

State of Hawai'i
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawai'i 96813

June 9, 2022

Board of Land and Natural Resources
State of Hawai'i
Honolulu, Hawai'i

O'ahu

Issuance of Revocable Permit to Go Holoholo, Inc. for Use of the Nutridge House and Grounds for Operating a Venue for Commercial and Community Events, Office Space Use, and Provide Onsite Management at Pu'u 'Ualaka'a State Wayside, Opu, Makiki, O'ahu, TMK: (1) 2-5-019:004 (portion);

Declare Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules

AND

Delegation to the Chairperson to Issue a Request for Proposals, Procure, Approve and Award Contract for a Long-term Lease and Give the Notice to Proceed at Pu'u 'Ualaka'a State Wayside, Opu, Makiki, O'ahu, TMK (1) 2-5-019:004 portion

APPLICANT:

Go Holoholo, Inc., a domestic for-profit corporation

LEGAL REFERENCE:

Sections 103D, 171-13 and 171-55, and other applicable sections of Chapter 103 and Chapter 171, Hawai'i Revised Statutes, as amended

LOCATION:

Portion of Government lands of Opu, Makiki, O'ahu, identified by Tax Map Key: (1) 2-5-019:004 (portion), as shown on the attached map Exhibit A.

AREA:

An approximate two (2) acre (containing the historic Nutridge Estate) portion of twenty-two (22) acres, more or less of Tax Map Key: (1) 2-5-019:004, part of Executive Order 4314, approximately 81.73 total acres.

ZONING:

State Land Use District: Conservation
County of Honolulu CZO: P-1

TRUST LAND STATUS:

Section 5(b) lands of the Hawai'i Admission Act

DHHL 30% entitlement lands pursuant to the Hawai'i State Constitution: NO

CHAPTER 343 – ENVIRONMENTAL ASSESMENT:

In accordance with Hawai'i Administrative Rules ("HAR") §11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, Part 1, that states, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change or use beyond that previously existing." Item 44 which states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."

CURRENT USE STATUS:

Encumbered by Governor's Executive Order 4314 setting aside land for state park purposes to be under the control and management of the State of Hawai'i, Department of Land and Natural Resources, Division of State Parks.

CHARACTER OF USE:

For the purpose of operating a venue for commercial and community purposes including tours and special small-scale events. Lessee to provide caretaker responsibilities including but not limited to providing 7 day/week presence, gate operation when requested by DSP, and grounds maintenance. Establish onsite office with management, residence use permitted within main house.

COMMENCEMENT DATE:

To be determined by the Chairperson.

MONTHLY RENTAL FOR REVOCABLE PERMIT:

Six thousand five hundred and no/100 dollars (\$6,500.00) rent per month

DCCA VERIFICATION:

Place of business registration confirmed:	YES
Registered business name confirmed:	YES
Applicant in good standing confirmed:	YES

HISTORY:

The Ernest Shelton Van Tassel house was designed by architect Hart Wood for Ernest Shelton Van Tassel and is now commonly known today as the Nutridge Estate (Nutridge). This house was constructed in the 1920s during the creation of a 22-acre macadamia nut plantation parcel in what is now a portion of Pu'u 'Ualaka'a State Wayside. This was one of the first locations selected for the cultivation of macadamia nuts trees in Hawai'i. In 1927, the Territory granted Mr. Van Tassel a fifty-year lease and the plantation remained in operation until the 1970's when the associated processing plant suspended operations.

In the 1980's the Department issued a revocable permit to Rick Ralston to restore the structure while being a caretaker of the house and grounds. When Mr. Ralston was originally issued a revocable permit, the house was in poor condition. Mr. Ralston's rent was discounted in exchange for his skill, labor, and financial support in restoring the dwelling which, in 1981, was listed on the National Register of Historic Places.

Due to DSP's determination in 2014 to reevaluate the use of the house and grounds for increased public access and a critical need to increase revenue generation to offset shortfalls in operational costs, DSP reached out to possible new managers of the property including the Hawai'i Wedding Association and others to discuss a possible public/private partnership which would benefit both the local community and the public in general.

From the past two tenants, DSP has learned partnering with a private entity would need to include 4 primary elements. Currently, Go Holoholo, Inc. provides them as follows:

- Security and protection of the grounds and significant historic dwelling on the premises
- Maintenance and stewardship of the grounds and multiple structures
- Controlled public access to experience the historic and forested park ambience
- Reasonable income for the State and the operating partner

The goal of balancing preservation of the historic features, continued maintenance of the grounds, and re-purposing the grounds and structures for less impacting public purposes is still being reviewed. The modification of the non-historic structure for both administrative and storage purposes, as well as the use of the

historic Nutridge house, helps provide the critically needed 7 day a week presence and the ability to host members of the public who are interested in having an event on the grounds.

