

CITY AND COUNTY OF HONOLULU  
DEPARTMENT OF PARKS AND RECREATION

Under and by virtue of the authority conferred upon him by Chapter 91, Hawaii Revised Statutes (HRS), Article 14, Chapter 13, Revised Ordinance of Honolulu 1978 (ROH), and every other enabling power, the Director of Parks and Recreation of the City and County of Honolulu does hereby prescribe the following:

RULES AND REGULATIONS GOVERNING  
COMMERCIAL HIKING TOURS AT HANAUMA BAY AND  
THE ADJACENT AREA WITHIN THE CONSERVATION DISTRICT

PART XI

Section 60. Findings and Purpose. Pursuant to Ordinance 82-28 and Section 8 of these rules and regulations, a public hearing was conducted to determine the propriety of commercial hiking tours at Hanauma Bay and adjacent area within the Conservation District. As a result of the public hearing, the Department finds the proposed commercial hiking tours to be essentially recreational and educational in nature and complementary to the use of the park.

This activity is hereby designated an authorized activity in accordance with the definition provided in these rules and regulations, subject to the limitations and conditions hereinafter described.

Section 61. Permits for Commercial Hiking Tours.

- (a) Commercial hiking tours shall mean the use of Hanauma Bay and the adjacent area located within the Conservation District.
- (b) Commercial hiking tours shall be allowed weekdays and two (2) weekend days per month.
- (c) Commercial hiking tour companies shall secure a daily, monthly or annual permit and shall be in the possession of the tour leader and shall be presented to any authorized Department personnel or police officer upon request.

Section 62. Fees. See Chapter 27, ROH 1978, as amended.

Section 63. General Conditions.

- (a) Applicants for permits must secure the approval of the Board of Land and Natural Resources, State of Hawaii, prior to submittal of applications.
- (b) The applicants for permits must possess the licenses required to conduct business in the State of Hawaii.

(c) The applicants for permits must have in current force and effect an insurance policy in which the combined limit of liability for bodily injury and property damage is \$1 million per occurrence. The insurance certificate shall name the City and County of Honolulu, the State of Hawaii, and the Bishop Estate as additional insured. A copy of the Certificate of Insurance shall be filed with the Parks Permit Section of the Department.

(d) Permittees shall be limited to a maximum of one (1) vehicle to transport hikers into and park the vehicle in the parking lot at Hanauma Bay Beach Park.

(e) Permittees shall conduct the hike towards Koko Head Sandy Beach and shall not use the trail and road leading towards Koko Head where equipment of the Federal Aviation Agency, Police Department and others are maintained.

(f) Permittees shall remove any litter, trash and debris attributable to the hiking activity.

(g) Permittees shall not solicit any business, advertise or post any commercial notices on City park property.

(h) The hiking tours shall be limited to a maximum size of fifteen (15) people.

(i) Permittees shall ensure that hiking tour participants do not dislodge stones which may fall on park users below, particularly at the heavily used area popularly known as "Toilet Bowl."

(j) Permittees shall comply with all applicable Public Health Regulations.

(k) The applicants for permits shall obtain written approval from Bishop Estate.

(l) Permittees shall comply with all applicable statutes, ordinances, rules and regulations of the Federal, State and City and County governments and applicable parts of Section 13-2-21 Administrative Rules, as amended, of the Department of Land and Natural Resources, State of Hawaii.

(m) Permittees shall contact the Historic Preservation Office at 548-7460 or 548-6408 immediately if any unanticipated sites or remains of historic or prehistoric interest (such as shell, bone or charcoal deposits, human burials, rock or coral alignments, paving or walls) are encountered during the hiking tour.

(n) Permittees and participants of the hiking tours will depart the Hanauma Bay Beach Park parking lot at the completion of the hiking tour.

(o) Permittees shall be responsible for the safety of persons under their charge and for determining that their physical capabilities are adequate to safely participate in the hiking tours.

(p) Should it be adjudged that harm or death has resulted from the permittees' negligence, the permit issued to the permittees shall be immediately revoked upon notice; review and consideration by the Department of Parks and Recreation without the possibility of future permits.

(q) Permittees failing to perform in accordance with the conditions of these rules and regulations shall forfeit any further use of an existing permit and will not be able to apply in person, or as a member of a firm, corporation, or entity for a period of two years from the date of failure to perform.

(r) Permittees shall use care to prevent petroleum products, trash and debris from falling, blowing, washing, flowing or leaching into aquatic environments.

(s) Permittees will not destroy, pick or remove any flora or fauna while on the hiking tour.

Section 64. Re-application Following Revocation of Permit.

(a) Re-application following revocation of a permit may be permitted upon the petition of the applicant to the Department of Parks and Recreation and affirmative compliance with our rules and conditions.

ADOPTED this 17th day of July, 1986, by the Director of Parks and Recreation, City and County of Honolulu, State of Hawaii.

/s/ Tom Nekota  
TOM T. NEKOTA, Director  
Department of Parks and

Recreation

City and County of Honolulu

APPROVED AS TO FORM:

/s/ Maria C. Aviante-Tanaka  
Deputy Corporation Counsel

APPROVED this 18th day of  
September, 1986.

/s/ Frank F. Fasi  
FRANK F. FASI, Mayor  
City and County of Honolulu

CERTIFICATION

I, TOM T. NEKOTA, in my capacity as Director of Parks and Recreation, City and County of Honolulu, do hereby certify that the foregoing is a full, true and correct copy of the rules and regulations governing commercial hiking tours at Hanauma Bay and the adjacent area within the Conservation District, which were adopted on July 17, 1986, following a public hearing held on July 15, 1986, after public notice was given on June 26, 1986 in the Honolulu Advertiser and the Honolulu Star-Bulletin.

/s/ Tom Nekota  
TOM T. NEKOTA, Director  
Department of Parks and

City and County of Honolulu

Recreation

Received this 19th day of  
September, 1986.

/s/ Raymond K. Pua  
Raymond K. Pua, City Clerk