

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

August 24, 2012

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

PSF No.12OD-121

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosives and Pyrotechnics, Inc.
for Set up and Firing of Aerial Fireworks Display on September 8, 2012,
Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:021 (Portion).

APPLICANT:

Hawaii Explosives and Pyrotechnics, Inc., a domestic profit corporation, whose business and mailing address is P.O. Box 1244, Keaau, Hawaii, 96749.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Kalia, situated at Waikiki, Oahu, identified by Tax Map Key:(1) 2-3-037:021 portion, as shown on the attached map labeled Exhibit A-1 and A-2.

AREA:

500 square feet, more or less.

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 firing of aerial fireworks display.

TERM:

September 8, 2012, during the hours of 2:00 p.m. to 10:00 p.m.

RENTAL:

\$50.00 (one-time payment)

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

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.", 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 and Pyrotechnics, Inc. is requesting a right-of-entry permit for fireworks display services in conjunction with the 7-Eleven Corporate Lagoon Lawn Function. The aerial fireworks display is scheduled for September 8, 2012 from 2:00 p.m. to 10:00 p. m. in the lagoon on Duke Kahanamoku Beach as shown on the attached maps labeled Exhibit "A-1 and A-2". Firing time will be at approximately between 8:15 p.m. and 9:00 p.m. and break down by 10:00 p.m.

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.

Hawaii Explosives and Pyrotechnics, Inc. will be using the area near the lagoon as the display site, which will consist of approximately 500 square feet for pre-display staging/post display breakdown of the firing platform.

RECOMMENDATION: That the Board ;

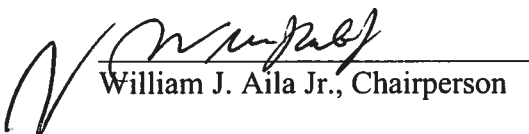
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Hawaii Explosives and Pyrotechnics, Inc. covering the subject area for set-up and firing of 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

D U K E K A H A N A M O K U B E A C H - F I R I N G S I T E

Break Wall

Side Walk

Prevaling Wind

ALA WAI BOAT HAR

BOR PARKING LOT

HALFWAY POINT

Staging Area

Firing Site

XX

235'



SAND

SAND

SIDEWALK

Kiddie Pool

Super Pool

Alii Tower

Rainbow Towers

Parking Lot

Walkway

Lagoon Towers

Lagoon Green

Ocean

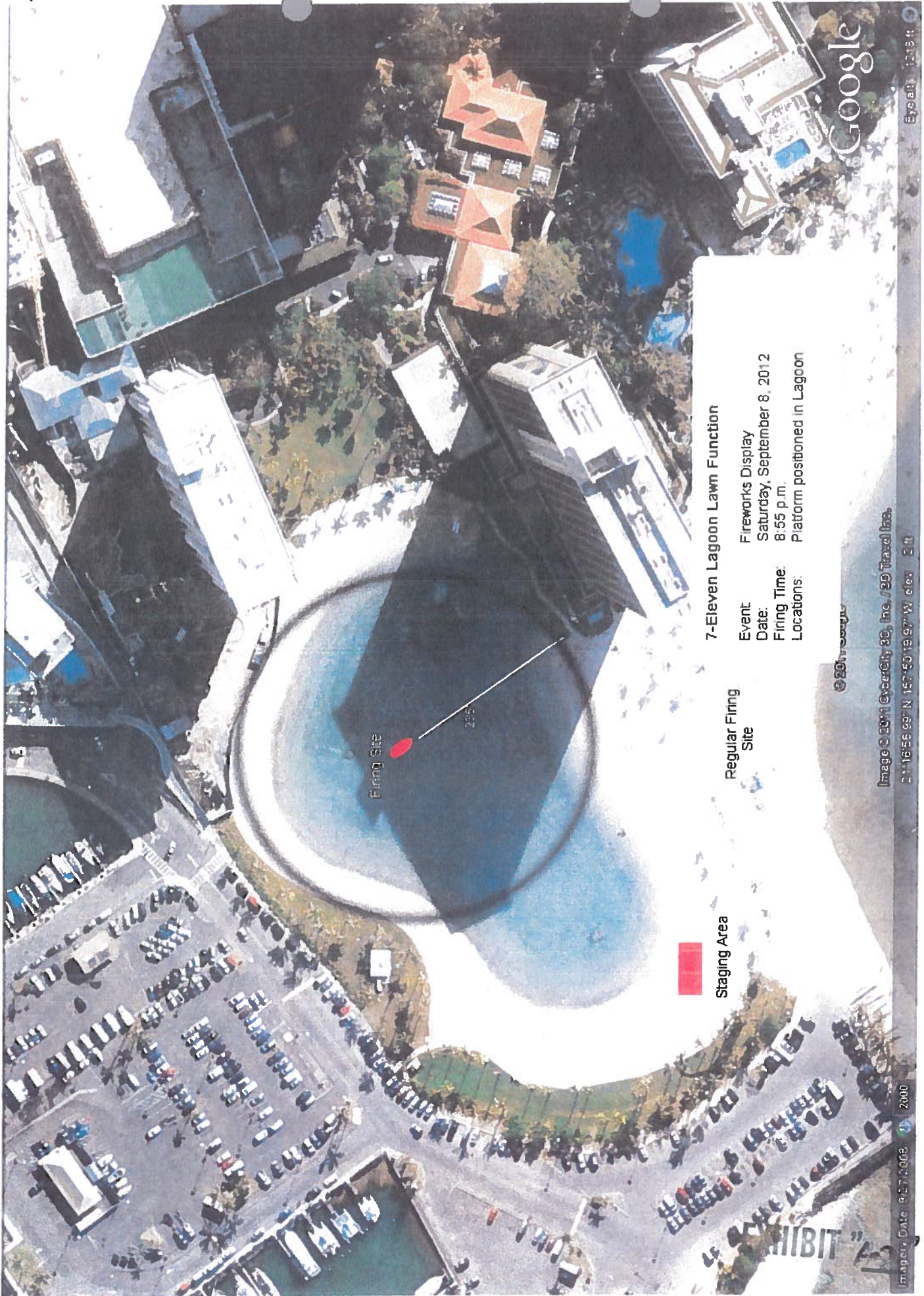
Firing Site Location Map:

Hilton Lagoon Lawn Function Fireworks Display

Display Dates: Saturday, September 8, 2012

Firing Window: 8:25 p.m. - 9:25 p.m.

Firing Site: Platform positioned in Hilton Lagoon



Firing Site

295

Staging Area

Regular Firing Site

7-Eleven Lagoon Lawn Function

Event: Fireworks Display
 Date: Saturday, September 8, 2012
 Firing Time: 8:55 p.m.
 Locations: Platform positioned in Lagoon

© 2011 Mapbox

Image © 2011 CyberCity 3D, Inc. / 3D Travel Inc.
 21°16'56.69" N 157°50'19.97" W elev 2 ft

Google

Eye alt 1215 ft

Imagery Date 9/27/2008 2000

"EXHIBIT"



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 12OD-121

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

Project Description: Aerial Fireworks Display at Duke Kahanamoku 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."

This Division 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. 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 Land

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



Date