

June 10, 2026

RE: Testimony in Support of Agenda Item F2

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

My name is Malia Kipapa, and I submit this testimony on behalf of my Kipapa 'Ohana in strong support of Agenda Item F2 and the request for administrative fines and penalties against those responsible for the illegal take of 4,068 'opihī from the Ka'ūpūlehu Marine Reserve.

This violation represents a serious disregard for the established protections set in place for the marine resources. If we fail to hold individuals accountable for actions of this magnitude, it sends the message that violations within protected areas will be tolerated. Strong enforcement is necessary to demonstrate that there are real consequences for poaching and the illegal take of resources from marine reserves.

We must set a precedent that these actions will not be accepted. The resources of Ka'ūpūlehu and the communities that care for them deserve better.

For these reasons, I respectfully urge the Board to approve the requested administrative fines and penalties.

Mahalo for the opportunity to testify.

A handwritten signature in cursive script that reads "Malia Kipapa". The signature is written in dark ink and is positioned above the printed name and title.

Malia Kipapa

On behalf of the Kipapa 'Ohana

[EXTERNAL] Agenda F-2 Support of the Request for Administrative Fines and Penalties

From Uilani Naipo <uilani.naipo@me.com>
Date Thu 6/11/2026 8:32 AM
To DLNR.BLNR.Testimony <blnr.testimony@hawaii.gov>
Cc Uilani Naipo <uilani.naipo@me.com>

Aloha Chair and Board Members,

Mahalo for accepting this testimony in strong support of the Division of Aquatic Resources' recommendation to impose penalties on the individuals who violated HAR §13-60.4-5(d)(1) through the unlawful taking of 4,068 'opihi from the Ka'ūpūlehu Marine Reserve.

I applaud Ka'ūpūlehu's hoā'āina, Kara Dumaguin, whose Makai Watch actions helped initiate DOCARE's response, and I extend my sincere appreciation to DOCARE for its thorough investigation and enforcement.

Too often, our communities experience violations of this magnitude without seeing meaningful accountability or resolution. This case is especially painful because of what Ka'ūpūlehu represents. For more than a decade—nearly half a generation—the community exercised tremendous restraint and kuleana in allowing this area to rest and recover. The unlawful taking of 4,068 'opihi did not simply remove a resource; it violated a collective commitment to stewardship and deprived kūpuna and 'ōiwi of Ka'ūpūlehu of the opportunity to benefit from the abundance that had been carefully restored.

No monetary penalty alone can fully address that loss. While I strongly support imposing fines, I respectfully ask that the Board also require restitution. Specifically, I recommend that each violator be required to complete one minute of restitution service for every 'opihi unlawfully taken—approximately 68 hours per violator. The 68 hours reflects a consequence of each to partake in their collaborative action that amounted to 4,068 'opihi. Each deserve to perform restitution on their collective actions (and not a distributed amount). Such service should directly contribute to the care, restoration, monitoring, and stewardship of Ka'ūpūlehu, with the specific work determined at the discretion of the entities that co-manage and mālama that kai.

This violation harmed not only a marine resource, but also the values, relationships, and collective efforts of Ka'ūpūlehu. Any penalty imposed should reflect both the ecological and community impacts of these actions.

'Ike aku, 'ike mai, kōkua aku, kōkua mai; pēlā ihola ka nohona 'ohana,

U'ilani Naipo

Marine Advocate, Kapalilua