

**Legacy Land Conservation Subcommittee on Rules and Management Funds
Minutes of the February 24, 2012, Meeting**

Date: February 24, 2012

Time: 9:00 a.m. to 1:00 p.m.

Place: Kalanimoku Building, 1151 Punchbowl Street, Room 325, Honolulu, Hawaii
(Division of Forestry and Wildlife Conference Room)

Subcommittee Members Present:

Dr. Dale Bonar

Dr. Robert J. Shallenberger

Dr. Joan E. Canfield

Ms. Lori Buchanan

STAFF:

Ian Hirokawa, DLNR, Land Division

Molly Schmidt, DLNR, DOFAW

Cassandra Smith, DLNR, DOFAW

Public:

Lea Hong

ITEM 1. Call to order and introduction of Subcommittee on Rules and Management Funds members and Department of Land and Natural Resources staff.

Chair Shallenberger called the meeting to order; members and staff introduced themselves.

ITEM 2. Review background and status regarding draft rules for the Legacy Land Conservation Program and draft forms and procedures for the disbursement of grant funds for management, maintenance and operations on lands acquired with funds from the Legacy Land Conservation Program.

Ms. Schmidt began by discussing the statutory change that allowed for the grant of management funds from Legacy Lands which became effective the summer of 2008, and 2009 would have been the next feasible fiscal year that they could give out management grants; however both the Commission and staff had been in agreement to defer the granting of these funds until they could figure out any procurement issues relating to the granting of those funds; and also until the administrative rules and the criteria for granting these management funds could be formulated. Staff was working with the Procurement Office to get an exemption from certain parts of the procurement statute and rules that don't mesh well with Chapter 173A, HRS. She briefly explained that a lot of times procurement is done through a process where everything is kept private under law, but with Sunshine Law the Commission is open and so that is what they needed to get an exemption for. The exemption was granted on a bi-annual basis so they will have to

return when that is up, but it should be easier the second time around to receive the exemption a second time.

Chair Shallenberger asked if this was a full exemption. Ms. Schmidt stated it was a partial exemption and referred to the document describing the exemptions. Chair Shallenberger asked what requests they did not approve. Ms. Schmidt explained that regarding the category that Legacy Lands fell under, it placed them under the category of competitive bids which required an RFP process (request for proposals) or an invitation for bids using a numerical set of criteria and awarding to the lowest bidder. For the purposes of Legacy Lands the RFP process seems better. The Chairperson is the Procurement Officer, and they had to seek permission to use the RFP process. You can either use the Procurement Officer or a committee to evaluate proposals, but if you use a committee to evaluate proposals you have to go through a very technical process. The other option is to have the Procurement Officer select the proposals. The way they can make this work with Legacy Land now that they have had their privacy requirements waived is to have the Chairperson adopt the Commission's recommendations. Ms. Schmidt acknowledged that this was probably not ideal, but it is a result of the laws that they have to work with, and hopefully the Chairperson will agree to this. She asked if there were any questions at this point. Chair Shallenberger stated he was interested to see how this would affect the process of ranking the proposals. Ms. Schmidt stated they are still held to using numerical rankings, and she had sent her draft of numerical ranking, but she does not have any partiality to how she did the numbers; it was more as an example.

Ms. Schmidt went on to explain a bit more about the process. She stated that once they receive proposals by the deadline, they will do an RFP along with other procurement procedures. Evaluation factors must be in the RFP as well as the numerical ranking system, then when the procurement officer or evaluation committee must explain its ranking in writing and file. It states that cost must be used where applicable and ranked by price, but Ms. Schmidt thought they could make the argument that cost is not applicable for granting funds for the Commission's purposes. There is also a step where there needs to be a priority list generated before conducting discussions with applicants, and the discussions are supposed to be limited to priority-listed applicants. Any oral proposal clarifications by applicants have to be put in writing. Then there is a best and final offer step so if an applicant is going to amend their proposal in any way they have to put it in writing and get it in, and there are no amendments after that. After the selections are made, the unselected applicants have a right to a de-briefing process and there is a method for them to challenge the system if they want to.

