

JAN 19 2018

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# A BILL FOR AN ACT

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RELATING TO AQUATIC LIFE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that, except for limited  
2       protected areas, state law allows the issuance of an unlimited  
3       number of permits to collect aquarium fish and without any limit  
4       on the amount collected for many species. The issuance of new  
5       commercial permits has been halted under the recent ruling of  
6       the Hawaii Supreme Court in *Umberger v. Department of Land and*  
7       *Natural Resources*, 140 Hawaii 500 (2017), until the completion  
8       of an environmental impact study. The court did not conclude  
9       whether recreational permits also require an environmental  
10      impact study. A recreational aquarium collection permit  
11      authorizes an annual catch limit of two thousand fish.

12      The legislature finds that it is critical that the State  
13      leave healthy aquatic life on the reefs. The State's economy is  
14      inextricably tied to its marine environment, and the economic  
15      and environmental benefits of reef protection go far beyond  
16      tourist dollars that currently drive the economy. Herbivore  
17      populations that have declined or disappeared in Hawaii must be



1 restored to promote reef recovery and the socioeconomic well-  
2 being of our people.

3 The purpose of this Act is to prohibit the department of  
4 land and natural resources from issuing new recreational  
5 aquarium fish collection permits to use fine meshed traps or  
6 fine meshed nets other than throw nets to take aquatic life and  
7 from transferring or renewing existing permits until the  
8 completion of an environmental impact statement.

9 SECTION 2. The department of land and natural resources  
10 shall not issue any new recreational aquarium fish permits nor  
11 transfer or renew any existing recreational aquarium fish  
12 permits to use fine meshed traps or fine meshed nets other than  
13 throw nets to take aquatic life pursuant to section 188-31,  
14 Hawaii Revised Statutes, until the completion of an  
15 environmental impact statement in accordance with the Hawaii  
16 Environmental Policy Act, chapter 343, Hawaii Revised Statutes.

17 SECTION 3. This Act shall take effect upon its approval.  
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INTRODUCED BY: 



# S.B. NO. 2063

**Report Title:**

Aquarium Fish; Recreational Aquarium Fish Permits; Moratorium;  
Environmental Impact Statements

**Description:**

Prohibits the DLNR from issuing new recreational aquarium fish collection permits to take aquatic life and from transferring or renewing existing permits until the completion of an environmental impact statement.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

