

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawaii 96813

February 27, 2026

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

**Subject:** Enforcement Action against Trident Adventures LLC for Conducting Unpermitted Commercial Activities in the Sharks Cove, Three Tables and Waimea Bay ocean waters of the North Shore Oahu Ocean Recreation Management Area (“ORMA”) and Pūpūkea Marine Life Conservation District, island of Oahu, on June 9 and June 19, 2025.

**Summary:** This submittal requests the Board of Land and Natural Resources find that Trident Adventures LLC violated Hawaii Administrative Rules § 13-256-63 by conducting unpermitted helicopter jumps into the Sharks Cove, Three Tables and Waimea Bay ocean waters of the North Shore Oahu Ocean Recreation Management Area (“ORMA”) and the Pūpūkea Marine Life Conservation District, island of Oahu, on June 9 and June 19, 2025, and the subsequent dive or snorkel tours. The Division of Aquatic Resources and the Division of Boating and Ocean Recreation recommends that the Board approve the proposed administrative penalty of **\$10,000**.

**Date of Incident:** June 9 and June 19, 2025

**Against:** Trident Adventures LLC  
3 Aloha Tower Dr. Unit 1123  
Honolulu, Hawaii 96813  
United States

**Location of Incident:** Within the Sharks Cove, Three Tables and Waimea Bay ocean waters of the North Shore Oahu Ocean Recreation Management Area (“ORMA”) and the Pūpūkea Marine Life Conservation District, island of O’ahu.

## I. INTRODUCTION

On June 9, 2025, a Department of Land and Natural Resources (“DLNR”) Division of Conservation and Resources Enforcement (“DOCARE”) officer on routine patrol observed a helicopter hovering above the Pūpūkea Marine Life Conservation District (“MLCD”), Shark’s Cove section. This helicopter was confirmed to be a part of Trident Adventures LLC (“TRIDENT”), a Hawaii-based company that advertises various adventure activities ranging from SCUBA<sup>1</sup> diving to Navy SEAL training. These activities are advertised to the public, who can participate for a fee. The DOCARE officer observed the TRIDENT helicopter hovering approximately ten feet above the ocean as four individuals jumped from the helicopter into the Pūpūkea MLCD.

On June 19, 2025, members of Mālama Pūpūkea-Waimea, a community group based in the area, observed a similar incident. A helicopter, operated by TRIDENT, was observed hovering at a low altitude above the Pūpūkea MLCD, and multiple individuals jumped from the helicopter into the waters below.

A Commercial Use Permit is required for any person or company to conduct commercial activities on navigable waters of the State of Hawai‘i. Although TRIDENT does possess a Commercial Use Permit, this permit restricts TRIDENT’s activities to the south and west facing shores of O‘ahu in a vessel (boat) named *Trident 1*. TRIDENT does not possess a Commercial Use Permit for commercial activities on the North Shore of O‘ahu or to utilize helicopters for such activities.

## II. FACTUAL BACKGROUND

### A. Pūpūkea Marine Life Conservation District and the Sharks Cove, Three Tables and Waimea Bay ocean waters of the North Shore Oahu Ocean Recreation Management Area (“ORMA”), O‘ahu

The Pūpūkea MLCD is located on the northern shore of O‘ahu. Comprising of approximately 100 acres, the Pūpūkea MLCD consists of three districts – Waimea Bay, Kalua o Māua (“Three Tables”) and Pūpūkea/Kapo‘o (“Sharks Cove”). The MLCD’s boundary is marked by Kulalua Point at the northern end of Pūpūkea Beach Park and the most seaward exposed rocks of the Wānanapaoa islands on the south side of Waimea Bay. This area is recognized as an important site for its cultural, historical, and environmental value, and it was designated as an MLCD in 1983. Within the Pūpūkea MLCD, and within the Sharks Cove section in particular, it is unlawful to take geological material or take/injure any marine life.<sup>2</sup>

In addition to being a designated MLCD, DLNR’s Division of Boating and Ocean Recreation (“DOBOR”) has designated the “Sharks Cove, Three Tables, and Waimea Bay ocean waters”

<sup>1</sup> SCUBA - Self-Contained Underwater Breathing Apparatus

<sup>2</sup> See Haw. Admin. R. § 13-34

as a part of the North Shore Oahu Ocean Recreation Management Area (“ORMA”).<sup>3</sup> ORMAs are designated nearshore areas, delineated into zones, intended to regulate and organize ocean uses – such as commercial, recreational, and motorized activities – to reduce user conflicts and enhance safety. The area in which the TRIDENT helicopter jumps occurred is in “Zone C” of the “Sharks Cove, Three Tables and Waimea Bay ocean waters”<sup>4</sup> of the North Shore Oahu ORMA. To conduct commercial SCUBA or snorkeling activities within Zone C of this area, an individual or company must obtain a Commercial Use Permit from DOBOR for those activities.<sup>5</sup>

### **B. The Responsible Parties**

TRIDENT is a limited liability company registered for business in Hawaii.<sup>6</sup> Its principal-agent is listed as Stephen Kaplan. The business’s stated purpose is “Tourism, SCUBA, Snorkel, and Adventure Tours.” One such “adventure tour” on O’ahu involves taking a helicopter to nearshore ocean waters and jumping from the hovering helicopter into the ocean. After landing in the water, guests then proceed to conduct a snorkel or SCUBA tour of the area.

TRIDENT currently holds Commercial Use Permit No. 20-340516 for the vessel *Trident 1* to conduct SCUBA, snorkel, private charters, and sunset sails on ocean waters from Mamala Bay to Ko’olina ocean waters (TRIDENT’S CUP). TRIDENT’S CUP does not allow for the use of helicopters to facilitate SCUBA or snorkel tours in ocean waters. TRIDENT’S CUP does not allow for their commercial activities to be in ocean waters on the North Shore of Oahu. TRIDENT’S CUP expires on February 28, 2026.<sup>7</sup>

### **C. The June 9, 2025, Incident**

On June 9, 2025, at approximately 8:37AM, a DOCARE officer who was on a routine patrol in North Shore District 2 observed a helicopter hovering above the Pūpūkea MLCD, Shark’s Cove section. This helicopter was confirmed to be owned by TRIDENT, evidenced by the name “TRIDENT” written on the side of the helicopter and an identification number on the tail reading “N527X.”<sup>8</sup> At approximately 8:42AM, the DOCARE officer observed an individual jump from the helicopter into the Pūpūkea MLCD. After the jump, the TRIDENT helicopter then ascended for a short period, and at approximately 8:44AM the helicopter descended to approximately ten feet above the ocean and three additional individuals jumped out of the helicopter. After these three individuals jumped into the Pūpūkea MLCD, the helicopter turned south and flew out of sight of the officer.

In the subsequent follow-up investigation, the DOCARE officer contacted DOBOR to inquire as to whether TRIDENT had the required Commercial Use Permit to conduct

<sup>3</sup> See Haw. Admin. R. § 13-256-63

<sup>4</sup> See Haw. Admin. R. § 13-256-63(a)(3)

<sup>5</sup> See Haw. Admin. R. § 13-256-63(e)

<sup>6</sup> See <https://hbe.ehawaii.gov/documents/business.html?fileNumber=198220C5>

<sup>7</sup> See **Exhibit A** - Commercial Use Permit – Trident Adventures LLC

<sup>8</sup> See **Exhibit B** - DOCARE Incident Report – OA-25-00518, at 3.

commercial activities in the Pūpūkea MLCD.<sup>9</sup> The DOCARE officer stated in his report that DOBOR informed him that TRIDENT did have a Commercial Use Permit, but upon further investigation, it was revealed that TRIDENT's Commercial Use Permit is geographically limited in scope and only permitted TRIDENT to operate commercially on the south and west facing shores of O'ahu in a vessel named *Trident 1*.

