
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 blackfoot 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 yellowfoot opihi (*Cellana*
8 *sandwicensis*), also known as "alinalina", is the preferred
9 species for eating. It is found in the wash of waves, roughly
10 between the habitats of the blackfoot opihi and "koele", the
11 third type of edible opihi in Hawaii. Koele is also known as
12 the "kneecap" opihi (*Cellana talcosa*). There is also a fourth
13 type of opihi (*Cellana melanostoma*) observed in Kauai that
14 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, except for certain opihi
5 shells used to make jewelry.

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

8 "[+]§188-42.5[+] **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, opihi, and opae kala`ole taken from any of the waters
12 within the jurisdiction of the State. It shall be presumed that
13 the taking of more than one-half gallon per person per day of
14 opihi, as measured with its shell on, from any of the waters
15 within the jurisdiction of the State, is for the purpose of
16 selling or offering to sell opihi.

17 (b) The prohibition to sell or offer for sale any opihi as
18 provided by this section shall not apply to opihi shells at
19 least one and one-fourth inches in diameter, sold or offered for
20 sale as a curio or jewelry, or as part of a curio or jewelry;
21 provided that the taking of the opihi for these purposes is in
22 compliance with this section.



1 (c) As used in this section, "opihi" means all known
2 Hawaiian opihi species, including Cellana exarata (blackfoot),
3 Cellana sandwicencis (yellowfoot), Cellana talcosa (koele), and
4 Cellana melanostoma (greenfoot)."

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 on January 1, 2010;
8 provided that this Act shall not take effect if the department
9 of land and natural resources adopts rules regulating the taking
10 of opihi that come into effect before January 1, 2010.



Report Title:

Conservation and Resources; Resource Management; Opihi

Description:

Prohibits the selling or offering for sale of opihi, except in certain circumstances. (SB6 HD2)

