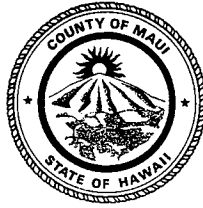


ALAN M. ARAKAWA
MAYOR



KEITH A. REGAN
MANAGING DIRECTOR

2016 SEP 30 AM 8:29

OFFICE OF THE
COUNTY CLERK

OFFICE OF THE MAYOR

Ke'ena O Ka Meia
COUNTY OF MAUI – Kalana O Maui

REFERENCE NO. BD-BA 17-44

September 30, 2016

Honorable Michael White, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair White and Members:

SUBJECT: AMENDMENTS TO THE FISCAL YEAR 2017 BUDGET

I am transmitting a proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2017, EMERGENCY FUND".

The purpose of this proposed bill is to provide funding to cover the costs related to damage caused by the September 2016 flooding event. County departments are in need of additional operational and capital funding to pay for restoration and cleanup of areas that were severely damaged by flooding. While we estimate this funding request to cover expenses incurred to date as well as the immediate future, there will most likely be an additional request for funding in the future.

Attached for your information is the Disaster Proclamation I signed on September 14, 2016 as well as the Proclamation signed by Governor David Ige on September 16, 2016. Also attached is Governor Ige's request for a Presidential Disaster Declaration dated September 27, 2016.

These funds are needed within the next couple of weeks to enable the County to continue its public health and safety cleanup efforts, therefore, I respectfully request that the Council expedite this request.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink that reads "Alan Arakawa".

ALAN M. ARAKAWA
Mayor

Attachments (4)

cc: Keith Regan, Managing Director
Danny Agsalog, Director of Finance

COUNTY COMMUNICATION NO. 16-223

ORDINANCE NO. _____

BILL NO. _____ (2016)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A
OF THE FISCAL YEAR 2017 BUDGET FOR THE COUNTY OF MAUI
AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES -
SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2017,
EMERGENCY FUND

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Ordinance No. 4334, Bill No. 62 (2016), Draft 1, as amended, "Fiscal Year 2017 Budget", Appendix A, Part II, Special Purpose Revenues – Schedule of Revolving/Special Funds for Fiscal Year 2017, is hereby amended as it pertains to the Emergency Fund, by adding a proviso, to read as follows:

**"II. SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS
FOR FISCAL YEAR 2017**

	ESTIMATED BALANCE <u>AS OF 6/30/16</u>	ANTICIPATED REVENUES <u>FOR FY 2017</u>	TOTAL FOR <u>FY 2017</u>
"K. Emergency Fund (Section 9-14, Revised Charter of the County of Maui (1983), as amended; Chapter 3.96, Maui County Code) (1) <u>Provided, that \$10,300,000 shall be for County costs related to the September 2016 flooding event.</u>	31,201,919	4,000,000	35,201,919

SECTION 2. New material is underscored.

SECTION 3. This Ordinance shall take effect upon its approval.

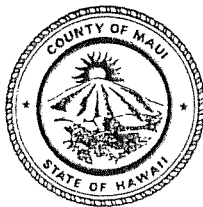
APPROVED AS TO FORM AND LEGALITY:



JEFFREY UEOKA
Deputy Corporation Counsel

Mayor

ALAN M. ARAKAWA
MAYOR



KEITH A. REGAN
MANAGING DIRECTOR

OFFICE OF THE MAYOR

Ke'ena O Ka Meia

COUNTY OF MAUI – Kalana O Maui

PROCLAMATION

By the authority vested in me as Mayor by the Revised Charter of the County of Maui (1983), as amended, and the Constitution and laws of the State of Hawaii, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, ALAN M. ARAKAWA, Mayor of the County of Maui of the State of Hawaii, hereby determine, designate and proclaim as follows:

WHEREAS, Chapter 127A, Hawaii Revised Statutes ("HRS") empowers me, Alan M. Arakawa, as Mayor of the County of Maui of the State of Hawaii, as the sole judge that an emergency or disaster has occurred or of the existence of imminent danger or threat of an emergency or disaster in any portion of the county; and

WHEREAS, a flash flood watch having been issued for the County of Maui on September 13, 2016, and extensive rains and flooding having occurred throughout the island of Maui beginning on September 13, 2016, with continued rains and flash flooding anticipated to continue through at least September 15, 2016; and

WHEREAS, extensive damage to private and public property from heavy rains and flooding has occurred and will continue to occur, and/or bodily injury to residents and visitors of Maui County as a result of heavy rains and flooding has occurred and will continue to occur, thereby endangering the health, safety, and welfare of the people, which warrants action in order to provide for the health, safety, and welfare of the people; and

