaka). All open areas are visually checked by all associates and guests.	Search as much area as possible
Frequency of searches (# per day or per week)	At least once a day for all built-upon areas, more frequently for other areas.	Twice daily
Time of day of searches	Inspections are conducted throughout the day.	2-3 hours after sunset, and within 3 hours after sunrise
Number of searchers per search area	The entire staff, amounting to some 400 or more employees.	Depends on site conditions and safety considerations and vegetation, nearby hazards/threats
Proposed training	See Items 7 and 9 above, and Appendix C.	Annual training covering seabird identification, seabird handling, response procedures, verified and documented

**Item 10. Components of the Green Sea Turtle Minimization and Monitoring Plan (if required). Monitoring and minimization for the Green Sea Turtle is in two parts: A) Monitoring to detect nests and B) Monitoring and minimizing impacts to nests detected.**

**Part A: Monitoring to detect Green Sea Turtle Nests**

**Please provide the following information; the table below may be used and altered as needed.**

- 1) Detailed location and description of beaches, including linear distance, at which searching for nests of the green sea turtle will take place. Searches should take place at any beach from which light at the facility can be viewed;**
- 2) Monitoring protocols indicating:**
  - a) Annual training of searchers;**
  - b) Frequency of searches;**
  - c) Conduct active searching (searching the beach width);**
  - d) Sufficient number of trained searchers to cover the area; and**
  - e) Record results of search monitoring.**
- 3) All Participants are required to record the results of search efforts. Records should provide:**
  - a) Evidence (what was seen). Include description and provide photographs**
  - b) Location on the beach (GPS) and physically mark the location if possible**
  - c) Date and time of day**
  - d) Description of surrounding land use (e.g., vacant, or developed), and**
  - e) Proximity to the facility.**

**Part B: Monitoring of Identified Green Sea Turtle Nests**

**Each identified nest of the green sea turtle should be monitored and protected from light attraction. Please provide the following monitoring protocols; the tables below may be used and altered as needed.**

- 1. Light avoidance measure for identified nests (either shield/deactivate lights at the facility or install and maintain a light shield around each identified nest);**
- 2. Frequency of searches;**
- 3. Number of searches monitoring the nests. The number of needed to monitor active nests will depend on number of nests identified and amount of beach needed to be covered;**
- 4. Record the results of nest monitoring. Monitoring should provide:**
  - a. Evidence of hatchling emergence (description and photos):**
  - b. Date and time of emergence,**
  - c. Direction of tracks**
  - d. Condition of the nest area (e.g., disturbed or not).**

**Table 8: Green Sea Turtle Monitoring Protocols – Part A: Monitoring to Detect Nests**

Please provide search protocols for detecting nests of the green sea turtle (Attach pages as needed)		
Item	Protocol (fill in protocol & provide reasons)	KSHCP Guideline
Location & description of the beach, or beaches, surveyed and the linear distance of the beach.	Kalapaki Beach is approximately a quarter mile long and is located directly in front of the pool.	Beach area surveyed should coincide with visibility from the facility with the lights.
Frequency of searches (# per day or per week)	Groundskeepers rake the beach twice a week.	Weekly during nesting season (typ. May 15 to end of August)
Number of searchers per search area	One groundskeeper rakes the beach	Depends on site conditions and safety considerations
Proposed training	The groundskeeper(s) who rake the beach will receive annual training conducted by a biologist.	Searchers should receive annual training conducted by the DLNR or the USFWS, or their designee.

**Table 9: Green Sea Turtle Monitoring Protocols – Part B: Monitoring of Identified Nests & Minimization**

<b>Please provide search protocols to monitor identified nests (from Part A) of the green sea turtle (Attach pages as needed)</b>		
<b>Item</b>	<b>Protocol (fill in protocol &amp; provide reasons)</b>	<b>KSHCP Guideline</b>
Frequency of checks (# per day or per week)	Should a nest be discovered the Resort would immediately contact USFWS and follow their standard Hawaii protocols for protecting the nest.	Active nests should be monitored every 1-2 days; then daily during expected hatching date
Light avoidance	Lights are shielded and the beach is dark. Some beach lighting is required for is required for direction, safety, and security of the beach for guests, visitors, and employees.	If lights cannot be deactivated or shielded from the nest, each nest should be screened from visible light.
Number of searchers per search area	One	Depends on site conditions and safety considerations

**Item 11. Describe the schedule that will be followed to provide training for staff. Training must be provided to those that will conduct and oversee the searches at the facility.**

