Noise Review Board Subcommittee on PIR

April 18, 2023 Meeting Summary

Present:

- Mary Sipe, NRB Chair
- Ryan Pittel, Neighbor Representative
- Angela Moos, Neighbor Representative
- Jason Henshaw, PIR User Representative
- Charles Freeborn, PIR User Representative
- Ron Huegli PIR Management Representative
- Nikki Gamell, PIR Management Representative
- Kerrie Standlee, Acoustic Specialist Consultant to Subcommittee
- Paul Van Orden, Noise Office Consultant to Subcommittee
- Mark Wigginton, Former PIR Management Consultant to Subcommittee

The meeting was called to order by Noise Review Board Chair and Subcommittee Chair, Mary Sipe.

Chair Sipe reviewed the agenda. The first item on the agenda was for Mary and Kerrie Standlee to present an overview of Resolution #34626

Kerrie & Marty Knowles are then going to review the comparison they did with the Noise Complaints to the Events Calendar in order to identify which events appear to generate the most complaints from neighbors.

The last item on the agenda was to review the Task List. Mary said she had made some updates and reorganized the Task List.

At last month's meeting, there was discussion about beginning to draft recommendations at the May subcommittee meeting. Mary said that after reviewing the Task List, she thinks the subcommittee will probably need to have several more meetings before they are able to draft recommendations.

The overview of Resolution #34626 was sent out to everyone to review prior to tonight's meeting.

Mary drafted a PowerPoint presentation summary of the overview that they will use to walk through and discuss each recommendation in Resolution #34626.

She began by sharing with the Subcommittee the difference between a Resolution, an Ordinance and City Code.

A Resolution is a formal document by which the city council declares a city policy, or directs officers or bureau to take specific action.

Resolution #34626 was a directive by City Council for bureaus, the Noise Office, and the Noise Review Board to take specific actions on a list of recommendations.

An Ordinance is a formal document by which the Council conducts its legislative quasi-judicial, and administrative business. An ordinance carries the binding force of law.

Mary pointed out that if you look at the City Noise Code, Title 18, you will see that changes to Title 18 are made by Ordinances that have been approved by City Council.

She explained that if the subcommittee makes any recommendations to amend Title 18, the recommendations will be reviewed by the City Attorney and will then be presented to City Council as an Ordinance for approval. City Council can approve, amend, or deny the Ordinance.

City Codes are the governing laws written in the City Charter. The purpose of code is to set a strategic direction which can be implemented through administrative rules and policy documents, program design, budgets, and contractual agreements. Title 18 is a City Code. Changes to City Codes are made by ordinances adopted by the City Council.

Title 18 can also be amended by either Interim or Permanent Administrative Rules which are approved by the Director.

There are also policy documents, such as the Board policy document that addresses the multiple year variances that the Board grants.

In 1986, Commissioner Mike Lindberg convened a Task Force to consider the effects of the Portland International Raceway on the economy and the livability of North Portland, as well as potential noise mitigation measures. The Task Force, represented by neighborhood residents, businesses, race track users, race promoters, the Noise Review Board, and an independent chair, worked for two years in formulating the PIR Recommendations.

A Recommendation Report was published by the Task Force **in August 1988** and presented to Commissioner Lindberg.

On October 25, 1989, the Portland City Council adopted Resolution #34626.The Resolution included 23 recommendations from the 1988 PIR Task Force addressing:

- Community Enhancement
- Managing PIR
- Noise Standards & Variance Process
- Noise Control Measures

Tonight we will review the recommendations for Noise Standards & Variance Process and Noise Control Measures.

The Community Enhancement & Managing PIR recommendations will be reviewed at a future subcommittee meeting.

The Community Enhancement section has several recommendations that have been modified by subsequent resolutions that relate to the North Portland Trust Fund. One of the items remaining on the Task List is to review the North Portland Trust Fund, so it seemed to make sense to combine that with the review of the Community Enhancement recommendations in Resolution #34626. We will also review the PIR Management Recommendations at that time.