WHEREAS, there is need for government agencies and representatives from the private sector to mobilize and provide immediate services to our island residents and to ameliorate and mitigate hazardous situations resulting from the current flooding event;

NOW, THEREFORE, pursuant to Section 14(b), HRS Chapter 127A, I, ALAN M. ARAKAWA, Mayor of the County of Maui, do hereby determine that an emergency and/or disaster has occurred in the County of Maui, and that the County of Maui continues to be under imminent threat of danger, and I DO HEREBY PROCLAIM that a local state of

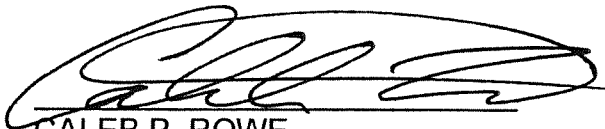
emergency exists as of 1:30 pm (time), this 14th day of September, 2016, which shall continue until terminated by any separate proclamation, or which shall automatically terminate sixty days after issuance of this PROCLAMATION, whichever occurs first. Pursuant to this Proclamation, I hereby exercise any and all powers listed in Sections 12 and 13 of Chapter 127A, HRS.

Done at the Kalana O Maui Building,
This 14th day of September, 2016.



ALAN M. ARAKAWA, Mayor
County of Maui

APPROVED:



CALEB P. ROWE
Deputy Corporation Counsel
County of Maui

OFFICE OF THE GOVERNOR
STATE OF HAWAII

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, Hawai'i has suffered a disaster occurrence of heavy rains and flooding that has caused extensive damage to private and public property throughout the entire State and impacting the counties of Maui and Kalawao, State of Hawai'i, thereby endangering the health, safety, and welfare of the people; and

WHEREAS, this occurrence of a severe, sudden, and extraordinary event of heavy rains and flooding has caused damages, losses, and suffering of such character and magnitude to affect the health, welfare, and living conditions of a substantial number of persons, and to affect the economy of the State, and is expected to be of such a nature as to warrant rehabilitative assistance from the State; and

WHEREAS, the Legislature of the State of Hawai'i has appropriated from the general revenues of the State, monies as may be necessary for expenditure by or under the direction of the Governor for the immediate relief of the conditions created by the disaster; and

WHEREAS, in expending such monies, the Governor may allot any portion to any agency, office, or employee of the state or a county for the most expeditious and efficient relief of the conditions created by the disaster; and

WHEREAS, pursuant to sections 127A-14 and 127A-16, Hawai'i Revised Statutes, the Governor is authorized to determine whether an emergency or disaster has occurred, or there is an imminent danger or threat of an emergency or disaster and authorize actions under chapter 127A, Hawai'i Revised Statutes, and the expenditure of funds thereunder; and

WHEREAS, pursuant to section 127A-13(a)(3), Hawai'i Revised Statutes, the Governor is authorized to suspend any law which impedes or tends to impede or is detrimental to the expeditious and efficient execution of, or to conflict with, emergency functions, including laws specifically made applicable to emergency personnel; and

WHEREAS, pursuant to section 127A-13(a)(2), Hawai'i Revised Statutes, the Governor is further authorized to relieve hardship and inequities or obstructions to the public health, safety, and welfare found by the Governor to exist in the laws and to result from the operation of federal programs or measures taken under chapter 127A, Hawai'i Revised Statutes, by suspending laws in whole or in part, or by alleviating the provisions of laws on such terms and conditions as the Governor may impose; and

WHEREAS, pursuant to section 127A-12(b)(8), Hawai'i Revised Statutes, the Governor may suspend chapter 103D and sections 103-50, 103-53, 103-55, 105-1 to 105-10, and 464-4, Hawai'i Revised Statutes, and I find that these provisions, in whole or in part, impede or tend to impede the expeditious discharge of emergency disaster relief functions for this occurrence and that compliance therewith is impracticable due to existing conditions; and

WHEREAS, pursuant to section 127A-12(b)(13), Hawai'i Revised Statutes, the Governor may require each public utility, or any person owning, controlling, or operating a critical infrastructure facility as identified by the Governor, to protect and safeguard its or the person's property, or to provide for the protection and safeguarding thereof; and provide for the protection and safeguarding of all critical infrastructure and key resources, including the regulation or prohibition of public entry thereon, or the permission of the entry upon such terms and conditions as the Governor may prescribe; and

