

## [EXT]Wind machines ALAB Meeting's 8/7/2023

Sat 8/5/2023 10:06 PM

To: Marc Lea <mlea@co.slo.ca.us>

Cc: Bruce Gibson <bgibson@co.slo.ca.us>; Debbie Arnold <darnold@co.slo.ca.us>; John Peschong <jpeschong@co.slo.ca.us>; Jimmy Paulding <jpaulding@co.slo.ca.us>; Marty Settevendemie <msettevendemie@co.slo.ca.us>; Kelley Abbas <kabbas@co.slo.ca.us>; Rita L. Neal <rneal@co.slo.ca.us>; Trevor Keith <tkeith@co.slo.ca.us>; bburchett\_slofarmbureau.org <bburchett@slofarmbureau.org>

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Chair Rodrigues and members of the Ag Liaison Advisory Board:

My name is Ingrid Warren and I live north of Cayucos. I am here once again to address the issue of the offensive noise created by wind machines.

First I want to bring your attention again to the fact that California has a Health and Safety Code. And Section 46000 (f) of that Code states that "All Californians are entitled to a peaceful and quiet environment without the intrusion of noise which may be hazardous to their health or welfare". This code does not state unless you live in a rural area, it states ALL Californians! I would like County Counsel to tell me how the County can allow wind machines to keep us awake night after night without it being hazardous to our health or welfare? I feel confident that lack of sleep is well documented as being hazardous to health. Can anyone at the County answer how this does not go against the State Health and Safety Code? How is it important to protect others but not those of us in the rural areas? How is our right to quiet enjoyment of our property less than those with the exact same right?

I would also like to address the changes that have obviously taken place in the Agriculture Community in general. It occurs to me that there has been a radical change from farmers and ranchers being stewards of the land and being in a community where we helped one another. It seems now that the ag community as I knew it no longer exists and has been replaced by greed. Greed that allows a neighbor to infringe on the peaceful enjoyment of our property.

The Mission Statement of the Agriculture/ Weights and Measures states "committed to serving the community by protecting agriculture, the environment, and the health and safety of its citizens". I contend that in order to protect the environment and the health and safety of its citizens, it needs to better protect us, citizens of this county, from the horrible noise of the wind machines. How is the noise from these machines any different from secondhand smoke? Or from pesticide drift?

I also think of my son, who served in Afghanistan at Forward Operating Base Lightning; anyone who has served in a combat area knows that helicopters have a constant presence. It is sad to think that those who have served in combat come home only to hear the very same noise, the noise of the wind machines that are so similar to the sound of helicopters. My son told me the noise here at my house is just like that of the flight deck where helicopters are constantly landing and taking off. It is sad that he is not able to come home for Christmas without the terrible noise of war and all the memories that brings.

I have had many sleepless nights, kept awake by the wind machines. I contemplate for hours how anyone could treat their neighbor with such callous disregard. What happened to the AG Community? What happened to the Golden Rule? It seems to have been lost in favor of GREED

Do you not have any compassion for my horses that have been injured being spooked by these wind machines? Do you not care about the families that have testified before this Board that have children trying to study at night and get enough sleep to face the challenges of a rigorous academic schedule? What about their parents who are simply trying to go to work and function? Owners of wind machines have shifted their risk of frost damage and in turn shifted the misery to us, their neighbors We deserve better.

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## [EXT]Comments for ALAB meeting, Aug 7

Pat Smith

Sun 8/6/2023 9:08 PM

To: Marc Lea <mlea@co.slo.ca.us>

**ATTENTION:** This email originated from outside the County's network. Use caution when opening attachments or links.

Dear ALAB members,

I am writing to ask that you make a recommendation to the Board of Supervisors regarding decibel output from climate control fans. I would like this read into the record for your next meeting, currently scheduled for August 7. In the event the meeting is rescheduled, I would like this added to the rescheduled meeting's record.

The Board of Supervisors informs the public that they need a ruling from YOU before they can address the current exemption of climate control fans from the noise ordinance.

Even a lay person, when reading the State Right to Farm code, can see that it DOES NOT exempt this equipment from regulation for noise when it is installed for new purposes. It is only the SLO county noise ordinance which is permitting this equipment's operation.

Multiple parties have consulted many lawyers and have found unanimous agreement that the State Right to Farm does not protect the climate control fans. To not amend the SLO County noise ordinance on climate control fans will be essentially providing the county legal department with an ever-green project, because County codes cannot be contrary to state codes. And as you can easily determine from the volume of contact you have received from the public on this topic, there is enough support that legal action will be pursued if this code is not changed.

