

Without additional information on enforcement plans, I oppose the proposed noise limit increase at the Oregon Dunes NRA. I, like most people that live in the areas surrounding Oregon Dunes and Sandlake Recreation Areas, would like to see policies implemented and enforced that benefit all recreational users and residents. However, I fail to see the logic in the current proposal.

One of the stated rationales for the proposed action is as follows:

***It may seem counterintuitive, but we believe by aligning more closely with the state's sound limits, we will be able to improve both compliance and enforcement to ultimately reduce the overall noise impacts of these riding areas. This proposal prioritizes more effective enforcement to address those violators responsible for the majority of noise complaints.***

However, this seems to conflate a number of issues. For instance, throughout the FAQ and proposal document, it is stated that enforcement and education is difficult because of the varied noise limits between the State lands, Oregon Dunes and Sandlake. Yet it also states that the majority of the noise complaints are due to users with exhaust systems that output far above the 99 decibel (dB) level, violations which all parties agree need to be enforced. So, what exactly is the problem? If the majority of nuisance riders are generating sound levels well above 99dB, why don't the Federal, State, or Local LEOs prioritize enforcement above 99dB, which they are all able to do? Wouldn't this be the logical first step before attempting to compromise on limit changes below that level?

Anyone who spends time at the Dunes, Sandlake or in neighboring areas knows that these riders are easy to single out. They use aftermarket pipes; Some use cutouts or have open exhaust headers. These exhaust systems (or lack thereof) can output sound pressure levels approaching, even exceeding, 127dB. Given the logarithmic nature of the decibel scale, one rider outputting a sound pressure level of 127dB is equivalent to 1,000 individual riders at the 97dB limit, or 10,000 individual riders at 87dB (which is a common OEM exhaust output). To claim somehow that enforcing noise restrictions on riders at these excessive sound pressure levels is only possible if limits are aligned is difficult to comprehend. An enforcement regime targeting the worst offenders would drastically reduce noise and demonstrate a commitment to reducing community impacts to a far greater degree than a proposal like the one before us now.

Another issue that is confusing is the implication that aligning noise limits across recreation areas will not have an impact on existing noise levels because compliance is so low to begin with. There are a number of issues with this logic, but I will highlight just a few.

As your own numbers show, there are still many riders that abide by the current noise restrictions, in some years approaching 50%, though this has fallen dramatically in recent years. This is primarily because most OEM exhausts fall under the 93dB limit. However, by raising the noise limit, some of these riders will be encouraged to install aftermarket exhaust systems, further exacerbating the issue. By adopting policies that directly or indirectly encourage the use of aftermarket exhaust systems, you will see more and more riders pushing the upper bounds. At Oregon Dunes, by increasing the limit from 93dB to 97dB, ***you are allowing 2.5 times as much noise there***. This will also likely carry over to Sandlake, since the only thing preventing some riders from upgrading their exhaust systems are the restrictions at Oregon Dunes, which many also frequent.

I also don't see anywhere in the proposed action where usage statistics are addressed. Every recent report I have seen related to recreation use would suggest Oregon Dunes and Sandlake will only see increased user visits in the coming years. Since sound pressure levels from multiple sources are additive due to constructive interference, by raising the noise limit for individual riders while at the same time expecting an increase in the number of riders, the increase in overall allowable noise could be far greater than 2.5 times (4dB increase).

It must also be pointed out that the noise limits at Oregon Dunes and Sandlake were never meant to be aligned with the State limit for individual exhaust systems - that was intentional. The State limit for OHVs does not assume concentrated use like that found on the coast. A 99dB limit works fine given the dispersed and isolated nature of most trail systems elsewhere in Oregon, but applying that limit to a concentrated use site with hundreds of individual ATVs all operating at the 99dB limit only ensures the overall sound pressure level is above 100dB, so this can in no way be expected to decrease overall noise and will only lead to increased complaints.

And speaking of complaints, most residents, myself included, don't bother making them. Noise violations are a daily occurrence, but we choose not to burden the Sheriff or USFS with endless noise complaints. We understand that resources are limited. We also understand that on most days, they have more pressing public safety matters to attend to. But that doesn't mean we aren't irritated.

As one example, on weekends, and increasingly on any given afternoon, noise measurements within the Sandlake estuary regularly exceed 50dB, and occasionally approach 70dB at 1.5 miles from the boundary of the recreation site. Even taking into account geographical influences, a simple calculation shows that this is only possible if noise violations are pushing the excessive levels mentioned earlier. Allowing this to continue would not even be permitted in most industrial areas. Many zoning overlays for industrial areas throughout the United States require those industrial properties to limit noise to 70dB (light industry) to 80dB (heavy industry) at just 25 feet from their property lines. Applying this standard to the Sandlake site would require no more than 20dB to 30dB respectively at 1.5 miles. Making assumptions regarding incoherent noise sources scattered throughout the recreations site, this would theoretically be possible if individual riders at Sandlake were limited to 93dB, but it less likely at 97dB on crowded days, and highly unlikely if all riders tend toward the upper end of the measurement tolerance at 99dB. The same can be said for Oregon Dunes. In other words, in both cases, the net effect of the current restrictions, even if enforced, would not meet most reasonable standards for noise throughout the country.

The bottom line, just as others have pointed out, is that years of non-enforcement has led to an environment of implied consent, where noise violations are rampant and residents, other recreational users and even other riders suffer the consequences. Each day that the lack of enforcement continues, the number of violators and severity of violations worsen. It is hard to see how the proposed action will do anything but exacerbate the issue, and the documents provided cite no studies or supporting materials that indicate otherwise; They only offer speculation.

I for one, though I know I'm not alone, would like to see an enforcement plan developed and implemented to tackle the worst offenders before ever considering a revision of noise limits, and serious consideration should be made to maintain or lower those limits if riders, neighbors and other recreational users are ever going to find common ground.