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BLNR Meeting

Friday Feb. 27, 2026 Agenda

Item F-2 Enforcement Against Trident Adventures

Testimony In Support of DAR Submittal

Aloha Acting Chair Kanaka‘ole and Board Members,

Mālama Pūpūkea-Waimea (MPW) is a Hawai‘i non-profit organization founded on the North Shore of O‘ahu in 2005. Our mission is “working to replenish and sustain the natural and cultural resources of the Pūpūkea and Waimea ahupua‘a for present and future generations through active community stewardship, education, and partnerships.”

For twenty-one years, we have focused our collaborative stewardship and education efforts on the Pūpūkea Marine Life Conservation District (MLCD), one of only three MLCDs on O‘ahu.

MPW was the first Makai Watch partner of the Department of Land and Natural Resources (DLNR) Division of Conservation and Resources Enforcement (DOCARE) on O‘ahu. We are the longstanding community “eyes and ears” supporting DOCARE enforcement of the rules protecting the Pūpūkea MLCD.

MPW cares deeply about the MLCD, its marine life, and the safety of the public who visit this special protected area. MPW collaborated with DAR on developing the first DLNR Management Plan for the Pūpūkea MLCD (2024) and completed for DAR the three-year Act 31 Carrying Capacity Final Report recently submitted to the State Legislature. Both of these intensive efforts documented high levels of marine biodiversity in the MLCD at Kapo‘o (Sharks Cove) and highlighted the increasing threats posed by human use in the area.

In this context, **MPW strongly concurs with DAR that Trident Adventures’ commercial “helicopter jumps” into the Pūpūkea MLCD in June and July 2025 were illegal and deserve the maximum possible fine from the Board.**

The proposed \$10,000 fine is not sufficient, however. This amount is only a slap on the wrist for a company that charges \$1,200 per “jump”!

Trident’s invasive, repeated, and illegally advertised “helicopter jumps” in the Pūpūkea MLCD, in the vicinity of snorkelers and appearing to be deliberately conducted near observed dolphin pods, were not safe or pono. These brazen actions provoked outrage in our community.

Therefore, MPW requests that the Board also order that: (1) any current Commercial Use Permit (CUP) for Trident Adventures be revoked and any application for renewal be suspended for one year, (2) any future request to operate on the North Shore or in the Pūpūkea MLCD be denied, and (3) all payments received by Trident from every client “dropped” into the Pūpūkea MLCD be disgorged and donated to DAR for marine conservation on O‘ahu.

Mālama Pūpūkea-Waimea
Post Office Box 188
Hale‘iwa, HI 96712

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Director of Educational Programs &
Makai Watch Coordinator*

Federal Nonprofit Organization
501(c)(3) FEIN 27-0855937
www.pupukeawaimea.org



Helicopter Jump

Activity Price:

From \$1,299

*Price per person plus taxes

*Call for Military and Kama'aina pricing

<https://tridentadventures.com/navy-seal-helicopter-jump>

Factual Background

June 9, 2025: a DOCARE officer observed and reported the first Trident Helicopter commercial “jump” violation in the Pūpūkea MLCD at Kapo‘o (Sharks Cove) (DAR submittal).

June 19, 2025: MPW observed and reported a second “jump” incident in the Pūpūkea MLCD at Kapo‘o (see MPW report and photos included in the DAR submittal).

June 24, 2026: the Trident company representative admitted to me in a text chain that they had been offering “jumps” at Sharks Cove (see DAR submittal exhibit). (You will see in the text chain my objection to their activity in the MLCD and how they tried to avoid giving me the name of the responsible principal at the company.)

July 16, 2025: a Trident representative was observed illegally advertising¹ its tours and “jumps” via a parked van and signs in the City and County of Honolulu Pūpūkea Beach Park at the “Sharks Cove” parking lot, near where the prior “jumps” took place (this photo is provided in the testimony of Jenny Yagodich).



Trident advertising in the parking lot fronting the Pūpūkea MLCD on Jul 16, 2025 at 2:30 PM.

¹ The Trident advertising and solicitation activity shown in these photos is **illegal** under City and County of Honolulu ROH § 10-1.2(h)(2) (“Commercial activities . . . are not allowed at any time in the following parks: . . . (D) Pūpūkea Beach Park . . .”) and City and County of Honolulu Amended Rules and Regulations relating to the Limited Commercial Use of Parks and Park Facilities (1992) (“Section 18. Advertisements. Commercial notices or advertisements shall not be displayed, posted or distributed within the parks except with the prior written permission of the Director.” See ROH Section 10-1.2(a)(6); and “Section 19. Business Operations. Engaging in or soliciting any business within the premises except in accordance with the provisions of a permit, contract, license, lease, concession or other written agreement with the City and County of Honolulu is prohibited.” See ROH § 10-1.2(b)(2)).

