

**JOSH GREEN, M.D.**  
GOVERNOR | KE KIA'ĀINA

**SYLVIA LUKE**  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621  
HONOLULU, HAWAII 96809

**DAWN N.S. CHANG**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**RYAN K.P. KANAKA'OLE**  
FIRST DEPUTY

**CIARA W.K. KAHAHANE**  
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

**Testimony of  
RYAN K.P. KANAKA'OLE  
Acting Chairperson**

**Before the Senate Committee on  
WATER, LAND, CULTURE AND THE ARTS**

**Wednesday, February 18, 2026  
1:01 PM  
State Capitol, Conference Room 224**

**In consideration of  
SENATE BILL 2078  
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES**

Senate Bill 2078 proposes to establish a criminal penalty and monetary fines for aquarium fishing violations and clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offense. **The Department of Land and Natural Resources (Department) appreciates the intent of this bill and offers the following comments.**

Section 188-31, Hawaii Revised Statutes (HRS), is primarily an authorizing statute that authorizes the Department to issue permits for using fine mesh nets to take aquatic life for aquarium purposes. It does not establish any specific prohibitions related to aquarium fishing, except as described in subsection (c), which states: "It shall be illegal to sell or offer for sale any fish or other aquatic life taken under an aquarium fish permit unless those fish and other aquatic life are sold alive for aquarium purposes." Therefore, as written, this bill would not accomplish its stated purpose to "increase fines for violations relating to aquarium fishing."

Act 35, Session Laws of Hawai'i 2022, established "a tiered administrative fine system for each specimen of aquatic life taken, killed, or injured" and "a criminal fine structure on a per-specimen basis for violations involving aquatic life." The Department currently has authority to levy fines on a per-specimen basis for aquarium fishing violations. Therefore, the Department believes that the proposed addition of subsection (g) to section 188-70, HRS, is unnecessary.

The Department notes that increasing the criminal penalty for violations where aquatic life is taken for aquarium purposes from a petty misdemeanor to a misdemeanor may have far reaching consequences on judicial efficiency. Because misdemeanor crimes can carry a sentence of up to a year in jail, these cases would be eligible for a jury trial, which can take significantly more resources to prosecute compared to bench trials. The Department's Division of Conservation and Resources Enforcement (DOCARE) and Division of Aquatic Resources (DAR) are already stretched thin when it comes to personnel and resources.

Finally, the Department notes that, in addition to the statutory criminal penalties and monetary fines that courts can impose at sentencing upon conviction, the Department is authorized to impose administrative penalties pursuant to section 187A-12.5, HRS, through administrative enforcement actions before the Board of Land and Natural Resources (Board) and through the Civil Natural Resources Violation System (CRVS) established by chapter 199D, HRS, and implemented under sections 13-1-51 to -72, Hawaii Administrative Rules (HAR) and the associated administrative penalty schedule adopted by the Board on December 12, 2014. This suite of penalties and enforcement options gives the Department wide latitude to pursue penalties appropriately tailored to address the severity of each offense and to deter future violations. Further, there is value in allowing the courts to balance the factors of each individual circumstance to craft fair criminal sentences. High minimum monetary fines take discretion away from the courts at sentencing, forcing them to apply an increased minimum monetary fine across the board without being able to exercise discretion for each individual case.

Mahalo for the opportunity to comment on this measure.



**COMMENTS ON SENATE BILL 2078**

RELATING TO THE DEPARTMENT OF LAND AND  
NATURAL RESOURCES

Senate Committee on Water, Land, Culture and the  
Arts  
Hawai'i State Capitol

February 18, 2026

1:01 P.M.

Room 224

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Dear Chair Lee, Vice Chair Inouye and Members of the Senate Committee on Water,  
Land, Culture and the Arts:

The Office of Hawaiian Affairs (OHA) submits these **COMMENTS** on Senate Bill (SB) 2078. **OHA appreciates the intent of this bill to strengthen enforcement and ensure the current judicial “ban” on collection is enforced through appropriate penalties and fines.** OHA regularly advocates for protection of natural resources and traditional and customary Native Hawaiian practices that rely on those resources, and this bill would advance these underlying policy goals.

**At the same time, OHA strongly supports a complete statutory ban to extend and preserve the current status quo “ban” on collection across ko pae ‘āina.** OHA’s Board of Trustees (BOT) voted last November to support and introduce a statutory ban on aquarium fishing as part of OHA’s legislative package ([SB2535/HB2101](#)).

As set forth below, OHA’s position is based on repeat requests from our beneficiaries whose communities have been negatively affected by commercial aquarium collection to help ensure the nearly ten year judicial pause on collection is extended permanently, consistent with OHA’s constitutional and statutory duties with respect to our beneficiaries and natural resources. OHA’s BOT voted to include an commercial aquarium ban bill in its package following the Association of Hawaiian Civic Clubs’ (AOHCC) decision in October 2025 to support a resolution calling on the legislature to ban commercial aquarium collection.<sup>1</sup> Shortly thereafter the County of Hawai‘i also unanimously adopted a resolution setting forth the same kāhea to this representative body. Other representative entities that have taken similar positions in the past include County of Kaua‘i and the Neighborhood Boards of Kahalu‘u, Kāne‘ohe, Kailua and Waimānalo.

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<sup>1</sup> See AOHCC Resolution NO. 2025-40, “Calling for a Ban on Commercial Aquarium Collection in State of Hawai‘i’s Waters,” available at [2025-AOHCC-ADOPTED-RESOLUTIONS.pdf](#).

## Commercial Aquarium Collection is a Relic of the Past

A complete ban of commercial aquarium collection is consistent with OHA's existing duties to advance Native Hawaiian traditional and customary rights under Article XII, section 7 of the Hawai'i State Constitution and longstanding OHA policy to protect natural resources that are important to the culture and lifestyle of Native Hawaiians.

The current law allowing commercial aquarium collection, HRS § 181-33, is an unfortunate relic of the territorial period when reef fish were erroneously considered inedible and without any other recognized value. In reality, herbivorous reef fish most heavily targeted for commercial collection such as lau'īpala (yellow tang) have been valued, managed, and revered by Native Hawaiians as a food source and for use in healing rituals and other traditional practices for generations. This antiquated law no longer reflects contemporary values let alone legal duties related to protection of our 'āina, kai and Native Hawaiian practices that depend upon those resources.

## Commercial Aquarium Collection Has Limited Economic Benefits

In early October 2025, the Department of Land and Natural Resources (DLNR) Division of Aquatic Resources (DAR) proposed rules to reopen commercial aquarium collection in the WHRFMA following industry participants' completion of a Revised Final Environmental Impact Statement (RFEIS) in 2023.<sup>2</sup> DAR's proposed rules limit collection to the seven industry participants who contributed to the RFEIS.

On October 15, 2025, West Hawai'i beneficiaries attended OHA's Committee on Beneficiary Advocacy and Empowerment to testify in opposition to DAR's proposal, and to ask OHA for support in addressing the observed, negative effects of commercial aquarium collection in their communities. Aquarium collection has been shown to decrease lau'īpala populations in targeted communities in West Hawai'i with observed negative impacts on other marine species and the larger reef ecosystem.<sup>3</sup>

Subsequently, on October 24, 2025, the BLNR received over five hours of community testimony on the proposal to reopen the industry, overwhelmingly in opposition. **During the public hearing, some Board members expressed the opinion that existing law *allowing* DLNR to issue commercial aquarium collection permits, Hawai'i Revised Statutes (HRS) § 188-31, *requires* that it permit industry participants after they**

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<sup>2</sup> Significantly, three Board of Land and Natural Resources (BLNR) members voted to approve the 2023 RFEIS and three voted to reject it. Therefore, the RFEIS was deemed approved by operation of law. See HRS § 343-5(e).

<sup>3</sup> Pet Industry Joint Advisory Council, Revised Final Environmental Impact Statement Issuance of Commercial Aquarium Permits and Commercial Marine Licenses for the West Hawai'i Regional Fishery Management Area (RFEIS) at p.122 (May 26, 2021), [2021-06-08-HA-Revised-FEIS-Hawaii-Island-Commercial-Aquarium-Permits.pdf](#)).

**comply with HEPA.**<sup>4</sup> This is also a position advanced by the Attorney General's Office in related litigation.

Following five hours of primarily opposition testimony, the BLNR voted to send the rules out for public notice and comment despite the limited economic value of the industry. According to the industry's own advocates, the aquarium trade in WHRFMA generates between \$499,416 to \$2,022,686 of income per year within the state (as 67% of statewide industry activity).<sup>5</sup> In contrast, healthy coral reefs generate more than **\$1.2 billion annually in tourism revenue** and provide critical ecosystem services, including shoreline protection and food security, further enhancing their economic value.<sup>6</sup>

Costs for DAR to administer the permitting program and police compliance with geographically defined marine protected areas and the proposed rules further reduces the value of this industry to the state. Moreover, DAR's sustainability conclusion for West Hawai'i is based on a permit-quota system that rests, in turn, upon untested enforcement and closes this industry to newcomers, further limiting the extent to which this industry benefits the public beyond existing industry participants.<sup>7</sup> Whether DOCARE can in fact enforce the permit-quota system is untested.

#### The Public Trust in Natural Resources Further Supports a Ban

Hawai'i's constitutional public trust doctrine, Haw. Const. Art. XI, § 1, requires that public resources be managed for the benefit of present and future generations, with commercial uses that negatively impact these resources disfavored under the law. Where commercial uses are permitted, commercial users have a high burden to justify their needs considering negative consequences on public trust uses including long term preservation of the resource itself. Moreover, where there is scientific uncertainty concerning the effects of commercial use, the public trust doctrine cautions application of the precautionary principle to preserve resources long term. Native Hawaiian cultural practices are one of the uses constitutionally protected under the public trust doctrine. *See In re Waiāhole*, 94 Haw. 97, 115-142 (2000).

These constitutional principles clearly caution the state against permitting an

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<sup>4</sup> See Board Members Denise Iseri-Matsubara's and Riley Smith's statements on the Board's purported lack of authority to ban commercial aquarium collection, <https://www.youtube.com/watch?v=JE2zPoVp8qs&list=PLDh6ZXzdUvQkHtgVoauOkfa26NfNLh2pK&index=4> at 8:10:27; 7:22:09; 7:55:33.

<sup>5</sup> RFEIS at p.102.

<sup>6</sup> [Restoring Hawai'i's Reefs | The Nature Conservancy](#) (Sept. 16, 2018).

<sup>7</sup> OHA is sensitive to concerns of industry participants but notes that because the industry was judicially banned, there has been no collection for the better part of a decade, and a ban would not displace existing jobs. Further OHA is committed to developing programs to help beneficiaries pursue other maritime career pathways.

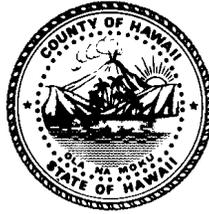
industry shown to repeatedly impinge upon the interests and concerns of the general public and those most intimately connected to the affected place and ecosystems. Beyond the specific interests of affected communities, businesses, and Native Hawaiian practitioners, up to 84% of Hawai‘i Island and O‘ahu residents favor banning the industry.<sup>8</sup>

This widespread concern with the aquarium industry points to a fundamental policy question that this legislature must confront: in an age of ecological uncertainty, with coral reefs facing potential extinction within the next fifty years, does the commercial extraction of reef fish serve a beneficial public purpose? OHA respectfully submits that it does not, and urges the legislature to ban commercial aquarium collection rather than increase penalties which depend upon costly enforcement and policing efforts.

Mahalo nui for the opportunity to present testimony.

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<sup>8</sup> See [Earthjustice Press Release](#), “Land Board Advances Plan to Re-Open West Hawai‘i Waters to Aquarium Pet Industry,” (Oct. 27, 2025) (citing a recent poll conducted by conducted by Honolulu-based Anthology | FINN Research).



## HAWAI'I COUNTY COUNCIL

County of Hawai'i  
West Hawai'i Civic Center, Bldg. A  
74-5044 Ane Keohokalole Hwy.  
Kailua-Kona, Hawai'i 96740

February 15, 2026

### COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS

Senator Chris Lee, Chair

Senator Lorraine R. Inouye, Vice Chair

RE: **Support for SB2078**, RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

Establishes a criminal penalty and monetary fines for aquarium fishing violations. Clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offense.

Hearing: **Wednesday, February 18, 2026 at 1:01 p.m.**

Aloha Chair, Vice Chair, and Members of the Committee,

Mahalo for the opportunity to submit testimony in strong support of S.B. No. 2078, which increases penalties for violations relating to aquarium fishing and clarifies that each unlawfully taken specimen constitutes a separate offense.

Hawai'i Island is home to extensive nearshore reef ecosystems that are central to our community's food security, cultural practices, shoreline protection, and ocean-based economy. These resources are held in public trust and must be managed with vigilance and accountability.

As noted in the findings of this measure, the 2020 ruling of the Environmental Court of the First Circuit confirmed that aquarium fishing permits are subject to the Hawai'i Environmental Policy Act and require environmental review prior to approval or renewal. Following that decision, the Department of Land and Natural Resources appropriately halted the issuance and renewal of commercial aquarium fishing permits. This bill reinforces that protective framework by strengthening enforcement mechanisms and establishing clearer, more meaningful consequences for violations.

Increasing fines and clarifying that each fish or aquatic life specimen taken unlawfully constitutes a separate offense sends an important message: our marine resources are not expendable. Herbivorous reef fish and other nearshore species play a critical role in maintaining coral reef resilience, especially as climate change intensifies ocean warming and ecosystem

stress. Illegal or unpermitted extraction undermines both ecological recovery and community trust in resource management.

S.B. No. 2078 also provides the environmental court with flexibility to require educational programs and community service that directly benefit damaged resources. This balanced approach supports deterrence, accountability, and restoration.

For Hawai'i County, stewardship of our marine ecosystems is a matter of kuleana. Strong enforcement ensures that conservation laws are not merely symbolic, but effective. By strengthening penalties and clarifying statutory intent, this measure advances the State's constitutional obligation to conserve and protect Hawai'i's natural resources for present and future generations.

For these reasons, I respectfully urge the Committee to pass S.B. No. 2078.

Mahalo for your leadership and commitment to protecting Hawai'i's ocean resources.

Sincerely,



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HOLEKA GORO INABA, Ed.D.,  
Council Chair, District 8, North Kona



*Ko`olau Foundation*

P. O. Box 4749 / 46-005 Kawa St., #205  
Kane`ohe, HI 96744

February 16, 2026

To: Senator Chris Lee, Chair  
Senator Lorraine Inouye Vice Chair  
& Members  
Committee on Water, Land, Culture and the Arts

From: Mahealani Cypher, President

Re: S.B. 2078 – Relating to the Department of Land & Natural Resources – SUPPORT

Aloha Chair Lee Vice Chair Inouye, and Committee Members:

The Ko`olau Foundation supports Senate Bill 2078, which establishes a criminal penalty and monetary fines for aquarium fishing violations, clarifies taking violations and possession of prohibited explosives and devices or substances and how penalties would be applied.

We do have one significant concern, however, and urge your consideration of improving the language because – as we understand it – collection limits and reporting are all left to the company doing the gathering; it's all self-reporting. We have long advocated for increased staffing of the conservation law enforcement division of DLNR, which has been constrained from adequately enforcing all of our fishing restrictions. And, although we are pleased to learn that their division has increased the number of officers, the rules still allow for self-reporting.

If that is so, this bill could be considered meaningless, because no one is going to report that they are violating anything.

We urge your support for amending this bill to address that concern before passage of this bill.

Mahalo for considering our mana`o.



Testimony Before The  
Senate Committee on Water, Land, Culture & the Arts (WLA)  
**IN SUPPORT OF SB2078**  
February 18, 2026, 1:01 p.m., Room 224 & via Videoconference

We are Olan Leimomi Fisher and Kevin Chang, Kua'āina Advocate and Executive Director, respectively, testifying on behalf of [Kua'āina Ulu 'Auamo \(or KUA\)](#). "Kua'āina Ulu 'Auamo" stands for "grassroots growing through shared responsibility," and our acronym "KUA" means "backbone." **Our mission is to connect and empower communities to improve their quality of life through the collective care for their biocultural (natural and cultural) heritage, serving as a "backbone organization" that supports creative and community-driven solutions to problems stemming from environmental degradation.** Hawai'i's biocultural resources continue to be negatively impacted by political, economic, and social changes, and the increasing dangers of climate change make fostering and empowering resilient communities acutely critical.

Currently KUA supports three major networks of: (1) over 40 mālama 'āina (caring for our 'āina or "that which feeds") community groups collectively referred to as E Alu Pū (moving forward together); (2) over 60 loko i'a (fishpond aquaculture systems unique to Hawai'i) and wai 'ōpae (anchialine pool systems) sites in varying stages of restoration and development, with numerous caretakers, stakeholders, and volunteers known as the Hui Mālama Loko I'a ("caretakers of fishponds"); and (3) the Limu Hui made up of over 50 loea (traditional experts) and practitioners in all things "limu" or locally-grown "seaweed." **Our shared vision is to once again experience what our kūpuna (ancestors) referred to as 'ĀINA MOMONA – abundant and healthy ecological systems that sustain our community resilience and well-being.**

**KUA supports SB2078 as an incremental step toward 'āina momona.**

A popular quote of community leader Mac Poepoe is "**we do not play with our food.**"

KUA supports this bill based on the long term place-based opposition by traditional fishing communities in West Hawai'i to the commercial aquarium (AQ) fishing trade, and the growing sentiment of support for a statewide ban within our networks. We feel that this similar measure related to establishing criminal penalties and monetary fines for AQ fishing violations is also important to deter illegal collection. **However, enforcement is not enough as we all know, and we encourage a complete statewide ban as the most effective, lasting, and enforceable solution to this issue.**

E Alu Pū members in West Hawai'i have long opposed commercial AQ collection in their region. Their opposition to AQ collection is based on their Native Hawaiian cultural philosophies, values, and traditions of lawai'a pono and place-based fishery management. In 1998, the West Hawai'i Regional Fishery Management Area (WHRFMA) was created along with the West Hawai'i Fishery Council (WHFC), largely in response to the AQ trades' decimation of their fishery. WHRFMA and WHFC were built upon the strong community efforts to make fishery

governance more local and pertinent to the communities most dependent on the fishery. Further, the litigious history of the AQ trade shows the strong West Hawai'i pushback to this commercial industry that nearly eradicated entire fish species before the communities started taking formal action.

Some of these species are traditional food species and are necessary for upholding our unique and important reef ecosystems which should be a priority of our state. The highly lucrative aquarium trade primarily serves extractive interests for sales to an industry outside of our state for a non-essential, non-food use . Further, it is becoming feasible to grow the very species that go for the highest dollars in the aquaculture trade.

The communities we work with are committed to ensuring the long-term health of our biocultural resources that they have cared for and depended on for generations since time immemorial. **We believe protecting our environment, the foundation of our very existence, is about sustained and long-term commitments toward achieving 'āina momona abundance once again.** To get there requires maintaining protections for mālama 'āina, including through this bill to prohibit an extractive, non-essential practice not rooted in Native Hawaiian culture or practices. Our decisions today will continue to shape the future that our keiki's keiki's keiki will one day inherit – we hope for a future of shared and harmonious abundance, and hope you do, too.

Mahalo nui loa for this opportunity to submit testimony. Please **PASS** SB2078.

**Aloha 'Āina Momona no nā kau ā kau.**

**SB-2078**

Submitted on: 2/17/2026 7:27:34 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mike Nakachi	Testifying for Moana Ohana	Support	In Person

Comments:

My Name is Mike Nakachi from Moku O keawe, Storng support for SB2078, Ulitimately you need a ban to properly enforce AQ, then all we would have to do is deal with poaching activities that is currently happening in our waters.

These fines are ok but far to littles, it could be looked at the cost of doing business. Need our docare to have the authority to seize any and all related violations of AQ poaching or otherwise to have gear, trucks, boats and operations seized on the breach of public trust.

Would like to see it ameneded in a way that the poples voices over the decades of this issue who have oppsed this negative and harmful fishing practice on aina are finally heard by this legislative body.

Mahalo for you time, please pass. Mike Nakachi



## SENATE COMMITTEE ON WATER, LAND, AND CULTURE AND THE ARTS

February 18, 2026

1:01 PM

Conference Room 224

### In **SUPPORT** of **SB2078**: RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

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Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

On behalf of our more than 20,000 members and supporters, the Sierra Club of Hawai'i **SUPPORTS WITH AMENDMENTS** SB2078, which seeks to protect our vital marine life from poaching for the aquarium industry.

Hawai'i's coral reefs and the larger living systems dependent upon them are being severely threatened by human-induced global warming, pollution, and the largely unchecked profit-driven extraction of marine life – including, until recently, commercial aquarium collection. Before the local aquarium collection industry was effectively shut down by court rulings in 2017 and 2021, millions of specimens of marine life, including ecologically and culturally important herbivore species, were taken from our reefs and shipped to private aquarium collectors each year. Not surprisingly, the industry has been and continues to be the center of significant conflict and controversy, with the vast majority of the public, and Native Hawaiian cultural practitioners and subsistence communities in particular, objecting to such large-scale extraction of public trust marine resources solely for ornamental purposes, and the financial benefit of a select few.

However, before and even after the industry was shut down nearly one decade ago, suspected aquarium collection in violation of marine resource laws has been continually reported by community watchdogs, including Native Hawaiian subsistence fishing community members. To the extent that per-specimen penalties for violation of aquarium permit requirements may deter such criminal behavior, this measure may represent a positive step forward.

The Sierra Club of Hawai'i does urge the Committee and the Legislature to go one significant and much-needed step further, by finally enacting the nearly decade-long de facto prohibition on commercial aquarium collection into law. **This would settle decades of controversy and concern regarding the ecological and cultural impacts of commercial aquarium collection, avoid the significant monitoring and enforcement costs of proposed rulemaking to re-start the industry, and ultimately allow the Division of Aquatic Resources (DAR) to focus on the pressing and neglected needs of its public trust mission.** Vehicles such as HB2101 or amendments to this measure would accomplish this much-needed policy change.

Notably, despite the Board of Land and Natural Resources' own support of ending commercial aquarium collection, DAR has recently proposed rules that would instead reopen our waters to this industry, starting in West Hawai'i Island. DAR staff have justified their rule proposal by citing obligations under existing statutes. As agency rulemaking determines *how* an activity is conducted, not *whether* it should be allowed, it is now up to the Legislature to affirm that Hawai'i's ocean wildlife should be used and conserved for the public benefit, not exploited for a



# SIERRA CLUB

OF HAWAI'I

gratuitous, harmful, and now defunct industry. The Sierra Club strongly urges the Legislature to take such action and end decades of painful controversy once and for all.

For these reasons, the Sierra Club of Hawai'i respectfully urges the Committee to **PASS SB2078 WITH AMENDMENTS** to finally end the commercial aquarium trade in Hawai'i's waters once and for all.

Mahalo for the opportunity to testify.



February 18, 2026

Senate Committee on Water, Land, Culture and the Arts

**RE: SUPPORT FOR SB 2078 Aquarium Fishing; Fine Increase**

**Dear Chair Lee, Vice Chair Inouye, and Members of the Committee:**

For the Fishes, a Maui-based nonprofit organization dedicated to the protection of coral reef wildlife, supports SB 2078 and offers the following context regarding enforcement challenges associated with the commercial aquarium trade.

Commercial aquarium collection has been illegal since the Hawai'i Supreme Court's October 2017 decision. However, DLNR-DAR did not begin enforcing the ruling in West Hawai'i until January 2018, and statewide enforcement did not occur until February 2021.

In less than five years, there have been four large-scale aquarium poaching and wildlife trafficking investigations involving the illegal collection of thousands of reef animals. In each instance, meaningful enforcement action occurred only after federal agencies, including NOAA and the U.S. Fish and Wildlife Service, led investigations — despite state agencies having access to similar information.

Outcomes have been limited. In one case, the Board of Land and Natural Resources assessed more than \$200,000 in fines, yet the defendants left the country without payment. In another, more than 300 violations resulted in convictions on four counts and a \$4,000 fine through a plea agreement; a related \$106,084 civil penalty is currently being challenged.

In 2023, the aquarium trade's attorney acknowledged in open court that a "black market" exists and that Hawai'i reef fish are readily available online. Since then, numerous examples have been identified and referred to federal authorities.

More recently, we learned that DAR had been aware of an aquarium fish trafficking case since January 2025, after reading about it in the newspaper. However, no state investigation was initiated regarding the dealer or the collectors involved. In December, DAR contacted the U.S. Fish and Wildlife Service to request the names of the collectors "in case they apply for an aquarium permit in the future." That appears to have been the extent of the state's response.

This raises serious concerns. When credible information regarding potential violations becomes available — particularly where other agencies have already conducted substantial investigative work — timely follow-up at the state level is critical. Consistent enforcement is essential to deterrence, accountability, and maintaining public trust in the management of our marine resources.

These circumstances underscore the broader enforcement challenges associated with the aquarium trade.

These examples demonstrate the difficulty of enforcing aquarium collection laws. While SB 2078 strengthens penalties, enforcement alone has proven insufficient. When the trade was previously legal, DAR reported spending up to \$500,000 annually to manage it, while generating less than \$5,000 in state revenue.

If the Legislature seeks to best protect Hawai'i's reef wildlife and reduce ongoing enforcement burdens, the most effective solution is to permanently close commercial aquarium collection, with exemptions for bona fide research, education, public display, and aquaculture.

Thank you for the opportunity to provide testimony.

Rene Umberger  
Executive Director  
For the Fishes



## PRESS RELEASE

# Honolulu Man Who Trafficked Illegally-Caught Hawaiian Tropical Fish Sentenced to Probation and Home Detention

Wednesday, December 3, 2025

**For Immediate Release**

U.S. Attorney's Office, District of Hawaii

HONOLULU – United States Attorney Ken Sorenson announced that Shane Takasane, 43, of Honolulu, Hawaii, was sentenced today by U.S. District Judge Shanlyn A. S. Park to three years of probation for selling illegally-caught Hawaiian yellow tang and kole tang, in violation of the Lacey Act. Takasane pled guilty to those charges on August 6, 2025. Takasane's conditions of probation included 45 days of home confinement, 50 hours of community service to an organization focused on improving the marine environment, and the payment of \$10,100 in restitution to the State of Hawaii Department of Land and Natural Resources, Division of Aquatic Resources.

As part of his guilty plea, Takasane admitted that in June through August 2023, Takasane arranged with divers to obtain Hawaiian yellow tang and kole tang, which the defendant sold to a buyer on the U.S. Mainland without the required commercial fish license. Takasane also admitted as part of his plea agreement that on multiple occasions between July 2023 and June 2024, he imported snakehead fish, which are considered injurious to domestic wildlife, and Asian arowanas, which are protected by the Endangered Species Act, in violation of

federal law.

“The protection of Hawaii’s wildlife is a critical component in preserving the unique and beautiful marine environment that draws so many to our islands,” said U.S. Attorney Ken Sorenson. “We will continue to work with the U.S. Fish and Wildlife Service, FBI, and other agencies to aggressively investigate, arrest, and convict those who seek to profit by violating the laws and regulations that safeguard Hawaii’s precious ocean wildlife.”

“The illegal trade of native Hawaiian marine species threatens fragile coral reef ecosystems, while the smuggling of injurious species poses serious risks to our nation’s wildlife and habitats,” said Douglas Ault, Assistant Director of the U.S. Fish and Wildlife Service Office of Law Enforcement. “We thank the United States Attorney’s Office and the FBI for their strong partnership in enforcing the laws that protect our nation’s most vulnerable wildlife and ecosystems.”

The investigation was conducted by the United States Fish and Wildlife Service with assistance from the Federal Bureau of Investigation.

Assistant U.S. Attorney Michael F. Albanese prosecuted the case.

## Contact

Aislinn Affinito

Aislinn.Affinito@usdoj.gov

*Updated December 3, 2025*

## Topic

**WILDLIFE**

## Component

[USAO - Hawaii](#)



## Department of Land and Natural Resources

*Ka 'Oihana Kumuwaiwai 'Āina*

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# 08/28/20-NĀ'ĀLEHU MAN ARRESTED FOR ILLEGAL TAKES OF HUNDREDS OF FISH

Posted on Aug 28, 2020 in [Aquatic Resources](#), [DOCARE](#), [Main](#), [Media](#), [News Releases](#), [slider](#)

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### DEPARTMENT OF LAND AND NATURAL RESOURCES News Release

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<b>DAVID Y. IGE</b> GOVERNOR	<b>SUZANNE D. CASE</b> CHAIRPERSON
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**For Immediate News Release: August 28, 2020**

## **NĀ'ĀLEHU MAN ARRESTED FOR ILLEGAL TAKES OF HUNDREDS OF FISH**

***333 Yellow Tang, Suspect Faces 16 Charges***



(Hilo) – Thursday morning a DLNR Division of Conservation and Resources Enforcement (DOCARE) officer, on patrol, spotted a vessel in the West Hawai'i Regional Fisheries Management Area (FMA), off South Point. The DOCARE officer maintained surveillance on the boat during the day and then a team of officers boarded it, as they suspected aquatic resources violations.

Officers inspected the boat and the fishers catch at the South Point Boat Ramp. They found 333 Yellow Tang and three (3) Paku'iku'i (Achilles tang); common species of aquarium fish. The DOCARE inspection also revealed numerous violations of Hawai'i Administrative Rules relating to fishing gear and permit requirements relating to the FMA.

The vessel's operator, 47-year-old Jason Beevers, of Nā'ālehu was arrested for the following violations:

1. Activities Prohibited within selected areas (collecting aquatic life), 13-60.4-5(B)(1)
2. Activities Prohibited within the WHRFMA, 13-60.4-4(3)(B)
3. Aquarium collecting permit and vessel registration required, 13-60.4-7(C)(1)
4. Aquarium collecting permit and vessel registration required (failure to display "AQ"), 13-60.4-7(C)(2)
5. Aquarium collecting permit and vessel registration required (failure to fly stiffened "A" flag), 13-60.4-7(C)(3)
6. Aquarium collecting permit and vessel registration required (failure to display a dive flag), 13-60.4-7(C)(4)
7. Activities Prohibited within the WHRFMA (possess AQ gear), 13-60.4-4(3)(A)
8. Activities Prohibited within the WHRFMA (possess unmarked AQ gear), 13-60.4-4(4)
9. Activities Prohibited within the WHRFMA (possess AQ gear), 13-60.4-5(B)(2)
10. Activities Prohibited within the WHRFMA (possess SCUBA gear), 13-60.4-4(6)
11. Lay Nets (less than 2 ¾ inches stretched mesh), 13-75-12.4(a)(2)(B) Note: White nylon (2")
12. Lay Nets (less than 2 ¾ inches stretched mesh), 13-75-12.4(a)(2)(B) Note: Maroon in color (1")
13. Lay Nets (Net not registered), 13-75-12.4(a)(1) Note: White nylon
14. Lay Nets (Net not registered), 13-75-12.4(a)(1) Note: Maroon in color
15. Aquarium Vessel Registration requirements, 13-60.4-7(C)(1)
16. Activities Prohibited within the WHRFMA (possess/engage lay net), 13-60.4-4(5)

Beevers was booked and released on his own recognizance. He will be required to appear on the charges, which are petty misdemeanors. He could face fines, imprisonment, and administrative penalties. All the fishing gear connected to the violations were seized as evidence.

"We appreciate the hard work of the team of officers who were involved in this case" said DOCARE Enforcement Chief Jason Redulla. "While our officers continue to provide for everyone's safety during the current COVID-19 crisis, we continue to be on the lookout for natural resource violations" Redulla added.