WHEREAS, pursuant to section 127A-12(a)(5), Hawai'i Revised Statutes, the Governor may direct or control, as may be necessary for emergency management alerts, warnings, notifications, and activations; warnings and signals for alerts and any type or warning device, system, or method to be used in connection therewith; partial or full mobilization of personnel in advance of or in response to an actual emergency or disaster; the conduct of civilians and the movement and cessation of movement of

pedestrians and vehicular traffic during, before, and after alerts, emergencies, or disasters; and

WHEREAS, pursuant to section 127A-13(a)(5), Hawai'i Revised Statutes, the Governor may shut off water mains, gas mains, electric power connections, or suspension of other services; and

WHEREAS, pursuant to section 127A-13(a)(6), Hawai'i Revised Statutes, the Governor may direct and control the mandatory evacuation of the civilian population; and

WHEREAS, pursuant to section 127A-12(b)(16), Hawai'i Revised Statutes, the Governor is further authorized to order and direct government agencies, officials, officers, and employees of the State, to take such action and employ such measures for law enforcement, medical, health, firefighting, traffic control, warnings and signals, engineering, rescue, construction, emergency housing, other welfare, hospitalization, transportation, water supply, public information, training, and other emergency functions as may be necessary, and utilize the services, materials, and facilities of the agencies and officers; and

WHEREAS, pursuant to section 127A-12(b)(9), Hawai'i Revised Statutes, the Governor may appoint, employ, train, equip, and maintain, with compensation, or on a volunteer basis without compensation and without regard to chapters 76, 78, and 88, such agencies, officers, and other persons as the Governor deems necessary to carry out emergency management functions; determine to what extent any law prohibiting the holding of more than one office or employment applies to the agencies, officers, and other persons; and subject to the provisions of chapter 127A, Hawai'i Revised Statutes, provide for the interchange of personnel, by detail, transfer, or otherwise, between agencies or departments of the State; and

WHEREAS, pursuant to section 127A-12(b)(19), Hawai'i Revised Statutes, the Governor may take any and all steps necessary or appropriate to carry out the purposes of chapter 127A, Hawai'i Revised Statutes notwithstanding that powers in section 127A-13(a) may only be exercised during an emergency period; and

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, hereby determine that an emergency or disaster contemplated by section 127A-14, Hawai'i Revised Statutes has occurred in the above areas in the State of Hawai'i, and do hereby proclaim the counties of Maui and Kalawao, State of Hawai'i, to be disaster areas for the purpose of implementing the emergency management functions as allowed by law, authorizing the expenditure of State monies as appropriated for the speedy and efficient relief of the damages, losses, and suffering resulting from the emergency or disaster, and hereby authorize and invoke the following measures under the Hawai'i Revised Statutes:

1. Section 127A-16, Hawai'i Revised Statutes, by the activation of the Major Disaster Fund.
2. Sections 127A-13 and 127A-12, Hawai'i Revised Statutes, and in order to provide emergency relief as a result of this event, I hereby suspend as allowed by federal law, the following statutes:
 - a. Chapter 6E, Hawai'i Revised Statutes, **historic preservation.**
 - b. Section 37-41, Hawai'i Revised Statutes, **appropriations to revert to state treasury.**
 - c. Section 37-74(d), Hawai'i Revised Statutes, **program execution**, except for sub-sections 37-74(d)(2) and 37-74(d)(3), Hawai'i Revised Statutes, and any such transfers or changes shall be considered authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements.
 - d. Section 40-66, Hawai'i Revised Statutes, **lapsing of appropriations.**
 - e. Chapter 46, Hawai'i Revised Statutes, **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.

- f. Chapter 89, Hawai'i Revised Statutes, **collective bargaining in public employment.**
- g. Chapter 89C, Hawai'i Revised Statutes, **public officers and employees excluded from collective bargaining.**
- h. Section 102-2, Hawai'i Revised Statutes, **contracts for concessions in government buildings; bid requirements.**
- i. Section 103-2, Hawai'i Revised Statutes, **general fund.**
- j. Section 103-50, **building design to consider needs of persons with disabilities.**
- k. Section 103-53, Hawai'i Revised Statutes, **contracts with the State or counties; tax clearances, assignments.**
- l. Section 103-55, Hawai'i Revised Statutes, **wages, hours, and working conditions of employees of contractors performing services.**
- m. Chapter 103D, Hawai'i Revised Statutes, **Hawai'i public procurement code.**
- n. Chapter 104, Hawai'i Revised Statutes, **wages and hours of employees on public works.**
- o. Sections 105-1 to 105-10, Hawai'i Revised Statutes, **use of government vehicles, limitations.**
- p. Section 127A-30, Hawai'i Revised Statutes, **rental or sale of essential commodities during a state of emergency; prohibition against price increases.**
- q. Chapter 171, Hawai'i Revised Statutes, **public lands, management and disposition of.**
- r. Chapter 174C, Hawai'i Revised Statutes, **state water code.**
- s. Chapter 180, Hawai'i Revised Statutes, **soil and water conservation districts.**

