National Park Service
U.S. Department of the Interior

Kaloko-Honokōhau
National Historical Park

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Superintendent's Compendium
Of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority.

Approved:

March 14, 2017

Tammy Ann Duchesne, Superintendent

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service within the boundaries of Kaloko-Honokōhau National Historical Park. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority as required by Section 1.5(c), appear in this document identified by italicized print.

I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

Visiting Hours:

Vehicle access to Kaloko Fishpond area via Kaloko Fishpond Road (Ala Nui Kaloko):
The Kaloko Fishpond Road and the Kaloko Fishpond area are closed to vehicles between 1700 – 0800 (5:00 pm to 8:00 am) daily. Hikers and cyclists are not restricted to these hours.

Vehicle access to Hale Ho`okipa Visitor Center parking area:
The Visitor Center parking area is closed to vehicles between 1600 – 0830 (4:00 pm to 8:30 am) daily. Hikers and cyclists are not restricted to these hours.

Since overnight use and camping is prohibited in the park, and both areas are closed by gates, there is no reason for a vehicle to remain in the park overnight.

Pedestrian access at Hale Ho'okipa, the park's visitor center:
The Visitor Center and surrounding lanai, facilities, walkways and stone structures are closed to the public between 1900 -0700 (7 pm – 7 am).

These operating hours are necessary to protect the facilities from inappropriate uses such as overnight camping, bathing, improper sanitation, vandalism and improper disposal of human waste. The water fountain and information areas are open to the public during daylight hours both before and after the operating hours of the Visitor Center.

<u>Public Use Limits</u>: Pursuant to 1.5(d) to implement a public use limit, the Superintendent may establish a permit registration or reservations system:

Gatherings or picnics: Visitor groups of more than 35 people who wish to gather or picnic in the park must obtain a permit. Groups with more than 25 people are restricted to the Kaloko Fishpond picnic area and Ai'opio beach between the canoe halau and the Maliu Point Resource Area. See attached Map A.

As there are limited park areas which can accommodate a group of this size, while protecting resources and minimizing the impact of a large group on other visitors, a permit is necessary to manage the activity. The designated areas are suitable for large groups because impacts to natural and cultural resources are reduced in these areas.

All weddings must obtain a permit. Weddings are limited to a maximum group size of 50 people.

Wedding parties of more than 50 people detract from the cultural values of the park and interfere with other visitors' ability to view and access the shoreline, and natural and cultural features.

All sporting events or competitions must obtain a permit.

Sporting events or competitions may concentrate activity within a certain area and may impact park resources or the public's enjoyment of the natural and cultural landscape.

The National Park Service will operate closed circuit television (CCTV) cameras at the visitor center, administrative offices and facilities and parking areas in a manner to facilitate legitimate law enforcement and public safety objectives. The use of CCTV cameras is an important public safety tool that can facilitate the detection, investigation, prevention and deterrence of crime, the safety of visitors and officers, and the apprehension and prosecution of criminals.

Security measures including CCTV provide for the protection of facilities, people, and irreplaceable objects held in national trust.

<u>Closures</u>:

<u>Unmanned Aircraft</u>: Launching, landing or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Kaloko-Honokōhau National Historical Park is prohibited except as approved in writing by the superintendent
Definition: The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g. model airplanes, quad-copters, drones) that are used for any purpose, including for recreation or commerce).

The use of unmanned aircraft within 5 miles of any airport boundary is prohibited per FAA regulation. The entire park is located within 5 miles of Keahole Airport. Unmanned aircraft may cause disturbance of endangered species including the Hawaiian stilt and Hawaiian coot and also disturb migratory waterfowl. The use of unmanned aircraft may adversely impact visitor experiences by disturbing the enjoyment of the natural and cultural landscape and soundscape. The use of unmanned aircraft presents unacceptable risks to visitors (collisions between unmanned aircraft and visitors, the uncontrolled fall of unmanned aircraft, contact with spinning propellers or rotors of unmanned aircraft).

<u>Hawaiian Stilt Foraging Area</u>: A portion of the shoreline of Kaloko Fishpond and adjacent uplands between the Kaloko Fishpond wall and the Cultural Resource management storage area is closed to

public entry in order to protect the foraging habitat of endangered Hawaiian stilts. This area is delineated by signs. See attached Map B.