###

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## Department of Land and Natural Resources

*Ka 'Oihana Kumuwaiwai 'Āina*

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# 09/16/20-WELL KNOWN HAWAI'I ISLAND AQUARIUM COLLECTOR ARRESTED ON MULTIPLE CHARGES

Posted on Sep 16, 2020 in [Aquatic Resources](#), [DOCARE](#), [Fishing](#), [Main](#), [Media](#), [News Releases](#), [slider](#)

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### DEPARTMENT OF LAND AND NATURAL RESOURCES News Release

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<b>DAVID Y. IGE</b> GOVERNOR	<b>SUZANNE D. CASE</b> CHAIRPERSON
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For Immediate News Release: September 16, 2020

## WELL KNOWN HAWAI'I ISLAND AQUARIUM COLLECTOR ARRESTED ON MULTIPLE CHARGES





(HONOLULU) – Calling the illegal actions “outrageous,” DLNR Chair Suzanne Case praised the Division of Conservation and Resources Enforcement (DOCARE) arrest yesterday of a West Hawai'i aquarium fish collector. 57-year-old Steve Howard of Kailua-Kona, a well-known aquarium fisher, was arrested after a bizarre series of events that included a search and rescue operation. Howard was observed launching his boat at DLNR's Honokohau Small Boat Harbor. When DOCARE officers were alerted, they mobilized, and followed the boat to the Kailua-Kona pier, where Howard picked up two women.

DOCARE Chief Jason Redulla picks up the story. “Our officers observed Howard's vessel heading out to the ocean and by this time we were able to deploy our own boat. Officers intercepted Howard in South Kona off Pebble Beach near Ho'okena. He was questioned about the whereabouts of the women who were no longer on the boat. Officers report Howard was uncooperative as they tried to determine the location of the women. His voyage was terminated due to equipment violations, and he was escorted back to Honokohau.”

The missing women prompted a multi-agency, land, air and sea search & rescue mission involving DOCARE, the Hawai'i County Fire Dept., the Hawai'i County Police Dept., the U.S. Coast Guard and NOAA's Office of Law Enforcement. Eventually authorities received a call that two women, with full diving equipment, were spotted at a Kona gas station. They were picked up for interviews and admitted Howard had “dropped them off to go scuba diving. Ultimately the women told investigators that they'd left approximately 200 fish in a collection basket in the ocean.

A NOAA vessel located nets and other equipment used for aquarium collection on the shore and then found the ten different species of fish in the basket in the ocean. With the assistance of staff from the DLNR Division of Aquatic Resources (DAR), the underwater cage and the captured fish were recovered. After an accounting of the numbers of fish and species type for evidence, all of the fish were returned to the ocean. The fish had an estimated value of \$17,000.

Howard faces multiple charges for resisting arrest, aquatics and equipment violations and for reckless endangerment associated with his dropping the women in the ocean.

Chair Case explained, “Aquarium collection in West Hawaii is not permitted at this time. Everyone knows the rules and the industry is under a microscope legally, procedurally, and physically. Why would anyone blatantly flaunt the law to continue to fish illegally for aquarium fish in Kona is beyond me. It's absolutely wrong. Big kudos to our DOCARE and DAR teams, that nailed this one.”

DAR Administrator Brian Neilson commented, “These people collected 235 fish popular for the aquarium trade in a place that they all know is currently off-limits to any aquarium fish collecting. These are egregious violations and we take them very seriously.”

DOCARE Chief Jason Redulla concluded, “Beyond the impacts on our aquatic resources, the actions yesterday diverted limited law enforcement & emergency services resources into a potential

search and rescue. At one time we thought we might be looking for missing or deceased divers. Who drops divers off a boat into the open ocean and then leaves in order to avoid detection?” “I’m very proud of our DOCARE officers and all of the personnel from other agencies who assisted in the search and subsequent arrest yesterday. These actions potentially endangered the lives of two divers and are clearly detrimental to the aquatic resources in West Hawai‘i. We hope the individual arrested will be prosecuted to the fullest extent of the law.”

# # #

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## Department of Land and Natural Resources

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[Home](#) » [Aquatic Resources](#), [Fishing](#), [Main](#), [Media](#), [News Releases](#), [slider](#) » 01/14/21-WEST HAWAI'I AQUARIUM FISHERS TO PAY \$76,400 FINE FOR ILLEGAL HARVEST

# 01/14/21-WEST HAWAI'I AQUARIUM FISHERS TO PAY \$76,400 FINE FOR ILLEGAL HARVEST

Posted on Jan 14, 2021 in [Aquatic Resources](#), [Fishing](#), [Main](#), [Media](#), [News Releases](#), [slider](#)

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### DEPARTMENT OF LAND AND NATURAL RESOURCES News Release

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<b>DAVID Y. IGE</b> GOVERNOR	<b>SUZANNE D. CASE</b> CHAIRPERSON
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For Immediate News Release: January 14, 2021

## WEST HAWAI'I AQUARIUM FISHERS TO PAY \$76,400 FINE FOR ILLEGAL HARVEST

### *Settlement Negates Contested Case Hearing Request*



(HONOLULU) – Tyron and Kacie Terazono of Kealahou have agreed to pay a large fine for the illegal harvest of aquarium fish, offshore of Kawaihae in Hawai'i County, in February 2020.

Acting on tips, officers from the DLNR Division of Conservation and Resources Enforcement (DOCARE) conducted a commercial fishing gear and catch inspection of the couple's boat, *Masako*, when it returned to the Kawaihae Small Boat Harbor on Feb. 20, 2020. The inspection found 550 live tropical fish, of ten species, in the vessel's hold, along with aquarium fishing gear, including a small mesh net.

The Terazonos were charged with violating the Hawai'i Administrative Rules which prohibit the possession of aquarium collecting gear or the possession of aquatic life for aquarium purposes in the West Hawai'i Regional Fisheries Management Area without a permit.

The Board of Land and Natural Resources heard the case against the Terazonos last May. The couple initially requested a Contested Case Hearing, after the DLNR Division of Aquatic Resources (DAR) had recommended the \$76,400 administrative fines. Ultimately the pair dropped their request for a hearing and agreed to the settlement.

Last September, a South Kohala District Court judge sentenced Tyron Terazono to pay \$5,500 in fines stemming from the illegal collection and serve 30 days in jail, but the term was suspended due to the pandemic. He had pleaded guilty to 11 criminal counts.

###



Aloha Chair, Vice Chair, and members of this committee,

My name is Maki Morinoue, and I am testifying on behalf of HULI PAC. HULI PAC is an organization whose mission is to endorse and support candidates and office holders of integrity who serve the āina and people of Hawai'i Island as a priority.

*\* Important, Hawai'i Island County Council representatives unanimously passed **Res. No. 422-25** in January 2026, sending a stronger message to our Hawai'i State Legislature to take the action of prohibiting the harvest of aquatic life from state marine waters for ornamental commercial aquarium purposes.*

HULI PAC strongly **supports SB2078**, which strengthens penalties for illegal aquarium fishing and protects Hawai'i's nearshore ecosystems.

This bill aligns Hawai'i law with the **2020 Environmental Court ruling**, which affirmed that aquarium fishing permits require full environmental review under HEPA. Despite this, illegal collection continues because current penalties are too low to deter harm. SB2078 corrects that gap by increasing fines and treating **each fish taken illegally as a separate offense**, reflecting the real ecological damage caused.

Reef fish are not decorations—they are **essential to reef health**. Herbivorous fish control invasive algae, support coral growth, and maintain balance in fragile reef ecosystems. When these fish are removed, reefs degrade, coral dies, and fisheries, food security, and local livelihoods suffer.

SB2078 is about accountability, deterrence, and mālama 'āina. It protects public trust resources, supports enforcement, and upholds the court's findings that Hawai'i's reefs deserve meaningful protection—not paper rules without consequences.

However, enforcement alone is **not enough** — the most effective, lasting, and enforceable **solution is a complete ban**.

Please pass SB2078 and stand for our reefs, our culture, and future generations.

Mahalo,  
Maki Morinoue (HULI PAC, Hawai'i Island)



## [COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS](#)

Senator Chris Lee, Chair

Senator Lorraine R. Inouye, Vice Chair

**February 18, 2026**

### **Strong Support SB2078**

Aloha Chair Lee, Vice Chair Inouye and Committee Members,

My name is Antoinette Davis, Executive Director of the Activities and Attractions Association of Hawai'i (A3H). I respectfully submit testimony **in strong support of SB2078**, which strengthens penalties for aquarium fishing violations to better protect Hawai'i's nearshore aquatic resources.

Healthy, fish-filled reefs are essential to our communities. They support subsistence and cultural practices, help maintain reef resilience, and sustain the world-class snorkeling and diving experiences that drive so much of Hawai'i's nature-based visitor economy.

Commercial ocean operators rely on thriving reefs—and we work hard to educate guests, promote responsible behavior, and protect the very places that make Hawai'i special.

But a law without enforcement is just words. If violations are not consistently prosecuted—and if consequences are not meaningful, bad actors, focused on the lucrative nature of collection will keep doing damage while responsible operators and the resource pay the price. SB2078 addresses this gap by increasing fines for violations and clarifying that **each fish or aquatic life specimen taken illegally constitutes a separate offense**, creating real deterrence.

For these reasons, we urge you to pass SB2078 and ensure that the protections Hawai'i has adopted for its reefs are backed by enforceable, consequential penalties.

Mahalo for your time, consideration, and the opportunity to testify in support of SB2078.

Toni

Toni Marie Davis  
Executive Director  
Activities & Attractions Association of Hawaii, Inc.  
*Statewide 501 (c) (6) not-for-profit Trade Association*  
PO Box 598, Makawao, Hawaii 96768  
(808)871-7947

**SB-2078**

Submitted on: 2/17/2026 12:58:21 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kekoa Alip	Testifying for Hui Aloha Kiholo	Support	Remotely Via Zoom

Comments:

I strongly support this bill.

## **Opposed to HB 2078**

**Aloha Esteemed Representative,**

**Please vote no on the unconstitutional, opposing Supreme Court Rulings, anti-ecology, anti-sustainability bills like anti-sustainable fishery HB 2078.**

From Ron Tubbs, B.S.N.D. UHM 8-year research degree

**Opposed to HB 2078, this bill clearly targets only one user group and not other fisheries; such legislation is prejudiced, biased, and unfair and has no place in the Legislature. Clearly, those opposing fisheries do so for unscientific reasons related to user-group conflict and should not be given any weight or allowed to continue with the proposed biased legislation. Please do not pass HB2078!**

The passage of HB 2101 ban on aquarium fishing, would ignore the HWN and WTL Senate votes to not pass the SB 2996 companion bill to 2101. The hearing and passage of this type of bill would go against the latest Supreme Court decision supporting the EIS-approved fishery opening, and it also contravenes the EIS laws and the EIS approval process.

Testimony from DAR in the SB 2996 hearing, DAR: “The fishery DAR review shows the fishery future take will be sustainable.” Watch on [YouTube](#) at 1:25 min. link. 2024 Report to the Legislature also shows very healthy fish populations during the report years. DAR also stated that “No negative impacts are expected by the fishery reopening.”

Pro-Hawaiian-based BLNR, Board of Land and Natural Resources, passes rules to proceed with permitting laws and supports the fishery in a unanimous 7-0 vote. DAR, the Department of Land and Natural Resources, and its leading scientists have repeatedly testified, drawing on decades of science and supported by leading scientists in Hawaii, in support of the return of the aquarium fishery. Passage of this ban bill would contradict the EIS, the Senate deferral, the BLNR unanimous decisions, and the courts' rulings, and it would not be based on science.

Please do not send messages to other businesses stating that Hawaii is closed to businesses, even if they are eco-friendly, pass an EIS, and are sustainable.

EIS laws are meaningless if they are bypassed by the legislature!

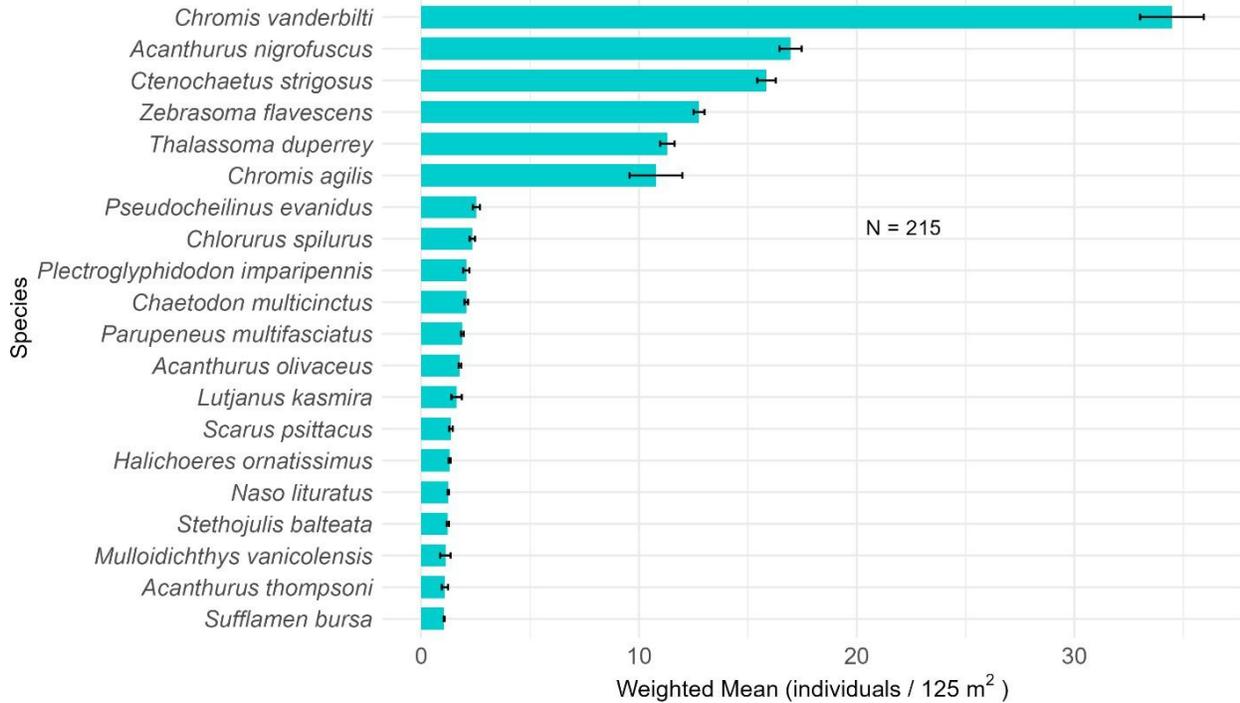
***“Hawaii Aquarium Fishery Economic Value with Sustainability”***

During the fishery collections, the highest fish populations were shown. If the fishery were not sustainable, there would have been a decline.

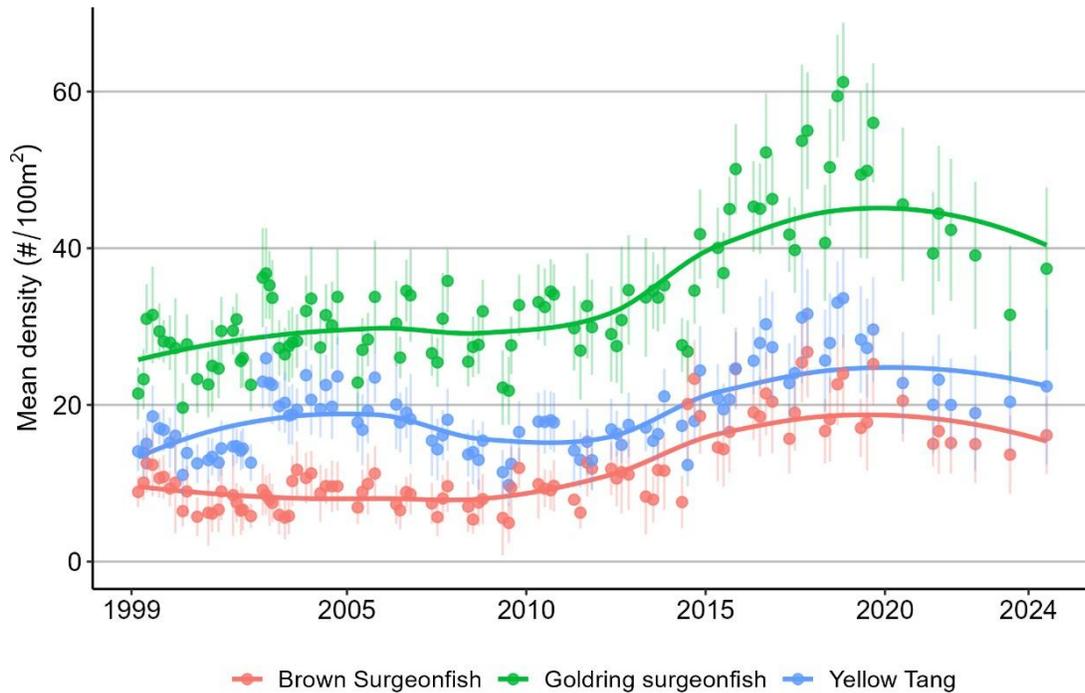
***Ctenochaetus Strigosus Kole Tangs, Zebrasoma flavescens Yellow Tangs are currently among the most populous fish.*** They are not in decline. Contrary to the opposition's recent misinformation on the science.

**See the findings in the chart below.**

Hawaii DC114 2020 Rpt; *Findings and Recommendations of Effectiveness of the West Hawaii Regional Fishery Management Area (WHRFMA) Report*; DLNR.



**Figure 20.** The 20 most abundant reef fish species recorded during 2022-2023 FAHU surveys. Mean density per transect (125 m<sup>2</sup>) weighted by stratum weights with error bars to show weighted standard error for the sample size of 215 surveys across nine strata. Scientific names were used to distinguish species with overlapping Hawaiian names. Translations can be found in Appendix table A-1.



*Figure 23. Mean density of select small surgeonfishes in WHAP surveys. Points represent mean density across 25 WHAP sites for each survey round per species. Error bars represent standard deviation to depict the level of variability between sites. Recruit sized individuals are removed from these data for ma'i'i'i (red), kole (green), and lau'ipala (blue).*

**This data are significant because, following the closure of the fishery in 2017, no population increase was observed.**

**Meaning the fishery did not affect fish populations. The opposition points out that, 5 years later, populations declined and attributes this to fishery. Natural declines and increases occur.**

## **Aquarium Fish are Ambassadors for Tourism**

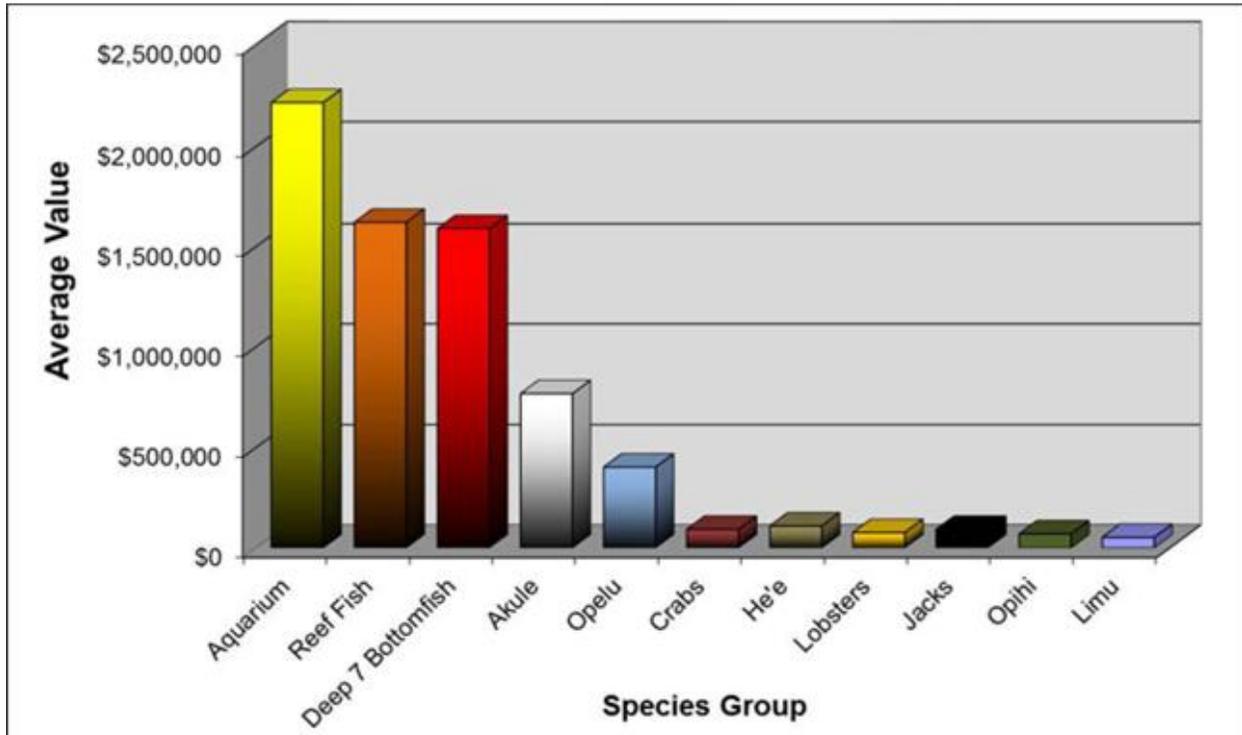
Hawaii's colorful reef fish are "**ambassadors**" for the state's marine ecosystems, exported globally to aquariums and private collectors, raising awareness and promoting tourism, science, sustainability, and fishery husbandry worldwide.

### **Tourism**

Dive shops and Ocean Tour Operators have benefited greatly from the aquarium fishery connection. From sharing great dive spots and sealife locations with tour operators over the years, increasing their experience. Many divers purchase used boat motors from whale and dolphin operators when purchasing new motors, thereby financially supporting these operators' businesses. We have towed tour operators into the harbor and pulled tour boats off the reef countless times.

Fishers, over the years, have avoided and have freely given some of the best fishing spots solely to tour operators, despite laws allowing **the fishers** to fish there. Filling tanks multiple times a week at dive shops, buying expensive dive gear, and supporting the dive shops' operations are invaluable to tour businesses. This aquarium fishery business provides dive shops with a more stable source of income during periods of economic downturn, such as 9/11 and COVID-19. Tourism declined after the shutdown of the aquarium fishery; see the data below.

Tourists worldwide see Hawaiian fish in public aquariums that showcase Hawaii's beauty, alluring tourists to Hawaii. These same aquaria learn and educate others about reef biology and marine biology through fishery husbandry.



**1980 Comparison of the economic value of the fishery harvest in Hawaii.**

### **Who Benefits?**

The Hawaii businesses that have greatly benefited from the tropical fish industry are: boat dealers, boat repair shops, outboard motor mechanics, dive shops, fishing supply stores, aquarium pet stores, pet store wholesalers, box suppliers, bag suppliers, oxygen gas suppliers, aquarium maintenance companies like those in Hospitals and doctor offices, tourist aquariums in Hotels, Sea Life Park, Waikiki Aquarium, gas stations, computer repair, office supply, interisland cargo shippers, Fish and Wildlife inspections fees, USDA inspections fees, Department of Agriculture fees, DNLR permit fees, and many more.

**All public and private aquaria, aquaculture facilities, and even fishponds in the state rely on live fish, which only tropical fishers can catch. These include:** The Natural Energy Center Kailua Kona and its numerous facilities. Sea Life Park, Waikiki Aquarium, Oceanic Institute, Nui Nui Fisheries, Aulani Disney Resort, Maui Ocean Center, UH Hilo Pacific Aquaculture and Coastal Resource Center (PACRC), Kaua'i Ocean Center, Mokupapapa Discovery Center Hilo, Doctor and Hospital, and Aquariums like Shriners for Children.

All fishponds must rely on wild-caught fish kept alive, and aquarium fishers have supplied broodstock to many fishponds and aquaculture facilities over the years. Some fish entered the gates and then grew to adult food size; however, with current runoff and pollution, an increasing amount of wild-caught broodstock will be needed.

No one knows the fishing grounds and techniques better than aquarium fishers, who provide egg-viable, swim-bladder-intact, healthy brood stock for fish ponds. **Fishponds (Loko I'a):** Ancient Hawaiians constructed nearly 500 walled, brackish, or saltwater ponds for aquaculture, providing a steady food source. One of the 500 pond examples is the Huilua Fishpond.

Following the closure of the fishery in 2017, these businesses lost millions in income. Just one of the 15 aquarium fish wholesalers reported a gross yearly income of over 1.2 million, most of which was allocated to air cargo fees for out-of-state shipments.

Air Cargo support for the Airlines. Just one example is Hawaiian Airlines, which experienced severe financial distress, culminating in a \$1.9 billion acquisition by Alaska Air Group, finalized after the carrier suffered over \$1 billion in losses since 2019 due to the pandemic, high fuel costs, engine issues, and the Maui wildfires.

Despite being acquired, Hawaiian continued to lose approximately \$518,000 daily in 2025, posting a \$189 million loss for the year, which significantly dragged down Alaska Air Group's overall profitability.

In late 2025, monthly imports could exceed \$200 million while exports were under \$40 million, highlighting the imbalance. Significantly less cargo leaves Hawaii, and the HERO reports below stress the importance of increased sustainable renewable exports from the State and its dangerously high

dependence on imports. The aquarium fishery could help fulfill those states' needs.

We haven't even touched the surface of the impact that would be felt on the 302-billion-dollar U.S. pet industry. Many companies produce products that benefit from the collection of tropical fish. The following businesses impacted are Aquarium manufacturers, filter manufacturers, aquarium ornament manufacturers, filter, pump, UV sterilizers, protein skimmers, sand filters, pipes, plumbing, fish foods, pet stores, mainland distributors, other countries directly selling into other countries, and the US, Aquarium fish book printers and distributors, all major mainland air carriers, etc.

<https://www.hawaii.edu/news/2024/07/02/economic-diversification-opportunities-uhero/>

### **Where can Hawai'i diversify its economy? UHERO finds areas**

[UH News](#) » [Research](#) » Where can Hawai'i diversify...

Hawai'i's economy depends heavily on tourism, and is therefore vulnerable to sudden drops in visitor numbers as well as inconsistent and slow growth in tourism revenue for the past 30 years.

A new report, 2024, by the [University of Hawai'i Economic Research Organization](#) (UHERO) identifies potential opportunities to diversify the state's economy by analyzing the variety of industries across counties in the U.S. and Hawai'i.

“Based on industries already in Hawai'i, the study shows Hawai'i has great potential for ocean-based industries—such as fishing, fish farming and hatcheries, boat building, port and harbor operations, and seafood packaging. Diversifying into these industries can create long-term stability and support growth beyond tourism”.

**Sustainability** is Key to Hawaii's future. As the most isolated island in the world, Hawaii is too dependent on tourism, the military, and other non-sustainable, [unreliable economic sources](#). [UHERO Forecast for the State of Hawai'i: Mild recession and weak recovery in 2026 - UHERO](#)

**The value of Hawaii's nearshore oceans is worth 15.3 billion dollars** in highly renewable resources in 2024, with a current 50% estimated increase every 20 years, which means one of The state of Hawaii's most valuable resources is our Ocean. *Tourism impacts are Hawaii's biggest ocean ecological offender and the largest source of Carbon Footprint and is not sustainable.*

**Reports show global aquaculture production** (including aquatic plants) in 2016 was 110.2 million tonnes, with the first sale value estimated at US \$244 billion. Three years later, in 2019 the reported output from global aquaculture operations was over 120 million tonnes valued at US \$274 billion. Managing fisheries to their safest environmental output, improved ocean marine management science, and Aquafarming should be Hawaii's "[Blue Revolution](#)" to ensure a sustainable future. *Without decades of expertise and the ability to catch broad stock on a regular basis, aquaculture in Hawaii will not exist with aquarium fishers.*

**The aquarium fishery**, with its higher biomass value and sustainable, highly renewable resources, should be utilized to its fullest to aid the state's plan for a sustainable future.

[University of Hawai'i Economic Research Organization](#) report in 2024 by UHERO.

“Hawai'i's economy depends heavily on tourism and is therefore vulnerable to sudden drops in visitor numbers and inconsistent and slow growth in tourism revenue for the past 30 years”. The [University of Hawai'i Economic Research Organization](#) (UHERO) analyzes the variety of industries across counties in the U.S. and Hawai'i to identify potential opportunities to diversify the state's economy.

What UHERO found based on industries already in Hawai'i, the study shows Hawai'i has great potential for ocean- based industries—such as *fishing, fish farming* and hatcheries, boat building, port and harbor operations, and seafood packaging. Diversifying into these industries can create long-term stability and support growth beyond tourism.

With science supporting the sustainability of the aquarium fishery an approval of fishery permits could aid the state in its greatly needed shift to sustainable renewable resource uses.

Out of the national 277-billion-dollar pet industry, Hawaii pet owners spent 355 million dollars on pets in 2021. Providing 21.8 million state tax revenues and 27.3 million local tax revenues. Hawaii residents have 1.7 pets per household on average. Nearly 57% of Hawaii households have one pet. That is 11% of U.S. household's fish. Taping into the sustainable renewable income aquarium fishing can provide sustainable economic benefits. **Marine fish used as pets are worth per fish as much as % 400 more than those similar fish used for food purposes.** Pet fish leave breeders' sizes to make it a **“Model Fishery.”** Declines in food fish near shore near human-populated areas have not been seen in reef fish used for aquarium purposes.

### **Hawaii Controls It's Own Future**

Demographic studies have shown that in the future, many of our global, nonrenewable resources, such as oil and minerals, will be depleted as the world population increases, leaving states to rely more on their own resources.

In years to come, it will be crucial for Hawaii to rely more on its own renewable marine resources. Restricting access to marine resources without fully considering the impact of legislation on the future of Hawaii's fishermen and the State's economy would be a grave mistake.

To maintain our economy, we must utilize our renewable resources with wisdom.

<https://dbedt.hawaii.gov/economic/databook/>

[https://dbedt.hawaii.gov/economic/databook/2020-individual/\\_23/](https://dbedt.hawaii.gov/economic/databook/2020-individual/_23/)

Fish counts from 1999 to 2017 show an increase in fish counts according to the 2020 West Hawaii report to the Legislature, Overall Yellow Tang

abundance in the 30'-60' depth range over the entire West Hawai'i coast is estimated to have increased by over 3.4 million fish from 1999/2000 to 2017/2018 (150% increase) to a current population of about 5.7 million fish within this depth range alone.

Why are declines in fish populations reported at tourism dive and snorkel sites? Are they really attributed to the aquarium fishery?

### **Tourism Effects on Fish Populations**

[News article](#) discusses the loss of fish in tourist areas.

Ocean tourism has been linked to declines in ocean fish. [Recent studies](#) have shown that fish returned to Hanauma Bay when tourism ceased due to COVID-19. Now that tourism has returned to the bay, more research has shown that [fish are disappearing](#) again! The large groups of tourists have scared the fish out of these areas. A similar study was done on Maui Graham, Andrew T. *The Effects of Human Presence on Fish Behavior at the Hanauma Bay Nature Preserve, Hawai'i During and Immediately Following the COVID-19 Pandemic Closure*. Diss. 2024.

### **Molokini also showed a decrease in fish populations due to tourism.**

Weng, Kevin C., et al. "Decreased tourism during the COVID-19 pandemic positively affects reef fish in a high use marine protected area." *Plos one* 18.4 (2023): e0283683.