Chair Shallenberger had a question about the cost, he said that Ms. Schmidt had stated there was a way to argue that cost was not the priority criteria, but will they still have to rank them by cost even if they don't use it as a selection. Ms. Schmidt stated she was thinking that similar to the way they do Legacy Land acquisition proposals it could be something included in the criteria but not necessarily like this has the lowest cost so it will be assigned the highest number of points. It will be something less direct, like do they have matching funds, is it good value for the amount of money... it is already in the

criteria; the criteria that the Subcommittee and Commission formed are in the RFP, she just randomly assigned some points to them to demonstrate how to make a numerical process. However, she didn't see why they couldn't go through this and use what they have.

Chair Bonar asked if they envision that anyone other than the holder of the land or the conservation easement on the land would be applying for these funds for that parcel. Ms. Schmidt stated no, and agreed with him that it was not appropriate to use price. He then asked if the applicant for these funds is restricted to the owner of the fee, or the owner of the easement of the land. Ms. Schmidt stated she had not thought of that issue yet. Chair Bonar said that one thing they will need to look at is if someone puts a proposal in and they want money to hire someone to manage the land...Ms. Schmidt replied by saying she thought it would be a good policy for Legacy Land to have the future land owner be a part of the process, and in that case if they want to work with someone else to have management done on their property; we are still going to make the future land owner the primary applicant. Chair Bonar said that will open the question whether we are going to require them to show the Commission some competitive bids for whoever they are going to work with. It isn't particularly effective the way we are limited by, we could go ahead and require them to give us competitive bids. Ms. Schmidt stated if it fits within the process and if it's what they are asking for in the RFP then yes.

Mr. Hirokawa stated he didn't know if they should negate cost completely because it is such a key part of procurement. He suggested they might want to just reduce what it is worth in a normal RFP. Ms. Schmidt responded that it's not so much that it won't be used; it's more that it will be used in the format that has been put in to the criteria that are in the rules, or at least the draft rules. She stated this would be clearer once they covered the criteria and how it applies to matching cost and so forth. Mr. Hirokawa acknowledged that this isn't your normal procurement so it is a little strange, but he just didn't want them to open themselves up to protest by people who were not selected. Ms. Schmidt said the RFP template is something the State Procurement Office uses to help staff statewide figure out all of their laws and rules and put it in to an RFP. She tried not to mess with the template as much as possible so she didn't accidentally delete something that needs to be there, and one of the things that was already there is if someone plans to subcontract they need to tie in their subcontractor to the RFP as well.

Ms. Schmidt continued to explain the process. She said there are two steps that are kind of out of sync with what they do now; one is generating a priority list before conducting discussions with applicants. She said the way she sees doing this is having applications meet a bare minimum acceptability and having every applicant be a priority applicant so they can actually consider their proposals. Chair Shallenberger stated that at this point they don't throw them out but they do assess to see if it is a complete proposal. Ms. Schmidt stated since there is "non selected offers have the right to a debriefing", she thought at this point the way it all will work is that this will all be a part of the Commission process, and then when the Chairperson adopts the Commission recommendations. It would be, here is the RFP award, and however it won't technically be a Legacy Land award until they go through the whole Legacy Land process. So it

would be: Commission does its review in time with the land acquisition grants and then for management funds at least provides recommendation to the Chair, and the Chair can then adopt them. Then that would be the procurement award and then we can go through the debriefing process, then after that go through the rest of the Legacy Land process. Chair Shallenberger asked if with the debriefing process they would have to convene another meeting with the Commission. Ms. Schmidt said no, it is just something done with staff. If they want to review the files they have a right to do that, and if they want to file a protest there is a process for that. Chair Bonar commented the difference for (Legacy Land) is that the whole process is transparent, and applicants can hear all of the deliberations.

Ms. Schmidt continued on and said that once the Commission meeting draws a little closer they can start going through as they do annually the applications and see if there is anything that needs to be revised or added. At that point she could provide a comparison outline of the RFP step, the Legacy Land step, and this is how they all add up. Chair Shallenberger commented on how he was impressed that Ms. Schmidt got this to work. She added that when the RFP isn't tweaked by anyone it's basically just black and blue colored text, and the blue text indicates that you should add something to make it specific to your requests. In order to make it work with Legacy Land at some places she added text in red which she has to check over carefully with procurement staff to make sure it doesn't cause any problems with them. She also crossed out entire sections of the RFP and she still has to make sure that's okay with them. Also, things that are going to be done as part of the administrative rules when they pass is marked in green so if anything changes with the administrative rules from the draft there in now they can just go back and see what happened and revise it easily.

ITEM 3. Review and provide comments and recommendations to the Department and the Commission regarding draft forms and procedures for disbursement of grant funds for management, maintenance and operations on lands acquired with funds from the Legacy Land Conservation Program.