#### **D. The June 19, 2025, Incident**

On June 19, 2025, members of Mālama Pūpūkea-Waimea, a community group based in the area, observed a similar incident. A helicopter, operated by TRIDENT, was observed hovering at a low altitude above the Pūpūkea MLCD, and multiple individuals jumped from the helicopter into the waters below. Members of Mālama Pūpūkea-Waimea reported that the helicopter's presence created strong turbulence in the waters below, and this turbulence visibly affected numerous SCUBA divers and snorkelers in the immediate vicinity. Members also stated that a pod of spinner dolphins was in the area and the helicopter appeared to be hovering directly above the pod.<sup>10</sup>

Mālama Pūpūkea-Waimea members documented this incident with photographs and reported the incident to an on-site Honolulu Police Department officer, a City and County of Honolulu lifeguard, and to the DOCARE reporting hotline. The on-site lifeguard stated that he had seen the same TRIDENT helicopter engaged in similar activities on prior occasions.<sup>11</sup>

### **III. LEGAL AUTHORITY FOR ENFORCEMENT**

#### **A. Statutory and Regulatory requirements of Commercial Use Permits**

The DLNR is authorized to adopt rules governing the use of recreational and commercial vessels, as well as recreational and commercial activities, in State navigable waters and ocean waters.<sup>12</sup> See Hawaii Revised Statutes ("HRS") § 200-4. HRS Chapter 200 and Hawai'i Administrative Rules ("HAR") Title 13, Chapter 256 govern commercial uses within ORMAs.

Under Hawaii Administrative Rules ("HAR") § 13-256-3 all users must have a Commercial Use Permit to use the ocean waters for commercial gain.<sup>13</sup> These permits are geographically restricted to certain areas of state ocean waters.

<sup>9</sup> Id.

<sup>10</sup> See **Exhibit C** - Mālama Pūpūkea-Waimea Incident Report, June 27, 2025

<sup>11</sup> Id. at 2.

<sup>12</sup> Haw. Rev. Stat. § 200-4(5). "(a) The Chairperson may adopt rules necessary:...(5) To regulate and control recreational and commercial use of small boat harbors, launching ramps, and other boating facilities owned or controlled by the State *and the ocean waters and navigable streams of the State...*" (emphasis added).

<sup>13</sup> Haw. Admin. R. § 13-256-3

A Commercial Use Permit or a Commercial Activity Permit<sup>14</sup> is required to conduct commercial SCUBA or commercial snorkeling activities in “Zone C” of the Sharks Cove, Three Tables and Waimea Bay ORMA.<sup>15</sup> HAR § 13-256-63.

### **B. Penalties for Violation of HRS Chapter 200 and HAR Title 13, Chapter 256**

Any violation of the North Shore Oahu ORMA rules within Sharks Cove, Three Tables, and Waimea Bay ocean waters is subject to the fines as prescribed in HRS §§ 200-14 (criminal penalties) and 200-14.5 (administrative penalties). HAR § 13-256-63(o). The Board is authorized to impose administrative penalties.

HRS § 200-14.5(c) authorizes an administrative fine of up to \$5,000 for a first violation of the HAR.<sup>16</sup> If a second violation occurs within five years, then a fine of up to \$10,000 may be administered. For a third violation that occurs within five years of the previous violation, a fine of up to \$15,000 may be assigned. Each day or instance of a violation will be viewed as a separate offense.<sup>17</sup>

In addition to any administrative fine assessed, the Board may deprive the violator of the privilege of registering or titling any vessel for use on waters of the State or from mooring any vessel in any State small boat harbor, boating facility, or waters of the State, for a period of up to 24 months (or 2 years).<sup>18</sup>

The Board has broad discretion in assessing administrative. Some of the factors that the Board may take into consideration include the value of the resource damaged, costs for the State to investigate and process the violation, level of damages to the public for whom the State holds a public trust of the resource involved, extent of the respondent’s cooperation, and voluntary actions taken by the respondent to mitigate or avoid damages.<sup>19</sup>

### **IV. APPLICATION OF LAW AND RECOMMENDED FINE**

DLNR-DAR alleges that TRIDENT conducted unauthorized commercial activity in Zone C of the Sharks Cove, Three Tables and Waimea Bay Ocean Recreation Management Area (ORMA) by dropping commercial SCUBA and/or snorkel tour guests into the ocean waters of the ORMA at Three Tables, Sharks Cove, and Waimea Bay ocean waters on June 9 and 19, 2025. DOCARE’s report supports these allegations. The June 9, 2025, and June 19, 2025, violations are two separate incidents of violation of HAR § 13-256-63(e).

<sup>14</sup> Note that DOBOR uses the terms “Commercial Use Permit” and “Commercial Activity Permit” interchangeably.

<sup>15</sup> Haw. Admin. R. § 13-256-63

<sup>16</sup> Haw. Rev. Stat. § 200-14.5(c)

<sup>17</sup> Haw. Rev. Stat. § 200.14.5(a)

<sup>18</sup> Haw. Rev. Stat. § 200.14.5(b)

<sup>19</sup> See Haw. Admin. R. § 13-1-70

TRIDENT does not hold a Commercial Use Permit to conduct commercial activity in the Sharks Cove, Three Tables and Waimea Bay ocean waters of the North Shore Oahu ORMA, the Pūpūkea MLCD, or anywhere else on the north facing shores of O’ahu. TRIDENT’s CUP does not authorize the types of activities that the alleged violations are.

TRIDENT is a commercial entity that holds a Commercial Use Permit for commercial activity in State ocean waters on the South and West sides of Oahu—TRIDENT knew, or should have known, that there are legal restrictions on where, when, and how they conduct commercial activity in ocean waters.

When asked if TRIDENT ever conducted jumps within the Pūpūkea MLCD, they replied that they have in the past and could in the future.<sup>20</sup> DLNR-DAR believes that if TRIDENT is not held accountable in this enforcement action, they would likely continue to operate commercial activities within areas outside of the permitted area in their Commercial Use Permit.

*Impact on the Public:* TRIDENT’s actions have impacted the use and enjoyment of the Pūpūkea MLCD for the public. Public complaints have been registered with the DLNR regarding the noise and impact on public enjoyment and use of the area. These impacts have additionally been documented in negative reviews about this particular activity on public review sites (e.g. Yelp, Google).<sup>21</sup>

*Mitigative Actions Taken by TRIDENT:* The DLNR is unaware of any voluntary mitigative action taken by TRIDENT to cease unlawful commercial activity beyond the geographical scope of its permit.

#### **A. Recommended fines and permit revocation**

Due to the egregiousness of the conduct of allowing individuals to jump from a helicopter into a ORMA without authorization *and* an MLCD, one of Hawaii’s most protected ocean areas, DAR and DOBOR recommend that the Board issue a \$5,000 administrative fine for each violation of HAR § 13-256-63(e), totaling \$10,000. This is the maximum fine authorized by HRS § 200-14.5(c)(1). It is clear that TRIDENT has been intentionally conducting commercial activity on the north shore of O’ahu without the required geographical endorsement within their Commercial Use Permit. TRIDENT is aware of the restrictions on commercial activity in State waters, as they hold a Commercial Use Permit for commercial activity on other parts of Oahu. If TRIDENT sought to do such commercial activity on North Shore legally, they could have and should have applied for a Commercial Use Permit for such activities.<sup>22</sup>

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<sup>20</sup> See **Exhibit D** - Text Chain with Trident Adventures

<sup>21</sup> See **Exhibit E** - Public Complaints/Reviews

<sup>22</sup> DAR notes that the alleged activities conducted by TRIDENT may have also violated Haw. Admin. Rules § 13-221-34 (“Wildlife – No person shall molest, disturb, injure, trap, take, catch, possess, poison, or kill any wild

The Board may also revoke TRIDENT’s current CUP that authorizes the vessel *Trident 1* to conduct commercial SCUBA, snorkel, private charter, and sunset sails in ocean waters from Mamala Bay to Ko’olina ocean waters and prevent it from acquiring new Commercial Use Permits for a period of time determined by the Board, up to 2 years.

