

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

February 9, 2018

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

PSF No 17OD-156

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc.  
for Special Event Aerial Fireworks Display at Duke Kahanamoku Lagoon on  
February 23, 2018, 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-1**.

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 2:00 p.m. to 11:30 p.m. on February 23, 2018.

RENTAL:

One-time payment of \$550. See Remarks Section for breakdown of costs.<sup>1</sup>

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 Lagoon on February 23, 2018 for Special Event Fireworks Display events.

The set-up and firing of the aerial fireworks display for these events will include the staging area, consisting of 500 square feet, and the preparation and firing of the aerial fireworks display from 2:00 p.m. to 11:30 p.m. on February 23, 2018, at Duke Kahanamoku Lagoon as shown on the attached map (see Exhibit A-1). According to HE, the approximate firing time is set to begin at 8:45 p.m.

During the same night, HE will also be hosting its weekly Friday night fireworks show at the Duke Kahanamoku Beach area (see **Exhibit A-2**) with an approximate firing time set

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<sup>1</sup> Board already approved weekly Friday night show at its meeting on May 26, 2017, Item D-6, and HE has already paid the fees.

to begin at 7:45 p.m.

According to HE, the work zone areas for both shows will be monitored throughout the day; however, the public access area for the weekly Friday show (set for 7:45 p.m.) at the Duke Kahamoku Beach will remain the same as with every weekly Friday show identified in Exhibit A-2. Upon completion of the weekly Friday show, HE will begin to advise the public that preparation for the closure of the lagoon and surrounding grass area for the Special Event show will commence and HE will begin securing the safety zone around the Duke Kahanamoku Lagoon area as shown in Exhibit A-1. See **Exhibit C**.

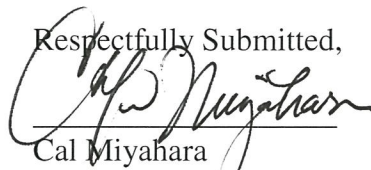
Staff is recommending that a charge of \$500 be imposed to cover the exclusive use of the safety zone as shown on Exhibit A-1. The total cost for this right-of-entry, which includes the staging area of \$50 will be \$550.

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:

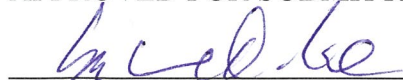
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.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

