

twenty-five minutes, twenty-seven thousand six hundred and fifteen feet, along the Kapapala pastoral lands to the west boundary of the Kilauea section, Hawaii National Park; sixth, three hundred and forty-six degrees twenty minutes, six thousand seven hundred and forty-two feet, along said west boundary to a small cone; seventh, two hundred and eighty-two degrees fifty minutes, nineteen thousand one hundred and fifty feet, along the south boundary of said Kilauea section, Hawaii National Park; eighth, two hundred and thirty-one degrees fifty minutes thirty seconds, five thousand four hundred and thirty feet, along said south boundary to the point of beginning. The Federal Power Act [16 U.S.C. 791a et seq.] shall not apply to or extend over lands defined in subdivision 5.

(Aug. 1, 1916, ch. 264, §1, 39 Stat. 432; May 1, 1922, ch. 174, 42 Stat. 503; Apr. 11, 1928, ch. 359, §1, 45 Stat. 424.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Federal Power Act, referred to in text, was in the original the "Act of June 10, 1920, entitled 'An Act to create a Federal power commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriation Act, approved August 8, 1917, and for other purposes'", and was redesignated the Federal Power Act by section 791a of this title. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, and is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

##### CODIFICATION

Subd. Fifth is from sections 1 and 2 of act May 1, 1922. Section 1 of act May 1, 1922, in addition to describing the tract, recited that it was the tract set aside for park purposes on Oct. 29, 1920, by executive order of the governor of the territory of Hawaii.

The last sentence of this section is from section 2 of act May 1, 1922. The remainder of said section 2, omitted from the Code as having been given effect by the insertion of the last paragraph of the section, extended over the described territory the provisions of act Aug. 1, 1916, incorporated in this section and sections 393 and 394 of this title, and the provisions of act Aug. 25, 1916, ch. 408, 39 Stat. 535, 536, incorporated in former sections 1, 2, 3, and 4 of this title; and all Acts supplementary to and amendatory of said Acts.

##### AMENDMENTS

1928—Act Apr. 11, 1928, amended subd. First generally.

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-380, §1, Nov. 12, 1998, 112 Stat. 3401, as amended by Pub. L. 106-510, §3(a)(2), Nov. 13, 2000, 114 Stat. 2363, provided that: "This Act [amending section 391b of this title] may be cited as the 'Hawai'i Volcanoes National Park Adjustment Act of 1998'."

##### HAWAII VOLCANOES NATIONAL PARK

Designation of portion of Hawaii National Park situated on island of Hawaii as Hawai'i Volcanoes National Park, effective Sept. 22, 1961, see section 391d of this title.

##### HALEAKALĀ NATIONAL PARK

Establishment of detached portion of Hawaii National Park lying on island of Maui as Haleakalā Na-

tional Park, effective July 1, 1961, see section 396b of this title.

#### Executive Documents

##### ADMISSION OF HAWAII AS STATE

Admission of Hawaii into the Union was accomplished Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 24 F.R. 6868, 73 Stat. c74, as required by sections 1 and 7(c) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 4, set out as notes preceding section 491 of Title 48, Territories and Insular Possessions.

#### § 391a. Boundary on island of Maui changed

The boundary of the Hawaii National Park on the island of Maui is changed to read as follows:

Beginning at a triangle on set stone, said mark being the Government survey triangulation station Puu Nianiau in the land of Kalialinui, and running by true azimuths:

1. Three hundred degrees fifty-seven minutes thirty seconds eleven thousand seven hundred and sixty-nine and three-tenths feet along the remaining portion of the land of Kalialinui to a concrete monument marked Number 1 on spur and on the west edge of Koolau Gap.

2. Two hundred and ninety-seven degrees forty-seven minutes thirty seconds fourteen thousand six hundred and fifty-two and six-tenths feet along same and across Koolau Gap to a concrete monument marked Number 3, the true azimuth and distance from said monument to Government survey triangulation station Hanakauhi being forty-five degrees fourteen minutes nine hundred and eighty-eight feet.

3. Two hundred and sixty-nine degrees fifty-seven minutes thirty seconds nine thousand and one and three-tenths feet along same to a concrete monument marked Number 7 on the southwest boundary of the land of Haiku.

4. Three hundred and six degrees thirty-nine minutes three thousand nine hundred and thirteen and four-tenths feet along the southwest boundary of the land of Haiku to a cross on large flat rock called Pohaku Palaha.

5. Two hundred and seventy-three degrees seven minutes four hundred and forty feet along the Nahiku tract to Government survey triangulation station Pakihi.

6. Thence following along summit of dividing ridge between Haleakala crater and Kipahulu Valley to an ahu at a place called Pakihi, the direct azimuth and distance being three hundred and fifty degrees four minutes thirty seconds seven thousand four hundred and fourteen and seven-tenths feet.

7. Thence along Government land and following along rim of the crater and crest of wall of Kaupo Gap to a four inch by four inch redwood post, the direct azimuth and distance being three hundred and fifty-six degrees forty-one minutes ten thousand eight hundred and sixty-seven and nine-tenths feet.

8. Eighty-six degrees one minute thirty seconds six thousand seven hundred and seventy-seven and four-tenths feet along grant 3457, lot 1, to A. V. Marciel, and the remaining portion of the land of Nu'u (R. P. 8049, L. C. A. 6239 Apana 2 to Kalaimoku), passing over a cross on stone at Kauhaokamoa at three thousand four hundred and forty-one and eight-tenths feet and passing over an iron pipe on the west edge of the

Koolau Gap at five thousand eight hundred and seventy-four feet.