## V. FINDINGS AND RECOMMENDATIONS

Based on the foregoing information and the attachments hereto, DLNR’s DAR concludes and requests that the Board find the following:

1. On June 9, 2025, TRIDENT ADVENTURES LLC conducted commercial activity within the Pūpūkea Marine Life Conservation District and Zone C of the Sharks Cove, Three Tables, and Waimea Bay ocean waters, North Shore Oahu ORMA, by transporting SCUBA or snorkel guests into the ocean from a helicopter without a Commercial Use Permit from the Department, in violation of HAR § 13-256-63(e);
2. On June 19, 2025, TRIDENT ADVENTURES LLC conducted commercial activity within the Pūpūkea Marine Life Conservation District and Zone C of the Sharks Cove, Three Tables, and Waimea Bay ocean waters, North Shore Oahu ORMA, by transporting SCUBA or snorkel guests into the ocean from a helicopter without a Commercial Use Permit from the Department, in violation of HAR § 13-256-63(e);
3. That each violation on June 9, 2025, and June 19, 2025, are separate violations, for a total of two (2) violations of HAR § 13-256-63(e);
4. That TRIDENT ADVENTURES LLC’s violations on June 9 and June 19, 2025, constituted activities that do or may endanger the health or safety of their passengers or the public;
5. That TRIDENT ADVENTURES LLC’s activities in the Pūpūkea Marine Life Conservation District and Zone C of the Sharks Cove, Three Tables, and Waimea Bay ocean waters, North Shore Oahu ORMA, were not authorized by the Board or the Department, and TRIDENT ADVENTURES LLC did not have permission to conduct commercial activity in that location on those dates; and

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bird or mammal, *or disturb their habitat within the premises*, except when otherwise authorized by all applicable federal, state and county laws and rules.” (emphasis added). The word “premises” in this rule means “unencumbered public land,” which includes submerged lands. The administrative fine for violating this rule is “not more than \$500 per day...” Haw. Admin. Rules § 13-221-3.

- 6. That TRIDENT ADVENTURES LLC's Commercial Use Permit does not authorize TRIDENT ADVENTURES LLC to conduct any commercial activity outside the scope of the Permit.

**AS SUCH, STAFF MAKES THE FOLLOWING RECOMMENDATIONS:**

That the Board adopt the findings and conclusions set forth above and order the following:

- A. TRIDENT ADVENTURES LLC is fined a total of \$10,000 in administrative fines:
  - i. Pursuant to HRS § 200-14.5, TRIDENT ADVENTURES LLC is fined \$5,000 for violating the provisions of HAR § 13-256-63(e) on June 9, 2025; and
  - ii. Pursuant to HRS § 200-14.5, TRIDENT ADVENTURES LLC is fined \$5,000 for violating the provisions of HAR § 13-256-63(e) on June 19, 2025.
- B. TRIDENT ADVENTURES LLC shall pay all imposed administrative fines within sixty (60) days of this submittal;
- C. That the Board delegate to the Chairperson or her designee its authority to execute all necessary documents to carry out its recommendations under this submittal;
- D. All recommendations above and terms of the fine or any payment plan shall be subject to review and approval by the Department of the Attorney General; and
- E. In the event that TRIDENT ADVENTURES LLC fails to comply with any order herein, this matter shall be turned over to the Department of the Attorney General for disposition, including all administrative costs and attorney's fees incurred in such an effort.

Respectfully Submitted,



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Brian Neilson, Administrator

Division of Aquatic Resources

APPROVED FOR SUBMITTAL:



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Ryan K.P. Kanaka'ole, Acting Chairperson

Department of Land and Natural Resources

EXHIBIT A –  
Commercial Use Permit –  
Trident Adventures LLC

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION  
COMMERCIAL OPERATIONS PERMIT

## Type of Commercial Operations:

- Commercial Use Permit  
 Commercial Ramp Permit  
 Vessel Moored Elsewhere (VME)

Date: 11/26/2025Permit No.: 20-340516Account No.: 20637

This permit authorizes TRIDENT ADVENTURES LLC (hereinafter referred to as the Permittee) to conduct the describe commercial activities (on signature page) on the ocean waters of the State of Hawaii located on the island of Oahu, the Ocean recreation management area or non-designated management area, to commence on 12/01/2025 and expires on 02/28/2026 unless terminated for cause.

## Copies of the following exhibits are submitted for review and the record (if applicable):

- Vessel Documentation and/or Vessel Registration  
 Vessel Inspection or Approved Marine Surveyor  
 General Excise Tax License  
 DCCA Certificate of Good Standing  
 Letter of Permission from Land Owner for Access to the State Ocean Waters  
 Certificate of commercial insurance policy naming the State of Hawaii as an additional insured, containing sufficient coverage limits, including the removal and salvage of a sunken or grounded vessel, and meeting all other requirements as outlined in Hawaii Administrative Rules §13-231-65  
 Certificate of Compliance from the Hawaii Department of Taxation  
 Partnership, Joint Venture, Corporate Exhibits  
 PUC for vehicle(s), if applicable  
 Certificate of Inspection for any vessels used in your commercial operation, if applicable.

1. The Permittee agrees to abide by all applicable Federal, State, and County laws and all boating and shore water rules promulgated by the Department of Land and Natural Resources (referred to as the Department). In addition to any fines or penalties a court of law may impose, any violation(s) of the provisions of the aforementioned laws or rules may cause this permit to be terminated by the Department of Land and Natural Resources Division of Boating and Ocean Recreation (the "Department") by written order of its Representative, and the vessel or operation shall immediately cease commercial activity. Issuance of a commercial use permit from DOBOR does not grant you transit rights to access the shoreline or conduct commercial activities on shore.
2. The Permittee agrees to operate the vessel or equipment described in this permit in accordance with all applicable rules and regulations regarding passenger-carrying capacity and commercial vessel activities.
3. When applicable, the Permittee agrees to present proof, upon request, of Coast Guard certification for the vessel(s) registered with the Department.
4. The fee for this commercial use permit will be as follows:
  - a. Commercial permittees operating from state land: The cost for a commercial use permit shall be \$300.00 per month or 3% of your gross receipts, whichever is greater.
  - b. Commercial permittees operating from a private or county facility or land and said operation does not involve the use of state fast land or land within a shoreline area: \$300.00 per month due and payable by the first day of each month.

- c. Commercial permittees possessing a harbor commercial use permit and a commercial use permit for state ocean waters or a navigable stream or a catamaran registration certificate, who are paying their mooring fee or 3 per cent of gross receipts per month (whichever is greater) under the harbor commercial use permit, shall not be required to pay an additional 3 per cent of gross receipts per month under the commercial use permit for state ocean waters or a navigable stream or a catamaran registration certificate, provided that the payment made to the department is based on the total of gross receipts acquired under the harbor commercial use permit and the commercial use permit for state ocean waters or a navigable stream or a catamaran registration certificate.

The foregoing fees are subject to change based upon amendments made to Hawaii Revised Statutes and/or Hawaii Administrative Rules.

5. The fees stated above are due and payable to DOBOR in advance of the first day of the month. Not later than 30 days following the end of the month, the Permittee shall submit to the Division a report of gross receipts for the month plus payment of any additional amount required by the percentage of the gross receipts specified in paragraph 4. Failure to submit the report of gross receipts as required shall be cause for termination of the commercial use permit.
6. During scheduled events pursuant to a marine event permit or other official permission and authorized by the State or U.S. Coast Guard, vessel(s) or operations issued commercial use permits may be required to adjust their schedules or temporarily cease activity as directed by the Department.
7. The Permittee agrees to notify the Department in writing of any changes concerning ownership, address, vessel inventory or operator(s) of a vessel(s) within 7 days of the date of change. Failure to promptly notify the Department of any changes may cause this permit to be terminated by the Department.
8. The Permittee shall at all time use due care for public safety and shall defend, hold harmless and indemnify the State of Hawaii, its officers, agents and employees from and against all claims or demands, including claims for property damage, personal injury or death arising out of or incident to the operation of said vessel or operation.
9. The permit charges are for the privilege of operating a commercial vessel or operation in state navigable waters in the manner stated above. Any other use of harbor/ramp facilities or services must be requested and approved separately.
10. The duration of this commercial operating area use permit shall not exceed the period of 1 year from the date of commencement.
11. The Department may immediately revoke a commercial use permit without a hearing for activity that endangers or may endanger the health or safety of passengers or the public, and may suspend or revoke a commercial use permit for violation of any rules of the Department, if the activity or offense is not corrected following seventy-two (72) hours notice by the Department of the violation. The permit holder shall have ten (10) days from receipt of the notice of suspension or revocation to request in writing an administrative hearing. The administrative hearing is solely for the purpose of allowing the permit holder to contest the basis for suspension or revocation of the permit.
12. This commercial use permit shall be kept in the immediate possession of the Permittee or its agent(s), or at a place of safekeeping in the immediate vicinity of the permitted activity at all times when operating under this commercial use permit and Permittee or its agent(s) shall display the same upon the demand of a Federal, State, or County Enforcement Officer, or representative of the Department.
13. Gross Receipts Defined: Gross receipts shall include all receipts, whether by coin or currency, on account, by check or credit card, derived or received by the Permittee as a result of its operation herein granted and shall include the sales prices received or billed by the Permittee from the sale or rental of its equipment/or services of: See signature page. The Permittee shall not be credited with, nor allowed to have any reduction in the amount of the gross receipts, as hereinabove defined, which results from any arrangements for illegal rebates or kickbacks or hidden credits given or allowed to customers.



