



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Amended COMMITTEE ON THE ENVIRONMENT

Thursday, September 26, 2013

5:30 PM

119 East Olin Ave
Madison, WI 53713

This is a special meeting of the Committee on the Environment intended to provide a public forum to receive comments for consideration regarding the proposed 2014 Rhythm and Booms Fireworks Event.

CALL TO ORDER / ROLL CALL

Present: 7 -

Sue Ellingson; Steven M. Fix; Patricia A. Lasky; Mike DePue; Jennifer L. Giegerich; Timothy D. Baker and Patricia J. Gadow

Excused: 1 -

James P. Bennett

APPROVAL OF MINUTES

A motion was made by Giegerich, seconded by DePue, to Approve the Minutes.
The motion passed by voice vote/other.

PUBLIC COMMENT

None

DISCLOSURES AND RECUSALS

None

1. [31692](#) Proposed 2014 Rhythm & Booms Event

Attachments: [Movement of Rhythm & Booms to Lake Monona: Review of Potential Health / Spreadsheet by Jim Carrier to COE members](#)
[Midwest Env Justice Org, Sept 2013](#)
[Env Fact Sheet by NH Dept of Env Services, 2008](#)
[Rhythm & Booms on Lake Monona](#)
[Madison Festivals Inc Presentation](#)
[Statement from Katie Crawley, Madison Mayor's Office](#)
[Jim Carrier Correspondence to COE members, 9/27/13](#)

Rita Kelliher and Stephanie Hammes of Madison Festivals Inc (MFI), a local non-profit who recently took on the Rhythm and Booms (R&B) event from Terry Kelly, presented information on their organization, summarized the 2013 R&B event, and proposed 2014 activities. (Their presentation is attached.) They hope to raise enough funds such that they do not require fiscal contribution by the city for the 2014 event. Other MFI events are run independently of tax payer dollars (Taste of Madison, Madison Marathon). Previous years in Warner Park,

the R&B event would attract very large crowds (~250,000 people). This had a large impact on the city and that neighborhood in particular. Mayor Soglin has looked at several events in the city to reduce such impacts, including R&B. 2013 was the first year MFI ran the event, which was scaled back from previous years. The MFI board was charged with evaluating the 2013 event and determining whether (and where) it should continue. The proposal was to bring the event downtown. Again, the goal is to use no taxpayer dollars, but at this point it is uncertain whether this will happen. The current plan is to close two lanes of John Nolen (from Williamson to Lakeside), providing a location for seating across two lanes. Another lane will be used for food vendors and facilities, and the fourth lane for service and emergency vehicles. The intention with this plan is to improve safety and reduce congestion. There is improved accessibility, as about 40% of the Lake Monona shoreline is publicly owned. Barges will be used to shoot off fireworks. Sand will be placed in 50-gal drums to avoid spilling or filling (the sand is required to absorb kickback when fireworks are shot off). The barges can also move to accommodate wind direction. MFI is working with the fireworks company to be as environmentally responsible as possible by using paper shells instead of plastic and using wheat paste instead of waterproof shellac (note: shellac was never used). They are also eliminating all green fireworks, which use barium for color. MFI prides themselves on leaving a place cleaner than they found it, and intend to do the same with the 2014 R&B event. Perchlorate is one pollutant of concern to many people. It is used in rocket fuel, fireworks, and some fertilizers, among other things. MFI has posted several studies on their website (<http://www.madisonfestivals.com/reports.html>) that indicate perchlorate levels following a fireworks event are not high enough to warrant concern, and the levels quickly drop off to undetectable levels generally within days. Rita showed the levels of copper found in the sediment of Warner Park lagoons were less than one third what is found in a "Centrum Silver" vitamin. There are many more private fireworks shot off each year than public events. Promoting public events would likely improve overall safety. (presentation is attached)

Committee members next asked questions of MFI and city staff. Fix asked whether MFI would be providing an estimate of the total weight of the various pollutant constituents of the fireworks used in the 2013 event, as requested by COE. Rita said she provided the information she was given by the company. The request by COE was after contracts were signed with the company. She wasn't sure if this information will be available for the 2014 event. Discussion included the definition of a "shell" and whether there were shells within shells, making the total count misleading (MFI reported 2,250 shells were used in 2013). While there aren't technically multiple shells packed into larger shells, there are large shells with multiple bursts/stars. There was a question as to whether the company for 2014 has worked in other communities. They have experience working on barges in several locations. Another question was raised about litter collection in 2014. An issue with the event being held at Warner Park was the difficulties of capturing fireworks debris from the water and wetlands, since paper sinks (and blows away). Rita indicated work would begin right away the next morning to collect trash.