We found that when tourism shut down due to COVID restrictions in 2020, fish biomass increased and predatory species increased usage of shallow habitats, where tourists typically concentrate. When tourism resumed, fish biomass and habitat use returned to pre-pandemic levels. These displacement effects change fish community composition and biomass, which could affect key processes such as spawning, foraging and resting, and have knock-on effects that compromise ecosystem function and resilience. Management of non-consumptive uses, particularly in heavily visited MPAs, should be considered to sustain these ecosystems.

The large groups of tourists have scared the fish out of these areas. Large groups of tourists snorkeling and diving significantly affect fish feeding and reproductive behavior, thereby influencing fish populations. Unlike tourists, fishermen do not frequent the same areas repeatedly in large numbers; they rotate their sites to prevent overfishing. Are tourism impacts being used to blame the aquarium fishery? Aquarium fishermen do not go to tourist areas. The 20-year fish replenishment aquarium fish counts from West Hawaii show an increase in overall fish populations; why are tourist areas experiencing fewer fish?

**To address this, tourist dive sites should be rotated to maintain high fish populations.**

High sustainability and low environmental impacts of the fishery have been reported by state researchers; no coral or algal changes have been observed in the fishery's fishing areas. In fact, coral damage was greater in tourism areas, as reported in the West Hawaii Report to the Legislature ([link above](#)).

### **Populations of the most targeted fishery and their value.**

So on Oahu alone, 414 billion 550 million new yellow tang fry <98ft times 1% survival adult stage per year, divided by two for one male and one female pair, results in an estimated 4 billion 145 million potential new adult stage yellow tangs on Oahu reefs every year. The estimate does not account for reduced fecundity at larger sizes or for increased populations at depths greater than 98 feet. It also does not account for the much greater populations that we know exist and extend deeper than 98 feet, so these figures are very conservative.

With a conservative maximum sustainable yield of 25%, catch that would equal 1 billion 36 million sustainable catches, with a 2024 value of \$169.00 per tank-raised yellow tang. Here are some numbers for just one fish in the trade.

**That would mean a potential income of \$175 billion in highly renewable, sustainably caught fish for yellow tangs on Oahu alone.**

**This total would be substantially higher in West Hawaii, which has a population of 5.7 million yellow tang. A sustainable catch of 1.425 million would be valued at \$240 billion for West Hawaii.**

**Tourism Economic Impact of Aquarium Fishery, The Data**

West Hawaii Tourist Accommodations for Hawaii County declined following the closure of the fishery in 2017. See totals in red. Similar declines are noted in overall tourism income for the years following the 2017 aquarium fishery closure.

The relevance of these declines may not be fishery-associated, but there is, definitively, no statistical evidence of any decline in economic value to the State from keeping the fishery closed.

**Table 23.31-- VISITOR ACCOMMODATIONS, BY COUNTY: 1985 TO 2**

[Number of units]

Year	State total	City & County of Honolulu	Hawaii County	Kauai County
1985	65,919	38,600	7,511	5,656
1986	66,308	39,010	7,280	5,922
1987	65,318	38,185	7,328	5,956
1988	69,012	37,841	8,823	7,180
1989	67,734	36,467	8,161	7,398
1990	71,266	36,899	8,952	7,546
1991	72,275	36,623	9,383	7,567
1992	73,089	36,851	9,170	7,778
1993	69,502	36,604	9,140	4,631
1994	70,463	36,194	9,595	5,870
1995	(NA)	(NA)	(NA)	(NA)
1996	70,288	36,146	9,558	6,760
1997	71,025	35,971	9,913	6,589
1998	71,480	36,206	9,655	6,969
1999	71,157	35,861	9,815	6,872
2000	71,506	36,303	9,774	7,159
2001	72,204	36,824	9,944	7,202
2002	70,783	36,457	9,297	7,037
2003	70,579	35,541	9,478	7,257
2004	72,176	35,769	9,857	8,105
2005	72,307	33,926	10,940	8,221
2006	72,274	33,606	10,831	8,266
2007	73,220	33,588	11,061	8,692
2008	74,177	34,081	11,240	9,203
2009	75,198	34,027	11,541	9,469
2010	74,988	33,782	11,479	9,344
2011	77,731	35,001	11,113	9,872
2012	74,650	35,326	10,594	8,289
2013	73,959	35,690	10,903	8,675
2014	73,716	35,864	10,666	8,492
2015	77,138	36,058	11,085	8,582
2016	79,092	37,400	11,349	8,444
2017	80,709	38,879	11,286	8,821
2018	80,751	39,089	10,811	9,022
2019	80,554	39,240	10,505	9,036
2020	81,188	38,806	11,123	9,250

NA Not available.

Source: Hawaii Tourism Authority, *2020 Visitor Plant Inventory*, "Table 1: Available Units by to 2020" <<https://www.hawaiitourismauthority.org/research/visitor-plant-inventory/>> accessed Ma

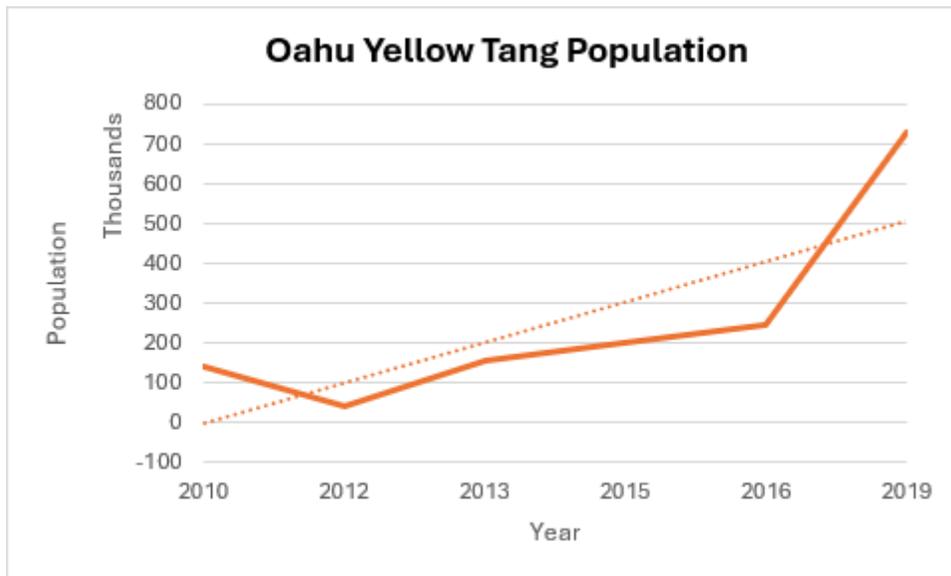
**Thus, the loss of the Aquarium Trade harms tourism economically.**

**The loss of the Hawaii Aquarium Trade and its effects on the worldwide pet trade are even deeper. Here are some economic numbers behind the benefits of the aquarium trade.**

**Sustainability is clear. DAR researchers have been clear on this repeatedly.**

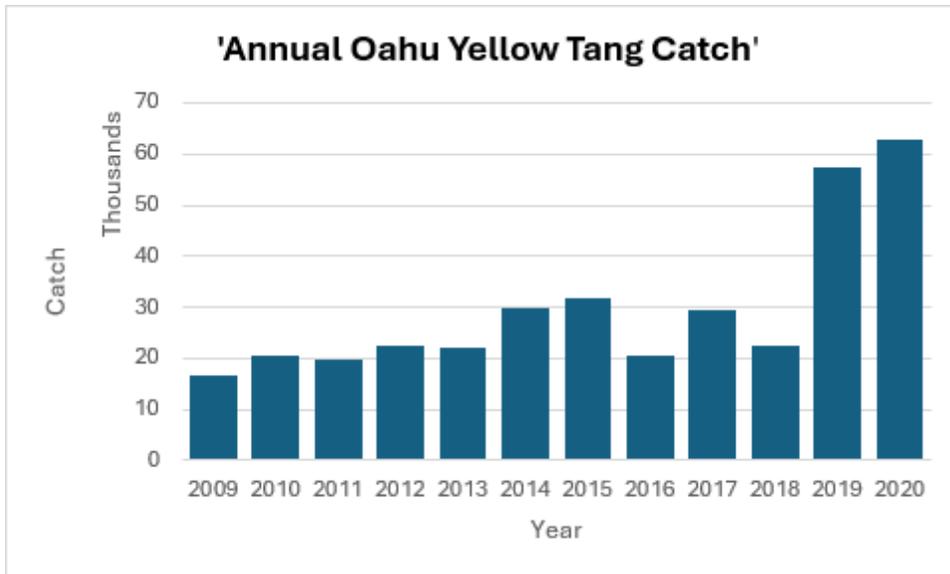
**The Facts Oahu Yellow Tang CML take stats:**

Oahu Yellow Tang, *Zebrasoma flavescens*, DAR Catch Report Data for the Aquarium Fishery between 2009 to 2020, comparison to Fish Populations 2010 to 2019 done by PIFSC, Pacific Islands Fisheries Science Center (PIFSC). One would expect to see an inverse relationship in these charts if the fishery were not sustainable. The Oahu Aquarium Fishery's most targeted species, Yellow Tangs, from 2009 to 2020, has the following data that supports the fishery despite increased take being done at a sustainable level.



2010 to 2019 done by PIFSC, Pacific Islands Fisheries Science Center (PIFSC)

Yellow Tangs *Zebrasoma flavescens* 2010-2019 Oahu Population Hard Bottom 0-98 ft only. Currently done only every three years. Data is only available for the years of surveys listed above



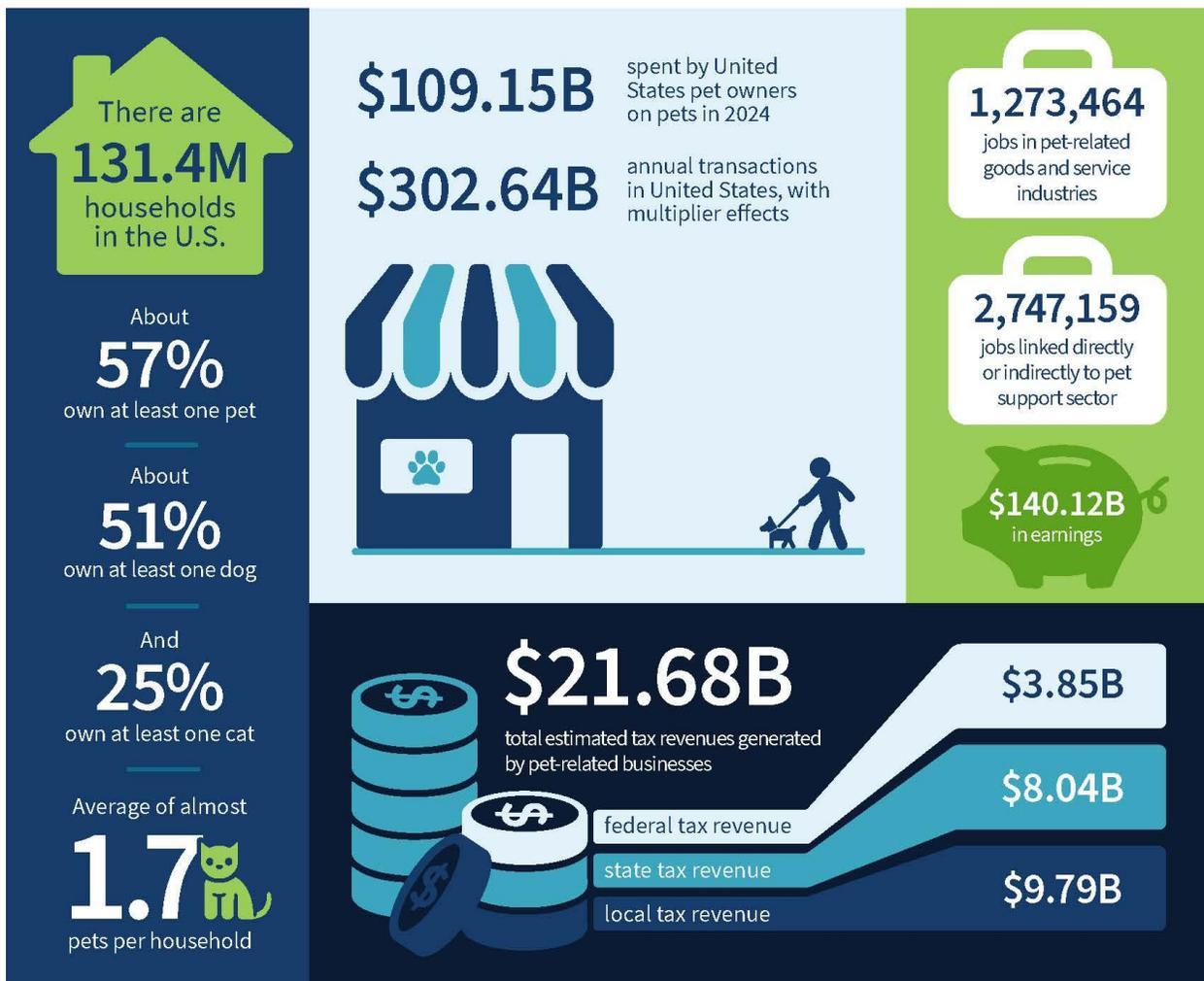
DAR Catch Report Stats Yellow Tangs *Zebrasoma flavescens* 2009-2020

**Clearly, Fish Counts and all available data show a Sustainable Fishery! Please support sustainability and the use of the most renewable resource use. Vote no to HB 2101!**

Thanks, Ron Tubbs, B.S.N.D. UHM research degree.

# ECONOMIC IMPACT OF THE U.S. PET SECTOR

The American pet sector that supports 2.75 million jobs nationwide. The U.S. pet sector contributes \$303 billion directly and indirectly to America's economy and \$217 billion in annual gross domestic product. The care and companionship of pets is integral to not only the emotional and physical well-being of people, but also to the strength and stability of our economy.



\*Expenditures of United States pet-owning households include all related expenditures based on a survey of pet owners conducted by the American Pet Products Association and the American Veterinary Medical Association. Economic Impact Data sourced from: Knudson B, Miller S. The Economics of the US Pet Food and Pet Supply Industry. Product Center and Center for Economic Analysis, Michigan State University, March 2024. Pet ownership data sourced from: APPA National Pet Owners Survey: 2023-2024.



## Sources:

An extensive, detailed environmental review is available upon request.

Source [in-text links](#) and now below:

Jablonski D (1986) [Mass and background extinctions: the alternation of macroevolutionary regimes.](#) *Science* 231:129–133

Raup DM (1991) [A kill curve for Phanerozoic marine species.](#) *Paleobiology*. 17:37–48.

<https://www.nationalgeographic.com/animals/article/animals-with-most-offspring-fish-eggs-reproduction>

Forsgren, Kristy, et al. "Reproductive biology of the ocean sunfishes." *The Ocean Sunfishes* (2020): 87- 104.

Rønsted, Nina, et al. "Extinction risk of the endemic vascular flora of Kauai, Hawaii, based on IUCN assessments." *Conservation Biology* 36.4 (2022): e13896.)

<https://www.imf.org/en/Publications/fandd/issues/2020/12/impact-of-the-pandemic-on-tourism-behsudi>  
<https://www.westhawaii.com/2020/06/25/opinion/my-turn-we-expect-better/hjawaii-tropical-aquarium-fish>  
<https://files.hawaii.gov/dlnr/reports-to-the-legislature/2020/AR20-WHRFMA-Rpt-FY19.pdf>

ME Bushnell, [JT Claisse](#), CW Laidley - *Journal of Fish Biology*, 2010

Eble JA, Toonen RJ, Sorenson L, Basch LV, Papastamatiou YP, Bowen BW (2011) Escaping paradise: larval export from Hawaii in an Indo-Pacific reef fish, the yellow tang *Zebrasoma flavescens*. *Mar Ecol Prog Ser* 428:245-258. <https://doi.org/10.3354/meps09083>

([Lough et al., 1999](#)) ([Bagnato et al., 2004](#); [Damassa et al., 2006](#); [Cantin et al., 2010](#))

Muir, Paul R., et al. "Species identity and depth predict bleaching severity in reef-building corals: shall the deep inherit the reef?." *Proceedings of the Royal Society B: Biological Sciences* 284.1864 (2017): 20171551

Two major West Hawaii studies show that the aquarium fishery has no major impact on corals or detrimental effects on algae growth compared to closed habitats without aquarium fishing. (B.Tissot, B. Walsh) Isoun, E., et al. "Multi-spectral mapping of reef bathymetry and coral cover; Kailua Bay, Hawaii." *Coral Reefs* 22 (2003): 68-82.

(Adey, Walter H. "Coral reefs: algal structured and mediated ecosystems in shallow, turbulent, alkaline waters." *Journal of Phycology* 34.3 (1998): 393-406).

Capps, Krista A., and Alexander

S. Flecker. "Invasive aquarium fish transform ecosystem nutrient dynamics." *Proceedings of the Royal Society B: Biological Sciences* 280.1769 (2013): 20131520.

*The Effects of Venting and Decompression on Mortality and Sublethal Effects in Yellow Tangs (Zebrasoma Flavescens) Caught for the West Hawaii Aquarium Trade.* Diss. Washington State University, 2012.

Mathew, K. J. "Net avoidance behaviour among larval, juvenile and adult euphausiids." *Journal of the Marine Biological Association of India* 30.1&2 (1988): 93-98.

De Robertis, Alex, and Nils Olav Handegard. "Fish avoidance of research vessels and the efficacy of noise-reduced vessels: a review." *ICES Journal of Marine Science* 70.1 (2013): 34-45.

<https://www.fishbase.se/search.php>

(<https://www.iucnredlist.org/>

Effectiveness of the West Hawai'i Regional Fishery Management Area (WHRFMA) that overall fish populations of targeted aquarium fish species increased significantly in West Hawaii over 20 years. "Overall Yellow Tang abundance in the 30'-60' depth range over the entire West Hawai'i coast is estimated to have increased by over 3.4 million fish from 1999/2000 to 2017/2018 (150% increase) to a current population of about 5.7 million fish within this depth range alone. Over time, management and habitat increases due to coral growth contribute to increased fish populations. Overall Kole abundance in the 30'-60' depth range over the entire West Hawai'i coast is estimated to have increased 118% (>5.1 million fish) during this time period with a current estimated population of almost 9.6 million fish. As with Yellow Tang, summer 2014 recruitment for Kole in many areas was very strong.

Recruitment at the Manuka survey site for example was 254% higher than on any other previous survey at the site over the last 20 years." (WHRFMA)

Shomura, Richard. "A historical perspective of Hawai'i's marine resources, fisheries, and management issues over the past 100 years." *Status of Hawaii's coastal fisheries in the new millennium, revised 2004 edition. Proceedings of the 2001 fisheries symposium sponsored by the American Fisheries Society, Hawai'i Chapter*. 2004.

Williams, I. D., et al. "Assessing the importance of fishing impacts on Hawaiian coral reef fish assemblages along regional-scale human population gradients." *Environmental Conservation* 35.3 (2008): 261-272.

Ogawa, Thomas, and Christopher L. Brown. "Ornamental reef fish aquaculture and collection in Hawaii." *Aquarium Sciences and Conservation* 3 (2001): 151-169.

Tissot, Brian N., William J. Walsh, and L. E. Hallacher. "The effectiveness of marine protected areas and the impacts of aquarium fish collecting in Hawai'i." *Hawaii Coral Reef Initiative, University of Hawaii* 1 (2002).

<https://files.hawaii.gov/dlnr/reports-to-the-legislature/2020/AR20-WHRFMA-Rpt-FY19.pdf>

Wood, Elizabeth. "Global advances in conservation and management of marine ornamental resources." *Aquarium Sciences and Conservation* 3.1 (2001): 65-77.

Gove, Jamison M., et al. "West Hawai'i integrated ecosystem assessment ecosystem status report." (2019).

[Friedlander, Alan M. \(Alan Marc\) ; Donovan, Mary K. ; Stamoulis, Kostantinos ; ...  
https://repository.library.noaa.gov/view/noaa/907/noaa\\_907\\_DS1.pdf](https://repository.library.noaa.gov/view/noaa/907/noaa_907_DS1.pdf)

Hoggarth, Daniel D. *Stock assessment for fishery management: A framework guide to the stock assessment tools of the fisheries management and science programme*. No. 487. Food & Agriculture Org., 2006.

Hoggarth, Daniel D. *Stock assessment for fishery management: A framework guide to the stock assessment tools of the fisheries management and science programme*. No. 487. Food & Agriculture Org., 2006.

DAR BLNR Presentation 2024 <https://youtu.be/djltlsvg7qs?feature=shared>  
Oahu there is a much greater refuge area than West Hawaii. Sources; 2013 By [Friedlander, Alan M. \(Alan Marc\)](#) ; [Donovan, Mary K.](#) ; [Stamoulis, Kostantinos](#) ; ...  
[https://repository.library.noaa.gov/view/noaa/907/noaa\\_907\\_DS1.pdf](https://repository.library.noaa.gov/view/noaa/907/noaa_907_DS1.pdf)

Asher, Jacob. *A deeper look at Hawaiian coral reef fish assemblages: a comparison of survey approaches and assessments of shallow to mesophotic communities*. Diss. Curtin University, 2017.

. Oahu fared much better during these coral bleaching events. Jokiel, Paul L., and Eric K. Brown. "Global warming, regional trends and inshore environmental conditions influence coral bleaching in Hawaii." *Global Change Biology* 10.10 (2004): 1627-1641.

(<https://myfwc.com/research/saltwater/fishstats/commercial-fisheries/marine-life-tropical-ornamentals>)

### **Regulated Fishing Areas on O'ahu**

<https://dlnr.hawaii.gov/dar/fishing/fishing-regulations/regulated-areas/regulated-fishing-areas-on-oahu/>

Eble, J. A., Toonen, R. J., Sorenson, L., Basch, L. V., Papastamatiou, Y. P., & Bowen, B. W. (2011). Escaping paradise: larval export from Hawaii in an Indo-Pacific reef fish, the yellow tang *Zebrasoma flavescens*. *Marine Ecology Progress Series*, 428, 245-258.

Williams, I. D., et al. "Impacts of a Hawaiian marine protected area network on the abundance and fishery sustainability of the yellow tang, *Zebrasoma flavescens*." *Biological Conservation* 142.5 (2009): 1066- 1073.

Claisse, Jeremy T., et al. "Habitat-and sex-specific life history patterns of yellow tang *Zebrasoma flavescens* in Hawaii, USA." *Marine Ecology Progress Series* 389 (2009): 245-255.

Claisse, Jeremy T., et al. "Habitat-and sex-specific life history patterns of yellow tang *Zebrasoma flavescens* in Hawaii, USA." *Marine Ecology Progress Series* 389 (2009): 245-255.

*Cultural Significance*

**SB-2078**

Submitted on: 2/15/2026 10:22:21 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Bishop	Testifying for Friend's of Hanauma Bay	Support	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Committee Members,

Friends of Hanauma Bay strongly supports this bill

Increased fines are clearly needed. But a total ban on Aquarium collecting is critical.

Please pass SB2078 to help our defenseless marine wildlife.

With Aloha,

Lisa Bishop,

Friends of Hanauma Bay I President



To: The Honorable Senator Chris Lee Chair, the Honorable Lorraine Inouye, Vice Chair, and Members of the Water, Land, and Cultural and the Arts Committee.

From: Hawai'i Reef and Ocean Coalition (by Ted Bohlen)

Re: **Hearing SB2078 RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES**

Hearing: Wednesday, February 18, 2026 1:01 p.m. CR224

Aloha Chair Lee, Vice Chair Inouye, and Members of the Water, Land, and Cultural and the Arts Committee!

The Hawai'i Reef and Ocean Coalition (HIROC) is a group of scientists, educators, filmmakers and environmental advocates who have been working since 2017 to protect Hawaii's coral reefs and ocean.

The Hawai'i Reef and Ocean Coalition **SUPPORTS SB2078!**

This measure is needed to protect the coral reefs and marine species from unpermitted and under-penalized taking of aquarium fish.

This bill establishes a criminal penalty and increased monetary fines for aquarium fishing violations. It clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offense.

DLNR has estimated that administering the aquarium trade costs the State hundreds of thousands of dollars annually, excluding enforcement.

Stronger enforcement is needed. Data from the DLNR's Division of Aquatic Resources show that, contrary to earlier assumptions, **yellow tang populations have not recovered** as

biologically or historically expected following the court-ordered cessation of aquarium collecting in late 2017.

**Please pass SB2078 to help protect Hawai'i's reefs and reef wildlife!**

Hawai'i Reef and Ocean Coalition (by Ted Bohlen))

**SB-2078**

Submitted on: 2/17/2026 4:28:54 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ronald Robinson	Testifying for Big Island Aviation, LLC	Support	Written Testimony Only

Comments:

17 February 2026

Support for SB2708

Ronald Robinson, MD, MPH, MBA, FACHE

I am writing in support of SB2708 and in strong opposition to commercial aquarium collecting.

I am a small business owner in Hawaii county (Big Island Aviation, LLC), and my business brings over \$100,000 of annual impact to the county's economy. My business is tied directly to the health and biodiversity of Hawaii's reef environment.

I also serve as a volunteer for three marine non-profits (Malama Kai, Reef Check, Ocean Defenders Alliance) and am an avid recreational SCUBA diver, so I see the reef personally several times each week.

The scientific evidence is overwhelming that commercial aquarium collection damages the fragile reef ecosystem. (1,2) Each fish that remains on the reef delights hundreds of people. Each fish collected, if it survives, benefits a privileged few. In the 25 years I have been diving this reef I have seen fish populations decline due to environmental stress and the ongoing poaching of aquarium fish despite the recent ban on aquarium fish collection.

If commercial aquarium collectors seek to refute the established scientific literature and the obvious fish population declines noted by divers like myself, then they (not DAR) should bear the burden of proving that there is no negative impact of commercial aquarium collection on our shared reef. If commercial aquarium collection is approved, then the cost for monitoring and policing any approved commercial collection should be borne by the commercial aquarium collectors, not by the community.

I strongly oppose allowing a small group of selfish commercial aquarium collectors to negatively impact our shared coral reef resource.

Blast fishing is wrong – it was banned in 1940.  
Cyanide fishing is wrong – it was banned in in the 1960's.  
Commercial whaling is wrong – it was banned in 1986.  
Commercial aquarium collecting is wrong – ban it now.  
Do your kuleana – just say “NO!” to commercial aquarium collecting.

- (1) <https://earth.org/the-destructive-truth-behind-aquariums/>
- (2) Tissot and Hallacher, 2003

SB2078

Hello Chair, Vice Chair, and committee members,

The Biota Group is in favor of SB2078 and increased penalties for people found poaching marine aquarium fishes.

Our company has researched and developed methods for captive-breeding popular marine aquarium fish. We have found over the past 5-6 years an increase in the poaching of Hawaii's native wildlife. While the aquarium collection is currently closed these animals are finding their way into the global market, undermining the value of our investment and research and highlighting the difficulty of enforcement.

Many of these poachers are aware of the high value of these animals and have utilized mischaracterizing the animals as similar species or as aquacultured in attempts to avoid prosecution.

Increased penalties and enforcement help protect companies that are operating within the law and successfully captive breeding these animals.

That being said, many animals are still finding their way into the animal trade so it is incredibly important to also uphold and instate a wild aquarium collection ban to ensure enforcement is easier and more effective while also protecting the reefs and aquaculture industry.



February 17, 2026

Hawai'i State Capitol  
415 S Beretania St  
Honolulu, HI 96813

Aloha Chair Lee, Vice Chair Inouye, and Committee Members,

My name is Jonnetta Peters, Executive Director of Conservation Council for Hawai'i (CCH), a non-profit environmental and conservation organization who serves to protect and save native species and their habitats. CCH is also the Hawai'i affiliate of the National Wildlife Federation. **CCH STRONGLY SUPPORT SB 2078.**

Stronger penalties are necessary to deter illegal aquarium fish collecting practices. This ongoing illegal collecting have consequences to the health and biodiversity of our oceanic environment and our resources. Although stiffer fines should be in place, I would kindly ask for a complete ban to help our reefs and its inhabitants thrive and become a healthy and a long-lasting resource for many generations to enjoy. **Therefore, I strongly urge the Committees to PASS SB 2078 with consideration for a complete ban.**

Mahalo nui for the opportunity to testify,

Jonnetta Peters  
Executive Director

**Telephone/Fax: 224.338-6511 | email: [info@conservehi.org](mailto:info@conservehi.org)**

**web: [www.conservehawaii.org](http://www.conservehawaii.org) | P.O. Box 2923, Honolulu, HI 96802**

**President: Bret Nainoa Mossman | Vice President: Les Welsh | Secretary: Colleen Heyer**

**Treasurer: Mashuri Waite, PhD |**

**Directors: Erica Amundson, Puanani Anderson-Fung, Maka'ala Ka'aumoana, Steven Lee Montgomery, PhD,  
Emily Sarasa |**

**Executive Director: Jonnetta "Jonee" Peters | Operations and Events Manager: Leah Kocher**

**National Wildlife Federation Region 12 Director: Rachel Sprague**

**National Wildlife Federation Pacific Region Associate Director: Emily Martin**

***Kō Hawai'i leo no nā holoholona lōhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation***



SENATOR CHRIS LEE, CHAIR  
SENATOR LORRAINE R. INOUE, VICE CHAIR  
SENATE COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS

COMMENTS IN SUPPORT OF SB 2078

Wednesday, February 18, 2026, 1:01 p.m.  
Conference Room 224 & Videoconference  
State Capitol  
415 South Beretania Street

Dear Chair Lee, Vice Chair Inouye, and Committee Members:

Earthjustice submits this testimony in support of SB 2078, which establishes a criminal penalty and monetary fines for aquarium collection violations, and further clarifies that the illegal take of each fish or aquatic life specimen constitutes a separate offense.

Earthjustice is a public interest environmental law organization with a Mid-Pacific Office based in Honolulu for nearly 40 years. For over a decade, we have represented a hui of reef advocates—including Native Hawaiian subsistence fishers and cultural practitioners from throughout the pae ‘āina—to protect Hawai‘i’s reefs from the extraction hundreds of thousands of fish each year to supply the global aquarium pet industry.

Although we appreciate and support the intent of this bill to strengthen deterrence for illegal aquarium collection, this measure *must be paired with a prohibition on commercial aquarium collection* to prevent harm to Hawai‘i’s reefs from this extractive practice. We include below reasons and justification for a ban on commercial aquarium collection, which is under consideration in other bills this session.

**An Opportunity To Reverse A Historical Injustice**

In 1953, Hawai‘i’s territorial legislature passed a law allowing “aquarium fish permits” that would enable collectors to use fine-meshed nets to capture juvenile fish targeted by the commercial aquarium trade. See Haw. Rev. Stat. § 188-31. This law’s passage was based on the ignorant view by those in power that the fish species sought after by the industry are “not edible.” S. Stand. Comm. Rep. 442, in 1953 Senate Journal, at 669. *Such a finding would never stand today*. Commercial aquarium collectors target popular food fish including kole (goldring surgeonfish) and pāku‘iku‘i (achilles tang), herbivorous fish that are essential to coral reef health, and other colorful fishes that are found nowhere else in the world—all of which are culturally significant for Native Hawaiians. Because of this outdated legislation, commercial

aquarium collectors have enjoyed a *decades-long pass to extract hundreds of thousands of fish from Hawai'i's reefs annually*, which has devastated nearshore ecosystems by reducing fish populations and directly damaging reefs through harmful collection methods.

### **Litigation And Other Community-Led Advocacy**

Due to Hawai'i Supreme Court and environmental court rulings mandating environmental review, *no legal commercial aquarium collection has occurred in West Hawai'i since 2017, or anywhere else in the state (including O'ahu) since 2021*.<sup>1</sup> In 2023, the Board of Land and Natural Resources unanimously approved a community-led petition to ban commercial aquarium collection by administrative rule. The rulemaking petition was filed by reef advocates including lawai'a pono practitioners from West Hawai'i, which has been ground zero for commercial aquarium collection for decades, and Kāne'ohe, which experienced a dramatic increase in commercial aquarium collection after collectors depleted West O'ahu reefs.

