

April 10, 2024

Marie Aguilar  
P.O. Box 1874  
Kailua Kona Hawaii 96745

BLNR TESTIMONY  
DAR  
State of Hawai`i  
Honolulu Hawaii

Re: Issuance of Commercial Aquarium Permits of Marine Licenses for West  
Hawai`i Regional Fish Management -  
DAR's West Hawai`I Aquarium Plan Item F2.  
DAR'S Request to Redraft the Rule ( F3) OPPOSITION TO DAR'S PLAN

Aloha

I am a long-time resident of Hawai`i Island and know first-hand the conditions and impact of fish collection on my island. First, the seriousness of the loss of our coral on the Hawai`i coasts is listed as severe and may not recover anytime soon. The State of Hawai`i has a responsibility to protect Hawai`i's natural resources. The tropical fish of Hawai`i are declining year after year. and I have seen the decline from 1988 through 2021. Yellow tang swam along the Kailua Pier, and their visual presence created the name "Gold Coast" of the Big Island.

I am firmly in Opposition to DAR's plan to reopen our reefs for aquarium trade. Please uphold the December 8 vote and begin the rule process to end the trade. This trade conflicts with local culture and Native Hawaiian values. Further, the US Department of the Interior protects endangered species. There are Hawaiian endangered species through the West Hawai`i shoreline, including the monk seal and small sea life too numerous to name. If the DLNR intends to permit aquarium fish collection, the United States Department of Interior will act against those responsible for not enforcing the protection of the endangered species. Beware of your responsibilities now. The communities of Hawai`i Island will make sure that the endangered species are protected.

I oppose DAR'S Plan to Redraft the Rule ( Item F-3). This is wrong and It is against the State of Hawai`i's Constitution. This is not legal unless the State of Hawai`i Legislation approves their Plan to Redraft the Rule ( F.3.)

The effects of environmental conditions must be taken into consideration for the future of maintaining the population of our tropical fish populations. The recently revised draft of the Environmental Impact Statement from the Pet Industry Joint Advisory Council is flawed. First, there is the impact of a collection of tropical fish on the population. The reef fish population is declining due to profound ocean warming waters, which affect coral life. The damage is severe to our coral from the warm waters several summers, and it needs to be replenished or recovered, if possible. Our coral reefs live symbiotically with tropical fish to flourish and nurture.

The Supreme Court 2017 held that collection without environmental review violates the Act. DLNR later ordered to cease issuing further aquarium collection permits until the environmental effects of aquarium collection are fully and publicly vetted through the HEPA process. Previously, the heaviest impact on our fish collection was the lack of holding permit holders, who were limited in their ability to take aquarium fish. Now, the new revised EIS states that eight species are collected per month. The eight species being requested for collection are incredibly high. The collection of 200,000 yellow tangs can not be allowed through seven permittees, and it does not address those who died in transport. If each of these operators owns two boats and has staff using that license, they could collect in South Kau and North Kohala daily. The fish population could not be restored monthly while being collected daily, weekends included. There is no expiration on these permits, and they could run collectively for year after year.

Today, the same permit holders want to be able to take aquarium fish with limits; this is not acceptable for our ecosystem. State of Hawai'i, DLNR does not have the staff to monitor these seven permits and get actual limits accounted for each day and monthly. This most definitely will not support what the Supreme Court ruled. No management of the fish collection limits is demonstrated in this summited EIS. Self-monitoring is not acceptable.

The most startling outcome of this Revised Draft Environment Impact Statement written by the Pet Industry Joint Advisory Council is this Council has a conflict of interest in presenting a proposal for the whole benefit for the retailing of our reef fish. They support aquarium fish pet stores throughout the mainland. Their impact statement is false; their statements do not provide the actual outcomes of the fish population from fish collecting. They have deleted facts. The collection of Hawai'i's natural resources cannot be open for sale to mainland aquarium trade. The going prices for these fish start at \$70.00 for a yellow tang. What gain are Hawai'i's residents gaining for allowing the collection of their natural resources? No revenue can replace our ocean ecology. Do not accept this

bargain hunter's profitable business for mainland commerce. PIJAC study does not support factual counts of tropical fish in WHRFD.

