

Janice Williams

From: Jo-Anne Triolo <joanne@bayfireworks.com>
Sent: Monday, April 25, 2016 3:29 PM
To: Janice Williams
Subject: Re: Sunset Beach Resort fireworks display off land 7/2/16
Attachments: County of Northampton fireworks application for permit.pdf

Good afternoon Janice,

Attached is the fireworks permit application for the Sunset Beach Resort's barge fireworks display on ~~June~~^{July} 2nd.

If there's any further information required please let me know.

Thank you again for all you help.

Sincerely,

Jo-Anne

On Fri, Apr 22, 2016 at 3:35 PM, Jo-Anne Triolo <joanne@bayfireworks.com> wrote:
Will do...thank you.

On Fri, Apr 22, 2016 at 3:10 PM, Janice Williams <jwilliams@co.northampton.va.us> wrote:

As per the County Attorney, Northampton's jurisdiction does extend out as far as your site plan indicates, so please complete the application and forward same to me to present to the Board of Supervisors for approval.

Janice

From: Jo-Anne Triolo [mailto:joanne@bayfireworks.com]
Sent: Friday, April 22, 2016 12:43 PM
To: Janice Williams
Subject: Re: Sunset Beach Resort fireworks display off land 7/2/16

I truly appreciate your help...thank you.

On Fri, Apr 22, 2016 at 12:22 PM, Janice Williams <jwilliams@co.northampton.va.us> wrote:

Here's the fireworks application that we discussed. I'll let you know what my investigation shows as to whether you even need a permit or not.

Janice Williams

County Administrator's Office

P O Box 66

Eastville, VA 23347

757/678-0440 ext. 516

From: Jo-Anne Triolo [mailto:joanne@bayfireworks.com]

Sent: Friday, April 22, 2016 12:08 PM

To: jwilliams@co.northampton.va.us

Subject: Sunset Beach Resort fireworks display off land 7/2/16

Good afternoon Janis,

Per our conversation... I've attached a copy the site map for a barge fireworks display near the Sunset Beach Resort, located at 3224 Lankford Hwy, Cape Charles, VA.

The date is July 2nd.

Please let me know if the water based display will require a permit.

Thank you.

Jo-Anne

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Jo-Anne Triolo
Pyro Engineering Inc. dba Bay Fireworks
999 South Oyster Bay Road, Suite 111

Bethpage, NY 11714
516-597-5500 Phone / 516-597-5507 Fax

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COUNTY OF NORTHAMPTON

**APPLICATION FOR PERMIT TO PURCHASE FIREWORKS
AND FOR THEIR DISPLAY (Section 59.1-144)**

Name of Applicant and/or Organization: Sunset Beach Resort

Address: 32246 Lankford Highway Phone: 757-331-0042 (Mr. Rob Stubbs)
Cape Charles, VA 23310

Date(s) and Time(s) for Fireworks Display: July 2nd 2016 between 9:00 pm and 9:30 pm

Location of Display (be specific): Barge display near Sunset Beach Resort
(37-08-12 north/ 075-58-34 west)

Do you have general liability insurance to cover this event?
yes

If so, in what limits? \$10 million (see attached)

What plans does applicant have to guard against personal injury and/or property damage during the storage, transport, and use of fireworks?

Will comply with NFPA Rules & Regulations

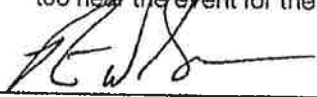
Name, address and phone numbers of person(s) responsible for fireworks display?

Lead technician: Thomas Wojnarowski
(VA technician license attached)

Effective March 1, 2011, state law now requires that the entity that puts on a fireworks display shall have at least one person who is certified as a pyrotechnician by the Office of the State Fire Marshall. By completing this application, the applicant hereby certifies that the following individual (provide name, address, telephone number, certification number) is so qualified and will be on-site during the fireworks display.

Thomas Wojnarowski VA licensed technician (Resume attached)

Application should be submitted to the County Administrator's Office, Post Office Box 66, Eastville, Virginia 23347. Applications will be reviewed by the Northampton County Board of Supervisors which shall determine whether or not to grant a permit. The Board meets on the second Tuesday and fourth Monday of each month. Applications received too near the event for the Board to consider them at a meeting must be denied.



