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GOVERNOR OF HAWAII



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File No.

OEQC 15-101
DLNR-Commercial Aquarium

October 19, 2015

The Honorable Suzanne Case, Chairperson
Department of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawai'i 96813

SUBJECT: Commercial Aquarium Fish Collection Activities

Aloha Chair Case:

I would like to share with you new information, data, and critical issues that have come to my attention so that you can better make decisions on issues relating to activities that take place in our nearshore waters.

Evidence shows that Hawai'i is experiencing dramatic changes as the effects of climate change have begun to take their toll, i.e., record high temperatures, ocean acidification, and massive coral bleaching events. The changes in our nearshore waters in particular effects our economy, the environment and our future. The science and data now also show significant negative effects from nearshore commercial aquarium fishing throughout much of the Hawaiian Islands and the importance of protecting areas, at least for a period of time, to allow fish populations to recover. The urgency of this issue is increasing as scientific evidence has shown that the effects of coral bleaching can be ameliorated when there are robust herbivore reef fish populations.

Attached are several figures among many that were recently presented to the Environmental Council by several organizations. The figures show not only the dramatic decline of many critical Hawaiian nearshore reef fish that are captured in the wild by permittees in the commercial aquarium fishing market, but also that reef fish can return to robust numbers in a short period of time if given the opportunity to recover.

This data has been corroborated time and time again by fisherman and nearshore area residents, not to mention the daily news — many argue our reefs and reef fish are in desperate need of applying a precautionary approach to activities, particularly commercial activities that may negatively affect our environment. In addition, there are now opportunities cropping up that will allow people to create sustainable aquarium fish industries using new techniques to raise and hatch fish. These new business opportunities can replace the practice of taking wild animals out of the wild (to send them to far away confined aquarium tanks in a process where only some survive), similar to many aquaculture ventures that are humane to the fish as well as helpful (not harmful) to our fragile ecosystems.

Suzanne Case, Chairperson
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Given the immediacy of the crisis facing our nearshore waters due to unprecedented and ongoing coral bleaching and the detrimental effects of commercial aquarium fishing, specifically the removal of critical herbivore populations, the Office of Environmental Quality Control urges DLNR's immediate issuance of a moratorium, for at least 180 days, to allow time for DLNR to evaluate the health of the nearshore waters and work with potentially affected permittees to find solutions. Time is of the essence because massive coral bleaching is currently occurring and immediate action is required to minimize further negative impacts and promote recovery of the coral, to the extent possible.

Also, as requested by numerous organizations and individuals, and after reviewing information regarding the health of our nearshore reefs and the commercial aquarium collection impacts, and hearing requests by scientists, the public, non-profit organizations, and commercial fishing interests, the Office of Environmental Quality Control has determined and advises you that commercial aquarium extractive activities are subject to and should go through the environmental review process under the Hawai'i Environmental Protection Act (HEPA), HRS Chapter 343. We recommend the environmental review process be completed before any of these commercial activities are allowed to occur in state waters.

I believe your leadership provides a window of opportunity at a critical juncture for Hawai'i to succeed with this endeavor.

Mahalo for your consideration, hard work, and public service.

Malama pono,

Jessica E. Wooley, Director
Office of Environmental Quality Control

Attachments

DAVID Y. IGE
GOVERNOR OF HAWAII



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October 20, 2015

The Honorable Suzanne Case, Chairperson
State of Hawai'i Department of Land and Natural Resources
1151 Punchbowl Street
Honolulu, Hawai'i 96813

Dear Chairperson Case,

I am writing to you on behalf of the State of Hawai'i Environmental Council. We are concerned about the impact that the commercial aquarium fishing trade is having on nearshore reef ecosystems around the Hawaiian Islands, in particular O'ahu and West Hawai'i. We provide here the following recommendations to the Department of Land and Natural Resources (DLNR), with the rationale for these recommendations outlined below:

1. The DLNR should conduct an environmental review, pursuant to Hawai'i Revised Statutes (HRS) Chapter 343, of the commercial aquarium fisheries permit program.
2. The DLNR should consider a temporary moratorium on the collection of commercial aquarium fish in response to the unprecedented coral bleaching event that Hawai'i is currently experiencing.