Rather than initiating rulemaking to ban commercial aquarium collection, as the unanimously approved rulemaking petition proposed, Department of Land and Natural Resources staff instead *ran in the opposite direction by developing rules to authorize aquarium collection*. The Board is now planning to resume issuing aquarium fish permits, starting with seven West Hawai'i permits. O'ahu's reefs are next in line for permits that could be issued to fifteen collectors upon completion and acceptance of an Environmental Impact Statement ("EIS").

The Board is taking these steps based on its *erroneous view that it lacks the power to ban commercial aquarium collection and that only the legislature can ban this extractive activity*. Indeed, at the October 24, 2025 Board meeting approving rulemaking proceedings to reopen West Hawai'i to commercial aquarium collection, Chair Chang directed the dozens of community members who testified in opposition to the Board's action as follows: *"I would urge you to talk story to the legislators for a different fix."*<sup>2</sup>

Meanwhile, in 2024, the Hawai'i Supreme Court affirmed the Board's default decision to approve an industry-sponsored EIS for West Hawai'i commercial collection. The EIS was

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<sup>1</sup> Given the lack of any legal collection in five years or more, any claims that a ban would negatively affect current livelihoods is disingenuous at best and, at worst, suggests ongoing illegal poaching.

<sup>2</sup> See Board of Land and Natural Resources Oct. 24, 2025 Meeting, <https://www.youtube.com/watch?v=JE2zPoVp8qs&list=PLDh6ZXzdUvOkHtqVoauOkfa26NfNLh2pK&index=4> at 8:10:27; see also *id.* at 7:22:09 and 7:55:33 (Board Members Denise Iseri-Matsubara's and Riley Smith's statements on the Board's purported lack of authority to ban commercial aquarium collection).

approved by operation of law when the Board failed to reach a majority vote and instead reached a 3-3 tie decision. The Hawai'i Supreme Court *did not endorse* the EIS's findings and conclusions that commercial aquarium collection has insignificant environmental effects, or the EIS's failure to propose measures and alternatives to reduce environmental harm. Rather, the court held that the EIS contained sufficient information—including the concerns, data, and studies that reef advocates had submitted in commenting on the EIS—to inform future permitting decisions. Under well-settled Hawai'i Supreme Court precedent, *EIS approval does not guarantee permit approval*. Rather, an EIS is an informational document that informs agency decision-making.

### **Community Sentiment Strongly Opposing Commercial Collection**

Three public opinion polls conducted since 2012 have repeatedly shown overwhelming public support for ending commercial aquarium collection in Hawai'i. The 2025 poll showed that *84% of O'ahu and Hawai'i Island residents support a ban*, while only 10% support collection. The following government and non-government entities have passed resolutions supporting and urging a state legislative ban:

- Hawai'i County Council;
- Kaua'i County Council;
- Neighborhood boards for Waimānalo, Kailua, Kāne'ohe, and Kahalu'u;
- Association of Hawaiian Civic Clubs;
- Ko'olaupoko Hawaiian Civic Club;
- Ko'olau Foundation; and
- Kāne'ohe Bay Regional Council.

The public and government entities have called upon the legislature to act.

### **Hundreds Of Thousands In State Subsidies For The Trade**

If the legislature does not act and the Board proceeds as planned, collectors would pay just \$100 per year (just *\$700 total* for 7 West Hawai'i collectors, which are the only permits even potentially on the table at this time) for a program that the Division of Aquatic Resources has estimated would cost the state *\$300,000-\$500,000* annually to administer *for Hawai'i Island alone*.<sup>3</sup> Enforcing the Board's proposed aquarium catch quotas—if it even were possible—would be extremely resource-intensive, since enforcement would require counting live fish at sea and onshore, further straining the Division of Conservation and Resources and Enforcement's limited resources. Collectors would extract hundreds of thousands of fish and ship them

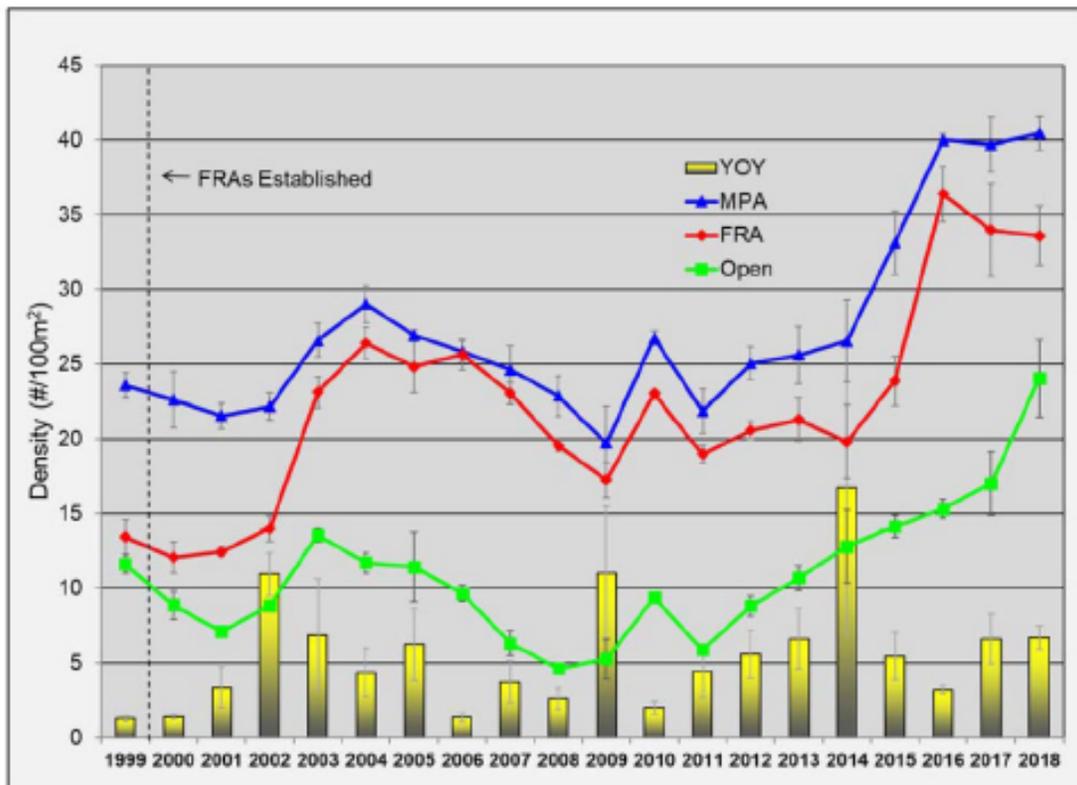
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<sup>3</sup> See Schaar & Cox, The future for Hawai'i's marine aquarium fishery: A cost benefit analysis compared to an environmental impact statement, Marine Policy (2021) (attached).

overseas to sell as ornamental pets, while Hawai'i's reefs increasingly struggle to feed local families and withstand climate change. The legislature should prioritize pono food fishing and reef resilience to benefit all Hawai'i citizens over an extractive practice that benefits only a handful of commercial collectors.

**Harmful Impacts Of The Trade**

Data from the industry-sponsored West Hawai'i EIS show that fish populations are significantly lower in areas open to commercial aquarium collection than in areas closed to collection. For example, the diagram below from the EIS shows significantly lower lau'ipala (yellow tang) density in open areas (green) than in closed areas (blue and red). It is also our understanding that the Division of Aquatic Resources is collecting significantly less fish population data along West Hawai'i than it has in prior years, which will hinder the agency's ability to assess how resumed collection would affect West Hawai'i populations. The Division's claim that collection is "sustainable," therefore, cannot be validated and is mere guesswork *at best* under this scaled back data collection regime.



**Figure 5. Overall changes in Yellow Tang density (Mean ± SE) in FRAs, MPAs, and Open Areas, 1999-2018. Yellow vertical bars indicate mean density (MAY-NOV) of Yellow Tang YOY. YOY are not included in trend line data (DAR 2019a).**

**Availability of Reef-Safe Alternatives**

Rather than propping up a wasteful and costly industry that stands to benefit only a handful of collectors, Hawai'i should continue to invest in reef-safe alternatives to commercial aquarium collection. Biota Aquariums operates a Waimānalo-based facility that has been successfully aqua-culturing and selling lau'ipala (yellow tang)—the Hawai'i reef fish most sought-after by the aquarium pet trade—for years. Prohibiting wild catch of reef life for the aquarium pet trade would enable modern, reef-safe aquarium fish operations to flourish and thrive in Hawai'i. Such operations create jobs and provide economic opportunities without threatening further harm to public trust resources.

For the first time since the territorial legislature enacted Haw. Rev. Stat. § 188-31, Hawai'i's reefs have finally had a break from commercial aquarium collection. Now that the Board is on the precipice of reopening Hawai'i's reefs to this destructive activity, the legislature is presented with a rare opportunity to right historical wrongs and fulfill its constitutional duties to protect Hawai'i's reef ecosystems as public trust and culturally significant resources for present and future generations. See Haw. Const. art. XI, § 1; Haw. Const. art. XII, § 7.

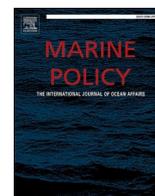
Mahalo for the opportunity to testify. Please do not hesitate to contact us with any questions or for further information.

Respectfully submitted,



Kylie W. Wager Cruz, Esq.  
Senior Attorney  
Earthjustice, Mid-Pacific Office

Attachment



# The future for Hawai'i's marine aquarium fishery: A cost benefit analysis compared to an environmental impact assessment

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## ABSTRACT

Conflict has surrounded Hawai'i's commercial marine aquarium fishery since its inception in the late 1940s. In 2019, the Hawai'i Supreme Court requested that an environmental impact statement (EIS) analysing the ecological and cultural impacts of Hawai'i's marine aquarium fishery be completed for Hawai'i Island (Big Island) and O'ahu. The costs and benefits associated with the fishery and their distribution across stakeholder groups was however not addressed in the EIS. This paper presents a cost-benefit based analysis of four policy scenarios using existing secondary data for Hawai'i's marine aquarium fishery. From the analysis, a state-wide collection ban was the option that yielded positive annual net benefits and negatively impacted the fewest stakeholders. In contrast, the EIS recommends ten permits for fishing off the coast of Big Island be issued.

## 1. Introduction

Some view the marine aquarium fish trade as a path to expanding the conservation of reef environments based on the assumption that owning aquarium fishes cultivates awareness and interest in the conservation of their source habitats [46,6,31,47]. While conservation groups have promoted the aquarium trade as a means of enhancing livelihoods in developing countries, others are concerned that the profit motive of commercial fishers serves as an incentive to overharvest species commonly found in marine aquariums [37,39,59]. If marine aquarium fisheries are not properly regulated and the regulations are not promulgated, a common-pool resource dilemma will result in economic profitability prevailing over long-term sustainability – a tragedy of the commons scenario [43].

Hawai'i's commercial marine aquarium fishery has been a source of debate among various stakeholder groups including aquarium fishers and hobbyists, marine scientists, Native Hawaiians (Kānaka Maoli), resource managers, policy makers and community members [2,36,46]. The fishery's costs and benefits are distributed differently among these stakeholders, resulting in years of conflict. As has been observed in many fisheries around the world, fishers in Hawai'i under report their catches and mortality rates [23,48,52,56], which further exacerbates conflicts. The fishery is comprised of two geographically distinct zones. The first is the West Hawai'i Regional Fishery Management Area (WHRFMA) that extends the length of the west coast of Hawai'i Island (Big Island) from

Ka Lae, Ka'u<sup>–</sup> (South Point) to 'Upolu Point. The second encompasses North Kohala, and the main Hawaiian Islands excluding all zones that are designated as Marine Protected Areas (MPAs) [57].

Residents and Native Hawaiian cultural practitioners have pushed to ban aquarium fishing in Hawai'i citing the lack of sustainable and humane harvesting methods, inadequate enforcement, inaccurate catch reporting and poor alignment with Kānaka Maoli ideals of resource management [23]. In 2017, the Hawai'i Supreme Court placed a moratorium on aquarium fishery permits, citing a need for a Hawai'i Environmental Policy Act (HEPA) review [15–17]. The court concluded that the permitted use of fine mesh nets involves the public's use of state land and therefore requires discretionary approval from the state [15–17]. The court's request in 2019 for an environmental impact statement (EIS) analysing the ecological and cultural impacts of the marine aquarium fishery came after Environmental Assessments (EA) for Big Island and O'ahu were submitted by the Pet Industry Joint Advisory Council (PIJAC) and deemed insufficient by the State's Department of Land and Natural Resources (DLNR) Chair Suzanne D. Case [15–17]. The final environmental impact statement (EIS) funded by PIJAC and conducted by a consulting firm, which concluded that DLNR should issue permits to ten commercial aquarium fishers in the WHRFMA, was unanimously rejected by the Board of Land and Natural Resources (BLNR) after concluding that the EIS did not adequately disclose the potential environmental impacts of the proposed action [14]. PIJAC appealed BLNR's decision to the Environmental Council who affirmed BLNR's rejection of

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**Table 1**  
Description of policy scenarios analysed in CBA.

Scenario	Characteristics
A. Status quo (2019)	AQ Permits void and fishery continues without use of fine mesh nets on O'ahu, Big Island and no collecting in WHRFMA Voluntary catch report data Majority of catch is exported Unknown impacts to other fisheries, the environment, cultural resources and on-reef tourism State funds monitoring and management of fishery Potential for non-compliance Provides industry income Provides tax and fee revenue to state
B. Permitting system (2016)	Administrative rules and bag limits apply across the State Voluntary catch report data Majority of catch is exported Unknown impacts to other fisheries, the environment, cultural resources and on-reef tourism State funds monitoring and management of fishery Potential for non-compliance Provides industry income Provides tax and fee revenue to state
C. State-wide collecting ban	No aquarium species from Hawai'i state waters can be collected Collection exemptions possible for research, educational institutions and managers Wild-captured aquarium exports banned No impacts on other fisheries, the environment, cultural resources or on-reef tourism State avoids costs associated with managing the fishery Potential for non-compliance Loss of industry income Loss of tax and fees revenues to state
D. Captive breeding collection	Permits issued to fishers with facilities for captive breeding Opportunity to export from Hawai'i Unknown impacts on other fisheries, cultural resources, the environment and on-reef tourism State funds monitoring and management of fishery Potential for non-compliance Provides income opportunity for industry Provides tax and fee revenue to state

the EIS [27].

The 2019 state-wide moratorium allows commercial aquarium fishing to continue without commercial aquarium permits, as long as fine-mesh net equipment is not used and fishers possess a commercial marine license (CML), whereas, all collection has been outlawed regardless of gear-type for the WHRFMA [20]. A November 2020 order from Hawai'i's First Circuit Court requires environmental review for issuance of new or renewed annual CMLs to be used for aquarium fishing purposes, allowing aquarium collecting by CML holders to continue until their CML expire one year after issuance [18,21]. A January 2021 order from the same court further strengthened the November 2020 order by issuing an injunction to halt aquarium collection under existing CMLs, completely banning commercial aquarium fishing in the State of Hawai'i pending environmental review by the industry [13].

Many U. S. government agencies use cost benefit analysis (CBA) in addition to or in place of environmental impact assessment to assist in management decision-making. The U.S. Environmental Protection Agency [54] concluded that cost benefit analyses used to determine environmental regulations increased net benefits to society and "provide the balance required in complex regulatory decisions." International non-profit organizations also rely on CBAs in managing natural resources. Verdone [55] used CBA to analyse landscape forest restoration in Rwanda for the International Union for Conservation of Nature and Natural Resources.

This paper presents a cost benefit (CBA) based analysis using published information and existing data to provide evidence to assist decision makers considering the future of this fishery. Four policy scenarios were developed, the relevant costs and benefits for each scenario are described and/or estimated and their distribution across stakeholder groups are assessed. The CBA results are compared to the EIS recommendations and conclusions in order to determine how the two differ and which one provides a more accurate appraisal of maintaining the aquarium fishery.

## 2. Methods

Four past, current or proposed scenarios for managing this fishery are described (Table 1) in order to identify the associated costs and benefits, along with stakeholders impacted. Scenarios A and B assume that the aquarium fishery continues, though the number of fishers in the industry is not mandated in either one. Scenario A involves maintaining the 2019 status quo that restricts the use of fine mesh nets and no collecting in the WHRFMA. Scenario B assumes that the 2016 bag limits would be applied across the State. These were considered here because they both attempt to limit the catch. Scenario C involves a state-wide ban, which has been suggested by many stakeholders who do not benefit from the fishery. Scenario D allows the fishery to continue only to facilitate the establishment of captive breeding operations. This option is considered as one that protects wild fish in the long run, while also encouraging an industry that cultivates awareness and interest in the conservation of their source habitats by producing aquarium fish. The environmental impact statement (EIS) funded by PIJAC recommends limiting the number of permits, rather than limiting the catch.

The stakeholder groups who were identified in each scenario are described (Table 2) and the acronym used for the group throughout the

**Table 2**  
Codes and descriptions for stakeholder groups.

Code	Stakeholder Group Description
S1	Native Hawaiians
S2	Residents of Hawai'i
S3	Tourists
S4	Collectors and wholesalers from O'ahu
S5	Collectors and wholesalers from Hawai'i Island excluding the WHRFMA
S6	Collectors and wholesalers from the WHRFMA
S7	All collectors and wholesaler in the State
S8	State government agencies

paper is identified. Previous research [2,23,36,46], various media reports, hearings and litigation surrounding the ongoing conflict in this fishery provided details about the stakeholder groups. A description of the methods used to estimate or describe each cost/benefit and their expected sign follow. While CBA normally involves discounting to ensure that net present value of costs and benefits are calculated, annual point estimates are used in this CBA. Since the estimates do not vary over time, discounting adds nothing to the analysis.

## 2.1. Cost and benefit estimates and descriptions

### 2.1.1. State management costs

Since both Scenarios A and B involve limiting the industry's catch and require voluntary reporting, the State will have to enforce these regulations. Therefore, to estimate this cost, DAR personnel in DLNR were contacted and asked to estimate DAR's 2019 management cost for Hawai'i's marine aquarium fishery including salaries of employees who work directly with the fishery, aquarium fish surveys and any other costs associated with the fishery that DAR funds. DAR officials provided a low estimate of USD 300,000 annually covering the time spent by 20 or more individuals in the aquarium fishery along with their supplies and equipment. Their high estimate of USD 500,000 annually includes costs, such as fringe benefits that are not included DAR's annual 2019 budget, but are found in DLNR's overall budget. For Scenario C, these management costs should be eliminated overtime. Scenario D would likely involve management costs, which could be reduced as the policies and regulations that support this scenario are refined.

### 2.1.2. Tourism value

According to the Hawai'i Tourism Authority [29], the State's economy relied on tourism for its largest source of private capital. Spalding et al. [50], estimated the "on-reef" tourism value for the entire state of Hawai'i at USD 550.8 million per year. Spalding was contacted and estimated, using the existing data base the annual "on-reef" values for O'ahu and Hawai'i Island to be approximately USD 442,496,000 and USD 16,921,000 respectively, for an annual upper bound of USD 459,417,000. This was inflated to 2019 USD for a total annual value of USD 478,891,356.77. Cesar and Beukering [7] estimated the value of tourism to be USD 304 million and inflating this value to 2019 USD yields a low estimate of approximately USD 442.1 million.

This estimated tourism value between USD 478,891,356.77 and 442,100,000 USD represents the direct and indirect market value of on-reef tourism to the State in 2019. Maintaining this value over time is partially contingent on maintaining the health and beauty of Hawai'i's reefs. The aquarium fishery may reduce this over time as fish are removed from the reefs in Scenarios A and B because the limits are not calculated based on the productivity of the fishery and are difficult to enforce. Evidence also suggests that catches are underreported. Therefore, if the fishery continues, overharvesting of this public resource will likely occur and as a result, the value of tourism will decrease. Uncertainty exists as to how quickly this decline will occur. Researchers predict that unmitigated bleaching events could lead to the loss of shallow coral cover in Hawai'i by the year 2050 [35], which indicates that a 30 year time frame could be considered in making marine resource management decisions and would result in an extremely large total cost of continuing this aquarium fishery by 2050.

### 2.1.3. Industry income

In order to determine the market value of the aquarium fishery in Hawai'i, the methods used by Dierking [22] were updated with recent data to conservatively estimate 2019 gross revenue for the industry. Unpublished 2019 catch report summary information, unpublished 2019 dealer purchase information, unpublished 2019 individual catch reports, and unpublished permit lists from 2015 to 2018 were obtained from DAR. The 2019 price and cost information from dealer websites, retail price lists on websites, and industry structure information

provided the data used for the estimation. The lower bound for total revenue accruing to fishers was calculated by multiplying the "diver price" for each species by the number sold to estimate annual revenue of USD 1,676,982 in 2019.

Wholesale revenue could not be estimated due to the lack of price information among local fishers who are also wholesalers. In order to estimate the upper bounds, the 2016 catch report data for "number sold" was used with retail prices on the website of a Hawai'i based fisher retailing fish. The "number sold" on the 2016 catch report for each of 12 species was multiplied by the 2019 retail price listed by the primary collector/retailer. The total revenue across all the species represents the upper bounds of USD 8,343,896, which includes the value of the fish after they were exported.

### 2.1.4. License fees

The State does collect license fees for the aquarium fishery. Commercial aquarium permits are USD 50 and recreational aquarium permits have no cost [20]. Commercial aquarium collectors must also purchase USD 100 commercial marine fishing licenses annually from DAR. Scenario A, which represents the status quo in 2019 only accounts for the cost of the commercial marine fishing license since all commercial aquarium permits are void. Scenario D assumes that a permit is required to collect for captive breeding. This scenario explores an option that would raise the permit cost to USD 500 and cap the number of permits issued at 100 state-wide.

### 2.1.5. Export values

The industry values also include the value of fish exported, which were investigated to determine how much of this value accrues to the State. Catch reports for 2016 are the most recent, complete annual data set and thus are used to estimate exports. Twelve species commonly targeted in Hawai'i's marine aquarium fishery (Table a1, appendix) were included. The data for six out of the twelve species discussed in this study (*Naso lituratus*, *Forcipiger flavissimus*, *Chaetodon multicinctus*, *Zanclus cornutus*, *Centropyge potteri*, *Coris gaimard*) indicated that the fish sales on initial catch reports by licensed fishers was lower than numbers of fish reportedly purchased by licensed dealers from licensed fishers on dealer sales and export reports. This suggests that a percentage of the catch was not reported on catch reports or was sold to dealers by fishers who do not report their catch to the state.

Dierking [22], reported that roughly 95% of the aquarium fish caught from the West Hawai'i fishery were exported. Two criteria were used to identify retailers from which price information was obtained. The first criteria requires that the species' primary and sole collection origin had to be Hawai'i, and the second requires the species be one of the 12 species described in this study, not including captive bred fish. Retail prices for 2019 were collected from 11 online aquaria retailers with 10 on mainland U.S.A. and one from Hawai'i. Species name, price, retailer name, city of operation and website information were used to generate an average out-of-state retail price for each of the 12 species and were compared to online retail prices offered by the local aquarium fishers/retailer. Retail price differences were 1.5–5.1 times higher in mainland markets compared to the local market.

The profits made on the mainland and the taxes on the value added accrues to the area in which the fish is retailed. Since these profits and taxes occur from the sale of a Hawai'i public resource, a negative impact occurs in comparison to keeping the fish in the reef to ensure that the State's tourism sector and/or residents continue to benefit from these fish. This is consistent with a 2019 decision by the Hawai'i Supreme Court that "all public natural resources are held in trust by the State for the common benefit of Hawai'i's people and the generations to come" ([8], p. 1150).

### 2.1.6. Environmental costs

Hawai'i's marine aquarium fishery almost exclusively targets herbivores and corallivores. The development of a State Coral Bleaching

**Table 3**  
Cost and benefits associated with each scenario.

Scenario	Impacted Stakeholder Groups	Annual Estimates (USD)	
		Low	High
<b>A. Status Quo (2019)</b>			
- State management costs	S8	-300,000.00	-500,000.00
- Tourism value	S2, S3, S8	-442,105,806.46	-478,891,356.77
+ Industry income	S4, S5	1,784,936.43	8,343,896.00
+ License fees	S8	17,400.00	17,400.00
Total valued net benefit		-440,603,470.03	-471,030,060.77
Costs/benefits not valued			
- Losses from exports	S2, S8		
- Environmental costs	S1, S2, S3, S7, S8		
- Social costs	S1, S2, S8		
- Other fisheries' indirect costs	S1, S2, S7, S8		
- Captive breeding costs	S4, S5		
<b>B. Permitting System (2016)</b>			
- State management costs	S8	-300,000.00	-500,000.00
- Tourism value	S2, S3, S8	-442,105,806.46	-478,891,356.77
+ Industry income	S7	1,784,936.43	8,343,896.00
+ License fees	S8	26,100.00	26,100.00
Total valued net benefit		-440,594,770.03	-471,021,360.77
Costs/benefits not valued			
- Losses from exports	S2, S8		
- Environmental costs	S1, S2, S3, S7, S8		
- Social costs	S1, S2, S8		
- Other fisheries' indirect costs	S1, S2, S7, S8		
- Captive breeding costs	S7		
<b>C. Statewide AQ Collection Ban</b>			
+ Tourism value	S2, S3, S8	442,105,806.46	478,891,356.77
- Industry income	S7	-1,784,936.43	-8,343,896.00
- License fees	S8	-26,100.00	-26,100.00
Total valued net benefit		440,294,770.03	470,521,360.77
Costs/benefits not valued			
+ Environmental costs	S1, S2, S3, S7, S8		
+ Social costs	S1, S2, S7, S8		
+ Other fisheries' Indirect costs	S1, S2, S8		
<b>D. Captive Breeding Collection</b>			
- State management costs	S8	-300,000.00	-500,000.00
- Tourism value	S2, S3, S8	-442,105,806.45	-478,891,356.77
+ Industry income	S7	1,784,936.43	8,343,896.00
+ License fees	S8	50,000.00	50,000.00
Total valued net benefit		-440,570,870.03	-470,997,460.77
Costs/benefits not valued			
- Losses from exports	S2, S8		
- Environmental costs	S1, S2, S3, S7, S8		
- Social costs	S1, S2, S7, S8		
- Other fisheries' indirect costs	S1, S2, S8		
- Captive breeding costs	S7		

Recovery Plan, in collaboration with the National Oceanic and Atmospheric Association (NOAA), DLNR, and DAR concluded that the establishment of a combination of Marine Protected Areas (MPAs) and Herbivore Fishery Management Areas (HFMA) across the main Hawaiian Islands ranked among the most preferred actions to address the State's coral reef recovery from climate change induced bleaching events [19]. The State's decision to employ spatial herbivore management, highlights the importance of herbivores as a critical tool for reef recovery and resiliency, thus increasing their value and importance in Hawai'i's coral reef ecosystems.

Past studies have indicated that climate change impacts coupled with local, human-induced stressors can retard coral reef resilience, resulting in regime shifts from coral to algal turf dominated systems if left unchecked [1,8,9,26,30]. Herbivores have been found to play critical roles in resisting these regime shifts [26]. While the long-term impact of the aquarium fishery on herbivore management is uncertain, the potential exists for the fishery to prevent the State from realizing its reef recovery goals.

### 2.1.7. Social costs

A 2017 survey of Hawai'i residents concluded that 90% of respondents support further regulation of Hawai'i's marine aquarium fishery, and that 83% of respondents support ending the trade altogether [4]. From the fishers' perspective, Stevenson et al. [51] found that 20.7% of all fishers disliked the bureaucracy and 17.2% disliked the poor reputation of the West Hawai'i aquarium fishery.

No secondary information about the overall social impacts is available. However, the Pet Industry Joint Advisory Council [44] did summarize several interviews in a Cultural Impact Statement found in Appendix A that describes the contentious nature of the fishery and its lack of alignment with Native Hawaiian values and fishing/management views/traditions [44].

While the impact of the fishery on the long-term social well-being of State's residents is uncertain, the majority appears to conclude that continuing to operate this fishery reduces their social well-being.

### 2.1.8. Indirect costs for other fisheries

While some studies have indicated that fish populations have increased in open areas and Fish Replenishment Areas (FRAs) where no aquarium collecting occurs, other studies have argued that many marine aquarium fish stocks in Hawai'i are still relatively data poor [41]. The Hawai'i Supreme Court has adopted a precautionary principle associated with the public trust with a ruling concluding that "where (scientific) uncertainty exists, a trustee's duty to protect the resource mitigates in favour of choosing presumptions that also protect the resource" ([32], p. 466)).

Overfishing is the primary driver of reef fish declines across the main Hawaiian Islands and the populations of food-fish species that overlap with some commonly collected aquarium species are particularly affected [24]. Specific concern regarding the sustained abundance of some commonly targeted food-fish species in the West Hawai'i aquarium fishery exists due to some species exhibiting declining populations [57]. Concern regarding the aquarium fishery's impact on the commercial and recreational nearshore reef fisheries has arisen due to overlap in target species [46,57]. This concern supports the conclusion that the aquarium fishery is likely to have negative impacts on other fisheries in the long-run.

### 2.1.9. Captive breeding costs

Scenario D involves allowing the aquarium fishery to continue in order to support captive breeding efforts. In order for this scenario not to have negative impacts on Hawai'i reefs, a detailed policy and supporting regulations would be required. Descriptions of the costs paid by wholesalers and collectors by Dierking [22] can be used to infer the cost categories associated with local collection and wholesale business operations. Captive breeding and husbandry would result in similar costs

**Table 4**

A comparison of procedures and recommendations for the CBA to those for the 2020 Hawai'i Island EIS.

Cost Benefit Analysis	Big Island 2020 EIS <sup>a</sup>
Explores four policy alternatives, including a ban. Provided evidence-based recommendations based on impact estimates, descriptions, and the distribution of them among stakeholder groups. Recommends a statewide ban on the collection and export of marine aquaria. Suggests that captive breeding collection might hold potential if properly managed. Completed as a student project using existing secondary data and not funded by any industry, government agency or non-profit organization.	Rejected considering a ban since it did not meet PIJAC's purpose. Considered three scenarios that involved no permit limits and one with a permit limit. Provided a recommendation based on direct market benefits of the industry. Recommends reducing the number of permits to ten across the State.  Funded by the PIJAC.

<sup>a</sup> [44]

as wild collection, along with some additional costs to accommodate more technologically advanced equipment required to stimulate spawning [40,58].

Marine ornamental species can be categorized as demersal spawners or pelagic spawners. Most demersal spawners produce clutches of eggs in nests or on substrates and tend to form strong breeding pairs, often displaying parental care which makes them the preferred choice for captive breeding aquarists [40]. The specialized knowledge and equipment required for rearing marine aquarium fish that are pelagic spawners will make them more expensive to produce compared to wild collection [49]. This increase in costs would primarily impact those that purchase these captive bred fish. Currently, nearly all of these people live outside of the State and therefore likely have no particular interest in protecting the public resources of residents. Rhyné [49] also argues that promoting access to breeding information could result in more successful ornamental rearing and help conserve populations of wild aquarium fish.

### 3. Results and discussion

The results indicate that Scenario C, a state-wide ban on aquarium collecting, is the only scenario that produced positive net benefits (Table 3). Because point estimates in 2019 USD were the only quantitative data presented here, this conclusion is based on one annual estimate of costs and benefits. The stakeholder groups negatively impacted by a state-wide ban include a small group of local fishers, wholesalers, and dealers that comprise Hawai'i industry while benefits accrue to larger populations of stakeholders.

