

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands
Honolulu, Hawaii

September 24, 2021

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

REGARDING: Delegation of authority for the Chairperson of the Board of Land and Natural Resources to negotiate and sign any further amendments, to existing MEMORANDUM OF UNDERSTANDING between THE STATE OF HAWAII, Department of Land and Natural Resources - Office of Conservation and Coastal Lands by its Board of Land and Natural Resources and THE STATE OF HAWAII, Department of Health - Clean Air Branch to implement a project on sustainable transportation, funded by a subaward from the US EPA.

The Department of Land and Natural Resources (DLNR) entered into a Memorandum of Understanding (MOU) with the Department of Health (DOH) to do work on sustainable transportation, to be completed by 9/30/2021. DLNR's Office of Conservation and Coastal Lands (OCCL) is requesting an extension of the agreement for additional time for OCCL to do the work that is required in the Agreement. The amendment extends this work period to March 31, 2022. See **Exhibit 1** (draft amendment to MOU), **Exhibit 2** (original MOU), and **Exhibit 3** (original Board Submittal item K-3).

RECOMMENDATION:

That the Board of Land and Natural Resources (BLNR) authorize the Chairperson to sign an amendment to the Agreement to extend the termination date in the Agreement, and delegate to the Chairperson authority to negotiate and execute any other amendments to the Agreement.

Respectfully submitted,

Anukriti Hittle

ANUKRITI HITTLE, Coordinator, Hawaii Climate Change
Mitigation and Adaptation Commission, Office of Conservation and
Coastal Lands

Approved for submittal:

By: *Suzanne Q. Case*

SUZANNE CASE, Chairperson
Board of Land and Natural Resources

ITEM K-1

**MODIFICATION TO THE
MEMORANDUM OF AGREEMENT
BETWEEN
STATE OF HAWAII
DEPARTMENT OF HEALTH, CLEAN AIR BRANCH
AND
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES,
OFFICE OF CONSERVATION AND COASTAL LANDS
FOR THE
EXPANSION OF SUSTAINABLE TRANSPORTATION
MULTI-MODAL WORK, STATEWIDE**

This written agreement is to modify the February 17, 2021 Memorandum of Agreement (MOA) between the State of Hawaii, Department of Health, Clean Air Branch and State of Hawaii, Department Of Land and Natural Resources, Office of Conservation and Coastal Lands for the Expansion of Sustainable Transportation Multi-Modal Work, Statewide.

The project and reporting deadlines identified in Part III, Period of Performance and Reporting Requirements, 1. Grant period and 2. Project deadlines, are hereby amended from September 30, 2021 to March 31, 2022. Additionally, item 3. Reporting deadlines, is amended to include an additional semi-annual report dated April 2022.

Moreover, Part III, Period of Performance and Reporting Requirements, 1. Grant Period, is amended by adding the following sentence:

“If the deadline of the EPA grant is extended, the period of performance of this agreement may be extended for a period up to the deadline with Department of Health, Clean Air Branch approval alone.”

All other conditions in the MOA shall remain in effect.

In consideration of the foregoing, the Parties agree to the execution of this Modification by their duly authorized representatives.

Suzanne D. Case
Chairperson, Department of Land and Natural Resources

Date

Elizabeth A. Char. M.D.
Director, Department of Health

Date

APPROVED AS TO FORM:

Deputy Attorney General
For Department of Land and Natural Resources

Date

Deputy Attorney General
For Department of Health

Date

**MEMORANDUM OF AGREEMENT
BETWEEN
STATE OF HAWAII
DEPARTMENT OF HEALTH, CLEAN AIR BRANCH
AND
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES,
OFFICE OF CONSERVATION AND COASTAL LANDS
FOR THE
EXPANSION OF SUSTAINABLE TRANSPORTATION
MULTI-MODAL WORK, STATEWIDE**

This Memorandum of Agreement (Agreement) is entered into between the Department of Health, Clean Air Branch (DOH), whose mailing address is 2827 Waimano Home Rd. #130, Pearl City, HI 96782, and the Department of Land and Natural Resources' Office of Conservation and Coastal Lands (DLNR), whose mailing address is 1151 Punchbowl Street, Honolulu, HI 96813, subsequently referred to collectively as Parties on February 17, 2021.

