

Lawsuit threatens future Lake Tahoe fireworks

By Kathryn Reed

Fireworks at Lake Tahoe may come down to tourism vs. the environment.

There is no question the twice annual fireworks show shot from barges on Lake Tahoe on the South Shore are a crowd pleaser on July 4 and Labor Day weekend. But the piles of debris collected afterward and the perchlorate entering the water are another story.

A lawsuit has been filed by Joan and Joseph Truxler of Zephyr Cove against Lake Tahoe Visitors Authority and Pyro Spectaculars. Pyro has been putting on the Lake Tahoe shows for 30 years. LTVA is the lead agency responsible for paying for the fireworks shows that cost upward of \$100,000 each.



Fireworks at Lake Tahoe are rated some of the best in the country. Photo/Howie Nave

These are the two biggest fireworks shows in the Lake Tahoe Basin. However, there are other shows around the lake during July 4 that are mostly tied to municipalities celebrating

Independence Day as well as private fireworks displays throughout the year. The South Shore pyrotechnics are in South Lake Tahoe, but the current can take debris into Nevada.

LTVA has divers collect debris, most of which is cardboard because that is what explosives are stuffed into. The material is also plucked from the surface of the lake.

“These are pollutants that people are consciously shooting into the lake,” Mike Lozeau, the attorney representing the Truxlers, told *Lake Tahoe News*. “The Truxlers are not interested in stopping the events. They just don’t want to pick up trash.”

Although the fireworks company picked up more than a dozen bags of trash after the July event, the Truxlers reportedly spent days picking up trash on Pinewild beach. They were doing the same in September after that show.

They have owned their house since 1999 and have been full-time residents since 2006, according to the lawsuit.

However, this is the first year they or anyone has complained to LTVA about trash from the fireworks.

“At this point because of the litigation we are not able to offer additional details or comments,” Carol Chaplin, executive director of LTVA, told *Lake Tahoe News*.

A goal of the lawsuit, according to Lozeau, is to have the fireworks permitted by Lahontan Regional Water Quality Control Board in California and/or Nevada Division of Environmental Protection.

The lawsuit claims the Clean Water Act is being violated. Court documents state, “Both the state of California and the state of Nevada have established water quality standards strictly prohibiting floating debris on Lake Tahoe and other waters. California’s water quality standards provide that

'[w]aters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect the water for beneficial uses.'"

Lahontan after the July 2001 display monitored the water, but has not done so since then. On July 4, 2001, 63 micrograms per liter of perchlorate were found. This is 10 times the amount the federal government says should be in water. However, 12 hours later non-detectable levels of perchlorate were found in the same location.

Lauri Kemper with Lahontan told *Lake Tahoe News* that because the perchlorate had dissipated her agency determined there were no long-term effects to the lake from the chemical.

She added that no one has asked for a fireworks permit. If they were to do so, that is something the Lahontan board would have to address.

Nevada also does not issue fireworks permits.

"The Nevada Division of Environmental Protection encourages the Lake Tahoe Visitors Authority and its contractors to continue compliance with any applicable local permits, plans or requirements. NDEP does not require additional oversight of the twice a year firework displays," JoAnn Kittrell with the Nevada Department of Conservation & Natural Resources told *Lake Tahoe News*.

Jeff Cowen with the Tahoe Regional Planning Agency said his agency also does not issue any permits for the fireworks shows.

Mediation is the next step for both sides; however, a date has not been set.