14. Business Practices & Records: In connection with the obligations of the Permittee, Permittee hereby agrees to:

a. Prepare and keep for a period of not less than three (3) years following the end of each permit year adequate records which shall show daily receipts from all sales and other transactions by the Permittee. The Permittee shall record at the time of sale, in the presence of the customer, all receipts from sales or other transactions, whether for cash or credit. The Permittee shall issue to each customer a receipt or sales slip for each transaction and must be recorded on serially-numbered receipts or sales slips. The Permittee further agrees to keep in storage for at least one (1) year following the termination, suspension, or revocation of the permit, all pertinent original sales records, serially-numbered sales slips and such other sales records, as would normally be examined by an independent accountant pursuant to accepted auditing standards in performing an audit of the Permittee's sales and gross receipts.

b. Submit to the Department on or before the 30th day of each and every month following each permit month (including the 30th day of the month following the end of the term) at the place fixed for payment of permit fees, a written statement using forms prescribed by the Chairperson of the Department of Land and Natural Resources to be certified as correct by the Permittee or by a person duly authorized by the Permittee to so certify showing in accurate detail, the amount of gross receipts for the preceding month and shall further submit to the Department on or before the 60th day following the end of each permit year at the place fixed for payment of fees, a written statement certified as correct by the Permittee or by a person duly authorized by the Permittee to so certify showing in accurate detail the amount of gross receipts during the preceding year duly verified by an independent Certified Public Accountant. The statements referred to herein shall be in such a form and style and contain such detail and breakdowns as the Department may require. Without any prejudice to any remedies herein provided for such default, if the Permittee shall fail to promptly furnish any such monthly report or Certified Public Accountants Annual Verification report, the Department may have such report prepared on the Permittee's behalf by an accountant to be selected by the Department, at the expense of the Permittee. The Permittee shall furnish to such accountant all records requested for the purpose of preparing such reports, and the Permittee shall pay to the Department all expenses incurred by the Permittee in securing such reports. Furthermore, the Department may make assessments upon the Permittee by recourse to such procedures selected by the Department which would produce reasonable gross receipts expectation upon which percentage charges may be computed.

In the event that records have not been prepared and kept in accordance with the provisions set forth herein, the Department shall, in addition to all other payments required herein, be entitled to demand and receive an additional payment of ten percent (10%) of the applicable fee if the Permittee is paying fees based on percentage for the period or periods involved. Permittee shall grant unto the Department at all reasonable times access to all books, accounts, records and reports, including gross income tax reports, showing daily sales and at any reasonable times on twenty-four (24) hours notice will permit a complete audit to be made by the Department's Account or by a Certified Public Accountant of the Permittee's entire business affairs and records relating to the business authorized by this permit for the term of this permit.

The Permittee will cooperate fully in the making of any inspection, examination or audit. Should such audit by the Department's Accountant or by a Certified Public Accountant disclose that rental has been underpaid by two percent (2%) or more for any period under examination, the Department shall, in addition to the remedies provided in the above, be entitled to reimbursement of the reasonable cost of any such audit in addition to the deficiency. If such audit by the Department's Accountant or by a Certified Public Accountant shall disclose that rent has been underpaid by five percent (5%) or more for the period under examination, the Department shall have the right, upon ten (10) days written notice to terminate this permit.

15. Time of Payment: The minimum monthly guaranteed fee required herein, shall be paid monthly, in advance, without notice, on the first day of each and every month of each and every year of the term hereof.

16. This permit does not grant any property rights or exclusive privileges.

17. The Department reserves the right to impose further restrictions.

18. Vessel Information:

Vessel Name: TRIDENT 1

Vessel Registration: USCG DOC NO. 1253738

ORMA Decal No. D01163 (Exp. 02/26)

Vessel Length: 39'

PAX: 41

19. Restrictions:

Sites:

- Ocean waters from Mamala Bay to Ko'Olina ocean waters

Activity:

- Scuba, Snorkel, Private Charter, and Sunset Sail
  - Scuba instruction shall follow all industry standards regarding instructor to client ratios. The ratio of client to guide for Snorkeling Instruction shall not exceed ten (10) persons in a group, including instructors and assistants.
  - Company shall use all means necessary to ensure public safety and protection of the natural resources.
  - Permittees shall confine their commercial scuba diving and snorkeling activities between the hours of sunrise to sunset, on any day, weekends and holidays included.
- Anchoring in State Ocean Waters and the use of the Day Use Moorings (HAR 13-257) shall be done in accordance with all applicable rules, laws, and regulations. No anchoring in live coral or live rock.

I AGREE TO THE TERMS, CONDITIONS AND CHARGES:

Address: 3 Aloha Tower Dr, Unit 1123  
Honolulu, HI 96813

Email Address: marlena@tridentadventures.com

Business Phone: (808) 762-3482

Cellular Phone: (954) 815-7472

Signed by (Authorized Representative)



Print Name MARLENA NEAL

Date Signed: 26 Nov 25

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION

BY: Bruce L Swartz  
Printed Name

BY: Bruce L Swartz  
Signature

Date: 11/26/25

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION

OAHU OCEAN RECREATION MANAGEMENT  
COMMERCIAL REGISTRATION APPLICATION

BUSINESS NAME: Trident Adventures LLC

ACCOUNT NO \_\_\_\_\_

INVENTORY OF VESSEL(S) and/or EQUIPMENT

Indicate Status: New = N; Renewal = R; Delete = D; and pay appropriate fees

Status	Description	HIN#	Reg./Doc. No.	Registration Fee
R	1. 39' Force	FQVKK004A314	12753738	\$ 3.50
	2.	HIN#		\$
	3.	HIN#		\$
	4.	HIN#		\$
	5.	HIN#		\$
	6.	HIN#		\$
	7.	HIN#		\$
	8.	HIN#		\$
	9.	HIN#		\$
	10.	HIN#		\$
	11.	HIN#		\$
	12.	HIN#		\$
	13.	HIN#		\$
	14.	HIN#		\$
	15.	HIN#		\$

Total Fees Due \$ 3.50

The descriptions listed above are correct to the best of my knowledge. I agree to comply with the Department's Administrative Rules. I agree to abide by all Federal and State laws, rules, and regulations that govern the use of Oahu's ocean recreation management areas, vessels, equipment, and facilities including providing equipment registration application(s), upon demand by a police officer, lifeguard, or a representative of the department.