I. **PURPOSE AND SCOPE**

The purpose of this Agreement is to formalize the relationship, identify the roles and responsibilities of the Parties, and clarify the details of a subaward from the U.S. Environmental Protection Agency (EPA). This Agreement may be modified only by mutual written agreement signed by both Parties.

II. **PROJECT DESCRIPTION AND RESPONSIBILITIES**

A. Project Description

The project fits into the Commission's priorities to curb emissions from ground transportation. The project will focus on reduction of vehicle miles travelled (VMT). Experts agree that electrification of transportation alone will not help Hawaii achieve its climate change and clean energy goals. Therefore, reducing VMT is a key to reducing emissions. The project will take the recommendations of the 2015 DBEDT *Transportation Energy* Analysis report a step further towards achieving VMT reduction in Hawaii.

B. Responsibilities of DOH

1. The following source and funding will be provided by DOH:
CFDA No: 66.001 (Air Pollution Control Program)
Grant No.: 00937220
Amount: \$99,900

2. **Compensation and Payment Schedule.** In full consideration for services contracted under this Memorandum of Agreement, HDOH-CAB agrees to pay the DLNR-OCCL a total sum of money not to exceed NINETY NINE THOUSAND NINE HUNDRED DOLLARS (\$99,900) which shall be paid in accordance with and subject to the following:
 - a. Payments shall be made upon submission by the DLNR-OCCL of invoice for the services agreed upon in the contract to be outlined by the DLNR-OCCL.
 - b. Payment will be made on a reimbursement basis. The invoices shall be certified by the DLNR-OCCL and contain only expenditures actually incurred for the performance of services under this Memorandum of Agreement. Payments will be made to the DLNR-OCCL via journal voucher crediting a federal appropriation account that will be established for this purpose.
 - c. All payments shall be made in accordance with and subject to Chapter 40, Hawaii Revised Statutes, which specifies the accounting procedures and controls applicable to payments out of the Treasury of the State of Hawaii

C. Responsibilities of DLNR

1. The project will be administered by the staff of the Hawaii Climate Change Mitigation and Adaptation Commission, based in the DLNR.
2. The DLNR shall engage a Contractor to prepare components of this work, as described in the Scope of Work to be developed by DLNR.
3. The DLNR will directly pay the Contractor in the method mutually agreed to by the DLNR and the Contractor.

III. **PERIOD OF PERFORMANCE AND REPORTING REQUIREMENTS**

1. **Grant period.** The EPA award indicates that this FY20 federal grant ends on 9/30/20. DOH's application for the Fed FY21 grant is for a continuation of the FY20, so the deadline would be extended until 9/30/21.
2. **Project deadlines.** The Final Federal Financial Report (FFR) would be prepared by DOH and is due 90 days after 9/30/21. By 9/30/21, DLNR must ensure the following: 1) the project has been completed; 2) the deliverables have been received and approved by DLNR; and 3) the payment has been issued by DLNR.
3. **Report deadlines.** Pursuant to DOH's Federal Air Pollution Control Grant, DOH is required to submit semi-annual reports and a final close-out report. DOH will send DLNR a request for a concise summary of project progress and status in October 2020, April 2021, and October 2021. DOH and DLNR will discuss and agree upon any additional materials for the final report, such as executive summary, and/or final project plan.

IV. POINTS OF CONTACT

For the purposes of this Agreement, points of contact for the Parties are as follows:

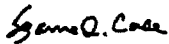
A. DOH

Marianne Rossio
Manager, Clean Air Branch
Department of Health
Email: marianne.rossio@doh.hawaii.gov
Office: (808) 586-4200

B. DLNR

Anukriti Hittle
Hawai'i Climate Change Mitigation and Adaptation Coordinator
Hawaii Climate Change Mitigation and Adaptation Commission
Office of Conservation and Coastal lands
anukriti.s.hittle@hawaii.gov
Office: (808) 341-8967

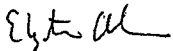
In consideration of the foregoing, the Parties agree to the execution of this Agreement by their duly authorized representative effective as of the date first above written.