9. One hundred and thirty-eight degrees forty-two minutes thirty seconds nine thousand five hundred and seventy-four and two-tenths feet along the remaining portion of said land of Nuu to a cross on rock, the true azimuth and distance to Government survey triangulation station Haleakala 2 being one hundred and seventy-nine degrees thirteen minutes fifteen seconds nine hundred and forty-three and two-tenths feet.

10. Ninety-one degrees thirty-four minutes forty-five seconds nine thousand nine hundred and sixty and four-tenths feet along same to a concrete monument marked Number 14, the true azimuth and distance from said monument to an arrow on rock called Kumuiliahi, marking the northeast corner of the land of Nakula, being one hundred and sixty-seven degrees twenty-eight minutes nine hundred and twenty-eight and seven-tenths feet.

11. Ninety degrees twenty-three minutes thirty seconds twelve thousand two hundred and forty-nine and three-tenths feet along the remaining portion of the lands of Nakula and Kahikinui to a concrete monument marked Number 15.

12. One hundred and seventeen degrees fifty-two minutes thirty seconds five thousand two hundred and nine and two-tenths feet along the remaining portion of the land of Kahikinui to a concrete monument marked Number 16, the true azimuth and distance from said monument to Government survey triangulation station Kolekole, being ninety-eight degrees thirty minutes one thousand five hundred and forty-three and five-tenths feet.

13. One hundred and twenty-seven degrees thirty-eight minutes two thousand one hundred and seventy-five and six-tenths feet along same and the land of Papaanui to a concrete monument marked Number 17, the true azimuth and distance from said monument to a concrete monument marked Number 25, which marks the south corner of the land of Kealahou 3 and 4 being forty degrees ten minutes thirty seconds four hundred and sixty-six and two-tenths feet.

14. Two hundred and thirteen degrees forty-six minutes eight thousand two hundred and forty-one and two-tenths feet along the remaining portions of the lands of Kealahou 3 and 4 and Pulehunui to a concrete monument marked Number 19, the true azimuth and distance from said monument to a "K" marked on a large lava rock called Kilohana, at the east corner of the lands of Kealahou 3 and 4, being three hundred and twenty-three degrees fifty-three minutes nine hundred and forty-seven and three-tenths feet.

15. One hundred and forty-three degrees fifty-three minutes six thousand nine hundred and five and three-tenths feet along the land of Pulehunui to a concrete monument marked Number 20.

16. One hundred and ninety-nine degrees twenty-three minutes ten thousand seven hundred and twenty-six feet along the remaining portion of the land of Kalialinui to the point of beginning, passing over a concrete monument marked Number 22 at a distance of six thousand four

hundred thirty-six and seven-tenths feet; including portions of the lands of Kealahou 3 and 4, Pulehunui, Kalialinui, Kaupo, Nuu, Nakula, Kahikinui and Papaanui, Island of Maui, and containing seventeen thousand one hundred and thirty acres, more or less; and all of those lands lying within the boundary above described are included in and made a part of the Hawaii National Park subject to all laws and regulations pertaining to said park.

(Feb. 12, 1927, ch. 111, §1, 44 Stat. 1087.)

#### Statutory Notes and Related Subsidiaries

##### HALEAKALĀ NATIONAL PARK

Establishment of detached portion of Hawaii National Park lying on island of Maui as Haleakalā National Park, effective July 1, 1961, see section 396b of this title.

#### § 391b. Extension of boundaries

When title to all or any of the following-described lands on the island of Hawaii, in the Territory of Hawaii, shall be vested in the United States, such lands shall be, and the same are, added to and made a part of the Hawaii National Park:

Kalapana extension (being portions of the lands of Kahaualea, Panaunui, and Apua and all of the lands of Poupou, Pulama, Kamoamo, Laeapuki, Panauiki, Kealakomo, and Kahue, in the district of Puna, and portion of the land of Keauhou, in the district of Kau): Beginning at the United States National Ocean Survey triangulation station Kupapau (marked by a survey tablet set in large rock), the true azimuth and distance from said point of beginning to the United States National Ocean Survey triangulation station Hakuma (marked by a United States National Ocean Survey tablet set in smooth lava outcrop and surrounded by a circular patch of cement near edge of sea pali) being two hundred and forty-four degrees forty minutes and fifty seconds exactly fourteen thousand four hundred and thirteen feet and running as follows, all azimuths being measured clockwise from true south (note azimuths of courses 1 to 4, inclusive, are referred to Hakuma meridian):

Along the seacoast at high-water mark, in a general southwesterly direction for the first five courses, the true azimuths and distances between points on said seacoast being—

1. Exactly sixty-six degrees and fifteen minutes twenty-six thousand three hundred and thirty-six and six-tenths feet to United States National Ocean Survey station Laeapuki, marked by a survey tablet set in mound and covered by a small cairn;

2. Exactly sixty degrees and ten minutes eighteen thousand seven hundred feet to Kaena Point;

3. Exactly seventy-one degrees and fifty-six minutes, twenty-one thousand three hundred and fifty feet to Apua Point;

4. Exactly ninety-eight degrees and forty-five minutes seven thousand four hundred feet to a pipe in concrete at a place called Okiokiahu (note: azimuths of courses 5 to 11, inclusive, are referred to Uwekahuna meridian);

5. One hundred and nine degrees fifty-seven minutes and twenty-two seconds ten thousand