- t. Chapter 180C, Hawai'i Revised Statutes, **soil erosion and sediment control.**
- u. Chapter 183, Hawai'i Revised Statutes, **forest reserves, water development, zoning.**
- v. Chapter 183C, Hawai'i Revised Statutes, **conservation district.**
- w. Chapter 183D, Hawai'i Revised Statutes, **wildlife.**
- x. Chapter 184, Hawai'i Revised Statutes, **state parks and recreation areas.**
- y. Chapter 195, Hawai'i Revised Statutes, **natural areas reserves system.**
- z. Chapter 195D, **conservation of aquatic life, wildlife, and land plants.**
- aa. Chapter 198D, Hawai'i Revised Statutes, **Hawai'i statewide trail and access system.**
- ab. Chapter 205, Hawai'i Revised Statutes, **land use commission.**
- ac. Chapter 205A, Hawai'i Revised Statutes, **coastal zone management.**
- ad. Chapter 264, Hawai'i Revised Statutes, **highways.**
- ae. Chapter 269, Hawai'i Revised Statutes, **public utilities commission.**
- af. Chapter 286, Hawai'i Revised Statutes, **highway safety.**
- ag. Chapter 341, Hawai'i Revised Statutes, **environmental quality control.**
- ah. Chapter 342B, Hawai'i Revised Statutes, **air pollution.**
- ai. Chapter 342D, Hawai'i Revised Statutes, **water pollution.**
- aj. Chapter 342E, Hawai'i Revised Statutes, **non-point source pollution management and control.**

- ak. Chapter 342F, Hawai'i Revised Statutes, **noise pollution.**
 - al. Chapter 343, Hawai'i Revised Statutes, **environmental impact statements.**
 - am. Chapter 343D, Hawai'i Revised Statutes, **environmental disclosure.**
 - an. Chapter 344, Hawai'i Revised Statutes, **state environmental policy.**
 - ao. Section 464-4, Hawai'i Revised Statutes, **public works required to be supervised by certain professionals.**
 - ap. Sections 601-1.5, 708-817, 708-818, 708-820, 708-830.5, and 708-840, Hawai'i Revised Statutes, to the extent that these sections contain provisions for the suspension, tolling, extension, or granting of relief from deadlines, time schedules, or filing requirements in civil, criminal, or administrative matters before the courts of the state or to the extent that these sections contain provisions for criminal penalties that are automatically heightened by reason of any declared disaster or emergency.
3. Section 127A-12(b), Hawai'i Revised Statutes, and in order to provide emergency disaster relief, I hereby direct all state agencies and officers to cooperate with and extend their services, materials, and facilities as may be required to assist in all efforts to eliminate the danger.

I FURTHER DECLARE that a disaster emergency relief period shall commence September 13, 2016, and shall continue until terminated automatically pursuant to section 127A-14, Hawai'i Revised Statutes, 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 by reason of the provisions of this proclamation relating to his emergency shall continue.

Done at the State Capitol, this
16th day of September, 2016.



DAVID Y. IGE,
Governor of Hawai'i

APPROVED:



DOUGLAS S. CHIN
Attorney General
State of Hawai'i



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

REQUEST FOR PRESIDENTIAL DISASTER DECLARATION

September 27, 2016

The Honorable Barack Obama
President of the United States
The White House
Washington, D. C.

Through: Regional Administrator Robert Fenton
FEMA Region IX
Oakland, CA 94607-4052

Dear Mr. President:

Under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §5121-5207 (Stafford Act), and implemented by 44 CFR § 206.36, I request that you declare a major disaster for the State of Hawaii as a result of the Wailuku River flash flood event which impacted the County of Maui with heavy rains, and flash flooding during the period of September 11, 2016, to September 14, 2016.

