

# KSHCP Participant Annual Report - Base Form

Base Form #: Cover

Reporting Year:	2022	Participant Name:	Association of Apartment Owners of Marriott's Kauai Resort and Beach Club on behalf of itself and its members, including without limitation HPTMI Hawaii, Inc., HPT TRS MRP, Inc., Marriott Kauai Ownership Resorts, Inc., and Marriott Ownership Resorts, Inc. (the "AOAO") Formerly: Essex House Condominium Corporation, an affiliate of Marriott International, Inc.		1 of 1	Multiple Base Forms are included for this item.
Item #	Relevant Requirement	Facility Name, Facility Type and Location:	Facility Number:	ITL Number:	Information Required to be Reported	
1	KSHCP Section 6.6.1.2a, ITP Section M.i. (N.i), ITL Section II.1.1	Sonesta Royal Kauai Resort ("Sonesta" or "Sonesta Resort") Formerly: Kaua'i Marriott Resort 3610 Rice Street Lihue, Hawaii 96766 TMKs: 3-500-2002-0001 to 3-500-2002-0614, sequentially and 3-500-1001-0000 (por.)	TE74393D-0	ITL-24	Facility Contact Information: (name, phone, email)  General Manager 808-245-5050	N/A
2	ITP Section M (N)/ITL Section II.J	List permitted incidental take by species for this facility. For birds, list as follows: Fledglings (lethal/non-lethal)				
3	KSHCP Section 6.6.2.2(1)	33/22 Newell's Shearwater 1/1 Hawaiian Petrel	1/1 Band-rumped Storm-Petrel N/A Green Sea Turtle	Calculation of annual lethal and non-lethal take using the methodology described in the HCP and with the discovery rate within the approved Participant Inclusion Plan		
4	ITP Section J/ITL Section II.D	Nonlethal Take: 2.64 Newell's Shearwater 0 Hawaiian Petrel  Lethal Take: 3.36 Newell's Shearwater 0 Hawaiian Petrel	0 Band-rumped Storm-Petrel 0 Green Sea Turtle  0 Band-rumped Storm-Petrel 0 Green Sea Turtle	No permanent changes to the facility are proposed that would potentially affect the Covered Species. As indicated in the 2020 and 2021 KSHCP Annual Report, the Sonesta Royal Kauai Resort (formerly Kaua'i Marriott Resort) was closed or operated at reduced capacity during the 2020 and 2021 seabird fledging seasons due to COVID-19 restrictions. As a result, alternative compliance plans were necessary for the resort's ability to comply with its ITP/ITL requirements. The Sonesta Royal Kauai Resort resumed typical operations in 2022.		
5	KSHCP Section 6.6.1.2b, ITP Section M.ii. (N.ii), ITL Section II.1.2.	Summarize any proposed changes to the facility with the potential to affect the Covered Species.  <input type="checkbox"/> Check here if additional space is needed and continue on Addendum Sheet.				
6	KSHCP Section 6.6.1.2c, ITP Section M.iii (N.iii), ITL Section II.1.3.	Identify any changes to facility management/ownership or other key personnel involved in the KSHCP.  In 2021, the management of the Association of Apartment Owners of Marriott's Kauai Resort and Beach Club (the "AOAO") transitioned from Essex House Condominium Corporation (an affiliate of Marriott International, Inc.) to Sonesta International Hotels Corporation. A letter dated October 26, 2021 from Lisa Bail, Esq. Counsel for Sonesta International Hotels Corporation as manager of AOAO, pursuant to 50 C.F.R. 13.25(b), requested the agencies transfer the ITP and ITL from Essex to AOAO. The letter also informed the agencies that the AOAO name would also change, sometime in the future, to reflect rebranding of this property from Marriott to Sonesta. The agencies' preference was to wait until the new name is effective before transferring the Permit and ITL, so the transfer of the Permit and ITL remains pending. A follow up letter dated June 7, 2023 was sent from Lisa Bail, Esq. Counsel on behalf of Sonesta to the agencies informing them that the name change was still pending.				