Bird cannon, car washes, even dogs are regulated for noise. Why does this one single piece of equipment merit an exemption—from all noise outputs, and at all hours? The climate control fan installed behind my house creates in excess of 85 dB—as shown below this exceeds the county's daytime noise limit. Given the recurring impulsive nature of the noise generated, it should have STRICTER noise limits than general equipment. Have you ever actually stood near one of these machines? They operate throughout a low temperature period, typically beginning around 2 in the morning, then pound out noise equivalent to a helicopter, until about 8.

OUTDOOR SPORTS AND RECREATION, THE FOLLOWING NOISE LEVEL STANDARDS SHALL BE INCREASED BY 10dB.

EXTERIOR NOISE LEVEL STANDARDS		
	Daytime (7 a.m. to 10 p.m.)	Nighttime <sup>1</sup> (10 p.m. to 7 a.m.)
Hourly Equivalent Sound Level ( $L_{eq}$ , dB)	50	45
Maximum level, dB	70	65

<sup>1</sup>. Applies only to uses that operate or are occupied during nighttime hours

- b. In the event the measured ambient noise level exceeds the applicable exterior noise level standard in subsection (a), the applicable standard shall be adjusted so as to equal the ambient noise level plus one dB.
- c. Each of the exterior noise level standards specified in subsection (a) shall be reduced by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.
- d. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient noise level can be measured, the noise level measured while the source is in operation shall be compared directly to the exterior noise level standards.

The New York Times recently published research on noise. They state: “Chronic noise exposure is not just a nuisance, scientists say. It’s a health risk. In fact, mounting research suggests that, as average noise levels climb, so do the risks of overreactions in your body that contribute to cardiovascular disease and other health issues.” By allowing the continued unregulated installation and operation of climate control fans, the county is directly contributing to adverse health effects for large numbers in the population. (“Are You Exposed to Too Much Noise? Here’s How to Check”, The New York Times, June 9, 2023).

Please, members of the ALAB committee, do not let these abusive machines continue to operate without guidelines that protect the health and safety of county residents.

Thank you.

Patty Smith  
4866 Caballeros  
SLO  
949 375 0715

## [EXT]ALAB Board meeting concerning wind machines/Bird Distress machines

Alicia Warren [REDACTED]

Mon 8/7/2023 4:02 PM

To: Marc Lea <mlea@co.slo.ca.us>

**ATTENTION:** This email originated from outside the County's network. Use caution when opening attachments or links.

To whom it may concern,

While I do understand the right to farm ordinances coming from an agricultural background. We need to make vineyard/orchard owners keep the decimal noise level coming from their devices from impeding on neighbors peace of mind. They create health issues for livestock and negatively affect the mental health of people. The machines can affect people's sleep and/or cause severe migraines which is what happened to me. We have had horses and other livestock be injured because the noise frightens them. Plus other obvious signs of stress every time they hear the noise. These devices shouldn't be loud enough that people can hear them in their homes. Distance restrictions do nothing if the sound is able to be carried to neighboring properties at unreasonable levels we need decibel restrictions on these machines. There are plenty of other ways to either restrict birds from coming to eat crops (nets/shiny objects/hiring falconers) and frost protection (cold drain machines/water use/frost buster machines). If they spent any time at an agricultural college they know there are other options than disturbing their neighbors' lives. I have an orchard and my family used to grow other crops. We have never used wind machines or bird distress machines.

-Alicia Walker

## [EXT]ALAB Public Comment on Wind Machines 8-7-23

tswarrentaz (null)

Mon 8/7/2023 5:03 PM

To: Marc Lea <mlea@co.slo.ca.us>

**ATTENTION:** This email originated from outside the County's network. Use caution when opening attachments or links.

To Whom it May Concern,

I am writing in regard to the counsel's potential ordinance regarding use of agricultural wind machines. Like most, wind machines did not concern me or my family as they were not in close proximity to our residence. This changed however when several wind machines were placed in conjunction with a new avocado orchard adjacent my parent's house. Abruptly the house which they built and have lived in peacefully for 40+ years is now plagued with inescapable ambient noise during the cold season. This has irrevocably impacted my parents quality of life for the worse. While I am cognizant that our neighbors have a right to farm, the lack of any parameters in regards to wind machines has put both parties in contentious position. To date we have spent tens of thousands of dollars in noise mitigation measures, veterinary care and legal fees without resolution. I'm certain that the other party has also spent unknown sums to rectify this impasse that may very well have been avoided if there were an ordinance or policy in place beforehand. Furthermore I fear with weather patterns in recent years increasing the frequency of highs and more pertinently the lows, presumably the use of these machines will only increase in frequency going forward. For these reasons I am asking you to please consider an ordinance that takes into consideration a maximum decibel level in Operating Conditions. More specifically testing decibel readings where and when the machine would be intended to operate, ie at or below freezing, as sound travels differently at these temperatures than it would in a higher temp. I ask that you please take our experience into consideration when formulating a standard by which new wind machines are allowed to be installed.

Thank you for your time. Sincerely,

Thomas Warren

Sent from my iPhone