This closure is necessary to protect the birds from human disturbance while they are foraging and loafing (resting). The Hawaiian stilt is listed as an endangered species under the Federal Endangered Species Act. Human activity such as fishing, walking and picnicking in this area disturbs the birds, resulting in disruption to necessary foraging and loafing behaviors.

Hiking 2.1(b) Hiking or other pedestrian use is restricted to the designated and maintained trails listed below. Off-trail pedestrian use is prohibited except that walking along the park's ocean shorelines is permitted and a section of the Kaloko shoreline between the Stilt Foraging Area and the Cultural Resource management area is open for hiking and shoreline fishing. See attached Map B and official park brochure.

Archeological sites and features in the park are comprised of dry-stack (no mortar) stone work, loose stone work, pits, soft-lava trails, or loose midden material that may be difficult for the untrained eye to see and which are easily disturbed or damaged by off-trail pedestrian use. Due to the arid environment many native plants within the park are small and have thin, shallow root material that is easily damaged and/or dislodged when tread upon.

Fishing 2.3 (c)

- Aimakapa Fishpond is closed to all fishing.
- Fishing is prohibited in all anchialine pools.
- Kaloko Fishpond is closed to fishing by any means except by use of fishing pole.

Fishing is prohibited in Aimakapa Fishpond to prevent interference with breeding and foraging activities of the endangered Hawaiian coot, and to prevent disturbance of endangered Hawaiian stilts and migratory waterfowl.

Fishing is prohibited in anchialine pools to prevent disturbance and contamination of these fragile ecosystems and to protect populations of endemic shrimp.

Use of throw net, lay net, fish trap or scoop net fishing, spear and other collecting are not allowed in Kaloko Fishpond because these methods requires entry into the water which is prohibited by 36 CFR 3.16 to protect the resources and cultural values of the pond.

Camping 2.10(a)
Camping is not permitted within the Park.

Due to the park's relatively small size, fragile resources, widespread distribution of cultural resources, and lack of overnight staff, overnight use is not authorized. There are many other public lands nearby which offer camping opportunities.

Picnicking 2.11
Picnicking is not allowed in the Maliu Point Resource Area. See attached Map C.

This is a traditionally sacred area with many cultural features. Picnicking detracts from the cultural Hawaiian values of this area.

Smoking 2.21 Smoking is prohibited in the following locations:

- All park buildings and other facilities, to include the halau wa'a (thatched canoe hut) at Aiopio Fishtrap, the visitor contact station at Aiopio and all comfort stations in the park.
- All parts of the Kaloko kuapa (seawall) and the Kaloko Fishpond picnic area.

- The beach area at Aiopio, extending from Maliu Point to a point 100 yards north of the halau wa'a (canoe house).
- The use of Electronic Nicotine Delivery Systems (ENDS) is prohibited in the park in all areas where smoking is prohibited.

Boating (Motorized)
Kaloko Fishpond is closed to the operation of all motorized vessels (combustion or electric).

Kaloko Fishpond is an important wetland habitat for the federally listed endangered Hawaiian stilt. Motorized vessels are prohibited to minimize disturbance to foraging birds. Kaloko is a unique example of a traditional Hawaiian fishpond and is an archeological and cultural resource. Recreational motorized boating will interfere with the interpretation and appreciation of the cultural values of the fishpond.

Boating (Non-motorized)
Kaloko Fishpond and Aimakapa Fishpond are closed to the operation of all non-motorized vessels.

Aimakapa fishpond is an important wetland habitat for two federally protected endangered birds, the Hawaiian stilt and the Hawaiian coot, and for migratory waterfowl. Non-motorized vessels are prohibited to prevent disturbance to endangered birds per the Endangered Species Act and Migratory Bird Treaty Act

Kaloko Fishpond is important habitat for the endangered Hawaiian stilt. Recreational use in either pond would interfere with the birds' natural behaviors, including breeding, foraging, and loafing. Both ponds are important archeological and cultural sites' and vessels interfere with the interpretation and appreciation of traditional Hawaiian use of the fishponds.

