

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

January 13, 2017

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

PSF No 16OD-173

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc.  
for Aerial Fireworks Display at Duke Kahanamoku Beach on January 22, 2017,  
Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:021 (Portion).

APPLICANT:

Hawaii Explosives & Pyrotechnics, Inc.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waikiki, Honolulu, Oahu, identified by Tax Map  
Key:(1) 2-3-037:portion of 021, as shown on the map attached as **Exhibit A**.

AREA:

500 square feet, more or less – Staging area, and a safety zone with a radius of  
approximately 250 feet around the firing site.

ZONING:

State Land Use District:	Urban
City and County of Honolulu LUO:	Public Precinct

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Set up and conducting aerial fireworks display.

TERM:

Between 4:00 p.m. to 9:00 p.m. on January 22, 2017.

RENTAL:

\$550 (See Remarks Section for breakdown of costs).

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51. See **Exhibit B**.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u>  </u>
Registered business name confirmed:	YES <u>X</u>	NO <u>  </u>
Applicant in good standing confirmed:	YES <u>X</u>	NO <u>  </u>

REMARKS:

Hawaii Explosives & Pyrotechnics, Inc. (HE) is requesting the issuance of a right-of-entry permit for the set-up and firing of fireworks display at Duke Kahanamoku Beach for the FLP 2017 Event Fireworks Display.

The set-up and firing of the aerial fireworks display for this event will include the staging area, consisting of 500 square feet, and the firing of the aerial fireworks display from 4:00 p.m. to 9:00 p.m. on January 22, 2017, at Duke Kahanamoku Beach as shown on the attached map labeled Exhibit A.

HE is requesting the use of the shoreline area for this special events display, because Hilton Hawaiian Village had already reserved the Great Lawn area (lagoon site; HE's typical display location) for another event on the same day. See **Exhibit C** – Purpose of chosen firing site.

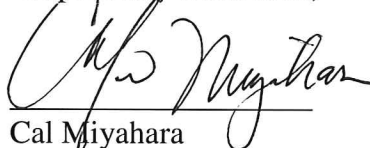
Staff is recommending that a charge of \$500 be imposed to cover the exclusive use of the safety zone as shown on Exhibit A. The total cost for this right-of-entry, which includes the staging area of \$50 will be \$550.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions. OCCL has no comments on the subject request. There are no pertinent issues or concerns. Staff does not have any objection to this request.

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, 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 right-of-entry permit to Hawaii Explosives & Pyrotechnics, Inc. covering the subject area for aerial fireworks display purposes 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 right-of-entry permit form, as may be amended from time to time;
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Cal Miyahara  
Shoreline Disposition Specialist

APPROVED FOR SUBMITTAL:

  
Suzanne D. Case, Chairperson





**Exhibit A**

### EXEMPTION NOTIFICATION

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

Project Title: Fireworks Display at Duke Kahanamoku Beach on January 22, 2017

Project / Reference No.: PSF 16OD-173

Project Location: Waikiki, Honolulu, Oahu, TMK:(1) 2-3-037: portion of: 021.

Project Description: Aerial Fireworks Display at Duke Kahanamoku Beach

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, which states the "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing".

In the past, permits were periodically issued for conducting aerial fireworks displays on the beach in this area, which have resulted in no known significant impacts to the natural and environmental resources in the area. As such staff believes that the proposed event would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties: Comments requested from OCCL.

Recommendation: It is recommended that the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

  
Suzanne D. Case, Chairperson

 Date 12/20/16

**Exhibit B**

## **Hawaii Explosives & Pyrotechnics, Inc.**

P. O. Box 1244 Keaau, Hawaii 96749  
Phone: (808) 968-0600 (Big Island) Fax: (808) 968-0800 (Big Island)  
Toll Free: (800) 240-6064 Email: [hepinc@hipyro.com](mailto:hepinc@hipyro.com)

December 12, 2016

Mr. Calen Miyahara, Oahu District Representative  
Department of Land and Natural Resources  
Division of Land Management  
P.O. Box 621  
Honolulu, HI 96809-0621

