

June 12, 2026

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

Aloha. My name is Janine K. "Kara" Dumaguin. I am a member of Hui Kahuwai and have been trained through the Makai Watch program. I regret that I am unable to testify in person today due to a previously scheduled conference and appreciate the opportunity to provide written testimony.

I am submitting testimony in support of the enforcement action related to the September 18, 2025 'opihi poaching incident within the Try Wait marine reserve at Ka'ūpūlehu.

On the morning of September 18, I observed a boat behaving in a manner that appeared unusual within the reserve. Because of my familiarity with the area, I knew that boats typically pass through rather than remain stationary. I contacted DOCARE and remained in communication with officers as the situation unfolded. A detailed witness statement was later provided as part of this matter.

While the facts of the case are before the Board, I would like to share what this experience reinforced for me.

Community based resource management depends on partnership. Community members can observe, document, and report concerns, but we cannot do the work alone. Effective stewardship requires agencies that are willing and able to respond when concerns are raised, particularly when situations are actively unfolding. On September 18, I observed something unusual and reported it. DOCARE responded while the incident was still occurring and remained engaged as the situation developed. That responsiveness matters.

I would also like to express my sincere appreciation to the DOCARE officers who responded that day. From my perspective, they took my concerns seriously, remained engaged while the situation was unfolding, and demonstrated the importance of timely enforcement. Their responsiveness reinforced my confidence in the partnership between communities and enforcement agencies. For community-based stewardship efforts to succeed, people need to know that when they step forward and report concerns, those concerns will be treated seriously and investigated with care and diligence.

What I did not fully appreciate until that day was the reality of what community stewardship can look like in practice. As a Makai Watch trained community member, I accepted the responsibility to observe, document, and report concerns when appropriate. On that morning, I found myself alone on a remote stretch of shoreline after reporting a vessel whose presence within the reserve had appeared unusual to me. By the time three individuals emerged carrying bags, I had already reported the vessel and was working with DOCARE. As the situation unfolded, I continued to observe and document what I could while also exercising judgment about how to respond. Being

alone on a remote stretch of shoreline meant that each decision, from what to document to how long to remain on site, carried both personal and stewardship considerations.

Community stewardship does not happen in a conference room. It happens on shorelines, in isolated places, and sometimes in situations where community members must make real time decisions while continuing to fulfill their responsibilities as stewards. As the Board considers this matter, I hope it also reflects on what it means to ask communities to serve as partners in resource protection and what support those communities need to be successful.

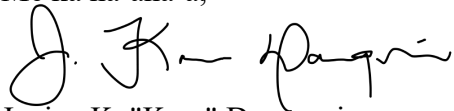
Another lesson I took from this experience is that these situations are rarely as simple as people imagine. Stewardship in Hawai'i often takes place within communities that are deeply interconnected. We are not talking about strangers in the abstract. We are talking about people who have families, relationships, and ties to the same islands we all call home. That reality does not change what happened, but it does remind us that accountability and community are not separate from one another. In many ways, that is what makes community stewardship both meaningful and difficult. It asks us to care for a place, even when doing so may involve people we know, people connected to those we know, or people whose families and relationships are woven into the fabric of our communities.

As I reflected on that day, I kept coming back to the fact that everyone involved was faced with decisions. The individuals involved made decisions. I made the decision to report what I observed. The officers who responded made the decision to act on the information they received. The matter is now before the Board. In many ways, this entire case is the result of a series of decisions and responsibilities that ultimately brought the matter before you today.

I take no joy in being involved in this matter. My testimony is not offered out of anger or resentment. My hope is not simply that accountability occurs. My hope is also that there is understanding. The individuals involved do not have to agree with my actions, but I hope they understand why I made the decisions I did that day. I reported what I observed because I care deeply about Ka'ūpūlehu and because I believe stewardship carries responsibilities for all of us.

Mahalo for the opportunity to provide testimony and for your consideration of this matter.

Me ka ha'aha'a,

A handwritten signature in black ink, appearing to read "J. K. Dumaguin". The signature is fluid and cursive.

Janine K. "Kara" Dumaguin  
Program Director  
Hui Kahuwai



June 10, 2026

**ATTN:** Mr. Ryan Kanaka'ole, Chairperson  
Mr. David Day, First Deputy  
Board of Land and Natural Resources  
Department of Land and Natural Resources  
Submitted via Email to [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

**SUBJECT:** Strong Support for Agenda Item F2 Request for Administrative Fines and Penalties against 'Opihi Poachers for Take of 4,068 'Opihi from within the Ka'ūpūlehu Marine Reserve, in violation of Hawai'i Administrative Rules § 13.60.4-5(d)(1), on September 18, 2025

Board of Land and Natural Resources Meeting  
June 12, 2026, 9:00 a.m., Kalanimoku Building, Room 132

Aloha pumehana kākou:

[Kua'āina Ulu 'Auamo](#) (KUA) **strongly supports** Agenda Item F2 regarding requested fines and penalties for three 'opihi poachers within the Ka'ūpūlehu Marine Reserve in September 2025.

