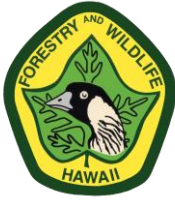
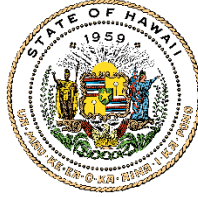


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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

March 20, 2025

Endangered Species Recovery Committee  
State of Hawai'i  
Honolulu, Hawai'i

**SUBJECT:** Division of Forestry and Wildlife Evaluation of the Association of Apartment Owners of Kalapaki Beach Club and the Royal Sonesta Kaua'i Resort (formerly Essex House Condominium Corporation dba Kaua'i Marriott Resort Līhu'e), Implementation of the Kaua'i Seabird Habitat Conservation Plan During 2024

Dear Committee Members,

The State of Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) is respectfully requesting the Endangered Species Recovery Committee (ESRC) review the 2024 Kaua'i Seabird Habitat Conservation Plan (KSHCP) Annual Report prepared by Pacific Rim Conservation, with regards to the Association of Apartment Owners of Kalapaki Beach Club and the Royal Sonesta Kaua'i Resort (formerly Essex House Condominium Corporation dba Kaua'i Marriott Resort Līhu'e), an individual participant and licensee of the KSHCP. This request is per the requirements outlined in Section 195D-25, Hawai'i Revised Statutes. The 2024 KSHCP Annual Report compiles information from eight individual licensees as part of the obligations of the KSHCP and State Incidental Take License (ITL; ITL-24). This submittal summarizes the Sonesta portion of the 2024 KSHCP Annual Report and includes information provided to DOFAW by the licensee over the last year.

**BACKGROUND:**

ITL Licensee: Currently pending ITL transfer to the Association of Apartment Owners of Kalapaki Beach Club.

Project: Resort fronting Kalapaki Beach on 41 acres in Nawiliwili, Kaua'i.

ITL Duration: June 12, 2020 – June 12, 2050. After 2024, the licensee is approximately 4.5 years (15%) through their permit term.

Status of ITL: During 2024, direct, incidental, non-lethal take of one juvenile ‘a’o (Newell’s Shearwater) occurred.

General Updates: Sonesta’s Security Manager and facility contact for KSHCP took an extended leave of absence in September 2024. Following his departure, Director of Security Clinton Makaanani assumed responsibility for managing seabird protocols, nightly seabird searches, and downed seabird reporting. The Sonesta Resort Manager, Hannah Taito, was responsible for keeping staff training records.

**Take Review:**

Table 1. Maximum 5-year rolling average vs. actual 5-year rolling average of lethal and non-lethal take for each species, and the lethal and non-lethal, authorized take vs. cumulative calculated take for each species since ITL issuance through 2024, as provided in the 2024 KSHCP Annual Report.

Common Name	Maximum 5-Year Rolling Average Lethal / Non-Lethal	Actual 5-year Rolling Average Lethal / Non-Lethal	Authorized Take of Fledglings, Lethal	Cumulative Calculated Take of Fledglings, Lethal	Authorized Take of Fledglings, Non-lethal	Cumulative Calculated Take of Fledglings, Non-lethal
‘A’o (Newell’s shearwater)	1.1 / 0.7	2.24 / 1.76	33	11.20	21	8.80
‘Ua’u (Hawaiian petrel)	N/A	N/A	1	0	1	0
‘Akē’akē (Band-rumped storm petrel)	N/A	N/A	1	0	1	0

Participant Inclusion Plan (PIP) Discovery rate: 50%

The licensee’s 5-year rolling average for both lethal and non-lethal take of ‘a’o (Newell’s shearwater) indicates that if take continues at the current rate, Royal Sonesta will exceed the permitted take during the 30-year license term. Adaptive Management is needed to increase minimization and reduce annual take to avoid exceeding the 30-year take request.

### **Downed Seabird Searches:**

Sonesta contracts seabird biologist Dr. Adrian Gall of ABR, Inc. to assist the resort in complying with the KSHCP and ITL. In September 2024, Dr. Gall conducted on-site training with six security team members responsible for seabird searches. These six searchers were trained in searching and recovering downed birds and recording predator observations. Sonesta intends to continue annual, on-site training with Dr. Gall.

The Kaua'i Endangered Seabird Recovery Project (KESRP) conducted Searcher Efficiency Trials (SET) for Sonesta during the fledgling seasons in 2022, 2023, and 2024. Discovery rates were 17% in 2022 and 40% in 2023. DOFAW is currently analyzing the results of the 2024 trial.

