

STATE OF HAWAI‘I
KĀNE‘OHE BAY REGIONAL COUNCIL

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July 31, 2023

Chairperson Dawn N. S. Chang
Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, HI 96813

Aloha Chair Chang,

The Kāne‘ohe Bay Regional Council (“Council”) stands in solidarity with our community, and the communities across Hawai‘i pae ‘āina, who oppose the commercial aquarium collection trade, and our Council strongly urges the Department of Land and Natural Resources (“DLNR”) to act to permanently end the commercial harvesting of reef wildlife for the aquarium pet trade in the State of Hawai‘i.

The Council has been tasked with, among other things, (1) serving as the public advocate for Kāne‘ohe Bay, (2) making recommendations to the state and county on matters regarding the use of Kāne‘ohe Bay by the general public and commercial ocean use activities, including on legislative matters, and (3) the implementation of the Kāne‘ohe Bay Master Plan, which establishes a framework for the sustainable management of the Bay’s natural resources while accommodating a variety of uses. With this kuleana in mind, we call on DLNR to take action to enact administrative rules to permanently prohibit aquarium collection, in Kāne‘ohe Bay and—recognizing that the exclusion of one fishery from the aquarium trade will only shift demand and put additional stressors on other communities—statewide. Populations of reef fish in Kāne‘ohe Bay are highly connected with those of the Ko‘olauloa and Ko‘olaupoko regions as well as O‘ahu’s South Shore and the fisheries on the Island of Moloka‘i.¹ We further recognize that while each community has different needs and requirements, fisheries management should be on a larger scale than just Kāne‘ohe Bay. Implications of commercial aquarium collection need to be looked at on a statewide basis.

¹ Coleman, R. R., Kraft, D.W., Hoban, M.L., Toonen, R.J., & Bowen, B.W. (2003). Genomic assessment of larval odyssey: self-recruitment and biased settlement in the Hawaiian surgeonfish *Acanthurus triostegus sandvicensis*. *Journal of Fish Biology*, 1-5.

<https://doi.org/10.1111/jfb.15294>

Our community is firm in its position that the commercial harvesting of reef wildlife for ornamental purposes is neither compatible with the local values and lifestyles of Hawai‘i’s residents and of our host culture. For decades, members in our community have fought to end the commercial harvesting of reef wildlife for the aquarium pet trade, including past and current members of our Council. Numerous boards and committees in our community adopted resolutions calling for legislative action to end commercial aquarium collection in our State, including but not limited to the Kahalu‘u Neighborhood Board, Kāne‘ohe Neighborhood Board, Kailua Neighborhood Board, Waimānalo Neighborhood Board, the Ko‘olaupoko Hawaiian Civic Club, and Ko‘olau Foundation, among others. On July 28, 2021, the Kāne‘ohe Bay Regional Council chose to stand with our community and similarly call for legislative action to ban commercial aquarium collection.²

We know that no aquarium collection permits for O‘ahu have yet come to DLNR for approval; however, for DLNR to simply state that it will consider our ongoing long-held opposition to the trade if/when any aquarium collection permits may come to the Board of Land and Natural Resources (“BLNR”) in the future, is not acceptable. You have repeatedly stated publicly that community input should drive decision-making, and that it is the community itself who should determine and define “sustainable” and what activities, if any, may or may not occur in their respective areas. However, as we write this letter, the mainland Pet Industry is attempting to reopen O‘ahu’s reefs to collection despite overwhelming opposition.

Years of community and cultural opposition to the trade has been ignored. This includes DLNR’s continued opposition to legislative efforts to end the trade, including this legislative session, where DLNR again referenced, by its own definition—not the community’s—that the trade is “sustainable.” This position continues to dismiss firmly held cultural and social values of our community. Coral reefs and the wildlife dependent upon them are public trust resources “held in trust by the State for the benefit of the people.” Haw. Const. Art. XI, § 1. Reef wildlife is a natural resource held in the public trust for all, notably, for native Hawaiians whose cultural values are irreconcilable with virtually every aspect of this exploitative activity. Special interests, consisting of seven collectors in West Hawai‘i and 15 collectors on O‘ahu, who represent the profit-driven motives of mainland wildlife and pet trade dealers should not take priority over the people of Hawai‘i.

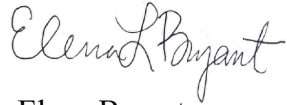
Therefore, we now request that DLNR take action to enact administrative rules to permanently prohibit aquarium collection—statewide—consistent with DLNR’s constitutional mandates and its obligations under *Ka Pa‘akai o ka ‘Āina v. Land Use Commission*. Pursuant to Act 4 of the 1998 Legislative Session, DLNR shall draft any administrative rules regarding commercial aquarium collection in consultation with the Council. *See* Haw. Rev. Stat. § 200-39. The issuance of even one aquarium collection permit anywhere in the state will open the door to poaching and further degradation of other state fisheries. The trade has already caused potentially irreversible harm to our natural and cultural resources, and in violation of DLNR’s

² Resolution Supporting Legislative Action to End the Commercial Harvesting of Reef Wildlife for the Aquarium Pet Trade, Kāne‘ohe Bay Regional Council (2021) *available at*: https://dlnr.hawaii.gov/dar/files/2021/10/Kaneohe_Reso_AQ_Ban_amended.pdf

own mandate that priority protection be given to the resource and the people over any commercial interests.

We respectfully await your prompt response.

Me ka ha'aha'a,



Elena Bryant
Kāne'ōhe Bay Regional Council

cc: Governor Josh Green, M.D.
Senator Mike Gabbard, Chair of the Senate Committee on Agriculture and Environment
Senator Herbert Richards, III, Vice Chair, Senate Committee on Agriculture and Environment
Senator Lynn DeCoite, Member, Senate Committee on Agriculture and Environment
Senator Karl Rhoads, Member, Senate Committee on Agriculture and Environment
Senator Brenton Awa, Member, Senate Committee on Agriculture and Environment
Senator Lorraine R. Inouye, Chair of the Senate Committee on Water and Land
Senator Brandon J.C. Elefante, Vice Chair, Senate Committee on Water and Land
Senator Stanley Chang, Member, Senate Committee on Water and Land
Senator Angus L.K. McKelvey, Senate Committee on Water and Land
Senator Kurt Fevella, Senate Committee on Water and Land