REPORT OF THE COMMITTEE ON ZONING & PLANNING

Voting Members:
Esther Kia'āina, Chair; Tommy Waters, Vice-Chair;
Radiant Cordero, Val A. Okimoto, Andria Tupola

Committee Meeting Held
July 16, 2026

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning & Planning, which considered Resolution 26-159 entitled:

"RESOLUTION URGING THE STATE BOARD OF LAND AND NATURAL RESOURCES TO DIRECT THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO ADOPT RULES PROHIBITING THE HARVEST OF AQUATIC LIFE FROM STATE OF HAWAI'I MARINE WATERS FOR COMMERCIAL AQUARIUM PURPOSE,"

introduced on July 8, 2026, reports as follows:

The purpose of Resolution 26-159 is to urge the State of Hawai'i Board of Land and Natural Resources ("BLNR") to direct the State of Hawai'i Department of Land and Natural Resources ("DLNR"), Division of Aquatic Resources, to adopt rules prohibiting the harvest of aquatic life from State of Hawai'i marine waters for commercial aquarium purposes.

In 2017, the Hawai'i Supreme Court determined that permits for commercial aquarium fishing using fine-meshed nets are invalid until the State completes an environmental review under Chapter 343, Hawaii Revised Statutes. The DLNR subsequently discontinued renewing or issuing new aquarium fishing permits, pending environmental review.

In 2018, the BLNR concluded that an environmental impact statement ("EIS") is required to evaluate impacts of the issuance of commercial aquarium permits.

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In 2021, the BLNR accepted an EIS for West Hawai'i commercial aquarium fishing permits, and the DLNR is proposing new administrative rules to resume issuing permits in West Hawai'i. While a previous EIS for O'ahu was rejected as insufficient, the EIS process for O'ahu commercial aquarium fishing permits is restarting.

In April 2026, the First Circuit Environmental Court in Hawai'i ruled that the BLNR has the legal authority to prohibit commercial aquarium collection Statewide by administrative rule. Resolution 26-159 urges the BLNR to direct the DLNR to do this.

Hawai'i's Public Trust Doctrine, which is found in the Constitution of the State of Hawai'i, establishes the State's responsibility to safeguard all public natural resources. It is therefore the State's responsibility to manage Hawai'i's reef ecosystems for the benefit of future generations, rather than for private profit. Healthy and thriving coral reefs are of the utmost importance, as they support food security, Native Hawaiian cultural practices, biodiversity, shoreline protection, and Hawai'i's tourism economy.

At your Committee's meeting on July 16, 2026, there was no testimony from the City Administration.

Earthjustice, the Office of Hawaiian Affairs, Moana Ohana, Friends of Hanauma Bay, For the Fishes, Clean the Pacific, and two individuals testified in support of the Resolution. Hawaii Sustainable Reef Fisheries and two individuals testified in opposition to the Resolution. Two individuals offered comments on the Resolution

Your Committee received written testimony in support of the Resolution from Sierra Club of Hawai'i, Ko'olau Foundation, Moana 'Ohana, Ko'olaupoko Hawaiian Civic Club, Clean the Pacific, Surfrider Foundation, South Kohala Reef Alliance, Fair Wind Cruises, Big Island Reef Keepers Hui, Friends of Hanauma Bay, 'Ohana, Biota Group, For the Fishes, the Office of Hawaiian Affairs, Earthjustice, Association of Hawaiian Civic Clubs, Animal Rights Hawai'i, alohahawaiionipaa org, Hawai'i Reef and Ocean Coalition, HULI PAC, Biota Aquariums, EarthTrust, Greenpeace Foundation, and 94 individuals. Your Committee received written testimony in opposition to the

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Resolution from Hawai'i Sustainable Reef Fisheries, Abanklaw Aquatics, Native Hawaiian Gathering Rights Association, and 19 individuals. Kaneohe Bay Regional Council, Kaneohe Neighborhood Board, and one individual submitted comments on the Resolution.

Your Committee on Zoning & Planning is in accord with the intent and purpose of Resolution 26-159, and recommends its adoption. (Ayes: Cordero, Kia'āina, Okimoto, Waters – 4; Noes: None; Absent: Tupola – 1.)

Respectfully submitted,

Esther Kia'āina
Committee Chair

HONOLULU CITY COUNCIL
Ke Kanihela o ke Kalana o Honolulu
CITY AND COUNTY OF HONOLULU

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