

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

September 23, 2011

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

PSF No.11OD-151  
  
Oahu

Issuance of Revocable Permit to Hawaii Explosives & Pyrotechnics, Inc. for  
Aerial Fireworks Display at Duke Kahanamoku Beach for October 1, 2011 to  
September 30, 2012, 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 of Kalia, situated at Waikiki, Honolulu, Oahu, identified by  
Tax Map Key:(1) 2-3-037:portion of 021, as shown on the attached Exhibit A.

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:

Aerial fireworks display.

TERM:

Between 4:00 p.m. and 9:00 p.m. on the dates shown in Exhibit B.

RENTAL:

Rental will be based on 10¢ per square feet per day.

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 at Duke Kahanamoku Beach.

At its meeting of September 9, 2010, under agenda item D-12, the Board authorized the issuance of a revocable permit to HEP, Inc. for the setting-up and conducting of aerial fireworks display at Duke Kahanamoku Beach every Friday between October 2010 and September 2011 (inclusive).

Revocable Permits (RP) 7633 was issued subsequently.

By way of letter dated August 25, 2011, HEP requests the continual issuance of a revocable permit for the setting-up and conducting of aerial fireworks display at Duke Kahanamoku Beach every Friday between October 2011 and September 2012, 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.

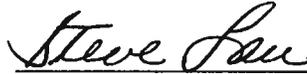
For housekeeping purpose, staff recommends the Board authorize the cancellation of RP 7633 upon issuance of the subject revocable permit. There are no other pertinent issues or concerns. Staff has no objection to this request.

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 revocable 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 revocable permit form, as may be amended from time to time;
  - B. Review and approval by the Department of the Attorney General; and
  - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

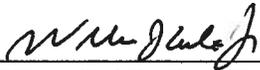
3. Authorize the cancellation of Revocable Permit No. 7633 upon issuance of the subject revocable permit.

Respectfully Submitted,



\_\_\_\_\_  
Steve Lau  
Land Agent

APPROVED FOR SUBMITTAL:



\_\_\_\_\_  
William J. Aila Jr., Chairperson

DUKE KAHANAMOKU BEACH - FIRING SITE MAP

**FIRING SITE LOCATION MAP:**  
**HHV Friday Night Fireworks Displays**  
Dates: Fridays, October 2011 through September 2012  
Firing Time: 7:45 p.m. (approx.)  
Firing Site: Duke Kahanamoku Beach

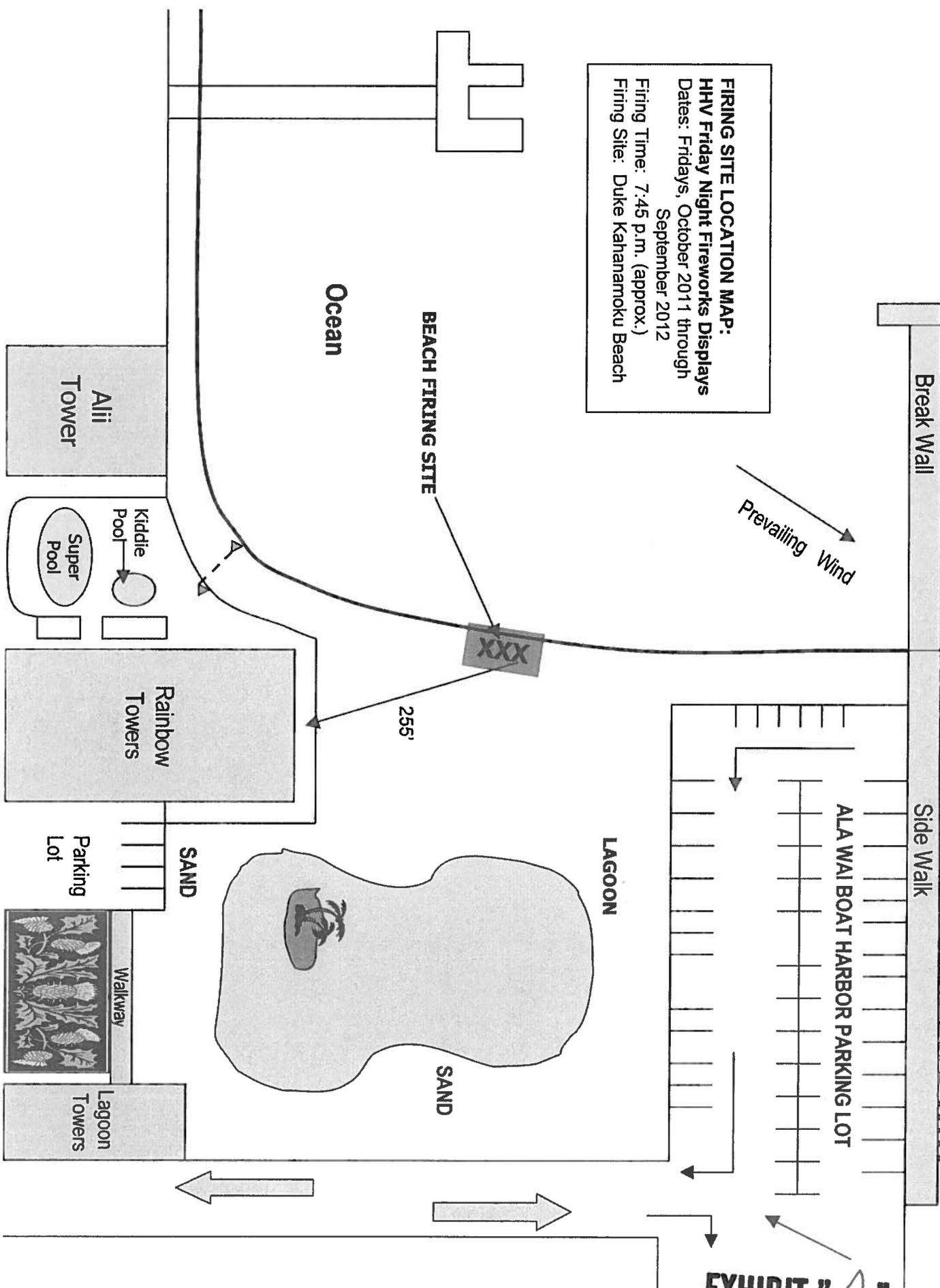


EXHIBIT "A"

# Hawaii Explosives & Pyrotechnics, Inc.

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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](mailto:hepinc@hipyro.com)

August 25, 2011

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  
Revocable Permit No. S-7633

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 2011 through October 2012. Details are as follows:

Event: Hilton Hawaiian Village  
Rockin' Hawaiian Rainbow Revue Fireworks Displays  
Location: Waikiki, Oahu  
Display Dates: October 7, 14, 21, 28, 2011  
November 4, 11, 18, 25, 2011  
December, 2, 9, 16, 23, 30, 2011  
January 6, 13, 20, 27, 2012  
February 3, 10, 17, 24, 2012  
March 2, 9, 16, 23, 30, 2012  
April 6, 13, 20, 27, 2012  
May 4, 11, 18, 25, 2012  
June 1, 8, 15, 22, 29, 2012  
July 6, 13, 20, 27, 2012  
August 3, 10, 17, 24, 31, 2012  
September 7, 14, 21, 28, 2012  
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)

**EXHIBIT "B"**



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 11OD-151

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

Project Description: Aerial Fireworks Display at Duke Kahanamoku8 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

**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

9/6/11  
\_\_\_\_\_  
Date