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Comments: OHV engine exhaust noise in the Oregon Dunes National Recreation Area has reached an unreasonable and illegal level, adversely affecting other activities in the dunes and local residents. This has become a critical problem, and if left unchecked will likely have unfavorable consequences for all involved in the OHV activity.

The ODNRA was created by Congress in 1972, and 22 years later, the ODNRA Management Plan of 1994 was developed establishing standards and guidelines to meet the intentions of Congress. It is well worth reading the plan to understand why noise decibel levels were set through public input as well as environmental aspects. Noise issues were a prevalent topic during the scoping and analysis process, resulting in noise sensitive areas protected by non-motorized buffers, curfews, and a stricter 90 decibel OHV sound limit, which was later raised to 93 dB. The rationale for a strict sound limit was the ODNRA's close proximity to residential areas, as well as other environmental concerns.

At issue now is how to bring down the noise level of those OHVs creating the problem that has caused the public outcry. Not all OHVs are noise polluters, with almost half tested by the USFS in 2019 at 93 or below. The consensus of some is that 25% are over 100 dB, with those using aftermarket loud exhaust systems intended for sanctioned competition events. We do not know if 96,97 or 98 decibels creates an annoyance, but most new OHVs with factory standard type exhaust systems seem to be 96 dB or less. According to data presented by the Siuslaw National Forest describing this proposal, 44% of all vehicles they field tested since 2000 were at or below 93 dB. Of concern is that by raising the limit 4 decibels, will this 44% eventually raise to 97? Noise is logarithmic, so a 4 decibel increase is more than twice the noise of 93. The cumulative effect of hundreds, at times thousands of OHVs needs to be considered.

Ineffective law enforcement has led to an "implied consent" atmosphere in the ODNRA. This is in part due to inconsistencies in legal sound limits between various states and the ODNRA which has made it difficult for law enforcement to prosecute. The USFS is reluctant to provide adequate funding to the ODNRA for effective law enforcement. Currently, there is one USFS law enforcement officer for the entire 30,000 acre ODNRA. Public awareness programs and efficient signage emphasizing OHV noise issues and regulations are lacking.

The proposed sound limit change is an attempt to facilitate an enforcement program to stop illegal noise in the ODNRA. The USFS Siuslaw Forest and ODRA staffs acknowledge there is a noise problem, and working within budgets, are trying to eliminate the problem without affecting the overall OHV activities.

Oregon Dunes Responsible Management Corporation reluctantly supports this change only if adequate law enforcement and public awareness programs are implemented. Should this proposal prove to be ineffective, we suggest reopening the dialogue one year from implementation.