The review began with the 4 recommendations in the Noise Standards & Variance Process section of Resolution #34626

Recommendation:
1.Develop a policy establishing a maximum of four variance events per year, to include all qualifying, practice and racing associated with that event. An upper dBA limit for the four events shall be established as follows:

- *1 event at 115 dBA at 50'*
- *2 events at 112 dBA at 50'*
- *1 event at 110 dBA at 50'*

These limits are established to provide flexibility yet, the overall intent is to continue to encourage a reduction in noise levels.

The policy shall be re-evaluated in 3 years with recommendations to be completed after the 1992 racing season.

Mary explained that they also reviewed the Master Plans and Noise Review Board Meeting Minutes to help establish if, when and how these recommendations were implemented.

Status:
Beginning in 1990, the Noise Review Board began utilizing this directive and has approved up to 4 varianced race events to occur at PIR with the sound level limits specified in the directive.

The four-variance directive has continued to be the guiding post in approving variances for races at PIR.

The Noise Review Board has followed this recommendation and has consistently issued Noise Variances. However, a written Board Policy has never been generated. There is no Administrative Rule establishing the four variances. This is not addressed in Title 18.

No documentation could be found indicating this recommendation has ever been re-evaluated.

Mark Wigginton wanted to clarify the Noise Review Board has granted variances based on these the patterns following a denial of the IndyCar race because they could not met the 115 decibel limit. He said that it went to City Council and City Council suggested these limits. Mark said that flexibility is it the hands of Council.

Mary Sipe commented that what she found was that the NRB had denied a variance for the IndyCar and it was appealed to City Council and the variance denial was overturned by City Council. That is a process that any variance can go through. A variance that has been approved or denied can be appealed to City Council.

Paul Van Orden / Noise Control Officer added in that particular situation the Board worked collaboratively with the applicant. They recognized the unique nature of IndyCar and they crafted language that was supportive of the fact that IndyCar had some challenges with setting the level at exactly 115 dBA. Paul wanted to state for the record that it was not a contentious

Mary Sipe commented that in the past, when the NRB reviewed the variance applications, they would receive a report from the Acoustic Consultant of any exceedances recorded by the trackside and Kenton noise meters. Last March when the NRB was reviewing the variance applications for the 2022 events, they found that graphs for the entire day of each day of racing provided better details of the events than just a report of exceedances. When the board grants the variances for one year or multiple years, there is a condition in the variance that requires the applicant to return to the Board at the end of each year to review the noise meter data.

Recommendation
2. *Direct the Noise Review Board and DEQ to work together to develop trackside noise standards for each of the North Portland race facilities.*

Status:
This directive appears to have not been completed.

The DEQ disbanded the noise control office in 1991 and the Noise Review Board, after many attempts over the years to address the directive, never succeeded in identifying a trackside noise level that would ensure noise levels in North Portland neighborhoods would comply with the code.

2008 Greenbush Study: …*The 103 level that is used by the race community and is referred to by some members of the neighborhood should not be seen as a specific compliance regulation level. As a result of this new study, the trackside level may need to be refined and reduced to assure the community full compliance with legal expectations of Title 18 to control noise pollution emanating from the raceway at healthy levels.*

Comment:

The comment in the Greenbusch report about the 103 dBA trackside noise level limit being based on limited testing in the past was a concern to the 2008 Noise Review Board. Due to that concern, the Board asked Greenbusch to provide a noise level that they thought would ensure the noise radiating from all PIR non-varianced race events would comply with Title 18 noise level limits. The noise study was not completed, and that information was never provided to the Board.

If the subcommittee is going to move forward with a recommendation to have a trackside noise limit for PIR, that limit needs to be developed through further analysis of the noise associated with the various types of events.

Ryan Pittel commented that it is interesting that the resolution has a trackside level, but does not provide a neighborhood level.

