National Park Service
U.S. Department of the Interior

War in the Pacific National Historical Park

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

Approved:
Jim Richardson 6/25/16
Jim Richardson, 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 regulatory provisions are established for the proper management, protection, government and public use of those portions of **War in the Pacific National Historical Park** under the jurisdiction of the National Park Service. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

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: War in the Pacific National Historical Park is open 24-hours-a-day, except:

- Any areas in the park which are temporarily closed by Superintendent's Order during an emergency per 36 CFR 1.5
- The T. Stell Newman Visitor Center (located just outside of Naval Base Guam main gate) is open daily from 9 am to 4:30 pm. Closed on Thanksgiving, Christmas, and New Years Day.
- The Asan Bay Overlook is closed to motor vehicles between 5 pm and 8 am each day.
    - *Vandalism and theft have historically been a problem at this overlook. This closure is needed to reduce graffiti and theft of historic resources and memorials.*

Closures:

- All **paved roads** and parking areas in the park are open to motor vehicles. All **unpaved roads and all trails and sidewalks** are closed to motor vehicles, except unpaved parking areas which are maintained by the NPS.

- All roads and parking lots within the park are subject to emergency closure without notice during periods of serious storm and / or wind events.

- The entire park is closed to the possession of beverages in glass containers.
    - *Glass containers often break spreading broken glass across the park. Many people walk barefoot, especially at the beach area, and broken glass is unsafe.*

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of War in the Pacific 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, quadcopters, drones) that are used for any purpose, including for recreation or commerce.
    - The closure to unmanned aircraft is a necessary, interim measure until the NPS considers how to address this new use on a long-term basis. Allowing the use of unmanned aircraft before the park has properly evaluated whether this use is appropriate could result in unacceptable impacts to park resources, park values, and visitor safety.

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

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

- Commercial vehicles at all areas in the Park: Commercial vehicles must shut down their engines when not underway except for three minutes of idling during shut-down and start up of diesel buses.
    - *The idling of engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park.* Guam EPA Clean Air Requirement

- The entire park is closed to the playing of games or practices by teams in organized sports leagues.
    - *Athletic contests and practices involving teams, referees, and spectators is incompatible with the historical nature and contemplative purpose of the park.*

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:

- **§1.5(d) The following activities require a Special Use Permit:**
    - Any event with over 25 people participating at one time
        - *There are a limited amount of areas which can accommodate groups larger than 25 persons. A Special Use Permit is required when group size exceeds this limit to ensure all groups have a fair and equal ability to use the park without unreasonably affecting other visitors.*

- **§2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views require a permit when the activity involves more than 25 persons or is requested for a location outside the identified designated area. The following location is designated for First Amendment activities:**

    - The terminal (final) 100 feet of the north end of the Asan Beach Parking Lot

- **§2.52(c) Sale or distribution of printed matter that is not solely commercial advertising requires a permit when the activity involves more than 25 persons or is requested for a location outside the identified designated area. The following location is designated for First Amendment activities:**

    - The terminal (final) 100 feet of the north end of the Asan Beach Parking Lot

    - Political signs used in conjunction with a "Free Speech" event are permitted as long as the sign(s) is removed immediately after the end of the event.

This area allows for the meeting or assembly and distribution of printed matter to be visible to the public without unreasonable interfering with the other visitors' enjoyment of the park.

III. GENERAL REGULATIONS

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

(a)(5) Walking on, climbing, entering, ascending, descending, or traversing all archeological or cultural resources, monuments, or statues is permitted except for the following:

- All caves used by Japanese soldiers during the battle
- All historic pieces of artillery and all military vehicles or vessels

    - *Caves are not stabilized and are a hazard. They are also historic in nature. The artillery and vehicles/vessels are historic and are easily damaged.*

(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:

- Up to ten (10) unoccupied seashells may be collected per person per day
- Breadfruit may be collected for personal consumption
- Mangos may be collected for personal consumption
- Coconuts may be collected for personal consumption
- Iba tree fruits may be collected for personal consumption
- Bananas may be collected for personal consumption
- Papayas may be collected for personal consumption

- Trees may not be climbed to access fruits and tree trunks and branches may not be damaged in gathering fruit.

The collecting of these items in these quantities will not harm the resources or their ability to reproduce. These quantities also allow for personal use. Commercial use is not permitted.