The status quo policy in Scenario A would allow collection to continue with methods other than fine-mesh nets. In the WHRFMA, where all permits are now void, poaching has been observed, resulting in vessel, aquarium gear and fish take seizures [5]. Thus, monitoring costs may increase if this scenario occurs. Scenario B, which represents what took place in 2016 does not put a cap on the issuance of permits, though it does provide for the collection of fees by the State. Overall, market benefits would still accrue only to aquarium collectors and wholesalers, though the distribution of net benefits between these industry members varies between Scenarios A and B because Scenario A excludes fishers in the WHRFMA.

Scenario D allows collection for captive breeding with a permit similar to DAR's Special Activity Permit system which allows research, education or management institutions to collect marine organisms with specific gear restriction exemptions [18,21]. However, all existing permit holders can claim to be engaged in breeding. Further research may be needed to identify potential regulatory and enforcement solutions for Scenario D. Fishers could be required to prove their capacity to captive breed species and stricter live-fish export regulations could be developed. While this would increase costs, the potential indirect and non-market benefits associated with not removing fish from the reefs in the long-run would also increase and provide the positive benefits associated with consumers having access to aquarium fish. Miltz et al. [38] found that 90.5% of consumer respondents were willing to pay more for fishes that were certified as harvested in an environmentally

sustainable way. This type of certification could be considered for captive bred fish to create a mechanism that convinces the customers to absorb some of the costs associated with switching to a sustainable practice [38]. In addition, captive breeding facilities could become attractions for residents and visitors. If captive breeding attractions included educational content designed to inform people about protecting fish and the surrounding reefs, the carrying capacity of Hawai'i's near shore ecosystems may increase.

A comparison of this CBA with the PIJAC funded EIS found that the procedures and overall recommendations were significantly different (Table 4). Both the CBA and the EIS relied on existing data to complete the analysis and the market benefits of the industry estimated by the CBA and the EIS are similar. The EIS did not consider a ban because it did not meet PIJAC's purpose to continue fishers' livelihoods [44]. The EIS considered three scenarios that involved unlimited permits and one that limited permits on the Big Island to ten. The costs for Native Hawaiians and other stakeholder groups of continuing to operate the fishery were considered negligible and no justification is provided as to why this decision was made [44]. No recommendations on compliance enforcement relative to the proposed bag limits or oversight to prevent poaching were included. No caveat was included that oversight and enforcement expenses might increase if permits were limited [44]. One individual who was allegedly named as one of the proposed permit holders [45] was also cited in a February 2020 poaching incident (R. Umberger, personal communication; [5]) which indicates the need for such a caveat. Overall the EIS puts forth a recommendation that supports the industry.

Because Hawai'i's Supreme Court reaffirmed that all public resource are to benefit Hawai'i's people [32] and that private or commercial use should receive a "high" level of scrutiny, the size of the stakeholder groups is also of interest. The resident population, including Native Hawaiians, was 1,415,872 in 2019 [53] and Pet Industry Joint Advisory Council [44] indicates that their preferred plan would directly benefit ten resident fishers with permits and their employees. Visitors, which numbered 10,424,995 in 2019 [28], will also likely pay a cost if marine aquarium fish are removed from the State's reefs. Tourists can also decide to travel elsewhere should the reefs become degraded, which will result in significant market costs for Hawai'i in the long-term.

### 4. Conclusion and recommendations

The analysis presented here determined that a state-wide ban on collection is likely to produce impacts of positive annual net benefits. The EIS funded by PIJAC recommended that collection permits be limited to ensure that the fishery remains in existence. Relying on EIS recommendations that aim to support one group of stakeholders at the expense of others to determine policy could be considered biased. CBA is used globally for evidence-based decision-making.

When considering the "sustainability" of any system, distributional and equity issues over a long-time frame must be considered [10]. The CBA presented in this paper explores these distributional issues that this fishery poses to a variety of stakeholder groups and the environment using the available evidence. While modern economic systems often

focus on gross domestic product to track economic progress and guide policy, tracking environmental and social indicators has been identified as important to ensure sustainability in certain economic sectors specific to Hawai'i [42].

Other fisheries, which pose similar environmental problems [3,11,12,25,33,34], should consider employing CBA in order to inform decision-making. Relying on an EIS funded by an industry stakeholder group is likely to produce a document aimed at justifying the position of the funder. Stakeholders that receive cultural ecosystem services from resources that are also being harvested for market benefits often include relatively large populations of disadvantaged minorities and indigenous populations. Businesses interested in protecting their market benefits likely have an advantage if an EIS is the only source of management recommendations. Sustainable management requires that the costs and benefits accruing to all stakeholder groups be investigated to ensure that policies are equitable.

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### CRediT authorship contribution statement

**Siena Schaar:** Investigation, Formal analysis, Writing - original draft. **Linda J. Cox:** Conceptualization, Methodology, Supervision, Writing - review & editing.

### Declaration of Competing Interest

none.

### Data availability

The majority of data used for this research came from secondary sources. Relevant pricing data was collected from public websites and catch data was retrieved by UIPA from the Hawai'i Department of Aquatic Resources (DAR).

### Appendix

See Tables A.1–A.3.

**Table A.1**

The 12 common marine aquarium species included in this report.

Common Name	Scientific Name	Hawaiian Name
Yellow Tang <sup>b</sup>	<i>Zebrasoma flavescens</i>	Lau'ipala, Lau'i pala, or Lā'i pala)
Goldring Surgeonfish <sup>a</sup>	<i>Ctenochaetus strigosus</i>	Kole
Achilles Tang <sup>b</sup>	<i>Acanthurus achilles</i>	Paku'iku'i
Orangespine Unicornfish <sup>b</sup>	<i>Naso lituratus</i>	Umaumalei, Kala, Ume, Mahaha, Pakala, Pakalakala or 'Ohua
Chevron Tang <sup>b</sup>	<i>Ctenochaetus hawaiiensis</i>	n/a
Longnose Butterflyfish, (Forcefish) <sup>b</sup>	<i>Forcipiger flavissimus</i>	Lau wiliwili nukunuku 'oi'oi
Multiband (Pebbled) Butterflyfish <sup>a</sup>	<i>Chaetodon multicinctus</i>	Kikākapu, Kapuhili
Fourspot Butterflyfish <sup>b</sup>	<i>Chaetodon quadrimaculatus</i>	Lauhau
Tinker's Butterflyfish <sup>b</sup>	<i>Chaetodon tinkeri</i>	n/a
Moorish Idol <sup>b</sup>	<i>Zanclus cornutus</i>	Kihikihi
Potter's Angelfish <sup>a</sup>	<i>Centropyge potteri</i>	n/a
Yellowtail Coris Wrasse <sup>b</sup>	<i>Coris gaimard</i>	Hinalea 'akilolo

<sup>a</sup> Indicates endemic species

<sup>b</sup> Indicates native species

**Table A.2**

Average retail prices (U.S Mainland) compared to average retail price (local collector/seller) of 12 common aquarium species, and price difference (%).

Common Name	Scientific Name	Avg. Retail Price (U.S Mainland) n = 10	Avg. Retail Price (Local collector/seller) n = 1	Mark-up (%)
Yellow Tang	<i>Zebrasoma flavescens</i>	\$74.41	\$16.00	465.1
Goldring Surgeonfish	<i>Ctenochaetus strigosus</i>	\$71.88	\$14.00	513.4
Achilles Tang	<i>Acanthurus achilles</i>	\$392.32	\$150.00	261.5
Orangespine Unicornfish	<i>Naso lituratus</i>	\$152.71	\$37.50	407.2
Chevron Tang	<i>Ctenochaetus hawaiiensis</i>	\$233.11	\$150.00	155.4
Longnose Butterflyfish	<i>Forcipiger flavissimus</i>	\$46.00	\$15.00	306.6
Multiband Pebbled Butterflyfish	<i>Chaetodon multicinctus</i>	\$35.37	\$10.00	353.7
Fourspot Butterflyfish	<i>Chaetodon quadrimaculatus</i>	\$78.99	\$40.00	197.5
Tinker's Butterflyfish	<i>Chaetodon tinkeri</i>	\$699.99	\$350.00	200.0
Moorish Idol	<i>Zanclus cornutus</i>	\$49.98	\$10.00	499.8
Potter's Angelfish	<i>Centropyge potteri</i>	\$108.06	\$30.00	360.2
Yellowtail Coris	<i>Coris gaimard</i>	n/a	\$30.00	n/a

**Table A.3**

Comparison of specimens reported sold on licensed aquarium collectors' detailed catch reports (2016) versus specimens reported bought from licensed fishers by licensed dealers, on licensed aquarium dealers' personal sales and export reports (2016).

Common Name	Scientific Name	No. Sold (AQ detailed catch report)	No. Bought (AQ dealer pers. Sale/export report)	% (no. bought/ no. sold)
Yellow Tang	<i>Zebrasoma flavescens</i>	322,651	284,784	88.26
Goldring Surgeonfish	<i>Ctenochaetus strigosus</i>	45,765	44,106	96.37
Achilles Tang	<i>Acanthurus achilles</i>	6787	5758	84.84
Orangespine Unicornfish <sup>a</sup>	<i>Naso lituratus</i>	9966	10,338	103.73
Chevron Tang	<i>Ctenochaetus hawaiiensis</i>	5126 (B.I only)	4135	80.67
Longnose Butterflyfish <sup>a</sup>	<i>Forcipiger flavissimus</i>	1329	1507	113.39
Multiband Pebbled Butterflyfish <sup>a</sup>	<i>Chaetodon multicinctus</i>	314	666	212.10
Fourspot Butterflyfish	<i>Chaetodon quadrimaculatus</i>	480	448	93.33
Tinker's Butterflyfish	<i>Chaetodon tinkeri</i>	293 (B.I only)	218	74.40
Moorish Idol <sup>a</sup>	<i>Zanclus cornutus</i>	805 (B.I only)	970	120.50
Potter's Angelfish <sup>a</sup>	<i>Centropyge potteri</i>	6708	8726	130.08
Yellowtail Coris Wrasse <sup>a</sup>	<i>Coris gaimard</i>	866	993	114.67

(B.I only) indicates collection and reporting on detailed catch report only from Hawai'i island

<sup>a</sup> Indicates sales or export reporting over 100% of what was reported on initial detailed catch report.

## References

- [1] M. Ateweberhan, D. Feary, S. Keshavmurthy, A. Chen, M. Schleyer, C. Sheppard, Climate change impacts on coral reefs: synergies with local effects, possibilities for acclimation, and management implications, *Mar. Poll. Bull.* 74 (2013) 526–539, <https://doi.org/10.1016/j.marpolbul.2013.06.011>.
- [2] A. Ayers, K. Lowry, From planning to practice: Toward co-management of Hawai'i coral reef fisheries (ProQuest Dissertations Publishing), 2016. <http://search.proquest.com/docview/1884636587/>.
- [3] P.J. Balint, R.E. Stewart, A. Desai, L.C. Walters, *Wicked Environmental Problems: Managing Uncertainty And Conflict*, Island Press, Washington, DC, 2011.
- [4] Big Island Now.com 90 percent of residents favor reef protections from aquarium trade, 2017. <https://bigislandnow.com/2017/06/06/90-percent-of-residents-favor-reef-protections-from-aquarium-trade/>.
- [5] Big Island Now.Com 2 Big Island Men Cited for Illegal Aquarium Gear, Aquarium Fish., 2020 <https://bigislandnow.com/2020/02/22/2-big-island-men-cited-for-ill-egal-aquarium-gear-aquarium-fish/>.
- [6] B. Bunting, P. Holthus, S. Spalding, The marine aquarium industry and reef conservation, in: J. Cato, C. Brown (Eds.), *Marine Ornamental Species: Collection, Culture and Conservation*, Iowa State Press, Ames, USA, 2003, pp. 109–124.
- [7] H.S. Cesar, P. Van Beukering, Economic valuation of the coral reefs of Hawai'i, *Pac. Sci.* 58 (2) (2002) 231–242.
- [8] V. Ching Case, 145 Hawai'i 148, 152, 449 P.3d 1146, 1150, 2019.
- [9] A. Chung, L.M. Wedding, A.L. Green, A.M. Friedlander, G. Goldberg, A. Meadows, M.A. Hixon, Building coral reef resilience through spatial herbivore management, *Front. Mar. Sci.* 6 (2019), <https://doi.org/10.3389/fmars.2019.00098>.
- [10] L.J. Cox, M. Saucier, M. Cusick, H. Richins, B. McClure, Achieving sustainable tourism in Hawai'i using a sustainability evaluation system 6, University of Hawai'i, Honolulu (HI), 2009. Resource Management; RM-17.
- [11] R. Coyne, Wicked problems revisited, *Des. Stud.* 26 (1) (2005) 5–17.
- [12] R. De Fries, H. Nagendra, Ecosystem management as a wicked problem, *Science* 356 (2017) 265–270.
- [13] DLNR. Commercial Fisher Notified That All Aquarium Collections are Invalid [News Release], 2021. <https://dlnr.hawaii.gov/blog/2021/01/12/nr21-006/>.
- [14] Department of Land and Natural Resources. Land Board Rejects Aquarium Fishers EIS [Press Release], 2020. <https://dlnr.hawaii.gov/blog/2020/05/23/nr20-069/>.
- [15] Department of Land and Natural Resources (2018a). Environmental Impact Statement Required for Commercial Aquarium Permits [Press release]. <https://dlnr.hawaii.gov/blog/2018/07/26/nr18-154/>.
- [16] Department of Land and Natural Resources (2018b). Final environmental assessment and notice of determination; issuance of commercial aquarium permits for the Island of O'ahu. <https://dlnr.hawaii.gov/wp-content/uploads/2018/07/Final-EA-NOD-Aquarium-Permits-Oahu.pdf>.
- [17] Department of Land and Natural Resources (2018c). Final environmental assessment and notice of determination; issuance of commercial aquarium permits for the Island of Hawai'i. <https://dlnr.hawaii.gov/wp-content/uploads/2018/07/Final-EA-NOD-Aquarium-Permits-Hawaii-Island.pdf>.
- [18] Division of Aquatic Resources (2020a). Update of Court Rulings Regarding Aquarium Fishing: Issuing and Renewing Commercial Marine Licenses Temporarily Suspended. <https://dlnr.hawaii.gov/dar/announcements/update-of-supreme-court-ruling-regarding-aquarium-fishing/>.
- [19] Division of Aquatic Resources. Coral bleaching recovery plan: identifying management responses to promote coral recovery in Hawai'i, 2017. [https://dlnr.hawaii.gov/dar/files/2017/04/Coral\\_Bleaching\\_Recovery\\_Plan\\_final.pdf](https://dlnr.hawaii.gov/dar/files/2017/04/Coral_Bleaching_Recovery_Plan_final.pdf).
- [20] Division of Aquatic Resources. Frequently Asked Questions – Aquarium Permit (HRS §188–31) (Rep.). Honolulu, HI, 2018.
- [21] Division of Aquatic Resources (2020b). Special Activity Permit Application. [https://dlnr.hawaii.gov/dar/files/2014/05/SAP\\_application\\_fillable.pdf](https://dlnr.hawaii.gov/dar/files/2014/05/SAP_application_fillable.pdf).
- [22] J. Dierking, Socio-economic study of the aquarium fish industry in West Hawai'i, Cesar Environmental Economics Consulting, 2002.
- [23] A.M. Friedlander, Status of Hawai'i's coastal fisheries in the new millennium: proceedings of the 2001 fisheries symposium sponsored by the American Fisheries Society, Hawai'i Chapter. Honolulu, Hawai'i, 2004.
- [24] A.M. Friedlander, M.K. Donovan, K.A. Stamoulis, L.D. Williams, E.K. Brown, E. J. Conklin, W.J. Walsh, Human-induced gradients of reef fish declines in the Hawaiian Archipelago viewed through the lens of traditional management boundaries, *Aquat. Conserv. Mar. Freshw. Ecosyst.* 1 (2017), 12.
- [25] E. Game, E. Meijaard, D. Sheil, E. McDonald-Madden, Conservation in a wicked complex world: challenges and solutions, *Conserv. Lett.* 7 (3) (2014) 271–277.
- [26] N. Graham, D. Bellwood, J. Cinner, T. Hughes, A. Norström, M. Nyström, Managing resilience to reverse phase shifts in coral reefs, *Front. Ecol. Environ.* 11 (2013) 541–548, 10.1890/120305.
- [27] Hawai'i Department of Health. The Environmental Council's Findings of Fact, Conclusions of Law and Decision and Order, Docket no. DOH-EC-20-001, 2020. <https://earthjustice.org/sites/default/files/files/220-08-13-env-council-pjac-appeal-part1.pdf>.
- [28] Hawai'i Tourism Authority. 2019 annual visitor research report, 2020. [www.hawaii-tourismauthority.org/research/annual-visitor-researchreports/](http://www.hawaii-tourismauthority.org/research/annual-visitor-researchreports/).
- [29] Hawai'i Tourism Authority 2019. Fact Sheet: Benefits of Hawai'i's Tourism Economy (December, 2019).
- [30] O. Hoegh-Guldberg, E. Poloczanska, W. Skirving, S. Dove, Coral reef ecosystems under climate change and ocean acidification, *Front. Mar. Sci.* 4 (2017) 158, <https://doi.org/10.3389/fmars.2017.00158>.
- [31] R.M. Huntington. The coral reef ecosystem and the marine aquarium industry (Order No. 1409871). Available from ProQuest Dissertations & Theses Global. (230746126), 2002. <http://eres.library.manoa.hawaii.edu/login?url=https://search-proquest-com.eres.library.manoa.hawaii.edu/docview/230746126?accountid=27140>.
- [32] In re Water Use Permit Applications, 94 Haw. 97, 123–25, 9 P.3d 409, 466, 2000.
- [33] S. Jentoft, R. Chuenpagdee, Fisheries and coastal governance as a wicked problem, *Mar. Policy* 33 (2009) 553–560.
- [34] A. Khan, B. Neis, The rebuilding imperative in fisheries: clumsy solutions for a wicked problem? *Prog. Oceanogr.* 87 (1–4) (2010) 347–356.
- [35] D.R. Lane, R.C. Ready, R.W. Buddemeier, J.A. Martinich, K.C. Shouse, C.W. Wobus, Quantifying and valuing potential climate change impacts on coral reefs in the United States: comparison of two scenarios, *PLoS One* 8 (2013), e82579.
- [36] R. McDermott, Umberger: a louder voice for the environment, *Asian-Pac. Law Policy J.* 20 (1) (2018).
- [37] T. Militz, S. Foale, The “Nemo Effect”: perception and reality of Finding Nemo's impact on marine aquarium fisheries, *Fish. Fish.* 18 (3) (2017) 596–606, <https://doi.org/10.1111/faf.12202>.
- [38] T. Militz, S. Foale, J. Kinch, P. Southgate, Consumer perspectives on theoretical certification schemes for the marine aquarium trade, *Fish. Res.* 193 (2017) 33–42, <https://doi.org/10.1016/j.fishres.2017.03.022>.
- [39] T. Militz, S. Foale, J. Kinch, P. Southgate, Natural rarity places clownfish colour morphs at risk of targeted and opportunistic exploitation in a marine aquarium fishery, *Aquat. Living Resour.* (2018) 31, <https://doi.org/10.1051/alr/2018006>.
- [40] J. Moorhead, C. Zeng, Development of captive breeding techniques for marine ornamental fish: a review, *Rev. Fish. Sci.* 18 (4) (2010) 315–343, <https://doi.org/10.1080/10641262.2010.516035>.
- [41] M.O. Nadon, Stock Assessment of the Coral Reef Fishes of Hawai'i, 2016 (NOAA Tech. Memo. NOAA-TM-NMFS-PIFSC-60), U.S. Department of Commerce, Honolulu, HI, 2017.
- [42] K. Oleson, R. Ostergaard-Klem, Kamakani Lynch, M. , Bremmer, L. Transforming The Economy Through Ocean, Ohia, and Ohana. Honolulu Civil Beat, 2020. <https://www.civilbeat.org/2020/06/transforming-the-economy-through-ocean-ohia-and-ohana/>.
- [43] E. Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action*, Cambridge University Press, Cambridge, UK, 1990.
- [44] Pet Industry Joint Advisory Council. Final Environmental Impact Statement Issuance of Commercial Aquarium Permits, Commercial Marine Licenses, and West Hawai'i Aquarium Permits for the West Hawai'i Regional Fishery Management Area. Stantec Consulting Services Inc. Prepared for the Hawai'i Department of Land and Natural Resources, Honolulu, HI, 2020. [http://oeqc2.doh.hawaii.gov/EA\\_EIS\\_Library/2020-04-23-HA-FEIS-Hawaii-Island-Commercial-Aquarium-Permits.pdf](http://oeqc2.doh.hawaii.gov/EA_EIS_Library/2020-04-23-HA-FEIS-Hawaii-Island-Commercial-Aquarium-Permits.pdf).
- [45] Pet Industry Joint Advisory Council, Draft Environmental Impact Statement Issuance of Commercial Aquarium Permits for the West Hawai'i Regional Fishery Management Area., Stantec Consulting Services Inc. Prepared for the Hawai'i Department of Land and Natural Resources., Honolulu, HI, 2019. [http://oeqc2.doh.hawaii.gov/EA\\_EIS\\_Library/2019-11-23-HA-DEIS-Hawaii-Island-Commercial-Aquarium-Permits.pdf](http://oeqc2.doh.hawaii.gov/EA_EIS_Library/2019-11-23-HA-DEIS-Hawaii-Island-Commercial-Aquarium-Permits.pdf).
- [46] B.A. Porter, Exploring stakeholder groups through a testimony analysis on the Hawaiian aquarium trade, *Tour. Geogr.* 20.2 (2018) 309–330, <https://doi.org/10.1080/14616688.2017.1375971>.
- [47] A.L. Rhyne, M.F. Tlusty, L. Kaufman, Is sustainable exploitation of coral reefs possible? a view from the standpoint of the marine aquarium trade, *Curr. Opin. Environ. Sustain.* 7 (2014) 101–107.
- [48] A.L. Rhyne, M.F. Tlusty, P.J. Schofield, L. Kaufman, J.A. Morris Jr., A.W. Bruckner, Revealing the appetite of the marine aquarium fish trade: the volume and biodiversity of fish imported into the United States, *PLoS One* 7 (5) (2012), e35808.
- [49] A.L. Rhyne, The importance of open access in technology transfer for marine ornamental aquaculture: the case of hobbyist-led breeding initiatives, *Aquat. Conserv. Legis.* 3 (2010).
- [50] M. Spalding, L. Burke, S.A. Wood, J. Ashpole, J. Hutchison, P.Z. Ergassen, Mapping the global value and distribution of coral reef tourism, *Mar. Policy* 82 (2017) 104–113.
- [51] T.C. Stevenson, B.N. Tissot, J. Dierking, Fisher behavior influences catch productivity and selectivity in West Hawai'i's aquarium fishery, *ICES J. Mar. Sci.* 68 (5) (2011) 813–822, <https://doi.org/10.1093/icesjms/fsr020>.
- [52] B.N. Tissot, L.E. Hallacher, Effects of aquarium collectors on coral reef fishes in Kona, Hawai'i, *Conserv. Biol.* 17 (6) (2003) 1759–1768.
- [53] United States Census Bureau. U.S. census bureau quickfacts: Hawai'i, 2019. <https://www.census.gov/quickfacts/HI#qf-headnote-a>.
- [54] United State Environmental Protection Agency, EPA's use of benefit-cost analysis 1981-1986, Economic Studies Branch, Office of Policy Analysis Office of Policy, Planning and Evaluation, 1987.
- [55] M. Verdone, A Cost-Benefit Framework for Analyzing Forest Landscape Restoration Decisions, IUCN, Gland, Switzerland, 2015.
- [56] W.J. Walsh, Aquarium Collecting in West Hawai'i: A Historical Overview, Department of Land and Natural Resources, Division of Aquatic Resources, Island of Hawai'i, Honolulu, HI, 2000. <http://www.coralreefnetwork.com/kona/Walsh%20Aquarium%20Overview%202000.pdf>.
- [57] W.J. Walsh Report to the thirtieth legislature 2015 regular session: report on the findings and recommendations of effectiveness of the West Hawai'i Regional Fishery Management Area (Report) , 2015. <http://dlnr.hawaii.gov/dar/files/2015/01/archrs188c2015.pdf>.
- [58] C.A. Watson, J.E. Hill, Design criteria for recirculating, marine ornamental production systems, *Aquat. Eng.* 34 (2006) 157–162.
- [59] E.M. Wood, Collection of coral reef fish for aquaria: global trade, conservation issues and management strategies, Marine Conservation Society, Herefordshire, United Kingdom, 2001.

**SB-2078**

Submitted on: 2/16/2026 7:52:35 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Conall K. Ravenscraft	Testifying for Hoala Kealakekua Nui Inc.	Support	Written Testimony Only

Comments:

Aloha chair Lee and vice chair Inouye and members of the senate committee on Water, Land, Culture, and the Arts, chair Rhodes and vice chair Gabbard and members of the senate Judiciary committee,

Please let this serve as testimony for myself Conall Kahaka'ioikamalie Ravenscraft, Director of Field Operations for Hoala Kealakekua Nui Inc. and a lineal descendant of Napoopoo, Kealakekua, HI

I am in full support of SB 2078 which Establishes a criminal penalty and monetary fines for aquarium fishing violations. Clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offense.

As it stands SB 2078 1. Upholds the State of Hawai'i DLNR response to the Supreme Court's declatorial ruling that *those with existing marine collection licenses could no longer collect aquarium fish.* 2. Upholds the highest level of environmental protections state-wide. 3. Upholds and supports the protections set in place for MLCDD and CBSFA designated areas.

I thank you for your time and consideration on this measure and strongly urge the committee to pass SB 2078 forward.

Aloha

C. Kahaka'io Ravenscraft

**SB-2078**

Submitted on: 2/16/2026 10:47:01 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kathy Carroll	Testifying for Maui Humane Society	Support	Written Testimony Only

Comments:

Maui Humane Society supports SB2078. While Maui Humane Society promotes pet ownership, capturing wild animals and transporting them thousands of miles in conditions that are often fatal is not humane. More than 40 percent of wild caught fish bound for pet stores die before they arrive on the sales floor. Collection methods include cruel practices such as puncturing swim bladders to bring fish to the surface more quickly, and cutting fins and spines to enable the use of cheaper, thinner bags for transport.

**Testimony of The Nature Conservancy  
Supporting SB2078, Relating to the Department of Land and Natural Resources  
Committee on Water, Land, Culture and the Arts  
February 18, 2026 at 1:01 pm  
Conference Room 224 and via Videoconference**

Dear Chair Lee, Vice Chair Inouye, and Members of the Committee:

Mahalo for the opportunity to testify today. The Nature Conservancy (TNC) Hawai'i and Palmyra supports SB2078, which establishes a criminal penalty and monetary fines for aquarium fishing violations and clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offense.

TNC's mission is to conserve the lands and waters on which all life depends, and we strongly support policies that recognize Indigenous rights, strengthen community governance, and support sustainable livelihoods. TNC works closely with dozens of communities and individuals leading community-based makai management efforts across five Hawaiian Islands. We carry kuleana to the places where we work and to the people and communities we work alongside, including those directly impacted by, and continuing to raise concerns about, the effects of the aquarium trade on their livelihoods, culture, and ways of life.

As a science-based organization dedicated to conserving the biodiversity that underpins all life on Earth, we are deeply aware that biodiversity is declining at an unprecedented rate. To reverse this trend, we must find better, more inclusive ways to manage humanity's footprint on land, freshwater, and the ocean. Addressing the twin crises of rapid climate change and biodiversity loss requires strong partnerships among communities, governments, and businesses—and above all, a foundation of respect for peoples, communities, and cultures. When policy aligns with people and place, we strengthen the conditions for the lands, waters, and communities of Hawai'i to thrive now and into the future.

In Hawai'i, we rely heavily on the partnership and stewardship of communities that mālama 'āina. These are the people with intimate, place-based knowledge of our nearshore ecosystems. That knowledge must inform and guide the management of our shared resources, for the health of our reefs and the well-being of the people connected to them.

As documented by the Division of Aquatic Resources' William Walsh (2014), the rise of the aquarium trade in the 1970s ignited longstanding conflict among collectors, fishers, and community members, leading to Act 306 and the creation of Fish Replenishment Areas. Opposition

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to aquarium harvest and trade in West Hawai'i is longstanding, spanning over 50 years. This opposition is not simply about resource use; it is about deeply held values. According to West Hawai'i community partners that we deeply engage with, harvesting reef fish for commercial aquarium sale is not viewed as a culturally acceptable use of Hawai'i's fishery resource.

In that spirit, we urge the Committee to move forward legislation that reflects the values of communities and protects the integrity of Hawai'i's ecosystems. Mahalo for the opportunity to testify and for your continued commitment to thoughtful, community-based resource management.

Mahalo for the opportunity to testify in support of SB2078.

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*Guided by science, TNC is a non-profit organization dedicated to the preservation of the lands and waters upon which all life depends. The Conservancy has helped protect more than 200,000 acres of natural lands in Hawai'i and Palmyra Atoll. We manage 84,000 acres in 13 nature preserves and 18 managed areas and have supported over 50 coastal communities to help protect and restore the nearshore reefs and fisheries of the main Hawaiian Islands.*

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# KO'OLAUPOKO HAWAIIAN CIVIC CLUB

February 16, 2026

**LATE**

To: Senator Chris Lee, Chair  
Senator Lorraine Inouye Vice Chair  
& Members  
Committee on Water, Land, Culture and the Arts

**Re: S.B. 2078 – Relating to the Department of Land & Natural Resources –  
SUPPORT**

Aloha Chair Lee Vice Chair Inouye, and Committee Members:

The Ko'olaupoko Hawaiian Civic Club supports Senate Bill 2078, which establishes a criminal penalty and monetary fines for aquarium fishing violations, clarifies taking violations and possession of prohibited explosives and devices or substances and how penalties would be applied.

We do have one significant concern, however, and urge your consideration of improving the language because – as we understand it – collection limits and reporting are all left to the company doing the gathering; it's all self-reporting. We have long advocated for increased staffing of the conservation law enforcement division of DLNR, which has been constrained from adequately enforcing all of our fishing restrictions. And, although we are pleased to learn that their division has increased the number of officers, the rules still allow for self-reporting.

If that is so, this bill could be considered meaningless, because no one is going to report that they are violating anything.

We urge your support for amending this bill to address that concern before passage of this bill.

Me ke aloha pumehana,

Charles Naumu, President  
Ko'olaupoko Hawaiian Civic Club

*The Ko'olaupoko Hawaiian Civic Club was established in 1937 and is one of the largest in the Association of Hawaiian Civic Clubs nationwide. Ko'olaupoko HCC is a not-for-profit community organization dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians and providing leadership and scholarships. Its membership is open to people of Hawaiian ancestry and those who are "Hawaiian at heart."*



February 17, 2026

To: Members of the WAL & JDC Committees

From: Dr. Roxane Keli'ikipikāneokolohaka, Executive Director, Kia'i Kanaloa

RE: Testimony in SUPPORT of SB078



Aloha,

On behalf of Kia'i Kanaloa with members across the pae'āina, mahalo for this opportunity to provide written testimony in SUPPORT of SB078. Kia'i Kanaloa stands in firm opposition to any aquarium fish collecting in our waters, as it does not benefit our ocean ecosystem, nor does it lend to the state's trust responsibility to our elder environment and the people of Hawai'i.

