

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

April 12, 2013

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

PSF No.13OD-045

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Set up and Firing of Aerial Fireworks Display and Torch and Close Proximity Displays on April 24, 25, 30, May 2, and 6, 2013, Waikiki, Honolulu, Oahu, Tax Map Key: (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, Oahu, identified by Tax Map Key:(1) 2-3-037:021 portion, as shown on the attached map labeled Exhibit A.

AREA:

April 24, 25, 30 and May 2, 2013 events:

640 square feet, more or less - staging area and firing area

100 square feet, more or less.- island within lagoon

740 square feet, more or less

May 6, 2013 event:

320 square feet, more or less.- firing site/ platform

320 square feet, more or less- staging area

100 square feet, more or less- logo burning site

60 square feet, more or less- torch burning

800 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 and close proximity displays for torch burning.

TERM:

April 24 and 25, 2013 during the hours of 12:00 p.m. to 11:00 p.m.

April 30, 2013 and May 2, 2013, during the hours of 4:00 p.m. to 11:00 p.m.

May 6, 2013 during the hours of 6:00 p.m. to 11:00 p.m.

RENTAL:

\$376.00 (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 & Pyrotechnics, Inc. is requesting the issuance of a right-of-entry permit for the set-up and firing of fireworks display within the Hilton lagoon at Duke Kahanamoku Beach for April 24, 25, 30, May 2, 2013 events and for May 6, 2013 event.

April 24, 25, 30, and May 2, 2013 events:

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 island as well as the burning of two (2) torches on the lagoon island consisting of 740 square feet in conjunction with the Panda Express Function. The aerial fireworks display and burning of the two (2) torches is scheduled for April 30, 2013 and May 2, 2013 from 4:00 p.m. to 11:00 p.m. in the lagoon on Duke Kahanamoku Beach as shown on the attached maps labeled Exhibit "A-1 ". Firing time will be at approximately between 7:00 p.m. and 9:00 p.m. and break down by 11:00 p.m. on each of the dates mentioned above.

The aerial fireworks display for the Forever Living Fireworks display on April 24 and 25, 2013 will include the staging area and the firing of the aerial fireworks display from a platform within the lagoon island as well as the logo burning on the lagoon island consisting of 740 square feet. Set-up time will be between the hours of 12:00 p.m. to 11:00 p.m. and firing time will be approximately between 8:00 p.m. and 9:00 p.m. and break down time will be by 11:00 p.m on the dates mentioned above.

May 6, 2013 event:

The aerial fireworks display for the May 6, 2013 event will total 800 square feet, which will consist of 320 square feet for a staging area, the set-up and firing of aerial fireworks from a platform within the lagoon consisting of approximately 320 square feet, 100 square feet for a logo burning site and an additional 60 square feet for the burning of 15 torches (4 sq. ft) located along the perimeter of the lagoon for close proximity effects in conjunction with the AAI 100 Year Celebration event.

The aerial fireworks display is scheduled for May 6, 2013 from 12:00 p.m. to 11:00 p.m. in the lagoon on Duke Kahanamoku Beach as shown on the attached map labeled Exhibit " A-2". Firing time will be at approximately between 8:00 p.m. and 9:00 p.m. and break down by 11:00 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.

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.

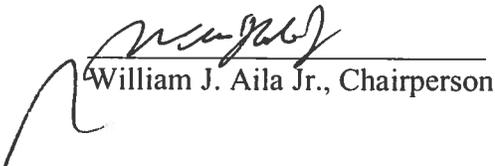
2. Authorize the issuance of a right-of-entry permit to Hawaii Explosives & Pyrotechnics, Inc. covering the subject area for set-up and firing of aerial fireworks display and close proximity torch burning purposes under the terms and conditions cited above, which are by this reference incorporated herein 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,

