

Opinion: 1 complaint not worth destroying 30-plus year Lake Tahoe fireworks tradition

By Carol Chaplin

Since 1986, the Lake Tahoe Visitors Authority has supported the tourism industry on the South Shore. Events, such as the July 4 and Labor Day fireworks are included in our strategy to increase visitation. During the 30-year tradition of fireworks, we have no history of complaints.

Pyro Spectaculars is one of the best fireworks companies and has gained us national recognition for our display. Their strict clean-up protocol includes a boat sweep with nets and a diver sweep that extends well past the shoot zone the following days. This protocol is not mandated by any regulatory authority and efforts typically result in 20 bags of trash, most of which has nothing to do with fireworks.



Carol Chaplin

After this past July display, we were contacted by the [Tahoe Regional Planning Agency] alerting us to a possible anomaly to the usual debris-free display. Events Manager Mike Frye, who coordinates the pre-event safety meetings with our partner law enforcement agencies, began extensive conversations with Pyro

and with residents who contacted us directly. No contact with the Truxlers was received. Mike engaged with the Tahoe Douglas Fire Protection District several times to implement a more stringent strategy for the Labor Day fireworks. In his discussions with Tahoe Douglas, officials indicated that most of the fireworks debris was not from our show.

On Tuesday following the Labor Day festivities, we confirmed that TRPA and LTVA had received no complaints. However, more than 72 hours later, we were contacted by a Nevada Beach area resident who alerted us to a debris situation. No communication from the Truxlers was received. Mike organized LTVA staff, spending hours combing Nevada Beach and cleaning up everything including bottles, cans, bags, etc.

The notice of intent to sue was received immediately after Labor Day, so our assumption is that conversations with attorneys began long before. In my mind, any non-litigious negotiations were likely never contemplated. Our settlement effort was to emphasize LTVA is committed to working with the community to assure impacts from fireworks are mitigated. Our outreach was not fruitful. Subsequent mediation efforts were not successful, and the litigation threatens over \$70 million in penalties. Our funds are sourced through lodging tax with the purpose of helping this community thrive after recession and marginal winters. It is a sober and serious consideration the board is faced with to continue draining resources meant for promotion in the direction of contentious and punitive litigation that will ultimately not serve any of us.

The accusation that we have violated the Clean Water Act is one that no other legal body has wanted to consider. Our request for Nevada Department of Environmental Protection to issue a permit was directed back by that agency as a matter for local oversight. The TRPA has not indicated that it is the appropriate agency, nor has Lahontan Water Quality Control Board. In fact, Lahontan released a water quality study in 2001 with no significant results that informed a permit

strategy. While regulatory oversight was what the Truxlers requested, the agency governing oversight disagreed with their contention. It is evident the Truxlers feel that neither Pyro, the LTVA nor the community, for that matter, can be trusted. We disagree.

The March 27 LTVA board meeting was attended by over 100 prominent elected officials, residents and business owners. All were impressive in their impassioned support and echoed the same themes: our community finds resolution through cooperation; our already fragile economy will be crippled by the event cancellation; and the solution is for the Truxlers to find reasonableness and trust and return to the table for productive conversations that result in a lawsuit dismissal and a satisfying remedy to debris on the beach.

How proud I was of our residents. I was reminded how spirited this environment makes us here. We play and work hard. We sacrifice salary and amenities for the rural mountain environment. We are scrappy and happy because of it. Thank you for giving up your personal time to join in the discussion. One speaker asked a telling question: "Who here will help clean the beaches after the fireworks?" All hands were raised. We will all clean the beaches. Because we always have. We clean the trails we run and hike, we teach our children the same. But, perhaps – and this is the silver lining to this mess – we will do it as a unified community and in our own unique Tahoe South way, we'll make a party of it.

The good news is that Monday finds us back in mediation. The better news would be that we make an agreement to love this lake enough to strike the deal. And that deal will allow our economy to hum strong, our fireworks to burst bright and our beaches to be swept clean. See you all on the beach. I can't wait.

Carol Chaplin is executive director of Lake Tahoe Visitors Authority.