July 17, 2025: the Trident representative was again observed illegally soliciting business in Pūpūkea Beach Park in the same location (this photo was sent to me by a community member):



July 25, 2025: the third known Trident “jump” incident occurred in the Pūpūkea MLCD at Kapo‘o (please view the disturbing video of the “drop” and “wash” provided by a resident, included via a link in the testimony of Ms. Yagodich, and read the resident’s documentation of Trident’s hostile reaction, which she found intimidating).

Note that in the photos provided by DOCARE (DAR submittal, page 28 – screenshot below), you will see snorkelers in the vicinity (foreground) of the helicopter “drop” and “wash.” See also MPW Incident report: “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.” Trident’s operations appeared to be a clear risk to public health and safety.



If a commercial use **“MAY endanger”** the health and safety of the public, DLNR can revoke a permit, **immediately, without a hearing**, under H.A.R. § 13-256-10:

§13-256-10 Revocation. (a) The department may immediately revoke a commercial use permit without the necessity for a hearing for any activity which does or may endanger the health or safety of passengers or the public.

This is one of those situations where permit revocation is clearly warranted.

Conclusion

The Trident “helicopter jump” operations in the Pūpūkea MLCD were illegal under the company’s commercial use permit, occurred at least three documented times over a two-month period, were accompanied by illegal commercial solicitation in the beach park, showed a shocking degree of disregard for the marine life in the Pūpūkea MLCD, appeared to occur in close vicinity of snorkelers and divers, and disrespected the community that reported the incidents.

For the reasons stated in the DAR submittal, and in light of these additional facts, MPW respectfully requests the Board adopt the recommended fine and impose the additional sanctions indicated above.

Mālama pono,

A handwritten signature in cursive script, reading "Denise Antolini".

Denise Antolini
President, MPW

February 26, 2026

To: Chair and Members

Board of Land and Natural Resources

RE: Testimony in **support** of February 27, 2026 Agenda Item F-2: Enforcement Action for Fines and Penalties against Trident Adventures LLC for Conducting Unpermitted Commercial Activities in the Sharks Cove, Three Tables, and Waimea Bay Ocean Waters of the north Shore Ocean Recreation Management Area (“ORMA”) regulated under HAR § 13—256-63, and Pūpūkea Marine Life Conservation District (MLCD) regulated under HAR Chp. 13-34, O’ahu, on June 9 and 19, 2025.

Aloha Chair and Members of the Board of Land and Natural Resources,

I submit this testimony in **support** of the Board imposing administrative penalties on Trident Adventures for violation of HAR § 13-256-63(e) for TRIDENT’S unauthorized commercial activity in Zone C of the Sharks Cove, Three Tables and Waimea Bay Ocean Recreation Management Area (ORMA). On two separate dates, June 9, 2025, and June 19, 2025, two separate incidents of violations occurred where TRIDENT conducted unauthorized commercial drops of scuba guests into the ocean waters.

The fact that violations occurred on two separate dates further undermines any suggestion of inadvertence. TRIDENT, a commercial entity, operating in regulated marines’ districts is presumed to have knowledge of the rules governing their conduct. TRIDENT not only had *constructive knowledge*, but knew or should have known of the existing restriction given the entity possess a Commercial Use Permit for the ocean waters on South and West Sides of Oahu. TRIDENT had knowledge or should have reasonably know that their commercial activity on the North waters of Oahu was prohibited.

Due to TRIDENT’S intentional disregard for the restrictions on commercial activity and permitting in State waters, I am in full support of imposing the maximum \$10,000 fine for each violation of HAR § 13-256-63(e) as authorized by HRS § 200-14.5(c)(1). I recommend the Board review imposing a permit revocation for TRIDENT’s current CUP permit, but I remain neutral on the outcome. While I am in support of deterring noncompliance, I do not think revoking the permit for their South Shores commercial proportionally addresses the violations at issue here. Revocation of a permit governing separate geographic operations may extend beyond what is necessary to achieve deterrence and accountability.

As someone who is pursuing a career in law, I think it is important to hold these commercial entities accountable for their violations. The preservation of marine life is of utmost importance

and should not be undermined by commercial activity. However, these fines should still be proportional to the violation committed.