Description of Event:

As reported by the National Weather Service, on September 13, 2016, local high-intensity rainfall caused a rapid increase in stream flow and triggered numerous landslides in Iao Valley. During the period of 6:15 p.m. to 8:15 p.m. HST, the National Weather Service measured 5.11 inches (2-5 year return period) of rainfall which was one-third of a total 15.04 inches that fell during the three day period starting September 11. The return period is rather low, but note that over one-third of the three-day rain total occurred in the tail end of the event. Before the stream-gage was washed away, the Wailuku River (Iao Stream) was running high with several significant spikes during the 36 hours prior to the main flood. With the stream already running high and the watershed saturated, the large one-time dump of rainfall went

rapidly to significant runoff.

The United States Geological Survey's (USGS) real-time stream flow monitoring gage on the Wailuku River at Kepaniwai Park (station number 16604500) was destroyed during the event. The last transmitted data showed a stream flow of 4,220 cubic feet per second at 7:05 p.m. on September 13. This flow equates to a twenty percent annual exceedance probability (5 year) flood. The actual flood peak was likely much higher. A USGS representative visited the gage site on July 14th and found a large amount of sediment and rock deposited in the channel which completely buried a diversion dam. Severe bank erosion destroyed the instrument shelter which was situated at an elevation approximately 20 feet higher than the river water-level at the time the bank failed.

The USGS also operates a crest-stage gage site in the lined channel at Wailuku. This is a non-telemetry peak-flow only gage; all six of the crest-stage gages were damaged or destroyed. The USGS was able to locate high-water marks left by the flood.

Maui was placed into a Flash Flood Watch at 3:30 a.m. on Tuesday, September 13, following several advisories from the previous evening. A Flash Flood Advisory was in effect from 9:15 a.m. until 1:30 p.m. During this period, flooding in the Waihee area was occurring with water on the roadways and stream-gages running high. The Advisory was replaced by a Warning, which remained in effect from 1:30 p.m. until 9:30 p.m.

During the Warning period, Maui County's Emergency Operations Center (EOC) activated at a Level 3, Enhanced Steady State, and escalated to Level 2, Partial Activation, at 7:00 p.m. as the situation rapidly deteriorated.

Multiple rock and mudslides forced the closure of the Hana Highway at various points throughout the evening. State of Hawaii highway crews responded and cleared the areas through the night as conditions allowed. The Honoapiilani Highway was closed for several hours due to landslides, debris and water on multiple places from Maalaea to the Lahaina Bypass, stranding motorists. The Maui Fire and Maui Police Departments responded to reports of water flowing over the roadways in multiple areas of central Maui, forcing the assisted evacuation of 17 persons. Three shelters were opened with 21 overnight stays and a peak population of 69. Shelters closed at 7:00 a.m. on Wednesday, September 14.

The rain subsided around 9:30 p.m., yet the Wailuku River ran high throughout the night and into the next morning. Field reports indicated that the Wailuku River had come out of its banks in many locations, and cutting a new path in others. Several areas of the Flood Control were compromised by the extremely high volume of water, exposing

embankments and impacting residences. At first light, Maui County Department of Public Works Highways staff inspected the damage and held a conference call with the U.S. Army Corps of Engineers to discuss what emergency protective measures to implement. Areas of concern included erosion at Levee D, loss of riprap at Levee C, further undermining at Revetment X, debris and trees displaced at the sediment basin, at the Waiehu Beach Road Bridge and the Imi Kala Street Bridge. The immediate measures to prevent loss of life and property began that evening, as Maui County remained under a Flash Flood Watch and the impacts from any additional rains would quickly exacerbate the already fragile situation.

Other major damages included the destruction of the intake area for the Department of Water Supply and the Wailuku Water Company. The Wailuku River washed away several hundred meters of water line, disrupting service to those in Iao Valley and prompting a Boil Water Advisory for Central and South Maui. The advisory stayed in effect until temporary repairs could be made, the system flushed, and tests confirmed there was no contamination. The County of Maui draws 1.61 million gallons of water per day from the Iao Tunnel, and an additional 1.57 million gallons of water from the Iao Water Treatment Facility/Wailuku River.

The Iao Valley State Park suffered extensive damage and erosion along the river banks, paved walkways and hiking areas. Embankment destabilization severely impacted the parking area as well. This area has historical, spiritual, and cultural significance as it was the site of King Kamehameha's last battle which united the Hawaiian Islands. The closure of Iao State Park, Maui's most visited tourist attraction, will result in a loss of approximately \$20,000 of monthly revenue. The park is also a favorite of local residents for hiking and swimming.

The road leading to Kepaniwai Park and Heritage Gardens parking lot and retaining wall were washed out as the Wailuku River changed course and came out of its normal banks. This beautiful county park is popular with local residents and tourists.

