

**OFFICE OF THE GOVERNOR  
STATE OF HAWAII**

**FIRST SUPPLEMENTAL PROCLAMATION**

By authority vested in me as Governor by the Constitution and laws of the State of Hawaii, in order to provide relief for natural disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, LINDA LINGLE, Governor of the State of Hawaii, hereby determine, designate, and proclaim as follows:

**WHEREAS**, it has become necessary to supplement my Proclamation of June 6<sup>th</sup>, 2003, relating to the major landslide on June 2, 2003 (and other prior rockfalls on May 20 and 23, 2003) onto Kalanianaʻole Highway, Pali Highway and Kamehameha Highway (hereafter “Castle Junction”); and

**WHEREAS**, the State Department of Transportation (hereafter the “DOT”) is planning a major construction project to reduce the risk of any further landslides or rockfalls in the Castle Junction area; and

**WHEREAS**, the DOT’s project will involve excavating and removing much of the soil and rock comprising the hill from which the landslides and rockfalls occurred to significantly reduce any serious risk of further landslides or rockfalls in that area of Castle Junction (hereafter the “Project”); and

**WHEREAS**, the area of the Project falls within the State of Hawaii’s State Land Use Conservation District; and

**WHEREAS**, any construction or similar activity in the State Land Use Conservation District requires approval from the State Board of Land and Natural Resources (hereafter the “Land Board”) pursuant to chapter 183C, Hawaii Revised Statutes; and


**WHEREAS**, in order to immediately alleviate and remedy the potential landslide and rockfall conditions at Castle Junction, the construction of the Project must be expedited; and

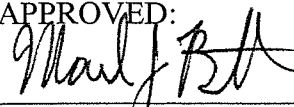
**WHEREAS**, the Project has a tentative construction schedule of six to eight months, based on the Project contractor working twenty-four hours a day, seven days a week for a significant portion of that period; and

**WHEREAS**, it is in the best interest of the State that construction begin as soon as possible and as a result, the Project should be exempt from having to obtain Land Board approval pursuant to chapter 183C, Hawaii Revised Statutes,

**NOW, THEREFORE**, I LINDA LINGLE, Governor of the State of Hawaii, pursuant to the statutory authority cited in my Proclamation of June 6, 2003, relating to the major landslide on June 2, 2003 (and other prior rockfalls on May 20 and 23, 2003) onto Kalaniana'ole Highway, Pali Highway and Kamehameha Highway, including Sections 128-8(4) and 128-9(8), Hawaii Revised Statutes, in order to provide expeditious and efficient performance, execution, and implementation of disaster relief, primarily by expediting the construction and completion of the Project, hereby suspend, as allowed by federal law, chapter 183C, Hawaii Revised Statutes, to the extent necessary to significantly reduce the danger of further landslides and rockfalls in the Castle Junction area, and to keep Castle Junction open for use by residents and visitors.

Done at the State Capitol, State of Hawaii,  
This 31 day of October, 2003.

  
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LINDA LINGLE  
Governor of Hawaii

APPROVED:  
  
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MARK J. BENNETT  
Attorney General  
State of Hawaii