**The training should include:**

- 1. Summary of regulations protecting the Covered Species;**
- 2. Search procedures, route, frequency and timing specific to the facility's monitoring plan, for seabirds and green sea turtle nests (if applicable);**
- 3. Response procedures including safe and proper techniques for handling seabirds;**
- 4. Recognizing evidence of green sea turtle nests, proper nest light screening, and hatchling activity (if green sea turtle minimization and monitoring plan is applicable);**
- 5. Procedures to document the results of searches;**
- 6. Downed wildlife agency contacts; and**
- 7. Nearest SOS aid station.**

The Division of Forestry and Wildlife provided annual Worker Seabird Awareness and Response Training (WSART) to the appropriate facility staff prior to the start of each seabird fallout season from 2003 to 2017. Worker training will continue under the KSHCP for the duration of the permit term. Seabird Awareness Training will be conducted by a trained biologist in 2019, and in subsequent years, the training will be conducted by the Director of Global Safety & Security. The fallout season occurs each year from September 15 to December 15. The training includes: regulatory setting, consequences for noncompliance, standard monitoring, response, and reporting procedures, techniques for proper handling of downed seabirds, personal protection, agency contacts and facility locations.

Seabird Awareness and Response Training will be provided to the following staff:

- Engineering
- Director of Global Safety & Security;
- Security Personnel;
- Grounds Crew;
- Any staff tasked with outdoor work around the properties

A copy of the PowerPoint training module is attached as Appendix C. See also Standard Operating Procedures (SOP) (Appendix D).



**Item 12. Describe any outreach conducted (e.g., handing out pamphlets on seabird awareness to facility employees or guests, etc.):**

The Kaua'i Marriott Resort has been doing outreach to staff and guests since 2003, and will continue to do so during the KSHCP permit term. During the seabird fledging season Kauai Marriott Resort will:

1. Display SOS informational posters in break rooms and common staff areas.
2. Put it in our "Discovery Page" which is our daily hotel newsletter for all Employees.
3. Staff will attend the annual Worker Seabird Awareness Training.
4. Remind staff about seabirds during department stand up meeting (pre-shift meetings) to bring additional awareness.
5. Talk about it in our Monday, Wednesday, and Friday Managers weekly stand up meetings.
6. Invite a qualified biologist to speak at our staff meeting.
7. Display SOS informational posters in the lobby to promote guest awareness.
8. Have an informational flyer put into each room as awareness to for our guest, asking them to keep curtains closed during the season. See Appendix E.

## **PART 2. Take Estimate, Requested Amount of Take Authorization, and Funding**

**Item 1. Show the calculation of estimated take for each of the Covered Species.**

Following the take estimation methods in the KSHCP for estimating a Participant's take (Section 6.2.2), the tables below show the take estimate calculation for the facility(s) for each of the Covered Seabirds.

The KSHCP take estimate method utilizes the average of the most recent 5 years of SOS recovery data for the facility. Applied to the data is an adjustment for downed birds not found, based on a 50% discovery rate and an adjustment based on SOS mortality (birds dead on arrival or those that die in care) – average SOS mortality is 12%.

If the landowner-applicant submits a take estimate with an alternate discovery rate, they must provide the reasons why an alternate rate was used to estimate take, including relevant information supporting their reasoning (% of searchable area, search protocols that will be used, any searcher efficiency trials that have been or will be conducted at facilities and/or demonstration of quick, effective recovery of birds). Please include narrative and/or photos and maps to support this.

**Table 10: Annual Lethal Take Calculation<sup>i</sup>**

	<b>Newell's Shearwater</b>	<b>Hawaiian Petrel</b>	<b>Band-rumped Storm-Petrel</b>
<b>1. Annual average number (SOS data – or – monitoring data) of downed NESH (5 most recent years), HAPE or BRSP (15 most recent years)</b>	<b>0.80</b>	-	-
<b>2. Annual observed lethal take estimate (12% of 1, all downed birds)</b>	<b>0.10</b>	<b>0</b>	<b>0</b>
<b>3. Annual unobserved lethal take estimate (e.g. 100% of 1, all downed birds if 50% searcher efficiency assumed)</b>	<b>1.00</b>	<b>0</b>	<b>0</b>
<b>4. Total estimated annual lethal take from light attraction (2+3)</b>	<b>1.10</b>	<b>0</b>	<b>0</b>
<b>Requested Annual Lethal Take</b>	<b>1.10</b>	<b>0</b>	<b>0</b>
<b>Requested Take Over Permit Term</b>	<b>33.00</b>	<b>0.033 (1 for 30 year permit) 1</b>	<b>0.033 (1 for 30 year permit) 1</b>

<sup>i</sup> Title of Table revised per email from Kate Cullison 4/10/20.