Ms. Schmidt started going through the RFP, she stated the only thing different on the first page from what they are currently doing is getting a time stamp rather than just a post mark by a certain day. She thought this should just become a standard so that the whole program is following the same procedures; so people will just have to send things in a little earlier. Chair Bonar pointed out a spelling error. Ms. Schmidt continued and stated that the introduction and background covers the format and content for how the proposal is supposed to be turned in, and then there is the evaluation section, special provisions; the RFP front loads everything that would ordinarily be a part of the grant agreement is already present in the RFP so that they know everything upfront. On page 2 is everything she just covered. She explained that to have it in writing is helpful when someone asks a question, she can respond with that to all the applicants. Chair Shallenberger stated the introductory sentence was kind of strange under 1.02. He suggested a wording change, "DLNR seeks to fund operations, maintenance, and management projects..." Ms. Schmidt omitted the first "projects". She then pointed out that a RFP assumes there will be only one RFP for an award and that is not the case for Legacy Lands.

She also thought they may have to go through a little extra bureaucracy by pointing it out several times in the proposal that the intention is to allow multiple awards. Ms. Schmidt asked if anyone had any questions about the timeline. Chair Bonar asked if the “Best and Final Offer” was the applicant’s last chance to put input in the contract. Ms. Schmidt said yes and pointed out a helpful step is that everything must be in by a certain date rather than being able to turn it in last minute. She moved on to “Background and Scope of Work”. Chair Shallenberger asked haven’t they decided it was okay to refer to this as a portion of the original funding; it implies that, a portion of funds through the Legacy Land Fund is available for this...., he was just wondering if they should be more clear about which money their talking about. Also under “Scope of Work” it is referring more to organizations who would acquire interest in lands, not actually acquire the lands. Ms. Schmidt stated that had been a question in the past and it went in to our administrative rules in the form of a policy because the Department of the Attorney General (AG) advised them that the lands need to have been acquired. Chair Bonar stated that this was in regards to conservation easements. Mr. Hirokawa advised that they just put a note in there that says “lands defined as defined in 173-A”. Chair Bonar asked if applicants applying for a Legacy Land award for a piece of land can simultaneously apply for the management portion; or should that be subsequent after the lands are acquired. Ms. Schmidt responded they should do it after. In that case he wanted to suggest some wording edits to that part to say “subsequently” to refer to after. Chair Shallenberger asked when one could say that the lands have been acquired. Ms. Schmidt said when they have a copy of the recorded deed. Chair Shallenberger asked if there was a way to say when you submit an application for management funds. Ms. Schmidt said she understood what he was saying and it would be helpful to the applicants, however the overall manageability to operate the program clearly and efficiently is a consideration that would weigh heavily. Chair Bonar stated he would argue that all the policy does is lock up money for a long time, and if someone’s land acquisition doesn’t get completed, that money is money that could have been used already. Discussion ensued on this topic. Ms. Schmidt stated that the draft administrative state that any applicant applying for a Legacy Land management grant must have acquired the land.

Ms. Schmidt paused with RFP for a bit while she explained what going on with the rules. Public notice runs this Saturday because it has to run thirty days in advance of the actual hearings. The hearings are scheduled March 27 through March 30 in Hilo, Kona, Lihue, Kahului, Kauanakakai and Honolulu. It will be announced in the major county newspapers. After the last public hearing on March 30, there is fifteen days to submit any comments and the Department may change the rules pursuant to public comments.

Ms. Schmidt clarified that the RFP is different from the current application form because it tells them how to put their own written proposal together rather than giving them a little box for them to fill in on a form. Chair Shallenberger stated he understood why they came up with the criteria for matching funds, but he was trying to figure out how a land donation could help you implement a management plan. Ms. Schmidt said that it did not seem to apply; she wished she could get rid of that for clarity’s sake, but it is in the statute.

