

**KAHO‘OLAWE ISLAND RESERVE
INDEPENDENT VESSEL RELEASE OF LIABILITY**

This document does not constitute authorization to visit or enter the waters of the Kaho‘olawe reserve. Such authorization must be obtained from the Kaho‘olawe Island Reserve Commission. I have requested the Kaho‘olawe Island Reserve Commission to allow my vessel to enter the waters of the reserve of Kaho‘olawe.

I agree and acknowledge that MY SAFETY AND THE SAFETY OF MY PASSENGERS IS MY RESPONSIBILITY and no one else's. I further acknowledge that I have to follow all safety instructions both written and verbal. I will follow federal and state requirements and comply with KIRC directives.

I fully understand, and by my signature acknowledge that I understand that:
(1) The island of Kaho‘olawe was used from 1941 to 1990 as a live ordnance military training complex; that the island and its waters were used by the United States and its allies as a live ordnance impact training area; that the ENTIRE ISLAND IS DANGEROUS AND UNSAFE due to the presence of surface and subsurface UNEXPLODED ORDNANCE; that there may be hazardous conditions and ordnance on and under the surface of the island and in the waters surrounding the island; and that unexploded ordnance may explode nearby to me causing me, my passengers, or my property serious bodily harm, injury, damage and or death.

I also understand and am aware that unexploded explosives may be present in the waters and other natural and predatory dangers may exist. I further understand the risks presented by the currents, surf, shoreline and other marine conditions.

Knowing that the island and its surroundings waters is dangerous and unsafe and that the pervasive presence of unexploded explosives present to me, my passengers, or my property A RISK OF SERIOUS BODILY HARM OR DEATH, I voluntarily ASSUME THE RISK OF INJURY OR LOSS created by the presence of explosives and other hazardous conditions, which exist on and around the waters of the reserve. I voluntarily ASSUME THE RISK OF INJURY OR LOSS associated with ocean going craft transportation. With full knowledge of the hazards, I RELEASE AND AGREE TO INDEMNIFY AND HOLD HARMLESS the State of Hawai'i and any and all of its

officers, agents, and employees, for death or injury to me, my passengers or damage to or destruction of any of my property resulting from the hazardous conditions previously listed, to include transportation to, from, on or in the island and waters of Kaho‘olawe.

In consideration of allowing me the access which I have requested, I, for myself, my heirs, beneficiaries, executors and administrators, REMISE, RELEASE, AND FOREVER DISCHARGE the State of Hawai'i, and any and all of their officers, agents and employees, acting in their official capacity with due diligence, from any and all claim(s), demand(s), or cause(s) of action on account of my death or on account of any injury to me or my property which may occur from my own negligence, hazards listed herein, or unforeseeable mishap during my access to the island of Kaho‘olawe and waters of the reserve or incident thereto. This release of liability is effective for the access period commencing on

_____ and ending on_____.

Company Name (Print)_____

Signature_____ Date_____

Mailing Address:_____

Vessel Name:_____

Vessel Registration Number HA:_____