**Item 2. Select the requested take authorization and permit/license term coverage for each of the Covered Species.**

**Table 11: Newell's Shearwater:**

Age Class	Annual Take Estimate: Fledglings	Annual Take Estimate: Adults or Sub-Adults	Take Limit for License/Permit Term
<b>Mortality (Lethal)</b>	1.1 <sup>i</sup>	0	33 <sup>ii</sup>
<b>Injury (Non-lethal)</b>	0.704 <sup>iii</sup>	0	21.12 <sup>iv</sup>

<sup>i</sup> This number is repeated from Line 4 of Table 10, above, and should not be added to the number in Table 10.

<sup>ii</sup> This number is repeated from the last line of Table 10, above, and should not be added to the number in Table 10.

<sup>iii</sup> This number of nonlethal adult take is derived by using the formula in KSHCP Section 6.2.2.1. As set forth in Section 6.2.2.1, "Lethal Take = 100% undiscovered birds + 12% of birds that are discovered and turned into SOS." It follows, then, that nonlethal take is 88% of birds that are discovered and turned into SOS, or 88% of Line 1 of Table 10.

<sup>iv</sup> This number is derived by multiplying 0.704 by 30 years.

**Table 12: Hawaiian Petrel:**

Age Class	Annual Take Estimate: Fledglings	Annual Take Estimate: Adults or Sub-Adults	Take Limit for License/Permit Term
<b>Mortality (Lethal)</b>	0 <sup>i</sup>	0	1 for 30 year permit <sup>i</sup>
<b>Injury (Non-lethal)</b>	0 <sup>ii</sup>	0	1 for 30 year permit <sup>ii</sup>

<sup>i</sup> As set forth in Table 10, above, Kauai Marriott has not had lethal take of Hawaiian Petrels in the last 15 years, but is nonetheless requesting coverage for lethal take of 0.033 Hawaiian Petrel each year, or 1 bird over the 30 year permit term.

<sup>ii</sup> Kauai Marriott has not had nonlethal take of Hawaiian Petrels in the last 15 years, but is nonetheless requesting coverage for nonlethal take of 1 Hawaiian Petrel each year or 1 Hawaiian Petrel of the 30 year permit term.

**Table 13: Band-Rumped Storm-Petrel:**

Age Class	Annual Take Estimate: Fledglings	Annual Take Estimate: Adults or Sub-Adults	Take Limit for License/Permit Term
<b>Mortality (Lethal)</b>	0 <sup>i</sup>	0	1 for 30 year permit <sup>i</sup>
<b>Injury (Non-lethal)</b>	0 <sup>ii</sup>	0	1 for 30 year permit <sup>ii</sup>

<sup>i</sup> As set forth in Table 10, above, Kauai Marriott has not had lethal take of Band-Rumped Storm-Petrels in the last 15 years, but is nonetheless requesting coverage for lethal take of 0.033 Band-Rumped Storm-Petrel each year, or 1 bird over the 30 year permit term.

<sup>ii</sup> As set forth in Table 10, above, Kauai Marriott has not had lethal take of Band-Rumped Storm-Petrels in the last 15 years, but is nonetheless requesting coverage for lethal take of 0.033 Band-Rumped Storm-Petrel each year, or 1 bird over the 30 year permit term.

**Item 3. Funding Assurance. Provide proof of adequate funding (see KSHCP document). All participants must demonstrate requisite funding prior to permit/license approval to ensure that the proposed measures and actions, including monitoring, will be undertaken in accordance with the terms and schedule of the KSHCP.**

The Kaua'i Marriott Resort currently undertakes all minimization and conducts all monitoring using its existing staff as part of annual operating budget, and will continue to do so through the term of the KSHCP. The Kaua'i Marriott Resort will provide financial assurances as required by the KSHCP.

Signature of Participant:

\_\_\_\_\_

Date: \_\_\_\_\_

Printed Name : Paul Toner, General Manager

The undersigned affirms that all the information included is true and accurate to the best of the participant's knowledge and that this PIP is voluntarily submitted.