Suzanne D. Case
Chairperson
Department of Land and Natural Resources

Dec 30, 2020

Date



Elizabeth Char
Director
Department of Health

Feb 17, 2021

Date

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands
Honolulu, Hawaii

December 11, 2020

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

REGARDING: Proposed MEMORANDUM OF UNDERSTANDING between THE STATE OF HAWAII, Department of Land and Natural Resources-Office of Conservation and Coastal Lands by its Board of Land and Natural Resources and THE STATE OF HAWAII, Department of Health- Clean Air Branch to implement a project on sustainable transportation, funded by a subaward from the US EPA.

The Department of Land and Natural Resources (DLNR) co-chairs the State's Climate Change Mitigation and Adaptation Commission (Commission) whose Coordinator is based at the DLNR's Office of Conservation and Coastal Lands (OCCL). Through a subaward from the US EPA (United States Environmental Protection Agency), granted to the Department of Health's Clean Air Branch (DOH-CAB), the Commission, through its Coordinator, is proposing to implement a project on sustainable transportation. The Department is seeking the permission of the Board of Land and Natural Resources (Board) to enter into a Memorandum of Understanding (MOU) with the DOH-CAB. There is no cost to the DLNR, and no cost share. The total amount of the subaward is \$99,900. See **Exhibit 1** for the proposed MOU that describes DLNR's responsibilities, period of performance and reporting requirements.

The project fits into the Commission's priorities to curb emissions from ground transportation. The project will focus on reduction of vehicle miles travelled (VMT). Experts agree that electrification of transportation alone will not help Hawaii achieve its climate change and clean energy goals. Therefore, reducing VMT is a key to reducing emissions. The project will take the recommendations of the 2015 DBEDT *Transportation Energy Analysis* report a step further towards achieving VMT reduction in Hawaii.

DISCUSSION:

1. According to federal data, growth in vehicle miles travelled (VMT) has continued to rise across the U.S. In Hawaii VMT has risen, and is now about 15 percent higher than in 2009;
2. VMT reduction is key; however, several actions need to be taken in order to address this issue, including articulating a VMT goal; tracking and reporting VMTs; estimating VMTs for future projects; and instating a threshold for mitigation; and
3. This project will address the issue of tracking and reporting VMTs;

ITEM K-3

The OCCL will work with the Department of the Attorney General on final language of the MOU. DOH agrees with the proposed language of the MOU. If significant changes to the MOU are required, the matter will be resubmitted to the Board for review and approval.

RECOMMEDATION:

That the Board of Land and Natural Resources (BLNR) approve the Department entering into a MOU for the subject project and authorize the Chairperson to finalize and sign the MOU subject to the approval, as to form, by the Department of the Attorney General.

Respectfully submitted,

Anukriti Hittle

ANUKRITI HITTLE, State Climate Change Mitigation and
Adaptation Coordinator, Office of Conservation and Coastal
Lands

Approved for submittal:

By: *Suzanne Case*

SUZANNE CASE, Chairperson
Board of Land and Natural Resources

**MEMORANDUM OF AGREEMENT
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DEPARTMENT OF HEALTH, CLEAN AIR BRANCH
AND
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A. DOH

Marianne Rossio
Manager, Clean Air Branch
Department of Health
Email: marianne.rossio@doh.hawaii.gov
Office: (808) 586-4200

B. DLNR

Anukriti Hittle
Hawai'i Climate Change Mitigation and Adaptation Coordinator
Hawaii Climate Change Mitigation and Adaptation Commission
Office of Conservation and Coastal lands
anukriti.s.hittle@hawaii.gov
Office: (808) 341-8967

In consideration of the foregoing, the Parties agree to the execution of this Agreement by their duly authorized representative effective as of the date first above written.

Suzanne D. Case
Chairperson
Department of Land and Natural Resources

Date

Elizabeth Char
Director
Department of Health

Date