

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

March 22, 2019

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

Land Board Members:

SUBJECT: REQUEST FOR APPROVAL FOR SELECTION OF A COMPETITIVE SEALED PROPOSAL PROCESS FOR A FOREST INVENTORY AT THE KAPĀPALA KOA CANOE MANAGEMENT AREA, KA'Ū FOREST RESERVE, KA'Ū DISTRICT, HAWAI'I COUNTY, TAX MAP KEY: (3) 9-8-001:014

AND

DECLARE THAT, AFTER CONSIDERING THE POTENTIAL EFFECTS OF THE PROPOSED PROJECT AS 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.

This board submittal requests approval to issue a Request for Proposals (RFP) under the competitive seal proposal process for the purposes of soliciting for a forest inventory in the Kapāpala Koa Canoe Management Area of the Ka'ū Forest Reserve in the Ka'ū District, Hawai'i County, Tax Map Keys (TMK) (3) 9-8-001:014, pursuant to Chapter 103D-303 Hawaii Revised Statutes (HRS) and Chapter 3-122 subchapter 6 Hawaii Administrative Rules (HAR).

BACKGROUND

The Kapāpala Koa Canoe Management Area is comprised of 1,257 acres within the Ka'ū Forest Reserve that was designed for the primary purpose of providing a source for koa canoe logs in perpetuity, on a sustainable and self-sustaining basis. The area is within the Agriculture District and bordered by Conservation District on the southern and eastern boundaries. The management area consists of forest and remnant ranch land at an elevation ranging from 3,640 to 5,100 feet above sea level.

The Kapāpala Koa Canoe Management Area contains a remnant koa forest with notably tall, straight trees. This management area was set aside in 1991 to the Forest Reserve System to meet

the high demand for koa logs for traditional canoes from over 77 Hawaiian canoe racing clubs and organizations that build traditional canoes. In the 25 plus years since the designation of this area, no logs have been harvested largely due to a need for a sustainable management plan for this important cultural resource. There are only a few places, other than Kapāpala, where communities can obtain logs to build or repair canoes. The Kapāpala Koa Canoe Management Area also serves as a learning center and community gathering place for traditional Hawaiian practices, and an example of balancing forest use and regeneration.

Over the past four years, the Division of Forestry and Wildlife (DOFAW) has been working closely with partners to develop a management plan and allocation procedure to be able to provide these resources to communities. With the support of the U.S. Forest Service, DOFAW and the Three Mountain Alliance (TMA) organized a Kapāpala Canoe Forest working group comprised of key stakeholders including canoe clubs, Ka'ū Kūpuna, cultural practitioners, canoe builders, conservationists, and adjacent landowners. The working group has convened over the past three years to provide direction and guide decisions on the management of this area and the sustainable use of its natural and cultural resources. Through the development of the draft management plan and allocation protocol, the working group identified a need for an updated, robust forest inventory for the Kapāpala Koa Canoe Management Area that would allow the group to accurately assess available resources associated with identified forest management strategies. This updated inventory will provide information needed to finalize the sustainable management plan that will be submitted to the Board of Land and Natural Resources for review and approval at a future meeting.

DISCUSSION

Based on the requirements and special conditions of this procurement, DOFAW recommends that a competitive seal proposal process be used to solicit for the forest inventory at Kapapala Koa Canoe Management Area. The competitive sealed proposal process will provide for competition while allowing the review of proposals on multiple merits, thus ensuring the State's interests are best served. A competitive sealed proposal process for this solicitation will be the most advantageous procurement process for the solicitation, which is determined by the following:

- 1) The primary consideration for the determination of the awards for this RFP is not revenue.
- 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 revenue aspects of their proposals.
- 4) Applicants may need to be afforded the opportunity to revise their proposals, including revenues offered.
- 5) Awards may need to be based upon a comparative evaluation as stated in the request for proposal of differing revenue, 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 because an evaluation committee will allow for a subjective choice of the most appropriate proposal for the project. Further the evaluation committee must consist of at least three government employees with sufficient qualifications in the area of the goods or services to be procured. The Division recommends the following individuals serve on the evaluation committee:

