

# LB Harbor Commission committee will vote on ending sponsorships for all fireworks shows

Tabled until April 2023



February 11, 2023 9:00 pm

The **Monday February 13, 2023 agenda** of the Long Beach Board of Harbor Commissioners' Sponsorship Committee of the Whole includes Agenda Item #2 titled *Discussion on Restricting Port Sponsorship and Advertising Funds for Firework Displays*.

The move to end monetary sponsorship support for fireworks displays by the LB Harbor Commission comes as a ruling is expected on a **federal lawsuit** against the annual Long Beach July 3rd fireworks show called the **Big Bang on the Bay**. The event which raises money for local charities was started in 2012 by local businessman John Morris.

The federal lawsuit was filed by the **Coastal Environmental Rights Foundation**. The lawsuit is requesting a federal court injunction to require a federal permit for the annual July 3rd Long Beach fireworks display over Alamitos Bay. Filed in 2021, the case was heard and finished last week and is awaiting a ruling by the judge.

The lawsuit against the operators of the annual fireworks display **accuses them of violating the federal Clean Water Act**. Under the federal law a federal permit called the **National Pollutant Discharge Elimination System Permit** is required. The event has never obtained the federal permit.

The eventual ruling on the case could impact permitting of fireworks displays over water across the state.

The lawsuit is the latest chapter concerning the event after years of local environmental activists concerns and protests over the impact of the annual July 3rd event on the Alamitos Bay wildlife. In a different 2015 lawsuit against the event, promoter John Morris agreed to water quality studies for the event.

The LB Harbor Commission committee Agenda Item introduced by Port Board of Commissioners President Sharron Wiessman includes an introduction that explains the reasoning behind the proposal:

*'As environmental stewardship practitioners, the Port of Long Beach (Port) has the responsibility to protect our environment through sustainable practices. Fireworks can cause severe air pollution and profoundly affect our veterans suffering from Post Traumatic Stress Disorder (PTSD). They are also harmful to pets and wildlife. The Port's Community Sponsorship Program and advertising policy should be updated to restrict events that include fireworks to be consistent with our Green Port Policy.'*

The agenda item report notes that the Port ending sponsorships for firework displays "may not the most significant impact" but notes that it is something that the Port should consider "to make improvements in our purview". The agenda report also noted "We are known worldwide as the Green Port, and as a leader in environmental stewardship, our values should be shared across all initiatives."

The agenda item lists these factors in why the proposed fireworks sponsorship ban should be implemented:

- *The Federal Hazardous Substance Act classifies fireworks as hazardous due to the dangerous side effects.*
- *Firework displays release gaseous sulfur dioxide, carbon dioxide, carbon monoxide, and particulate matter. They also release hazardous trace elements such as aluminum, manganese, and cadmium.*
- *According to AQMD, the worst air quality days are July 4 and July 5. The poor air quality affects animals, birds, and people.*
- *The chemicals and debris left behind from firework displays have been linked to water contamination.*

- *Fireworks displays, they can be triggering for military veterans who are suffering from PTSD. Symptoms include nightmares, flashbacks, difficulty sleeping, difficulty concentrating, emotional detachment from others, and more.*
- *Fireworks displays also impact domestic animals and wildlife, which can be traumatic and frightening, causing them to flee or become confused due to the loud noises and bright lights. Animal control officials around the country report a 30-60% increase in lost pets between July 4 and July 6.*
- *Fireworks production is one of the worst and most dangerous forms of child labor. Around 84 million children worldwide are employed in dangerous work, according to the International Labour Organization.*

If the Port of Long Beach ultimately changes its sponsorship policy to exclude supporting fireworks, the item states that the Port would contact recipients who have previously been funded for any fireworks related sponsorships will be contacted about the new policy and “encouraged to apply for other events that do not include fireworks.”

In a **February 8, 2023 Facebook video post**, John Morris explained the long history of the Big Bang on the Bay . Morris stated in the video how he loved fireworks and was a “fireworks guy”. Morris said:

*“Being an immigrant I love this county. I love the red, white and blue. And I love fireworks. If they want to do drones, please be my guest. I’ll just sit back and watch the show. I’m a fireworks guy and I love it and if we can’t do them we can’t do them. If somebody wants to do the drones, go for it I just don't see that working...”*



CALIFORNIA

## Critics say July 4th fireworks damage the L.A. environment and are demanding action



Huntington Beach lifeguards watch the fireworks display over the ocean on the Fourth of July in Huntington Beach in 2021. (Allen J. Schaben / Los Angeles Times)

