

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

October 22, 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 Research and Planning Assistance Pertaining to Mineral Resources

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

DISCUSSION:

The contracting of the subject services will assist the Department of Land and Natural Resources (Department), in collaboration with the County of Hawaii (County), in carrying out legislative requirements to conduct site surveys on the island of Hawaii to identify and provide a legislative report 20 days prior to the 2022 regular legislative session, the most suitable location(s) for new black cinder cone quarries.

The Contractor will provide specialized geological services in identifying the most suitable locations for new black cinder cone quarries on the island of Hawaii including identifying land ownership for each parcel of land of interest, discuss accessibility barriers associated with each parcel, provide recommendation(s) on legislation to remove potential barriers that will facilitate resource access to interested industries, and other matters that the Department and County deem relative to access of this resource.

Act 191, SLH 2021, authorizes the expenditure of \$150,000 of 2021 American Rescue Plan's Coronavirus State Fiscal Recovery 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, 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, subject to available funding, release of funds by the Governor, and review and approval as to form by the Department of the Attorney General.

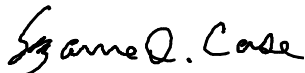
Respectfully Submitted,



CARTY S. CHANG
Chief Engineer

Attachment: Act 191, SLH 2021

APPROVED FOR SUBMITTAL:



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



GOV. MSG. NO. 1319

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 6, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 6, 2021, the following bill was signed into law:

HB0834 HD1 SD1 CD1

RELATING TO A BLACK CINDER CONE
QUARRY SITE SURVEY.
ACT 191 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO A BLACK CINDER CONE QUARRY SITE SURVEY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that increased
2 accessibility to an ample supply of black cinder is a long-term
3 economic benefit for Hawaii. While black cinder is limited in
4 supply, expensive in price, and difficult to access, its use
5 improves agriculture production and stimulates plant growth, for
6 which it is used in plant nurseries and the floral industry.
7 Black cinder is also used in horticulture and landscaping for
8 its beneficial drainage properties. As black cinder gains
9 popularity, new uses will be sought, which will in turn increase
10 and diversify demand.

11 The legislature recognizes that the use of state resources
12 for research and selection of new black cinder cone quarry sites
13 can assist industries that use large quantities of black cinder
14 or that assist in its distribution, including plant nurseries,
15 coffee farms, flower farms, ornamental industry, horticultural
16 industry, landscaping industry, residential and commercial
17 construction, and merchants and wholesalers.



1 The legislature also recognizes that a cinder cone quarry
2 can only be established through mining an existing cosmic
3 deposit created by a volcanic eruption.

4 The purpose of this Act is to require the department of
5 land and natural resources, in collaboration with the county of
6 Hawaii, to conduct site surveys on the island of Hawaii to
7 identify the most suitable locations for new black cinder cone
8 quarries.

9 SECTION 2. (a) The department of land and natural
10 resources, in collaboration with the county of Hawaii, shall
11 conduct site surveys on the island of Hawaii to identify the
12 most suitable locations for new black cinder cone quarries.

13 (b) Any lands on the island of Hawaii owned by the State
14 or county of Hawaii may be considered in determining where to
15 conduct site surveys. Lands owned by private parties may be
16 considered and site surveys may be conducted pursuant to
17 agreements with landowners.

18 (c) The department of land and natural resources, in
19 collaboration with the county of Hawaii, shall submit a report
20 of its findings and recommendations to the legislature no later



1 than twenty days prior to the convening of the regular session
2 of 2022. The report shall include:

3 (1) A list of lands determined to be the most suitable
4 locations for new black cinder cone quarries,
5 including information regarding ownership of each
6 parcel of land;

7 (2) A discussion of any accessibility issues regarding the
8 lands;

9 (3) Ways the State may help facilitate access to
10 interested industries;

11 (4) Any proposed legislation; and

12 (5) Any other matters that the department and county
13 believe are relevant for consideration.

14 SECTION 3. There is appropriated out of the funds received
15 by the State of Hawaii from the American Rescue Plan Act
16 of 2021, Public Law 117-2 (Section 9901), the sum of \$150,000,
17 or so much thereof as may be necessary for fiscal year 2021-2022
18 for the purposes of this Act.

19 The sum appropriated shall be expended by the department of
20 land and natural resources for the purposes of this Act.

21 SECTION 4. This Act shall take effect on July 1, 2021.



H.B. NO. 834
H.D. 1
S.D. 1
C.D. 1

APPROVED this 06 day of JUL , 2021

A handwritten signature in black ink, appearing to read "David Ige". The signature is written in a cursive style with a large, sweeping flourish at the end.

GOVERNOR OF THE STATE OF HAWAII

HB No. 834, HD 1, SD 1, CD 1

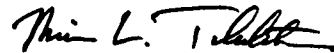
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives

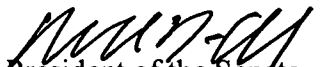



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 27, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.


President of the Senate


Clerk of the Senate

BLNR 10-22-21 Item L-1


Final Audit Report

2021-10-01


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