

South Shore fireworks shows in jeopardy



Fireworks may not light up the sky this summer on the South Shore. Photo/Howie Nave

By Kathryn Reed

It's likely the South Shore will not have a sanctioned fireworks display this Fourth of July, or even Labor Day weekend.

It all has to do with a lawsuit that was filed last year because of the trash that continues to this day to spill forth on beaches in Nevada – more than eight months after the pyrotechnic display – and the fact that the sponsoring agency refuses to seek a permit for the show.

The Lake Tahoe Visitors Authority board has scheduled a special meeting for March 27 at 4pm. The agenda calls for first talking about the July 4 and Labor Day fireworks in open session and then going into closed session to do the same. The meeting is at 169 Highway 50, Stateline.

“At that time, we will be commenting on the severely harmful economic and environmental ramifications of the Truxler’s action,” LTVA Executive Director Carol Chaplin said in a

statement.

Joan and Joseph Truxler filed a lawsuit last year against LTVA and Pyro Spectaculars, the company that puts on the show.

“We do not want the fireworks show discontinued. We want to protect the lake. And we do not get any money from this,” Joan Truxler told *Lake Tahoe News*.

The two sides had been mediating until this week when it was clear a resolution could not be found.

“We felt that the settlement didn’t occur because what was presented wasn’t really in the best interest of protecting the lake,” Truxler said. “And it wasn’t really in line with our principles that we think are important to protect the lake. We want a legally, enforceable permit.”

The LTVA has until Thursday to respond to the original lawsuit. The board could ask for a motion to dismiss or file a response that leads to discovery, depositions, and all the legal dealings – potentially ending with a trial.

Chaplin said all of this is “unfortunate” but said she could not add more than the official statement.

“There is middle ground. They don’t have to stop the show, but they should be getting a permit and they have not applied for a permit,” Mike Lozeau, attorney for the Truxlers, told *Lake Tahoe News*.

He added that even if the permit were not in hand, but that the process had started, it would show good faith on the LTVA’s part.

The Truxlers want an agency to be regulating what is put into Lake Tahoe – including fireworks. Their goal is to have this done via the Environmental Protection Agency regulations under the Clean Water Act. It issues NPDES, or National Pollutant Discharge Elimination System, permits to control water

pollution.

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.'"

Truxler said she finds debris multiple times a week. It comes in the form of paper or cardboard, hard plastic and fuses. Some has writing in Chinese, some has the name of the company that launches the fireworks.

She first started calling agencies July 8. She said TRPA is the only one to return the call. But they don't regulate fireworks.

"None of the agencies have walked the beach or discussed what we have found," Truxler said.

The lawsuit does not impact the other fireworks shows around the lake.

The South Shore show has been going on for 30 years. Fourth of July, next to New Year's Eve, is the busiest time in the area. The economic impact of losing the \$100,000 pyrotechnic show would remain to be seen, but in the past tourism officials have said it brings in millions of dollars. The question is whether people would still come if the fireworks show were canceled.

Neither the July 4 nor the Labor Day fireworks shows is not on the LTVA's website.