Stand up paddleboards
Kaloko Fishpond and Aimakapa Fishpond are closed to the use of stand up paddleboards.

A Kaloko Fishpond is important habitat for the endangered Hawaiian stilt. Aimakapa Fishpond is an important wetland habitat for two federally protected endangered birds, the Hawaiian stilt and the Hawaiian coot and for migratory waterfowl.

Stand up paddleboards are prohibited to prevent disturbance to endangered birds per the Endangered Species Act and Migratory Bird Treaty Act. Recreational use in either pond interferes with the birds' natural behaviors, including breeding, foraging, and loafing. Both ponds are important archeological and cultural sites and stand up paddleboards interfere with the interpretation and appreciation of the cultural history of the fishponds.

Swimming 3.16
- Swimming is not allowed in any anchialine pool.
- Swimming is not allowed in Kaloko or Aimakapa Fishponds.

Anchialine pools are fragile ecosystems that support endemic species. Swimming is prohibited to prevent contamination from sunscreen, body oils or other materials and to prevent disturbance to animals. Anchialine pools are cultural and archeological sites and entering them for swimming may damage historically significant features.

Aimakapa Fishpond is an important wetland habitat for two federally protected endangered birds, the Hawaiian stilt and the Hawaiian coot, and for migratory waterfowl. Swimming is prohibited to minimize disturbance to endangered birds per the Endangered Species Act and Migratory Bird Treaty Act. Swimming is prohibited to prevent contamination of the water from sunscreen and body oils.

Kaloko Fishpond is important habitat for the endangered Hawaiian stilt. Swimming in the pond would interfere with the birds' natural behaviors, including breeding, foraging, and loafing. Kaloko Fishpond is an important archeological and cultural sites and swimming would interfere with the interpretation and appreciation of traditional Hawaiian use of the fishponds.

Scuba Diving 3.18 (a)
Scuba diving with the use of surface supplied air (SNUBA) is not allowed within the Aiopio Fishtrap. Snorkeling and underwater diving with self-contained (SCUBA) apparatus is allowed.

Aiopio Fish trap is a cultural site. The noise and visual impact of surface supplied air equipment interferes with the interpretation and appreciation of traditional Hawaiian use of the area.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

Weddings
Wedding ceremonies and wedding photography are allowed only in the Aiopio area, excluding the Maliu Point Resource Area, and at the Kaloko Fishpond Picnic Area. See attached Maps A and B.

The following restrictions and/or conditions are in effect for the specific uses or activities noted:

Digging /Ground Disturbance
Digging and/or disturbance of sand and soil is not allowed in the park, including anywhere along the park's shoreline and beaches.

Kaloko-Honokōhau National Historical Park shares its boundaries with the Honokohau Settlement National Historic Landmark (State Historic Preservation Number 50-10-27-4138). Cultural deposits are known to exist throughout the park and digging or ground disturbance is prohibited to protect cultural and archeological features. Archeological sites and features in the park are comprised of dry-stack (no mortar) stone work, loose stone work, pits, soft-lava trails, or loose midden material that may be difficult for the untrained eye to see; therefore, these features may be inadvertently damaged by digging or ground disturbance.

Hammocks are not allowed in the park

Because shade trees are a limited resource, are an attractive place to gather, and hammocks take up a large space among two or more shade trees, to minimize visitor conflicts and afford adequate shade access for all park visitors, hammocks may not be attached to trees. Cords, cables and straps used to suspend hammocks can also cause damage to trees.

Kites are not allowed to be flown anywhere in the park, including the entire shoreline.
FAA regulations prohibit the use of kites within five miles of the boundary of any airport. (14 CFR 101.3) The entire park is located within 5 miles of the Keahole Airport. Kites may cause disturbance of endangered species including the Hawaiian stilt and Hawaiian coot and also disturb migratory waterfowl.

Balloons are prohibited in the park.

Balloons may disturb endangered species including the Hawaiian stilt and Hawaiian coot. Broken balloons disperse into the ocean and land environments and are inhalation and ingestion hazards to birds, sea turtles and marine mammals.

Tiki torches, candles and lanterns are prohibited in the park.