With the park closures, security has been posted at the junction of Iao Valley Road to prevent traffic into the area. This security measure is necessary since there are no safe turnaround points for vehicles due to the heavy equipment on the roads which are clearing debris and working in the streambeds, county roads, and damaged properties.

In the Lahaina district, flooding occurred at Ukumehame, Papalaua Park, Olowalu and Launiupoko areas. Debris from the Kahoma Flood Control project littered the Mala Wharf area, causing a hazard for vessels in the water. Very deep standing water flooded several cars at the Papalaua Wayside Park and created a health and safety hazard. The 6,000-acre

wildfire in this area in early July exacerbated the sediment and runoff in this district.

Debris removal from the Flood Control areas alone is estimated to be 140,000 tons. This is not inclusive of the debris in the riverbed outside of the Flood Control areas. The Maui County Department of Public Works, along with local contractors, have been working in the areas of highest concern to prevent further damage to County facilities and infrastructure.

The changes to the flow of water in the river, raised stream bed, and debris in the riverbed may lead to flooding even in the absence of heavy rainfall. Lack of instrumentation to monitor stream flow or water rise and the invalidity of past indicators regarding rainfall amounts leading to flooding make the situation very unpredictable.

Emergency Proclamations:

The Mayor of Maui County signed an emergency declaration on September 14, 2016 and I, as the Governor of Hawaii, signed a statewide emergency declaration on September 16, 2016.

Nature and amount of State and local resources that have been or will be used for this disaster:

State response actions began on September 15, 2016, with a statewide call to review the weather situation and to discuss preparedness actions. These calls continued on a daily basis throughout the response and initial recovery periods.

There have been no State or Federal disaster declarations within the past 12 months. Hawaii has expended approximately \$2.7 million in response costs and has reported over \$4.7 million in damage and debris expenses. This exhausts Hawaii's Major Disaster Fund of \$2 million, and the Governor will be required to move general fund dollars from other areas of the state budget to replenish the fund.

Maui County response costs for this event have been borne by the departmental operating budgets, which will severely impact their normal operations for the remainder of the fiscal year. Maui County is in the process of establishing a disaster fund with carryover savings of \$172,000. This falls far short of the expenditures made by various County departments and will require additional appropriations from the County Council.

Preliminary estimates of the types and amounts of assistance needed under the Stafford Act are tabulated in Enclosure B. The estimates total \$7,434,431.00, all in Maui County. Damage estimates for Maui County exceed its eligibility indicator of \$552,757.00 fifteen times over and surpass the State's eligibility

Honorable Barack Obama
September 27, 2016
Page 5 of 5

indicator of \$1,918,024. Due to the impact on Maui County presented above, I request approval of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "David Y. Ige", with a stylized flourish at the end.

DAVID Y. IGE
Governor, State of Hawaii

Enclosure:

FEMA Form 010-0-13 with Enclosure B: Estimated Stafford Act Requirements
for Public Assistance

**REQUEST FOR PRESIDENTIAL DISASTER DECLARATION
MAJOR DISASTER OR EMERGENCY**

1. Request Date Sep 27, 2016

Burden Disclosure Notice

Public reporting burden for this form is estimated to average 9 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and submitting the form. This collection of information is required to obtain a benefit. You are not required to respond to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, Paperwork Reduction Project (1660-0009). **NOTE: Do not send your completed form to this address.**

Completion of this form including applicable attachments satisfies legal requirements for emergency and major disaster declaration requests under 42 U.S.C. §§ 5170 and 5191, respectively, as implemented at 44 C.F.R. §§ 206.35 and 206.36. Failure to use this form may result in a failure to meet these requirements and/or a delay in processing the request.

2a. Name of State (as defined in Stafford Act 102, 42 U.S.C. § 5122) or Indian tribal government requesting declaration. State of Hawaii		2b. Population (as reported by 2010 Census) or estimated population of Indian tribal government's damaged area(s). <u>1,360,301</u>
3. Governor's or Tribal Chief Executive's Name Governor David Y. Ige	4. Designation of State or Tribal Coordinating Officer upon declaration (if available) and phone number Vern Miyagi, 808-733-4300	

5. Designation of Governor's Authorized Representative or Tribal Chief Executive Representative upon declaration (if available) and phone number
Arthur J. Logan, 808-733-4246

6. Declaration Request For: ☒ Major Disaster (Stafford Act Sec. 401) ☐ Emergency (Stafford Act Sec. 501(a))

7. Incident Period: Beginning Date Sep 11, 2016 End Date Sep 14, 2016 or ☐ Continuing *If requesting a "continuing" incident period, enclose an official statement from a qualified Federal Government agency acknowledged as a national authority in a specific incident field (e.g., United States Geological Survey for seismic incidents, the National Weather Service for flooding).*

