



U.S. Fish & Wildlife Service

# News Release

*Pacific Islands External Affairs Office*

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## **FWS, State to Hold Public Meeting To Discuss Proposed Seabird Permit**

A public meeting to introduce a proposed habitat conservation plan that may include an incidental take permit for three rare seabird species will be held on Kauai on Thursday, September 16, in Lihue. Sponsored by the U.S. Fish and Wildlife Service and Hawaii's Department of Land and Natural Resources, the meeting will seek public involvement in identifying potential mitigation options that should be considered and issues that may arise during the environmental review associated with the Kauai Island Utility Cooperative's proposed habitat conservation plan, also known as an HCP.

The meeting will be held from 7 to 9 p.m. in the Planning Commission Conference Room, Moikeha Building, located at 4444 Rice Street in Lihue. "The scoping process allows interested parties to identify, rather than debate, potentially significant issues and ensure that a reasonable range of alternatives is addressed," said Jeff Newman, acting field supervisor for the Service's Pacific Islands Fish and Wildlife Office.

The development of the federal environmental document is required by the National Environmental Policy Act. The Service anticipates that KIUC will request an Endangered Species Act incidental take permit. Therefore, the Service is seeking public input on the scope of the NEPA analyses required, including the range of reasonable alternatives and the associated impacts of those alternatives.

Under limited circumstances, the Service may issue permits to "take" listed species incidental to, and not the purpose of, carrying out otherwise lawful activities. The Endangered Species Act contains provisions for issuing incidental take permits to nonfederal entities, provided the Service determines this set of criteria are met:

- the taking is incidental,
- the applicant will minimize and mitigate the impacts of the taking to the maximum extent practicable,
- the applicant will develop an HCP and ensure adequate funding will be provided,

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- the taking will not appreciably reduce the likelihood of survival and recovery of the species in the wild, and
- any other measures that the Service may require as being necessary or appropriate for the purposes of the HCP are met.

“Take” is defined under the Endangered Species Act as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such contact. Harm includes significant habitat modification or degradation where it actually kills or injures listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering.

Three seabird species are expected to be covered under the joint federal/state HCP: the federally listed endangered Hawaiian petrel, the federally listed threatened Newell’s shearwater, and the federal candidate for listing band-rumped storm-petrel. Species may be added or deleted during the course of the HCP development based on further analyses, new information, agency consultation, and public comment.

These seabird species breed on Kauai, but spend a large part of the year at sea. They nest in colonies in the interior mountains of Kauai beginning in March and April and ending at the beginning of September when the fledglings depart for the sea. Both adults and fledglings are known to occasionally collide with tall buildings, towers, powerlines, and other structures while flying at night between their nesting colonies and ocean foraging areas. These birds, especially the young fledglings, are also attracted to bright lights, and disoriented birds are commonly observed circling repeatedly around exterior light sources until they fall exhausted to the ground or collide with structures.

The proposed HCP will cover KIUC activities within all areas on Kauai where KIUC facilities are located, including operation, maintenance, and repair of these and other existing facilities, and construction, operation, maintenance, and repair of new facilities, during the term of the incidental take permit. Under the HCP, the effects of covered activities associated with KIUC facilities and operations are expected to be minimized and mitigated through a detailed conservation program.

The biological goals of the HCP are to avoid and minimize incidental take of listed seabirds associated with implementing covered activities and to mitigate any unavoidable incidental take by improving seabird survival and breeding success. The HCP will minimize the impacts through a variety of measures such as shielding lights and installing powerline marker balls. Certain design features will also be implemented to reduce the risk of seabird collisions such as installing powerlines below seabird flight altitudes, modifying powerline arrays, and potentially placing certain powerline segments underground. The conservation program will also include efforts to rescue and rehabilitate birds grounded by collisions or light-attraction effects, monitor trends in the number and locations of downed seabirds, and conduct research to provide more options for minimizing or mitigating incidental take.

KIUC has already implemented certain interim conservation measures to benefit listed seabird species on Kauai. KIUC has shielded all streetlights on its utility poles to reduce light-attraction impacts, placed powerline marker balls where needed in areas of concentrated seabird flight paths, contributed funds to partially support the State's Save Our Shearwaters program to rescue and rehabilitate downed seabirds, and is investigating sites for improving nesting colony habitat in partnership with a third-party landowner for control of non-native mammalian predators. These measures will be considered for inclusion in the conservation program described in the HCP.

The Service and Department of Land and Natural Resources are requesting written comments regarding the proposed action from interested individuals, organizations, and agencies. Respondents should address potential environmental issues, applicable mitigation, and reasonable alternatives they feel could be included in the environmental analysis. Written comments should be addressed to Jenness McBride, Project Biologist, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Honolulu, Hawaii 96850, or faxed to 808/792-9580. All written comments must be postmarked by October 16.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting, and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 544 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 63 Fish and Wildlife Management offices and 81 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.