

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

May 27, 2016

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

PSF No 16OD-054

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Lanikuhonua Beach on June 2, 2016, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-057:seaward of 001.

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 June 2, 2016.

RENTAL:

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

CLEAN-UP DEPOSIT:

\$2,500. See Remarks Section.

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 along the coastline fronting Lanikuhonua Beach for the Special Event Fireworks Display on June 2, 2016.

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 June 2, 2016 as shown on the attached map labeled Exhibit A-1 and A-2.

At its meeting on March 24, 2016, under agenda item D-4, HE provided testimony regarding the 30 day turn-around time for the \$2,500 clean-up deposit. HE raised the issue that multiple fireworks shows that may occur in close timeline to one another would have a detrimental effect on their cashflow, therefore, HE requested that a shorter turn-around period be granted. The Board agreed to the request and set the turn-around period to 7

calendar days, and that HE must turn in the proof of clean-up evidence (photos and certificates) to DLNR within 3 calendar days.

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.

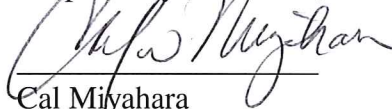
Office of Conservation and Coastal Lands has no comments to the request.

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. 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.

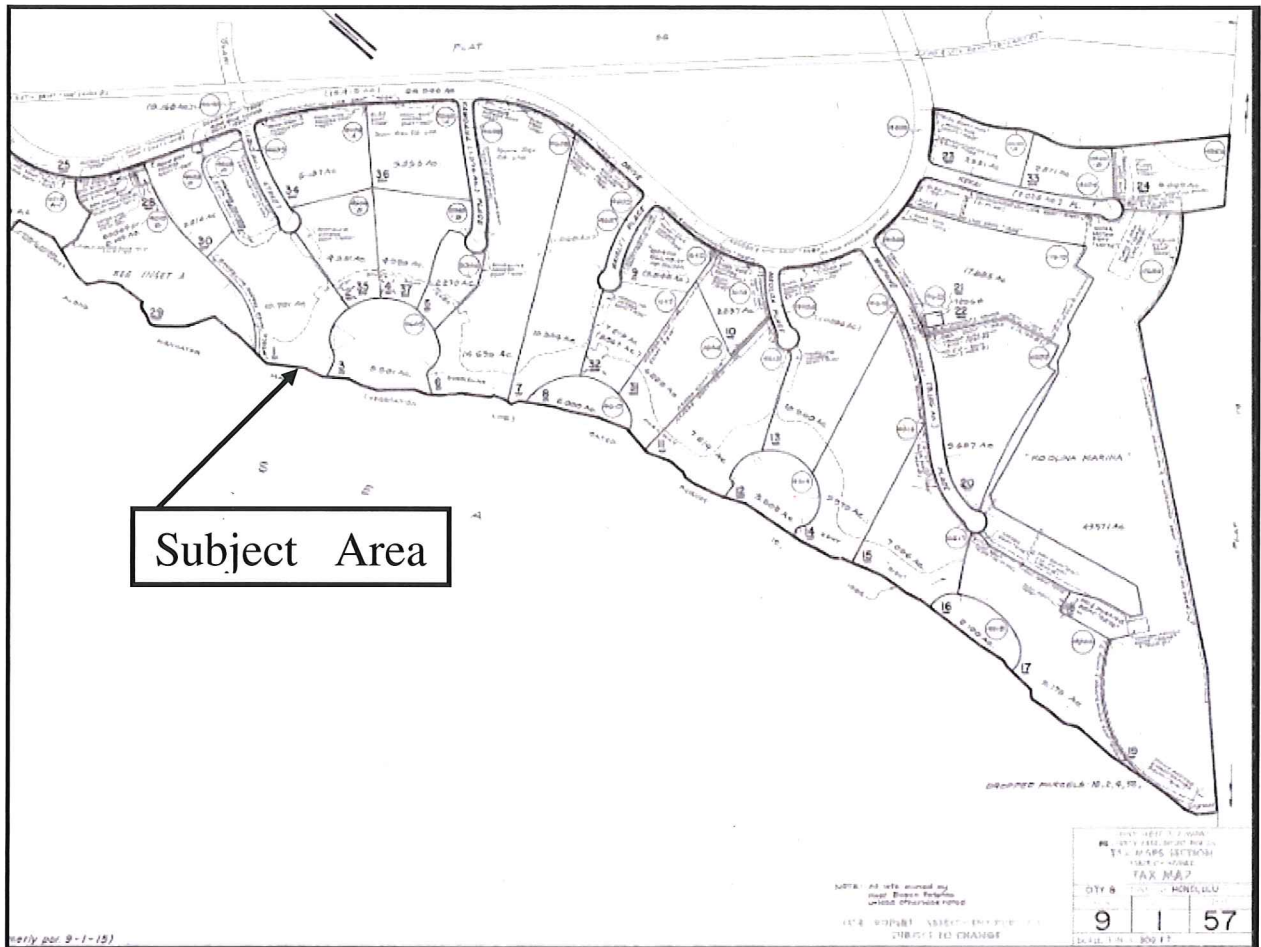
Respectfully Submitted,



Cal Miyahara  
Shoreline Disposition Specialist

APPROVED FOR SUBMITTAL:

  
Suzanne D. Case, Chairperson



**Exhibit A-1**





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 fronting Lanikuhonua Beach on June 2, 2016.

Project / Reference No.: PSF 16OD-054

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

Project Description: Aerial Fireworks Display fronting Lanikuhonua Beach

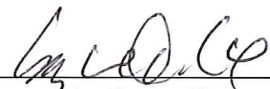
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 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 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: Office of Conservation and Coastal Lands.

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.

  
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Suzanne D. Case, Chairperson

Date 4/28/16



**Exhibit B**