			Daniel Esaki replaced Donald "Moki" Okami as the Director of Security and the alternative KSHCP compliance contact for the resort. Mr. Esaki has worked for resorts on Kauai including the covered property for over 30 years and worked with Kaupena Kinimaka on KSHCP compliance since the HCP's conception. Sonesta also hired Kaupena Kinimaka, the former Director of Security prior to Mr. Okami, to assist with KSHCP compliance during the 2022 seabird fledging season.	
7	KSHCP Section 6.6.1.2d, ITP Section M.iv (N.iv), ITL Section II.1.4.	Describe any requested changes to minimization efforts conducted at the facility and the reasons for the requested change.	See addendum sheet.	
		<input checked="" type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.		
8	KSHCP Section 6.6.1.2e.i, ITP Section M.v.1 (N.v.1), ITL Section II.1.5.a	Provide map or description of search route(s) used for conducting searches.	Link: <input type="text"/>	
		<input type="checkbox"/> Check here if map(s) attached or linked.	Explanation: The entire built upon portion of the property is inspected each day year round.	
		<input checked="" type="checkbox"/> Check here if map(s) not attached and explain at right.		
9	KSHCP Section 6.6.1.2.e.ii, ITP Section M.v.2 (N.v.2), ITL Section II.1.5.b.	Describe the frequency and timing of searches conducted at this facility:	Searches were conducted throughout the day, 7 days a week. The entire staff was responsible for searching their respective work areas during work hours. During the seabird season, search patrols conducted two dedicated searches of the property daily. Search times varied but included within 1 hour before sunrise (6-7am) and 3-4 hours after sunset (9-11pm) per KSHCP requirements.	
			Sonesta Royal Kauai Resort's General Manager and Director of Security is responsible for overseeing the seabird protocols, bird searches and recovery, record keeping, and reporting. The entire staff was responsible for searching their respective work areas during work hours. There were approximately 350 employees during the 2022 seabird fledging season. Additionally, Sonesta's security staff of approximately 20 people are responsible for conducting daily dedicated searches. Six searchers (three searchers in the evening shift and three in the overnight shift) conduct dedicated searches for downed seabirds, honu, and predators during the seabird season.	
10	KSHCP Section 6.6.1.2.e.iii, ITP Section M.v.3 (N.v.3), ITL Section II.1.5.c.	Describe the personnel involved in search efforts at this facility:		
		<input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.		
11	KSHCP Section 6.6.1.2.e.iv, ITP Section M.v.4 (N.v.4), ITL Section II.1.5.d.	On the worksheet provided, complete the Summary Table of search efforts for all downed birds and honu nests found.		
12	KSHCP Section 6.6.1.1	Provide a copy each Downed Wildlife Incident Documentation and Reporting Form submitted for this facility.	Link: <input type="text"/>	
		<input type="checkbox"/> Check here if any reports are attached or linked.	Copies of the Downed Wildlife Incident Reports were submitted to the agency as required by KSHCP Sect	
			Self-monitoring (downed seabird search and recovery) efforts were conducted by Sonesta staff. Five downed seabirds were found on the covered property during the 2022 season (three covered species). Limited searcher efficiency trials in 2021 and 2022 indicated that Sonesta's recovery of decoys was less than the 50% efficiency estimated in their PIP. Sonesta implemented several changes to their search protocols / methods during the 2022 seabird fledging season in response to the results of the 2021 searcher efficiency trials (See addendum sheet item (4) for additional information). Sonesta will consult with the agencies and consider additional modifications to their downed seabird search and recovery protocols upon obtaining the 2022 efficiency trial report. Preliminary results indicated an improvement in the recovery rate of decoys between 2021 and 2022. There were no changed or unforeseen circumstances that triggered adaptive management changes to minimization measures per the KSHCP Sections 6.9, 6.11, and 6.12.	
13	KSHCP Section 6.6.1.2.e.v, ITP Section M.v.5 (N.v.5), ITL Section II.1.5.e.	Provide a discussion of the efficacy of the current self-monitoring protocols and adaptive management and whether adjustments need to be made. Describe any proposed adjustments		
		<input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.		
14	KSHCP Section 6.6.1.2.f, ITP Section M.vi (N.vi), ITL Section II.1.6.	Provide a summary discussion of the results and efficacy of on-site animal control efforts and adaptive management.	Sonesta Royal Kauai Resort hired a commercial pest control service that systematically monitored for predator presence throughout the year. As further detailed in the Addendum Sheet item (3), the pest control contractor deployed and checked three traps daily between December 16, 2021 and December 15, 2022 except for the seven day period between June 29 and July 5, 2022 for a total number of 1074 trap nights. There were no changed or unforeseen circumstances that triggered adaptive management changes to minimization measures per the KSHCP Sections 6.9, 6.11, and 6.12.	

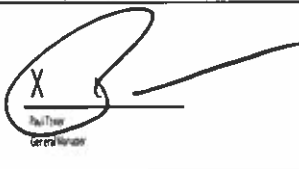
		<input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.	
15	KSHCP Section 6.6.1.2.g, ITP Section M.vii (N.vii), ITL Section II.I.7.	On the worksheets provided, provide a summary of worker training efforts and outreach efforts.	
16	KSHCP Section 6.6.1.2.h, ITP Section M.viii (N.viii), ITL Section II.I.8.	Describe any other relevant information that the wildlife agencies may require to verify compliance with the permit issued. <input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.	None.
17	ITP Section M.v.6 (N.v.6), ITP Section II.I.5.f.	Provide nighttime photos of covered properties or operations during non-seabird season and during seabird season. <input checked="" type="checkbox"/> Check here if photos are attached or linked.	Link: See Attachment A - Photo Log.
18	KSHCP 6.6.1.2	Provide photographs illustrating any proposed changes to lighting, facility predator control programs, outreach and training or downed bird recovery protocols. <input checked="" type="checkbox"/> Check here if photos are attached or linked.	Link: See Attachment A - Photo Log.
19	ITP Section M (N)/ITL Section II.I	If applicable, describe any circumstances that triggered adaptive management and how the adaptive management was implemented. <input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.	There were no changed or unforeseen circumstances that triggered adaptive management changes to minimization or mitigation measures per the KSHCP Section 6.9.
20	ITP Section M (N)/ITL Section II.I	If applicable, describe all occurrences of changed circumstances and how they were addressed. <input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.	There were no changed circumstances as defined KSHCP Section 6.11.
21	ITP Section M (N)/ITL Section II.I	If applicable, describe any unforeseen circumstances. <input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.	There were no unforeseen circumstances as defined KSHCP Sections 6.12.
22	ITP Section M (N)/ITL Section II.I	If applicable, describe progress made in achieving biological goals and objectives. <input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.	<p>The Sonesta Royal Kauai Resort has achieved the following biological objectives as described in KSHCP Section 5.2:</p> <p>1.A Avoid and minimize the impacts of the taking of Covered Seabirds due to light attraction by removing or turning off lighting, and altering light structure and function by the end of Year 1, as specified in Sonesta's PIP;</p> <p>1.B. 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;</p> <p>1.C Minimize mortality of Covered Seabirds downed due to light attraction by conducting annual Worker Seabird Awareness and Response Training, as specified in Sonesta's PIP;</p> <p>1.D. Minimize mortality of Covered Seabirds downed due to light attraction by implementing seabird awareness outreach to the public, guests, and customers, as specified in Sonesta's PIP;</p> <p>1.E. Avoid and minimize honu hatchling disorientation due to lighting at beachfront facilities by implementing best lighting practices as specified in PIPs, and protecting any nests at facilities via shielding as needed;</p> <p>1.F.Minimize mortality by implementing recovery and release of Covered Seabirds downed due to light attraction through the Save Our Shearwaters (SOS) program or other certified rehabilitation facility.</p>
23	ITP Section M (N)/ITL Section II.I	If applicable, identify any problems that occurred and how they were handled. <input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.	None.
24	ITP Section M (N)/ITL Section II.I	If applicable, provide a description of cost expenditures and other information related to funding assurances (e.g., summary of KSHCP financial status, including any KSHCP mitigation fees owed). <input type="checkbox"/> Check here if additional space is needed and continue on addendum sheet.	The Sonesta Royal Kauai Resort has deposited its required Year 3 financial commitments per KSHCP Section 6.1.2 and Section 7.

