

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

July 25, 2014

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

PSF No.14OD-124

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach Every Friday From October 3, 2014 to September 25, 2015, Waikiki, Honolulu, Oahu, TMK: (1) 2-3-037:021 (Por).

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, for set-up and firing site, plus 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. and 9:00 p.m. on the dates shown in Exhibit B.

RENTAL:

\$50.00 per event date.

At its meeting of February 14, 2014, under agenda item D-12, the Board exempted the Friday night fireworks shows at the subject location from the \$500 safety zone fee. The subject request pertains to the regular Friday night shows, which does not trigger any payment of the safety zone fee as described above.

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation", as included in Exhibit C.

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. (HEP) is contracted with Hilton Hawaiian Village to conduct aerial fireworks display every Friday for a period of 12 months from October 2014 to September 2015 at Duke Kahanamoku Beach.

By its letter dated June 27, 2014, HEP request the issuance of a right-of-entry permit for aerial fireworks display at Duke Kahanamoku Beach every Friday between October 2014 and September 2015, with the dates shown in Exhibit B.

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.

No comments were solicited from other government or community agencies. Staff has no 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. on specified dates 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,



Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson





FIRING SITE LOCATION MAP
DATES: EVERY FRIDAY, OCTOBER 2014
THROUGH SEPTEMBER 2015
FIRING TIME: 7:45 P.M. (APPROX.)
FIRING SITE: DUKE KAHANAMOKU BEACH

© 2010 Google

Imagery Date: 11/12/2011 2:15:55 PM 157°50'21.93" W 19.5° 2' N 597.0

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

June 27, 2014

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

Subject: Request for Renewal
Right of Entry for Duke Kahanamoku Beach

Dear Mr. Lau,

Hawaii Explosives & Pyrotechnics, Inc. would like to request Right-of-Entry for Duke Kahanamoku Beach in order to provide fireworks display services in conjunction with the weekly Rockin' Hawaiian Rainbow Revue at the Hilton Hawaiian Village. The displays are to be held every Friday throughout the months of October 2014 through September 2015. Details are as follows:

Event:	Hilton Hawaiian Village Rockin' Hawaiian Rainbow Revue Fireworks Displays
Location:	Waikiki, Oahu
Display Dates:	October 3, 10, 17, 24, 31, 2014 November 7, 14, 21, 28, 2014 December 5, 12, 19, 26, 2014 January 2, 9, 16, 23, 30, 2015 February 6, 13, 20, 27, 2015 March 6, 13, 20, 27, 2015 April 3, 10, 17, 24, 2015 May 1, 8, 15, 22, 29, 2015 June 5, 12, 19, 26, 2015 July 3, 10, 17, 24, 31, 2015 August 7, 14, 21, 28, 2015 September 4, 11, 18, 25, 2015
Firing Time:	7:45 p.m. (approximately)
Hours of Operation:	Between 4:00 p.m. and 9:00 p.m. (each date)
Firing Site:	Duke Kahanamoku Beach (Exhibit A)

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, setup and wiring of pyrotechnics, display ignition and discharge from the specified area, and the completion of all post-display operations as related to each pyrotechnic display.

Plan of Action

Duke Kahanamoku Beach firing site (Exhibit A):

Our personnel will close and secure an area surrounding 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.

Required: We will require approximately 500 square feet of the beach area for the setup of our equipment and as the display discharge site for each fireworks production.

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.

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)
Keoni Isagawa, Display Operator	(808) 282-9896 (cell)
Hokulani Gates, Display Operator	(808) 282-9735 (cell)

Enclosed please find copies of firing site location map (Exhibits A) and a certificate of insurance pertaining to the weekly Rockin' Hawaiian Rainbow Revue Fireworks Displays covering the period March 2014 through March 2015. (A new certificate of insurance for the weekly displays will be forwarded upon renewal of the policy in March of 2015 to cover displays through September 2015.)

All required permits from appropriate agencies for the conduct of each fireworks display will be obtained.

We appreciate your consideration of this request for renewal of our Revocable Permit. Thank you in advance for your assistance for us to provide fireworks display services for the enjoyment of visitors and residents alike.

Sincerely,



Stephanie Pascual
Vice President

Enclosures



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

EXEMPTION NOTIFICATION

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

Project Title: Aerial Fireworks Display at Duke Kahanamoku Beach

Project / Reference No.: PSF 14OD-124

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

Project Description: Aerial Fireworks Display every Friday night from October 3, 2014 to September 25, 2015.

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

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

This Board has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. Although the subject request cover one more weekday for a six-month period, staff believes that the additional requested event dates would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties: Office of Conservation and Coastal Land

EXHIBIT "C"

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.



William J. Aila Jr., Chairperson

7/8/14

Date