

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

April 24, 2026

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

PSF No.: 26OD-035

Oahu

Issuance of Right-of-Entry Permit to Hawaii Explosive & Pyrotechnics Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach Every Friday from June 5, 2026, through May 28, 2027, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portion of 021.

APPLICANT:

Hawaii Explosives & Pyrotechnics, Inc., a Hawaii profit corporation.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated at Waikiki, Honolulu, Oahu, identified by Tax Map Key: (1) 2-3-037: portion of 021.

The event will take place on the western end of Waikiki Beach, specifically Duke Kahanamoku Beach, on the south side of Hilton Hawaiian Village's Rainbow Tower.

AREA:

Staging area (approximate)	500	square feet
<u>Safety zone (approximate)</u>	<u>173,494</u>	square feet
Total area	173,994	square feet

Near the Hau Tree Bar is the eastern corner of the safety zone. The eastern border stretches over the beach out into the ocean for approximately 550 feet. Turning to

the west, the southern border of the safety zone transects the cove for approximately 730 feet, ending at the car park. The western border of the safety zone hugs the eastern side of the car park for approximately 200 feet then turns left to follow northern edge of the car park for another estimated 200 feet. The border then turns right and heads an estimated 600 feet north over the Duke Kahanamoku lagoon beach into the lagoon veering slightly to the right until the border reaches the southwest corner of Rainbow Tower. The safety zone is enclosed by the northern border of an estimated 300 feet from the southwest corner of Rainbow Tower along Fort DeRussy Boardwalk ending near the Hau Tree Bar.

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 conduct of weekly aerial fireworks displays.

TERM OF RIGHT-OF-ENTRY:

Between 4:00 pm and 9:00 pm on 52 successive Fridays, June 5, 2026 – May 28, 2027.

Rent:

\$775.00 per event day for set-up, firing site area, and safety zone:

Rent per event day	\$775.00
<u>Number of event days</u>	<u>x 52</u>
Total annual rent amount	\$40,300.00

Collateral Security Deposit:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (HAR) §11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to:

General Exemption Type 1: Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing.

Part 1, Item 44: Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.

The temporary use of the Duke Kahanamoku Beach for aerial fireworks displays will not result in any significant cumulative impact and there are no sensitive environmental issues involved with the proposed use of the property. In the past, permits issued for aerial fireworks displays on this beach have resulted in no known significant impacts to the natural environment and environmental resources in the area.

The event vendor, has, and will continue to ensure proper clean up after each show, thus minimizing any impacts to environment. Clean-up involves dispatching crews after the event to pick up any debris on the beach or in the water and the crew returns the next morning to comb the beach again for debris including trash left by beach goers and divers are dispatched to search for any debris left in the ocean waters.

Therefore, the subject request is expected to have minimal or no significant effect on the environment and should be declared exempt from the preparation of an environmental assessment and the requirements under HAR §11-200.1-17.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO
Registered business name confirmed:	YES <u>X</u>	NO
Applicant in good standing confirmed:	YES <u>X</u>	NO

PUBLIC TRUST ANALYSIS:

The event vendor was chosen by Hilton Hawaiian Village which is located adjacent to the public beach upon which the event is held. The event vendor is responsible for financing the State of Hawaii fee. There is no charge to the public at large for viewing the weekly Friday evening event. The public at large encompasses not only the immediate area around the public beach but also any part of Oahu which can view the sky area above the public beach. For approximately 60 minutes the public beach will be closed for event safety reasons.

The event vendor goes to great lengths to minimize the environmental impact by dispatching crews after the event to pick up any debris on the beach or in the water. The crew returns the next morning to comb the beach again for debris including trash left by beach goers and divers are sent into the ocean to search for any debris.

To date, staff has not received complaints from the public about this event impeding their beach enjoyment. Given the limited duration and scope of the event, staff believes that the requested disposition is consistent with the Public Trust as this event provides public enjoyment, generates revenue for the State of Hawaii and maintains environmental stewardship standards.

REMARKS:

Hawaii Explosives & Pyrotechnics, Inc. (HE) has been contracted by the Hilton Hawaiian Village (HHV) to continue conducting aerial fireworks displays every Friday evening for a period of 12 months from June 5, 2026, through May 28, 2027, at Duke Kahanamoku Beach. The present request is for issuance of a right-of-entry permit to continue the firework display that has been held at the same location every Friday night since 1991, with the exception of the statewide Covid shutdown period from March 2020 to March 2022.

The Division of Boating and Ocean Recreation (DOBOR) has been consulted on staff's recommendation for approval and request for exemption pursuant to Chapter 343, HRS. DOBOR had no objections to the subject request and concurred with the proposed exemption.

The Office of Conservation and Coastal Lands (OCCL) reviewed the submittal and provided no comments.

The Office of Hawaiian Affairs (OHA) reviewed the submittal and provided the following comments for the Board of Land and Natural Resources (BLNR) regarding the aerial fireworks display at Duke Kahanamoku Beach.

“Considering that the project is exempt from Hawaii Revised Statutes (HRS) 343 review, OHA believes there is no clear way for the applicant to adequately address impacts to the beach and safety concerns regarding general public attendance at firework shows. This includes crowd flow management and direct impacts to beach sand being shuffled and moved from foot traffic. As such, the BLNR may want to reconsider the exemption or placing conditions on continued use that includes an assessment of attendance numbers (for guests and the general public) and beach sand condition (before and after events). OHA is only providing comments for BLNR consideration regarding the submittal.”

Staff requested from OHA documentation concerning crowd flow management and direct impact to beach sand condition, but no documentation was forthcoming. Also, as of the writing of this submittal, staff understands that OHA is not planning to attend the board meeting or provide further testimony .

As noted above, the subject event has been conducted at the same location over the last 30+ years. To date, the division is not aware of any complaints/issues relating to crowd control during the event nor the condition of the beach after the event.

The 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.

RECOMMENDATION:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Section 11-200.1-15, HAR, this project is expected to have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Determine whether the proposed disposition is consistent with the public trust. If the Board determines that these actions are consistent with the public trust, then the Board is recommended to approve the following:
3. Approve the issuance of a right-of-entry permit to Hawaii Explosives & Pyrotechnics, Inc. on specified dates mentioned above 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 for regular Friday fireworks show, as may be amended from time to time; and
- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

Barry Cheung

for Stephen Kumalae
Land Agent

APPROVED FOR SUBMITTAL:

R.K.P.

Ryan K. P. Kanaka'ole, Acting Chairperson