Chair Shallenberger said he knew they had already talked about professional services, but he'd like to know whether there'd be any latitude on the part of the Commission to weigh in on the validity of someone's professional services. Who would be able to evaluate? Ms. Schmidt responded that there is actually a different procurement process for professional services. So, if someone applies for just professional services and not as part of a larger project than they might have an issue so that is something she will have to ask procurement staff; she has not consulted them a second time yet. Chair Shallenberger said he supposed it was okay as long as they keep consideration of cost in the list that might be something the Commission is looking at in terms of a proposal. Member Canfield asked whether at any other point in the evaluation criteria anything references professional services. Ms. Schmidt asked if there were any other specific questions she should be looking into. Chair Shallenberger stated part of what they are getting at here is they should be able to hire someone to write a plan, so what he is saying is they open that door they should have the opportunity to evaluate it, and he thought they did at least through the cost. She said whatever is done in terms of evaluation they should ask for it right away and upfront because that is how this process works is everything is frontloaded and if they don't ask for it then they miss out on their chance to be able to impose it as a requirement later. There are some opportunities in the process to ask for additional information. Chair Bonar stated they would be putting in their application if they had a contractor and the numbers involved. Ms. Schmidt said that having the information on the tables where people break down their costs and what they are spending it on would be really important.

Ms. Schmidt moved on to page four with general application stuff. She explained how she had drafted it. She had drafted a set of application forms in April 2009 it to illustrate to the Commission what the management grant form might look like, so this part of the RFP is pulled from that and also the rules and statutes. The way she got the other management form is she took a look at the invasive species, and watershed partnership RFPs and saw what they did for their proposals. Chair Shallenberger asked if they actually made a distinction before between greater public access and greater public enjoyment. Ms. Schmidt stated she thought they had. Chair Shallenberger asked how they define greater public enjoyment, and she responded that it is more about someone being able to flush out what they are applying for; so as long as they get their point across and explain what they're doing that's the concern. Chair Shallenberger stated he thought they were referring back to the intent of the original legislation that these lands become more accessible, he just didn't see why you would have access on one and enjoyment on another. Chair Bonar gave an example of enjoyment as putting up good signage explaining the significance of the land. Chair Shallenberger agreed. Ms. Schmidt stated that all that wording was in the statute and she pulled it apart to make sure nothing was missed. Chair Bonar questioned how an application like this would be formatted for applicants to fill out. Ms. Schmidt stated that now instead of an application there will be written proposal submitted in response to the Legacy Land RFP, and each answer has a time limit. He stated he just wanted to make sure the applicants would explain their answers. Ms. Schmidt stated with each question she could tell them the page length and format it should be in. Chair Bonar thought this was a good idea; he said some of the early issues were to make thing clearer for more novice groups applying.

The Subcommittee moved on to page five. They began discussing how the required attached best management practices (BMPs) should be made available to the Commission and Ms. Schmidt didn't want to overwhelm them with paperwork and she asked for thoughts and opinions. Chair Shallenberger said it depends on why they are asking for the money. Member Canfield agreed that they should be able to see it, and everyone else agreed. Chair Shallenberger said he would take issue if an applicant was proposing a plan but did not have the management plan. The Subcommittee did take issue with the BMPs having to be submitted because it can be very bulky material explaining just one aspect of a job. Mr. Hirokawa wanted to make it clear to the committee that if they wanted BMP to be submitted (and this goes for anything else they may be requiring), there needs to be an incorporation of that into the deciding criteria, because if they are not basing any of their decision on that then its useless to request it be submitted. Having all this information on the side may be problematic in the future when judging criteria. Chair Bonar stated he did see that fall under about two or three of the evaluation criteria. Mr. Hirokawa responded that to make it clearer to the applicant perhaps in those criteria you could say it included Best Management Practices. Ms. Schmidt thought that a citation to reference things such as the BMPs would be adequate. Everyone agreed. Member Canfield asked about adding criteria at this point for the BMPs. Ms. Schmidt stated it would be very difficult to change the criteria at this point because it is a rule, and the rules are going through the process. Mr. Hirokawa suggested they add a part about the BMP in to the contract so the applicant signs a statement that says they are following best management practices.

Ms. Schmidt stated there were a couple options, they could get rid of number eight entirely, leave in will you be using them and which ones, or the whole thing attached which it seems no one wants. Everyone agreed they did not want the whole BMP attached. Ms. Schmidt stated also that if they were not going to use it in the criteria they should just get rid of it. A discussion ensued regarding what to do and after that Ms. Schmidt said she would take out the "provide a copy part". Chair Shallenberger then proposed to the Commission that the entire line regarding BMPs be dropped. Member Buchanan had a question about where that part had come from and if the AG had approved it. Ms. Schmidt took the opportunity to clarify that she came up with this after looking at bunch of different proposals that have already been done for other programs, looking at the rules and the statutes. She said it is open to edits, and the thing she is mostly concerned with is the nature of RFPs versus how they do things and making sure we don't accidentally mess up what they need to do. Member Buchanan wanted to clarify that BMPs are the responsibility of the contractor and the applicant, not Legacy Land. Mr. Hirokawa suggested that they merge seven and eight, and say something along the lines of the applicant is responsible for getting any permits or regulatory permission. What that does is incorporate the BMPs, and all they have to show is they went and got the necessary permits. Ms. Schmidt thought that language was somewhere in the RFP. A brief discussion ensued on whether to incorporate that language. The Subcommittee agreed to recommend to the Commission that they remove number eight.