The Division of State Parks (DSP) with the cooperation of Go Holoholo Inc. has invested time and energy to secure, protect and manage the grounds and Nutridge house complex. We continue to work together on improving the development of this business model and make adjustments.

Go Holoholo, Inc. will host community events, tours, weddings, and receptions, within the unique Nutridge house and grounds.

Event Parameters on Grounds:

- The tenant will be allowed to reside in the main house to support security and deploy for office use the ancillary modern structure. Other structures may be deployed for ancillary use to support events. No structural modifications will occur without prior consultation and approval by DSP, and in the case of historic features, SHPD. Storage of equipment and materials on site is allowable so long as said materials and equipment are for maintenance and support of the grounds and activities conducted on the property only.
- 1 day per week the property will be closed and host no events, for maintenance and recovery of the grounds
- Up to 75 persons/day with no overflow parking use in the park without prior approval. Allowable 6 days/week (450/week, 1,800/month).
- Single commercial event/community groups/non-profit fundraisers at a maximum twice a month (150/per event, 300/month), parking allowable on-site with DSP approval.
- Either contracted transportation or event parking at lower grass area or upper paved parking in Pu'u 'Ualaka'a lot – subject to DSP approval via a Special Use Permit.
- Larger community-based events may be authorized with DSP approval (with consideration given to a substitution basis).
- Sound will be non-amplified or amplified in a manner to not impact the public at Pu'u 'Ualaka'a and Tantalus residents.

Total maximum patronage: 2,100 per month

- Remove any building/remnants of old restrooms from property to comply with Department of Health requirements prior to adding any portable toilets, etc.

- Add four (4) portable toilets (3 toilets and 1 handicap toilet) and hand washing station in compliance with Department of Health requirements, and at lessee's expense. At a minimum, toilets will be pumped twice a week and all toilets and hand wash station serviced after each event.

Liquor: Request to allow the sale and distribution of alcohol per Liquor Commission regulations.

All applicable licenses and permits required such as a current Liquor License, current Commercial General Liability insurance certificates, Workers' Compensation insurance, etc.

The applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions and therefore, DSP recommends approval for the Revocable Permit to Go Holoholo, Inc., and further recommends the Board delegate to the Chairperson the authority of procure, award and enter into a service contract for operating a venue for commercial and community events, office space use, and provide onsite management.

REMARKS:

The Department of Health recently issued a field citation to David Millwood with Go Holoholo, Inc. for an unauthorized individual wastewater system (IWS) located on the grounds of Nutridge. A \$400.00 fine was paid by Mr. Millwood and the holding tanks servicing the restrooms were removed. In addition, the wastewater line from the office to the cesspool was disconnected, and the line was later capped as requested by DOH. This may be converted to a grey water system. State Parks has met with DOH to examine and determine the method by which the tenant may manage and dispose of human waste. DOH confirmed that as long as there were no structures associated with managing human waste, portable toilets will be allowable for the events. Existing structures associated with the disconnected holding tanks will be removed prior to issuance of new revocable permit and the use of portable toilets.

Upon approval of soliciting a Request for Proposals (RFP) for a long-term lease, one of the criteria in the RFP will be proposing environmentally sound and compliant methods to manage and dispose of human waste.

RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1-15, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

2. Authorize the issuance of a revocable permit to Go Holoholo, Inc., covering the subject area for the purposes described herein and under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
 - d. Authorize the Chairperson to negotiate any other specific terms necessary to effectuate the revocable permit.
 - e. Authorize guests or invitees of Go Holoholo, Inc., pursuant to HAR § 13-146-25(b), to use or possess alcohol on the premises. Applicant has complied with City and County laws and is again seeking that authorization.
 - f. Authorize additional terms and conditions to revocable permit stating, "The DLNR/State Parks reserves the right to alter or adjust the site or operation procedures within the permit expiration date for reasons deemed necessary, including temporary closures for health and safety or search and rescue reasons. If the park is closed by DLNR/State Parks, minimum rent may be prorated based on the pro-rata time the park is closed."
 - g. Authorize David Millwood to reside in the Nutridge house for caretaking purposes which includes providing 7 days/week presence, gate operation as requested by DSP, and grounds maintenance. Authorize onsite office with management.
 - h. Subject property is in the Conservation District; however, issuance of the new revocable permit includes no change in use from the previous permit.
 - i. Lessee to remove any building/remnants of old restrooms from property to comply with Department of Health requirements and prior to adding any portable toilets on property.
 - j. Authorize installation of four (4) portable toilets (3 toilets and 1 handicap toilet) to be installed and pumped twice a week at a minimum. In addition, authorize installation of one (1) hand washing station. Four (4) portable toilets and one (1) hand washing station to be cleaned after every event.