N/A

**Certification**

I certify that to the best of my knowledge, after appropriate inquiries of all relevant persons involved in the preparation of this report, the information is true, accurate, and complete.

N/A



Paul T. [unclear]  
General Manager

Insert electronic signature in space above.

**KSHCP Participant Annual Report - Addendum Sheet to Base Form(s)****Reporting  
Year:**

2022

**Participant Name:**

Sonesta Royal Kauai Resort

Use the spaces below to provide additional information pertaining to any item on the Base Form worksheet for which additional space is needed. For each entry, enter the corresponding Item Number and Relevant Requirement from the Base Form. Additional rows may be added to this form as needed.

**Form #****(Cover****Sheet or****Page #)****Item #****Relevant Requirement****Additional Information**

Cover

7

KSHCP Section 6.6.1.2d, ITP

Sheet

Section M.iv (N.iv), ITL

Section II.I.4.

In 2020 and 2021, alternative compliance plans were necessary for Sonesta's ability to comply with its ITP/ITL requirements due to COVID-19 travel restrictions. In 2022, Sonesta resumed normal operations and implemented minimization measures and outreach activities in accordance with its PIP. During the 2022 seabird fledging season, Sonesta made the following deviations from the avoidance and minimization measures detailed in its PIP:

(1) Sonesta's PIP Items 3, 6, 7 and 8 describes the resort's outdoor lighting, lighting minimization measures, and fledging season lighting protocol. The seasonal lighting minimization described in the PIP, including Table 1, was completed on September 1, 2022. Several other permanent lighting minimization measures were made prior to the start of the seabird season and as a result of the lighting assessment completed by the Resort Biologist and Sonesta Engineer on the evening of September 14, 2022. See Attachment B. 2022 Lighting Minimization and Audit Notes for a description and dates of the 2022 lighting changes.

(2) Sonesta's PIP Item 8 states: "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 (pg. 23)." The Resort Biologist, accompanied by a Sonesta Engineer and Sonesta manager in charge of KSHCP compliance, conducted a lighting assessment and provided recommendations to minimize impacts to honu and seabirds on the evening of September 14, 2022. The Resort Biologist debriefed the Sonesta management team, including the Director of Security (formerly head of loss prevention) on the results on the lighting assessment/audit on the morning of September 15, 2022, in person. As described in Attachment B. 2022 Lighting Minimization and Audit Notes, the Resort Biologist recommended that three security/landscaping lights located on coconut trees near the east side of the beach and two lights for the promenade fronting Dukes be turned off during the honu nesting and seabird fledging seasons. The Seabird Biologist also recommended that several lights near the Dukes parking lot and Ballroom rear access door be adjusted to face straight down. Sonesta turned off the five lights and adjusted the other lights downward on September 15, 2022 prior to 5pm. All other outdoor lights, including those visible from the beach, were assessed and are not anticipated to attract honu hatchlings or seabirds. The Resort Biologist was unable to periodically visit the resort during the 2022 seabird fledging season due to illness.

(3) Sonesta removed and controlled loose predatory animals at the facility prior to and during the seabird fledging season in accordance with its PIP Item 8 and draft Implementation Plan. The draft Implementation Plan was submitted to the agencies on May 26, 2021 and is pending approval. Similar to the seabird searches, the entire staff was responsible for searching their respective work areas for predators during work hours. During the seabird season, dedicated search patrols made two rounds of the property daily. Search personnel conduct searches on foot and in golf carts using flashlights and an infrared scope. Additionally, a commercial pest control contractor conducted daily predator searches and moved three traps around the property to best capture and remove predators from the site. The three traps were deployed daily between December 16, 2021 and December 15, 2022 except for the seven day period between June 29 and July 5, 2022 for a total number of 1074 trap nights. During the seabird season, Sonesta staff helped the predator control company improve trapping implementation by informing them of when and where predators were identified.

(4) Sonesta conducted seabird searches in accordance with its PIP Item 9 and as described in the base form of this annual report. Search personnel conduct searches on foot and in golf carts using flashlights and an infrared scope. Searchers look under and around objects and within vegetation for downed birds. Sonesta implemented the following changes to their search protocols / methods during the 2022 seabird fledging season in response to the results of the 2021 searcher efficiency trials: 1) removed ground cover and vegetation on the property (including vegetation around the buildings and areas where downed birds had previously been found), 2) assigned six personnel to dedicated search efforts daily, 3) attended Downed Seabird Response Training conducted by Dilek Sahin on October 11, 2022, 4) conducted internal training for the security staff (i.e. dedicated searches) based on Downed Seabird Response Training by Dilek Sahin, 4) integrated Dilek Sahin's training and recommendations into the search methods and protocols (including increased effort searching vegetated areas), 5) used infrared scope to expand the search areas (including the vegetated area under the guest rooms), 6) increased seabird signage within the covered property, 7) provided incentives for staff responsible for daily searches, and 8) emphasized during the seabird annual training and daily employee stand-up meetings the importance of seabird searches.