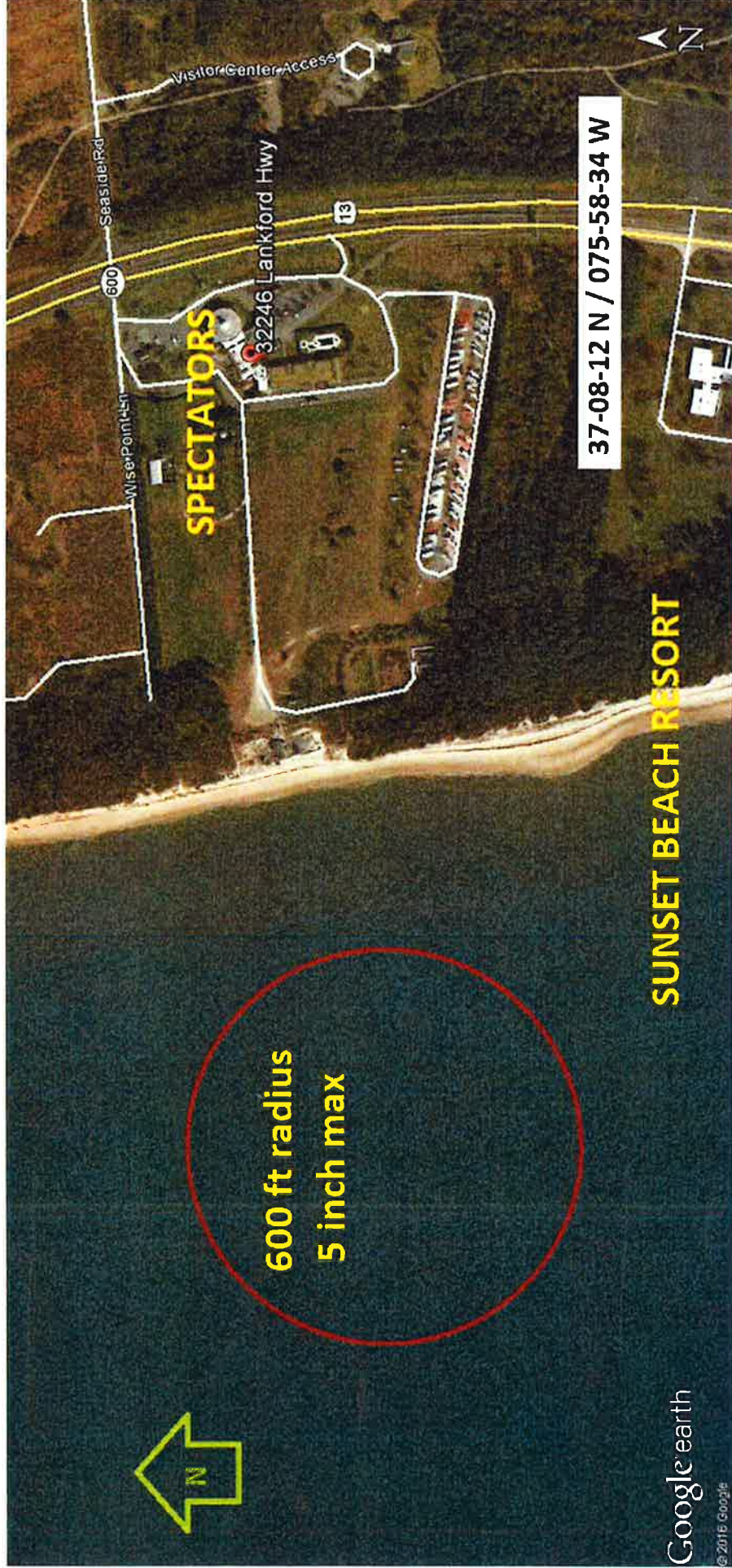
Signature of Applicant

4/25/16

Date



600 ft radius
5 inch max



SPONSOR: Sunset Beach Resort

Fireworks Company

Pyro Engineering, Inc.
999 S. Oyster Bay Rd., Suite 111
Bethpage, NY 11714
P; 516-597-5500/ F: 516-597-5507

Show Date(s): 7/2/16

Rain Date(s):

Location: barge display near Sunset Beach Resort in Cape Charles, VA

Time: approximately 9:00 pm

1. Total number of Class B shells being used: 2-3"=580, 4"=150, 5"=60, 6"=9,
Cakes=14.

Shell sizes max: 6 inches in diameter.