Signature of Officer of the Company  
MARLENA NEAL  
Print Name

COO  
Title  
210 Nov 25  
Date

DBOR USE	DBOR USE
\$ _____	Date <u>11/26/25</u> <input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED
Fee Paid	Approved Signature <u>[Signature]</u>
Receipt Number	Decal(s) Issued <u>D01163</u>
	Decal Expiration Date <u>2/26</u>

KEEHI 15:38 OCT 20 '25

DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION

OCEAN MANAGEMENT FEES AND CHARGES

EQUIPMENT

<u>Description</u>	<u>Original</u>	<u>Renewal</u>
<b>Registration Fees for the following:</b>		
<b>A. Commercial vessels, catamarans, Trimarans, inflatables, thrill craft, Aqua cycles, surf ski's, kayaks, canoes and water sledding equipment</b>	<b>\$5.00</b>	<b>\$3.50</b>
<b>B. Surfboards, sailboards, and Other equipment for hire, EXCEPT: Scuba and snorkeling, Mattresses, floats, etc. (each item)</b>	<b>\$1.00</b>	<b>\$1.00</b>



# APPLICATION FOR COMMERCIAL USE PERMIT

Division of Boating and Ocean Recreation  
Department of Land & Natural Resources, State of Hawai'i



**1. PERMIT INFORMATION**

Island (✓one):  Hawaii  Kauai  Lanai  Maui  Molokai  Oahu

Location: Kewalo Basin Oahu Hawaii Mooring Permit #: 1253738

Usage Type (✓one):  Ramp Use  Commercial Use  Vessel Moored Elsewhere  
 Charter Bare Boat  Charter Sail  Photo

<b>OFFICE USE ONLY</b>
Date Received:
Received By:

**2. APPLICANT INFORMATION (Responsible Party)**

Name (Last): Kaplan (First): Stephen (M.I.): P Suffix: \_\_\_\_\_

Date of Birth: 09/20/1980 Gender:  Female  Male Occupation: Owner

Employer: Trident Adventures LLC

Phone (business): 808 762 3482 (home): \_\_\_\_\_ Email: stephen.kaplan@tridentadventures.com

Mailing Address: 91-212 Kuanoo PL Apt. # \_\_\_\_\_  
City: EWA BEACH State: HI Zip Code: 96706

Billing Address (if different than mailing address): 3 ALOHA TOWER DR UNIT 1123 Apt. # \_\_\_\_\_  
City: HONOLULU State: HI Zip Code: 96813

**3. BUSINESS INFORMATION**

Business Name: TRIDENT ADVENTURES LLC Website: WWW.TRIDENTADVENTURES.COM

Business Role of Contact Person:  Owner  Administrator  Coordinator  Authorized Agent

Contact Name (Last): NEAL (First): MARLENA (M.I.): \_\_\_\_\_ Suffix: \_\_\_\_\_

Date of Birth: 12/25/1973 Phone (business): 808 762 3482 Phone (mobile): 808 203 9126

Business Address: 3 ALOHA TOWER DR Room/Suite #: 1123

Address Line 2: \_\_\_\_\_

City: HONOLULU State: HI Zip Code: 96813

**4. VESSEL OWNER INFORMATION**

Check if Same as Applicant

Owner's Name (Last): \_\_\_\_\_ (First): \_\_\_\_\_ (M.I.): \_\_\_\_\_ Suffix: \_\_\_\_\_  
Date of Birth:  / / Gender:  Female  Male Phone: \_\_\_\_\_

Co-owner's Name (Last): \_\_\_\_\_ (First): \_\_\_\_\_ (M.I.): \_\_\_\_\_ Suffix: \_\_\_\_\_  
Date of Birth:  / / Gender:  Female  Male Phone: \_\_\_\_\_



APPLICATION FOR COMMERCIAL USE PERMIT (Continued)

**5. VESSEL INFORMATION**

Vessel Name: TRIDENT 1 Port of Registry: KEWALO

Documentation Type:  Vessel Registration  Coast Guard Documentation  Other: \_\_\_\_\_

Registration or Doc. No. 1253738 Expiration Date: 11/30/2025

Hull Manufacturer: FORCE Year Built: 2014 Length Overall: 39 (feet) 0 (inches)

Hull ID#: FQVKK004A314 Number of Hulls: 1 Length Over Deck: 39 (feet) 0 (inches)

Hull Color: WHITE Cabin Color: WHITE Draft of Vessel: 3 (feet) 6 (inches)

Top Deck Color: TAN Trim Color: RED Beam of Vessel: 15 (feet) 1 (inches)

Master of Vessel: OSVALDO ROSARIO Tonnage License #: USA000476260 Passenger Capacity: 46

This vessel is currently located ( one and complete): Recertification Due Date: 11/30 2025

In a Berth at (Harbor): KEWALO in (Berth Number): B07

Moored / Anchored on (Island): \_\_\_\_\_ at (Location): \_\_\_\_\_

On a Trailer on (Island): \_\_\_\_\_ at (Location): \_\_\_\_\_

**6. VESSEL TYPE AND PROPULSION**

Vessel Type (check one):  Open Motorboat  Motor Vessel (more than 65)  Sailing Vessel  Houseboat  Runabout  
 Aux. Powered Sailing Vessel  Cabin Motorboat  Thrillcraft  Other: \_\_\_\_\_

Principle Use (check one):  Pleasure  Charter Fishing  Commercial Fishing  Commercial Passenger  
 Dealer or Manufacturer  Commercial Other: \_\_\_\_\_

Primary Propulsion Type (check one):  Sail  Power  None  Other: \_\_\_\_\_

If Power, Engine Type:  Inboard  Outboard  Inboard/Outboard  None  Other: \_\_\_\_\_

Engine Manufacturer: \_\_\_\_\_ Horsepower: 300 Number of Engines: 2

If Sail, Rigging Type:  Sloop  Schooner  Three-Masted Schooner  Four-Masted Schooner  Ketch  Brig  
 Brigantine  Barque  Barquentine  Fully Rigged Ship  Snow  Yawl  Cutter  Clipper

Aux. Propulsion Type:  Sail  Power  None  Other: \_\_\_\_\_

Engine Manufacturer: \_\_\_\_\_ Horsepower: \_\_\_\_\_ Number of Engines: \_\_\_\_\_

Fuel Type (check one):  Diesel  Electric  Gas  Other (specify): \_\_\_\_\_

**7. AGREEMENT & SIGNATURE**

I agree to comply with the provisions of the Hawaii Administrative Rules as promulgated by the Division of Boating and Ocean Recreation applicable to this permit.

Signature of Applicant: 

Date: 26 Nov / 2025

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION

**COMMERCIAL USE QUESTIONNAIRE**

Company Name: Trident Adventures LLC

Company Representative Name/Title: Stephen Kaplan / Owner

Complete Address: 3 Aloha Tower Dr., Unit 1123, Honolulu, HI 96813

Office #: (808) 762-3483 Cell #: (808) 348-9471

Email: Stephen.kaplan@tridentadventures.com

1. What type(s) of commercial activity do you propose to conduct: \_\_\_\_\_

Scuba Dive, Snorkel, Sunset Cruises

2. List all locations where you are proposing to conduct commercial activity, the specific activity for each location and what equipment you will be utilizing.

Location	Activity	Equipment
South Shore - Waikiki Area	Scuba Dive, Snorkel, Sunset Cruises	Scuba Dive and Snorkel Gear
West Shore - Ewa-Makaha	Scuba Dive, Snorkel, Sunset Cruises	Scuba Dive and Snorkel Gear

3. How do you plan to access the water? (Please indicate for each location whether you are accessing through private or public land, state or county, etc )

Boat is moored at Kewalo Basin Commercial Slip B7

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4. Does your method of access for any of the locations at which you want to operate require a permit or permission from the landowner(s)?

Yes       No

5. If your answer to question 4 above was "yes", what type of permit/permission do you possess and who is the issuing entity?

Location	Landowner <i>Name of Individual or Entity</i>	Type of Permit/Permission <i>Include any Permit #'s if applicable</i>	Telephone Number <i>Best contact for the issuing entity</i>
Kewalo	Julia York - Harbor Master	B-7 Slip	(808) 594-0849

6. Please submit the following documents concurrently with your commercial use permit application for the division's review:

- General Excise Tax License
- Commercial General liability insurance policy with sufficient coverage limits & naming the State of Hawaii as an additional insured per Hawaii Administrative Rules 13-231-65.
- Certificate of Good Standing from Hawaii Department of Commerce and Consumer Affairs (DCCA, BREG), if applicable
- Certificate of Compliance from Hawaii Department of Taxation
- Letter of Permission from Land Owner for Access to the State Ocean Waters
- Articles of Incorporation or Articles of Organization, if applicable
- PUC for vehicle(s), if applicable
- Vessel Certificate of Inspection or approved marine survey, if applicable
- Other: \_\_\_\_\_

Applicant's Signature:  Date: 20 October 2025

**DOBOR STAFF**

Date Reviewed: 10/5/25  
 Reviewed By: Bruce Title: \_\_\_\_\_

Recommendations or Remarks:  
check USCG 001  
remove north shore + K Bay from map.

