

DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

October 31, 2017

To all holders of permits issued pursuant to HRS § 188-31 and used for commercial purposes,

On September 6, 2017, the Supreme Court ruled in the case of Umberger vs DLNR, Civ. No. 12-1-2625-10 (JPC) that use of small mesh nets to take aquatic life for aquarium purposes is subject to Hawaii Environmental Policy Act compliance, HRS Chapter 343. Based on this opinion, the case was remanded to the Circuit Court for further guidance.

On October 27, 2017, Circuit Court Judge Crabtree issued an order declaring that all permits issued or renewed to commercial collectors pursuant to HRS § 188-31 are illegal and void. We are notifying you of this order.

DLNR has not issued new or additional permits under § 188-31 since the Supreme Court's opinion was issued. That policy shall remain in effect until the HEPA compliance requirement is met or until further action by an appropriate court.

A handwritten signature in blue ink, appearing to read "Suzanne D. Case".

Suzanne D. Case, Chairperson
Board of Land and Natural Resources