2. All shells are DOT approved.
3. Display will be fired electrically.
4. All displays will comply with all requirements as set forth in NFPA 1123 and 1126 Guidelines for the use of Pyrotechnics.
5. Pyro Engineering, Inc. has complete understanding of all rules and regulations governing public fireworks displays and this display will be in accordance with those rules and regulations.
6. Personnel representing fireworks display company:
Lead: Thomas Wojnarowski (VA license attached)
7. Clean up will commence 30 minutes after cool down.

Signed 
Fireworks Company Representative

Virginia State Fire Marshal's Office

Certified Pyrotechnician - Aerial

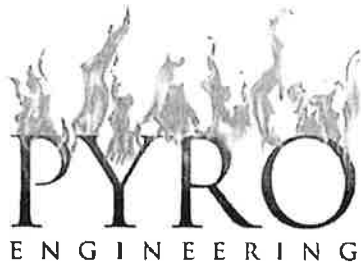
Name: Wojnarowski, Jr., Thomas

Print date: 04/24/14

Effective date: May 4, 2014

Expiration date: May 4, 2017

Certification #: F345875WV



www.peifx.com

999 South Oyster Bay Road • Suite 111
Bethpage, NY 11714
T: 516.597.5500 • F: 516.597.5507



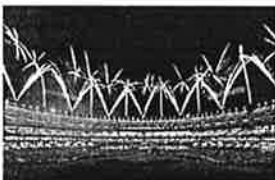
www.bayfireworks.com

World Class Productions



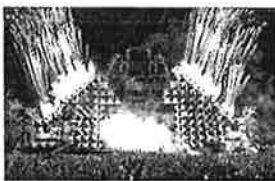
Fireworks Symposium
at Walt Disney World
America's 400th Anniversary
Casinos - Bally's, Caesars, Claridge
Major Theme Parks
NASA's 50th Anniversary
Universal Orlando Resort
Centennial / Milestone Events

Major Sporting Events



Major League Baseball
U.S. Olympic Committee
State Games of America
National Football League
Minor League Baseball
PGA / LPGA Courses & Events
Goodwill Games

Concert Tours - Close Proximity



Ultra Music Fest - Miami
Electric Daisy Carnival - Las Vegas
Katy Perry - One Direction
Alice Cooper - Swedish House Mafia
Stadium, Stage, Concerts
Theatrical Events
Theme Park Design - Consultation

April 22, 2016

To Whom It May Concern:

This letter will serve as a Resume for Mr. Thomas Wojnarowski. Mr. Wojnarowski has produced firework displays for Pyro Engineering, Inc. for the past 7+ years. As such, Mr. Wojnarowski has assisted in the production of all types of pyrotechnic displays. He has completed our training classes and now assists in the training of new technicians. I find him competent and well qualified to conduct pyrotechnic displays.

I have always found Mr. Wojnarowski to be efficient, courteous and responsible in the performance of his duties.

Mr. Wojnarowski holds Licenses in the following States MD & VA

If you have any further questions, please feel free to contact my office at 516 597-5500

Sincerely,

Dennis P. Brady Sr.
Vice President of Operations
Pyro Engineering, Inc. Bay Fireworks



Pyro Engineering, Inc.
999 South Oyster Bay Road, Suite 111 - Bethpage, NY 11714
P: (516) 597-5500 – F: (516) 597-5507

United States Department of Fish and Wildlife Service
Virginia Field Office
6669 Short Lane
Gloucester, VA 23061
[Troy Andersen@fws.gov](mailto:Troy_Andersen@fws.gov)

Date: **April 12, 2016**

Dear Troy,

Enclosed is a map of the proposed site. Please inform me as to whether this will impact on any endangered species and how we may address any possible problems.

