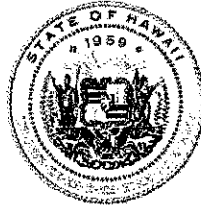
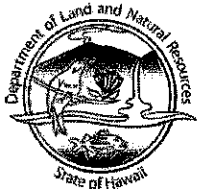


DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

Date: April 8, 2022
DAR # AR0171

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

MEMORANDUM

TO: Brian J. Neilson
DAR Administrator

FROM: Russell Sparks , Aquatic Biologist

SUBJECT: Right of Entry request to set up and conduct an aerial fireworks display from state beach property at DT Fleming's Beach Park, Kapalua Maui.

Request Submitted by: Seiko Machida, Land Agent
DT Fleming Beach Park, Kapalua Maui. TMK (2) 4-2-004: seaward of 016

Location of Project: _____


Brief Description of Project:

The applicant (Pyro Spectaculars North, Inc) is seeking a right of entry permit to transport equipment and supplies over state beach property via multiple trips using a small Kawasaki Mule side by side. The exact number of trips back and forth for setup and take down is not clear. In addition, this applicant is planning to conduct an aerial fireworks display from the beach with the majority of the firework fall out zone expected to occur over the nearshore marine waters of this area. This planned display is the second planned event in about 3 weeks, with a previous display set for April 11, 2022 and this display set for May 2, 2022. There is no further discussion of the projected frequency of future firework events in this area.

Comments:

No Comments Comments Attached

Thank you for providing DAR the opportunity to review and comment on the proposed project. Should there be any changes to the project plan, DAR requests the opportunity to review and comment on those changes.

Comments Approved:  _____ Date: Apr 8, 2022
Brian J. Neilson
DAR Administrator

DAR# AR0171

Comments

Potential impacts to the beach and sand dune ecosystem:

A few trips up and down the beach on a small utility 4-wheel drive vehicle, is not likely to result in any long-term impacts to the sandy beach and coastal dune ecosystem.

However, if the setup and take down process results in numerous trips along the same section of beach, that could have some negative impacts to the beach profile and normal sand movement patterns. This will become more of a concern if these firework events become more common. There is not enough information presented with this application to know how common this practice will become. Given, however, that two events are planned within a three week period (April 11 and May 2, 2022) this does raise some concerns that these events could become relatively common. We would suggest that any future approval of this practice (driving utility vehicles over the sandy dune and beach habitat) be evaluated in the context of the frequency that they are planned for. We would also suggest that the applicant be required to consult with beach dune experts from the county and the UH Sea Grant program to ensure that no long-term deleterious impacts occur to these sensitive habitats. In addition, at no time should the set-up, take down, or the actual fireworks show occur when protected species are in the immediate area. These species could include green sea turtles and/or Hawaiian monk seals. Both species have been known to haul out and rest along this section of marine coastline.

Potential impacts of fallout from the firework show:

Large firework shows can result in significant fallout to the surrounding areas. This applicant is committed to cleaning up any and all visible fallout that results from this show. However, it is highly unlikely that the majority of the potential fallout pollutants will be located and removed from the coastal waters of this area. Given that the majority of the projected fallout will occur over the water, this potential pollution should not be overlooked. There have been published studies that have suggested various heavy metals are present within the firework fallout, and depending on the concentration of these pollutants, they could result in impacts to coastal water quality. This is not just a concern for this particular event, but instead for any future firework displays where fallout will be coming down into coastal marine waters. The State Land Board, should therefore start to more carefully scrutinize these types of firework displays. It would be most appropriate for the firework industry to conduct a thorough environmental review of the impacts of the fallout from fireworks on nearshore marine ecosystems. At this point, we really don't know what these impacts could be and at what frequency these activities would be acceptable. Without this information, we do not feel it is appropriate to exempt an environmental assessment. There is no way to declare these fireworks events will have minimal or no significant effect on the environment.