☐ check to waive confidentiality

## **Appendices**

Appendix A – Tax Map Keys (TMKs) of the Kauaʻi Marriott Resort

Appendix B – Schematic layout of the resort

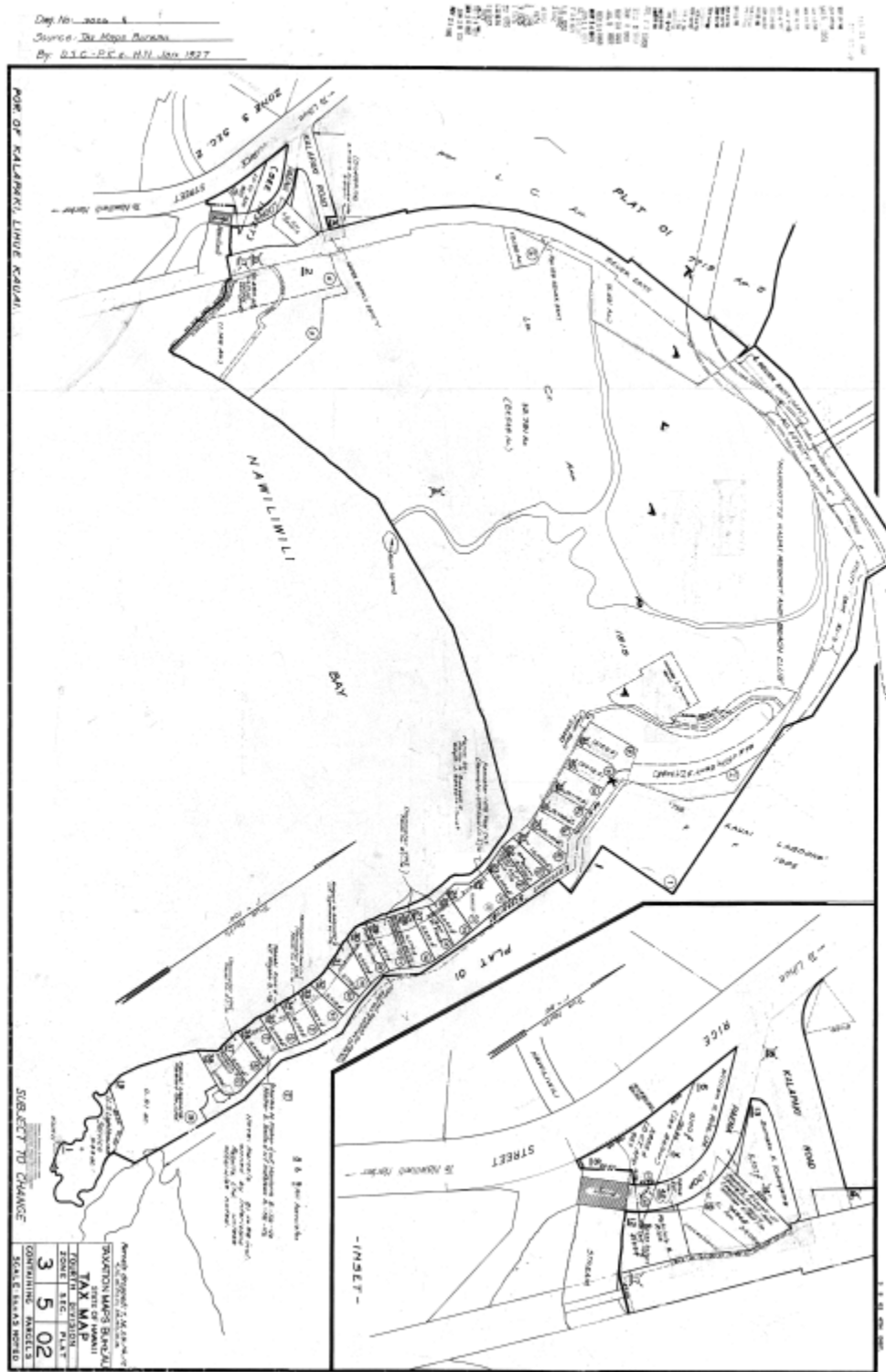
Appendix C – Kauaʻi Marriott Resort Seabird and Sea Turtle Awareness and Response Training module

Appendix D – Standard Operating Procedures (Seabird Conservation Awareness Program)