The moved on to number nine, and Chair Shallenberger suggested a minor change to the writing. Chair Bonar and Member Canfield suggested that wording change as well to the question regarding contracted work, and to also clarify for the applicant to include any

organizations or community involvement. Ms. Schmidt asked whether applicants can quantify community involvement. Applicants can describe it as strong when the actual state of the situation is not so. She was just wondering because she knew the Commission always seriously reviewed this aspect, but in the particular format of the RFP it asks for things to be quantified. Chair Bonar pointed out that they have had these conversations about the quantification of these things before and how the nature of what the Commission does, it doesn't lead itself to a numerical quantification the way other programs do. Ms. Schmidt stated that it seems then they should just leave it to the applicants to do their best job in describing it in the space given.

Chair Bonar said since all of the Commission deliberations were open and if they wanted to question an applicant for more details they could. Ms. Schmidt stated that this does create a logistical problem because anytime that anyone changes anything on their proposal or adds any information it is going to have to be put in writing. So what she is going to have to do is ask them after the first December meeting to write down everything they told us that wasn't already submitted. Mr. Hirokawa wasn't even sure if applicants could provide comment at the meeting because the RFP process is more closed; once you receive it you're locked in. Ms. Schmidt stated that under Sunshine law at a public meeting you can't tell people not to say anything; what they'd have to do is limit consideration to what is in writing. Discussion ensued between Chair Bonar and Chair Shallenberger on the pros and cons of that system. Ms. Schmidt asked what the Commission would do with their public testimony; do they write it down and append it to the RFP? According to the laws and rules of procurement you are not allowed to use any information that is not reduced to writing. Chair Bonar stated that is why this is a totally inappropriate way to handle this. He also stated that he will also be making the argument when their done that only under specific circumstances will they grant funds for management. Member Buchanan stated she did not think it was fair to limit because of the reason that Chair Bonar stated; what if a person is not able to come to the meetings. It is a legal RFP, and she would be the first one to protest because stuff that was not in the original RFP was considered by the evaluation committee which exceeds the limit; too many loose ends. RFPs are cut and dry; black and white. Chair Shallenberger was also concerned that the four pages they are talking about might be too little. Ms. Schmidt said the only solutions she saw were either a statutory amendment of some sort or not going through the Commission for the granting of management funds. Discussion ensued on who the regulation on the management funds came about. Ms. Hong who was asked a question about it stated Paul Conry had it put in at the last minute, and asked if he was aware of the problem. Ms. Schmidt stated that it hadn't become very clear to her until this very moment exactly how difficult it was to work the two processes together. She had thought before that there will be some way to make this work at a public meeting. Chair Bonar stated he thought the thing to do was talk about getting a statutory exemption and a brief discussion ensued which also discussed the procurement exemption processes. Its lengthy process was summarized by Ms. Schmidt.

Chair Shallenberger inquired about the table under ten; he stated that in previous years folks had identified sources for matching funds but had not applied for it yet, so would that be under "pending" or a new category. Chair Bonar stated there should be a "shall be

an applied for” category. A brief discussion ensued on how to word the status of matching funds on the RFP. They decided the wording should state, “Are funds and sources expected and from where and when”.

They moved on the section D, “Maps and Photographs”. Ms. Schmidt said this asked for a lot more maps than the other application. She was unsure about “activities on neighboring lands,” and asked the Subcommittee if they thought that was a good idea. Chair Bonar and Chair Shallenberger thought it was a good idea for a few reasons. Member Buchanan questioned the amount of information they may receive through this request, and is it clear to the applicant what the Commission wants to see. A discussion ensued on the benefit of having the information about neighboring lands. Member Canfield questioned how those applying for a management grant would attach their land acquisition deed as proof. This was discussed for a moment. Member Buchanan stated again she didn’t think the information requested for the maps was specific enough; she gets map requests all the time and you have to know what the map is going to be used for. Wording was slightly changed to make it a little clearer that the Commission would like to see neighboring activities that relate to the applicants activities. A discussion ensued on how to change the wording slightly.