36 CFR §2.2 - WILDLIFE PROTECTION

d) The transporting of lawfully taken wildlife through the park is permitted under the following conditions and procedures:

- Legally taken wildlife may be transported through the park by the most direct route
    - *There are areas adjacent to park lands where wildlife may be lawfully hunted. These areas have no other reasonable way to transport lawfully taken wildlife other than through the park.*

36 CFR §2.11 Picnicking

Conditions for Picnicking:

- Picnics involving groups of 25 or more people require a permit
    - *There are a limited amount of picnic areas which can accommodate groups larger than 25 persons. A Special Use Permit is required when group size exceeds this limit to ensure all groups have a fair and equal ability to use the limited number of picnicking spots without unreasonably affecting other visitors.*

36 CFR 2.13 – FIRES

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

- Fires are permitted only in government furnished grills or in visitor provided containerized grills or stoves, provided, however, that used coals or ash is not to be disposed of on the ground or in a trash can.
    - *Ground fires damage the fragile beach vegetation, as does dumping of hot coals from personal grills. Dumping of even cold ashes or coals detracts from the aesthetic nature of the area. Containerized grills must not damage adjacent natural resources or facilities such as recycled plastic picnic tables.*

36 CFR 2.14 Littering

(b) Conditions for the disposal, containerization, or carryout of human body waste:

- Spitting in or on the Liberators Memorial, the memorial at Ga'an Point, the Asan Bay Overlook and in and around the grounds of the Visitor Center is prohibited
- Betel nut chewing or spitting in government buildings and vehicles is prohibited

- *Spitting human saliva, especially in conjunction with tobacco or betel nut chewing, causes staining of the park structures and is unsanitary in a developed area*

36 CFR §2.15 – PETS

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

- All government buildings, restrooms, and related structures
- Guide dogs and assistance dogs meeting current requirements are not considered pets.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- Pet excrement must be removed from the park by the pet owners
    - *The park is very popular with dog owners and non-dog owners. If people did not clean up after their pets, the park would become very unsanitary.*

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

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

- On the Asan Bay Overlook, all memorials at Asan Beach, Piti Guns unit, or associated walking surfaces and structures of each
- Other areas as needed when a large public event has been permitted and such use may cause conflicts
- Travel on trails or sidewalks between these facilities is permitted
    - *These areas are commemorative in nature and should be reserved for quiet contemplation and not designed for wheel vehicles.*

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:

- In government buildings and restrooms or within 20 feet of their entrances, and in government vehicles

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:

- Government buildings or vehicles

36 CFR §2.62 – MEMORIALIZATION

(c) The scattering of ashes from cremated human remains is permitted in the following designated areas without a permit, and/or according to the following conditions:

- The remains to be scattered must have been cremated and pulverized.
- The scattering of remains by persons on the ground is to be performed at least 100 feet from any trail, road, parking lot, memorial, developed facility, or body of water.
- Ashes are not permitted to be scattered at Asan Beach, Ga'an Point and Apaca Point.

Permits are required for ceremonies or assemblies that might conflict with normal park operations or result in impact to park resources.

  - *Scattering of cremated human remains is a reasonable accommodation to visitors and does not result in negative resource impact. Scattering ashes at Asan Beach, Ga'an Point and Apaca Point is not permitted due to the heavy concentration of visitors.*

- Leaving small memorials, plaques, or photos in the park is permitted, but will be removed by park staff periodically
- Constructing "roadside" crosses or similar structures in the park is prohibited

36 CFR §3.20 – WATER SKIING

(a) The towing of persons by vessels is permitted in the following areas under the terms and conditions noted:

- Towing of persons on the "reef flat" in the Park is prohibited. The reef flat is the shallow area near shore, inside of the reef crest as defined by breaker waves.
  - *This area is too shallow for people to be safely towed behind a vessel. The reef is also susceptible to damage by vessels going at speeds necessary for water skiing.*

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) All paved roads and parking areas in the park are open for travel by motor vehicles. All unpaved roads which are not maintained by the park or by the Government of Guam are closed to motor vehicles.

- The use of go carts, pocket bikes or similar devices powered by motors is prohibited

36 CFR §4.21 – SPEED LIMITS

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

- All paved roads in parking areas within the park are 5 mph, unless otherwise posted
  - *The parking areas in the park are popular for walkers, joggers, people pushing strollers, people walking dogs and kids playing. Drivers need to be especially slow in these areas in order avoid accidents.*

36 CFR §4.30 – BICYCLES

(a) Bicycle use is permitted on park roads / parking areas with the exception of the following:

All paved/unpaved roads and trails within the park are open to bicycle traffic, except the following:

- On the Asan Bay Overlook, all memorials at Asan Beach, Piti Guns unit, or associated walking surfaces and structures of each
- Other areas as needed when a large public event has been permitted and such use may cause conflicts
- Travel on trails or sidewalks between these facilities is permitted
    - *These areas are commemorative in nature and should be reserved for quiet contemplation and not designed for wheel vehicles.*