

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Engineering Division  
Honolulu, HI 96813

May 28, 2021

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

**Delegation of Authority to Chairperson to Procure, Award and Enter into a Services Contract to Perform In-House Legal Research, Technical Support, Inter-Agency Coordination Services and Planning Assistance Pertaining to Mineral Resources**

The Engineering Division desires to implement and execute the subject operating budget project by contracting the subject services.

**DISCUSSION:**

The contracting of the subject services will assist the department in carrying out update of the Hawaii Administrative Rules (HAR) resulting from changes to the law when Act 97, SLH 2012 was enacted and support the mineral program with their regulatory responsibilities toward achieving the goals of the Hawaii Clean Energy Initiative and the Administration's 100 percent renewable energy generation by 2045.

The Contractor will provide specialized legal research and planning services which may include, but not limited to, reviews and analyses of statutes governing or affecting mineral resources management and development, drafting of proposed revisions to the HARs to correspond with the changes to the law due to enactment of Act 97 and other governing statutes or clarify related ambiguities, coordination with the Department of the Attorney General, assistance with reviewing and responding to proposed legislation or other assistance to effectuate the HAR revisions.

The Supplemental Appropriations Act of 2020, authorizes the expenditure of funds for these services. The implementation of this project will comply with Budget Execution Policies issued by the Governor through the Department of Budget and Finance.

Procurement of this contract will be made in accordance with the State Procurement Code, Hawaii Revised Statutes (HRS) Chapter 103D. We request the Board to delegate authority to the Chairperson to approve, procure and enter this contract for such services.

This project is for planning services and, therefore, HRS 343 and Title 11, Chapter 200.1, Hawaii Administrative Rules regarding environmental impact statements is not triggered.

We also request the Board to authorize the Chairperson to sign supplemental agreements for this services contract, and to enter into and execute any other documents or agreements, including but

not limited to rights of entry or permit applications, related to the implementation of this project, if necessary and appropriate.

RECOMMENDATION:

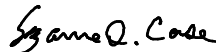
That the Board delegate authority to the Chairperson to procure, award and enter into services contracts and, if necessary, supplemental agreements, in accordance with HRS Chapter 103D for this project that is funded with operating budget funds, and to enter into and execute any other documents or agreements to implement this project.

Respectfully Submitted,



CARTY S. CHANG  
Chief Engineer

APPROVED FOR SUBMITTAL:



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