Katie Crawley, Mayor's Office, thanked the COE and city staff for organizing the public hearing, as the Mayor wanted to give the public an opportunity to voice any concerns about moving the event to Lake Monona. She made it clear that it was not a city event, though the MFI board is working closely with city agencies as well as the Dane County Sheriff's Department and DNR staff. The

Mayor is aware of the concern about using taxpayer dollars towards the event. There is anticipated to be additional revenue from parking on the day of the event. MFI has a great record with their other events and pride themselves on their cleanup efforts following events. Mayor Soglin is confident they will provide another safe event in 2014. (full statement attached)

Giegerich asked staff about the current status of Lake Monona and possible impacts fireworks could have on lake quality. Brynn Bemis (City Engineering) and Jeff Lafferty (Public Health) reported on the Warner Park study and other staff reviews. The Warner study showed no detection of trace metals before or after the event on the water surface, therefore it is very unlikely there would be a noticeable impact to Lake Monona, a much larger body of water. Perchlorate spiked to 44 ppm in the lagoons following the event, then dissipated quickly after, likely due to dilution, microbial action, and/or uptake by vegetation. There was a question as to whether a perchlorate spike would be an issue on Lake Monona and if there are any concerns about impacts to wildlife. Other studies have shown no perchlorate spikes on lakes following fireworks events. Since it doesn't bio-accumulate (like mercury), perchlorate likely doesn't have a large impact on aquatic life. Studies done on perchlorate have been at much higher levels and for extended periods of time (30 days or more).

Gadow asked Officer McCaw about crowd control issues and cost with the 2014 location. Due to the proposed layout of the event (long and narrow), there is less worry about safety regards to concentrations of people. Officers will be on bike and foot. Another question was raised related to bus service; busses will continue to run (just not on John Nolen Drive between Williamson and Lakeside).

Public Comments

1. Dave Carrig, opposed -- Many of his questions were answered by the MFI presentation. He is concerned about how long it will take water quality to reach baseline after event. Water is a precious resource, pollutants could be contained if held over land instead.

2. Ron Shutvet, undecided -- submitted a list of questions & concerns to COE (attached); Some questions included whether there has been any research on the effect of blast shockwaves on wildlife (is it harmful to fish or the Great Horned Owl population in Olin Turville Park?) There will be many visitors to Olin Park during the event, who will be responsible for clean up afterwards? How many fireworks (in weight) will be fired off? One way to determine what the residue would be includes shooting a number of fireworks off in a controlled setting, sweep up debris, and weigh/analyze it. Concerned that most volunteers after the event won't find debris to clean up, as it will have blown away or sunk. He also has concerns about traffic issues and parking in the neighborhood. (full list of questions/concerns submitted to committee are attached)

3. Jim Powell, Midwest Environmental Justice Organization -- He thanked the city for allowing citizens to testify to this issue. He provided a handout to the COE (attached), which lists common fireworks ingredients and why they are harmful. Starting in 2011, San Diego required a pollution permit for fireworks events, including pounds, content, and pollution expected. COE should stake out a position to protect the environment.

4. Samantha Crowover, Executive Director of Bach Dancing & Dynamite Society -- One of the few Saturdays nights her group performs at the Overture Center falls on the proposed 2014 R&B date, and she doesn't believe they would be able to continue to hold it that night. They are a small non-profit arts organization and will be impacted if they are unable to have a big Saturday night for a revenue stream.

5. Kyle Richmond, Dane County Board of Supervisors, District 4 -- He asked what the charge of the committee is, and said non-environmental concerns should not be discussed here. He noted that a lot of the MFI presentation discussed safety, which also should not be a COE issue. He is concerned about the non-human constituents (water quality, plants, animals, air quality). He asked what the long term effect of perchlorate pollution on a lake the size of Lake Monona would be, with regards to uptake by vegetation. No long term data is available right now, he is hoping someone can find more data about it, and has raised the same concerns at the Lakes and Watershed Commission. He encourages the city to have safe events, but long term water quality should be more important to the COE.

6. Tim Bliefert, MGE -- supports fireworks move to Lake Monona

7. Jim Carrier, Wild Warner -- He reminded the committee that he was challenged to investigate the shell number discrepancies, as many more shells were claimed in the media in previous years (13,000-15,000) than in 2013 (2,250). He spoke to several people about what constitutes a "shell" and discovered "cakes" can include multiple shells, but are shot off with one fuse. He also said based on the known weight of salts in each shell (5-15% of total), and number of shells, one could extrapolate that 33-150 pounds of heavy metals could be released over the lake.