BY GRACE TOOHEY | STAFF WRITER

FEB. 9, 2023 1:12 PM PT



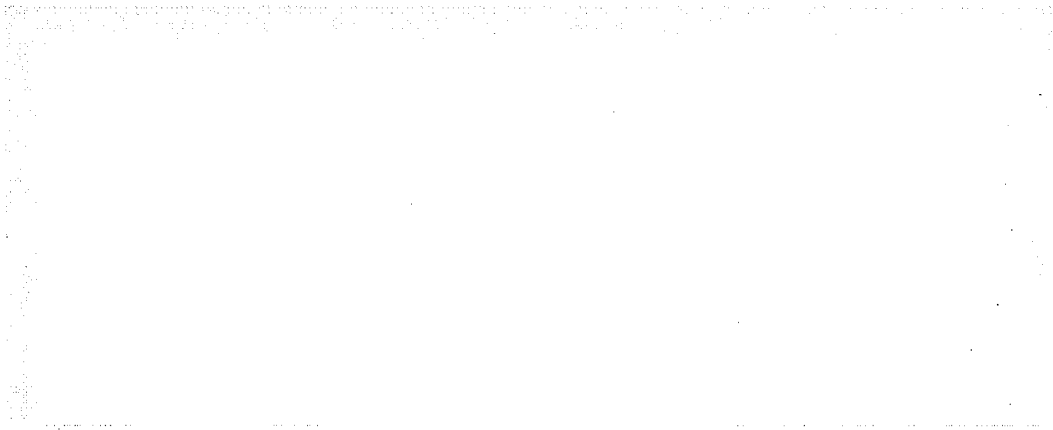
A growing debate over the possible environmental damage caused by fireworks shows, especially over waterways, recently erupted in federal court where climate activists are pushing for stronger regulations of a popular Independence Day celebration in Southern California.

While fireworks have for years been known to cause significant air pollution — with July 4 and 5 recording some of Southern California’s worst air quality days — activists and attorneys with the Coastal Environmental Rights Foundation want officials to help minimize the damage fireworks pose to waterways when the pyrotechnics debris and chemicals sink into the ocean or other water sources.

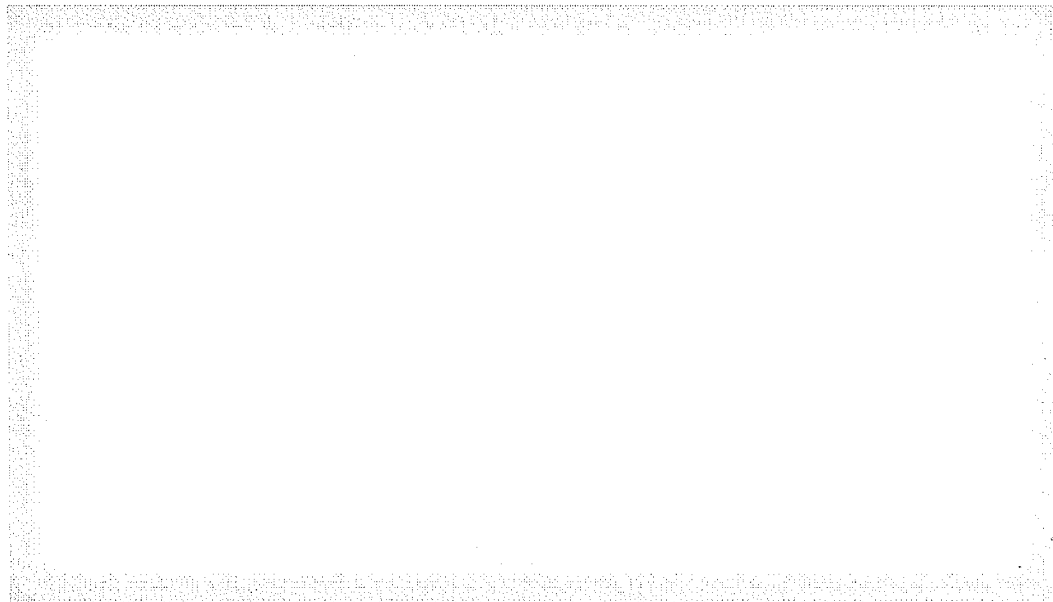
The conservationists’ latest target is the Big Bang on the Bay July 3 fireworks show in Long Beach, which draws large crowds for the yearly display that lights up the night sky over Alamitos Bay. The environmental rights group wants to see the early Independence Day show admit it is a “discharger” of pollutants into the bay, and therefore required under the federal Clean Water Act to meet certain standards and mitigation plans.

The organizers of the Long Beach show reject the idea that the fireworks cause significant damage to the bay.