(5) The beach was searched in accordance with Sonesta's PIP Item 10: "Kalapaki Beach is approximately a quarter mile long and is located directly in front of the pool." and "Groundskeepers rake the beach twice a week" (pg. 29). The beach is owned by DLNR, and not the AOAO. The personnel responsible for raking and searching the beach undergo annual endangered species training. Additionally the dedicated searchers responsible for the early morning seabird searches also search the beach for evidence of honu nest and hatchlings. No honu hatchlings or nests were detected.

(6) Sonesta conducted Seabird Awareness and Response training in accordance with its PIP Item 11. Seabird Awareness and Response Training was completed prior to September 15 and within the first day of employment for new employees hired within the fallow season. The training PowerPoint was updated with additional pictures and content and is included as Attachment C to this annual report. The search personnel also attended a Downed Seabird Response Training conducted by Dilek Sahin on October 11, 2022. Dedicated Searcher/Field Training for Turtle Searches was also conducted with the assistance of DOFAW and Kauai Endangered Seabird Recovery Project's Project Manager.

Summary of Results of Self Monitoring of Take of Covered Seabirds and Monitoring of Honu Nests

Reporting Year: 2022

Participant Name: Sonesta Royal Kauai Resort

For each downed seabird or honu nest found, make an entry in the table below.

Complete these columns for each bird or honu nest found.				Complete these columns for each downed seabird found.				Complete these columns for any honu nest found.			
Date Found	Time Found	Property or Facility	Describe Exact Location Where Found	GPS Latitude (decimal degrees, N), if available	GPS Longitude (decimal degrees, W), if available	Species (NESH HAPE BNAP)	File Number or Bird Identification, if available	Disposition of Bird (Identify SOS Aid Station or other disposition bird was dead. Note whether bird was released by SOS, if known.)	Honu Nest Found? (Yes or No)	Describe Any Honu Nest Protection Efforts Implemented	Disposition of Nest (if known)
10.06.22	1848	Royal Sonesta Kauai	Between front desk and Aupaka's Terrace breezeway	21.9620 N	-159.3497 W	NESH		Sonesta Bird Station compartment #4 - Released by SOS	No	N/A	N/A
10.29.22	0042	Royal Sonesta Kauai	Right side of Niihau Court	1.9614 N	-159.3510 W	NESH		Sonesta Bird Station compartment #4 - Released by SOS			
11.02.22	1634	Royal Sonesta Kauai	Rooftop between Haupu Lobby and parking lot	21.9617 N	-159.3485 W	NESH		Sonesta Bird Station compartment #4 - Released by SOS			

Total Number of Downed Seabirds Found:

3

0

0

NESH  
HAPE  
BNAP

Total Number of Honu Nests Found:

0



### Summary of Training Efforts

<b>Reporting Year:</b>	2022	<b>Participant Name:</b>	Sonesta Royal Kauai Resort			
Date of Training	Training Topic	Property or Facility	Training Group	Number of Attendees	Method of Training Delivery (e.g., video, in person, educational materials)	Printed Materials or Other Media Provided
N/A	USFWS/DOFAW Honu Training	Sonesta Royal Kauai Resort	Various	N/A	N/A	N/A
September 6 - 14, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Various	38	Power Point Presentation	PPT (Attachment D)
September 2 - 12, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Various	21	Power Point Presentation	PPT (Attachment D)
September 1 - 13, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Various	41	Power Point Presentation	PPT (Attachment D)
September 7, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Accounting	8	Power Point Presentation	PPT (Attachment D)
September 12 and September 20, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Sales / Recreation	2	Power Point Presentation	PPT (Attachment D)
September 7 - October 13, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Engineering	27	Power Point Presentation	PPT (Attachment D)
September 7, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Various	11	Power Point Presentation	PPT (Attachment D)
September 8 - 15, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Guest Services	26	Power Point Presentation	PPT (Attachment D)
September 6 - 7, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	HR	3	Power Point Presentation	PPT (Attachment D)
September 7, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Laundry	21	Power Point Presentation	PPT (Attachment D)
September 14, 2022	Seabird Awareness and Response Training and Endangered and Threatened Sea Turtle Species Training	Sonesta Royal Kauai Resort	Grounds	13	Power Point Presentation	PPT (Attachment D)
October 11, 2022	Downed Seabird Response Training by Dilek Sahin	Sonesta Royal Kauai Resort	Engineering and Security (Dedicated Searchers)	8	Power Point Presentation	PPT
October 11 -20, 2022	Internal Trainings based on Downed Seabird Response Training by Dilek Sahin	Sonesta Royal Kauai Resort	Security (Dedicated Searchers)	12	N/A	N/A