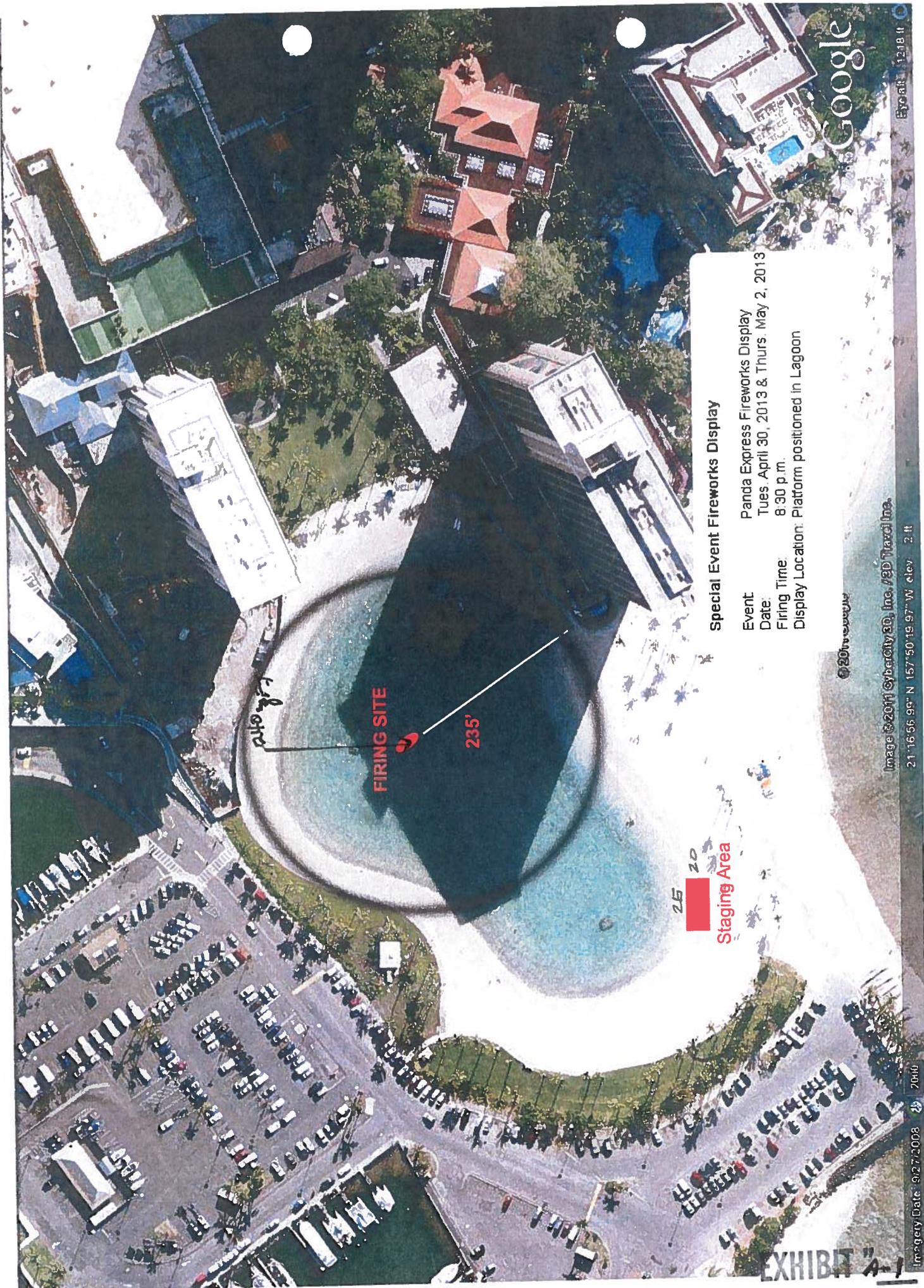


Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson



Google

Eye alt: 12.18 ft

Special Event Fireworks Display

Event Panda Express Fireworks Display
Date Tues April 30, 2013 & Thurs May 2, 2013
Firing Time 8:30 p.m.
Display Location Platform positioned in Lagoon

FIRING SITE

235'

Staging Area

25 20

© 2013 Google

Image © 2011 CyberCity 3D, Inc. / 3D Travel, Inc.
21°16'56.99" N 157°50'19.97" W elev 2 ft

Imagery Date: 9/27/2008 2010

EXHIBIT A-1



Google

Earth 15.4m

Forever Living Fireworks display

Event: Fireworks Display & Logo Burn
Date: 4/24, 4/25, 2013
Firing Time: 8:55p.m. approximately
Locations: Platform positioned in Lagoon and Logo on island

Firing Site
32037
532

Logo Burn
100337

Staging Area
320sq'