The Environmental Council is comprised of 15 members appointed by the Governor to assure a broad and balanced representation of educational, business, and environmentally relevant disciplines and practices. The Council serves as a liaison between the State government and the general public on environmental matters pursuant to HRS Chapter 341, and also has rulemaking authority under HRS Chapter 343.

Environmental Review of Commercial Aquarium Fish Permit Program

The Council is aware that DLNR has a statewide permit program for the collection of commercial aquarium fish, as promulgated under HRS Chapter 188, HAR 13-77 (for O'ahu), and HAR 13-60.4 (for West Hawai'i). The Council believes that issuance of these permits for the collection of commercial aquarium fish constitutes an action

that is subject to environmental review pursuant to HRS Chapter 343. Thus, we urge the DLNR to commence an environmental review of the commercial aquarium fish permit program.

Coral Bleaching Event – Temporary Moratorium

There have been numerous articles in the local, national, and international news media about the unprecedented coral bleaching event that Hawai'i's reefs are currently experiencing,^{1,2,3} including the DLNR in its own press release.⁴ In the context of the "Big Three" human threats to coral reef ecosystems (overfishing, pollution and climate change), wise management choices are imperative.⁵ Estimates of the economic value of Hawai'i's coral reefs range from the hundreds of millions to billions of dollars.^{6,7} If left unchecked, the current bleaching event could have a significant economic impact in Hawai'i. Rapid recovery after this current bleaching event will be critical to ensuring the long-term health of the reef.

If macroalgae populations are established in the recently bleached corals, the prospects for long-term recovery are bleak. Given the potential importance of herbivorous reef fishes in controlling macroalgae populations (such as the yellow tang, which is the most heavily harvested of the aquarium fishes in Hawai'i), the Council feels that the DLNR should consider a temporary moratorium on the harvesting of fish for the aquarium industry to help assist recovery of these critical ecosystems, especially in areas where bleaching is occurring. This action, which is in line with the DLNR's policy for commercial activities on State owned and managed lands and waters, could help to preserve the fishery and ensure a healthy reef for future generations.

The Council recognizes that DLNR has the expertise and resources to thoroughly evaluate the best strategy for responding to the coral bleaching event that Hawai'i is currently experiencing. We trust that the DLNR will make wise decisions based on

¹ <http://khon2.com/2015/10/09/coral-bleaching-in-molokini-crater-shows-winter-scene-under-water/>

² <http://www.csmonitor.com/Science/2015/0914/Why-global-warming-bleaches-coral-in-Hawaii>

³ <http://www.theguardian.com/us-news/2015/sep/13/hawaii-coral-bleaching-scientists-predict-worst-ever>

⁴ <http://dlnr.hawaii.gov/blog/2015/09/11/nr15-135/>

⁵ Pandolfi, John. Deep and complex ways to survive bleaching. *Nature* **518**, 43-44, 2015.

⁶ Cesar, Herman, Pieter van Beukering, Sam Pintz, and Jan Dierking. *Economic Valuation of the Coral Reefs of Hawaii*. National Ocean and Atmospheric Administration, 2002.

⁷ Bishop, Richard C., David J. Chapman, Barbara J. Kanninen, Jon A. Krosnick, Bob Leeworthy, and Norman F. Meade. *Total Economic Value for Protecting and Restoring Hawaiian Coral Reef Ecosystems: Final Report*. Silver Spring, MD: NOAA Office of National Marine Sanctuaries, Office of Response and Restoration, and Coral Reef Conservation Program. NOAA Technical Memorandum CRCP 16, 2011.

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the available science. In order to continue this dialogue, I would like to invite you (or your representative) to attend the next Council meeting and further discuss these issues. I can contact you separately after our next meeting has been scheduled.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph Shacat", with a long horizontal flourish extending to the right.