### Summary of Outreach Efforts

Reporting Year:	2022	Participant Name:	Sonesta Royal Kauai Resort	
Date(s) of Outreach Effort	Description of Outreach Effort (including method of delivery)	Property or Facility	Outreach Target Audience	Printed Materials or Other Media Produced
September 15, - December 15, 2022	Display SOS informational posters in break rooms and common staff areas	Sonesta Royal Kauai Resort	Staff	SOS Informational Posters
September 15, - December 15, 2022	Put seabird awareness and predator control information in the daily hotel newsletter for all Employees.	Sonesta Royal Kauai Resort	Staff	N/A
September 15, - December 15, 2022	Staff attend annual Worker Seabird Awareness Training.	Sonesta Royal Kauai Resort	Staff	See Training Summary tab.
September 15, - December 15, 2022	Remind staff about seabirds during department stand up meeting (pre-shift meetings) to bring additional awareness.	Sonesta Royal Kauai Resort	Staff	N/A
September 15, - December 15, 2022	Discuss seabird awareness and predator control at managers daily stand up meetings.	Sonesta Royal Kauai Resort	Staff	N/A
September 15, - December 15, 2022	Invite a qualified biologist to speak at a managers meetings immediately prior to the seabird season.	Sonesta Royal Kauai Resort	Staff	N/A
September 15, - December 15, 2022	Display SOS informational posters in the lobby to promote guest awareness.	Sonesta Royal Kauai Resort	Guests	SOS Informational Posters
September 15, - December 15, 2022	Have an informational flyer put into each room as awareness to for our guest, asking them to keep curtains closed during the season.	Sonesta Royal Kauai Resort	Guests	Informational Flyer

# List of Attachments

Attachment A. Sonesta Royal Kauai Report Photo Log – 2022

Attachment B. Sonesta Royal Kauai Report Lighting Minimization and Audit Notes – 2022

Attachment C. Royal Sonesta Kauai Resort Seabird Awareness and Response Training  
PowerPoint – 2022

## Attachment A: Sonesta Royal Kauai Resort Photo Log - 2022

**Photos 1-10 depicting lighting at the Sonesta Royal Kauai Resort during the seabird season.**

**Photo 1.** Back Parking Lot



**Photo 2.** Duke's Parking Lot (Lights on house in the background (right) are not part of the Covered Property)



**Photo 3.** Access to the Promenade Walkway



**Photo 4.** Promenade Walkway Looking East



**Photo 5.** Dukes Beach Front and Grass Area

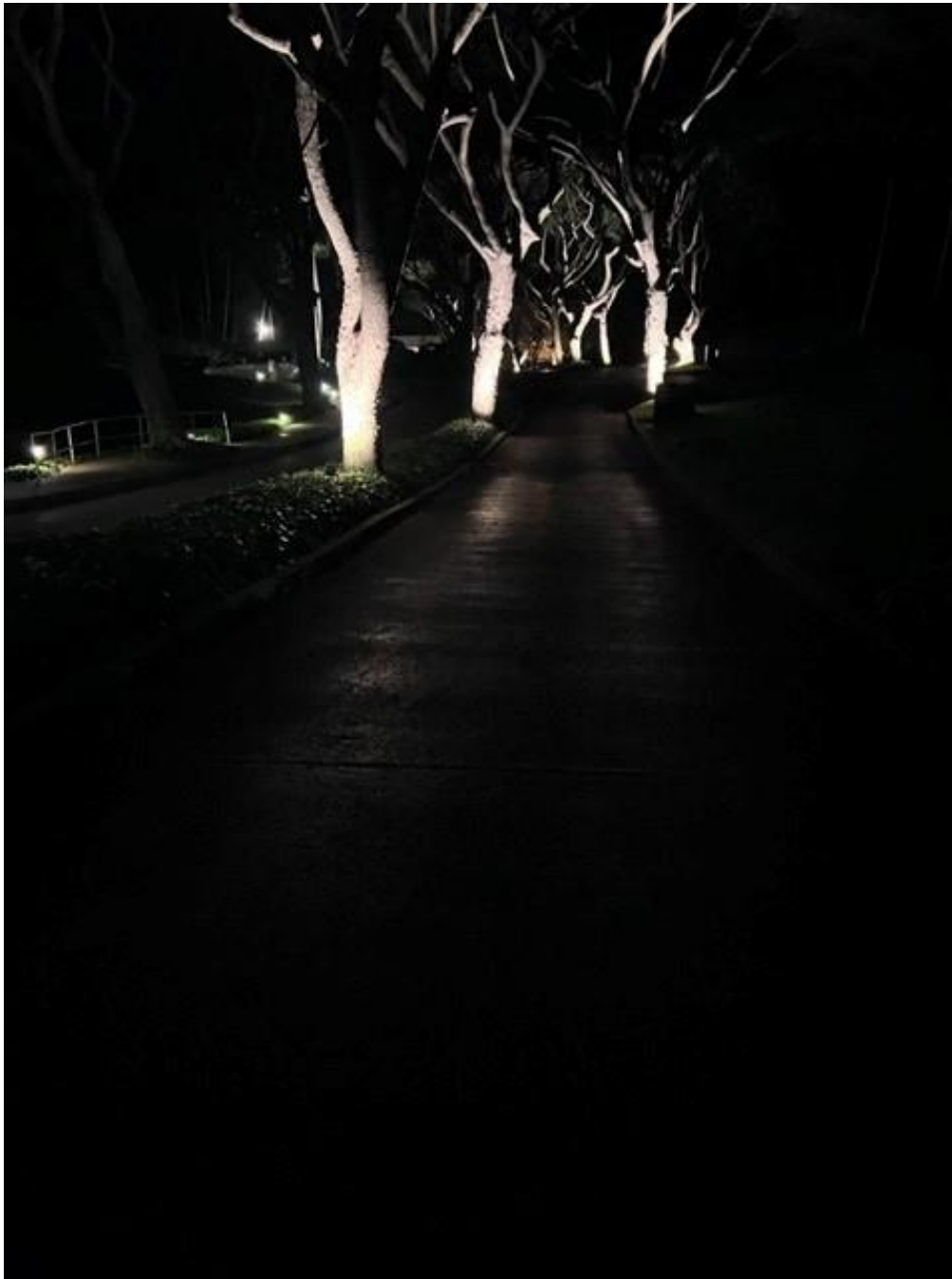




**Photo 6.** Huupu Back Parking Lot



**Photo 7.** Driveway to the Resort



**Photo 8.** Guest (Main) Parking Lot Looking South to North



**Photo 9.** Employee Parking Lot



**Photo 10.** Pool Deck



## Attachment B: Sonesta Royal Kauai Report Lighting Minimization and Audit Notes – 2022

Lighting Audit Conducted by: :

