

# Opinion: Fireworks lawsuit unnecessary

By Carol Chaplin

With Tahoe South's two annual fireworks celebrations meeting all state and federal standards, a recent lawsuit that could threaten the annual July Fourth and Labor Day events is totally unnecessary.

Water quality sampling conducted by the state of California's Lahontan Regional Water Quality Control Board in Lake Tahoe following the fireworks events has demonstrated that levels of pollutants of concern are negligible within 12 hours of the shows and pose no threat to water quality. In a recent story in *Lake Tahoe News*, Lauri Kemper with Lahontan said that because the perchlorate had dissipated her agency determined there were no long-term effects to the lake from the chemical.



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The water purveyors with intake lines near the barges from which the fireworks are discharged have also never reported any effect on the drinking water source as a result of the display.

"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 was quoted in *Lake Tahoe News*.

As one of the most regulated areas in the nation, Lake Tahoe has multiple agencies at the federal, regional, state and local level monitoring all aspects of the area’s environment and ecology. The Lake Tahoe Visitors Authority and Pyro Spectaculars obtain permits from the U.S. Coast Guard and the local fire department each year to conduct the shows. These are the only required permits for events of this type. Since their inception the fireworks have employed a rigorous cleanup protocol. The LTVA also has a pre-event planning meeting for each show with Douglas County Sheriff’s Department, South Lake Tahoe Police and the Tahoe-Douglas fire marshal.

LTVA and Pyro Spectacular have worked collaboratively with the key regulators in the basin – Lahontan, the Nevada Division of Environmental Protection and the Tahoe Regional Planning Agency, in the production of the fireworks. Since the introduction of the National Pollutant Discharge Elimination System more than 40 years ago, no court in the nation has held that firework displays require an NPDES permit.

The fireworks used in the Lake Tahoe shows are designed to burn in the sky. If the shell does not disintegrate the remaining debris is primarily paper, cardboard and string. This is collected from the water after the display. Pyro Spectaculars uses a boat to patrol the fireworks display site for several hours post show and uses nets and other tools to clean up surface debris. The following morning a dive crew and another boat crew are dispatched. Divers cover an 8- to 12-acre area, starting at the launch location and working outward, collecting general trash as well as any fireworks debris. While conducting the cleanup the divers have also assisted by removing invasive Eurasian milfoil plants from the lake.

The LTVA was only made aware of Joseph and Joan Truxlers' concerns about debris after the Zephyr Cove couple contacted media following the July 4 show. Representatives from the LTVA responded immediately to concerns and staff visited the beach and interviewed several year-round residents. Longtime homeowners told the LTVA that they had never witnessed a debris problem with the event.

Quite frankly, we're disappointed in what we believe is an unnecessary lawsuit. In 30 years, this was the first time there was any issue – it was an anomaly. LTVA doesn't need to be threatened with a lawsuit. If there's a problem, we'll fix it. This organization has always been responsible, engaged and committed to stewardship of the Lake.

We're involved with numerous partners in various preservation programs to best position Lake Tahoe as a national environmental and business model. As part of our guiding philosophy, we promote our greatest attraction, the lake itself, in an appropriate and sustainable manner. Tahoe is our home, too, and we know its spectacular beauty and clarity is its timeless attraction, and we'll always take that responsibility seriously.

The July 4 and Labor Day fireworks displays are among the area's most popular annual events and generate approximately \$4 million and \$2 million, respectively, in revenue to Tahoe South each year helping locally owned restaurants, motels, retail and attractions whose livelihoods depend on tourism.

We appreciate the support we've received from residents and businesses throughout the local community and beyond on this issue. Most responses indicate that the majority is tired of needless litigation, rather the solution is for local cooperation to ensure the continued success of the fireworks and protection of the lake.

*Carol Chaplin is executive director of Lake Tahoe Visitors*

*Authority.*