Appendix E – Guest Seabird Conservation Program brochure



# APPENDIX A



## APPENDIX B



APPENDIX C



## **Kaua'i Marriott Resort Seabird Awareness and Response Training - 2019**



## Purpose of Training

- Native seabird species including endangered species may “fallout” on the Resort property on a seasonal basis
- Kaua’i Marriott Resort is committed to the protection of these species
- Kaua’i Marriott Resort has specific endangered bird protocols in place that all construction personnel must follow
- There are potentially significant legal implications if any of these 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:**

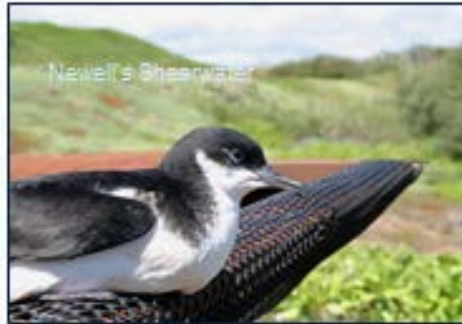
**“harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” any species listed under any of these statutes**

## Agency and Endangered Species Program Contacts

### Who to Call

- State Department Land & Natural Resources DOFAW
- Thomas Kaiakapu: Wildlife Manager: (808) 274-3440
  - Kaua'I Marriott Resort Program Coordinator
- Kaupena Kinimaka: (808) 246-5193, mobile: (808) 639-2319
- Seabird Hotline 5796 – any house phone
- Reggie David: Cell: (808) 937-0124, email: davidr003@hawaii.rr.com

## Endangered and Threatened Seabird Species





## Seabird Fallout Season Issues

- Night flying seabirds are often attracted to lights
- Fledgling (*keiki*) 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



## Seabird Issues cont.

- Once on the ground they cannot take off again and will die from starvation or be killed by predators if not rescued
- If the seabirds are recovered and turned into the Save Our Shearwaters Program (SOS), almost 90% of them can be returned to the wild

## **Downed Seabird Response Protocols**

- If a downed seabird is found, immediately call your supervisor and the Global Safety and Security in-house number **5796**
- Stay with the bird until a Safety and Security officer arrives on the scene, follow their instructions.

## Take Home Message

- The harming of listed 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**

## *Mahalo*

*Kaua'i Marriott Resort thanks you for your attention to and your assistance with this program*

*Kaua'i Marriott Resort 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*

## *If You Would Like More Information*

- *Other questions? Please see me after the presentation*

## Endangered and Threatened Sea Turtle Species



## Sea Turtle Awareness

- Two protected species of sea turtles, haul out on beaches on Kauai
  - Pacific green sea turtle – threatened
  - Pacific hawksbill sea turtle - endangered
- Both species have nested on the Island
- We have had one Green sea turtle on Kalapaki Beach



## Finding and Reporting Turtles on the Beach

- All associates that work in areas close to the beach shall:
  - Report any turtle on the beach immediately to:
- Kaupena Kinimaka: (808) 246-5193, mobile: (808) 639-2319
- Seabird Hotline 5796 – any house phone
- Loss prevention staff will immediately contact:
  - Thomas Kaiakapu: Wildlife Manager: (808) 274-3440
- They will follow instructions given them by DOFAW
- If a nest is discovered all lights on palm trees along the walkway will be turned off until the turtles hatch

## APPENDIX D

KAUAI MARRIOTT RESORT & BEACH CLUB LOCAL STANDARD OPERATING PROCEDURES		
<b>LSOP:</b>	Seabird Conservation Awareness Plan	LP# 74
<b><u>PURPOSE:</u></b> To establish a procedure/awareness training ensuring that that the Kauai Marriott Resort and Beach Club associates and staff are a working partner with federal and State of Hawai'i wildlife conservation and regulatory agencies to conserve our native Seabirds.		
<b><u>ISSUE DATE:</u></b> 8/08 <b><u>REVISED:</u></b> 07/19		

### **PROCEDURE/SCOPE:**

Between the months of September 15<sup>th</sup> to December 15<sup>th</sup> the Kauai Marriott and its associates will participate in the search, recovery and collection of downed Seabirds (Newell's Shearwater, Hawaiian Petrel, Band-rumped Storm Petrel and other non-listed seabird species) on property.

### **Training and Awareness**

Hotel Management will participate in an annual Seabird Awareness and Response training.

Hotel Management will educate our guests by having literature (flyer) in the individual guest rooms and a poster in the lobby area explaining our conservation efforts, the SOS Program, the Kauai Marriott's role in protecting birds through the SOS program, as well as the part the guests play in protecting Seabirds.