8. Kelly Starr King -- supports

9. Travis Youman -- supports moving R&B for ease of access for anyone not living on the North side.

10. Trish O'Kane -- opposed; She is a PhD candidate and teaches environmental studies. She is glad the event was moved out of Warner Park wetland, but the same concerns should be applied to the water of Lake Monona. Plastics used in fireworks is a concern (used in packaging and can be used in detonation). A State of Washington group has been working on banning fireworks for over a decade; they collect a lot of plastic debris that is mistaken as food by wildlife. She still found plastic in Warner Park this year; loons can die from eating lead fishing lures, what about plastic pieces from fireworks? She also asked if the COE will follow up with what they requested regarding a complete report of what was used in 2013.

11. Cheryl Kaulnom -- supports R&B

12. Lucy Mathiak -- opposed; She displayed bags of fireworks debris as well as a small bag of leaves, which are the only thing there that isn't allowed in the lakes. She questioned the biodegradable status of fireworks if she is still picking up trash. Also, following the event, she picked up a lot of trash on her own that was missed by the event volunteers, including on the soccer field. If they can't find it on land, how will they collect the trash from the lake? She has

asked for citations on shooting fireworks off over water being a good idea.

13. Marsh Rummel, Alder -- Alder Rummel indicated the meeting is a PR effort by the city, and raised the question as to who actually decides whether fireworks can be fired off over water, and suggested Lakes and Watershed Commission might be better suited to do so; they will be taking up the issue again at their 10/3 meeting at 5:30, Room 354 City-County Building. She wants to hear whether it is safe, and requests staff to do baseline data collection (sediment and water), this fall or next spring. She isn't convinced it is a good move.

14. Francis Muzik, Jr -- He lives on East Lakeside St and is concerned about the public using property owned by the State Medical Society (private property) for viewing the event, and asked what he could expect regarding protection. He is also concerned about traffic in and out of his neighborhood.

15. Greg Frank, downtown business owner -- supports; He has had contact with MFI over the years and joined the board 3 years ago. He assures the board researched all angles of R&B when they decided Lake Monona would be a good fit. He loves the open discourse at the meeting, and said the board wouldn't take on an event that would be bad for the city.

16. Caren Whalen -- supports; She had to leave before speaking, but left the following statement: lived near Warner Park since 2004. We enjoyed having the fireworks - sad to see them go, but we think having them on the waterfront downtown will be a fun & uniting event for the city. We look forward to coming to the city center for it.

17. Karen Matteoni -- opposed; She is a science teacher, and has collected trash in the lakes and parks, and also worked on the water trail guide with Lakes and Watershed Commission. She says there is a lot of pseudo-science discussion about the fireworks, saying a literature search is not adequate. She is concerned about the safety of people following the event. There is not idea what the build-up is going to be, as there are no studies planned for baseline or post event. No one is telling her what she wants to know; asks for no greenwashing.

18. Arlene Zaucha -- opposed; She came to the meeting to seek out more information. She is concerned that closing John Nolen Dr will impact downtown neighborhoods, and is now convinced the environmental stuff is a problem.

Staff Comments on Speakers

Bemis stated that while there was not a lot of information available regarding the impacts of fireworks on large water bodies, some of the findings from the Warner Park study could be applied to Lake Monona, especially the surface water quality and sediment results. She stated additional sediment work on Lake Monona would not make sense because the sediment has been extensively tested and these data are already available. In addition, the signal from fireworks would be dwarfed by historical contamination and the impacts of present day stormwater runoff. However, a simple surface water study conducted before and after the 2014 results would not be expensive and was a reasonable request. We would expect the impacts to be significantly more

muted than what was detected at Warner Park.

Committee Member Discussion

Before tonight's meeting, Alder Ellingson asked what the decision-making process was for the event. Fireworks, sound, and vending permits are granted administratively. Street use permits are granted by the Street Use Staff Commission. Budget approvals (which may or may not be needed) are granted by Common Council.

Fix indicated that the committee is not ready to make a statement/recommendation at this meeting, but likely at a subsequent meeting after the information has been digested and more information has been gathered. The intention is to come up with recommendations for the body that would make decisions about fireworks (such as data collection before/after event). There is a question as to who should pay for the data collection as well. Recommendations regarding the 2013 R&B event from the April 2013 COE meeting included better clean up, for example. The number of bursts vs the number of shells is important and a key element is getting the weight of the substances in the fireworks and knowing what happens to those pollutants afterwards. Baker agreed, saying the number of shells is irrelevant, but the chemical composition (and weight) of what is burned is more important. If the City of San Diego requires a permit, and that might be a starting point. Also, if the fireworks event at Elver Park continues, the same information should be requested for that event. One possibility is to require a form to be filled out ahead of time that is submitted to the Fire Department. The weight of heavy metals in the fireworks, the amount of phosphorus, and whether plastics are used should be answered by the manufacturer.

ADJOURNMENT

A motion was made by Ellingson, seconded by DePue, to Adjourn. The motion passed by voice vote/other.