ADVERTISING

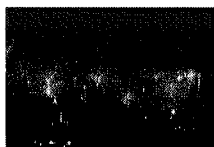


ADVERTISING



That debate landed last week in federal court, with a ruling on the case expected in the coming weeks — a decision that could possibly affect the permitting process for other coastal fireworks shows across the state, including those in Marina Del Rey, Redondo Beach and Manhattan Beach.

“We’ve been working on getting Clean Water Act compliance for fireworks discharges over water going on 18 years,” said Livia Borak Beaudin, one of the lead attorneys suing the organizers of the Long Beach show. While a victory in court wouldn’t result in an outright ban on fireworks shows over water, it would require stricter permitting for the shows to better protect waterways.



CALIFORNIA

**Poor air quality lingering in Los Angeles after July 4 firework shows**

July 5, 2022

Beaudin said she's hopeful for a ruling broad enough that it will apply to shows beyond the Big Bang on the Bay.

"We do intend to look at other shows," Beaudin said. "We'd like to see the Clean Water Act enforced statewide."

The federal lawsuit, filed in November 2021 in U.S. District Court, is the latest push from environmental activists to improve the regulation of fireworks shows and minimize their harm to natural resources and wildlife. A growing body of research has found that the noise and light from fireworks, as well as the chemicals that create the colorful explosions, "contribute significantly to chemical pollution of soil, water and air, which has implication for human as well as animal health," according to a paper published last month in the Pacific Conservation Biology journal.

The lawsuit alleges the Big Bang on the Bay event violates the Clean Water Act because organizers "have discharged and continue to discharge fireworks debris and pollution into Alamitos Bay and the Pacific Ocean without a permit." While organizers have obtained Long Beach city permits for the event, the suit alleges they need specific permits to comply with federal law.

The lawsuit names as defendants event organizers John Morris and the Naples Restaurant Group, which own and run the Boathouse on the Bay restaurant in Long Beach that puts on the annual charity event. They have denied the allegations, court records show.

Attorneys for Morris and the restaurant group did not respond to requests for

comment from The Times.

The Big Bang organizers have said that since at least 2016 they have monitored and analyzed the environmental impact of its fireworks show — after they were put on notice for the lawsuit — and have concluded there isn't evidence of such waterway or wildlife damage.

“The organizers of the Big Bang on the Bay fireworks event are committed to preserving the beneficial uses of the outdoor environment for the public users in Alamitos Bay,” a firm contracted for the event wrote in an August 2022 report to the regional water board. “Based on the results of water testing and debris searches, the Big Bang on the Bay event did not have a measurable deleterious effect on receiving waters within the event area.”

The consulting firm that conducted the analysis noted there were a lot of “complicating factors” for searching for fireworks debris and testing the water, like winds, lack of light, other boats in the harbor, fast currents — some of the same issues Beaudin said her team ran into when trying to prove fireworks create waterway pollution.

Still, Beaudin said she took issue with the event's 2022 analysis, noting that in prior years the consulting firm did find elevated levels of some pollutants, like metals, in the bay after the show, as well as physical debris from the fireworks.

The Los Angeles Region of the California Regional Water Quality Control Board recently called the Big Bang on the Bay a “suspected discharger,” and ordered additional monitoring and analysis “as part of its investigation of potential impacts associated with public displays of fireworks in the Los Angeles Region,” according to a June 2022 order from the board.

Ailene Voisin, a spokesperson for the Water Resources Control Board, said that



investigation remains ongoing, but declined to comment further.



CALIFORNIA

## Fireworks flap divides coastal town in Northern California

July 3, 2008

Other environmental officials have also recently taken note of the potential problems from fireworks shows. At a June 2022 California Coastal Commission meeting, some commissioners called for more research on the issue — but noted the commission didn't have the resources to dedicate much time to the issue, and didn't yet have clear evidence of significant harm.

Beaudin said many Long Beach residents who live near the Big Bang on the Bay show have collected debris from the fireworks and noticed residual effects in the air and water, often avoiding the area afterward.

“Alamitos Bay is intended to be used for recreational purposes and it's not fit for that use because of the debris and discharges,” Beaudin said. “This is something that isn't necessary, right? It's purely for entertainment purposes.”

While some places have banned fireworks for environmental reasons, like the Galapagos Islands in 2018, Beaudin said she would like to see California make reasonable changes for such shows, such as setting off the fireworks over land instead of water, or replacing the displays with drone- or laser-based light shows.

Are fireworks shows “really something that we should be doing when we're dealing with climate change impact?” Beaudin said. “It doesn't seem like there's a necessity for this.”