

May 16, 2019

To: Ms. Kelly Orta, Manager Community Resources

Fm: Anthony Higgins

Re: Establishment of Measurable Noise Thresholds for Special Event Amplified Sound

According to an email I received from Captain McKinnon (HBPD), no measurable thresholds have ever been established for maximum sound-levels at special events when the city issues a permit for amplified sound systems.

I also understand that ***amplified sound permits*** have become a small but significant source of revenue for the city, already bringing in nearly \$22,000 in just the first 8 months of this fiscal year. See item# 3214 of the proposed FYE 2020 budget.

I recently addressed Parks & Recreation Commission regarding the need to establish reasonable but measurable dB noise-limits for special event when loud speaker systems are used.

In that meeting I was told there was a sub-committee already working on determining whether to establish measurable noise limits for amplified sound systems at public events. The Chairman said I should provide my input to that sub-committee through you, and I could speak again on this matter when the sub-committee submits its recommendations to the Commission.

FOLLOWING IS MY INPUT:

First, I would like to offer the URL below linking to my oral comments to the Park's Commission as input to the sub-committee.

[http://hermosabeach.granicus.com/MediaPlayer.php?view\\_id=6&clip\\_id=4948&starttime=2525&stoptime=2805&embed=1](http://hermosabeach.granicus.com/MediaPlayer.php?view_id=6&clip_id=4948&starttime=2525&stoptime=2805&embed=1)

I also offer the following high-level objectives for consideration in the cities efforts the appropriate standards for amplified sound systems at and public events:

1. Use Measurable Noise Limits NOT Arbitrary Subjective Limits

- amplified sound limits should be measurable using commonly available portable equipment
- the metrics used to measure sound levels should be targeted to collect data needed to ensure ear-safety as a first priority, and then consider the appropriate levels for residential areas like Valley Park versus the Pier Plaza. One size may not fit all.

- the city should establish thresholds for ear-safety that protect sensitive receptors (e.g. young children or infants) from temporary or permanent hearing loss or inner ear damage. This may involve establishing a perimeter or safe-sound zone around the speakers. Additionally, the city should consider establishing sound level limits that will not present a nuisance to residents inside homes near the event. Especially in the summer months, I believe it is too much to ask that residents shut their windows to avoid having events music or verbal discourse clearly discernable within the confines of their own homes.

## 2. Proactive NOT Reactive Enforcement of Maximum Noise Levels and Safety Barriers

- Enforcement should be Proactive and not based on Citizen Complaints.
  - Community Services Police Officers (CSPO) or the HBPD should be trained and equipped to measure sound levels at all public events where amplified-sound permits have been issued and check that the appropriate safety perimeters around the loud speakers have been established.
  - Communications-channels between Community Resources and the police should be established to facilitate effective monitoring of sound levels and sound-safety
    - o CSPO's or HBPD should be *briefed* on the presence of an event, provided copies of permits when measurable noise limits are established by the permit, and *dispatched* at the start of each event *to confirm* sound levels conform with the permit and the appropriate safety perimeters are set-up to protect young children and infants
- 3 The first priority must be measurable maximum noise limits of the sound characteristics that would do the most damage to sensitive receptors; and then the measurements that best capture the nuisance effect of the amplified noise systems. Think in terms of the number of times a certain noise threshold is exceeded per unit of time (e.g. LEQ peak noise level measurements). Using only average-sound-energy measurements (e.g. dBA) may very well obfuscate noise levels that could do permanent damage a sensitive receptor. This will require expert advice.
  - 4 **If funding for training, sound-meters or operational costs associated with proactive noise measurements is a problem, then the fees charged for special event amplified sound permits should be increased to cover these costs.**
  - 5 Shifting the burden of enforcement to the residents by using a reactive complaint driven system is not the best way forward. For every one person who annoyed enough to complain there are probably 100 who either don't believe their complaint will result in action or are just busy to complain.

The sub-committee also needs to consider the presentation the South Bay Health District recently made to the City Council that identified that residents of Hermosa Beach already have very high stress levels relative to the general population.

The subcommittee and the Parks Commission might be well advised to consult the Health-District and determine how much stress is related to the constant noise many residents are already being subjected to from construction, traffic and heavy trucks.

***I believe there is a simple litmus-test to measure the responsiveness of the city to these concerns. If the subcommittee brings in an expert to discuss and inform them of what noise levels will damage sensitive receptors, how to mitigate that damage and what measurements, thresholds and safeguards to establish for special-events, then the city will be living up to the promise of a Healthy-Hermosa.***

***If not, then that slogan is just an empty promise.***

Taking a broader perspective for a moment, Special Events also have a role in straining our road infrastructure and parking resources and adding noise pollution to areas that may already be well beyond the noise limits for R1 and R2 zoned properties. So far the city has made little effort to identify those neighborhoods that are already beyond the established limits and offer meaningful or effective mitigation.

As a rule, special events requiring sound amplification should be held in commercial areas and if they must be staged in residential neighborhoods then the noise levels should be set low enough not to add to the already heavy amounts of noise pollution residents are already subjected to.

Please also keep in mind that vast majority of residents do not attend most of special events. The growing number and size of these special-events may have crossed the point where they are doing more to detract from quality of life for the majority of residents, especially when traffic, parking and near-roadway air-pollution effects are considered. Consider the 6 hours of bumper to bumper traffic and the strong smell of exhaust on 27<sup>th</sup> street as a result of the past Saint Patrick's Day parade.

Also, please consider that many newer residents on 27<sup>th</sup> street and elsewhere have purchased large sound/vibration proof homes. But many of our seniors throughout the city own older homes, and cannot afford either the cost or the time to build large sound/vibration proof homes; nor are they strong enough to move. These seniors are already vulnerable to the weekday noise-pollution from heavy commercial traffic and from the new construction that is going up within earshot of nearly every home in West Hermosa. Most of these seniors are retired. Reasonable noise-limits are being exceeded in many neighborhoods and sooner later that will take a big bite out of quality-of life in Hermosa Beach.

There is much that could be done but so far the city has promoted an unsustainable grow, grow-grow-strategy for the downtown business district. Our current infrastructure simply cannot support this and maintain resident quality of life.

Thank You  
Anthony Higgins

P.S.

Ms. Orta,

If possible, I would like some additional information in order to provide more targeted input. If you cannot provide this information please direct me to someone who can:

1. Sub-committee name and Charter
2. URL to subcommittee meeting minutes or copies of the minutes from this committee.

Knowing the direction and thought-process of this committee will keep me from repeating items already under consideration

3. Copies of any reports or findings already issued by this subcommittee related to Special Event Noise