Joseph Shacat, Chairperson
Environmental Council



FOR IMMEDIATE RELEASE

State Environmental Agencies Urge Protection of Fragile Reef Ecosystem

Organizations Commend Appeals for Moratorium on Capture of Wildlife For Aquarium Purposes

(Oct. 20, 2015) —A new effort to crack down on the annual capture of hundreds of thousands of wild reef animals from Hawaii's [fragile reef ecosystem](#) for U.S. household aquariums is underway. Animal protection, conservation and cultural groups are applauding the positions by the Office of Environmental Quality Control and the Environmental Council urging Gov. David Ige and Department of Land and Natural Resources Chair Suzanne Case to issue an emergency moratorium on the collection of reef wildlife for aquarium purposes due to unprecedented and ongoing coral bleaching events across Hawaii. The agencies further stated that the aquarium collection trade is subject to review and environmental assessment under the Hawaii Environmental Policy Act.

Inga Gibson, Hawaii state director of The Humane Society of the United States said: "In its 50 year history, the environmental and cultural impacts of the aquarium trade have never been assessed, as required by HEPA. In light of the current, potentially catastrophic, coral bleaching events, we are very concerned about these impacts and urge the DLNR to act swiftly to protect this wildlife and their native reefs from unnecessary ornamental take."

Gail Grabowsky, Ph.D, Chaminade University professor and former Environmental Council chair said: "The level of coral bleaching occurring on Hawaiian reefs is unprecedented in recent times. This widespread event could result in significant loss of corals and requires an urgent precautionary response. An immediate moratorium on the commercial capture of wildlife for aquariums makes sense while additional solutions are developed."

Facts:

- Scientists state that [more fish, especially herbivores](#), left protected on reefs can help to alleviate coral reef stressors. Coral bleaching is a [devastating crisis](#) that is predicted to get worse.
- Hawaii is the largest U.S. supplier of reef wildlife for the aquarium trade and the third largest supplier in the world. Hundreds of thousands of animals are captured annually on Hawaii's reefs. Some species, once common, have nearly disappeared as a result, including the Bandit Angelfish and the Hawaiian Turkeyfish, both of which are endemic.

- The aquarium trade in Hawaii primarily targets herbivores such as yellow tang, kole, Achilles Tang and hermit crabs.
- According to [NOAA](#), the top two actions coral reef managers can take to help minimize damage during bleaching events involves implementation of protected areas where no or limited activities are permitted and protecting herbivore populations. These can be temporary or long-term to ensure reef recovery and resilience against future stressors and bleaching events.
- In a similar need for swift action on an emerging issue, on June 26, 2015, DLNR issued an emergency rule prohibiting the take of sea cucumbers due to mass harvesting and the important role sea cucumbers play in protecting Hawaii's reefs.
- The Hawaii Environmental Policy Act, [Chapter 343, HRS](#), was first enacted in 1974 to ensure that the environmental consequences of actions proposed within our state are appropriately considered.
- Take the pledge not to buy wild animals [here](#).

Organizations supporting an emergency moratorium on collection and an environmental assessment of trade impacts:

Conservation Council for Hawaii
 For the Fishes
 The Hanalei Watershed Hui
 Hui Ho'omalulu I ka Aina
 Hui Pono Holoholona
 The Humane Society of the United States / Humane Society International
 KAHEA
 KUPA
 Maui Tomorrow
 Moana Ohana
 Olamau Foundation / Olamau Race
 Puako Community Association
 Sierra Club of Hawaii
 The Snorkel Bob Foundation
 South Kohala Reef Alliance
 West Hawaii Humane Society

For more information on the wild-caught aquarium trade in Hawaii see [here](#).

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Media Contact: Naseem Amini, namini@humanesociety.org, 240-778-5545

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The Humane Society of the United States is the nation's largest animal protection organization, rated [most effective](#) by our peers. For 60 years, we have celebrated the protection of all animals