Kua'āina Ulu 'Auamo means “grassroots growing through shared responsibility,” and our acronym KUA means “backbone.” We exist to increase resilience, adaptation, and transformation through community based biocultural management, currently supporting three major networks of: (1) over 40 mālama 'āina (caring for our 'āina or “that which feeds”) community groups referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) in varying stages of restoration and development, with caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a (“caretakers of fishponds”); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things “limu” or locally grown “seaweed.” **Our shared nu'ukia (vision) is to experience what our kūpuna (ancestors) referred to as 'āina momona – abundant and healthy ecological systems that sustain our community resilience and wellbeing.**

KUA has worked with community leaders at Ka'ūpūlehu and Kūki'o for some time and we supported the Ka'ūpūlehu Marine Life Advisory Committee (now Hui Kahuwai) with the initial establishment of the “Try Wait” rest period creating the Ka'ūpūlehu Marine Reserve nearly 10 years ago. Likewise, KUA supports Hui Kahuwai's recent efforts to create a Fisheries Management Area and co-management agreement with DLNR in conjunction with the “opening up” of the reserve later this year. This community's efforts continue to be led by the kupa'āina (native or long-term residents of place) that have worked since time immemorial to mālama their sacred 'āina, with proven increases in the abundance and health in this area. As such, it was extremely disappointing to hear of the egregious harm and disregard that these poachers caused to the recovering 'opihi in the reserve last year.

The Ka'ūpūlehu Marine Reserve was established as a rest period of ten years to conserve and replenish the i'a (marine animals), limu (various underwater plants), 'āko'ako'a (coral), and all life in this designated wahi pana (sacred place), acting as a safe haven and nursery for these lifeforms that have little to no protections in surrounding areas. We are also



quite familiar with the various community efforts to monitor and protect species like 'opihi, including our KUA network members, many of which have spent time walking the shoreline with Hui Kahuwai conducting surveys. The monitoring data that Hui Kahuwai has collected over the past decade shows that i'a biomass within their fishery rest area is now *118% higher* than other reefs in North Kona. This increase in 'āina momona abundance was clearly achieved through their community leadership and initial willingness to rest and protect their fishery for a decade.

We find the take of over 4,000 'opihi of all sizes extremely disturbing and sad given the delicate nature of this place and the hard work of this small community to protect it. Even sadder is knowing that most, if not all, of the 4,000+ 'opihi that were taken did not survive, despite the tireless efforts of Hui Kahuwai to return them to the reserve that same day. It is important to give teeth to the conservation values we seek to uphold with meaningful rules and effective penalties that deter future egregious harm like this. We therefore **strongly support** the fines and penalties requested and urge you to **approve** Agenda Item F2 and better protect our public trust 'āina and marine life for future generations to come.

Me ka mahalo a me ka 'oia'i'o nō,

Kevin K.J. Chang  
Executive Director

Olan Leimomi Fisher  
Kua'āina Advocate



**Mālama Pūpūkea-Waimea**

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June 10, 2026

To: Hawai'i Department of Land & Natural Resources Board  
of Land and Natural Resources, 1151 Punchbowl Street,  
Boardroom, Honolulu, Hawai'i 96813

Re: Strong Support: Request for Administrative Fines and  
Penalties - Agenda Item F-2 (6/12/26)

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

Please accept this testimony in support of the Division of Aquatic  
Resource's request for administrative fines and penalties against  
Brandon K. Carvalho, Kaipo J., Botelho-Matthey, and Keaupilani J.  
Solomon-Lewis for Take of 4,068 'Opihi from within the Ka'ūpūlehu  
Marine Reserve, in violation of Hawaii Administrative Rules §  
13-60.4-5(d)(1), on September 18, 2025.

Marine protected areas are established to conserve and restore  
Hawai'i's marine resources through enhanced protections and  
management. When poaching or other violations occur within these  
areas, it undermines the very purpose of those protections and the  
significant investments made by the State, community partners, and  
local stakeholders to support resource recovery.

Meaningful consequences for violations are essential to deter future  
offenses, reinforce compliance with conservation measures, and  
maintain public confidence in the management of Hawai'i's marine  
resources. Strong enforcement helps ensure that protected areas  
can continue to achieve their intended conservation goals and  
provide long-term benefits for future generations.

For these reasons, we respectfully request that the Board adopt  
DAR's recommendations.

Mahalo for the opportunity to provide testimony,

*Jenny Yagodich*

Jenny Yagodich  
Director of Educational Programs &  
Makai Watch Coordinator