To protect park resources (trees, grasses, thatched structures) from fire, use of tiki torches or other types of ignited candles or lanterns is prohibited.

Glass food and beverage containers are prohibited.

To protect visitors and wildlife from injury by sharp glass shards, glass containers of any kind and other glass items that can be readily broken are not permitted within the park.

Beach umbrellas, shade tents, canopies, and free-standing tents are prohibited, except in the designated First Amendment area, where one free-standing tent may be used to provide for public safety.

The use of these items detracts from the cultural landscape of the area and detracts from the traditional Native Hawaiian cultural values for which the park was established. Digging or disturbing soil to secure structures is not allowed due to the presence of cultural resources in the substrate. Moving rocks to support freestanding tents and umbrellas often disturbs cultural resources; use of rocks from cultural sites is prohibited by 36 CFR 2.1. There are numerous trees along the beach which provide shade and visitors are allowed to sit under the shaded canoe halau.

Recreational game playing that involves throwing, kicking or tossing balls, discs or other items is not permitted in the Aiopio Area. See Maps A and C. Traditional Hawaiian games provided by the NPS are permitted at Aiopio.

Recreational games that involve throwing, kicking or tossing balls or other items may cause disturbance to threatened green sea turtles, endangered waterbirds and migratory waterfowl. The Aiopio beach has limited space for visitors to sit and throwing/tossing/kicking games may disturb park visitors. Recreational game playing with balls or other items detracts from the traditional Hawaiian scene and interferes with the appreciation of the sacred sites at Aiopio.

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

(f) The following is a compilation of those activities for which a permit from the Superintendent is required:

Permits and permit information may be obtained at the Park Headquarters, located at 73-4786 Kanalani Street, Suite 14, Kailua-Kona, HI 96740 or by calling (808) 329-6881 x 1331. Permit information may also be obtained on the park's website: www.nps.gov/kaho.

§1.5(d) The following activities related to Public Use Limits:

- Weddings (all weddings require a permit, regardless of size)
- Picnics or gatherings - Groups of more than 35 people shall obtain a permit and are only allowed at Aiopio Beach and Kaloko Fishpond picnic area.
- Sporting events or any organized event for which registration, membership or qualification are required.

§2.5(a) Specimen collection (Taking of plant, fish, wildlife, rocks or minerals)

§2.12 Audio Disturbances:

- (a)(2) Operating a chain saw in developed areas
- (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
- (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51 or non-permitted 1st Amendment activity (less than 25 persons)

§2.17 Aircraft & Air Delivery:

- (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
- (c)(1) Removal of a downed aircraft

§2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52)

§2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events

§2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views:

Public assemblies with 25 or fewer persons are not required to obtain a permit. Groups must assemble in the designated First Amendment area, located adjacent to the Hale Ho`okipa Visitor Center. See attached map for designated area. Use of amplification equipment requires a permit.

Public assemblies with more than 25 people must obtain a permit.

§2.52(c) Sale or distribution of printed matter that is not solely commercial advertising

§2.62 Memorialization:
(a) Erection of monuments (Requires approval from Regional Director)
(b) Scattering ashes from human cremation

§5.1 Advertisements - (Display, posting or distribution.)

§5.3 Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

§5.5 Commercial Filming, still photography, and audio recording.

(a) Commercial filming and still photography activities are subject to the provisions of 43 CFR part 5, subpart A. Failure to comply with any provision of 43 CFR part 5 is a violation of this section.

(b) Audio recording does not require a permit unless:

(1) It takes place at location(s) where or when members of the public are generally not allowed;

(2) It uses equipment that requires mechanical transport;

(3) It uses equipment that requires an external power source other than a battery pack; or

(4) The agency would incur additional administrative costs to provide management and oversight of the permitted activity to:

(i) Avoid unacceptable impacts and impairment to resources or values; or

(ii) Minimize health or safety risks to the visiting public.

(c) Cost recovery charges associated with processing the permit request and monitoring the permitted activity will be collected.

(d) The location fee schedule for still photography conducted under a permit issued under 43 CFR part 5 applies to audio recording permits issued under this part.

III. GENERAL REGULATIONS

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(a)(4) Dead wood on the ground may be collected for use as fuel for campfires within the park in the following areas:

- Dead wood may not be collected or burned anywhere in the park.