Hawai'i relies on a healthy reef ecosystem on a generational scale, and we cannot afford the risks that aquarium fishing poses to that collective need. We are in a time when individuals and entities act in their own self-interest rather than in the best interests of the collective, which relies heavily on a healthy, balanced marine ecosystem. We too often see here in Hawai'i the prioritization of short-term profit over long-term sustainability, along with a lack of shared values and self-regulation. For such individuals and entities, entitlement far outweighs responsibility. Enforcing the protective measures in place is extremely difficult, given the vastness of our reefs on each island and the limited resources of DLNR-DAR/DOCARE. An alternative management tool is to impose substantial monetary penalties on those who choose to engage in actions that contribute to the decline of our reef systems.

We ask you to stand in unrelenting protection of and advocacy for our Kanaloa coral reef and fish forms by considering higher penalties as you advance this bill. Even when the long-term solution of a full ban on aquarium fish collection is in place, enforcement will remain a challenge, especially without such penalties.

In service to our Kanaloa,

*Roxane K. Keli'ikipikāneokolohaka*

Dr. Roxane Keli'ikipikāneokolohaka

Kia'i Kanaloa, Executive Director



(808) 987-0453



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**Mailing Address**

1889-A Kīlauea Ave.  
Hilo, HI. 96720

# HAWAI'I OCEAN LEGISLATIVE TASK FORCE



February 18, 2026

Hawai'i State Legislature  
Senate Committee on Water, Land, Culture and the Arts

Re: Testimony in **SUPPORT** for SB 2078, Relating to the Department of Land and Natural Resources

Aloha Chair Lee, Vice Chair Inouye, and esteemed members of the committee,

The Ocean Legislative Task Force—a coalition of more than 150 individuals across over 20 organizations statewide—**supports** SB 2078, relating to the Department of Land and Natural Resources. This measure establishes criminal penalties and fines for aquarium fishing violations and clarifies that each individual fish or specimen taken illegally—and each use of prohibited methods such as explosives, electrofishing devices, or poisons—constitutes a separate offense.

Healthy coral reef ecosystems are essential to Hawai'i's environmental, cultural, and economic well-being. Reef fish and other aquatic species play critical roles in maintaining ecological balance, supporting biodiversity, and sustaining the natural systems that protect shorelines and provide food security and cultural value for local communities. Ensuring that existing protections are meaningful and enforceable helps safeguard these shared resources for present and future generations.

This measure reinforces the importance of responsible stewardship by recognizing that individual actions—no matter how small they may seem—can have cumulative and lasting impacts on marine ecosystems. Clear and consistent accountability helps promote compliance with established conservation laws and supports the State's broader efforts to protect Hawai'i's fragile marine environment.

The Ocean Legislative Task Force respectfully urges your support for SB 2078.

Mahalo for the opportunity to provide testimony.

*The Hawai'i Ocean Legislative Task Force advocates for measures that advance cesspool conversion and wastewater management, protect Hawai'i's coral reefs and reef fish, ensure transparent and sustainable implementation of the Green Fee program and long-term environmental staffing, and support other measures that strengthen Hawai'i's coastal and marine ecosystems.*



**PUAKŌ FOR  
REEFS**

# A Community Dedicated to Saving Puakō Reef

Return the reef to its historic 70% coral coverage from its existing 7%.

[www.Puako4reefs.org](http://www.Puako4reefs.org) \* [Puako for Reefs Facebook](#)

Story map of Puakō: [Wahi Pana -A Sacred Place](#)

## HEARING FOR STATE SENATE COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS Wednesday, February 18, 2026 1:01 PM Conference Room 224, State Capitol

**DATE:** February 17, 2026

**TO:** Senate Committee on Water, Land, Culture and the Arts Chair Chris Lee, and Vice-Chair Lorraine Inouye, and all members

**RE:** SENATE BILL 2078. Relating to the Department of Land and Natural Resources

Puakō For Reefs believes that enforcement is an important component of all regulations and agrees that existing fines for aquarium fish collecting are insufficient for deterrence. Presently, due to the extremely limited number of enforcement resources, illegal poaching occurs on a regular basis. We believe the only way to stop the poaching is to ban aquarium fish collection. This will simplify all the enforcement protocols. However, if a total ban on aquarium collecting is considered impossible at this time, we wholeheartedly support increasing the fines.

Puakō For Reefs is expending massive efforts as well as millions of dollars in community donations, not to mention copious hours of volunteer time, to remove a major stress (wastewater) on the coral in the South Kohala area. To have another stress undermining our efforts and threatening the reef ecosystem is extremely difficult for us to watch.

There are so many relevant facts associated with this practice:

1. Local fishing practices, stewardship and respect for Native Hawaiian values for our oceans are massively neglected. The idea that there is a limitless supply of reef fish is obviously incorrect. The same fish that are heavily collected are the primary algae-eaters, helping to keep our reef alive and healthy.
2. Our state constitution lays out the public-trust obligations to protect our natural resources. Now is a wonderful time to take this more seriously.
3. And, for the sad economic news. Nobody receives any benefits from the aquarium trade while residents, and all tax payers, bear the environmental as well as the enforcement costs.

Please vote in favor of this bill so we can finally get serious about our reef and ocean waters.

Sincerely,

Barbara Bell for Puakō for Reefs Board members and its many volunteers

**Karen Anderson**, Board Chair, **Stephanie Erickson**, Board Treasurer,  
**Barbara Bell**, Board Secretary, and **George Fry**, Board member



**The Libertarian Party of Hawaii is in strong OPPOSITION to SB2078.**

To be clear: This bill does not create new rules for aquarium fishing. Hawaii already has some of the most restrictive aquarium-collection laws in the United States. Commercial permits have been effectively frozen since 2021 following a court ruling on environmental review, non-commercial collectors are already limited to just five specimens per person per day, and the use of explosives, electrofishing devices, and poisons has long been prohibited. The Department of Land and Natural Resources already possesses ample enforcement tools, including seizures, license revocations, and existing fines.

What SB2078 *actually* does is dramatically escalate punishment by amending these statutes to impose per-specimen fines and declare that each individual fish or aquatic life specimen taken in violation of key sections constitutes a separate offense. Under the bill's new structure, a single diver who collects fifty small reef fish could face fifty separate misdemeanors and fines that quickly reach thousands of dollars (even on a first offense) because each tiny specimen is counted individually and can be valued at its retail market price.

The stacking of penalties is absurd on its face. It transforms what is at worst a regulatory paperwork or bag-limit violation into a potential financial catastrophe. A hobbyist, a small-scale collector, or even someone who inadvertently exceeds a limit by a handful of fish could be ruined by fines that bear no reasonable relationship to any actual harm. The government should not treat peaceful, non-violent resource users like organized criminals by multiplying offenses.

Individuals have the right to engage in voluntary, consensual economic activity without facing draconian, multiplied criminal penalties. Public waters are held in trust for the people, not as a trap designed to generate ever-higher fines through creative accounting of "each fish." If the current rules are already so strict that commercial collection has been halted for years, then the solution is not to pile on more punishment; the solution is to reconsider the restrictions themselves rather than turning every net into a revenue grab. Hawaii does not need harsher, more creative ways to punish people for collecting fish. We need fewer barriers to honest livelihood and far less government aggression against peaceful citizens.

The Libertarian Party of Hawaii urges this committee to reject SB2078.

In freedom,

Abbra Green | LPHI Secretary | [LibertarianHawaii.com](http://LibertarianHawaii.com) | (808)824-LPHI

**TESTIMONY IN SUPPORT TO SB 2078**  
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES.

SENATE COMMITTEES on Water, Land, Culture and the Arts and Judiciary  
Hawai'i State Capitol

February 18, 2026

1:01PM

CR 224

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Aloha e Chairs Lee and Rhoads, Vice Chairs Inouye and Gabbard, and members of the committees,

My name is Keanu Binney-Medeiros. I am a lineal descendant of Kealakekua Bay and a proud Hoa'āina of Ho'āla Kealakekua Nui.

I work as a research diver and digital media specialist, documenting reef health, species presence, and human-use impacts through underwater monitoring and community-based science. My work is grounded in mālama 'āina and a kuleana to this wahi pana.

I submit this testimony in **support of SB 2078**, which would establish a criminal penalty and monetary fines for aquarium fishing violations

I support SB2078 because it strengthens protections for Hawai'i's reef ecosystems by ensuring meaningful consequences for aquarium fishing violation and providing the highest level of protection for Hawaii's water across the state.

Our coral reefs are living ecosystems that sustain food security, shoreline protection, cultural practices, and the overall health of our communities. When aquarium fish are taken illegally it causes ecological harm. Each fish removed plays a role in maintaining balance within the reef system.

SB2078 helps ensure that violations are treated seriously by increasing fines and clarifying that each unlawfully taken specimen in the aquarium pet trade is a violation that demands the highest level of protection and enforcement.

This reflects the reality that every individual fish matters. Strong enforcement sends a clear message that our nearshore waters are not open for exploitation.

If we are serious about reef recovery and long-term sustainability, we must back our conservation laws with real accountability. SB2078 moves us toward managing our marine resources with the highest level of protection they deserve.

Protecting our reefs today protects our communities tomorrow. I respectfully urge your support for SB2078.

Mahalo for your time and the opportunity to testify,

A handwritten signature in black ink, reading "K Binney-Medeiros". The signature is written in a cursive style with a large initial "K" and a hyphen between the last names.

Keanu Binney-Medeiros

16 February 2026

Re: SB2078 Relating to the Department of Land and Natural Resources

Aloha e Committee Chair Hashem, Vice Chairs Morikawa, and Members of the House Committee on Water & Land,

I am U'ilani Naipo of Moku O Keawe, and I am writing in support of this measure, SB2078, which establishes criminal penalties and monetary fines for aquarium fishing violations. Strengthened enforcement is necessary to protect our nearshore resources.

At the same time, enforcement alone is not enough. To be effective in protecting our reefs, this measure must be paired with a ban on commercial aquarium collection. It is not one or the other — we need both.

Although commercial aquarium collectors of West Hawai'i have been out of the water for nine years, poaching continues. That ongoing illegal activity demonstrates why stronger penalties and enforcement are needed. For these reasons, I support SB2078.

Mahalo for the opportunity to testify in strong support.

Sincerely,



U'ilani Naipo

**SB-2078**

Submitted on: 2/16/2026 11:51:02 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alohi Nakachi	Individual	Support	In Person

Comments:

**Aloha e Chairs, Vice Chairs, and members of the committees,**

**I am writing in support of SB2078 and HB2101. I support increasing fines on penalties of aquarium fishing, as well as prohibiting the capture and sale of species for aquarium purposes. However, noting how difficult it is to enforce penalties on aquarium collecting and shipping when legal, I support the outright ban of aquarium collection.**

**My name is ‘Alohi Nakachi, I was born and raised on moku o Keawe but I now reside on the island of O‘ahu as I moved here to pursue a PhD. I have obtained a PhD from the University of Hawai‘i at Mānoa in the department of Natural Resources and Environmental management. In my PhD research I focused on cultural ecosystem services looking at how humans interact with and relate to our surrounding environments (Nakachi, 2024). My research focused on contemporary research fields such as environmental science, ecological economics, environmental psychology, and Indigenous research.**

**The aquarium trade has been a major driver in my pursuit of contemporary higher education. I have been in hearings on this issue since I was 5 years old and I have long felt that Native Hawaiian voices have not been well heard or included in contemporary management and ‘ike Hawai‘i is not well understood or acknowledged. As an Indigenous environmental scientist, the aquarium trade shows ecological, socio-economic, and cultural harms. The aquarium is a clear example that Native Hawaiian values and ‘ike Hawai‘i continue to be disregarded.**

**Contemporary ecological monitoring of the aquarium trade began in the 70s. Researchers showed that aquarium collection had significant negative ecological impacts with fish populations declining (Tissot and Hallacher, 2002; Walsh et al. 2004). The state has, and some researchers claim this is the most managed and researched fishery in Hawai‘i and**

**claim it is a sustainable fishery. The most recent DLNR report (DLNR, 2024) shows fish populations as variable by site and species with many species and sites still in decline or declining. Those species that may be increasing are only marginal from 1999 initial surveys. Sustainable is a subjective word in fisheries that can often be defined as allowing a minimum baseline to not further decline and often include measures of yield and take as part of the definition. Looking at contemporary ecological science is equivocal as species populations are variable both declining and increasing. Even from a contemporary ecological science definition, it is reaching to say this would be a sustainable fishery.**

**Contemporary ecological science only looks at the aquarium from as early as the 70s and mainly uses the 90s as a baseline. From an Indigenous science perspective, this is using a baseline of decline. The 70s and 90s have already had major ecological degradation from overfishing, land use change, and socio-political regime shifts. Even if we use the 70s and the 90s as a baseline this is from a state of decline that even those species and places that show increasing trends are still nowhere near a baseline of ‘āina momona, or abundance from traditional management systems. Additionally, sustainable from an Indigenous science view often means ensuring ‘āina momona or in some definitions ensuring that resources can be used and sustained for 7 generations. Looking at the ecological impacts from an Indigenous science perspective this fishery has shown ecological harms and is far from sustainable.**

**It is true however, that the aquarium trade is not the only stressor on the environment that could be impacting fish populations and causing decline. This gets into the socio-economic harms of the aquarium trade. The reefs of Hawai‘i face numerous and compounding threats from both local and global stressors including increasing storms and storm intensity, flooding, pollution, wastewater, sea level rise, and resource users. Coral reef ecosystems and fish populations continuously face compounding threats and stressors, as such wasteful and unnecessary practices such as the aquarium trade should be banned. The aquarium trade is wasteful as it has shown to have mortality at each stage of collection. The aquarium trade only economically benefits those engaging in collecting and shipping fish, with the main economic benefits existing outside of the state as an estimated 95% of fish collected are sent out of state (Dierking, 2002; Schaar and Cox, 2021). The economic benefits of this trade would only be held by a small number of people. NOAA fisheries reports have shown up to 90 permitted participants before the temporary moratorium, with largely 30-40 active participants in the fishery, and proposed participant lists for just West Hawai‘i are 7 active participants. The economic benefits of the aquarium trade would be the monetary gain to those participants and in comparison the cost would be the ecological harms and socio-cultural harms of removing the hundreds of thousands of fish those participants would take annually. The aquarium trade mainly exists outside of pae ‘āina of Hawai‘i where these fish, if they survive collection, would serve a hobbyist industry for fish to be bought to serve as decoration. Some advocates of the aquarium trade claim the educational benefits of the aquarium trade however there are separate exemptions and**

**permits for public aquariums and educational purposes. The permitted aquarium trade just supports a hobbyist industry. This is a completely unnecessary practice and an added ecological stressor and burden contributing to compounding ecological threats and uncertainty. From a contemporary social science socio-ecological science perspective, the aquarium trade in Hawai'i shows significant harms and marginal benefits but only to the small number of participants in the trade in Hawai'i.**

**From an Indigenous science and contemporary social science perspective, the aquarium trade is completely unacceptable culturally. For my masters degree I interviewed participants to understand the contention and conflicts of the aquarium trade (Nakachi, 2016). Reasons why there is so much contention around the trade has been continued and ongoing mismanagement and lack of trust in management and enforcement agencies, but also just a general lack of understanding and acknowledgement of 'ike Hawai'i. Places have been forever changed from perceived aquarium impacts with not only fish populations not returning to previous rates but fish behavior changes and ocean relationships forever altered from these fish populations and behavior changes. In my PhD research I got a bit more into what relationships and connections people have with their surrounding environments and why these are so important. We miss out and we exclude and undervalue so much of environmental impacts and environmental values when we only look at ecological and monetary values. To Native Hawaiians 'āina or the land, waters, and all native inhabitants are part of a reciprocal 'āina system to feed and be fed. In this 'āina system all are related with Native Hawaiians being the youngest in this familial system with land, water, elemental forces, and more than human inhabitants coming before us. This reciprocal 'āina system has been disrupted with land use changes and socio-political regime shifts. But many kia'i or Native Hawaiian stewards are striving to maintain reciprocity so that 'āina systems can feed and be fed. A practice that removes an inhabitant such as fish to not nourish 'āina and be taken out and removed entirely from the pae 'āina is not ok. Perhaps in a time of 'āina momona would some consider the trade as acceptable but we are far from 'āina momona. What I have learned as an Indigenous researcher from many practitioners and in mo'olelo, Hawaiians are often heeded to respect and maintain reciprocity with 'āina. From an 'ike Hawai'i perspective I believe the trade would symbolize human greed and arrogance we are often warned about in mo'olelo. As we face compounding and increasing ecological threats in Hawai'i, struggle to maintain 'āina systems and 'āina integrity, struggle to feed Hawai'i, and face increasing diaspora, removing fish from 'āina to support a hobbyist industry outside of the pae 'āina is completely unacceptable and disrespectful.**

**As a Native Hawaiian kānaka scientist with a PhD in Natural Resources and environmental management I do not support the aquarium industry. The aquarium trade has shown ecological, socio-economic, and cultural harms from a contemporary ecological and social science perspective and especially from an Indigenous Science perspective. I support SB2078 and HB2101 and would urge you to consider banning aquarium trade.**

**Mahalo nui,**

**‘Alohi Nakachi, PhD**

**References:**

**DLNR (2024). Findings and Recommendations of Effectiveness of the West Hawai‘i Regional Fishery Management Area (WHRFMA). Report to the Thirty-Third Legislature 2025 Regular Session. 130p.**

**Dierking, J. (2002). Socio-economic study of the aquarium fishery in West Hawai‘i. Cesar Environmental Consulting.**

**Nakachi, A. L. (2016). The Disconnect of Hawaiian Culture and Marine Management in West Hawai‘i: A Case Study on the Aquarium Trade (Masters Thesis, University of Miami).**

**Nakachi, A. (2024). Recognizing Indigenous Knowledge and Values Through the Discipline of Cultural Ecosystem Services: Insights for Research, Management, and Academia. University of Hawai‘i at Manoa.**

**Schaar, S. I., & Cox, L. J. (2021). The future for Hawai‘i’s marine aquarium fishery: A cost benefit analysis compared to an environmental impact assessment. Marine Policy, 127, 104429.**

**Tissot, B. N., & Hallacher, L. E. (2003). Effects of aquarium collectors on coral reef fishes in Kona, Hawai‘i. Conservation Biology, 17(6), 1759-1768.**

**Walsh, W. J., Cotton, S. S., Dierking, J., & Williams, I. D. (2004). The commercial marine aquarium fishery in Hawai ‘i. Status of Hawai ‘i’s, 129-156.**

House Committees: WLA, JDC  
Hawai'i State Capitol - Room 401  
415 South Beretania Street  
Honolulu, HI 96813

16 February 2026

**Subject:** Support for SB2078

Dear Honorable Senators:

I am writing in support of SB2078 to establish criminal penalty and monetary fines for aquarium fishing violations.

My name is Chad Wiggins and I reside in Luala'i, Waimea, Lalamilo, Kohala Hema, Moku o Keawe, Senate District 4. I have been an active SCUBA diver in Hawai'i for 26 years. In 2001, I became a certified Scientific Diver and conducted surveys for the state and non-profits through 2019. In 2005, I received and currently hold a US Coast Guard 100-ton Captain's License with sailing and towing endorsement. In 26 years on Hawai'i's ocean I have been blessed with some amazing experiences and been humbled by the power of the ocean too many times to count.

I have been fortunate to travel and dive throughout the Pacific and Mesoamerica and been exposed to many important perspectives on enforcement for island and tourism dependent nation-states as well as Australia's Great Barrier Reef. I have also encountered communities engaged in cyanide fishing, dynamite fishing, and using lay gill nets to capture not only fish, but sea turtles. In the face of illegal and damaging fishing practices, a common thread that links pono<sup>1</sup> ocean people together is an appreciation for effective environmental enforcement that improves compliance with rules and regulations.

As a student and early career scientific diver living in Hilo, I participated in the aquarium fishery to provide fish for a home aquarium. Most of my diving was done in Puna and Ka'u where my dive buddy and I targeted deepwater angelfish, rare butterflyfish, and wrasse which we would keep for several weeks then return to the place of collection. I am pleased to share that all of these fish survived the experience, but cannot attest to whether they were well received by the community from which they were taken. I also supported collecting live reef fish for the Mokupāpāpā Marine Education Facility in Hilo. While I have never collected fish commercially, I have met and learned from many who have done so and can report that most of them are law-abiding, but not all.

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<sup>1</sup> Lit. responsible, appropriate, ethical

A year long survey effort I coordinated in South Kohala collected data on illegal fishing activity across 26 miles of coastline for 12 months and found that 99.3% of all fishing observed followed all fishing rules. But these surveys were conducted from shore in the daytime while most poaching happens at night or from boats.

As an experienced professional conservation practitioner with decades of experience in conservation action planning, I have seen the toxic effect a few bad apples can have on the bunch.

For a law-abiding commercial or sustenance fisherman who feels a moral obligation to future generations to know that bad actors are poaching, and getting away with it, is erosive to trust in government and community good will. Pono fishers who go above and beyond justifiably believe that they are unduly burdened with rules and regulations that do not apply to lawbreakers. When there are no consequences for violators, there is no motivation to follow the rules. Similarly for those with a connection to place strong enough to take action and empowered to report illegal activity following training in programs like Hawai'i's Makai Watch, the inability to convict and punish poachers is de-motivating. I have seen and experienced this firsthand for decades, and it continues today.

I have had the good fortune of spending time with ocean people, including kūpuna<sup>2</sup> who speak of picking up lobsters while wading in tidepools at Puakō and stopping to allow walls of parrotfish to pass by on dives. According to these kūpuna fish populations have declined at least seven-fold, due in large part to the use of bleach and indiscriminate take of fish for commercial sale. One diver told me of watching a SCUBA spearfisher dump all of his air and trample the reef, shooting anything that darted out of the crushed coral field. I have encountered abandoned gill nets in Fishery Management Areas and spears in MLCDA's where spearfishing is prohibited.

Kūpuna share a historic but still attainable vision of abundance maintained by asking permission, honoring the ocean as the ultimate icebox, practicing restraint, and caring for the ocean.

In today's world, however, we cannot rely upon shared values to ensure good behavior - we need good laws and enforcement to weed out the bad apples. This bill is a positive step in the right direction to empower the pono fishers among us and, most importantly, to stop those who put short term financial gain before long term sustainability. One conviction of a bad actor will do more than years of outreach efforts as word travels fast in our ocean community and most of us cannot afford to pay large fines.

I am an avid lobster diver and find that I must go to remote, rough places to feed my family, while many with whom I have dived over the decades disregard size, season, and sex restrictions.

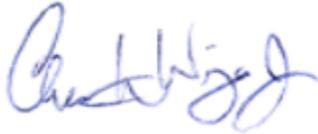
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<sup>2</sup> Lit. Hawaiian elders with experiential wisdom

I have fished with those who catch undersized, out of season fish and though I consistently educate them, their attitude is if everyone else is breaking the rules, why should I follow them? Why should I leave a fish in the ocean if it will merely be taken tomorrow?

Why indeed? The ocean community agrees that enforcement is needed, and I promise to do my part to abide by and share the rules with my fishing friends. This bill is a step in the right direction. Please support it.

Respectfully,



Chad Wiggins

Waimea Resident

Scientific Diver

Boat Captain

Father

Fisherman

[vajrayana0@yahoo.com](mailto:vajrayana0@yahoo.com)

February 17, 2026

Committee on Water, Land, Culture and the Arts & Committee on Judiciary  
Conference Room 411  
State Capitol  
415 South Beratania Street

Re: Testimony in support of SB2078

My name is Kaikea Nakachi and I **strongly support SB2078**.

Being born and raised on Hawai'i Island, I have personally witnessed the damage of the entitled, unnecessary, insensitive, and inappropriate aquarium trade. I watched the droves of Maui aquarium fishers move to Hawai'i Island after they were banned on Maui. I watched them illegally continue after the supreme court mandated them to stop when it was determined the state violated HEPA by issuing permits without cultural or environmental review.

I have submitted testimony supporting HBB2101, also being heard on 2/18/26. I submitted testimony in support of SB2996 on 2/9/26. Last year I joined dozens of communities and over 1300 individuals from across the pae'āina to urge the BLNR to not move forward with a permit process for commercial aquarium collection. In 2024 I supported the resolution sent to BLNR for administrative rules to ban commercial aquarium collection.

As a kanaka maoli who holds a master's degree in tropical conservation biology and environmental science, I have both the mo'okū'auhau containing generational knowledge of pono and sustainable practices in Hawai'i, as well as the academic background of western research and management. It allows me clarity in seeing how wrong this industry is, and that it should never have been allowed to begin with. Now, as we face unprecedented global threats of climate change, coral bleaching, and ocean acidification, we cannot afford to overfish our local ocean. I will always support what our kūpuna taught us: reciprocal practices to steward healthy marine resources that allow sustainable subsistence fishing.

Unfortunately, we have lost our way. Most of the fishing done today is no longer reciprocal. There is so much take and take and so little given back. The aquarium industry is the absolute worst in this regard. Taking millions of fish over the years, majority being keiki, who will never contribute to Hawai'i. They will not get a chance to provide the ecosystem service as herbivores to help coral recover from bleaching. They will not be available as prey for other fish or animals to eat and become momona. They will not get the chance to grow up and contribute to the next generation of their own species. And there is absolutely nothing given back, to the ocean, to the Hawaiian people.

In the face of food insecurity, it is in the best interest of the people of Hawai'i to limit these inappropriate types of commercial fishing and focus on promoting abundance to support subsistence fishing and allow fish populations to be healthy and resilient enough to weather climate change and the myriads of other threats.

I am proud to be one of many voices that have shown up year after year to defend Hawaiian reef fish in legislative committee hearings, BLNR meetings, county council meetings, and even

supreme court hearings. I was incredibly disheartened to hear the opinion of the BLNR feeling that HRS § 188-31 prevented them from banning commercial aquarium collection outright. I tried to urge them that the statute states that the board **may** issue an aquarium fish permit, not **shall**. The word **may** would give the board the decision-making power issue or not issue permits. I also attempted to argue that the statute would still be satisfied with a permit process that is limited to non-commercial applicants.

Communities have been instrumental in helping DOCARE enforce rules in the past and nearly all of the poaching incidents were only caught because of communities watching out for resources. Even now, a collector that was caught has fled the state and has a warrant out for his arrest. He left two women stranded with their catch and they were forced to swim ashore and seek aid from a gas station, still in their wetsuits.

<https://www.staradvertiser.com/2020/09/17/breaking-news/state-officers-arrest-big-isle-aquarium-collector-after-bizarre-kona-incident/>

The head of DAR, Brian Nielsen, was quoted in 2020 after that incident “Illegal collection of aquarium fish in West Hawaii is turning into a persistent problem... this is the third arrest that we’ve seen associated with illegal aquarium harvest in West Hawaii just this year which indicates this is a larger problem the department’s going to need to deal with.” Well to me the best way to deal with this is banning this harmful industry and the increasing penalties and enforcement to ensure poaching does not occur.

Please carefully listen to the multitude of native Hawaiian fishers and caretakers as they provide written and oral testimony. Please listen to their passionate yet respectful call for pono rules. Then listen to the handful of aquarium fishermen. Listen to their arrogance, listen to them insult those of us who are trying to protect our traditional shores from their greed. They may even insult you as committee members. It is my hope that we can ban the destructive trade, but we also need to increase the penalties. In testimony given for SB2996, the trade in their attempt to describe sustainable take, instead showed their true colors, by calculating the worth of aquarium fish by multiplying the estimated population of target species by the price they can get for them. In their thinking they were showing the committee how much money could be made from their trade, the opportunity, the potential. But I believe this only shows their greed and viewing our ‘āina as dollar signs. As long as aquarium collectors stand to make billions, they will fish, and they will poach. We therefore NEED to increase our management, by both ending commercial take, AND enforcing harsher penalties for those that poach and place profit over all else. Please help us to keep our fish here on our reefs. With stiffer penalties, more might second guess poaching or illegal aquarium collection.

I urge these committees to please pass SB2078, and help protect our ocean from the greed of this industry.

Mahalo nui,  
Kaikea Nakachi

**SB-2078**

Submitted on: 2/15/2026 9:32:32 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Georgie Fong	Individual	Support	Remotely Via Zoom

Comments:

I strongly support strong penalties for violaters !!! Our coral fishes are HELPLESS, INNOCENT fishes who are living their "natural' lives, among our Hawaiian's corals. I considered it outright stealing and IMPRISONMENT for our fishes when they sold and MUST LIVE IN glass cages !!! it would be for humans having to live in size of an elevator.

**LATE**

**SB-2078**

Submitted on: 2/17/2026 10:36:06 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elena Bryant	Individual	Support	Remotely Via Zoom

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Committee Members,

I support SB2078 in that it proposes to increase fines on aquarium collection violations, however, I strongly urge this Committee to amend this bill to also include a ban on commercial aquarium collection.

Mahalo for the opportunity to testify,

Elena Bryant

**SB-2078**

Submitted on: 2/14/2026 5:07:03 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Douglas Perrine	Individual	Support	Written Testimony Only

Comments:

I support SB2078 to protect our reef fish and the coral reef ecosystems of which those fish are an integral part.

**SB-2078**

Submitted on: 2/15/2026 10:32:45 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am testifying in support of SB2078, which establishes stronger criminal penalties and monetary fines for aquarium fishing violations and clarifies that each fish or aquatic life specimen taken in violation of the law constitutes a separate offense. This bill is a necessary step toward accountability for an industry that has operated for decades with impunity, devastating our reefs while facing only minimal consequences.

**The Case for Stronger Penalties Is Overdue**

The aquarium trade has a long and well-documented history of illegal activity in Hawai‘i. Since 2018, multiple large-scale poaching operations have been exposed—not by state enforcement, but by community tips. These operations resulted in criminal convictions involving at least 10 industry members. Yet even when caught, the penalties have been insufficient to deter future violations. When each fish is treated as a single count, the potential fines begin to reflect the true scale of the damage. This is basic accountability.

SB2078 sends a clear message: our reefs are not a resource to be plundered with impunity. Each animal taken illegally is a loss to the ecosystem, to the cultural practices that depend on healthy reefs, and to the community that has fought for decades to protect these waters.

**Enforcement Has Failed—And Will Continue to Fail**

However, we must be honest about what stronger penalties alone can achieve. The recent history of this issue reveals a pattern of enforcement failure that no fine structure can fix. A federal investigation publicly exposed an aquarium trade poaching operation more than a year ago. State agencies were aware. The Division of Aquatic Resources did not act. No state enforcement was initiated.

If state agencies will not act when illegal activity is documented and handed to them, increasing penalties for a law they refuse to enforce will produce no meaningful change. The same communities that have spent decades reporting poaching will be left to watch, yet again, as the state fails to protect our reefs.

**The Only Real Solution Is a Permanent Ban**

SB2078 is a worthwhile improvement to existing law. But it is not a substitute for the fundamental reform our reefs and communities deserve. The most effective, lasting, and enforceable solution remains a **complete and permanent ban on commercial aquarium collecting**.

- A ban removes the ambiguity that allows poaching to flourish.
- A ban eliminates the market incentive that drives illegal take.
- A ban aligns state law with the overwhelming consensus of community opposition, cultural practitioners, and conservation science.
- A ban is enforceable because it is simple: no collection means no question about what is legal.

### **A Comprehensive Approach**

We can and should support both immediate improvements and long-term solutions. SB2078 strengthens the tools available when enforcement actually occurs. But we must also pass HB1988 to permanently end this destructive industry. Stronger penalties and a permanent ban are not mutually exclusive; they are complementary. One deters violators; the other removes the license to exploit altogether.