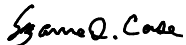
3. Authorize the Chairperson to issue the Request for Proposals, Delegate to the Chairperson the authority to Approve and Award the Contract and issue the Notice to Proceed for contract lease agreement.
 - a. The standard terms and conditions of the most current lease agreement contract as may be amended from time to time.
 - b. The successful bidder will be responsible for compliance with Chapter 343, HRS, with respect to any increased development or change in use of the property from the previously existing use.
 - c. Review and approval by the Department of the Attorney General; and
 - d. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.

Respectfully submitted,



Curt A. Cottrell
Administrator
Division of State Parks

APPROVAL FOR SUBMITTAL:



Suzanne D. Case
Chairperson
Board of Land and Natural Resources

Attachments:

Exhibits A - Location
Exhibit B - Declaration of Exemption
Exhibit C - Aerial View



STATE OF HAWAII

SURVEY DIVISION

DEPT. OF ACCOUNTING AND GENERAL SERVICES
HONOLULU

C.S.F. No. 24,874

September 30, 2009

ADDITION TO
MAKUA-KEAAU FOREST RESERVE

Keaau, Waianae, Oahu, Hawaii

Comprised of the following:

- A. Being all of Lot 5-C as shown on Map 2 of Land Court Application 197 filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii and covered by Original Certificate of Title No. 423 issued to the State of Hawaii.
- B. Portion of the Government (Crown) Land of Keaau including Lots 3 and 4 of Keaau Homesteads.

Beginning at the Government Survey Triangulation Station "KEPUHI NEW", said station being on top of ridge and on the southerly boundary between the land of Keaau and Lot 1615 as shown on Map 212 of Land Court Application 1052, thence running by azimuths measured clockwise from True South:-

- 1. 68° 39' 30" 1326.75 feet along Exclusion 4 as shown on Map 1 and Lot 1615 as shown on Map 212 of Land Court Application 1052;
- 2. 158° 39' 30" 20.45 feet along Grant 7559 to Agnes Chung Hoon;
- 3. Thence along the base of rocky pali along Grant 7559 to Agnes Chung Hoon, the direct azimuth and distance being:
192° 15' 2929.4 feet;

4.	170° 32'	1355.5	feet along Grant 8499 to Ralph James Wight;
5.	219° 05'	911.7	feet along Grant 8499 to Ralph James Wight;
6.	173° 32'	976.7	feet along Grant 7558 to Fred L. Fernandez;
7.	217° 46'	1314.5	feet along Grant 7558 to Fred L. Fernandez;
8.	288° 16'	1093.5	feet along Lot 5-B as shown on Map 2 of Land Court Application 197;
9.	176° 25'	848.0	feet along Lot 5-B as shown on Map 2 of Land Court Application 197;
10.	100° 52'	314.5	feet along Lot 5-B as shown on Map 2 of Land Court Application 197;
11.	173° 43'	406.0	feet along Lot 5-B as shown on Map 2 of Land Court Application 197;
12.	217° 32'	262.9	feet along Lot 5-B as shown on Map 2 of Land Court Application 197;
13.	284° 21'	158.5	feet along Lot 5-E as shown on Map 2 of Land Court Application 197;
14.	176° 25'	121.6	feet along Lots 5-E and 5-D as shown on Map 2 of Land Court Application 197;
15.	295° 50'	26.0	feet along R. P. 4540, L. C. Aw. 2937, Apana 4 to W. Harbottle;
16.	280° 45'	345.0	feet along R. P. 4540, L. C. Aw. 2937, Apana 4 to W. Harbottle;