Mary Sipe responded that it is correct that Resolution #34626 only addresses the trackside decibel limit However, Title 18 does address the neighborhood limit under 18.10.010 Land Use Zones. For purposes of noise code enforcement, PIR was designated as an Industrial Zone. The decibel limit for noise from an Industrial Zone (source) to a Residential Zone (receiver) is 65 dBA.

Ryan Pittel commented that it has not been confirmed what the impact of 105 dBA at trackside equated to in the neighborhood. He said that needs to be confirmed and should be added to Resolution #34626, or codified.

Mary Sipe said that is in the working draft recommendations.

Mark Wigginton commented that one of the reasons they measure at trackside is because those measurements are predictable and pretty accurate. The further you go away from the track, the more variability there is based on the environment. Wind, cloud cover and all sorts of other noise sources that are additive. He asked Kerrie to talk about how difficult it is at 8 or 900 meters and how many measurements over how many kinds of days you need to get a predictable level. We can only control what is happening at the racetrack. We cannot control what is happening in the neighborhood.

Mary Sipe reminded everyone of Mike Raley's Acoustics presentation. One of the things in that presentation was about how sound travels and the

attenuation from the source to the receiver. She thinks everyone agrees that we need to get some studies to confirm this.

Kerrie Standlee said he agreed with Mark that it is more difficult to measure in the neighborhood. That is why he is encouraging the use of modeling as the way to establish what is the trackside level that might be used. Modeling can do all kinds of different scenarios of racing. You look at the worst case situation and you say that given that worst case situation, this is what the limit would have to be.

Kerrie also encouraged everybody to be thinking about that there are two ways that you could approach mitigation. One is putting a limit on the output of the vehicle, the other is putting in some of the noise controls that was discussed in the 1990's Master Plan. He is not sure why they went away, but that is still something that should be looked at. Then you could increase your vehicle output and not have to have the same impact. He thinks modeling is the way to do this. Note: a feasibility study of noise barriers was done in 1992 and that will be reviewed with Recommendation #11

Mary Sipe said she would make a note to make sure that we consider modeling in any recommendations on this subject.

Ryan Pittel asked if there are other facilities that are designated as industrial zones or is it just PIR?

Paul Van Orden responded that the situation at PIR is unique. We do not have another source where we allow measurement to be taken from the source property. Measurement for compliance is taken at the property line of the receiver.

He said that part of the challenge over all these years has been the complexity of the City, trying to be fair to both the race community and to the neighborhoods and not use just a simplistic distance calculation. If we use a distance calculation, it does not take into effect the fact that sound is being reduced by some of the topography. Part of the reason why Greenbusch did not come back and just say the number is X is because it is complex. Nonetheless, the reason we are here today is, we need to look at this unique situation establishing the measurement at trackside. We need to look at that because it is not working. We are seeing levels that are over the code in the neighborhood.

Kerrie Standlee commented that it is different from other industrial sources in that this is a moving source. It is constantly moving and changing, whereas other industrial sources are usually fixed. Paul can go out and measure that at a receiver, and in many cases the receivers are much closer than we're talking about here as well. But the biggest part of the problem is the fact that the sources are constantly moving. And they are changing their orientation toward the residents and their output as well. It is much more difficult to measure in the residence unless you have a large number of monitors out there. You are never going, to be sure with measurements if you are getting everything. You are getting the worst case situation. Whereas modeling will allow you to predict worst case everywhere.

Mark Wigginton said he disagreed with the notion that modeling is the solution. It is one of the solutions. But I think a lot of hard data has to be captured because of the built environment and the changing variability. He does not know if the worst case that Kerrie mentions is what we are looking for. We are looking for general compliance. We are always going to have worst case. That is not compliance, and we know that. We adapt to that and deal with it in the moment. We have on the ground worst case where somebody blows a 106, and we deal with them. The racetrack cannot deal with a 30 mile wind out of the north when that happens, or low cloud cover when IndyCar is here. He said he remembered when IndyCar was here one day on Friday and he was getting calls from Overlook. They never heard the racetrack, but the low cloud cover and the humidity was bouncing it that far. What we need is a reliable way to control, measure, and manage the noise at the racetrack. Modeling Is not necessarily the only answer.