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending or traversing the listed archeological or cultural resource, monuments or statues:

Parkwide (Kaloko-Honokōhau National Historical Park shares its boundaries with the Honokōhau Settlement National Historic Landmark (State Historic Preservation Number 50-10-27-4138)

- Personal items such as towels, clothing or surf boards shall not be leaned against or draped over any archeological or cultural structure.

Kaloko Fishpond Wall:

- The Kaloko Fishpond wall is open to the public for walking or fishing only between the south end of the wall and south safety fence, and the north end of the wall and north safety fence.
- Climbing from the wall into or out of the ocean or Kaloko Fishpond is prohibited.
- Picnicking and the use of beach chairs, coolers, beach towels, mats or umbrellas are prohibited on the Kaloko Fishpond Wall.
- Fishing poles shall not be affixed into the wall and must be attended while in use.
- Fishing is allowed along the shoreline of the Kaloko Fishpond in a designated area which is delineated in the attached map and will be marked with signs.

Maliu Point Resource Area

- Picnicking and the use of beach chairs, coolers, beach towels or beach mats are not allowed within the Maliu Point Resource Area. The cultural resource zone includes the heiau, offering platform, rock walls and platforms. This zone is delineated in the attached Map C and will be marked with signs.

(b) Hiking

Certain areas have been closed to hiking and are listed in section I 36 CFR 1.5(a)(1) "Closures".

(c)(1), (c)(2) The following fruits, nuts, berries or unoccupied seashells may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or use or consumption restrictions:

- Noni Fruit (Morinda citrifolia): 6 noni fruit per person per day Noni fruit may only be gathered from trees along designated roads and trails. Christmas Berries: Collection of Christmas berries (Schinus terebinthifolius) is not permitted.

Collection of small amounts of noni fruit in the park has been determined to not interfere with park wildlife or the health of plant populations. If a harmful effect on wildlife or vegetation is noted, the collection of noni fruit will be further limited or prohibited. Hiking off road or trail is prohibited; therefore collecting noni fruit from trees off trail is prohibited. Christmas berry is an invasive species. Collection of Christmas berries is not authorized due to the potential for spreading the plant throughout the park.

36 CFR §2.2 - WILDLIFE PROTECTION

(e) The following areas are closed to the viewing of wildlife with the use of artificial light:

- All park areas are closed to the viewing of wildlife with the use of artificial light.

36 CFR §2.3 – FISHING

Certain areas have been closed to fishing and are listed in section I 36 CFR 1.5(a)(1) "Closures".

- **(e) Fishing in salt waters with net, spear or weapon, are only authorized in the following areas and in the following manner:**
- Fishing with net or spear is allowed along the coast of the park except within the Aiopio Fish trap. Fishing with other weapons is not permitted

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

- **(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:**

- All weapons used for fishing in park waters, must be transported in an unloaded condition until used for fishing in the ocean a safe distance away from other park visitors.
- A bow and arrow may not be used for fishing within the park.

36 CFR §2.5 – RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.

- Permits are required for collecting research specimens.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) The sites and areas listed below have been designated for camping activities as noted

All park areas are closed to camping. See Section I, 36 CFR 1.5(a)(1) "Closures"

36 CFR §2.11 – PICNICKING

Certain park areas are closed to picnicking. See Section I 36 CFR 1.5(a)(1) "Closures".

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided in the following designated cooking areas and/or receptacles, and under the conditions noted:

Designated Cooking Areas:

- Kaloko Fishpond picnic area
- Ai'opio beach except within the Maliu Point Resource Area and the canoe halau. See attached map.

Receptacles Allowed:

- Self-contained charcoal grills, gas grills and fire pans.
- Visitors using charcoal grills must have a fire-proof container for removing hot coals from the park.

Established Conditions for Fires:

- No fires may be made on the ground.
- All coals, ash and remnant charcoal debris must be removed from the park and not placed in park garbage cans due to the resultant potential for fire burning the contents of a garbage can and, potentially starting a wild land fire.
- During a period of "High Fire Danger" and County of Hawaii designated "Burn Ban", all fires and barbecue use is prohibited in the park.