7b. Type of Incident (Check all that apply)

- ☐ Drought ☐ Earthquake ☐ Explosion ☐ Fire ☒ Flood ☐ Hurricane ☐ Landslide ☐ Mudslide
☐ Severe Storm (rain, high water, wind-driven rain, hail, lightning) ☐ Snowstorm (Must include Enclosure D: Historic and Current Snowfall Data) ☐ Straight-Line Winds
☐ Tidal Wave ☐ Tornado ☐ Depression ☐ Tropical Storm ☐ Tsunami ☐ Volcanic Eruption ☐ Winter Storm
☐ Other (please specify) _____

8. Description of damages (Short description of impacts of disaster on affected area and population). Include additional details in enclosed Governor's or Tribal Chief Executive's cover letter.
On September 13, 2016, the National Weather Service reported local high-intensity rainfall caused a rapid increase in stream flow, triggering numerous landslides in Iao Valley on the island of Maui. During a two hour time period that day, the National Weather Service measured 5.11 inches (2-5 year return period) of rainfall, one third of a total 15.04 inches that fell during the three day period starting September 11th. With the stream already running high and the watershed saturated, the large one-time dump of rainfall went rapidly to significant runoff.
The USGS real-time stream flow monitoring gage on the Wailuku River at Kapaniwi Park was destroyed. The last data transmitted showed a stream flow of 4,220 cubic feet per second at 7:05 p.m. on September 13th, equating to a 20% annual exceedance probability (5 year) flood; the actual flood peak was likely much higher. A USGS representative visited the gauge site on July 14th and found a large amount of sediment and rock deposition in the channel, burying a diversion dam. Severe bank erosion destroyed the instrument shelter located approximately 20 feet higher than the river water-level at the time the bank failed.

9. Description of the nature and amount of State and local or Indian tribal government resources which have been or will be committed. Include additional details in enclosed Governor's or Tribal Chief Executive's cover letter.
State response actions began on September 15, 2016 with a statewide call to review the weather situation and to discuss preparedness actions. These calls continued on a daily basis throughout the response and initial recovery periods.

There have been no State or Federal disaster declarations within the past 12 months. Hawaii has expended approximately \$2.7 million in response costs and has a reported \$4.7 million in damage and debris expenses. This exhausts Hawaii's Major Disaster Fund, and the Governor will be required to move general fund dollars from other areas of the state budget to replenish the fund. Additional details are enclosed in the Governor's cover letter.

10. Joint Preliminary Damage Assessment*

☐ Individual Assistance Dates Performed _____ Requested _____ Start _____ End _____

Individual Assistance Accessibility Problems (Areas that could not be accessed, and why)

☒ Public Assistance Dates Performed _____ Requested August 18, 2016 Start August 21, 2016 End August 21, 2016

Public Assistance Accessibility Problems (Areas that could not be accessed, and why)

11. Programs and Areas Requested

Individual Assistance ☐ N/A ☐ Individuals and Households Program ☐ Crisis Counseling Program ☐ Disaster Unemployment Assistance
 ☐ All ☐ Disaster Case Management ☐ Disaster Legal Services

For the following jurisdictions, specify programs and areas (counties, parishes, independent cities; for Indian tribal government, list tribe(s) and/or tribal area(s)) If additional space is needed, please enclose additional documentation).

For States, identify Federally-recognized Tribes in the requested counties (if applicable).

Please see Enclosure A: Supplemental Information for Individual Assistance for additional information in support of this request*.

*Not Required for Emergency Declaration Request

11. Programs and Areas Requested (Continued)

Public Assistance ☐ N/A ☒ Debris Removal (Category A) ☒ Emergency Protective Measures (Category B) ☒ Permanent Work (Categories C-G)* (not available for Emergency Declaration Requests)

For the following jurisdictions, specify programs and areas (counties, parishes, independent cities; for Indian tribal government, list tribe(s) and/or tribal area(s)). If additional space is needed or your request includes different categories of work for different jurisdictions; please enclose additional documentation.

Maui County: Categories A, B, C, D, and G
State agencies: Categories A, B, C, and G

For States, identify Federally-recognized Tribes included in the requested counties (if applicable).

Please see Enclosure B: Supplemental Information for Public Assistance for additional information in support of this request*.

Indemnification for Debris Removal Activity

☐ I do not anticipate the need for debris removal.