- | | | | |
|-----|--------------|--------|--|
| 17. | 268° 25' | 303.0 | feet along R. P. 4540, L. C. Aw. 2937, Apana 4 to W. Harbottle; |
| 18. | 281° 55' | 270.0 | feet along R. P. 4540, L. C. Aw. 2937, Apana 4 to W. Harbottle; |
| 19. | 287° 50' | 328.0 | feet along R. P. 4540, L. C. Aw. 2937, Apana 4 to W. Harbottle; |
| 20. | 259° 42' | 1195.0 | feet along R. P. 4540, L. C. Aw. 2937, Apana 4 to W. Harbottle; |
| 21. | 356° 25' | 2408.4 | feet along Grant 9505 to Thomas H. M. Mackenzie; |
| 22. | 53° 51' | 957.8 | feet along Makua-Keaa Forest Reserve,
Governor's Proclamation dated June 4, 1913 as
modified by Governor's Proclamation dated
December 19, 1925; |
| 23. | 14° 31' | 923.0 | feet along Makua-Keaa Forest Reserve,
Governor's Proclamation dated June 4, 1913 as
modified by Governor's Proclamation dated
December 19, 1925; |
| 24. | 351° 11' 30" | 2296.5 | feet along Makua-Keaa Forest Reserve,
Governor's Proclamation dated June 4, 1913 as
modified by Governor's Proclamation dated
December 19, 1925 to Government Survey
Triangulation Station "BURNS 1927"; |

Thence along ridge along Lot 1615 as shown on Map 212 of Land Court Application 1052 for the next two (2) courses, the direct azimuths and distances between points along said ridge being:

25. 72° 40' 2634.9 feet;

C.S.F. No. 24,874

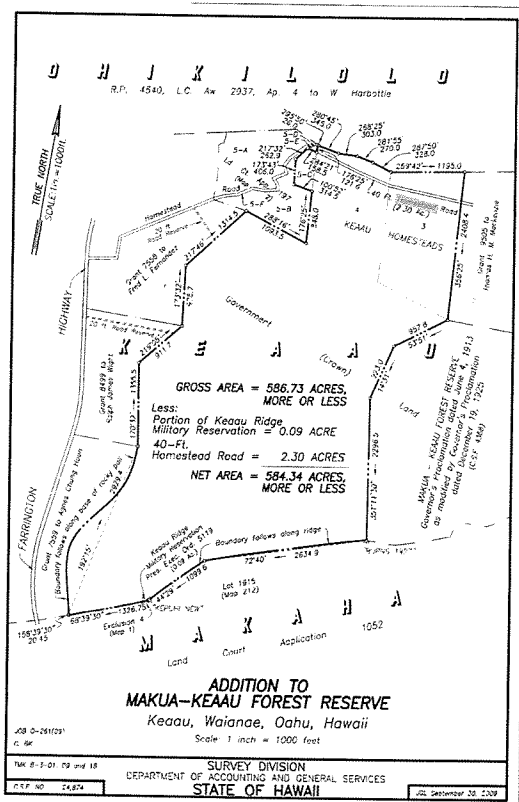
September 30, 2009

26. 44° 29' 1099.6 feet to the point of beginning and containing a
GROSS AREA OF 586.73 ACRES, MORE OR
LESS and a NET AREA OF 584.34 ACRES,
MORE OR LESS after excluding therefrom
portion of Keaau Ridge Military Reservation,
Presidential Executive Order 5119 (0.09 Acre)
and 40-Foot Homestead Road (2.30 Acres).

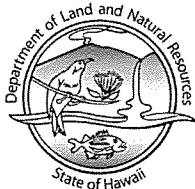
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Glenn J. Kodani
Glenn J. Kodani
Land Surveyor ml

Compiled from CSF 24289 and
other Gov't. Survey Records.



DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
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SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
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BOATING AND OCEAN RECREATION
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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, HRS and Chapter 11-200, HAR

Project Title:	Issuance of Revocable Permit to Go Holoholo, Inc. at Pu'u 'Ualaka'a State Wayside
Project Number:	SP0550
Project Location:	Opu, Makiki, O'ahu, TMK: (1) 2-5-019:004 portion
Project Description:	Revocable Permit
Chap. 343 Trigger(s):	Use of State Land In accordance with Hawai'i Administrative Rules ("HAR") §11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, Part 1, that states, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change or use beyond that previously existing." Item 44 which states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No, the requested location has been used for same purpose.
Action May Have Significant Impact on Particularly Sensitive Environment?	No, the requested location has been used for the same purpose.
Analysis:	Staff believes that the request would involve negligible or no expansion or change in use of the subject location beyond that previously existing.
Consulted Parties:	DLNR-Division of Forestry and Wildlife, Division of Conservation and Coastal Lands, and Office of Hawaiian Affairs.
Recommendation:	That the Board find 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.

EXHIBIT B

Nutridge Estate

Legend

Google Earth

Image © 2022 Maxar Technologies

Nutridge Estate

EXHIBIT C

100 ft