Recommendation:
3. Approach DEQ with a proposal to accept the City's variance review process in lieu of the States's own variance review process to simplify, and eliminate duplication in a burdensome process.

Status:
No information has been located showing that DEQ was contacted to discuss the idea of having the City take over administering all requests for variances at PIR. When DEQ de-funded their noise control office in 1991,

the City became the only entity that could consider requests for variances at PIR. Hence, it is concluded that the directive has been fulfilled.

2006 DEQ Directive:

…"Local governments may enact and enforce the State standards, or may adopt their own standards and enforcement, as long as the standards are consistent with or exceed the State standards."

Ron Huegli had a question about the 2006 DEQ Directive. It does not say where that statement came from. He asked if he was to understand that 15 years after the DEQ office was defunded they were making a noise control statement.

Mary Sipe responded that a copy of the DEQ Directive was in the packet of materials that was sent to the subcommittee. It was just a directive giving guidance to staff on how to respond to calls about noise control.

Kerrie Standlee responded that the reason it came out in 2006 was because they decided they had better put something out there that made a statement about the fact that they are not going to deal with any more noise issues.

Recommendation
4. Develop and implement a multi-year variance process.

Status:
On November 1, 1989, The Noise Review Board approved a Board Policy for granting multi-year variances.
This policy applies to all variance requests, not just PIR.

There were no questions or comments about this recommendation.

Next the subcommittee reviewed the recommendations in the Noise Control section of Resolution #34626.

Recommendation:
1. Ensure uniform enforcement and reporting standards for all North Portland race facilities by the City and DEQ.

Status:

In 1991, the DEQ disbanded their Noise Control program, and the City became the only authority to address noise radiating from PIR and the Portland Speedway. The Portland Speedway closed in 2001 making Portland International Raceway the only motor vehicle racing facility. Thus, the remaining portion of this discussion will apply only to PIR.

There could be two ways to ensure and report compliance with Title 18 noise limits; trackside and neighborhood monitoring. The only procedures found that address the enforcement of trackside standards are those presented on the PIR Website discussing how sound is measured at the trackside.

From the PIR Website:

- *PIR operates a fixed microphone, 50 feet from the track, just past the bleacher on the front straight. This spot was chosen by an independent noise consultant to best capture highest sound levels from the various kinds of events held at PIR.*
- *The microphone is attached to a digital sound meter. The data is recorded 24/7 as is audio recordings over the set limit. All the noise files are held, and given to the City's Noise Control Officer on request.*
- *In addition to the fixed monitor, user groups are required to have a person in charge of events to monitor sound levels and remove vehicles from the track that exceed the limit (NOTE: that for all motorsports events, the top limit used is 103 dBA, rather than the City Code 105 dBA as it has been found to be closer to the ratio of 65 in the neighborhood).*
- *Typically, a vehicle that exceeds the limit is black flagged (taken off the track) and given one chance to make modifications or repairs to be below the limit. A second violation will mean a car will be removed from the competition or event for the rest of the day. On a following day, the vehicle in violation must re-tech, show what was done to remedy the violation, pass tech, and be re-checked on course via the sound monitor. If the vehicle fails again, it is disqualified from the entire event.*

Angela Moss reminded everyone that the City Noise Code does not say anything about 105 decibels at trackside.

Mary Sipe responded that yes, we have already clarified that needs to be confirmed and then it needs to be codified somewhere.

Mark Wiggington commented that he wrote that statement on the website and what it should say is DEQ regulations.

Mary Sipe responded that we should have that corrected on the website.

