

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

July 10, 2015

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

PSF No 15OD-102

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Lanikuhonua Beach on July 18, 2015, Honouliuli, Ewa, Honolulu, Oahu, Tax Map Key: (1) 9-1-057:seaward of 001 (Portion) .

APPLICANT:

Hawaii Explosives & Pyrotechnics, Inc.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Honouliuli, Ewa, Honolulu, Oahu, identified by Tax Map Key:(1) 9-1-057: seaward of 001, as shown on the map attached as **Exhibit A-1 and A-2**.

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:

Conservation

TRUST LAND STATUS:

Section 5(b) 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 firing of aerial fireworks display.

TERM:

Between 12:00 p.m. to 10:00 p.m. on July 18, 2015.

RENTAL:

\$550 (One-time payment. See Remarks Section for breakdown of costs).

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 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., is requesting the issuance of a right-of-entry permit for the set-up and firing of fireworks display along the coastline fronting Lanikuhonua Beach for the Special Event Fireworks Display on July 18, 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 along the coastline fronting Lanikuhonua Beach consisting of 500 square feet from 12:00 p.m. to 10:00 p.m. on July 18, 2015 as shown on the attached map labeled Exhibit A-1 and A-2.

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-2. 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. 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:

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 July 18, 2015 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:

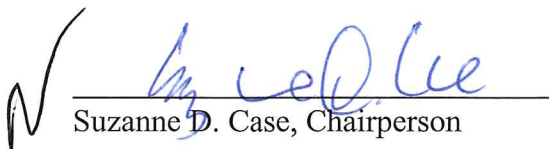
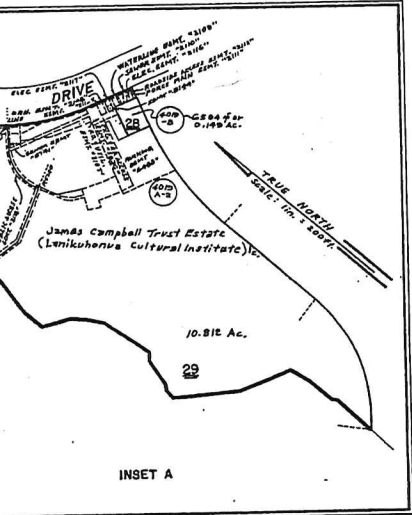
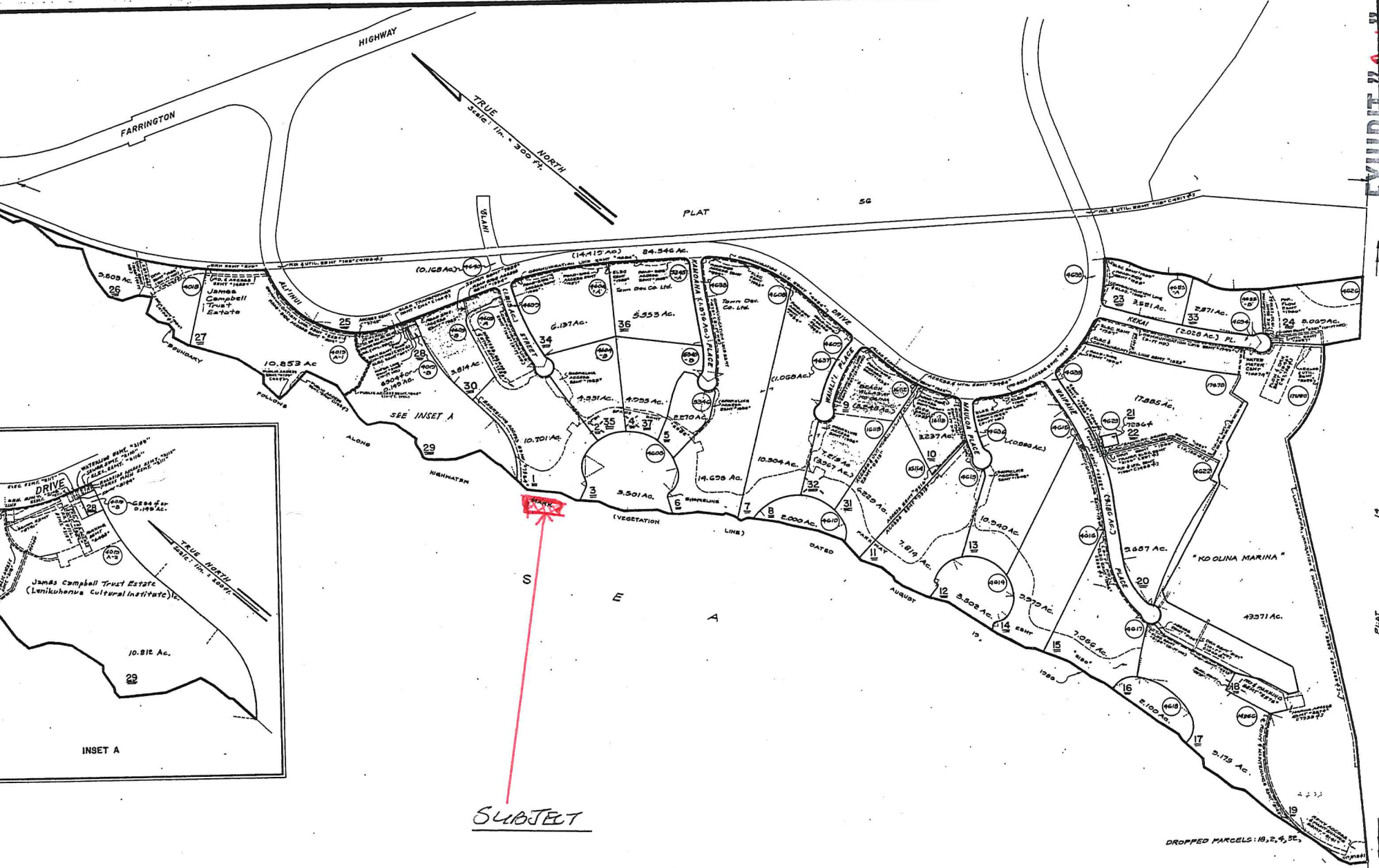

