

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

January 9, 2015

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

PSF No 14OD-203

Oahu

After-the-Fact Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach on January 5, 2015, Waikiki, Honolulu, Oahu, TMK: (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. Plus a safety zone with a radius of approximately 250 feet around the firing site. The total area including the staging area and the safety zone is approximately 196,750 square feet.

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 10:00 p.m. on January 5, 2015 (Monday).

RENTAL:

\$800 (one-time payment.) See Remarks Section for surcharge.

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Pursuant to the authority delegated by the Board on June 14, 2013, item D-11, as amended, Chairperson declared the request exempt from the preparation of an environmental assessment, and signed the exempt notification.

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., is requesting the issuance of a right-of-entry permit for the set-up and firing of fireworks display within the lagoon at Duke Kahanamoku Beach for the Special Event Fireworks Display on January 5, 2015.

The set-up and firing of the aerial fireworks display for this event will include the staging area and the firing of the aerial fireworks display from a platform within the lagoon consisting of 500 square feet from 2:00 p.m. to 10:00 p.m. on January 5, 2015 at Duke Kahanamoku Beach as shown on the attached map labeled Exhibit A. Firing time will be approximately between 7:00 p.m. and 8:00 p.m. and breakdown by 10:00 p.m.

Written request was submitted by the applicant and received by the Department on December 11, 2014 i.e. request was submitted in the fourth week prior to the event date. Pursuant to the policy adopted by the Board of June 14, 2013, item D-11 as amended, Chairperson declared the request exempt from the preparation of an environmental assessment and issued a right-of-entry for the requested event.

Staff brings the request to today's agenda asking for an after-the-fact approval of the request and recommends the Board impose a surcharge of \$250 for this request.

In addition, 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 \$800.

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 government or community agencies.

There are no pertinent issues or concerns. Staff does not have any objection to this request.

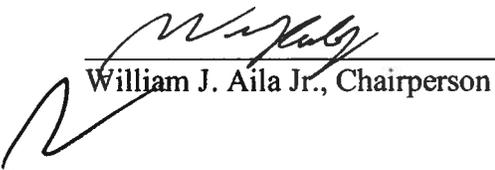
RECOMMENDATION: That the Board authorize the issuance of an after-the-fact right-of-entry permit to Hawaii Explosives & Pyrotechnics, Inc. on January 5, 2015 covering the subject area for aerial fireworks display purposes under the terms and conditions cited above.

Respectfully Submitted,



Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson

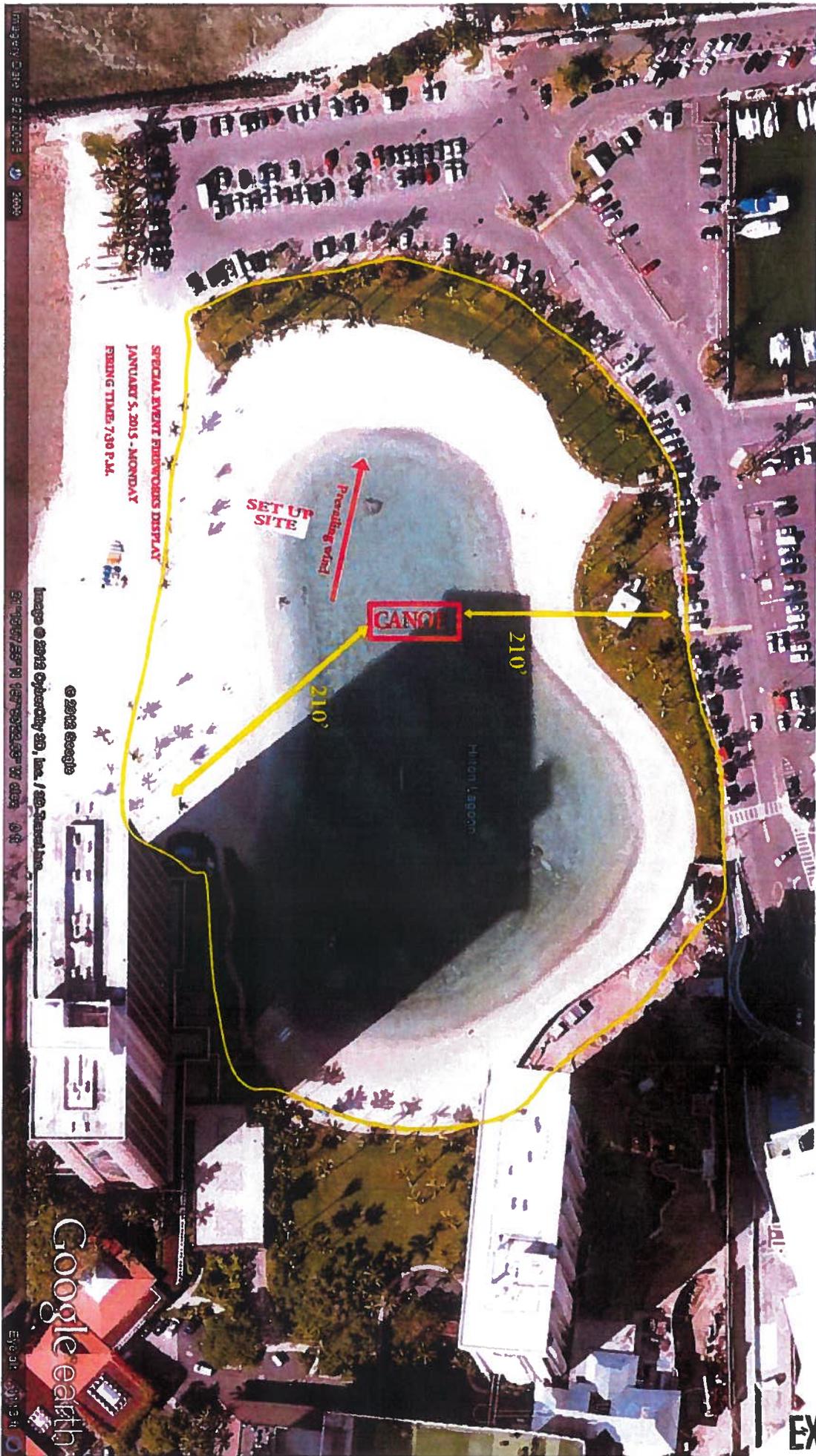


EXHIBIT "A"