

§ 7.87

(5) Annual fees based on Departmental regulations (43 CFR 4125.1-1 (m)) will be charged for all livestock grazing upon preserve lands.

(6) Each permittee shall comply with the range management plan approved by the Superintendent for the area under permit.

(7) State laws and regulations relating to fencing, sanitation and branding are applicable to graziers using preserve lands.

(8) The National Park Service reserves the right to full and unrestricted use of the lands under permit including, but not limited to, such purposes as managed hunting programs executed in accordance with applicable State Game and Fish laws and regulations, use of existing roads and trails, unrestricted public access, and the right to revoke the permit if the activity is causing or will cause considerable adverse effect on the soil, vegetation, watershed or wildlife habitat.

(9) Corporations formed by owners or lessees who were actually using lands within the preserve for grazing purposes on October 11, 1974, may be issued annual permits for a period not to exceed twenty-five (25) years from the date of acquisition for preserve purposes.

[44 FR 45128, Aug. 1, 1979, as amended at 48 FR 30296, June 30, 1983]

§ 7.87 Kaloko-Honokohau National Historical Park.

(a) *Is public nudity prohibited at Kaloko-Honokohau National Historical Park?* Yes. Public nudity, including nude bathing, by any person on Federal land or water within the boundaries of Kaloko-Honokohau National Historical Park is prohibited. This section does not apply to a person under 10 years of age.

(b) *What is public nudity?* Public nudity is a person's failure, when in a public place, to cover with a fully opaque covering that person's genitals, pubic areas, rectal area or female breast below a point immediately above the top of the areola.

(c) *What is a public place?* A public place is any area of Federal land or water subject to Federal jurisdiction within the boundaries of Kaloko-Honokohau National Historical Park,

36 CFR Ch. I (7-1-22 Edition)

except the enclosed portions of restrooms or other structures designed for privacy or similar purposes.

[64 FR 19483, Apr. 21, 1999]

§ 7.88 Indiana Dunes National Lakeshore.

(a) *Fishing.* Unless otherwise designated, fishing in a manner authorized under applicable State law is allowed.

(b) *Powerless flight.* The use of devices to carry persons through the air in powerless flight is allowed at times and locations designated by the superintendent pursuant to the terms and conditions of a permit.

[49 FR 18451, Apr. 30, 1984]

§ 7.89 New River Gorge National River.

(a) *Hunting—(1) May I hunt within New River Gorge National River?* Yes, you may hunt if you:

(i) Possess a valid West Virginia State hunting license or permit, or are exempt under provisions of West Virginia law.

(ii) Comply with the hunting seasons, harvest limits, and any other conditions established by the State of West Virginia.

(iii) Do not violate any closures or limitations established by the Superintendent for reasons of public safety, resource protection, or other management considerations.

(2) *Do West Virginia state hunting laws apply within New River Gorge National River?* Yes, non-conflicting State hunting laws are adopted as part of the regulations in this section and apply within New River Gorge National River.

(b) *Bicycling.* (1) *Where may I ride a bicycle within New River Gorge National River?* Bicycle use is allowed:

(i) On park roads and in parking areas; and

(ii) On administrative roads and trails authorized for bicycle use as listed in the following table.

ADMINISTRATIVE ROADS AND TRAILS AUTHORIZED FOR BICYCLE USE—NORTH TO SOUTH

Hawks Nest Connector Trail
Fayetteville Trail
Park Loop Trail
Timber Ridge Trail
Kaymoor Trail
Craig Branch Trail
Arrowhead Trail