Subject: Right of Entry for Duke Kahanamoku Beach

Dear Mr. Miyahara,

We have been contracted to produce fireworks display services in conjunction with an upcoming event at the Hilton Hawaiian Village Super Pool. We request your authorization to conduct all procedures associated with display operations such as security and monitoring of the firing site and adjacent safety zones; setup and wiring of pyrotechnics; display ignition and discharge; and completion of post-display operations as related to this pyrotechnic display. Specifics are as follows:

Event:	FLP 2017 Fireworks Displays
Location:	Waikiki, Oahu
Display Dates:	Sunday January 22, 2017
Firing Time:	8:45 p.m. (approximately)
Firing Window	8:15 p.m. through 9:15 p.m.
Overall Hours of Operation:	Between 4:00 p.m. and 9:00 p.m.
Firing Site:	Duke Kahanamoku Beach

### **Request**

Authorization to conduct all procedures associated with display operations to include:

- \*closure, security and monitoring of the display site and adjacent safety zone
- \*positioning of mortar racks and firing equipment on the beach
- \*secure area for pyrotechnics prior to set up and wiring
- \*setup and wiring of pyrotechnics, display ignition and discharge from the specified area
- \*completion of all post-display operations as related to each pyrotechnic display.



Right of Entry for Duke Kahanamoku Beach

## **Duke Kahanamoku Beach firing site**

### **Purpose of chosen firing site**

Under normal circumstances, events at Hilton Hawaiian Village would be held at the Great Lawn allowing the client to have their fireworks launched from the lagoon area. In this unusual situation, Hilton Hawaiian Village has two separate group events on the same night. The Great Lawn was already booked when this event (my client) was organized. Hilton Hawaiian Village has allowed my client the privilege of holding their event at the Super Pool. This is the main pool located between Rainbow Tower and Ali'i Tower. Due to the position of Rainbow Tower there is no feasible solution to shoot from a canoe platform situated in the Lagoon; Rainbow Tower blocks all viewing possibilities. Safest and best viewing of fireworks would be from the location used every Friday.

### **Plan of Action**

Our personnel will close and secure the intended display discharge site prior to the unloading of equipment and pyrotechnics. Approximately 500 square feet will be utilized for the setup of display equipment, positioning of racks containing 3" mortars, loading and wiring of pyrotechnics into mortars, and conduct of all other applicable display operations. A security perimeter will be established to include the beach area adjacent to the Ala Wai Boat Harbor parking lot down to the ocean, along the Hilton Lagoon to the area fronting the Ewa side corner of the Hilton Rainbow Tower, and across the beach back down to the ocean, forming a semi-circle around the discharge site. Security personnel will monitor the established safety/fallout zones to prevent entry into the area by the general public and unauthorized personnel during display preparations, ignition, and post-display breakdown.

### **Standard Safety & Security Procedures**

Hawaii Explosives & Pyrotechnics, Inc. practices safety and security procedures within industry standards to do our very best to minimize risk to the general public, tourists and hotel guests as we prepare for, fire, and clean up after our displays. Our personnel and the private security officers are trained to be courteous to everyone while being firm in preventing entry into any potentially hazardous area. It is our ultimate goal to present every display in a manner that is absolutely safe, yet spectacular and enjoyable for all.

Normal cleaning practices will be implemented. These include but are not limited to the requirements set forth by DLNR – Land Division and other applicable agencies. All standard operation procedures related to beach, shoreline, and ocean water clean up and debris recovery will ensue as soon as deemed safe to do so. Clean up efforts will continue once again at daybreak the following morning. Debris recovered will be taken back to our facilities and photographs of collection will be taken should it be required.

Right of Entry for Duke Kahanamoku Beach

**Hawaii Explosives & Pyrotechnics, Inc. – Important Contact Names & Numbers**

Main Office	(808) 968-0600 (office)
Charlene Pascual, President	(808) 960-6833 (cell)
Stephanie Pascual, Vice President	(808) 960-8880 (cell)
Donald Pascual, Safety Coordinator	(808) 960-5985 (cell)
Bruce Albrecht, Operations Manager	(808) 960-6574 (cell)

All other required permits will be obtained from appropriate agencies. Enclosed you will find a copy of the firing site location map pertaining to the display and a certificate of insurance listing the State of Hawaii as additional insured.

Should you have any questions, please feel free to contact me at (808) 968-0600

Sincerely,



Stephanie Pascual  
Vice President

Enclosures