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# A BILL FOR AN ACT

RELATING TO OPIHI.

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

1           SECTION 1. In recent years, the number of edible opihi  
2 found in Hawaii has declined. The popularity of opihi as a  
3 delicacy has led to overharvesting on the island of Oahu and has  
4 made opihi difficult to find on the neighbor islands.

5           The black foot opihi (*Cellana exarata*), also known as  
6 "makaiauli", once the most common limpet in Hawaiian waters, is  
7 found in the upper wash of waves. The yellow foot opihi  
8 (*Cellana sandwicensis*), also known as "alinalina", is the  
9 preferred species for eating. It is found in the wash of waves,  
10 roughly between the habitats of the black foot opihi and  
11 "koele", the third type of edible opihi in Hawaii. Koele is  
12 also known as the "kneecap" opihi (*Cellana talcosa*). There is  
13 also a fourth type of opihi (*Cellana melanostoma*) observed in  
14 Kaua`i that probably also could be found in Niihau.

15           Although opihi can be collected year-round, opihi shells  
16 must be at least one and one-fourth inches wide, or the meat



1 must be at least a half-inch wide, to be legally harvested in  
2 Hawaii.

3 The purpose of this Act is to prohibit the sale of all  
4 Hawaiian species of edible opihi, subject to an exemption for  
5 certain opihi shells used to make jewelry.

6 SECTION 2. Section 188-42.5, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "[~~f~~]**\$188-42.5**[~~f~~] **Hihiwai, hapawai, opihi, and opae**  
9 **kala`ole selling prohibited.** (a) It shall be unlawful for any  
10 person at any time to sell or offer for sale any hihiwai,  
11 hapawai, [~~and~~] opihi, or opae kala`ole taken from any of the  
12 waters within the jurisdiction of the State. It shall be  
13 presumed that the taking of more than one-half gallon per person  
14 per day of opihi, as measured with its shell on, from any of the  
15 waters within the jurisdiction of the state, is for the purpose  
16 of selling or offering to sell opihi.

17 As used in this section, "opihi" means all known Hawaiian  
18 opihi species, including Cellana exarata (black foot), Cellana  
19 sandwicensis (yellow foot), Cellana talcosa (koele), and Cellana  
20 melanostoma (green foot).

21 (b) The prohibition to sell or offer for sale any opihi as  
22 provided by this section shall not apply to opihi shells at



1 least one and one-fourth inches in diameter, sold or offered for  
2 sale as a curio or jewelry, or as part of a curio or jewelry;  
3 provided that the taking of the opihi for these purposes is in  
4 compliance with this section."

5 SECTION 3. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval,  
8 and shall be repealed on June 30, 2023.



**Report Title:**

Conservation and Resources; Resource Management; Opihi

**Description:**

Prohibits the selling or offering for sale of opihi, except in certain circumstances. (SB6 HD1)