Suzanne D. Case, Chairperson

EXHIBIT 'A'



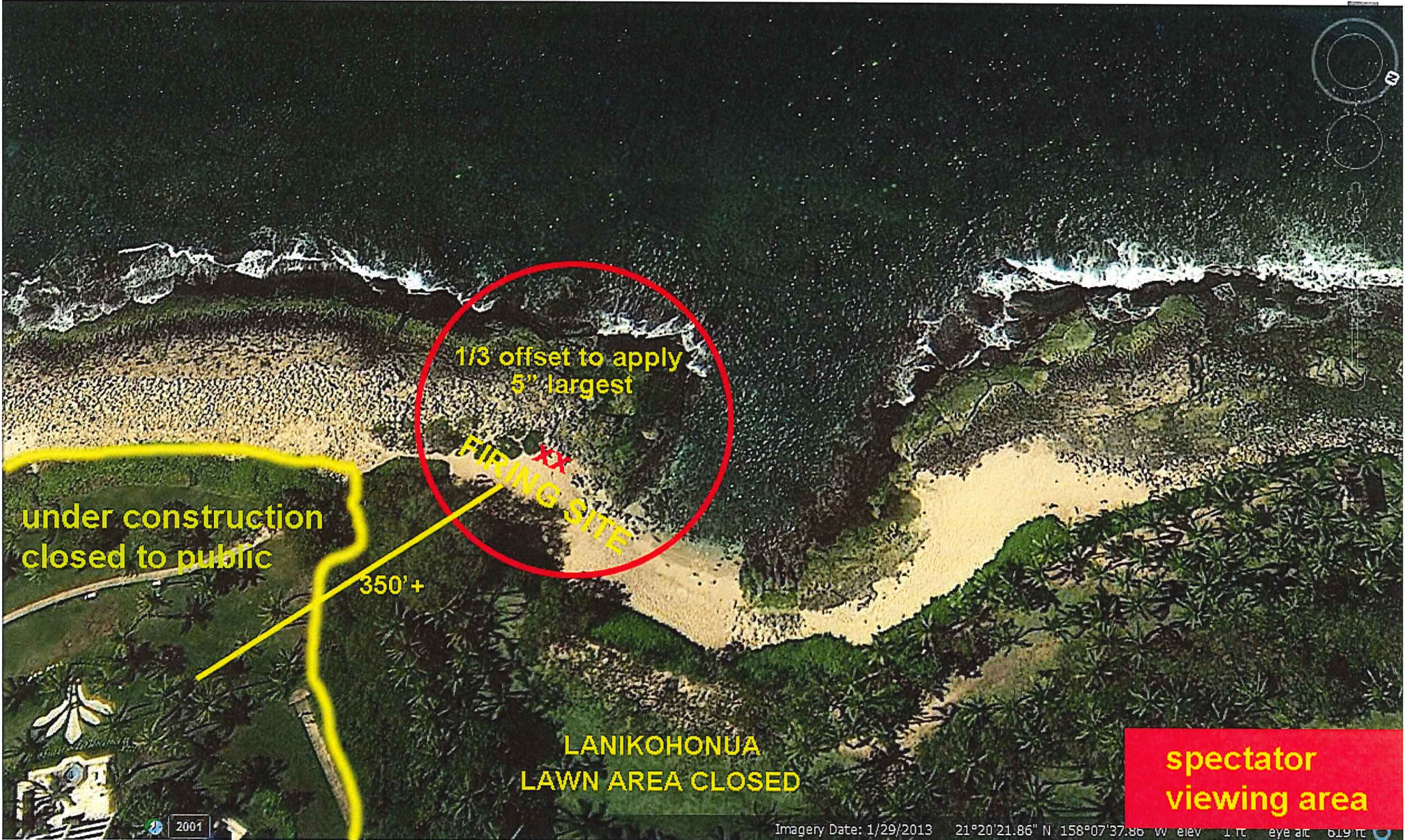
SUBJECT

DEPARTMENT OF FINANCE
 PROPERTY ASSESSMENT DIVISION
 TAX MAPS SECTION
 STATE OF HAWAII
 TAX MAP

CITY & COUNTY OF HONOLULU		
ZONE	SECT.	PLAT
9	1	57
SCALE 1 IN. = 300 FT.		

NOTE: All lots owned by
 West Beach Estates
 unless otherwise noted.

FOR PROPERTY ASSESSMENT PURPOSES:
 SUBJECT TO CHANGE



under construction
closed to public

350'+

1/3 offset to apply
5" largest

FIRING SITE

LANIKOHONUA
LAWN AREA CLOSED

spectator
viewing area

2001

EXEMPTION NOTIFICATION

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

Project Title: Fireworks Display fronting Lanikuhonua Beach on July 18, 2015.

Project / Reference No.: PSF 15OD-102

Project Location: Honouliuli, Ewa, Honolulu, Oahu, TMK:(1) 9-1-057:seaward of 001 portion..

Project Description: Aerial Fireworks Display fronting Lanikuhonua Beach


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."

In the past, permits were periodically issued for conducting aerial fireworks display 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.

Consulted Parties: Not applicable.

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.



Suzanne D. Case, Chairperson
Date 6/24/15