In June 2024, Sonesta ordered seabird decoys. Decoys were not deployed during the 2024 fledgling season due to undergoing the KESRP searcher efficiency trial. However, Sonesta plans to utilize the decoys for a seabird searcher training and assessment program during the 2025 fledgling season.

Sonesta is also considering increasing staff availability to search for downed seabirds.

### **Honu Searches:**

Honu searches were conducted every morning before sunrise, beginning May 15, 2024. The searches consisted of walking the length of the Kalapaki Beach lawn and looking for turtles, turtle tracks, or other indications of turtle nesting.

As mentioned in prior year's reports, following the unpermitted take of 26 honu hatchlings on August 16, 2021, Sonesta modified their beachfront lighting with guidance from U.S. Fish and Wildlife and DOFAW. As Sonesta does not anticipate any further take of honu, they do not intend to seek a major amendment to request authorized take of honu.

### **Lighting:**

In June 2024, Dr. Dilek Sahin of KESRP accompanied Dr. Gall and lighting engineers on a lighting review of the property. Following this visit, Sonesta made changes to reduce lighting, including turning off spotlights on the eastern side of the property to reduce light reflection on the building wall and adding window shades to cover the lit elevator landing areas of the Ha'upu Tower. Additional lighting minimization completed in 2024 was listed in a letter to DOFAW dated March 11, 2025.

As noted above, Sonesta plans to continue to conduct annual lighting reviews.

### **Predator Control:**

Security staff conduct systematic predator monitoring nightly as they do their rounds. Predator sightings are shared with trapping contractors within 24 hours of being recorded.

In June and August 2024, the predator monitoring protocol was reviewed to ensure the necessary data was being collected.

Sonesta contracts a pest control service to trap predators on the property. Trapping occurred almost daily between January 3 and December 11, 2024. At the time of this report, DOFAW is pending receipt of 2024 predator monitoring and trapping data.

### **Staff Training and Guest Outreach:**

Dr. Gall provided an annual seabird search and response training to 244 staff members before the 2024 fledgling season. As noted above, Dr. Gall also trained an additional six security team members to recover and transfer downed seabirds.

Sonesta staff place info cards in every guest room describing the property's seabird protection and recovery efforts.

### **2023 ESRC recommendations resulting in licensee actions in 2024:**

1. Increase predator control actions and provide predator monitoring data to the ESRC.

*In 2024, Sonesta's predator control contractor conducted year-round trapping. DOFAW is pending receipt of 2024 predator monitoring data.*

2. Consider ways to increase searcher efficiency and additional minimization measures, including canine searching to reduce the proportion of lethal take.

*Following a lighting audit, the property minimized lighting before the 2024 fledgling season.*

*Dr. Gall trained six security team members to search and recover downed seabirds.*

*Sonesta plans to utilize seabird decoys to implement a seabird searcher training and assessment program during the 2025 fledgling season.*

### **2023 ESRC recommendations not addressed in 2024:**

1. Consider ways to increase searcher efficiency and additional minimization measures, including canine searching to reduce the proportion of lethal take

*Sonesta feels canine searches are not feasible for their property. Reasons cited include guest experience, cost, and the undetermined effectiveness of canine searches in urban areas.*

2. The ESRC and the Resource Agencies recommend that Sonesta consider a guest reward or incentive program for finding downed birds.

*Sonesta reports that the possibility of a reward or incentive program will be discussed internally.*

**DOFAW ISSUES & CONCERNS:**

The current rate of 'a'o take exceeds the 5-year rolling average, indicating Sonesta will exceed their permitted take before the 30-year license term.

**DOFAW RECOMMENDATIONS:**

DOFAW appreciates the new measures implemented before the 2024 fledgling season, including further reducing property lighting and providing search and recovery training to six security officers performing seabird searches. DOFAW also supports the planned use of decoy seabirds to practice and improve seabird searcher efficiency.

DOFAW recommends Sonesta continue to work with both the U.S. Fish and Wildlife Service and DOFAW to identify and implement additional Adaptive Management measures, including further reducing lighting, increasing searcher efficiency, and increasing guest outreach and education to lower the current rate of 'a'o take.

If you have any questions, please contact Kelli Yamaguchi, Habitat Conservation Planning Program Associate, at [kelli.yamaguchi.researcher@hawaii.gov](mailto:kelli.yamaguchi.researcher@hawaii.gov).

Respectfully submitted,



DAVID G. SMITH  
Administrator