Jay Hatayama, DOFAW (State, Hawaii Island District Forestry Supervisor)
Irene Sprecher, DOFAW (State, Forestry Program Manager)
Philipp LaHeala Walter, DOFAW (State, Resource and Survey Forester)
William Stormont, DOFAW (State, Hawaii Island District Service 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, the Division 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 2. Refer to attached Exemption Notification labeled Exhibit A.

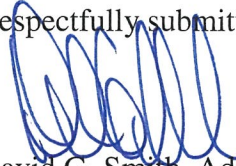
RECOMMENDATION:

That the Board approves:

- 1) The use of a competitive sealed proposal for a solicitation for a forest inventory at Kapāpala Canoe Management Area in the Ka‘ū Forest Reserve.
- 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 project as 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.

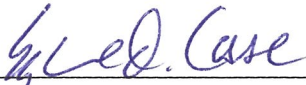
Respectfully submitted,



David G. Smith, Administrator
Division of Forestry and Wildlife

Attachments: Exhibit A

APPROVED FOR SUBMITTAL:



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

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Kapāpala Koa Canoe Management Area Forest Inventory Request For Proposal

Project / Reference No.: Kapāpala RFP

Project Location: Tax Map Key (3) 9-8-001:014; Ka'ū, Hawai'i County

Project Description: The Division of Forestry and Wildlife is seeking to issue a Request for Proposals (RFP) under the competitive seal proposal process for the purposes of soliciting for a forest inventory in the Kapāpala Koa Canoe Management Area of the Ka'ū Forest Reserve. With the support of the U.S. Forest Service, DOFAW and the Three Mountain Alliance (TMA) organized a Kapāpala Canoe Forest working group comprised of key stakeholders including canoe clubs, Ka'ū Kūpuna, cultural practitioners, canoe builders, conservationists, and adjacent landowners. The working group has convened over the past three years to provide direction and guide decisions on the management of this area and the sustainable use of its natural and cultural resources. Through the development of the draft management plan and allocation protocol, the working group identified a need for an updated, robust forest inventory for the Kapāpala Koa Canoe Management Area that would allow the group to accurately assess available resources associated with identified forest management strategies. This updated inventory will provide information needed to finalize the sustainable management plan, which would be reviewed and approved by the Board of Land and Natural Resources.

Chap. 343 Trigger(s): Use of State Lands and Funds

Exemption Class No(s).: Class 5; Action Type 2. Non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping

Cumulative Impact of Planned Successive Actions in Same Place Significant?: No.

The proposed action is a stand-alone, one-time use of lands and funds for forest inventory that does not involve cumulative impacts

from planned, successive actions of the same kind, in the same place, over time.

Action May Have Significant Impact on Particularly Sensitive Environment?:

No.

Portions of the project area, particularly the upper elevation portions are environmentally sensitive because endangered species and native ecosystems are present. There will be no impact, however, because the inventory project will not change the environment.

Analysis:

This forest inventory project will not have a significant effect on the environment. The Division believes that the use of state lands and funds for forest inventory will probably have minimal or no significant negative effects on the environment; does not fund an activity that causes any material change of use of land or resources beyond that previously existing; and is exempt from the preparation of an environmental assessment in accordance with Sections 343-5 and 343-6, HRS; Section 11-200-8, HAR; and Exemption Class 5, Action Type 2 on the Exemption List for the Department of Land and Natural Resources, reviewed and concurred on by the Environmental Council on June 5, 2015.

Consulted Parties:

U.S. Forest Service: Forestry Inventory and Analysis:

Declaration:

The Board finds that this project will probably have minimal or no significant effect on the environment and declares that this project is exempt from the preparation of an environmental assessment.