- Reginald David, Resort Biologist, [davidr003@hawaii.rr.com](mailto:davidr003@hawaii.rr.com)
- Ernest DeSilva, Sonesta Engineer, [ernest.desilva@sonesta.com](mailto:ernest.desilva@sonesta.com)
- Kaupena Kinimaka, Sonesta KSHCP Coordinator, [kaupena.kinimaka@sonesta.com](mailto:kaupena.kinimaka@sonesta.com)

### 1. Annual lighting accommodations

- a. 2022 SFS accommodations were completed on September 1, 2022.
- b. SFS accommodations were implemented as detailed in the Table 1 (in the far right column) of the Kauai Seabird Habitat Conservation Program, Participant Inclusion Plan.
- c. Seasonal accommodations include:
  - i. Redirecting floodlights without shields downward for a 100% cut off in the following areas:
    1. Guest and associate parking lots.
    2. Back of House service road and the Hotel security entrance.
    3. Dukes valet parking (shield also added).
    4. Haupu parking lot.
  - ii. Turn off all uplights on the Promenade, Pool deck, Kukuis Restaurant, Pali Kai landing and the Garden Court.
  - iii. Turn off the lights shining on the beach volleyball court fronting Dukes (2) and the beach cabanas near the Luau Grounds (2).
  - iv. Also turn off 3 of 7 main LED lights in the Haupu parking lots. A second layer of tint was added last year to the 4 LED's that remain on.

### 2. Pre-Lighting Audit Permanent Lighting Minimization Measures

- a. The following permanent lighting minimization measures were made by the Engineering Department prior to September 1, 2022.
- b. Landscape/Grounds/Accent, Pali Kai Landing/Luau Grounds area.
  - i. Remove
    1. 2 ea. Halogen, 6v, 120w, 850 lumens ea. Narrow spot for the statues
    2. 1 ea. LED, Par 38, 12w, 850 lumens 2700k. Flood for the Promenade
    3. 1 ea. Fluorescent, 2 PL13, 825 lumens ea. Flood for the Haupu parking to Promenade walkway
  - ii. Replace with
    1. 1 ea. LED, 28w, 3000 lumens, 2700k. Flood for the Pali kai stairs, walkway between the Haupu lot and the Promenade
  - iii. Add 2 ea. LED (Solar), 65w, 6000 lumens, 6500k. For the beach fronting the Luau grounds cabanas. Both fixtures are off for SFS.
- c. Landscape/Grounds/Accent, Dukes Restaurant area
  - i. Remove 2 ea. Mercury Vapor, 175W, 7800 lumens, 4000k. For the Promenade fronting Dukes.
  - ii. Add 2 ea. LED (Solar), 65w, 6000 lumens, 6500k. For the Promenade fronting Dukes.
- d. Landscape/Grounds/Accent, Pali Kai Cottages sidewalk.

- i. Remove 2 ea. LED, 11w, 800 lumens, 2700k. For sidewalks.
    - ii. Add 2 ea. LED (Solar), 65w, 6000 lumens, 6500k. Operating on motion sensor. No motion lighting level is 30% of maximum, 1800 lumens. Motion 100% = 6000 lumens.
  - e. Landscape/Grounds/Accent, Haupū Tower garden and walkway.
    - i. Remove 6 ea. LED, 2w, 80 lumens, 2700k.
    - ii. Add 44 ea. LED (Solar), 1w, 80 lumens, 2700k. For Haupū tower patio step down to the grass.
  - f. Landscape/Grounds/Accents, Laundry Service road.
    - i. Remove
      - 1. 1 ea. Halogen, 500w, 4000 lumens, 3000k
      - 2. 3 ea. LED, par 38, 12w, 850 lumens ea., 2700k.
    - ii. Add 1 ea. LED (Solar), 65w, 6000 lumens, 6500k. No motion lighting level is 30% of maximum, 1800 lumens. Motion 100% = 6000 lumens.
  - g. Landscape/Grounds/Accent, Back of House service road to Security.
    - i. Add 1 ea. LED (Solar), 65w, 6000 lumens, 6500K. For the road near the paint shop/ smoking area.
3. Post-Lighting Audit Lighting Minimization Measures
- a. Lighting Audit for both seabird and honu lighting minimization was conducted on the evening of September 14, 2022.
  - b. Resort Biologist was accompanied by the Ernie DeSilva, Sonesta Engineer and Kaupena Kinimaka, Sonesta KSHCP Coordinator
  - c. The following recommendations to the resort lighting were made by the Resort Biologist
    - i. Landscape/Grounds/Accent, Dukes Restaurant area – Two lights for the promenade fronting dukes are off for honu hatching and SFS. Alternatives being considered
    - ii. Landscape/Grounds/Accent, East side of Beach - Three lights on coconut trees on the east side of beach - turn off during honu hatching and SFS; will be working the Reg to determine alternative lights for safety reasons
    - iii. Landscape/Grounds/Accent, Pali Kai Cottages sidewalk – 1 light off for SFS
    - iv. Half a dozen lights throughout the property were tipped downward.
  - d. These recommends above were implemented by the Engineering Department on September 15, 2022 prior to 5pm.
  - e. Resort Biologist debriefed the Sonesta management team, including the Director of Security on the results on the lighting assessment/audit on the morning of September 15, 2022, in person.