Last Updated 10/23/2020

**EXHIBIT B –  
DOCARE INCIDENT REPORT –  
OA-25-00518**



Log Number <b>OA-25-00518</b>	District <b>NORTHERN</b>	Lead Investigator <b>GIBSON, REYN K - GIBSRK</b>
Date/Time Reported <b>06/22/2025 0732</b>	Location <b>PUPUKEA MLCD</b>	Classification
Status <b>RECORD ONLY</b>	Activity Code <b>Marine Protected Areas (MPA)</b>	

**Incident and Report Control**

**A. COMPLAINT**

Taken By: **GIBSON, REYN K**                      Reported Date/Time: **6/22/2025 7:32:00 AM**

How Taken: **ON BEAT**

Incident Summary:    On Monday, 06/09/2025, between the hours of 0830-0900 hours, a helicopter tour (TRIDENT) was observed to be dropping off numerous occupants to the Pūpūkea Marine Life Conservation District (MLCD) Sharks Cove section.

Location:            **PUPUKEA MLCD**

Occurred From:  
Occurred To:

**B. REPORT CONTROL**

Branch:                      **OAHU**

District:                     **ODII**

Lead Investigator:        **GIBSON, REYN K**

**C. NOTES/DISPOSITION/OTHER INFO**

Disposition:            **RECORD ONLY**



Log Number <b>OA-25-00518</b>	District <b>DISTRICT II (OAHU)</b>	Lead Investigator <b>GIBSON, REYN K - GIBSRK</b>
Date/Time Reported <b>06/22/2025 0732</b>	Location <b>PUPUKEA MLCD</b>	Incident Type <b>Commercial Use Permit Violation</b>
Status <b>RECORD RECORD ONLY</b>	Activity Code <b>Marine Protected Areas (MPA)</b>	

**Investigation Report**

- Fishing  Hunting  Boating  Drug Rel.  Forestry  NOAA  JEA  Land - OCCL  CWRM  Historic  State Parks  KAIC  Other

**BASIC**

Classification	Source <b>ONBEAT ON BEAT</b>
Location of Incident / Intersecting Street <b>SHARKS COVE SECTION HALEIWA HI 96712 X-Street:</b>	Island <b>OAHU</b> Branch <b>OAHU</b>
Category <b>MARLCD MARINE LIFE CONSERVATION DISTRICT</b>	Weather <b>CLEAR CLEAR</b>
WEAPONS USED:	

**INVOLVED VEHICLES**

Type	Auto/Truck	Year	Make	Model	Color	License / HA Number	HI	Length	Involvement	INSPEC
<b>Unknown/Code Not Desc</b>					<b>GRY</b>	<b>N527X</b>			<b>INSPECTED</b>	

**PERSONS**

Name (Last, First, Middle) <b>TRIDENT ADVENTURES,</b>	Juvenile <input type="checkbox"/>	Sex	Race	Age	Date of Birth
Address <b>3 ALOHA TOWER HONOLULU HI 96813</b>					
Category <b>SUSPECT</b>	CODE: <b>SUSP</b>	Home Phone <b>(808) 762-3483</b>	Other Phone		
Name <b>PUPUKEA MLCD</b>					
Category <b>BUSN</b>	Business Address <b>HALEIWA, HI 96712</b>				
Phone 1	Phone 2	Phone 3			

**SYNOPSIS**

Narrative Created By / Created On <b>GIBSON, REYN K 06/22/2025</b>	Approved By / On 
---	--

On Monday, 06/09/2025, between the hours of 0830-0900 hours, a helicopter tour (TRIDENT) was observed to be dropping off numerous occupants to the Pūpūkea Marine Life Conservation District (MLCD) Sharks Cove section.

**RESPONDING / INVOLVED UNITS, OFFICERS, AND TIMES**

Division	Supervisor	PUUR
<b>OAHU</b>	<b>Puu, Richard</b>	
Unit Number	Officer / ID (Ofcr 1 / Ofcr 2)	Officer / ID (Ofcr 3 / Ofcr 4)
<b>2-87</b>	<b>GIBSON, REYN K</b>	<b>GIBSRK</b>



Log Number OA-25-00518	District DISTRICT II (OAHU)	Lead Investigator GIBSON, REYN K - GIBSRK
Date/Time Reported 06/22/2025 0732	Location PUPUKEA MLCD	Incident Type Commercial Use Permit Violation
Status RECORD RECORD ONLY	Activity Code Marine Protected Areas (MPA)	

**INVESTIGATION**

Narrative Created By / Created On  
 GIBSON, REYN K

06/22/2025

Approved By / On

**ASSIGNMENT**

On Monday, 06/09/2025, my work hours were between 0600 to 1445 hours. I was in official uniform working as a Department of Land and Natural Resources Police Officer. I was tasked with patrolling and addressing any complaints or violations that I encountered within the area of North Shore, District 2.

**PUPUKEA MLCD**

The Pūpūkea Marine Life Conservation District (MLCD) was originally designated by the State of Hawaii in 1983 as a refuge for marine life. Today, the MLCD includes 100 marine acres. The MLCDs are the highest level of state marine protected areas - only eleven such areas are designated in the islands (State of Hawai'i), with only three on the island of Oahu: Pūpūkea, Hanauma Bay, and Waikiki.

**SCENE/TIME ELEMENT**

The scene in this case is takes place at the Pūpūkea Marine Life Conservation District (MLCD) Sharks Cove section, located at 59-711 Kamehameha Highway, Haleiwa, Hawaii.

The time element is 0830-0900 hours.

**OFFICER'S OBSERVATIONS**

On Monday, 06/09/2025, at about 0837 hours, while I was making checks in the area of Pūpūkea Marine Life Conservation District (MLCD) Sharks Cove section, I observed a dark gray colored helicopter approaching into my location. As the helicopter got closer, the helicopter appeared to be descending towards state ocean waters on the edge of Pūpūkea Marine Life Conservation District (MLCD) Sharks Cove section.

At about 0839 hours, I noticed a group of snorkelers directly below the helicopter.

At about 0841 hours, I observed the helicopter descending even lower towards the state ocean waters where the snorkelers were observed. Upon further observation there was an individual standing outside the helicopter on the skid. As the helicopter descended lower, I observed the rotor wash pushing the snorkelers that were in the state ocean waters away in the opposite direction of the helicopter.

Written By: GIBSON, REYN K  
 06/22/2025

Approved By:



Log Number OA-25-00518	District DISTRICT II (OAHU)	Lead Investigator GIBSON, REYN K - GIBSRK
Date/Time Reported 06/22/2025 0732	Location PUPUKEA MLC D	Incident Type Commercial Use Permit Violation
Status RECORD ONLY	Activity Code Marine Protected Areas (MPA)	

At about 0842 hours, I observed the helicopter descending to what appeared to be 10 feet over the state ocean waters. During this descent, I observed what appeared to be a male individual jumping from the helicopter into the state ocean waters, in his possession was what appeared to be scuba fins and gear.

At about 0843 hours, I retrieved my binoculars out of my patrol vehicle and glassed the helicopter. On the side of the helicopter the name TRIDENT appeared (hereinafter TRIDENT helicopter) and was affixed. I also observed the identification number on the tail of the TRIDENT helicopter which read-N527X.

At about 0844 hours, the TRIDENT helicopter ascended higher and then descended back to about 10 feet over the state ocean waters. This time, three more individuals jumped from the helicopter into the same area as the first.

At about 0845 hours, the TRIDENT helicopter then hovered over the occupants whom had previously jump out of it, the helicopter then spun around and headed south.

