

OFFICE OF THE GOVERNOR
STATE OF HAWAII

SUPPLEMENTARY PROCLAMATION

By the authority vested in me as Governor by the Constitution and laws of the State of Hawai'i, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, DAVID Y. IGE, Governor of the State of Hawai'i, hereby determine, designate and proclaim as follows:

WHEREAS, pursuant to Chapter 127A, Hawai'i Revised Statutes, emergency powers are conferred on the Governor of the State of Hawai'i to deal with disasters or emergencies, to maintain the strength, resources, and economic life of the community, and to protect the public health, safety, and welfare; and

WHEREAS, it has become necessary to supplement my Proclamation of August 30, 2016, relating to Hurricane Madeline and Hurricane Lester; and

WHEREAS, the impact of this occurrence of a severe, sudden, and extraordinary event of high winds, heavy rains, high surf, storm surge, and flooding have caused damages of such character, magnitude and nature as to warrant rehabilitative assistance from the State; and

WHEREAS, the Department of Transportation has recently repaired erosion that has been the subject of maintenance and repairs on Kamehameha Highway in Kaaawa on the north shore of the Island of Oahu; and

WHEREAS, the Department of Transportation was able to restore the outbound lane of Kamehameha Highway in the Kaaawa area which collapsed due to the erosion; and

WHEREAS, the weather conditions created by Hurricane Madeline have damaged the highway which has again left Kamehameha Highway at various locations between Kualoa Ranch and Hauula at risk of significantly increased erosion and failure should it be subjected to further erosion caused by high winds, heavy rains, high surf, storm surge, and flooding; and

WHEREAS, based upon scientific information and expertise available, Hawai'i is in danger of additional high winds, heavy rains, high surf, storm surge, flooding, and specifically extremely high surf for all east-facing shores as a result of Hurricane Lester which is approaching the state; and

WHEREAS, the damage, losses, and suffering potentially attributable to the further erosion as a result of the impact of Hurricane Lester and imminent closure of this section of Kamehameha Highway, and the possible damage to other highways and roads in the State are of such nature as to warrant preemptive and rehabilitative assistance from the State; and

WHEREAS, prompt, expeditious action is necessary to deal with preemptive, emergency, and restorative roadway repairs to assure the health and safety of the public.

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, hereby further determine that an emergency or disaster contemplated by section 127A-14, Hawai'i Revised Statutes, has occurred in the State of Hawai'i in the above areas in the State of Hawai'i, and do hereby supplement my Proclamation of August 30, 2016, by authorizing and invoking the Sections 127A-13 and 127A-12, Hawai'i Revised Statutes, suspending as allowed by law in order to provide emergency relief and, to the extent necessary to protect, prevent, repair, restore, and rebuild, with any necessary improvements, any county or state road or highway that has been or may be damaged as a result of this event, the following additional statutes:

1. Chapter 6E, **historic preservation**.
2. Chapter 46, **county organization and Administration** as any county ordinance, rule, regulation, law, or provision in any form applies to any county permitting, licensing, zoning, variance, processes, procedures, fees, or any other requirements that hinder, delay, or impede the purpose of this Proclamation.
3. Section 103-50, **building design to consider needs of persons with disabilities**.

4. Chapter 171, **public lands, management and disposition of.**
5. Chapter 174C, **state water code.**
6. Chapter 180, **soil and water conservation districts.**
7. Chapter 180C, **soil erosion and sediment control.**
8. Chapter 183, **forest reserves, water development, zoning.**
9. Chapter 183C, **conservation district.**
10. Chapter 183D, **wildlife.**
11. Chapter 184, **state parks and recreation areas.**
12. Chapter 195, **natural areas reserves system.**
13. Chapter 195D, **conservation of aquatic life, wildlife, and land plants.**
14. Chapter 198D, **Hawaii statewide trail and access system.**
15. Chapter 205, **land use commission.**
16. Chapter 205A, **coastal zone management.**
17. Chapter 264, **highways.**
18. Chapter 269, **public utilities commission.**
19. Chapter 341, **environmental quality control.**
20. Chapter 342B, **air pollution.**
21. Chapter 342D, **water pollution.**
22. Chapter 342E, **non-point source pollution management and control.**
23. Chapter 342F, **noise pollution.**
24. Chapter 343, **environmental impact statements.**
25. Chapter 343D, **environmental disclosure.**

26. Chapter 344, **state environmental policy.**
27. Section 464-4, **public works required to be supervised by certain professionals.**

I FURTHER DECLARE that all the provisions of my Proclamation of August 30, 2016 relating to Hurricane Madeline and Hurricane Lester shall remain in full force and effect and are hereby included in the provisions of this Supplementary Proclamation and the disaster emergency relief period shall continue until terminated automatically sixty days after September 10, 2016 or by a separate proclamation whichever occurs first. Notwithstanding the termination of a disaster emergency relief period, any contracts, agreements, procurements, programs, or employment of personnel entered into, started, or continued by reason of the provisions of my proclamations relating to this emergency shall continue.

Done at the State Capitol, this 2nd
day of September, 2016.



DAVID Y. IGE,
Governor of Hawai'i

APPROVED:



DOUGLAS S. CHIN
Attorney General
State of Hawai'i