36 CFR §2.15 – PETS

(a)(1) The following structures and/or areas are closed to pets (domestic animals):

- Pets are prohibited from entering Kaloko or Aimakapa Fishponds.
- Pets are prohibited from entering any anchialine pool.

(a)(5) Pet excrement must be disposed of or removed from the park in the following manner:

- Pet owners or responsible persons must remove pet excrement deposited on the ground, trails, or other park surfaces. Pet excrement may be bagged and placed in covered garbage cans in the park.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices are allowed only in the following areas:

- Skating, skateboarding, coasting vehicles or similar devices are not permitted within the park.

36 CFR §2.21 - SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking:

- All park buildings and other facilities, to include the halau wa'a (thatched canoe hut) at Aiopio Fishtrap, the visitor contact station at Aiopio and all comfort stations in the park.
- All parts of the Kaloko kuapa (seawall) and the Kaloko Fishpond picnic area.
- The beach area at Aiopio, extending from Maliu Point to a point 100 yards north of the halau wa'a.

The above locations are small areas where visitors congregate to enjoy park facilities, attractions and beaches. To prevent visitor conflicts and exposure to second hand smoke, these areas are closed to smoking. Both the State and County of Hawaii have banned smoking and the use of e-cigarettes on State and County beaches.

36 CFR §2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours in the following areas and under the following conditions:

- Unattended property may not be left in the park longer than 24 hours without permission from an authorized park employee.
- Geocaching is not permitted in the park.

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- Consumption of beverages containing alcohol or possession of open alcoholic beverage containers is not permitted along the Kaloko Fishpond Road (Ala Nui Kaloko), in the Kaloko parking area, in the Hale Ho`okipa Visitor Center parking lot, and in and adjacent to the Hale Ho`okipa Visitor Center.

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains, or in the following designated areas without a permit, in accordance with the following terms and conditions:

- Scattering ashes from human cremation is not allowed within the park boundaries. The Hawaii Department of Land and Natural Resources states that ashes should be dispersed beyond the reef line. For more information contact the DLNR's Division of Boating and Ocean Recreation.

36 CFR §2.50 – SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the superintendent.

36 CFR §2.51 -- DEMONSTRATIONS

(b) Demonstrations of more than 25 people are allowed within park areas designated as available under paragraph (c)(2) when the superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- The First Amendment Area adjacent to the Hale Ho'okipa Visitor Center.

See attached map.

36 CFR §3.16 – SWIMMING AND BATHING

(a)(1) The following areas are closed to swimming and bathing:

See Section I, 36 CFR 1.5 for designation.

36 CFR §3.18 – SCUBA AND SNORKELING

See Section I, 36 CFR 1.5 for designation.

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Park roads open for travel by motor vehicle are only those indicated below, and/or as indicated in the following publication or document (attached):

Official Park brochure:

- Ala Nui Kaloko (also known as "Kaloko Road" or "Kaloko Fishpond Road"), with its eastern terminus at the Queen Ka'ahumanu Highway and its western terminus at Kaloko Fishpond, is the only unpaved road in the park that is open to motor vehicle travel.

- The road to the Hale Ho'okipa Visitor Center parking lot is open to motor vehicle travel.

36 CFR §4.11 – LOAD, WEIGHT AND SIZE LIMITS

(a) The following restrictions are established for the road indicated for protection of the road's surface:

Ala Nui Kaloko (also known as "Kaloko Road" or "Kaloko Fishpond Road") is closed to commercial vehicles capable of transporting over 15 passengers.

Vehicles of this size, length and weight are too large to turn around and safely maneuver in the limited parking area at Kaloko Fishpond. The NPS has documented the presence of lava tubes under Ala Nui Kaloko. Restricting large vehicles from traversing this road protects both known and undocumented park resources from damage and protects the safety of passengers.

36 CFR §4.21 – SPEED LIMITS

(b) The following speed limits are established for the routes/roads indicated:

- Ala Nui Kaloko (also known as "Kaloko Road" or "Kaloko Fishpond Road): Five (5) mph

The five mph speed limit protects pedestrians and limits formation of dust.

36 CFR §5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b)Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.