**INFORMATION**

On Monday, 06/09/2025, at about 0925 hours, I apprised Lieutenant K. PU'U (hereinafter L.T. PU'U) of the incident. L.T. PU'U requested me to gather information pertaining to the TRIDENT helicopter tour and to inform him of any findings.

**HAWAI'I ADMINISTRATION RULES**

At about 1050 hours, I made checks to the Hawai'i Administration Rules regarding aviation over state ocean waters. There were no Administration Rules pertaining to the aviation of helicopters over state ocean waters.

**DIVISION OF BOATING AND OCEAN RECREATIONS**

On Tuesday, 06/17/2025, at about 1005 hours, checks were made with the Division of Boating and Ocean Recreations to confirm TRIDENT Adventure Tours obtained the proper permits for their tours. It was confirmed that TRIDENT did in fact gain the proper permits to run the tour adventures.

**OFFICER'S ACTIONS**

On Wednesday, 06/18/2025, at about 0910 hours, I made a telephone call and left a voice recording

Written By: GIBSON, REYN K  
06/22/2025

Approved By:



Log Number OA-25-00518	District DISTRICT II (OAHU)	Lead Investigator GIBSON, REYN K - GIBSRK
Date/Time Reported 06/22/2025 0732	Location PUPUKEA MLCD	Incident Type Commercial Use Permit Violation
Status RECORD RECORD ONLY	Activity Code Marine Protected Areas (MPA)	

message to the Flight Standards District Office. I requested for information on the Federal rules and regulations on helicopter tours flying and dropping off people in state ocean waters.

At about 1048 hours, I received a telephone call from COSSEL, Seth, the Principal Operations Inspector from the Flight Standards District Office (hereinafter COSSEL). I apprised COSSEL of the incident which took place at the Pūpūkea Marine Life Conservation District (MLCD) Sharks Cove section. COSSEL informed me that according to the Flight Aviation Regulations (FAR) part 91 and 134 there are no rules against helicopters flying over state ocean waters and having occupants jump from helicopters. The only violation would be if there were endangerments to persons or property.

**ATTACHMENTS**

Refer to attachments for details and information pertaining to this case.

- Title 14 Aeronautics and Space: Part 91- General Operating and Flight Rules
- Title 13 Business Credit and Assistance: Part 134 Rules of Procedure Governing Cases Before the Office of Hearings and Appeals
- Pūpūkea Marine Life Conservation District letter of notification.
- Trident Helicopter Jump information internet web page.

**DIAGRAM**

Refer to diagram.

**PHOTOGRAPHS LOG**

Refer to photographs .

**DISPOSITION**

Closed: Records only.

INVESTIGATION # OA-25-00578	DISTRICT District II	LEAD INVESTIGATOR R.GIBSON CREO	KEY REPORT [x] Yes [ ]
DATE / TIME REPORTED 06/09/2025 / 0830	LOCATION PUPUKEA (SHARKS COVE) MLCD	CLASSIFICATION HAR	CONNECTING REPORT(S)

**Report Description:** Photos

**Date/Time Taken:** 06/09/2025 / 0830-0900

**Taken By:** Officer R. GIBSON

**Scene:** PUPUKEA (SHRKS COVE) MLCD

**Equipment:** Issued IPHONE

**Weather:** Clear

**Conditions:**

**Lighting:**

**Focus:**

<p><b>1</b> THIS PICTURE DEPICTS TRIDENT HELICOPTER FLYING OVER THE PUPUKEA MLCD SHARKS COVE SECTION STATE OCEAN WATERS</p>	<p><b>2</b> THIS PICTURE DEPICTS TRIDENT HELICOPTER FLYING OVER THE PUPUKEA MLCD SHARKS COVE SECTION STATE OCEAN WATERS</p>
	
<p><b>3</b> THIS PICTURE DEPICTS TRIDENT HELICOPTER DROPPING OCCUPANTS OFF AT THE PUPUKEA SHARKS COVE SECTION</p>	<p><b>4</b> THIS PICTURE DEPICTS A DIFFERENT VIEW TRIDENT HELICOPTER DROPPING OCCUPANTS OFF AT THE PUPUKEA SHARKS COVE SECTION</p>
	

**5** THIS PICTURE DEPICTS TRIDENT HELICOPTER FLYING OVER THE PUPUKEA MLC D SHARKS COVE SECTION STATE OCEAN WATERS



**6** THIS PICTURE DEPICTS TRIDENT HELICOPTER FLYING OVER THE PUPUKEA MLC D SHARKS COVE SECTION STATE OCEAN WATERS



**7** THIS PICTURE DEPICTS TRIDENT HELICOPTER FLYING OVER SNORKELERS IN THE STATE OCEAN WATERS

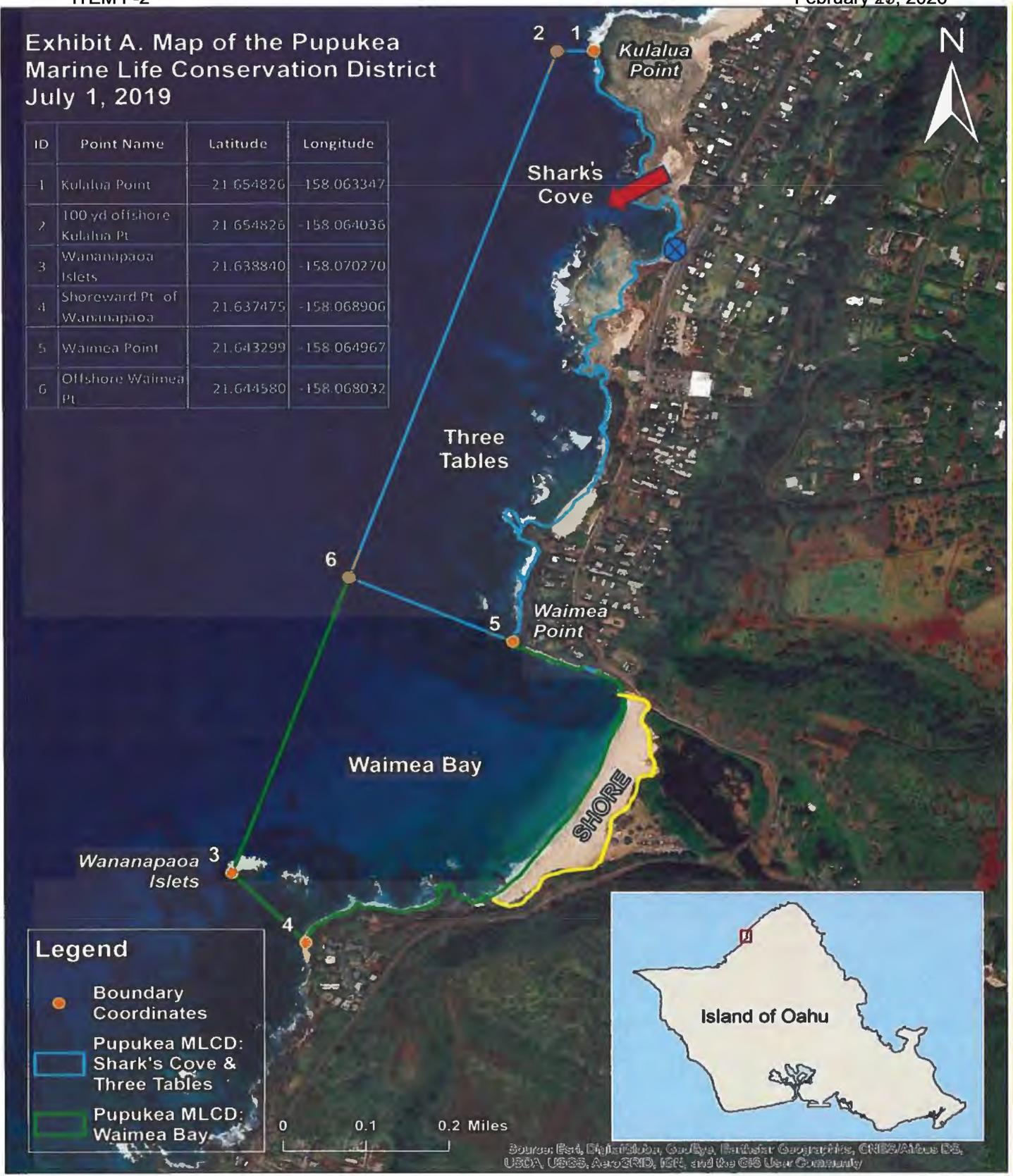


**8** THIS PICTURE DEPICTS A DIFFERENT VIEW OF TRIDENT HELICOPTER FLYING OVER SNORKELERS IN THE STATE OCEAN WATERS



**Exhibit A. Map of the Pupukea Marine Life Conservation District  
July 1, 2019**

ID	Point Name	Latitude	Longitude
1	Kulalua Point	21.654826	-158.063347
2	100 yd offshore Kulalua Pt	21.654826	-158.064036
3	Wananapaoa Islets	21.638840	-158.070270
4	Shoreward Pt. of Wananapaoa	21.637475	-158.068906
5	Waimea Point	21.643299	-158.064967
6	Offshore Waimea Pt	21.644580	-158.068032