# **Royal Sonesta Kauai Resort Seabird Awareness and Response Training - 2022**



# Purpose of Training

- Native seabird species including endangered species may “fallout” on the Resort property on a seasonal basis
- Royal Sonesta Kauai Resort is committed to the protection of these species
- Royal Sonesta Kauai Resort has specific endangered bird protocols in place that all Sonesta, Marriott Vacation Club Worldwide, and 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
- Royal Sonesta Kauai Resort Program Coordinator
  1. Seabird Hotline 5196 – any house phone
  2. SOS: 800.635.5117 (Security to call for Bird pickup)
  3. Daniel Esaki: (808) 246-5190
  4. Reggie David: Cell: (808) 937-0124, email: davidr003@hawaii.rr.com



# ● Endangered and Threatened Seabird Species

**Hawaiian Petrel**



**Newell**



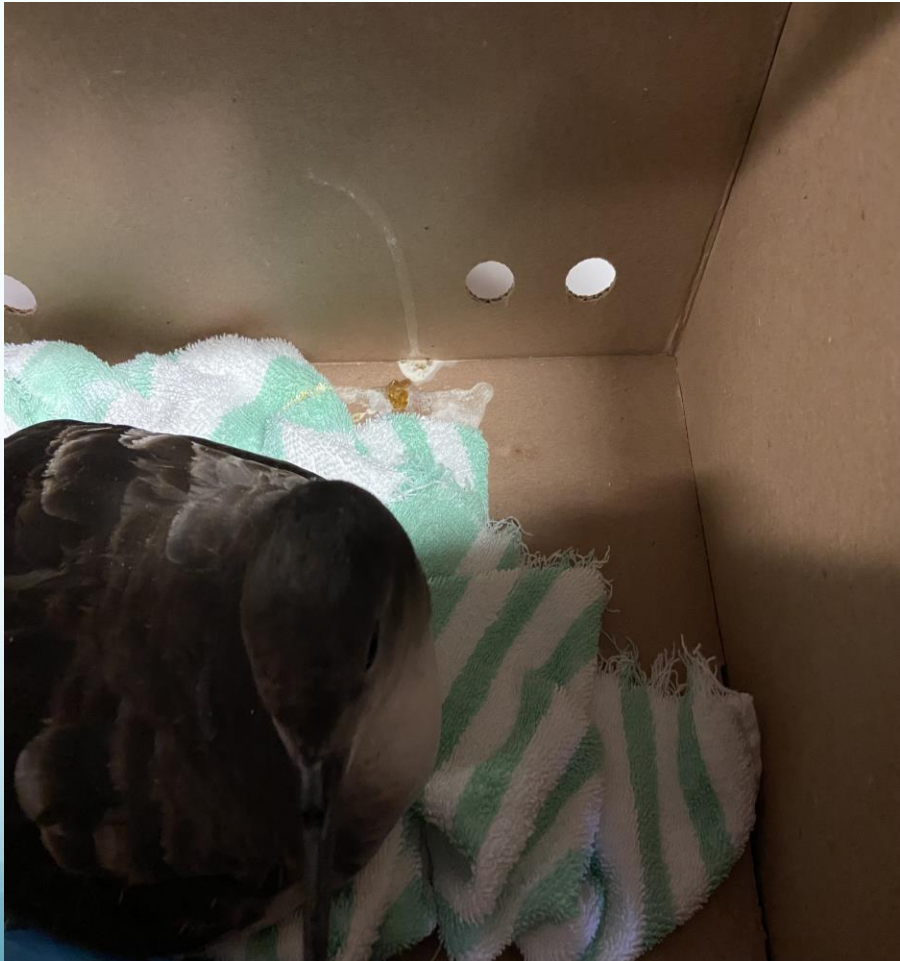
**Band Rumped Storm Petrel**



**Wedge Tailed**



# Recent Seabirds captured on property





# 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 Sonesta Security in-house number **5196**
- Stay with the bird until a 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**

## Endangered and Threatened Sea Turtle Species



# Sea Turtle Awareness

- The Honu(Sea turtle) nesting is typically May 15 through December 15 each year. This is not the same as the seabird fledgling season, which is September 15 through December 15. This year the first detected Honu nesting occurred in early May 2022.
- Therefore, your Honu nest monitoring must begin no later than May 15, with notification and protection of any discovered nests, and preparation for minimizing lighting at your resort in advance of when the hatchlings are anticipated to emerge.
- Honu hatchling may get disoriented by the lights and wonder off from the beach and onto Sonesta property
- The hatchling turtles are only handled by staff or volunteers that have been permitted to handle endangered species.

