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2 May 2024

State of Hawaii
Board of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

SUBJECT: Testimony in Support of Janell Jensen, Ohana Kayak Rentals (Agenda Item *J.-1.*, BLNR 26 April 2024 Meeting)

Aloha,

First and foremost, I would like to thank you for taking the time to consider my late testimony. I am making this statement as a private citizen and resident of the state of Hawaii, on behalf of Ms. Janell Jensen doing business as “Ohana Kayak Rentals.” Ms. Jensen was recently the subject of agenda item *J.-1.*, during the Board of Land and Natural Resources 26 April 2024 meeting. To my understanding, Ms. Jensen was found to be in violation of *Hawaii Revised Statute 200-39 – Kaneohe Bay Commercial Ocean Use Activities; Permits; Restrictions*, and that the board had unanimously voted in favor of imposing a \$35,000 fine against Ms. Jensen.

My intent in submitting this testimony to the board is to request reconsideration to the extent of the fines being imposed against Ms. Jensen. I find that the \$35,000 fine is disproportionate to the effect of Ms. Jensen’s violations. It would be reasonable if she had damaged personal property or had placed the safety of the public at risk. However, in comparison, not even individuals that are convicted of a second DUI offense receive such an exorbitant amount of a fine. I beg the board to reconsider the amount of fines that are being imposed to be commensurate with the violations found.

Furthermore, as a former client of one of Ms. Jensen’s past business practices and personal acquaintance, I would like to personally testify that my observations of her character would not suggest someone with outright disregard of the law or public safety.

Lastly, I would like to acknowledge the level of difficulty that the BLNR undertakes in its duties to enhance, protect, conserve, and manage Hawaii’s unique and limited natural, cultural, and historic resources. I would also like to thank you again for taking the time to consider my late testimony in opposition to the Board of Land and Natural Resource’s decision regarding Ms. Janell Jensen d.b.a. Ohana Kayak Rentals (Subject of agenda item *J.-1.*, BLNR 26 April 2024 meeting).

Sincerely,
Brian Aguigui