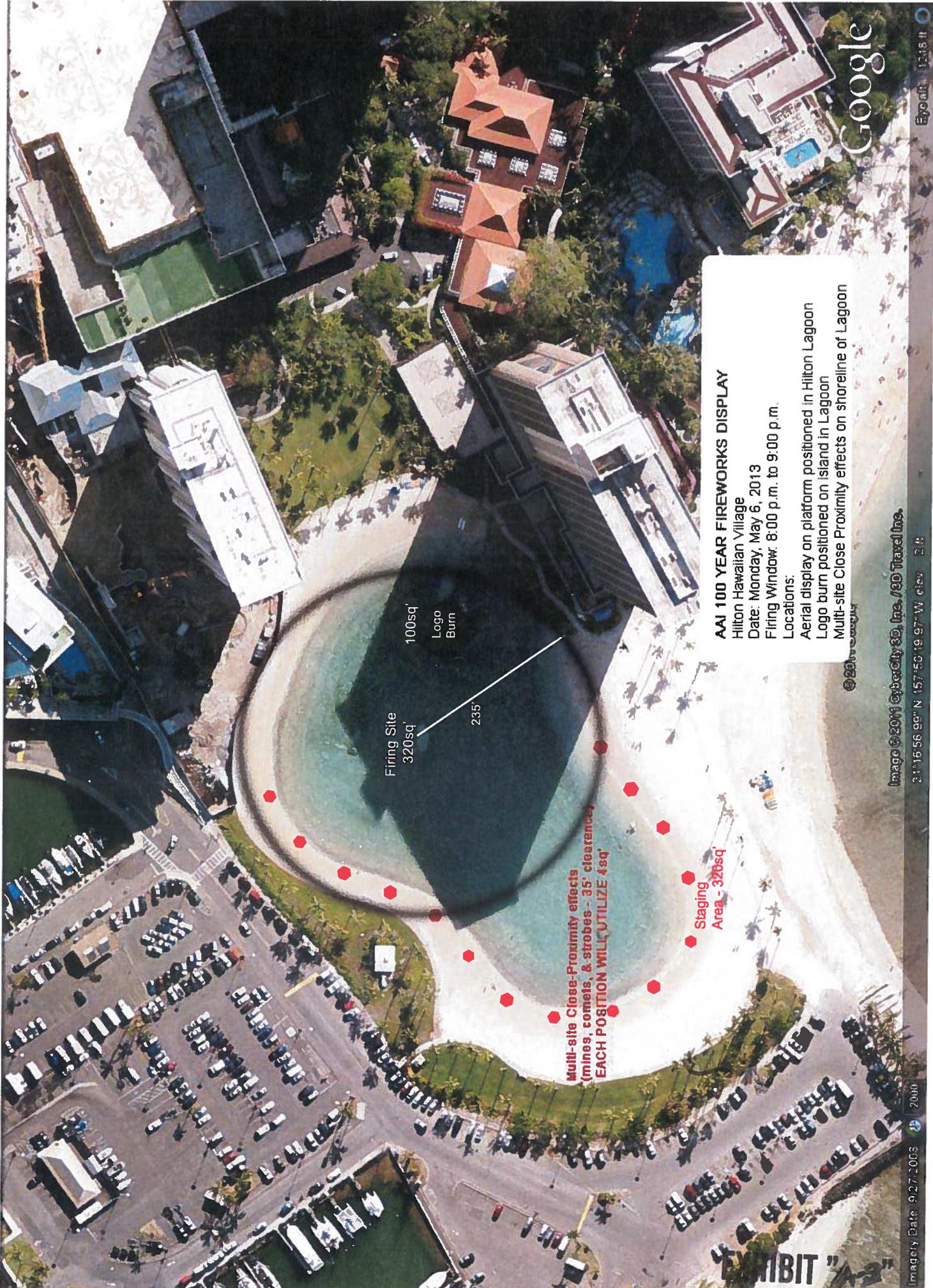
© 2011 Google

Image © 2011 Google, Inc. / 80° Travel Inc.

21 15:55:55 N 157 50 15 27 W alt: 2m

Image Date: 5/27/2005 2000

EXHIBIT A-2"



AAI 100 YEAR FIREWORKS DISPLAY
 Hilton Hawaiian Village
 Date: Monday, May 6, 2013
 Firing Window: 8:00 p.m. to 9:00 p.m.
 Locations:
 Aerial display on platform positioned in Hilton Lagoon
 Logo burn positioned on island in Lagoon
 Multi-site Close Proximity effects on shoreline of Lagoon

100sq'
 Logo Burn

320sq'
 Firing Site

235'

Multi-site Close-Proximity effects
 (mines, comets, & strobes - 35' clearance)
EACH POSITION WILL UTILIZE 4sq

Staging
 Area - 320sq'

Google

Image © 2011 CyberCity 3D, Inc. / 3D Travel, Inc.

21°15'56.98"N 157°50'19.97"W elev 3 ft

Image Date: 9.27.2003 © 2000

Exhibit 11



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 and Torch Burning Display at Duke Kahanamoku Beach on April 24, 25 30, May 2 and May 6, 2013

Project / Reference No.: PSF 13OD-045

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

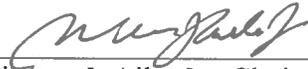
Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, 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