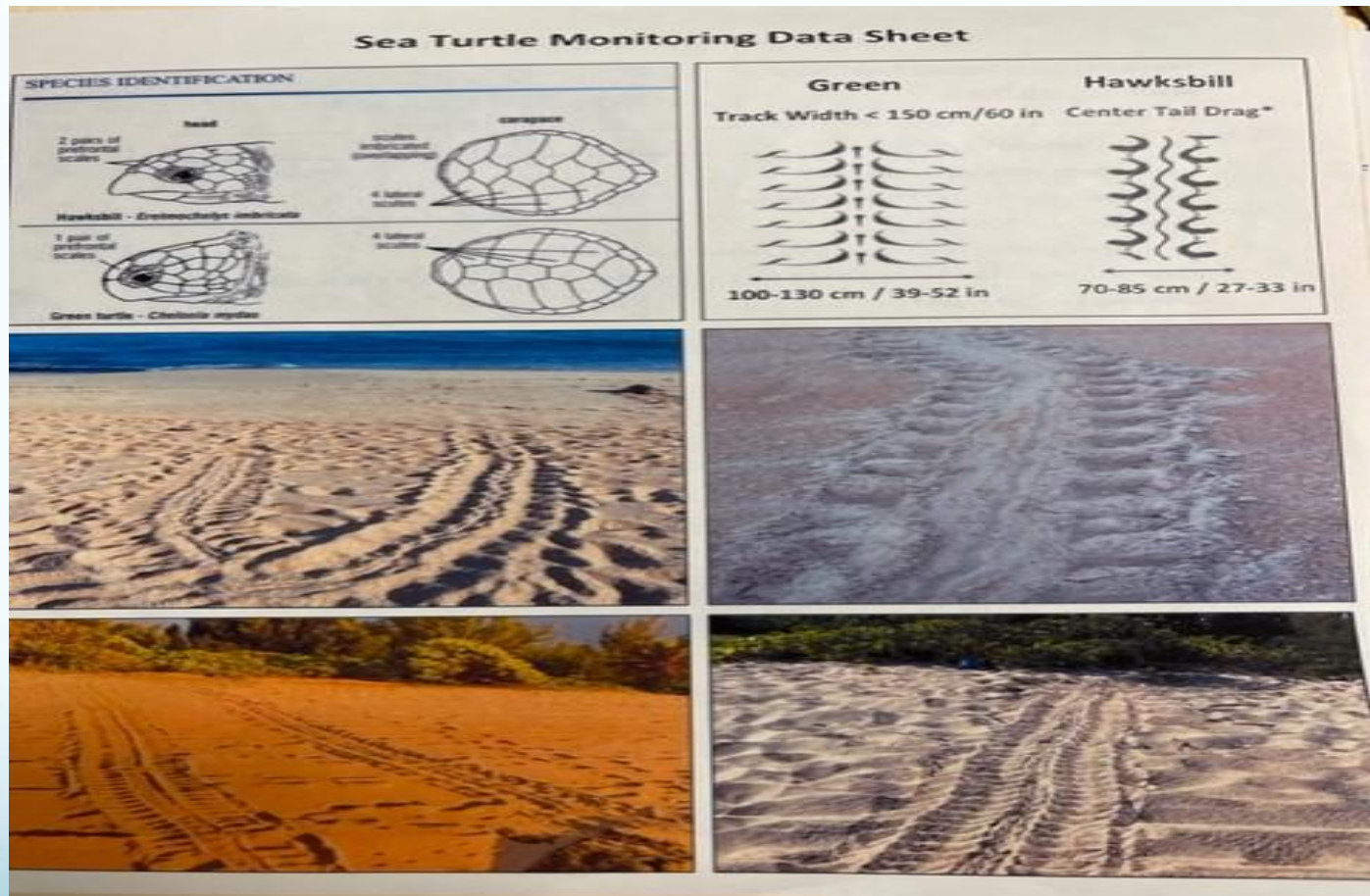
**REPORT ANY BEACHED TURTLE SIGHTING OR NESTING IMMEDIATELY  
TO SECURITY AT EXTENSION 5196**

# Sea Turtle Awareness

- There are 2 protected species of sea turtles on Kauai Beaches
  - Pacific green sea turtle – threatened
  - Pacific hawksbill sea turtle - endangered
- Both species have nested on the Island
- We have had one confirmed Green sea turtle nested on Kalapaki Beach
- Do not attempt to touch/handle any turtles.
- All associates who work near the beach must be diligent in looking for and reporting any turtles or nesting.
- Report all Turtle or nesting sightings immediately to Security at extension 5196.



# SEA TURTLE MONITORING INFORMATION



# Security Notification List.

- To report all honu activity, please immediately call to the Kaua‘i Hotline, staffed by DLNR and NOAA 24/7: 808-651-7668. Also send an email with the pertinent information to:
  - Jamie Thomton, NOAA: [jamie.thomton@noaa.gov](mailto:jamie.thomton@noaa.gov)
  - Mimi Olry, DLNR: [mimi.olry@hawaii.gov](mailto:mimi.olry@hawaii.gov)
  - Heather Ylitalo-Ward, DLNR: [heather.a.ylitalo-ward@hawaii.gov](mailto:heather.a.ylitalo-ward@hawaii.gov)
- Once the response staff have been notified via hotline and email, send a detailed report to the following:
  - DOFAW downed wildlife email: [dofaw.hcp@hawaii.gov](mailto:dofaw.hcp@hawaii.gov)
  - Kate Cullison, DOFAW: [Katherine.cullison@hawaii.gov](mailto:Katherine.cullison@hawaii.gov)
  - Jiny Kim, Service: [Jiny\\_kim@fws.gov](mailto:Jiny_kim@fws.gov)
  - Lindsay Young, Prime Contractor: [lindsay@pacificrimconservation.org](mailto:lindsay@pacificrimconservation.org)

## *Mahalo*

*The Royal Sonesta Kauai Resort thanks you for your attention to and your assistance with this program*

*The Royal Sonesta Resort takes pride in our continued efforts to protect the natural resources on the Island of Kaua'i*

*Protection of these native birds and turtles are 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 contact Daniel Esaki at [Daniel.Esaki@sonesta.com](mailto:Daniel.Esaki@sonesta.com)*