Chair Shallenberger had a question about the reference to “total project cost”, and should they make that more clear that this is for the two year contract. Member Buchanan commented that we need a page for definitions. Ms. Schmidt said it was probably good to explain it since those who have previously applied for a Legacy Land grant may be expecting something different. The RFP requires that you put the term of the contract in the RFP, and with the multi-term thing they have to include that as well.

Ms. Schmidt proceeded to explain section four. She had taken the criteria straight from the Legacy Land rules, but she had assigned points to them as an example of how it could be done, but it was open to the Subcommittee to edit them. Mr. Hirokawa recommended they add something to the criteria in the RFP regarding past performance. Ms. Schmidt stated they were not adding anything to criteria at this point because they are already in the rules. Mr. Hirokawa responded he thought they could still add to the RFP criteria; it doesn’t necessarily have to come from the rules. Ms. Schmidt said she thought it was limited to what the rules say their criteria are. Mr. Hirokawa said most RFPs he has seen have something there regarding performance time; if someone can do something in two months versus six that matters, or past projects. Ms. Schmidt again thought they could not include it because it was not in the rules criteria, she felt it was a bad idea. Mr. Hirokawa again stated he thought it was important for applicants to present information on past projects, especially for the State that they have worked on. A discussion took place on why or why not this should be included. Nothing was edited regarding this.

The Subcommittee took a five minute break and when they returned discussed the points assigned to the criteria. Chair Shallenberger asked if the completeness of a proposal had ever been defined by the Commission. Ms. Schmidt responded that they have disqualified applications for not being complete, but it has not been defined. A brief discussion took place on how and why it became part of the criteria; it was so a whole

application wouldn't be reviewed because they were missing one or two things. Chair Bonar stated it takes in to account the groups that are less experienced at grant applications. Member Canfield asked if someone turned in an application before the deadline could you work with them to complete what they missed. Ms. Schmidt stated she did not think so; there is a best and final offer step and deadline so that they could include more information. Discussion took place on this topic. No conclusions were drawn.

Chair Shallenberger stated that perhaps they could move some of the points to focus more on the efficacy of what is being proposed. The Subcommittee began the discussion on how the hundred points should be distributed to the criteria in the RFP. Ms. Schmidt stated at some point there will have to be a form used because there will have to be a record on how everyone does this, and whether at that point you can be more specific about what you mean is something she will have to check with the procurement office on. Chair Shallenberger asked if what she was saying is that it would be useful to talk about how to interpret the language in these various things. Ms. Schmidt said yes. The Subcommittee continued discussing how many points to assign to each criterion. The first discussed the criteria regarding completeness of the RFP and everyone gave their opinion on the matter. Then moved on to examining how the criteria are be interpreted; and at that point Ms. Schmidt said rather than doing that now they could reconsider them at a later time; trying to reform them right now is not productive, they should just focus on the points right now. Chair Shallenberger responded that they were all just trying to make sure they were on the same page for interpreting the criteria. The shifting of points continued. After they did this Ms. Schmidt read it back to make sure everyone was in agreement.

Ms. Schmidt stated the rest of the RFP is just standard provisions that she needs to work out with the procurement office in terms of making it consistent to what they want to do. Chair Shallenberger pointed out a typo on 5.1.04. Member Canfield pointed out a redundant sentence. Chair Bonar had a question about the contractor paying the general excise tax. Ms. Schmidt said she would inquire about it. There were no other comments for the RFP. Ms. Schmidt stated hopefully she would also get to review it with the AG, and then State Procurement. The next Commission meeting is tentatively set for April 12, 2012. She said hopefully there will an opportunity for the full Commission to give feedback on the form; however, it would need to go to the State Procurement Office before April because the review may take a few weeks or longer.

ITEM 4. Announcements.

Ms. Schmidt and Chair Bonar stated they would talk to Paul Conry about how difficult this process was for Legacy Land review. Chair Bonar also posed the question about if they were going to set aside a certain amount of money more management funds annually. They then discussed possible holding of on giving grants until they could get the process worked out which led in to a talk about legislation and how it affects the Legacy Land process.

ITEM 5. Adjournment.

Chair Shallenberger adjourned the meeting.