The Hotel will educate its employees by putting information in the daily Discovery Page. All pre-shift meetings will have Seabird Awareness and Response discussions. Management will also have Seabird Awareness and Response discussions in their "Managers Stand-up" meetings on Monday, Tuesday and Wednesday.

Prior to the start of the seabird fallout season, Hotel management will conduct a lighting audit of the Resort with a qualified seabird biologist. The objective of that survey is to Identify any lights on Resort grounds that might attract Seabirds to our property. Engineering or the grounds department will make the appropriate adjustments to light fixtures as needed.

DLNR and the SOS Program will place a SOS Aid Station on property on or around September 15<sup>th</sup> each year in a suitable location (currently the Loading Dock Area).

Global Safety & Security officers will keep a log of birds recovered on the property, with all pertinent data. They will also complete filling the “White Board” at the SOS Aid Station with the following information.

Date:

Time:

Location found:

Condition of bird: (Good) (Injured) (Dead)

Type: Newell’s Shearwater; Hawaiian Petrel;  
Band-rumped Storm Petrel; or other (if known).

### **Monitoring**

Safety & Security officers (2) plus one Supervisor (1) and one duty engineer (1) will make it part of their duties during the Seabird season to be vigilant about looking for downed Seabirds during their respective shifts.

Patrol duties include making two rounds of the property in an 8 hours period (shift). During their patrol during the Seabird Season, the officer will make more comprehensive search of the property, and bushy areas such as by Dukes, Gardens, and fronting the Kahili tower.

A daily log will be submitted to the Director of Global Safety & Security of Birds found or not, at the end of the shift.

Patrol officers & Engineer person will follow the “Recover Procedure” below when necessary.

### **Recover Procedure:**

Deploy the Seabird Recovery Kit which should contain the following items:

- Latex or nitrile gloves
- Three towels
- Hand Sanitizer
- Flashlight
- Clip Board, pen, “Bird Take Log”
- Bird Carrier (Cardboard Box) with note as a “Live Animal”

**Live Bird Handling and Procedures:**

1. Take the seabird recovery kit and pet carrier to the downed seabird
2. Put on gloves
3. Using towel to gently cover the bird, pick up the seabird
4. Place the seabird in the pet carrier, and close the pet carrier
5. Put the gloves and towel back in the seabird rescue kit
6. Take the bird and pet carrier to an SOS Aid Station – located on the loading dock
7. Transfer the bird to the Aid Station
8. Call SOS at 635-5117 or 632-0610
9. Return the seabird rescue kit and pet carrier to the dairy, replace towel and clean cage with bleach, if dirty
10. Complete the Downed Wildlife Form
11. Turn in the completed form to the Director of Global Safety & Security
12. Note in the nightly log where the bird was found, or if found off property

**Dead Bird Handling and Procedures:**

1. Place dead seabirds in a two gallon Zip-Loc plastic bag – double bag the bird
2. Write the Date and Property on the outer bag with a permanent Marker
3. Place in a refrigerator
4. Complete the Downed Wildlife Form
5. Turn in the completed form to the Director of Global Safety & Security
6. Note in the nightly log where the bird was found, or if found off property

**Reporting to Agencies:**

A call shall be made to the USFWS and DOFAW within 24 hours of a downed bird being recovered on the property.

If a dead bird is recovered follow the instructions received from DOFAW-Kauai Branch, they will most likely pick up the carcass, but in some circumstances instruct the Resort to dispose of the carcass.

A copy of the Downed Wildlife form in .pdf format will be submitted via email to both the USFWS and DFOAW within 72 hours.

This policy is subject to periodic review

**Contacts:**

USFWS

DLNR-DOFAW

These contacts will be updated once the agencies determine the point people for these agencies.

## APPENDIX E

### KAUAI SEABIRD



Kaua'i is still home to many species of seabirds that nest and raise their young in our mountain forests and coastal beaches.

When they leave their nests, seabird fledglings are guided by the light of the moon out to sea. Unfortunately, urbanization on Kaua'i has resulted in the ongoing fallout of the fledgling seabirds on their first nocturnal flight from their nesting burrow to sea.

Protecting the seabird's nesting habitat and reducing the mortalities due to light attraction are critical to the survival of this species.

### HOW YOU CAN HELP

- *When not in room, please turn off all lights*
- *When in room in the evening, please close your drapes*

On behalf of the staff and management of the  
KAUA'I MARRIOTT RESORT & BEACH CLUB,

*Mahalo* FOR YOUR SUPPORT.