

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

May 26, 2017

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

O'ahu

Issuance of Right-of-Entry Permit to Pyro Spectaculars North, Inc., for proximity fireworks and stage-effects display on Waikiki Beach, on June 4, 2017, with beach closing between 8:00 p.m. to 9:15 p.m., Waikiki, Honolulu, O'ahu, Tax Map Key: (1) 2-6-002:005 (POR)

APPLICANT:

Pyro Spectaculars North, Inc. ("PSN"), whose mailing address is 5301 Lang Avenue, McClellan, California 95652.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands at Waikiki, Honolulu, O'ahu, situated at 2259 Kalakaua Ave, Honolulu, HI 96815, Honolulu, Island of O'ahu, identified by the Tax Map Key: (1) 2-6-002:005 (POR).

AREA:

13,000 square feet, more or less, for set-up and firing site, a safety zone with a radius of approximately 250 feet wide by 54 feet section of beach extending from sea-wall to water-line, as shown and delineated on the attached map labeled Exhibit A.

ZONING:

State Land Use District: Urban
County of Honolulu LUO: Resort Hotel Precinct

TRUST LAND STATUS:

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

CHARACTER OF USE:

Beach display set up and conducting a close-proximity fireworks and stage effects display in conjunction with its offshore aerial fireworks display.

TERM:

Between 8:00 a.m. to 10 p.m. on June 04, 2017.

RENTAL:

Twenty-five cents (\$0.25) per square foot, at a total rate charge of \$3,375.00.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Comprehensive Exemption List for the Division of Boating and Ocean Recreation, Department of Land and Natural Resources, State of Hawaii, as concurred in by the Environmental Council, State of Hawaii", dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, that states permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.

DCCA VERIFICATION:

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

REMARKS:

PSN is requesting the issuance of a right-of-entry permit ("ROE") for the fireworks display in front of the Royal Hawaiian Hotel. The stage and pyrotechnic effects displayed at the land-site that is the subject of this application will be fired in conjunction with a display of aerial fireworks fired from three barges and two vessels which will be anchored approximately 2,000 feet offshore directly in front of the Royal Hawaiian Hotel. All permits for the marine event are being procured under separate applications to the appropriate agencies.

No aerial firework shells will be discharged from the beachfront location that is the subject of this application. For safety purposes, the beach must be closed to public access one-half hour prior to the commencement of the display at 8:00 p.m. The display will be conducted between 8:30 p.m. and approximately 8:50 p.m. The beach will be reopened to public access approximately 20 minutes after the conclusion of the fireworks display, or upon the “all clear” signal from the pyrotechnic operator in charge.

PSN will hire four (4) Department of Land and Natural Resources (“DLNR”), Division of Conservation and Resources Enforcement (“DOCARE”) officers to close the beach at 8:00 p.m. and maintain the perimeter during the display. Said DOCARE officers will arrive on site at 6:00 p.m. and remain on duty until 10:00 p.m., approximately 45 minutes after the re-opening of the beach.

At 8:00 p.m., on the night of June 4, 2017, approximately one half-hour prior to the display, PSN will erect a temporary barrier marking the boundaries of the safety exclusion zone. Said barrier will consist of T-posts and caution tape, or snow fence or another suitable material at the discretion of the permitting agency (DLNR). DOCARE officers will maintain the security of the safety exclusion zone during and for 20 minutes after the conclusion of the display. At the end of the 20-minute post-display “cooling off” period, PSN crewmembers will remove the barrier in its entirety to allow for re-opening of the beach. DOCARE officers will be dismissed at 10:00 p.m.

PSN proposes to discharge a selection of close-proximity pyrotechnic stage effects from directly behind the stage as an integral part of the fireworks display (see Exhibit B attached). The devices to be discharged include “mines;” “comets;” “gerbs;” “lancework;” “flame effects;” and “cryo” effects. These proximity pyrotechnic devices (comets, mines, gerbs, and lancework, (see Exhibit C attached) produce little or no debris. The nature of the small amount of debris that will be produced is as follows:

Each of the two 20-foot-long set pieces will drop small amounts of ash directly below their mounting locations. PSN will mitigate this debris by placing plywood on the sand directly below the lancework. The plywood and ash will be removed during the post-display cleanup.

Some mines contain a single paper “pusher” disk in each device that is the same diameter of the device. PSN cleanup crew will collect and dispose of all mine debris during the post display cleanup.

Comets are free of fallout and do not produce debris of any kind.

Gerbs and fountains are fallout free and do not produce debris of any kind.

The propane and butane fueled name units that will be utilized in this display do not produce any fallout or debris of any kind.

The CO2 jets that will be utilized in this display do not produce any fallout or debris of any kind.

PSN crewmembers will pick up all visible debris within the entire 250-foot length of the area closed for the display from the sea-wall to the water line immediately after the conclusion of the display and re-opening of the beach. The following morning, PSN crewmembers will return to the beach to perform a daylight search of the area for any debris that may have been missed the night before.

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 PSN on the specified dates mentioned above covering the subject areas on Exhibit A, for 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; and
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
 - C. PSN shall be responsible for cleaning and restoring the area to its original condition or a condition satisfactorily to the Department of Land and Natural Resources upon completion of the day's event. All trash and items shall be removed from the beach.
 - D. PSN shall hire four (4) DOCARE officers from 6:00 p.m. to 10:00 p.m., as agreed.
 - E. PSN shall procure, at its own expense, and maintain during the entire period this right-of-entry, from an insurance company or companies licensed to do business in the State of Hawaii, a policy or policies of comprehensive public liability insurance in an amount acceptable to the Department (\$500,000 per incident/ \$500,000 aggregate insuring the State of Hawaii against all claims for personal injury, death and property damage; that said policy shall cover the entire right-of-entry area.

Respectfully submitted,



Edward R. Underwood
Administrator

APPROVED FOR SUBMITTAL:



for Suzanne D. Case
Chairperson

Attachments:

Exhibit A – Area Map of Waikiki Beach TMK: (1) 2-6-002:005 (POR)

Exhibit B – PSN Stage Layout with square footage

Exhibit C – Shell Summery/Recap



Exhibit A

Shell Summary/Recap

Show Date: **06/04/2017**

Show Sponsor: **Bright City Productions**

Status: **WO Issued**

Order No: **9819394-17-4A**

Number of Times to Pack: **2**

Manual Electric

Show Type: **Theatrical**

	.75"	1.5"	1.75"	2"	2.5"	3"	4"	5"	6"	7"	8"	10"	12"
Salute	0	0	0	0	0	0	0	0	0	0	0	0	0
Finale	0	0	0	0	0	0	0	0	0	0	0	0	0
Comet	72	0	0	0	0	0	0	0	0	0	0	0	0
Mines	22	0	20	0	0	0	0	0	0	0	0	0	0
Aerial	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	94	0	20	0	0	0	0	0	0	0	0	0	0
114													

5	1.75"	- 1.75" Mine(s)
5		- 44mm Mines
70		- 44mm Comets
7	8"	- Device
34	1.5"	- Multi-Shot Device(s)
7	10"	- Brightworks
80		- Gerb
4		- Set Piece
52		- Strobe(s)

Show Location: **Royal Hawaiian, Honolulu**

Friday, 06/04/2017 08:50 AM

Exhibit C