### **What We Owe Our Reefs and Our Future**

For over a century, the aquarium trade has extracted millions of fish from Hawai'i's reefs, leaving behind depleted ecosystems, broken food webs, and communities that have watched their inheritance diminish year after year. The cultural violation is as profound as the ecological one. Native Hawaiian practices that sustained these reefs for generations were pushed aside for an industry that profits by shipping our living heritage to mainland aquariums.

SB2078 acknowledges the scale of that harm by matching penalties to the number of animals taken. It is a necessary reform. But we must not mistake incremental improvement for fundamental change. The reef cannot be partially protected any more than it can be partially healthy.

I urge you to pass SB2078 **and** to support HB1568 when it crosses over. Stronger penalties now, a permanent ban now. Our reefs have waited long enough.

Mahalo for the opportunity to testify.

**SB-2078**

Submitted on: 2/15/2026 10:25:39 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lynn Allen	Individual	Support	Written Testimony Only

Comments:

Collection of reef fish should be banned. Strict penalties are needed to deter any illegal collection.

**SB-2078**

Submitted on: 2/15/2026 9:06:41 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vivian S. Toellner	Individual	Support	Written Testimony Only

Comments:

SAVE Aquarium Reef Fish from Extraction and Extinction. I have testify numerous time over years, trying to save Hawai'i's fish, please make it happen this year.

Aloha, Thank goodness the County of Hawaii County Council can join in to send a **STRONG MESSAGE** to the State, that we want our Island's natural resources protected from deadly commercial operations.

"They ruined Paradise to put up a parking lot."

If you would not do it on land for all to see, you should not do to the Ocean. We must preserve Hawai'i Natural Resources. Yes, that means limiting harmful activities.

Just stop the removal of Hawaiian Reef fish for the Aquarium Trade. Far more money is made by keeping the fish here and charging to see alive and well here in their natural habitat.

Please stop the blinking \$\$ dollar signs in peoples eyes... Over and over, I have testified, Why does this persistently keep coming up? What kind of force, money, evil ? Is behind this.

This reef life is sold and shipped in plastic bags to the continent and around the world to supply the global pet market for ornamental reef fish, instead of staying on the reefs to support ecosystem health and Native Hawaiian fishing practices that have been handed down for generations

Also a December 2025 article:

<https://www.justice.gov/usao-hi/pr/honolulu-man-who-trafficked-illegally-caught-hawaiiantropical-fish-sentenced-probation>

Please protect Hawaii. Most Sincerely,

Vivian

**SB-2078**

Submitted on: 2/15/2026 11:50:36 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mary Metcalf	Individual	Support	Written Testimony Only

Comments:

Honorable State Legislators,

I strongly support SB2078.

My first preference is that this session an outright ban on commercial aquarium fishing is passed by the legislature for the reasons put forth in deferred HB1988/SB2996, and currently active HB2101/SB2535, and the numerous testimony submitted supporting these bills. Past polling by news sources indicates the vast majority of the people in Hawaii want this ban so that the destruction of Hawaii's coral reefs and decline in reef fish is lessened.

If a ban of the destructive commercial aquarium reef fishing in Hawaii does not occur this session, please at the very least pass SB2078. Illegal poaching of Hawaii's reef fish for the commercial aquarium trade is occurring and this bill will help in deterring this illegal practice.

Respectfully submitted,

Mary Metcalf, Kailua Kona

**SB-2078**

Submitted on: 2/15/2026 12:50:10 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Merritt Robinson	Individual	Support	Written Testimony Only

Comments:

Stronger penalties are needed

**SB-2078**

Submitted on: 2/15/2026 12:53:57 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Sawyer	Individual	Support	Written Testimony Only

Comments:

Dear Committee members:

I urge you to penalize illegal collection of fish stock for aquariums. As we have seen from species conservation across the world, penalties are the only way to change incentives and protect animals. If you are serious about doing the right thing and protecting fish, then penalties are essential to achieving that goal.

It is not complicated - either you want to protect the fish or you don't. And I believe that each member of this committee does, in fact, want to protect these precious fish stocks for future generations.

Sincerely,

Lisa Sawyer

**SB-2078**

Submitted on: 2/15/2026 1:58:18 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Deborah Misajon	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Debbie Misajon, I live in Papaikou on the Big Island.

I strongly support this bill to double fines for aquarium fishing violations. Hawai'i's nearshore reefs are public trust resources, and meaningful penalties are necessary to deter illegal collection and ensure compliance with the law.

Following the Environmental Court's ruling and DLNR's actions halting commercial aquarium collection without proper environmental review, enforcement must be taken seriously. Without heavier fines, violations risk becoming merely a cost of doing business.

Doubling penalties will strengthen deterrence, protect native reef species, and uphold the State's commitment to safeguarding Hawai'i's marine ecosystems. Mahalo for your consideration.

**SB-2078**

Submitted on: 2/15/2026 3:14:53 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Matthew Gurewitsch	Individual	Support	Written Testimony Only

Comments:

Stronger penalties for decimating our wildlife? Hell, yes! Stronger enforcement? Hell, yes! But let's get down to brass tacks. What's needed is a ban on aquarium fishing. Aloha! I've been a full-time resident on Maui for 15 years. Conditions permitting, I'm in the water every day, snorkeling for at least an hour and often for two. It's been heart-breaking to watch the decline of fish stocks over this period. My wife and I can well remember the days when we came as visitors, starting in 1991. There were CLOUDS of yellow tang, Moorish idols, all sorts of beautiful, brightly colored fish! "Like an aquarium!" people would say. They're not saying that any more. It's imperative that our wildlife be protected--not least because the local economy depends heavily on visitors hoping to see an underwater wonderland! Also, it's the pono thing to do. [Mālama 'Āina!](#) Decimating our common good for the short-term financial benefit of the few is irresponsible. Let's put an end to it once and for all. The endless drip drip drip of partial solutions has gotten us nowhere fast. Let's get serious.

**SB-2078**

Submitted on: 2/15/2026 4:53:15 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Hugh Baker	Individual	Support	Written Testimony Only

Comments:

I support a COMPLETE BAN ON ACQUARIUM COLLECTING. But if the legislature doesnt have the courage to do the right thing and ban it, they at least need to prove they're not being improperly influenced by the fish harvesters by passing a bill to require enforcement of the rules and to provide severe penalties if they are broken. Step up here and do the right thing.

**SB-2078**

Submitted on: 2/15/2026 4:47:38 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Delbert Freitas	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill

**SB-2078**

Submitted on: 2/15/2026 7:06:56 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Victoria Anderson	Individual	Support	Written Testimony Only

Comments:

We need stronger penalties to deter illegal collection of reef fish. But enforcement alone is not enough — the most effective, lasting, and enforceable solution is a complete ban.

Please pass this bill.

Mahalo,

Victoria Anderson

Palolo

**SB-2078**

Submitted on: 2/15/2026 7:19:43 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Helen Swinney	Individual	Support	Written Testimony Only

Comments:

I am in complete support of the increase in fines for aquarium fishing .. this in my opinion is totally necessary to deter illegal collection.

**SB-2078**

Submitted on: 2/15/2026 8:16:43 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Toni Withington	Individual	Support	Written Testimony Only

Comments:

Aloha Senators,

I strongly support this measure to protect our reef life from commercial aquarium operators. I have lived all my life on, in or around the oceans of our islands. I know that healthy reef ecosystems are vital to the health of all the creatures on our reefs. Fishing for food is OK, but changing the balance of life purely for money is not.

Please vote for this bill. Mahalo,

Toni Withington -- Hawi, Hawaii

**SB-2078**

Submitted on: 2/15/2026 8:54:24 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Roberts "Bob" Leinau	Individual	Support	Written Testimony Only

Comments:

Please support SB 2078. Our aquatic resources need real [stronger] deturants.

**SB-2078**

Submitted on: 2/15/2026 9:03:09 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
David Meyer	Individual	Support	Written Testimony Only

Comments:

David E Meyer 431 Nahua Street Honolulu, Hi. 96815

**Re: Testimony supporting SB 2078 – the revised and increased fines on those who violate the current fishing restrictions on the capture and sale of Hawai’I certain native reef wildlife for ornamental display and commercial profit ...**

To the Senate:

I strongly support SB 2078:

While I await passage of a permanent ban on the capture and sale of Hawai’i reef wildlife for commercial profit and ornamental display, the importance of the passing of SB 2078 must not be underestimated

The passage or stricter penalties including imprisonment will make those commercial aquarium collectors more careful and diligent in their practices.

It will also dissuade the casual tourist who snorkels Hanuama Bay, et al and the scuba diver out for a profit from taking these reef fish.

My hope, however is that with SB 2996 and HB2101 commercial aquarium collection of reef fish in Hawai’ian waters will cease.

Now -- I repeat historical background that I have also included in testimony for other bills.

"Since mid-2004 when I began visiting my brother, a prominent physician who has lived in O’ahu since the late 1960’s, I have snorkeled Hawai’ian reefs - mostly Hanuama Bay - over 800 times. (My first time snorkeling in Hanauma Bay was December, 1970.)

I also do surveys of reef fish for Reef.org – a non-profit environmental research and protection group based in Key Largo Florida.

Part of surveying is identifying species and marking the numbers observed as “single,” “few” (two to ten), “many” (11 to 100) and “abundant” (over 100).

In the early parts of the 21st century, I would often see large schools of yellow tangs in abundant numbers at Hanauma Bay. Now if I see a school of twenty-five I feel fortunate.

I can attest that not once since I moved to O’ahu permanently in November, 2024 I have not been able to mark Yellow Tangs as “abundant” on a survey.

The Yellow Tangs, I think, are the “canaries in the coal mine” (please forgive the mixing of metaphors) when it comes to the health of reef animals. Though the tangs maybe the most obvious, I have noticed declines in other species, too.

This is the experience of one snorkeler and may be easy to dismiss, I understand.

I have begun volunteering for the Sea Grant program at the bay. It is not uncommon every day to have three or four visitors telling me when they last visited (usually over a decade before), there were more reef fish. I and my fellow snorkelers have compared notes and agree.

Though the commercial aquarium trade is not legally allowed in the bay, the injury of the reef populations of other parts of Hawai’I effect all habitats.

Hawaii’s coral reefs are in danger from climate change and other stress that we cannot control or easily regulate.

Collection of reef creatures by the commercial trade is one matter we can control. We should follow HB2101 and SB2996 and abolish it.

Meanwhile, I strongly support the stricter fines and imprisonment noted in SB 2078

I hope you will vote in favor of SB 2078

Thank you for accepting my testimony

Best regards

David E Meyer

**SB-2078**

Submitted on: 2/16/2026 6:26:53 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Debbie Hecht	Individual	Support	Written Testimony Only

Comments:

I support stronger fines for aquarium fishing violations, but MORE ENFORCEMENT IS NEEDED. Please increase the budget to hire more people. This is a great idea, HOWEVER- in th 23 years I have been snorkeling several times each week on the Big Island in Kukio Bay, near the Four Seasons resort I have never seen a DLNR fish cop there. At a meeting to open up Kaupulehu with many fisherman to open up that bay- the DLNR fish cop said that they rely on private citizens calling the Tip Line and there are only 2 of them for the entire west side of the Big island. FINES ARE GREAT, BUT THERE IS NO ONE TO ENFORCE THEM. Increase the budget to hire more enforcers. The BEST THING FOR THE ENVIRONMENT would be to create MORE MARINE PROTECTED AREAS! Here's why:

A study by **Alan Friedlander**, a researcher at UH Mānoa’s [Hawai‘i Institute of Marine Biology](https://onlinelibrary.wiley.com/doi/10.1002/aqc.3043) and chief scientist with the [National Geographic Society Pristine Seas](https://onlinelibrary.wiley.com/doi/10.1002/aqc.3043) ( <https://onlinelibrary.wiley.com/doi/10.1002/aqc.3043>) discovered that **while the state has many marine management areas, most are too small and allow multiple forms of human use within their boundaries, which limit their ability to conserve biodiversity and restore depleted fisheries.** Fully and highly protected waters cover only 3.4% of Hawai‘i’s nearshore areas, and only 0.5% are within MPAs where all fishing is prohibited, which provides full protection for fish to grow, reproduce and replenish adjacent fished populations. This study, along with the MPA guide, Friedlander says provides critical information to assist the state in reaching its 2030 goal.

**“Key in reaching this goal is to create an ecologically connected network of marine management areas that can conserve Hawai‘i’s unique marine biodiversity and rebuild and sustain productive nearshore fisheries,”** Friedlander said. “With climate change and increased coral bleaching already occurring in the islands, establishing larger and more management areas will help protect the state’s nearshore resources into the future.”

<https://www.hawaii.edu/news/2021/09/09/marine-protected-areas-guidelines/>

"The state has a similar goal of effectively managing 30% of Hawai‘i’s nearshore waters by 2030. **Alan Friedlander**, with more than 40 biological and social scientists from 38 institutions across six continents authored [“The MPA Guide: A Framework to Achieve Global Goals for the Ocean](https://www.science.org/doi/10.1126/science.abf0861) (<https://www.science.org/doi/10.1126/science.abf0861>) to provide a consistent science-based framework to discuss, categorize, track and evaluate MPAs. The guide was published in *Science* on September 9, 2021.

“Marine protected areas are a central tool for ocean protection; however, there are different interpretations of what the ‘protected’ in ‘marine protected areas’ actually means. The reality is that not all MPAs are equal, and not all MPAs are set up to achieve their stated goals,” Friedlander said. “The guide aims to provide clarity around MPAs and deliver a new, evidence-based picture of where we stand on ocean protection and what we still need to do to safeguard ocean health.”

**Scientific studies at UH show the following:**

“This standardized global assessment illustrates the benefits that MPAs provide for recreational anglers, confirming the effectiveness of MPAs in enhancing fish biomass and local fisheries,” shared Simone Franceschini, principal investigator of the study and a postdoctoral researcher at HIMB. **“Our study found that MPAs may take more than 20 years to show tangible spillover effects in the adjacent areas, which helps to set realistic expectations about the timeframe over which a marine reserve can be expected to have this type of effect on surrounding fisheries.”**

"Marine Protected Areas (MPAs) are having a positive spillover effect, producing more “trophy-size” fish just outside of the fully protected areas, and the effect is growing stronger over time. That’s according to research led by University of Hawai‘i at Mānoa scientists at the [Hawai‘i Institute of Marine Biology](#) (HIMB) published in [Science Advances](#). The research provides the first global assessment of the benefits of MPAs. “Trophy-size” refers to fish that are exceptionally long or heavy and are considered a rare, prized catch.

[https://www.hawaii.edu/news/2024/07/23/trophy-size-fish-mpas/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=UH+News+072424](https://www.hawaii.edu/news/2024/07/23/trophy-size-fish-mpas/?utm_source=newsletter&utm_medium=email&utm_campaign=UH+News+072424)

**I believe that protecting our reefs and fisheries is a public trust issue, protecting these natural resources is fundamental to protecting the health of our island ecosystem.**

**Mahalo for your service,**

**Debbie Hecht,**

**Kailua Kona, HI**

**808-989-3222**



**SB-2078**

Submitted on: 2/16/2026 6:39:48 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marlies Lee	Individual	Support	Written Testimony Only

Comments:

Will big fines do the job? The easiiest is, to make it illegal.

Breed fish in tanks, don't take from the ocean.

**SB-2078**

Submitted on: 2/16/2026 6:40:43 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marc Kinoshita	Individual	Support	Written Testimony Only

Comments:

I am Marc Kinoshita from Kohala, Hawai'i island.

I support Senate Bill 2078 which will increase fines for Aquarium Fish Collecting. Hopefully this will discourage fish collectors until a permanent ban is put into effect.

**SB-2078**

Submitted on: 2/16/2026 8:39:18 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patricia Richardson	Individual	Support	Written Testimony Only

Comments:

I am Patricia Richardson, a resident of Hilo, Hawaii.

Please support SB2078. Banning commercial aquarium fishing is the first step toward protecting our fragile reef environment. Enforcing the ban is the necessary next step.

Thank you for reading my testimony.

**SB-2078**

Submitted on: 2/16/2026 8:44:28 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sydney Wiecking	Individual	Support	Written Testimony Only

Comments:

I am Sydney Wiecking and I live in Kamuela on the Big Island. I spend a lot of time paddling my OC1, snorkeling and just enjoying our incredible ocean. I urge the passing of this Bill as I continually see the impact overuse of our ocean resources is having. Stronger penalties for illegal collection are necessary and will deter illegal collection. Ideally, a permanent ban will be established.

**SB-2078**

Submitted on: 2/16/2026 8:45:29 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Julia Marrack	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support increasing fines for illegal fish collection for aquariums. Hopefully it will deter collectors.

However, a complete ban on collecting fish for aquariums is crucial to protect fragile marine ecosystems from overfishing and environmental destruction. It prevents the collapse of fish populations, and stops destructive practices like damaging coral reefs during collection. This ban will ensure biodiversity, support reef resilience against climate change, and protect the overall ecological health of the ocean.

Please vote yes on SB2078.

Mahalo,

Julia Marrack 96743

**SB-2078**

Submitted on: 2/16/2026 9:18:25 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alexandra Grutter	Individual	Support	Written Testimony Only

Comments:

Please support higher penalties for coral reef poaching. Clearly the existing ones are not enough insentive or are not being applied. thank you, Lexa

**SB-2078**

Submitted on: 2/16/2026 9:30:20 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Noelle Lindenmann	Individual	Support	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Committee Members:

I am testifying in strong support of HB2101.

This bill will provide for stronger penalties to deter illegal collection - and this is needed. However, enforcement alone is not enough. The most effective, lasting, and enforceable solution is a complete ban.

I am a scuba diver all along the Kona coast and appreciate being able to see all of our fishes in the water. I have heard stories of how many yellow tang there were in the past, and I hope we can get back to calling the Kona Coast the Gold Coast.

Please take action to prohibit the harvest of wildlife from our waters for the aquarium trade. We cannot wait to take action.

Mahalo for this opportunity to testify.  
Noelle Lindenmann, Kailua-Kona

**SB-2078**

Submitted on: 2/16/2026 9:44:37 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Jane Taylor	Individual	Support	Written Testimony Only

Comments:

I am in favor of banning all aquarium fishing permanently. IN addition, our marine protected areas are too small and should be more interconnected to do any real good. We live in an era of true crisis - we should be protecting our priceless ocean, not as a resource, but just because we should. If our world and country come to their senses and make real progress against climate change, we want something to be left to regro.

This should inform all of our actions going forward.

on this issue: A study by **Alan Friedlander**, a researcher at UH Mānoa's [Hawai'i Institute of Marine Biology](#) and chief scientist with the [National Geographic Society Pristine Seas](#) ( <https://onlinelibrary.wiley.com/doi/10.1002/aqc.3043>) discovered that **while the state has many marine management areas, most are too small and allow multiple forms of human use within their boundaries, which limit their ability to conserve biodiversity and restore depleted fisheries.** Fully and highly protected waters cover only 3.4% of Hawai'i's nearshore areas, and only 0.5% are within MPAs where all fishing is prohibited, which provides full protection for fish to grow, reproduce and replenish adjacent fished populations. This study, along with the MPA guide, Friedlander says provides critical information to assist the state in reaching its 2030 goal.

**SB-2078**

Submitted on: 2/16/2026 10:04:36 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jason Worchel	Individual	Support	Written Testimony Only

Comments:

am a resident of Honokaa, Hawaii. I strongly urge the passage of this bill. Our marine environment is a sacred heritage that we have a duty to protect for future generations, as they protected it for us. Harvesting fish for the aquarium trade degrades the already endangered marine ecology. It benefits only a few individuals at the expense of our entire community. It harms one of the reasons tourists visit our island. Poaching continues and will continue due to the limited resources available to stop these criminals. It is inconceivable that we would permit additional degradation. We need significant penalties for violating this environmental law. It may help deter those contemplating violating a law meant to protect our fragile reef life.

**SB-2078**

Submitted on: 2/16/2026 10:11:47 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mary True	Individual	Support	Written Testimony Only

Comments:

While I'm strongly supporting this bill, what I really would like to see is commercial aquarium collecting abolished. It is barbaric in these climate changing times where many species are finding it a struggle to survive. Increase the penalty, but no better to stop the practice which benefits the few at the expense of the many.

Thanks for your attention! Aloha and mahalo!

Mary True, Pepekeo, 96783

**SB-2078**

Submitted on: 2/16/2026 10:24:35 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susie Davis	Individual	Support	Written Testimony Only

Comments:

Feb 16, 2026

Dear Committee members,

As a resident of Kapaau, Hawai‘i Island, and an ardent supporter of Hawaii having healthy oceans, coral, and fisheries, I strongly encourage you to support SB2078.

Stronger penalties are necessary to deter illegal collection of reef fish, however enforcement alone is not enough - the most effective, lasting and enforceable solution is a complete ban of the aquarium trade in Hawaii.

Our oceans and fisheries are already in peril due to warming, acidification, overfishing and pollution. We have not seen a full recovery of our corals from the 2013-2014 bleaching event, and the most recent NOAA study on coral health states that coral cover is still about 30% lower than before the bleaching. Tropical fish are stewards of the reef. They help keep coral reef ecosystems healthy and in balance. By removing these fish, coral reefs get out of balance and become more susceptible to stress from warming oceans, bleaching, and ocean acidification. Keeping fish on the reef is essential for healthy and resilient coral reef ecosystems. As protectors of Hawaii’s unique and limited natural resources, DLNR needs to stop the extraction of Hawaii’s reef fish by the exploitive pet trade industry.

In Kohala, Big Island, where I reside, subsistence fishing is an integral part of Native Hawaiian culture. The Aquarium industry serves markets outside of Hawai‘i where huge profits are being made from Hawai‘i’s precious natural resources with no reciprocation to the many residents, in particular Native Hawaiians. Extracting reef fish for the pet trade industry is not consistent with

Native Hawaiian subsistence, cultural, or religious practices, nor is it consistent with being protectors of our precious marine environment.

At this pivotal turning point in the history of coral reefs we must all learn to live sustainably and support strategic management to secure our future and protect our resources. I strongly object to any further compromise or negotiation that enables a trade that is a direct threat to our marine environment and our indigenous culture.

Sincerely,

Susie Davis

Kapaau, HI 96755

**SB-2078**

Submitted on: 2/16/2026 11:23:18 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mark A Johnson	Individual	Support	Written Testimony Only

Comments:

I support the passage of bill HB2078, increasing fines and penalties regarding fish capture and sale for the commercial aquarium trade. We must have penalties that really punish people who continue fishing illegally. This trade benefits a very small group of people, degrades the health and diversity of our coral reefs, and to cap it off, most collected fish die before even reaching the aquaria they are destined for. It's a total waste of our precious and increasingly endangered ecosystem.

Please pass this bill!

Thank you,

Mark Johnson

**SB-2078**

Submitted on: 2/16/2026 11:36:36 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cynthia Punihaole Kennedy	Individual	Support	Written Testimony Only

Comments:

Aloha Chair and Committee Members,

I am writing in strong support of SB 2078.

This measure is critical to strengthening enforcement and accountability for aquarium fishing violations. By establishing criminal penalties and monetary fines, and by clarifying that each individual fish or aquatic life specimen taken in violation of the law constitutes a separate offense, SB 2078 ensures that penalties truly reflect the scope of harm caused.

Our nearshore waters are already under immense pressure. The illegal take of aquarium fish and the use of prohibited methods such as explosives, electrofishing devices, and poisonous substances cause lasting damage to coral reef ecosystems and the communities that depend on them. Strong, clear enforcement tools are necessary to deter these harmful practices and to protect our public trust resources for future generations.

As a resident of Kalaoa in North Kona on Hawai‘i Island, I care deeply about the health of our reefs and the cultural, ecological, and economic value they provide. SB 2078 is an important step toward responsible stewardship and mālama ‘āina.

Mahalo for the opportunity to testify in strong support.

Cynthia Punihaole Kennedy  
Kalaoa, North Kona, Hawai‘i Island

**SB-2078**

Submitted on: 2/16/2026 11:45:25 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
MichaelGaulke	Individual	Support	Written Testimony Only

Comments:

Aloha Senator Inouye,

My name is Michael Gaulke. My wife and I live in Kailua Kona on the Big Island. We are long time lovers of the ocean and protecting it for our and future generations to come. We strongly support SB 2078 and ask that you record a YES vote and promote its passage.

Mahalo,

Michael Gaulke

**SB-2078**

Submitted on: 2/16/2026 11:55:56 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carol Riccio	Individual	Support	Written Testimony Only

Comments:

People who take fish outside permitted catch are stealing and should be significantly fined for the damage do to the reef and environment.

Collecting our Hawaiian reef fish for aquarium trade is wrong. It should be banned, period. If it is banned and people decide to take fish anyway, or if they take more than permitted, it damages the whole reef. The vast majority of taken fish die in transit. The taking of these fish benefits only the individual taking and mainland companies, certainly not the people of Hawai'i.

I support increased penalties for collection violations.

**SB-2078**

Submitted on: 2/16/2026 12:03:39 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carmela Resuma	Individual	Support	Written Testimony Only

Comments:

I support this bill

**SB-2078**

Submitted on: 2/16/2026 12:03:56 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mel levine	Individual	Support	Written Testimony Only

Comments:

I support SB2078

And HB 2101

**SB-2078**

Submitted on: 2/16/2026 12:58:43 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Whitmarsh II	Individual	Support	Written Testimony Only

Comments:

I support higher penalties for violation, but the best course of action is to ban collection in its entirety. Mahalo! Scott

Aloha Chair Lee and Vice Chair Inouye

Strong support for SB2078

The need is clear for effective and comprehensive reef protection:

Our Hawaiian coral reef ecosystems are challenged with ocean acidification and human caused ecological impacts. These conditions necessitate the utmost stewardship for optimum reef vitality. Reef corals and fishes are wild creatures and are a public good. The public good is not for the plundering and exploitation. Enforcement and penalties must be applied to those harming corals and fishes in Hawaiian waters.

Respectfully submitted,  
Keith Neal  
Waimea

**SB-2078**

Submitted on: 2/16/2026 1:17:37 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
S.A. Marek	Individual	Support	Written Testimony Only

Comments:

Aloha,

The Hawaii state legislature passed a ban on chemical sunscreens to protect the reef.

What about protecting the inhabitants — the reef fish!

Happy swimming,

Sherry A. Marek (Big Island resident)

**SB-2078**

Submitted on: 2/16/2026 1:17:57 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Buck Joiner	Individual	Support	Written Testimony Only

Comments:

I support this bill SB2078, which will protect Hawaii Reef fish

Buck Joiner Kihei Maui

**SB-2078**

Submitted on: 2/16/2026 1:21:17 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
james ward	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm writing in support of increasing the penalties for aquarium collection in West Hawaii. As a resident and diver in south Kona I've seen the practice of netting of tropical reef fish here even though Illegal. My fear is that without a more severe cosequence for violating the ban, the ban wont be as effective.

Mahalo

James Ward 808-895-9656

**SB-2078**

Submitted on: 2/16/2026 1:56:33 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Maureen Garry	Individual	Support	Written Testimony Only

Comments:

To Whom it May Concern:

I stongly urge you to support SB2078 to increase penalties on illegal collection, and ultimately to permanently ban commercial aquarium collection in the state.

You are responsibie to protect the resources of the state and livlihood of Hawaiian residents, not commercial enterprises that destroy our natural resources.

Mahalo,

Maureen Garry, Waikoloa Village

**SB-2078**

Submitted on: 2/16/2026 2:21:39 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicholas Zehr	Individual	Oppose	Written Testimony Only

Comments:

Chair, Vice Chair, and Members of the Committee:

Thank you for the opportunity to submit testimony in opposition to SB2078. Protecting Hawai‘i’s nearshore ecosystems is an important and widely shared goal. Our reefs are culturally, ecologically, and economically vital. However, SB2078 moves primarily in the direction of heightened criminal penalties and mandatory minimum punishment rather than focusing on measurable conservation outcomes, due process, and proportional enforcement.

First, existing law already provides meaningful enforcement tools. The aquarium fishery has effectively been halted following the court’s ruling requiring environmental review. Increasing fines and layering additional criminal penalties does not address the underlying policy question of how to manage the fishery responsibly; it simply escalates punishment in a context where commercial collection is already suspended.

Second, mandatory minimum penalties, particularly jail time without possibility of parole, reduce judicial discretion and can lead to disproportionate outcomes. Hawai‘i has worked in recent years to reduce over-criminalization and avoid unnecessarily punitive approaches. Environmental stewardship should prioritize restoration, education, and targeted enforcement against truly harmful conduct rather than automatic incarceration.

Third, per-specimen penalties that treat each fish as a separate offense can rapidly multiply liability in ways that may be excessive relative to the actual environmental impact. Enforcement policy should be calibrated to ecological harm, not structured in a way that creates cascading penalties disconnected from scientific assessment.

Finally, if the Legislature's intent is long-term reef protection, the more durable solution lies in transparent rulemaking, science-based management, adequate funding for monitoring and enforcement, and clear standards following completion of environmental review, not in simply increasing fines.

For these reasons, I respectfully urge the Committee to reconsider SB2078 and instead pursue balanced, evidence-based conservation policy that protects marine life while ensuring proportional, fair enforcement. Mahalo for your consideration.

**SB-2078**

Submitted on: 2/16/2026 3:18:01 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Nina Monasevitch	Individual	Support	Written Testimony Only

Comments:

**I strongly support SB2078.**

Alarminglly, a recent **independent expert scientific analysis** of DAR’s own data confirms that following the 2017 court-ordered shutdown of the aquarium collectiong, **yellow tang populations failed to recover as biologically and historically expected.**

Ongoing **illegal poaching** for the aquarium trade, despite **four criminal convictions in the past five years involving at least ten industry members.**

The trade’s fundamental conflict with **local culture and Native Hawaiian values**, including pono fishing practices that limit take to what is truly needed.

The extraction of ocean wildlife for aquariums is inhumane, unsustainable and not pono! To help Hawaii’s coral reefs recover from bleaching, we need to protect and maintain a healthy population of the herbivorous fish that are essential to reef ecosystems.

The aquarium trade industry is inconsistent with **mālama ‘āina** and the State’s **constitutional public-trust obligation** to protect natural resources for present and future generations.

**Published cost-benefit analyses** showing residents receive **no public benefit** from the aquarium trade while bearing **all environmental and enforcement costs.**

**Stronger penalties are necessary to deter illegal collection, However, enforcement alone is not enough – the most effective, lasting, and enforceable solution is a complete ban. Permanently ban commercial aquarium collection! Pass SB2078. The ocean is our life support system.**

Malama Pono,

Nina Monasevitch

Lihue, Kauai

**SB-2078**

Submitted on: 2/16/2026 3:20:08 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kanani Enos	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Lee, Vice-Chair Inouye, Chair Rhodes, Vice-Chair Gabbard, and members of their committees,

My name is Kanani Enos. I am the Director of Cultural and Community Affairs at Ho‘āla Kealakekua Nui, Inc. (HKN). I am a lineal descendant to the South Kona area, (also known as Kapalilua) spanning from Miloli‘i to Kealakekua. I am writing in **STRONG SUPPORT** for SB2078 which establishes a criminal penalty and monetary fines for aquarium fishing violations and clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offense.

This bill provides meaningful protection to our marine resources at the highest level that the State can uphold statewide, not only in Marine Life Conservation Districts and Community-based Subsistence Fishing Areas.

I encourage these committees to pass SB2078.

