

**"CONDITIONS FOR EXCEPTIONS" Provisions of the  
Hawaii Outdoor Developed Areas Accessibility Guidelines (HODAAG)**

HODAAG contains a provision relating to "conditions for exceptions". This general exception is applicable as follows:

H1019 Conditions for Exceptions

H1019.1 General. Exceptions to specific provisions in H1011, H1013, H1014, H1015, H1016, and H1017, and H1018 shall be permitted when an entity determines that any of the following conditions does not permit full compliance with the provision:

1. Compliance is not practicable due to terrain.
2. Compliance can not be accomplished with the prevailing construction practices.
3. Compliance would fundamentally alter the function or purpose of the facility or the setting.
4. Compliance is limited or precluded by any of the following laws, or by decisions or opinions issued or agreements executed pursuant to any of the following laws:

- Endangered Species Act (16 U.S.C. §§ 1531 et seq.);
- National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.);
- National Historic Preservation Act (16 U.S.C. §§ 470 et seq.);
- Wilderness Act (16 U.S.C. §§ 1131 et seq.); or
- Other federal, state, or local law the purpose of which is to preserve threatened or endangered species; the environment; or archaeological, cultural, historical, or other significant natural features.

**"CONDITIONS FOR EXCEPTIONS" STATEMENT  
Relating to a project under review for §103-50, HRS**

Project Name: \_\_\_\_\_

Dept. Project Number: \_\_\_\_\_ DCAB Project Number: \_\_\_\_\_ (If applicable)

The following item is not in full compliance with HODAAG as noted in the review by the Disability and Communication Access Board. As determined by the Department overseeing the project and/or the project consultant, Section H1019 Conditions for Exceptions would apply to the item based on the attached explanation (Include, in the explanation, details for the specific condition for exception that would apply to the item and attach additional sheets, drawings, sketches as necessary).

I/We acknowledge that the project consultant is submitting a "conditions for exceptions " statement for this project.

\*Note: If signing for Department Director or owner, please submit memo confirming such authorization.

\_\_\_\_\_  
Department/Agency/Owner

\_\_\_\_\_  
Name (Print) of Director/Owner, Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

I/We acknowledge that responsibility for determining "conditions for exceptions," including research/analysis of alternate design(s), rests with the project consultant.

\_\_\_\_\_  
Consultant Firm

\_\_\_\_\_  
Name (Print) of Consultant

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date