Their Revised EIS does not mention who the seven (7) permit holders are and who they represent. Are these permit holders actual residents of Hawai'i? Can we seriously trust the permittees who can access our reef fish for three hundred sixty-five days? There are weekends that DLNR would have issues with patrolling the west coast of Hawai'i Island. Does DLNR require bonds on each of the permit holders? Our fish population will not recover. Recently, the County of Hawai'i and Mayor Roth presented a Sustainability Summit. The Summit successfully showed community leaders what sustainability means in our resources' scope. Among our resources, the County of Hawai'i presented Waste Management, Sustainable Tourism, Technology, Preserving the Environment, Energy, Health Care, Education, Affordable Housing, Economy, Transportation, Food Security, Aloha + Challenge.

Greg Asner, a scientist at the Global Institute of Sustainability Airborne Observatory (University of Arizona State), understands conservationism through his scientific approach to mapping the coral reefs of the Hawaiian Islands. Global Airborne Observatory technology will be used to map coral health through Asner Labs, beginning in mid-2019. This technology and its mapping will save our coral reefs for the future. The Hawaiian Islands are a globally important case in point. In less than fifty years, Hawai'i's unique and highly endemic coral reefs have undergone alarming losses in coral extent and health and in fish populations. The Hawaiian Islands are now in highly variable reef conditions driven by a complex mosaic of coastal development, overfishing, and ocean warming. In response to these alarming losses, Hawai'i's Former Governor, David Ige, announced a new effort in 2016 to manage and conserve at least 30% of Hawai'i's reefs by 2030, known as the Marine 30x30 Initiative. Currently, Hawai'i's reefs remain unmanaged. He is based here in Hawai'i. He showed maps of the depletion of the tropical fish using his satellite imagery, showing ten years of depleted sea life on the west coast of the Island of Hawai'i. Those images do not lie; they show the loss of our natural resources - tropical fish and the ocean coral reefs. Sustainability does not include fish collection. The State of Hawai'i, through the direction of Governor David Ige, has granted the Marine 30x30 Initiative in 2016, which is responsible for DLNR, to follow the protocol of this critical mapping and study for our coral reefs and its tropical fish population. Hawai'i is sustaining its resources and must continue to protect its marine life.

Each member of our County government knows the importance of Sustainability in each government area. The State of Hawai'i and the County of Hawai'i must

protect our island and ocean. Please reject this EIS for the Pet Industry Joint Advisory Council. Their trade is not needed. For that purpose, tropical fish are now being raised at the State of Hawai`i -Natural Energy Labs. Their breeding system is working, so please leave our natural resources alone. It is your responsibility.

I oppose any fish collections on the Island of Hawai`i, specifically the West Hawai`i Regional Fish Management (west coast), especially as the Revised EIS Draft indicates from Ka`u to Kohala. Our island depends on economically sustainable tourism where tour operators bring visitors to snorkel, dive and swim and view our pristine waters. We cannot have seven permit holders taking our natural resources for their economic benefit. It is true, third world countries protect the collection of their reef fish, and Hawai`i must continue the restriction on any fish collection for years to come.

The Board of Land and Natural Resources voted anonymously for the disallowance of the previous Draft EIS, and if they voted again, they would vote the same. Not much has changed; illegal collectors have been caught red-handed in collecting our tropical fish and tried in the courts. Penalties were severe in some cases; were they ever collected and paid to the State of Hawai`i? The fish collector applicants can find another form of economic standing, not at the cost of our resources currently protected by our Governor. Hawai`i residents, its sea life tour boat owners, and operators depend on these natural resources. They protect our environment and are invested in our community. Most of our businesses on Hawai`i Island flourish with tourism.

Our economy is semi-dependent on eco-tourism, sustainability tourism, and Agri-tourism. We have learned a hard lesson with the COVID-19 Pandemic. Our islands flourish with visitors who support our state. These visitors support our economy, enjoy our environmental friendliness, and expect us to care for our resources. Hawai`i's economy depends on tourism. Aloha and challenge remain a part of our Hawaiian lifestyle.

Thank you for reading my comments and recording the receipt of this letter.