**Legend**

- Boundary Coordinates
- Pupukea MLCD: Shark's Cove & Three Tables
- Pupukea MLCD: Waimea Bay

- ↓ = LOCATION OF VIOLATION / OBSERVATION / CONTACT
- = OFFICER LOCATION OF OBSERVATION

MAP TAKEN FROM HAR 13-34 PUPUKEA MLCD 2019. LOCATIONS ARE APPROXIMATE AND NOT TO SCALE.

## EXHIBIT C –

# Mālama Pūpūkea-Waimea Incident Report, June 27, 2025



## Memorandum

To: Brian Neilson, DLNR DAR Administrator; Jason Redulla, DLNR DOCARE Chief

From: Denise Antolini, President, Mālama Pūpūkea-Waimea

Date: June 27, 2025

Please find below an incident report from our Marine Team regarding the Trident helicopter operations in the MLCD.

---

**Date of Incident:** Tuesday, June 19, 2025, 10:29am

**Location:** Kapo'o (Sharks Cove), Pūpūkea Marine Life Conservation District (MLCD)

**Reported by:** xxx, co-witnessed by xxx

### Incident Summary:

While conducting field work at Kapo'o (Sharks Cove) within the Pūpūkea MLCD on Tuesday, June 19th, xxx and xxx observed a low-flying helicopter entering the MLCD and hovering at an alarmingly low altitude—approximately 15–20 feet above the ocean surface at the lowest points. It was positioned right at the entrance to the cove at Kapo'o just beyond the wall of the tidepools, which is a high use recreation area where there are always many people. The helicopter's presence caused strong downwash and wave turbulence that visibly affected numerous SCUBA divers and snorkelers in the immediate area that were out.

From a vantage point overlooking the cove, the observers initially suspected a rescue operation. However, they quickly noticed that SCUBA divers were jumping out of the helicopter rather than being lifted into it, indicating this was not an emergency response. The helicopter bore a commercial brand name on its exterior.

The aircraft appeared to be operating just outside the cove's rock wall and near the entrance, maneuvering in a way that suggested intentional positioning above a pod of spinner dolphins.

These dolphins were observed swimming directly beneath the helicopter and in the path of where divers were being dropped.

The behavior of the helicopter and its occupants raised significant concerns due to:

- Potential violation of MLCD regulations
- Disturbance to protected marine wildlife, under the Marine Mammal Protection Act.
- Risk to public safety, given the number and proximity of people in the water

Xxx and xxx documented the incident with photographs and subsequently reported the event to the DOCARE reporting line, a present Honolulu Police Department officer and a City & County lifeguard named Micah (sp?) who was stationed nearby. Lifeguard Micah confirmed he had also witnessed the incident, had taken his own photos and videos, and shared that he was aware of prior infractions by the same company, including allegations of unregistered helicopter operations on O'ahu's south shore.

Photos attached below:





## EXHIBIT D –

# Text Chain with Trident Adventures

ITEM F-2

Thanks for texting us. We will be with you shortly. In the meantime, please save our contact information for quick replies <https://a.podium.co/PWrjLdL>

We typically have helicopter jumps on the south shore.

I understand that you offer sharks cove as well?

Those jumps can be done by request if someone was interested

Have you dropped at Sharks Cove before?

I believe we have done that in the past

OK thanks - I'm wondering if you have permits to do that - the area is a marine life conservation district.

We go through all necessary channels, like the FAA, to ensure that what we do is both safe and legal at all times.

I would like to speak to your principals about the drops in the MLCD - I do not believe they are legal or Pono. Can you provide me contact information? Mahalo!

You can send an email to [dive@tridentadventures.com](mailto:dive@tridentadventures.com)

Thank you - and who is the principal? I would appreciate a name and title.

The email is linked to everyone's account, so both employees and management will be able to view it as necessary.

ITEM F-2

Thank you - I would still like to know the name of the responsible person. February 13, 2026

There are countless people in charge of our operations, but the company owner is Steve

Last name?

Steve Kaplan is our owner

Thank you - I will follow up.

Sounds good

37

**EXHIBIT E –  
PUBLIC COMPLAINTS AND REVIEWS**



ITEM F.2  
**Monique Cole**  
3 reviews

February 27, 2026

February 13, 2026



★ ★ ★ ★ ★ 3 weeks ago

**NEW**

If you love dolphins and marine life, do not go on a helicopter tour that drops you in the water near them. A helicopter with its number covered was caught on video dropping swimmers near a pod of **spinner dolphins**, just outside a Marine Life Conservation District, violating the law protecting this endangered species. **Spinner dolphins** need to rest during the day -- swimming in calm waters -- to be able to forage for food at night. On the island of Hawaii (Big Island) in 2023, 33 swimmers were arrested for reportedly harassing dolphins. It's against federal law to swim within 50 yards (150 feet) of **spinner dolphins**. Pursuing dolphins is illegal and definitely not pono.



**Trident Adventures (Owner)**  
3 weeks ago

Aloha Monique,

# Trident Adventures

ITEM F-2  
3 Aloha Tower Dr Suite 1123, Honolulu, HI 96813, United States

Write a review

February 13, 2026

February 27, 2026

5.0 ★★★★★ 940 reviews ⓘ



**Kelly Westerberg**

1 review 1 photo



3 weeks ago

**NEW**

While Trident Tours may advertise exciting experiences, I found their actual practices deeply disrespectful to both local communities and the environment. This week, I watched as one of their **helicopters** dropped within feet of a pod of dolphins so their customers could jump into the water. Not only did this likely violate multiple ocean protection laws and expose guests to fines of up to \$10,000, but it also constituted harassment of protected marine life.

Dolphins, who must remain partially conscious while they sleep, are especially vulnerable to disturbances like this. Approaching them so aggressively can cause extreme stress, disrupt their rest cycles, and impact their long-term health.

I hope this review encourages Trident Tours to reflect on their impact and inspires future visitors to choose experiences that honor Hawai'i's people, wildlife, and natural resources—rather than exploit them.



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**SEMantha M.**

Hi, Hi

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Aug 18, 2025

THIS COMPANY HAS BEEN SEEN MULTIPLE TIMES BREAKING ENVIRONMENTAL LAWS ON THE NORTH SHORE OF O'AHU!

They drop people into/near pods of dolphins, breaking both Federal and State laws. Both the sound of the helicopter and the people in the water harass and disturb them.

Not only do they harass dolphins, but they also drop people into a Marine Life Conservation district where there is no commercial activity allowed.

The only reason why they haven't been shut down is that they see the fines from breaking laws as a cost of doing business.

If you want to go with a company that is exploiting both marine mammals and the place you are visiting, then they're the ones for you. If you want to have a good time and enjoy the beauty of this place, tons of actually locally owned businesses respect Hawai'i.

-- I know the company will say: "we do not show any booking or participation from you in any Trident Adventures activity". I still have a right to review a company that we see breaking laws to warn others to not give them more money.