Mahalo for your consideration,

Hoku Schatz

[EXTERNAL] Re: Request to Reschedule Appearance – Agenda Item F-2

From Stephen Kaplan <stephen.kaplan@tridentadventures.com>

Date Wed 2/25/2026 5:34 PM

To DLNR.BLNR.Testimony <blnr.testimony@hawaii.gov>; Sakoda, David <david.sakoda@hawaii.gov>

Cc Marlena Neal <marlena@tridentadventures.com>; Taylor, Charles R <charles.r.taylor@hawaii.gov>

Dear Chair and Members of the Board,

Thank you for the opportunity to provide written testimony regarding Agenda Item F-2.

I respectfully wish to clarify several important factual points concerning the incidents described.

Trident Adventures LLC did not conduct commercial scuba or snorkeling activity within the Sharks Cove, Three Tables, or Waimea Bay Ocean Recreation Management Area in connection with the events at issue. During those events, a helicopter was chartered for aviation transport purposes. The North Shore water entry was not conducted as a commercial in-water service, but rather as transportation to the recreational dive site. No guiding, instruction, vessel/boat support, or commercial dive operations were provided in Zone C. The company's Commercial Use Permit, which authorizes vessel-based operations in designated areas, was not exercised or expanded in connection with this activity.

The helicopter used for this activity is owned and operated by a separate aviation company. Trident Adventures LLC does not own or operate any aircraft.

The individuals referenced in the report as snorkelers or divers in the water were family members and friends who were intentionally gathered together for a coordinated recreational dive. This was not a deployment into the general public for commercial services. After the helicopter entries, the group conducted recreational dives among themselves without commercial services being provided.

At the time, my understanding was that because no commercial in-water services were being provided and recreational diving is generally permitted in the area, additional State authorization was not required beyond appropriate aviation clearance. If that interpretation was incomplete, I personally accept responsibility for that misunderstanding.

As a retired U.S. Navy SEAL and 100% disabled veteran, I have built my professional life around discipline, safety, and respect for governing authority. Since February 2019, Trident Adventures has safely facilitated 3,466 successful helicopter cast participant water-entry evolutions and has formally trained 26 professional Helicopter Cast Masters in accordance with its established operational and safety procedures. Over the past seven years, these helicopter-based water entry operations have been conducted on the south and west shores within permitted and authorized areas. The two incidents before you are isolated and do not reflect an expansion of our commercial operations under our permit.

Beyond our commercial operations, Trident Adventures is actively engaged in community service and conservation efforts. We partner with many veterans' organizations, the Gleason Foundation supporting individuals with ALS, the Make-A-Wish Foundation, the Honor Watch Foundation, and other charitable initiatives. We also participate in and help lead ocean cleanups and conservation efforts throughout the year. Stewardship of Hawai'i's ocean environment is something we take seriously both professionally and personally.

Moving forward, no helicopter-based water entry activity will occur within an ORMA without prior consultation with and, if necessary, authorization from the appropriate State agencies. Our vessel-based operations will continue to operate strictly within their permitted geographic boundaries.

Trident Adventures LLC employs approximately 25 individuals and operates a dive school that works diligently to remain compliant with all State regulations. I respectfully request that the Board consider these distinctions and resolve this matter without taking action that would affect the renewal or validity of the company's Commercial Use Permit.

Thank you for your time and consideration. I will be present either in person or via the provided teleconference link on Friday, 27 Oct 2026 to answer any questions or concerns. Lastly, thank you for the extra time to take care of my family emergency 2 weeks ago.

Very Respectfully,

Stephen Kaplan
Trident Adventures LLC

On Wed, Feb 4, 2026 at 7:15 PM Stephen Kaplan <stephen.kaplan@tridentadventures.com> wrote:

Dear Chair and Members of the Board, and Mr. Sakoda,

I am writing regarding Agenda Item F-2 currently scheduled for the February 13, 2026 meeting of the Board of Land and Natural Resources.

Due to preexisting travel obligations that include both essential business matters and a family emergency on the mainland, I will be unavailable to appear before the Board on February 13. I will be traveling that day from Tampa to Seattle and will return to O'ahu on Monday, February 16, 2026.

I respectfully request that my appearance be rescheduled for an alternate date, either earlier or later, at the Board's convenience. I would appreciate the opportunity to appear either in person or via Zoom, and I am also prepared to submit written testimony in advance or in addition, should that be helpful to the Board.

Thank you very much for your time and consideration. I value the opportunity to participate meaningfully in this process and am happy to coordinate with staff regarding next steps.

Very respectfully,

Stephen Kaplan

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