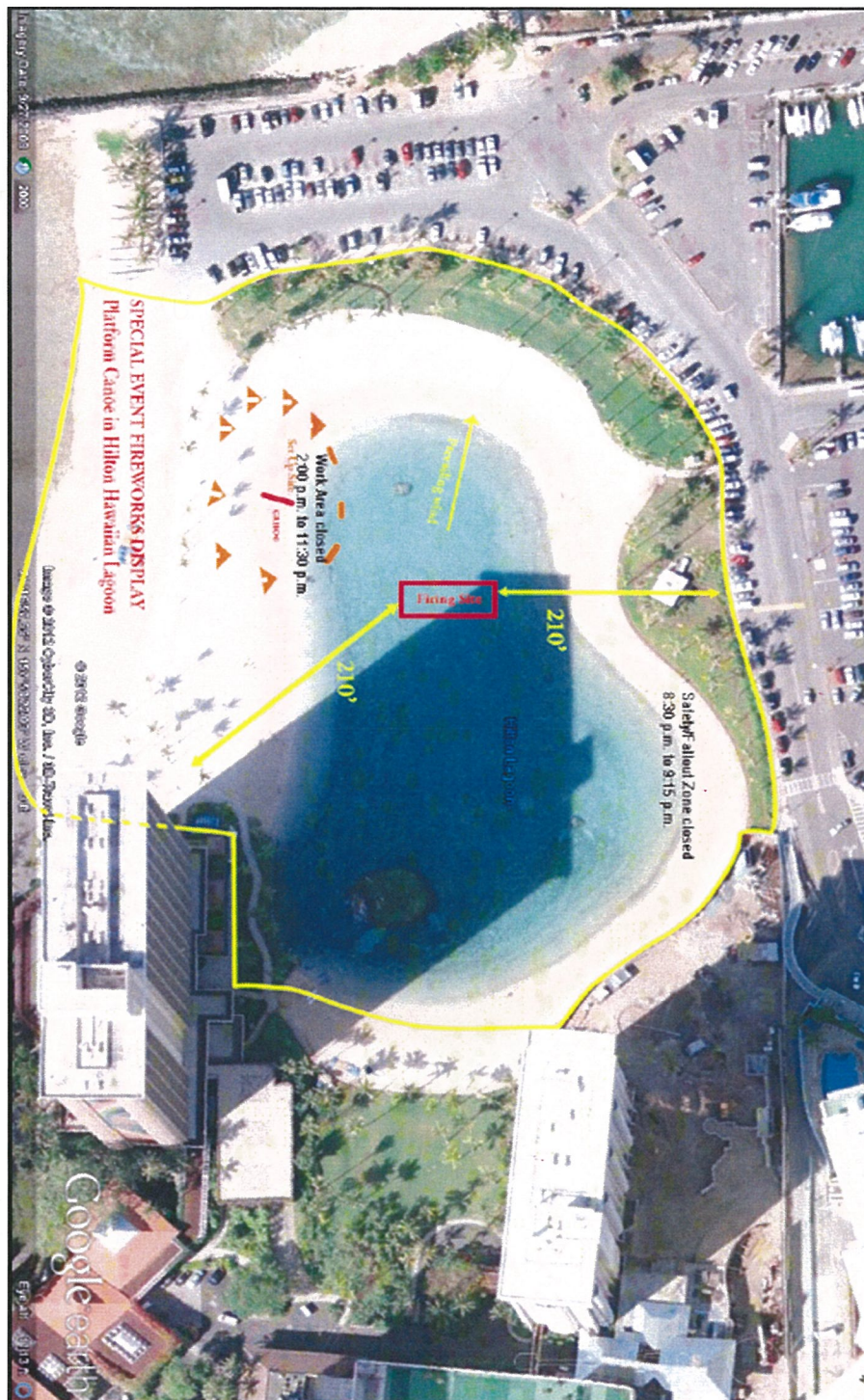


Cal Miyahara  
Shoreline Disposition Specialist

APPROVED FOR SUBMITTAL:

  
Suzanne D. Case, Chairperson





Special Event Layout

Exhibit A-1





Weekly Friday Night Layout

Exhibit A-2

### **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 Lagoon on February 23, 2018

Project / Reference No.: PSF 17OD-156

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

Project Description: Aerial Fireworks Display at Duke Kahanamoku Lagoon

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 in the lagoon 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: 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**



RECEIVED  
LAND DIVISION

Hilton Hawaiian Village  
Duke Kahanamoku Beach and Lagoon

2018 JAN 23 AM 9:33

DEPT. OF LAND & NATURAL RESOURCES  
STATE OF HAWAII

**WEEKLY FRIDAY NIGHT FIREWORKS ON BEACH (Firing Time: 7:45 p.m.):**

As per Right of Entry Permit PSF No.: 170D-034, we will utilize approximately 500 square feet for the set-up and firing site area, plus a safety zone with a radius of approximately 250 feet around the firing site.

Work Zone Closure: 4:00 p.m. to 9:00 p.m.

Safety/Fallout Zone Closure: 7:30 p.m. to 8:00 p.m.

This show will not be affected by the lagoon display and we will be able to maintain conditions as stated in the approved Right of Entry already issued.

**LAGOON SPECIAL EVENT FIREWORKS DISPLAY (Firing Time 8:45 p.m.):**

We will require use of the lagoon as the display discharge site and approximately 500 square feet of land adjacent to the lagoon for pre-display staging/post-display breakdown of the firing platform. We request your authorization to conduct all procedures associated with display operations to include closure, security and monitoring of the lagoon, staging/breakdown area, and adjacent safety zones; setup and wiring of pyrotechnics on the platform; display ignition and discharge from the lagoon; and the completion of all post-display operations as related to each pyrotechnic display.

Work Zone Closure: 2:00 p.m. to 11:30 p.m.

Safety/Fallout Zone Closure: 8:30 p.m. to 9:00 p.m.

**Security/Crowd Control:**

Work Zones will be monitored by designated security staff throughout the day. Upon completion and all clear sign from weekly fireworks display on beach, security personnel will begin advising the public of the closure of the lagoon area at 8:30 p.m. We will ask the public to make their way behind the permanent fence for their safety. The lagoon (including the grassy area and sand up to the water as well as the lagoon itself) will be secured no later than 8:30 p.m. Contracted guards as well as HEP, Inc. officials will monitor the established Safety/Fallout Zones to prevent entry into the area by the general public and unauthorized personnel during conduct of the display. Safety/Fallout area will re-open to the public after a cool down period and the "all clear" signal from the Display Operator.

**Exhibit C**