A. SPONSOR **Sunset Beach Resort**
B. LOCATION: **barge located on Chesapeake Bay near the Sunset Beach Resort
32246 Lankford Hwy
Cape Charles, VA**

C. SHOW DATE: **July 2, 2016**
D. RAIN DATE: **N/A**
E. APPROXIMATE TIME: **between 9:00 pm & 9:30 pm**

Thank you,

A handwritten signature in blue ink that reads "Jo-Anne Triolo".

Jo-Anne Triolo
Joanne@bayfireworks.com



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 SHORT LANE
GLOUCESTER, VA 23061
PHONE: (804)693-6694 FAX: (804)693-9032
URL: www.fws.gov/northeast/virginiafield/

Consultation Code: 05E2VA00-2016-SLI-2332

April 21, 2016

Event Code: 05E2VA00-2016-E-02826

Project Name: Sunset Beach Resort Fireworks Display

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and

endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: Sunset Beach Resort Fireworks Display

Endangered Species Act Species List

There are a total of 3 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
Roseate tern (<i>Sterna dougallii</i> <i>dougallii</i>) Population: northeast U.S. nesting pop.	Endangered	Not likely to have adverse effect	
Insects			
Northeastern beach tiger beetle (<i>Cicindela dorsalis dorsalis</i>) Population: Entire	Threatened	Not likely to have adverse effect	
Mammals			
Northern long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened	Not likely to have adverse effect	

Bald Eagle

No nest within 660ft. and not within a concentrated area. (Spectators on beach only)

No Critical Habitat



United States Department of Interior
Fish and Wildlife Service

Project name: Sunset Beach Resort Fireworks Display

Official Species List

Provided by:

Virginia Ecological Services Field Office
6669 SHORT LANE
GLOUCESTER, VA 23061
(804) 693-6694
<http://www.fws.gov/northeast/virginiafield/>

Consultation Code: 05E2VA00-2016-SLI-2332

Event Code: 05E2VA00-2016-E-02826

Project Type: ** OTHER **

Project Name: Sunset Beach Resort Fireworks Display

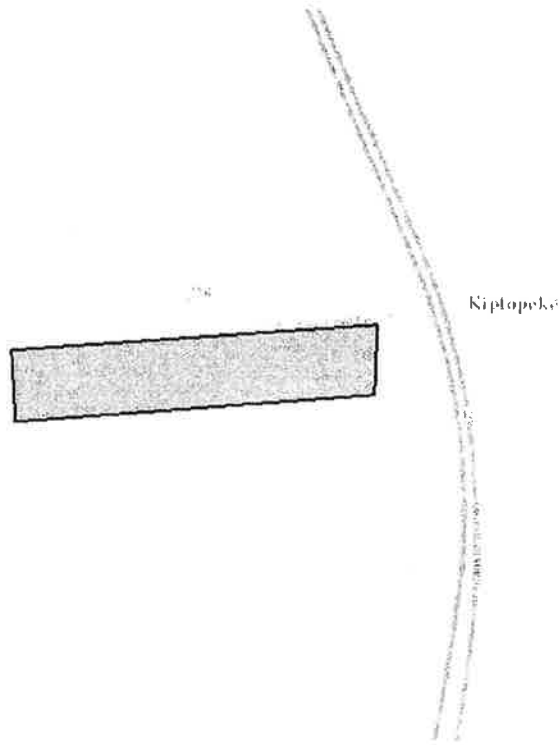
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior
Fish and Wildlife Service

Project name: Sunset Beach Resort Fireworks Display

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-75.96819519996643 37.138689670721284, -75.97553372383118 37.13824492510576, -75.9754478931427 37.13710739077062, -75.96824884414673 37.1375692488789, -75.96819519996643 37.138689670721284)))

Project Counties: Northampton, VA



United States Department of Interior
Fish and Wildlife Service

Project name: Sunset Beach Resort Fireworks Display

Critical habitats that lie within your project area

There are no critical habitats within your project area.



United States Department of Interior
Fish and Wildlife Service

Project name: Sunset Beach Resort Fireworks Display

Appendix A: FWS National Wildlife Refuges and Fish Hatcheries

There are no refuges or fish hatcheries within your project area.