☒ I anticipate the need for debris removal, which poses an immediate threat to lives, public health and safety. Pursuant to Sections 403 and 407 of the Stafford Act, 42 U.S.C. §§ 5170b & 5173, the State or Indian tribal government agrees to indemnify and hold harmless the United States of America for any claims arising from the removal of debris or wreckage for this disaster. The State or Indian tribal government agrees that debris removal from public and private property will not occur until the landowner signs an unconditional authorization for the removal of debris.

Request for Direct Federal Assistance

☒ I do not request direct Federal assistance at this time.

☐ I request direct Federal assistance for work and services to save lives and protect property, and:

a. I request the following type(s) of assistance:

b. List of reasons why State and local or Indian tribal government cannot perform, or contract for, required work and services.

c. In accordance with 44 C.F.R. § 206.208, the State or Indian tribal government agrees that it will, with respect to direct Federal assistance: (1) Provide without cost to the United States all lands, easements, and rights-of-ways necessary to accomplish the approved work; (2) Hold and save the United States free from damages due to the requested work, and shall indemnify the Federal Government against any claims arising from such work; (3) Provide reimbursement to FEMA for the non-Federal share of the cost of such work in accordance with the provisions of the FEMA-State or FEMA-Tribe Agreement; and (4) Assist the performing Federal agency in all support and local jurisdictional matters.

Request for Snow Assistance

☒ N/A ☐ I request snow assistance.

Snow assistance for the following jurisdictions (Specify counties, independent cities or tribes and/or tribal areas).

Please see Enclosure D: Historic and Current Snowfall Data for additional information in support of this request*.

*Not Required for Emergency Declaration Request

11. Programs and Areas Requested (Continued)

Hazard Mitigation*

☒ Statewide

OR

For the following specific counties, parishes, independent cities or tribes and/or tribal areas.

12. Mitigation Plan Information*

a. Mitigation Plan Expiration Date October 3, 2018

b. Type of Plan

☐ Enhanced☒ Standard

13. Other Federal Agency Programs

☒ I do not anticipate requirements from Other Federal Agencies ☐ I do anticipate requirements from Other Federal AgenciesPlease see **Enclosure C**: Requirements for Other Federal Agency Programs for additional information in support of this request*.

14. Findings and Certifications

☒ I certify the following:

a. I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local government or Indian tribal government and that supplementary federal assistance is necessary.

b. In response to this incident, I have taken appropriate action under State or tribal law and have directed the execution of the State or Tribal Emergency Plan on Sep 16, 2016 in accordance with the Stafford Act.

c. The State and local governments, or Indian tribal government will assume all applicable non-Federal share of costs required by the Stafford Act.

15. List of Enclosures and Supporting Documentation

☒ Cover Letter ☐ Enclosure A (Individual Assistance)* ☒ Enclosure B (Public Assistance)*☐ Enclosure C (Requirements for Other Federal Agency Programs) ☐ Enclosure D (Historic and Current Snowfall Data)☐ Additional Supporting Documentation _____

Governor's or Tribal Chief Executive's Signature

SEP 27 2016

Date

If anyone except the Governor or Tribal Chief Executive signs this document, please provide the documentation that establishes that this individual has the legal authority to act on behalf of the Governor or Tribal Chief Executive.

*Not Required for Emergency Declaration Request

ENCLOSURE B (PUBLIC ASSISTANCE)

Cost Estimate Summary Spreadsheet PA

CATEGORY APPLICANT OR COUNTY	A DEBRIS	B EMERGENCY PROTECTIVE MEASURES	C ROADS AND BRIDGES	D WATER CONTROL FACILITIES	E PUBLIC BUILDINGS	F UTILITIES	G PARKS, RECREATION OR OTHER	TOTAL	*Per Capita by County	*County population
Hawaii State			\$945,215				\$13,000	\$958,215	#DIV/0!	
Maul County	\$4,775,661	\$5,000	\$1,439,035	\$245,520				\$6,465,216	\$39.27	164,637
								\$0	#DIV/0!	
								\$0	#DIV/0!	
								\$0	#DIV/0!	
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								\$0	#DIV/0!	
TOTALS	\$4,775,661	\$5,000	\$2,384,250	\$245,520	\$0	\$0	\$13,000	\$7,423,431		
Percentage of Total	64.33%	0.07%	32.12%	3.31%	0.00%	0.00%	0.18%			

US Bureau of Census 2010 State or Tribe population	1,431,603
Statewide/Tribal Per Capita Impact based on \$1.41 State Threshold	\$5.19

*These cells do not
need to be completed
by Tribes
Countywide per
capita \$3.57