Mahalo nui,

Kanani Enos

**SB-2078**

Submitted on: 2/16/2026 4:05:08 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dave Haake	Individual	Support	Written Testimony Only

Comments:

Aloha, My name is David Haake . I live in Kihei, Maui . I have been snorkeling on the reefs of Maui for over forty years . I have seen first hand the degradation of our precious reefs over the years. The reduction of the fish population on the reefs is beyond sad. It is overwhelming. If you allow the collection/ aquarium industry to resume the taking of fish from our reefs it will be the last nail in the coffin. PLEASE , do not let this happen. We need to work towards restoring the reefs of Hawaii for the health of our ocean and for future generations to enjoy. Do not let profits for a few condemn our reefs to ruin. Be Pono and let aloha guide your decision on this matter. Mahalo  
Sent from my iPhone

**SB-2078**

Submitted on: 2/16/2026 4:25:00 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
James Sturz	Individual	Support	Written Testimony Only

Comments:

I live in Kapa‘au, in North Kohala, on Hawai‘i Island. I‘m a divemaster, a free diver, and a novelist and journalist. I write extensively about the ocean, including for The New York Times and The New York Times Magazine, The Wall Street Journal, The Atlantic, Outside, Men‘ s Journal, National Geographic, Scuba Diving and Sport Diver, among many more. I‘m also the author of the novel “Underjungle,” set entirely underwater, which I researched here in Hawai‘i.

I am strongly opposed to commercial aquarium fishing in Hawai‘i, and believe it will only be prevented if stronger penalties are imposed.

Mahalo,

James Sturz

**SB-2078**

Submitted on: 2/16/2026 5:53:52 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Deborah Wallace	Individual	Support	Written Testimony Only

Comments:

I urge you to please support this bill. It is so important that there are strict penalties for any and all illegal aquarium fishing.

thank you so much for your consideration

deborah Wallace ocean swimmer on Oahu.

**SB-2078**

Submitted on: 2/16/2026 6:58:20 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Caroline Azelski	Individual	Support	Written Testimony Only

Comments:

In strong support of. Thank you.

**SB-2078**

Submitted on: 2/16/2026 7:09:55 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert Douglas	Individual	Support	Written Testimony Only

Comments:

i strongly support SB2078.

I'm testifying today because Hawai'i's coral reefs cannot speak for themselves — and they are in trouble.

Our reefs are not just scenery. They are living, breathing communities that protect our shorelines, feed our families, sustain our culture, and support our economy. Yet they are slowly unraveling before our eyes. I urge you to enact much stronger fines and enforcement measures to protect Hawai'i's grazing fish — especially those targeted by the aquarium trade — because without them, our reefs cannot survive.

Even with the current aquarium collection ban in place, paired with fines that are simply too weak to deter violations, herbivorous fish populations have not rebounded in a statistically significant way. That should deeply concern all of us. A ban without meaningful enforcement is not protection — it is a promise left unfulfilled.

Herbivorous fish such as parrotfish, surgeonfish, and tangs are the reef's gardeners. Every day, they tirelessly graze on algae that would otherwise smother and suffocate corals. Without them, algae spreads rapidly, blocking sunlight, weakening coral growth, and preventing reefs from recovering after bleaching events, storms, and rising ocean temperatures. When we remove these fish, we tip the balance toward collapse.

The commercial aquarium trade has significantly depleted local populations of these essential species. Removing large numbers of grazing fish for export disrupts the delicate ecological balance that coral ecosystems depend on. What follows is not abstract or theoretical — it is visible. Coral decline. Biodiversity loss. Fewer fish. A reef that becomes quieter, emptier, less alive.

And when reefs suffer, Hawai'i suffers.

Our tourism economy depends on vibrant, thriving reefs. Visitors travel across the world to snorkel above colorful coral gardens and swim alongside abundant marine life. As reefs degrade, the experience diminishes. Visitor satisfaction declines. Local businesses — from dive shops to hotels to restaurants — feel the impact. Jobs are put at risk. Protecting grazing fish is not only an environmental necessity; it is an economic safeguard.

Stronger fines and real enforcement send a clear message that Hawai'i values its natural heritage. Implementing firm catch limits, expanding managed reef zones, and ensuring meaningful penalties for violations are practical, cost-effective steps that will protect both our marine ecosystems and our economic future.

If we fail to act decisively, we are not just losing fish. We are losing resilience. We are losing biodiversity. We are losing part of what makes Hawai'i extraordinary.

Future generations deserve to inherit reefs that are alive — not memories of what they once were.

Please stand for our reefs. Strengthen the fines. Protect our grazing fish. Let your actions reflect the value we place on Hawai'i's living treasures.

With respect and aloha,

Bob Douglas

Pana'ewa

Hilo, HI

**SB-2078**

Submitted on: 2/16/2026 7:21:53 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shannon Rudolph	Individual	Support	Written Testimony Only

Comments:

SUPPORT

SUBJECT: Testimony in **STRONG SUPPORT** of **SB2078 - Aquarium Fishing: Fine Increase**

Aloha members of the Committee on Water, Land, Culture and the Arts,

My name is Kēhau Springer, and I am a kanaka ʻōiwi practitioner and researcher residing in Keaʻau, Moku o Keawe. Mahalo for the opportunity to submit testimony in **STRONG SUPPORT** of **SB2078**.

SB2078 is timely, necessary and necessary. Strengthening penalties for illegal aquarium collection is an important step toward accountability. Clear consequences matter. However, while enhanced penalties are warranted, they must not be mistaken for a substitute for permanent statutory prohibition of commercial aquarium collection. Enforcement alone cannot resolve a policy contradiction that continues to treat Hawaiʻi's nearshore reef fish as export commodities rather than public trust resources.

### **Stronger Penalties Are Necessary - But Not Sufficient**

Increasing fines and enforcement authority sends an important message that illegal take will not be tolerated. Yet the core issue remains: so long as commercial aquarium collection remains legally permissible under certain conditions, agencies will continue to expend limited resources attempting to regulate an inherently extractive activity.

Peer-reviewed research has documented significant declines of targeted reef species at aquarium collection sites (Tissot & Hallacher, 2003), with later studies showing continued depletion in areas open to harvest despite management interventions (Williams et al., 2009; Stevenson et al., 2011). These findings confirm what lawaiʻa have long observed. At a time when our reefs are already under severe stress from climate change, bleaching events, and land-based pollution, continued extraction for luxury markets is neither prudent nor pono.

### **The Legislature Can Resolve the Policy Question**

Agency rulemaking can regulate how an activity operates. Only the Legislature can decide whether that activity should occur at all.

For nearly a decade, commercial aquarium collection has been effectively halted through litigation and environmental review requirements. During this period, illegal harvesting still occurred—most recently, in December 2025, when a Honolulu man was sentenced in federal court for illegally buying, importing, and selling Hawaiian reef fish without the required commercial license. He received probation, home confinement, community service, and restitution, illustrating how even significant violations may result in limited penalties under current law rather than incarceration or broader deterrence.

SB2078's enhanced penalties are a recognition that reef fish are not trivial resources. But if these species are valuable enough to merit stronger enforcement, they are valuable enough to warrant permanent protection from export-oriented extraction.

### **Upholding Constitutional and Cultural Responsibilities:**

Article XI, Section 1 of the Hawaiʻi State Constitution, affirms that marine resources are held in trust for present and future generations. Article XII, Section 7 further mandates the protection of Native Hawaiian traditional and customary practices. The Ka Paʻakai o ka ʻĀina (2000) decision reaffirmed

that state agencies must identify cultural practices, assess the impacts of proposed actions, and adopt protective measures.

Commercial aquarium collection fails these standards. It displaces traditional lawai‘a relationships, disrupts konohiki stewardship systems, and erodes the spiritual and ecological balance foundational to our identity as people of the sea. There is no cultural or ecological justification for continuing this extractive practice.

**Why Action Matters**

SB2078 strengthens enforcement, it should be viewed as part of a broader trajectory toward permanent prohibition of commercial aquarium collection. Hawai‘i does not need a more efficient system for managing extraction; it needs clarity that reef fish are not luxury export commodities.

Penalties help deter violations. A statutory ban resolves the structural problem.

Our reefs are more than commodities and ornaments, they are our ancestors, our teachers, and providers that sustain our identity and resilience as Kanaka ‘Ōiwi. Mahalo nui loa to this committee for advancing SB2078 and for standing in support of Hawai‘i’s people, moana, ‘āina, culture and lāhui. I respectfully urge your full support of this measure.

Mahalo nui for your consideration!

Na‘u



na Shauna Kēhaunani Springer  
Kea‘au, Moku o Keawe, Hawai‘i  
Founder & Executive Director, Ka Pa‘akai Consulting  
Member of Nā Kai ‘Ewalu  
PhD Candidate, Te Whare Wānaga o Waikato (The University of Waikato)

**SB-2078**

Submitted on: 2/16/2026 8:14:48 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lon Wallace	Individual	Support	Written Testimony Only

Comments:

**Aloha~**

**I am writing today to offer full support of and sincere urging for rule change regarding the aquarium gathering business here in our islands; stronger penalites at a very minimum, and preferably a full and complete ban. I am a long-time resident of West Hawaii island, and avid waterman. Through the decades I have personally seen and experienced the grossly imbalanced impact this industry has had on our reef fish, from witnessing the large haul outs at Kawaihae Harbor with their collateral damage to more importantly the intense diminishing of the various populations out on our reefs. It was and is clearly an unsustainable practice that has negatively impacted the health of the waters and reef and clearly disturbed the ecological balance. Since the temporary ban went into effect around 2016, I and many others who use the waters for recreational, health and spiritual benefit have seen a slow but notable come back, even with the poachers still out there. It is still FAR from back to a fully healthy, balanced state, especially with the added stressor of coral bleaching we have experienced, but the improvement is obvious and a welcome change. We desperately need to keep Hawaii's fish in our waters for the continued health and restoration of the reef, and for all those locals and tourists who enjoy and derive benefit on many levels from their presence and corresponding healthy reef; NOT be taken for the relatively very few who want to capitalize on their removal for monetary gains with no regard for the negative impact they generate and short-sighted damage they leave behind.**

**Mahalo nui loa,**

**Lon Wallace, PhD.**

**Kamuela, Hawaii**

**SB-2078**

Submitted on: 2/16/2026 8:41:44 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
jeanne wheeler	Individual	Support	Written Testimony Only

Comments:

Aloha: I strogky support this bill - please pass it! Mahalo, JW

**Chair Chris Lee, Vice Chair Lorraine Inouye, and Members of the Committee on Water, Land, Culture and the Arts**

My name is Rick Warshauer, from Volcano on the Big Island. I ask you to pass SB 2078, increasing the penalties for commercial taking of aquarium reef life violations. Please be aware while that this measure is very much needed as a deterrent penalty, a total ban on such take should also be supported and made law in order to make enforcement of violations more effective and enforceable.

Mahalo

**SB-2078**

Submitted on: 2/16/2026 10:25:03 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Kart	Individual	Support	Written Testimony Only

Comments:

We need criminal penalties and monetary fines for aquarium fishing violations, specifically clarifying that each specimen taken using prohibited methods (explosives, poisons, electrofishing) constitutes a separate offense.

For them, it's all about the MONEY, they couldnt care less about the depletion or the cruelty

**SB-2078**

Submitted on: 2/16/2026 11:18:41 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marian Hussenbux	Individual	Support	Written Testimony Only

Comments:

SB2078 bill establishes a criminal penalty and monetary fines for aquarium fishing violations; and clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fishes and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offence.

We had no idea that such cruel practices were actually used..

Our members would like to emphasise the importance of your native and sometimes unique fishes – we understand that the Hawaiian Dascyllus, the Cleaner Wrasse, the Yellow Tang, the Bandit Angelfish to name but a few, are vital to the health of your reefs and to the welfare of other species.

We are all connected in this web of life. To rip the precious life from the reefs for venal reasons is very disturbing.

We are therefore very strongly in agreement and beg to support this important Bill.

**SB-2078**

Submitted on: 2/16/2026 11:43:28 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kehau Lee	Individual	Support	Written Testimony Only

Comments:

I strongly support the Hawaiian Humane Society stance on this bill.

**SB-2078**

Submitted on: 2/17/2026 4:18:55 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
joanna p milo	Individual	Support	Written Testimony Only

Comments:

i support SB2078

**SB-2078**

Submitted on: 2/17/2026 5:11:54 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Melanie Kim	Individual	Support	Written Testimony Only

Comments: This bill establishes a criminal penalty and monetary fines for aquarium fishing violations; and clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitutes a separate offense.

**SB-2078**

Submitted on: 2/17/2026 5:25:43 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carol Klein	Individual	Support	Written Testimony Only

Comments:

I urge you to support higher fines for illegal harvesting of fish from our reefs as a resident of Puako, Hawaii. A total ban in addition to higher fines would both protect the fish and make enforcement of the higher fines more practical and easier to do.

**SB-2078**

Submitted on: 2/17/2026 6:57:31 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Chiwa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Senator Lee, Vice Chair Senator Inouye and Members of the Committee on Water, Land, Culture and the Arts.

Please support SB 2078 which would help protect reef fish from commercial aquarium collection. It's my understanding that capture methods include cruel practices and that many fish die before they reach pet stores.

Again, please support SB 2078.

Mahalo.

Jennifer Chiwa

Makiki and life long resident of Oahu

**SB-2078**

Submitted on: 2/17/2026 7:19:37 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
carole richelieu	Individual	Support	Written Testimony Only

Comments:

protect reef fish from commercial aquarium collection

Hawaii Kai voter

**SB-2078**

Submitted on: 2/17/2026 8:09:40 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ryan Scott Gorrell	Individual	Support	Written Testimony Only

Comments:

I support bill SB2078. Our public reefs must be protected from the destructive fish aquarium collection industry. Thank you.

**SB-2078**

Submitted on: 2/17/2026 8:17:19 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
lynne matusow	Individual	Support	Written Testimony Only

Comments:

Please accept this as testimony is strong support of this bill.

All too often there are news reports, with visuals, of persons arrested for illegally capturing these fish. Most of them are dead. We need strong teeth in the laws protecting these living creatures. And it establishes fines for each fish or aquatic life specimen taken in violation of the law.

Please move this bill forward.

Lynne Matusow

**SB-2078**

Submitted on: 2/17/2026 8:26:58 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Serena Stefanic-Phillip	Individual	Support	Written Testimony Only

Comments:

I am in support of Bill SB2078.

**SB-2078**

Submitted on: 2/17/2026 8:45:32 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Liz Lees	Individual	Support	Written Testimony Only

Comments:

I am a full time resident of West Hawaii and and active ocean swimmer. A healthy vibrant reef is important to all. I have observed first hand how the ban has allowed our local fish population to increase and thrive. Please continue the ban on aquarium collection. Aquarium collection harms many and only benefits a few who are taking a vital public resource.

Hawaii does not have the resources or the manpower for enforcement of any partial collection measures. A total ban is needed and addtional penaties will help a deter illegal collection.

**SB-2078**

Submitted on: 2/17/2026 9:09:12 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Dear Chairs and Committee members,

I strongly support criminal charges and steep fines for aquatic life poaching. I strongly support a ban on AQ collection and have followed the cases through the courts since 2020. A number of these cases were reported by community members from Kawaihae to South Point with varied results and I believe no criminal charges. I also suspect that most poachers are not pursued due to weak enforcement by DLNR.

I urge you to pass this measure, mahalo

Diane Ware Volcano HI 96785

**SB-2078**

Submitted on: 2/17/2026 9:23:13 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jasmine	Individual	Support	Written Testimony Only

Comments:

I SUPPORT SB2078

**SB-2078**

Submitted on: 2/17/2026 10:31:38 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Moore	Individual	Support	Written Testimony Only

Comments:

**Testimony in Support of SB2078 — Relating to the Department of Land and Natural Resources**

Chair, Vice-Chair, and Members of the Committee:

My name is Michele Moore, a Hawai‘i resident, and advocate for animal and environmental protection.

I am submitting testimony in strong support of SB2078.

This bill is an important measure that strengthens accountability for those who violate Hawai‘i’s aquarium fishing laws. By establishing criminal penalties and monetary fines, while also clarifying that each illegally taken fish or aquatic specimen constitutes a separate offense, SB2078 sends a clear message that destructive and unlawful practices will not be tolerated.

Hawai‘i’s nearshore reefs are unique ecosystems that sustain native species, protect our shorelines, and hold deep cultural significance. The use of illegal methods such as explosives, electrofishing devices, and poisonous substances not only decimates fish populations but also inflicts long-term damage on fragile coral habitats. Such actions jeopardize both marine life and the balance of our ocean environments.

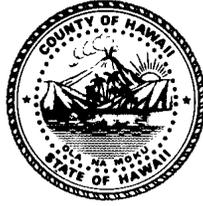
Strengthening enforcement and penalties gives the Department of Land and Natural Resources the tools it needs to deter repeat offenders and uphold existing protections for reef ecosystems. Preserving these natural resources is essential for the well-being of our islands, our communities, and future generations.

I respectfully urge the committee to pass SB2078 to help protect Hawai‘i’s reef fish and the health of our marine ecosystems.

Mahalo for your time and your dedication to safeguarding our environment.

Sincerely,  
**Michele Moore**

**Jennifer Kagiwada**  
Council Member District 2 South Hilo



Office: (808) 961-8272  
jennifer.kagiwada@hawaiicounty.gov

## HAWAI'I COUNTY COUNCIL - DISTRICT 2

25 Aupuni Street • Hilo, Hawai'i 96720

DATE: February 17, 2026

TO: Senate Committee on Water, Land, Culture and the Arts

FROM: Jennifer Kagiwada, Council Member  
Council District 2

SUBJECT: SB2078

Aloha Chair Lee, Vice Chair Inouye, and esteemed Committee Members,

I am writing in **strong support of SB 2078**. Hawai'i's reefs are already under serious strain; coral bleaching, declining fish populations, and increased pressure on our nearshore waters make it clear that stronger protection is necessary. When violations don't carry real consequences, people begin to feel like they can simply pay a fine and move on. Strengthening penalties helps reinforce the understanding that our environmental laws exist for preserving our reefs. By adding in language to express that each specimen taken is classified as a separate offense this bill will help prevent exploitation of loopholes that reduce accountability.

Resolution No. 422-25, recently adopted by the County of Hawai'i, has urged legislative action to prohibit commercial aquarium collection. This Resolution received overwhelming community support which reflects the on-going and serious concerns about the long-term health of Hawai'i's marine ecosystems.

Mahalo,

A handwritten signature in black ink, appearing to read 'Jenn Kagiwada'. The signature is fluid and cursive, written over a light grey rectangular background.

Jenn Kagiwada

**SB-2078**

Submitted on: 2/17/2026 11:24:57 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jane E Arnold	Individual	Support	Written Testimony Only

Comments:

My name is Jane Arnold and I live in Kaimuki. I am requesting that you support SB2078.

Jane Arnold

1763 Iwi Way

Honolulu HI. 96816

**LATE**

**SB-2078**

Submitted on: 2/17/2026 1:18:10 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sherri Thal	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please think about future generations of Hawaiians and people from all over the world who want to swim in our beautiful waters and enjoy our underwater ecosystems filled with amazing and rare reef fish--oh, wait....the Hawaii State Legislature decided to allow commerical aquarium fishing to continue without control, so there are no more fish, and the reefs have died. .... Please SUPPORT SB2078 so this nightmare scenario will not happen!

Mahalo for your time,

Sherri Thal, Kea'au 96749

**LATE**

**SB-2078**

Submitted on: 2/17/2026 1:18:50 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Pamela Small	Individual	Support	Written Testimony Only

Comments:

February 2026

Testimony in SUPPORT of SB2078

Dear Sir or Madam,

My name is Pamela Small, and I am a resident of Kawaihae on Hawaii Island. I am writing today to express my heartfelt support for SB2078 which proposes to increase the penalties for illegal aquarium collection activities within the state of Hawaii. While increased penalties are good, a complete ban of commercial aquarium collection is better. We have been in a yo-yo situation concerning commercial aquarium collection for over a decade and it is time to put a stop to the exploitation of our precious coral reefs and aquatic life for good.

As a scuba diver and boater, I have been watching the quality of Hawaii's coral reefs deteriorate since I was young. The number of reef fish has been horribly depleted by, and for, the profit of a few local collectors and aquarium keepers on the mainland. There are entire dive sites and portions of the coast that riddled with algae that the herbivore fish would have eaten if they were still in the ocean in large numbers. Yellow Tang, once a prolific herbivore in Hawaii waters, are so depleted that I sometimes only see two or three on a dive when I used to swim among a beautiful sea of yellow.

With ongoing climate change causing stronger storms, algae blooms, and rising ocean temperatures, the health of the sea has never been more important. A healthy ocean equals a healthier planet. All species in the sea work symbiotically. Remove or deplete one key species and the entire ecosystem suffers or collapses.

The ocean is Hawaii's most precious resource. Surfing, canoeing, paddle boarding, diving, snorkeling, boating, and fishing are cornerstones of Hawaiian life and culture. The state has a public trust obligation to protect natural resources for present and future generations. This is your opportunity to honor that obligation by supporting and passing SB2078.

Additionally, I would like to suggest that Hawaii not only ban commercial aquarium collection, but it is of the utmost importance to implement rigorous enforcement, monthly reef fish monitoring, and severe penalties for poachers (including significant fines, jail time for repeat offenders, and boat seizure).

You have the power to have an influence on the health and survival of Hawaii's reef fish and the overall health of the ocean. I beg you to please do the right thing and pass SB2078. As previously mentioned a complete ban of collection is the best option, but there need to be swift and severe penalties for those who break the aquarium collection laws.

Mahalo,

Pamela Small

Kawaihae, HI

**LATE**

**SB-2078**

Submitted on: 2/17/2026 1:33:44 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alexander McNicoll	Individual	Support	Written Testimony Only

Comments:

I am in support of **SB2078**.

**SB-2078**

Submitted on: 2/17/2026 1:44:14 PM

Testimony for WLA on 2/18/2026 1:01:00 PM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Wood	Individual	Support	Written Testimony Only

Comments:

Hello,

As someone who loves the ocean, as many of us do in Hawaii, please help to protect our environment and our fish. I ask that you support SB2078 to establish a criminal penalty and fines for aquarium fishing violations. People that break the law to endanger our local fish species are driven by greed, and do damage to Hawaii and what makes our state special.

By instituting fines and penalties, hopefully the risks are not worth it for these people, and they will not damage our fish and environment.

Thank you,  
Jennifer Wood

Kalaheo, HI  
808-221-7229

**LATE**

**SB-2078**

Submitted on: 2/17/2026 1:55:33 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lee Cuccia	Individual	Support	Written Testimony Only

Comments:

Help protect Hawaii reef fish!

**LATE**

**SB-2078**

Submitted on: 2/17/2026 2:50:55 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Cates	Individual	Comments	Written Testimony Only

Comments:

**Aloha Chair, Vice Chair, and Members of the Committee:**

Thank you for the opportunity to provide testimony on SB2078, amending §188-70, Hawai‘i Revised Statutes, to increase penalties for violations relating to aquarium fishing.

The 2020 Environmental Court ruling requiring compliance with the Hawai‘i Environmental Policy Act (HEPA) prior to issuance or renewal of commercial aquarium permits resulted in DLNR suspending aquarium permit approvals pending completion of environmental review.

Because HEPA is a procedural statute requiring environmental disclosure and analysis before agency action, the environmental review process remains the appropriate vehicle for determining whether, and under what conditions, aquarium fishing may proceed in the future.

This bill proposes increased penalties for aquarium-related violations. Before modifying statutory fine structures, it may be prudent to consider:

- Whether current penalties under Chapter 188 have proven insufficient;
- Whether enforcement gaps have been identified by DLNR or DOCARE; and
- How increased penalties would integrate with any future management framework emerging from the HEPA process.

At present, commercial aquarium fishing remains suspended. If the environmental review results in reopening under specific management conditions, enforcement tools should align with the final regulatory framework implemented by DLNR and demonstrated compliance needs of HEPA.

Accordingly, the Committee may wish to consider a monitor-and-report approach. Such an approach would ensure that any adjustment to penalty structures is grounded in documented enforcement data, aligned with the environmental review outcome, and applied consistently across fisheries.

Thank you for your consideration and for your commitment to the protection and responsible management of Hawai‘i’s marine resources.

Mahalo for your time.



**LATE**

**SB-2078**

Submitted on: 2/17/2026 2:51:59 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Anthony Peckham	Individual	Support	Written Testimony Only

Comments:

My name is Anthony Peckham. I live in Waimea. I support the strongerst possible penalties for illegally poaching reef fish for aquariums. A total ban on any collection would be the best and simplest way to achieve this. Mahalo.

**LATE**

**SB-2078**

Submitted on: 2/17/2026 3:32:53 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Mitchell	Individual	Support	Written Testimony Only

Comments:

Aloha, I'm Jennifer Mitchell from the big island of Hawaii, and I STRONGLY SUPPORT SB2078.

Healthy, fish-filled reef matter to me because it's a part of my culture. Growing up, we went to the beach every weekend, Mom packed our lunch, we stayed at the beach all day, Dad went holoholo to throw his net and catch us lunch and dinner. There was always some kind of fish to eat.

Our reefs face mounting stress, enforcement is weak, and reopening commercial extraction is not responsible management. Stronger penalties are necessary to deter illegal collection. However, enforcement alone is not enough--the most effective, lasting, and enforceable solution is a complete ban. Stronger penalties are good. A permanent ban is better. Please Support bil HB2101.

Mahalo,

Jennifer Mitchell

**LATE**

**SB-2078**

Submitted on: 2/17/2026 5:25:16 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Taurie Kinoshita	Individual	Support	Written Testimony Only

Comments:

To the Honorable Committee,

I am writing in strong support of SB 2078.

This bill would establish a criminal penalty and monetary fines for aquarium fishing violations, and clarifies that each fish or aquatic life specimen taken in violation of certain fishing laws regarding aquarium fish and the possession and use of prohibited explosives, electrofishing devices, and poisonous substances constitute a separate offense.

The use of explosives and electrofishing are abhorrent practices which cause massive damage to our fragile ecosystem. The penalties for such terrible violations must be increased and criminalized.

Please pass SB 2078 and help protect our oceans and reefs for future generations!

Thank you for your consideration.

Sincerely,

Taurie Kinoshita

lifelong resident and voter!

**LATE**

**SB-2078**

Submitted on: 2/17/2026 5:29:00 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mary Pettigrew	Individual	Support	Written Testimony Only

Comments:

If there is a ban on commercial aquarium collections, there has to be enforcement of the ban. An ability to catch those doing illegal catchment must be provided. How will it be done and how will the penalties be meted out?

All the penalties and fines mean nothing if there is not an efficient way to monitor and track violators.

**LATE**

**SB-2078**

Submitted on: 2/17/2026 7:54:02 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan Bambara	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please support Bill SB2078 because even though enforcement is not enough and the best solution is a complete ban, at least in the meantime, stronger penalties are needed to deter illegal collection!

Please hear my plea and support Bill SB2078!!

Susan Bambara  
Kurtistown

**LATE**

February 17, 2026

Marie Aguilar

P.O. Box 1874

Kailua Kona, Hawaii 96745

Senator Dru Kanuha

District 3

**RE: Support for SB 2078 Relating to Commercial Aquarium Collection and Fines increasing**

Prohibit the capture and sale of aquatic life for commercial aquarium purposes, regardless of the method of collection – fines to be enforced and increased

Aloha Chair, Vice Chair, and Members of the Committee

I am a long-time resident of Kailua Kona who has given numerous testimonies to the State government opposing permits for the collection of aquatic life on the shores of Hawai`i Island. I have supported the scientific data collected during the Governor Ige administration, which supports banning the collection of aquatic life from sanctuary shores off the west coast of Hawai`i Island.

Third-world countries prohibit the harvesting of their aquatic life and protect their natural resources for future generations. The State of Hawai`i must stand proud when this legislative SB2078 is passed. It will end lobbying efforts to influence the outcome, allowing tropical fish to be sold at low cost and enabling businesses to profit.

Mahalo for taking the time to read my testimony and for your service to our communities. Please pass SB2078.

Aloha,

Marie Aguilar

Community volunteer advancing Hawai`i tourism.

**LATE**

February 17, 2026

Philip Mosher

P.O. Box 1874

Kailua Kona, Hawai`i 96745

Senator Dru Kanuha, District 3

**RE: SUPPORT FOR SB 2078 Relating to Commercial Aquarium Collection -Fines to be increased**

Prohibits the capture and sale of aquatic life for commercial aquarium purposes, regardless of the method of collection. Fines to be enforced and increased.

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in strong support of SB2078. The west coast of Hawai`i Island impressed me when I first snorkeled at a local beach park in Kona. The shore was emersed with golden Yellow Tang, and thus Kona was the Gold Coast of Hawai`i. Today, it's not thriving as it was in 1988, but we are seeing more fish since no permits have been issued. We must prioritize our natural resources. Protecting marine life supports the sustainability of our reefs.

I support your efforts to introduce SB2078 to ban the collection of aquatic life. The lau`ipala and kole Yellow Tang play a critical ecological role in maintaining reef balance.

Mahalo for taking the time to read my testimony and for your service to our communities. Please pass SB2078.

Aloha

Philip Mosher ( long-time resident)

*Philip Mosher*

**LATE**

**SB-2078**

Submitted on: 2/18/2026 7:49:04 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
valerie delahaye-ippolito	Individual	Support	Written Testimony Only

Comments:

I support enforcing and given stronger penalties for illegal collection of aquatic life. Enforceable solution are not enough we need a complete ban immediatly before it is too late.

Best regards,

Valerie

**LATE**

**SB-2078**

Submitted on: 2/18/2026 7:56:04 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ramona Hussey	Individual	Support	Written Testimony Only

Comments:

Fully support increasing the fines for violating aquaculture rules.

**LATE**

**SB-2078**

Submitted on: 2/18/2026 9:57:53 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jessica Garrison Glazner	Individual	Support	Written Testimony Only

Comments:

As a scuba instructor who has worked in West Hawai'i for nearly a decade, I strongly support HB2078, which establishes criminal penalties and meaningful fines for aquarium fishing violations and clarifies that each illegally collected fish or aquatic life specimen constitutes a separate offense.

Strengthening penalties is an important and necessary step. Clear criminal consequences and per-specimen fines better reflect the true ecological damage caused by aquarium fishing violations and help deter illegal activity that undermines both reef health and public trust. This bill appropriately recognizes that removing multiple fish is not a single violation, but repeated harm to the ecosystem.

However, while I support HB2078, I want to be clear that increasing penalties alone is not sufficient. Enforcement is difficult, costly, and reactive, and even strong fines do not prevent the cumulative ecological and economic damage caused by the aquarium trade. As someone who works on the water daily, I see firsthand how challenging it is to monitor and enforce collection activity across our reefs. Relying solely on enforcement places a continuing burden on taxpayers and resource managers, while allowing extraction to continue.

Hawai'i's reef fish are far more valuable alive on the reef than in an aquarium. Snorkeling and scuba diving are cornerstones of Hawai'i's tourism economy, and visitors come here to see vibrant reefs with abundant fish. A single reef fish generates ongoing economic value over its lifetime as it is seen by thousands of visitors. Once that fish is removed, its value is realized only once. Any decline in reef quality disproportionately harms non-extractive users, local businesses, visitors, and coastal communities, while benefiting a very small number of collectors.

Finally, our reefs are already under immense pressure from climate change, pollution, and coastal development. Reef fish play a critical role in maintaining coral reef health, and allowing continued aquarium collection, while attempting to regulate it through fines, adds unnecessary risk to already vulnerable ecosystems.

HB2078 is a meaningful step toward accountability, and I strongly support its passage. But to truly protect Hawai'i's reefs, native species, and long-term economy, penalties must be paired with a full prohibition on the commercial aquarium trade. I urge you to pass HB2078 and continue moving toward a permanent ban on aquarium collection.

