William P. Kenoi
Mayor

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SUPPLEMENTARY PROCLAMATION

WHEREAS, Act 111 of the 2014 Hawai'i State Legislature, provides for the establishment of County organizations for emergency management and disaster relief with the Mayor having direct responsibility and authority over emergency management within the County; and

WHEREAS, Act 111 of the 2014 Hawai'i State Legislature and Chapter 7, Articles 1 and 2 of the Hawai'i County Code, establishes a Civil Defense Agency within the County of Hawai'i and prescribes its powers, duties, and responsibilities, and Section 13-23 of the Hawai'i County Charter empowers the Mayor of the County to declare emergencies; and

WHEREAS, the County of Hawai'i on September 4, 2014 and the State of Hawai'i on September 5, 2014, issued Proclamations declaring states of emergency due to the threat of disaster due to the June 27th lava flow in the District of Puna, County and State of Hawai'i; and

WHEREAS, the United States Geological Survey - Hawaiian Volcano Observatory has stated that State Highway 130 near Pāhoa may be inundated by lava, therefore the County of Hawai'i continues to establish the Railroad Emergency Alternate Route to temporarily replace State Highway 130. The United States Geological Survey - Hawaiian Volcano Observatory has further stated that in time the Railroad Emergency Alternate Route will also be inundated, therefore the County has begun to establish the Chain of Craters Emergency Alternate Route; and

WHEREAS, unauthorized use of the Railroad Emergency Alternate Route and the Chain of Craters Emergency Alternate Route poses a safety risk for authorized workers in the area; and

WHEREAS, unauthorized use of the Railroad Emergency Alternate Route and the Chain of Craters Emergency Alternate Route causes damage to the driving surface and adjacent areas that creates the risk that the routes will not be immediately useable as an emergency alternate route when needed; and

WHEREAS, having to repair unlawful damage and wear due to the unauthorized use of the Railroad Emergency Alternate Route and the Chain of Craters Emergency Alternate Route takes away resources that are handling other emergency response aspects related to the lava flow emergency, such as creating fire breaks, or working on other alternate routes; and

WHEREAS, the Hawai'i County Civil Defense Agency has restricted access to the Railroad Emergency Alternate Route and the Chain of Craters Emergency Alternate Route to authorized persons only as defined in Hawai'i County Code Section 7-6; and

WHEREAS, Section 2, -25 of Act 111 of the 2014 Hawai'i State Legislature, provides that the Mayor during a state of emergency may enact rules for the County that have the force and effect of law; and

WHEREAS, Section 2, -12 and -13 of Act 111 of the 2014 Hawai'i State Legislature, authorizes additional powers of the Mayor during a state of emergency including but not limited to the authority to direct and control the conduct of civilians, movement and cessation of movement of pedestrians and vehicular traffic, and to direct and control the mandatory evacuation of the civilian population as needed.

NOW, THEREFORE, I, WILLIAM P. KENOI, Mayor of the County of Hawai'i, do hereby proclaim and declare that the following rule shall have the force and effect of law pursuant to Section 2, -25 of Act 111 of the 2014 Hawai'i State Legislature:

> Access to the Railroad Emergency Alternate Route and the Chain of Craters Emergency Alternate Route is prohibited except to authorized persons as defined in Hawai'i County Code Section 7-6.

This Supplementary Proclamation is effective OCT, 16 2014, and continues thereon for 60 days or until further act by this office.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the County of Hawai'i to be affixed. Done this 16th day of October 2014 in Hilo, Hawai'i.

WIILIAM P. KENOI
Mayor
County of Hawai'i