Mahalo

Respectfully,

Marie Aguilar

Additionally, presenting the Native Hawaiian culture in fishing, fish netting, and its marine tools was educational to the reader. However, there is no similar correlation to the Revised EIS for those collecting tropical fish. Native Hawaiians were fishing, fish netting fish for human consumption for their families. They are living sustainably and providing for their families.

Mahalo

**From:** [Michael Chaplain](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda item F2 and F3  
**Date:** Friday, April 12, 2024 4:07:19 AM

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I oppose banning the aquarium fishery, and I support managing resources by science as provided by DAR.

**From:** [Max Cheslow](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda Items F2 and F3  
**Date:** Friday, April 12, 2024 1:10:39 AM

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I oppose banning the aquarium fishery, and I support managing resources by science as provided by DAR.

Max Cheslow

**From:** [Nicholas Foti](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] F-2, F-3  
**Date:** Friday, April 12, 2024 9:51:45 AM

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I oppose banning the aquarium fishery, and I support managing resources by science as provided by DAR. I hope that instead of banning a fishery you can look to the science available to side with the option to regulate the fishery rather than an outright ban. Please take the emotions and personal stance of others out of your decision and look to science to make an informed decision.

Furthermore It is my hope that by completely banning a fishery, you will set a precedent that will put all other fisheries, both recreational and commercial in jeopardy in the years to come.

Thank you,  
Nick Foti



**From:** [Dillon Good](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda Item F2 and F3  
**Date:** Friday, April 12, 2024 11:21:20 AM

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I oppose banning the aquarium fishery,  
and I support managing resources by science as provided by DAR.

Signed:  
Dillon Good

**From:** [Kilihea Inaba](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] April 12; Agenda Items F.2 and F.3 Testimony Opposition to Reopening Reefs to Destructive Aquarium Trade  
**Date:** Thursday, April 11, 2024 11:07:26 PM

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Aloha Department of Land and Natural Resources,

I am writing to strongly oppose the proposed plan by the Division of Aquatic Resources (DAR) to reopen our reefs to the destructive aquarium trade. I urge you to uphold the December 8 unanimous Board vote directing DAR to begin rulemaking and to hold the required public hearings on the rules promptly.

The briefing document provided by DAR regarding the West Hawai'i Aquarium Plan (Item F.2) is deeply concerning. It fails to acknowledge the negative impacts of the proposed aquarium collection, including the significant reduction in yellow tang abundance in areas where collection has occurred. Furthermore, the proposed level of take exceeds that of subsistence, recreational, and commercial fishers combined, which is alarming.

Additionally, the document fails to address major cultural concerns, enforcement challenges, or the looming threat of climate change. The trade not only conflicts with local culture and native Hawaiian values, such as pono fishing practices, but it also disregards the opposition from Hawai'i's 46 moku that make up the entire state Aha Moku.

Moreover, a published cost/benefit analysis demonstrates that Hawai'i residents receive zero benefits from the aquarium trade but suffer all the costs. Given the dire predictions by scientists that we could lose 70% of our reefs by 2030 due to climate change, it is imperative that we prioritize reef conservation efforts. Reefs require more herbivores to thrive, and DAR's current herbivore rules for food fish are not robust enough to support reef health.

Legalizing aquarium collection would only provide cover for increased illegal poaching, exacerbating the ongoing threats to our marine ecosystems.

I implore you to uphold the December 8 vote and commence the rule making process to end the aquarium trade. Our reefs are invaluable treasures that must be protected for future generations to enjoy.

Mahalo for your time,  
Kilihea Inaba  
Kaloko, Kona, Hawai'i

**From:** [Dana Jones](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] DAR - Aquatic Raping of our reefs - Aquarium Trade  
**Date:** Friday, April 12, 2024 7:10:11 AM

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It is with respect that I am writing to appeal and encourage the denial of the proposed opening of our aquatic resources to aquarium trade. Shame on DAR for not doing their due diligence and their job to protect a resource that has already suffered from poachers in raping a non-sustainable entity within our oceans and the reefs they are supposed to be protecting.

If a fisherman takes from the ocean it is generally to feed his family. This Aquarium trade in no way is for sustainable purposes. Please deny this proposal and strike it down for good so that our oceans are protected. DAR do your job!!!!

