

# Ruling halts commercial scooping of Hawai'i aquarium fish

By Jennifer Sinco Kelleher  
The Associated Press

**H**ONOLULU — A Hawai'i Supreme Court ruling has halted the commercial scooping of reef fish for aquariums until the state reviews the trade's environmental impact.

Hawai'i is the world's third largest source of commercial fish, after Indonesia and the Philippines, said Rene Umberger, an avid diver who is among a group of plaintiffs including subsistence fishermen and environmentalists who sued the state in 2012.

There's especially high demand for Hawai'i's yellow tang, Umberger said.

The state's practice of doling out permits for commercial aquarium fish collection must comply with the Hawai'i Environmental Policy Act, the ruling said. A lower court must determine if recreational aquarium fish collection may be exempt from the law, the ruling said.

"It certainly is the biggest step forward in getting a handle on this industry, which has been virtually unregulated," Earthjustice attorney Paul Achitoff said of the ruling.



**SCOOPING STOPPED.** Yellow tang aquarium fish are seen in a tank at a store in Aiea, Hawai'i. A Hawai'i Supreme Court ruling has halted the commercial collection of reef fish for aquariums until the state reviews the trade's environmental impact. (AP Photo/Audrey McAvoy)

Earthjustice represented the group of plaintiffs whose lawsuit argued there should have been environmental reviews before the state Department of Land and Natural Resources issued the permits.

In Hawai'i, the brightly colored tropical fish are scooped up into nets and flown across the globe into aquariums.

The aquarium fishery off Hawai'i's Big Island is among the best managed in the world, scientists say. Yet there's been a long-running

conflict over whether it's appropriate to remove fish from reefs for people's viewing enjoyment.

"Taking tropical fish from Hawai'iian reefs harms that fragile ecosystem," Miyoko Sakashita, ocean program director for the Center for Biological Diversity — one of the plaintiffs — said in a statement. "Maybe now people will begin to realize that people are loving these beautiful fish to death."

Each commercial aquarium col-  
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**HURRICANE HARVEY.** Viet Dao talks about his experiences during Hurricane Harvey at his home in Spring, Texas. "It hits you right there: We have nowhere to escape," Dao, 48, said by phone. "If it was just me, it's OK, I can survive. But I just don't know how can I help my children and family get out. It's really frustrating." (AP Photo/David J. Phillip)

## No strangers to displacement, Vietnamese recover from Harvey

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the country by boat when she was six years old, with her parents and two baby brothers.

Diep has been keeping track of Vietnamese-American fishermen outside Houston and helping elderly and non-English speaking victims fill out forms for aid in the aftermath of Harvey. She says it took years for families along the coast to rebuild after 2008's Hurricane Ike wiped out shrimping and fishing boats along the Gulf Coast.

"There is this history of having to leave your home from disaster, from place to place," she said.

She was still in spotty communication with about 200 Vietnamese-American families in nearby Port Arthur, an area 90 miles east of Houston hit hard by flash floods. She said families in nearby Anahuac did not sustain much damage to homes, but lost netting and fishing traps to water.

Dao, the homeowner in the Houston suburb of Spring, said his family owned a jewelry store in Saigon before 1975. He fled his country in a fishing boat with more than a dozen others, ending up in a refugee camp in Thailand, where he stayed for nearly a year. From there, he eventually moved to Wisconsin, then San Diego, before settling in Houston.

He married his childhood friend's sister, Christine Truong, with whom he has two children, a six-year-old boy and 12-year-old girl. He opened a deli and they bought their dream home.

The family survived Harvey, camping out upstairs with a mini refrigerator for several nights. But the house that Truong calls the best she's

ever lived in is soggy and soiled. Like many people, they do not have flood insurance.

Dao dreaded bringing the children home, but said they had no choice.

"We break down from time to time, of course, but we try not to let them see it," he said, "because if we give up, how are we going to rebuild what we have?"

*Har reported from San Francisco. AP data journalist Angeliki Kastanis contributed to this report.*



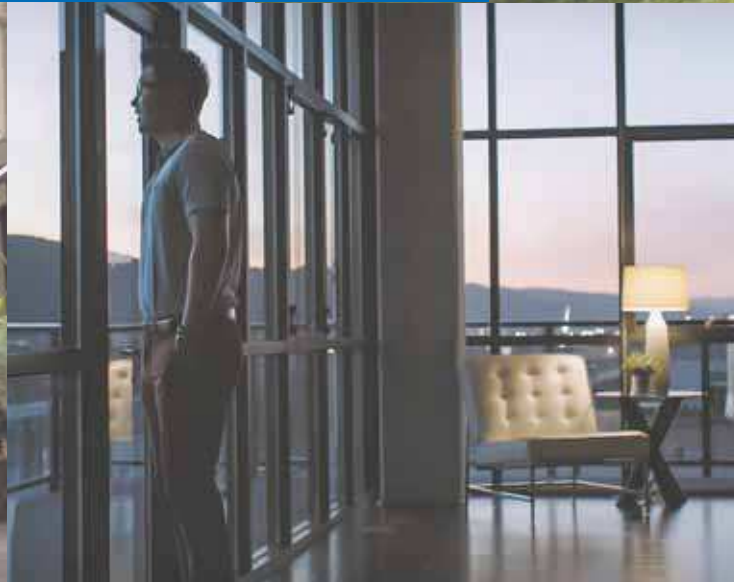
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