

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawaii 96813

January 13, 2017

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Land Board Members:

SUBJECT: REQUEST APPROVAL FOR SELECTION OF COMPETITIVE SEALED PROPOSAL PROCESS AND AUTHORIZE THE CHAIRPERSON TO AWARD AND EXECUTE A CONTRACT FOR THE INVENTORY OF HAWAIIAN SANDALWOOD ON SELECT DEPARTMENT LANDS IN HAWAI'I COUNTY.

REQUEST APPROVAL OF DECLARATION OF EXEMPTION FROM CHAPTER 343, HRS ENVIRONMENTAL COMPLIANCE REQUIREMENTS FOR THE PROJECT.

This Board Submittal requests approval to issue a Request for Proposals (RFP) under the competitive seal proposal process, and authorize the Chairperson to award and execute a contract for the inventory of Hawaiian sandalwood species, namely *Santalum paniculatum* and *S. ellipticum*, in select forest reserves, natural area reserves, game management areas, and wildlife sanctuaries, as appropriate, in Hawai'i County. The primary purpose of the inventory is to determine the existing distribution of Hawaiian sandalwood, regeneration success, and the corresponding health of the forest.

BACKGROUND

Over the past four years, the Hawai'i State Legislature has considered regulation of Hawaiian sandalwood, 'iliahi, to prevent the destruction and encourage restoration of this ecologically and economically valuable tree. Additionally during this same period of time, the U.S. Fish and Wildlife International Affairs Office has been petitioned twice to list Hawaiian sandalwood under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). In light of the proposed legislation, the Division has been actively working with partners and stakeholders to assess if additional regulation is needed for the protection, preservation, and management of sandalwood in Hawai'i. Unfortunately, there is not consistent and reliable information about the current health and distribution of remaining sandalwood populations in Hawai'i, which has prevented the productive discussion about the need for or type of regulation needed for sandalwood.

Generally, it is held that there has been a steady decline over the last 200 years of all native

sandalwood species (*Santalum sps.*) in Hawai'i. Although the initial decline of Hawaiian sandalwood can be, at least partly, attributed to its exploitation during the Sandalwood Era, roughly from 1810-1840, the current decline is believed to be primarily due to other harmful regeneration impacts such as rodent seed predation and ungulate browsing. There is legal sandalwood harvesting occurring today, but it is focused primarily one species of sandalwood found only on Hawai'i Island on agricultural zoned lands. The proposed legislation for sandalwood has primarily focused on further restricting commercial sandalwood utilization; however, the overall impact of commercial harvesting is likely small compared to impacts from grazing animals.

The Division, through consultation with partners, stakeholders, and the U.S. Fish and Wildlife Service has determined that an inventory that includes a health and distribution survey of Hawaiian sandalwood is needed, especially of those resources on Hawai'i Island, to determine the impact of natural resource threats and the extent of restoration needs. This survey will provide necessary data to continue discussion on the need for sandalwood regulation, if any, as well as provide land managers with additional information on the resources they are charged with managing. As the Division does not currently have the capacity to conduct such an inventory in house, we are requesting authorization to seek competitive bids to complete this work.

DISCUSSION

Based on the requirements and special conditions of this procurement, DOFAW recommends that a competitive sealed proposal process be used for source selection. A competitive sealed proposal process for this solicitation will be the most advantageous procurement process for the solicitation and was also determined by the following:

- 1) The primary consideration for the determination of the awards for this Request For Proposals is not price.
- 2) The contract(s) will be other than a fixed-type price.
- 3) Oral or written discussion may need to be conducted with the Applicants concerning technical and price aspects of their proposals.
- 4) Applicants may need to be afforded the opportunity to revise their proposals, including price.
- 5) Awards may need to be based upon a comparative evaluation as stated in the request for proposal of differing price, quality, services and other contractual factors in order to determine the most advantageous offering to the State.

Pursuant to HAR 3-122-43, a determination by the Department procurement officer must be made for the use of the competitive sealed proposal process over the competitive sealed bidding process when the competitive sealed bidding process is neither practicable nor advantageous to the State. Additionally pursuant to HAR § 3-122-45, a determination must be made by the procurement officer that an evaluation committee, selected in writing by the procurement officer, shall evaluate the competitive sealed proposals. The Division recommends the use of an evaluation committee for the selection of the proposals as an evaluation committee will allow for a subjective choice to the most appropriate proposal for the project area. Further the evaluation committee must consist of at least three government employees with sufficient qualification in the area of the goods or services to be procured; DOFAW recommends the following

M. Irene Sprecher, DOFAW (State, Cooperative Resource Management Forester)
Philipp LaHaela Walter (State, Resource and Survey Forester)
Robert Hauff, DOFAW (State, Protection Forester)
Christopher Graper, DOFAW (State, Hawaii Branch Resource Forester)

In order to expedite a contract for this procurement, DOFAW requests that the Board authorize the Chairperson to award and execute the contract for goods and services based on the recommendations of the evaluation committee, approval as to form by the Department of the Attorney General, and other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State. Additionally, should any of the committee members above be unable to participate, DOFAW requests that the Board authorize the Chairperson to appoint alternates or recommend that the committee be reduced by one member should the need arise.

CHAPTER 343 – ENVIRONMENTAL COMPLIANCE

In accordance with “Exemption List for the Department of Land and Natural Resources, reviewed and concurred upon by the Environmental Council on June 5, 2015,” the proposed activities are exempt from the preparation of an environmental assessment. Specifically, the proposed activities fall under Exemption Class No. 5 Item 13 and Item 15. Refer to attached Exemption Notification labeled Exhibit A.

RECOMMENDATION:

That the Board, as the Department Procurement Officer, approves:

- 1) The use of a competitive sealed proposal for a solicitation for the inventory of Hawaiian sandalwood on select Department lands in Hawai'i County.
- 2) The use of an evaluation committee comprised of the individuals identified above to serve, evaluate and select the competitive sealed proposals.
- 3) The authorization of the Chairperson to award and execute a contract for goods and services, subject to the availability of funds and approval as to form by the Department of the Attorney General.
- 4) The authorization of the Chairperson to appoint evaluation committee alternates or recommend that the committee be reduced by one member should the need arise.
- 5) Declare that, after considering the potential effects of the proposed dispositions provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will likely have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully submitted,



DAVID G. SMITH,
Administrator

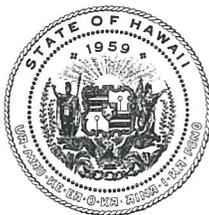
Attachments: Exhibit A

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes.

Project Title:	Inventory of Hawaiian sandalwood species in select forest reserves, natural area reserves, game management areas, and wildlife sanctuaries, as appropriate, in Hawai'i County
Project Number:	N/A
Project Description:	DOFAW is proposing an forest inventory that includes a health and distribution survey of Hawaiian sandalwood, especially of those resources on Hawai'i Island, to determine the impact of natural resource threats and the extent of restoration needs.
Chapter 343 Trigger:	Use of State Land and Funds
Exemption Class & Description	Exemption Class No. 5 Item 13, "Research or experimental management actions that the Department declares are designed specifically to monitor, conserve, or enhance native species or native species' habitat." Exemption Class No. 5 Item 15, "Game and non-game wildlife surveys, vegetation and rare plant surveys, aquatic life surveys, inventory studies, new transect lines, photographing, recording, sampling, collection, culture, and captive propagation."
Recommendation	It is anticipated that this project will have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Suzanne D. Case, Chairperson

12/21/16
Date