Mahalo nui loa,



*Continuing over a Decade of  
Education & Preservation  
For Hawaii's Monk Seals*

[www.hmspohana.org](http://www.hmspohana.org)  
[monksealmania.blogspot.com](http://monksealmania.blogspot.com)

Dana Jones  
Executive Director  
808-393-5043

**From:** [Alaka'i Kapanui](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] April 12; Agenda Items F.2 and F.3 Testimony Opposition to Reopening Reefs to Destructive Aquarium Trade  
**Date:** Friday, April 12, 2024 10:15:50 AM

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Dear Department of Land and Natural Resources,

I am writing to strongly oppose the proposed plan by the Division of Aquatic Resources (DAR) to reopen our reefs to the destructive aquarium trade. I urge you to uphold the December 8 unanimous Board vote directing DAR to begin rulemaking and to hold the required public hearings on the rules promptly.

The briefing document provided by DAR regarding the West Hawai'i Aquarium Plan (Item F.2) is deeply concerning. It fails to acknowledge the negative impacts of the proposed aquarium collection, including the significant reduction in yellow tang abundance in areas where collection has occurred. Furthermore, the proposed level of take exceeds that of subsistence, recreational, and commercial fishers combined, which is alarming.

Additionally, the document fails to address major cultural concerns, enforcement challenges, or the looming threat of climate change. The trade not only conflicts with local culture and native Hawaiian values, such as pono fishing practices, but it also disregards the opposition from Hawai'i's 46 moku that make up the entire state Aha Moku.

Moreover, a published cost/benefit analysis demonstrates that Hawai'i residents receive zero benefits from the aquarium trade but suffer all the costs. Given the dire predictions by scientists that we could lose 70% of our reefs by 2030 due to climate change, it is imperative that we prioritize reef conservation efforts. Reefs require more herbivores to thrive, and DAR's current herbivore rules for food fish are not robust enough to support reef health.

Legalizing aquarium collection would only provide cover for increased illegal poaching, exacerbating the ongoing threats to our marine ecosystems.

I implore you to uphold the December 8 vote and commence the rule making process to end the aquarium trade. Our reefs are invaluable treasures that must be protected for future generations to enjoy.

Thank you for considering my testimony.

Alaka'i Kapanui, Lanihau, Kona, Hawai'i Nui

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**Aloha aina oiaio**

**Co-Founder of Huliau o na Wahi Kapu**

**From:** [Rebecca Melendez](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] NO TO Aquarium Trade April 12 Meeting F3  
**Date:** Wednesday, April 10, 2024 9:59:58 AM

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Please, watch my video I made for this meeting <https://www.youtube.com/watch?v=UJkwi9A8urM> because I posted it on FaceBook on pages that have thousands of followers.

Please, DARs West Hawai'i Aquarium Plan (Item F.2)

DARs briefing document:

Completely fails to even mention the negative impacts of the proposed aquarium collection, just as the trade's deeply flawed EIS failed to

Fails to disclose the 80% - 120% reduction in yellow tang abundance in areas where collection occurred

Fails to disclose that the proposed level of take exceeds that taken by subsistence, recreational, and commercial fishers, combined

Excludes any discussion of, or even a reference to, major cultural concerns, enforcement challenges, or climate change

DARs Request to Redraft the Rule (Item F.3)

Please uphold the December 8 vote and begin the rule process to end the trade

The trade inherently conflicts with local culture and native Hawaiian values, including pono fishing practices to only take what is needed

Hawai'i's 46 moku that make up the entire state Aha Moku oppose AQ collecting

A published cost/benefit analysis shows Hawai'i residents receive ZERO benefits from the AQ trade, but suffer ALL the costs

Scientists forecast that we'll lose 70% of our reefs by 2030 due to climate change

Scientists agree that reefs need more herbivores if they are to have a fighting chance; and, that DARs herbivore rules for food fish are not strong enough

Any legal collection only provides cover for even more illegal poaching that continues even today!

Rebecca Melendez

**From:** [Jerney Queen](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] "Agenda item F2 and F3"  
**Date:** Friday, April 12, 2024 5:02:21 AM

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I oppose banning the aquarium fishery ,and I support managing resources by science as provided by DAR thank you