

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

August 25, 2017

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

PSF No 17OD-098

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc.
for Aerial Fireworks Display at Duke Kahanamoku Beach on October 9,
November 4 and December 31, 2017, Waikiki, Honolulu, Oahu, Tax Map Key:
(1) 2-3-037:021 (Portion).

APPLICANT:

Hawaii Explosives & Pyrotechnics, Inc.

LEGAL REFERENCE:

Section 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:

Show Date	Requested Time
October 9, 2017	12:00 pm to 10:00 pm
November 4, 2017	12:00 pm to 10:00 pm
December 31, 2017	8:00 am (12/31/17) to 10:00 am (1/1/18)

RENTAL:

One-time payment. See Remarks Section for breakdown of costs.

October 9, 2017	\$ 550
November 4, 2017	\$ 550
<u>December 31, 2017</u>	<u>\$ 600</u>
Total:	\$1,700

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 on October 9, November 4 and December 31, 2017 for Special Event Fireworks Display events.

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 12:00 p.m. to 10:00 p.m. on October 9, November 4, 2017, and from 8:00 a.m. (12/31/17) to 10:00 a.m. (1/1/18), at Duke Kahanamoku Beach as shown on the attached map (see Exhibit A).

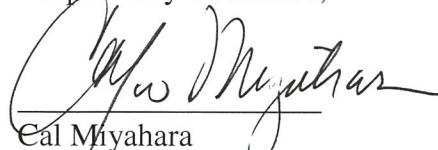
Staff is recommending that a charge of \$500 each for the October 9, November 4, and December 31 shows be imposed to cover the exclusive use of the safety zone as shown on Exhibit A. The total cost for this right-of-entry, which includes the staging area of \$200 (\$50 each for October 9 and November 4, and \$100 for December 31 for 2 event dates) will be \$1,700.

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.

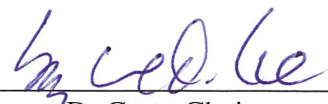
RECOMMENDATION: That the Board:

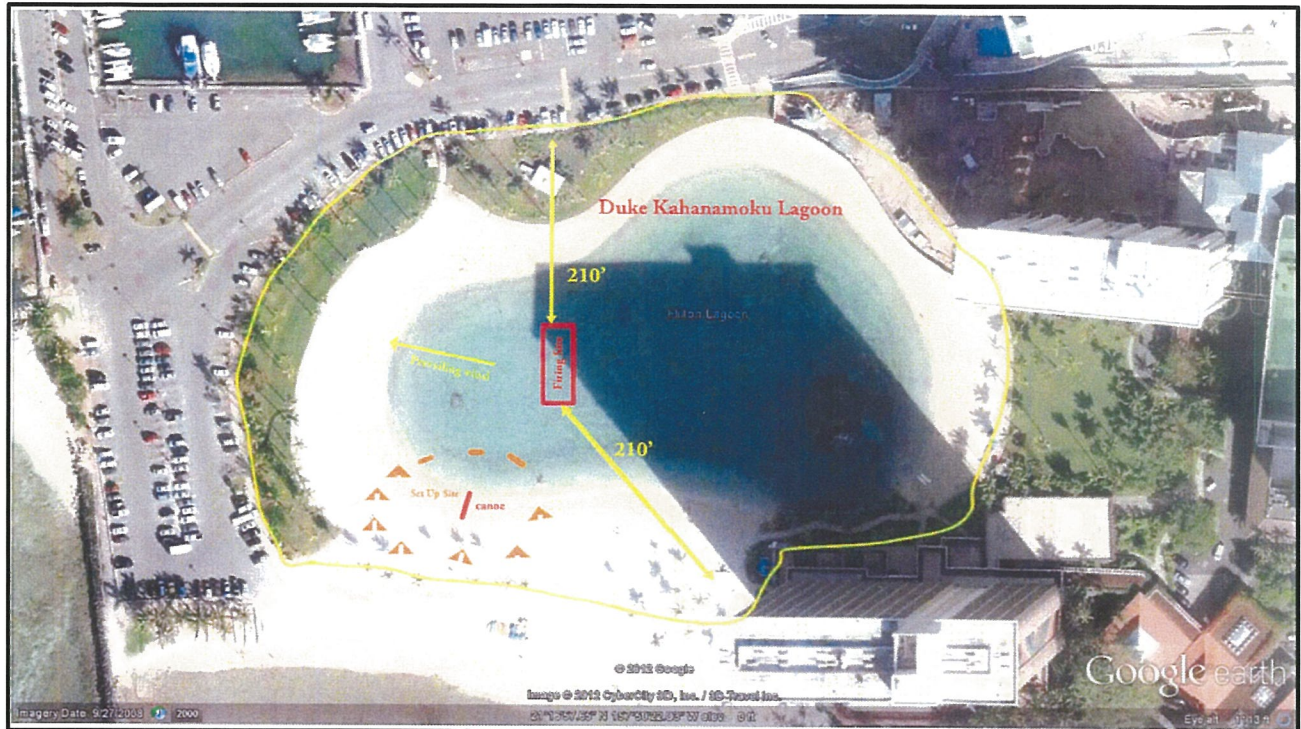
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
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:


w/ Suzanne D. Case, Chairperson



Tax Map Key: (1) 2-3-037:021 (Portion)

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 October 9, November 4, and December 31, 2017
Project / Reference No.:	PSF 17OD-098
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.:	<p>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".</p> <p>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.</p>
Consulted Parties:	Consulted with the Office of Conservation and Coastal Lands, who had no comments.
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.

Exhibit B