Charles Freeborn made a point of clarification that after the first black flag, for a car to return to the track they must show the modifications to the Safety Steward. It is not the next day; it is the day of.

Kerrie Standlee asked Charles if it is possible that when you have a black flag that there is a person that could do a measurement up close to the exhaust to establish what the dBA was before they made any modifications and then take another measurement after they make modifications. This would reduce another time when they are exceeding.

Charles Freeborn responded that in a perfect and theoretical world, there is possibly equipment that could be purchased to accomplish that. That falls back into budget considerations.

Kerrie Standlee responded that he was thinking of the racing group doing it.

Charles Freeborn commented that it is a solution looking for a problem. And it would be placing yet another burden on the race groups. It is also apples to oranges. You are talking about something that is out in the paddock versus the noise the car makes when it is out on the track. It would be difficult to draw a comparison between the two readings.

Kerrie Standlee commented that it is used a lot with motorcycle racing. He said that they used it with motorcycle races in the Gorge. They took noise measurements of all the equipment before they went out on the track.

Mark Wiggington commented that he would love to have a system where they could do that. However, the race cars do not like being revved without

being under load. While it would be great, it is not a system that currently exists. The system that currently exists is useful.

Kerrie Standlee responded that you have a reference when it is at the set RPM before any modifications are made. Then they come back after the modifications have been made and you have a reduction or you do not have a reduction. So you are going to have the same thing.

Mark Wiggington responded that he understands, however the reality is most of the cars that violate get caught or are knowingly violating. Yes, there can be the motorcycle guy who says, “no I am not going to put the baffles in, he gets called in and then decides to put the baffles back in and he is fine. It is rare that we have a vehicle that just accidently violates. Is that fair to say Nikki?

Nikki Gamell said that is fair. However, some people bring out street legal vehicles like corvettes that show up and break the noise limit and they go home.

Nikki Gamell said she had corrected the website statement about the 105 decibel limit being a DEQ regulation. She asked for clarification about the comments regarding changing the wording about black flagging. The PIR rules are exactly what Mary copied from the web page.

Charles Freeborn responded that what he was explaining was not the PIR policy; it is what Hooked on Driving is doing voluntarily.

Nikki Gamell responded that since what Charles described is what another organization is doing and is not PIR policy, the statement on the website will not be changed.

Ron Huegli commented that what Charles described is a single day event. Hooked on Driving is usually a one-day event that is predominately all street cars. Almost every one of the manufacturers offers cars that will exceed the decibel limit. When we are talking about an event like an SCAA conference race with the Cascade Sports Car Club Rose Cup, those individuals pay a fair amount of money to participate in the event. Ron said he knew of one driver loaded his car back up, took it back to the shop and worked on an exhaust system overnight. He came back the next day and he met noise the decibel limits. That is what goes on. The drivers are trying to meet the

decibel limits. Engine noise is a combination of exhaust gases, volume of fuel and RPM. Free revving versus load does not have a major effect on noise. There has been some studies done by SEMA (Special Equipment Manufacturer Association). Free revving is really hard on engines so we need to try to measure while the engine is under load. If it is an engine with a torque converter versus a manual transmission those load engines are completely different. This code as it is written is how we enforce it for 2 or 3 day events.

Continuing with the review of Recommendation #1, Mary explained that the other method to measure sound is the Kenton noise meter.

A noise meter was installed in the Kenton neighborhood in 2015. The Kenton noise meter is not used for code enforcement.

The Kenton noise meter was installed to compare decibel levels at trackside to the neighborhood levels to help determine if 103 dBA at trackside equates to 65 dBA in the neighborhood. However, an adequate amount of data has not been gathered or analyzed to make this determination.

Comments:
It should be noted that PIR's website states the City Code is 105 dBA at trackside. As stated earlier in this document, the Noise Review Board has never come to the conclusion that a 105 dBA trackside standard ensures that the City Code 65 dBA residential standard will be met.

Mary Sipe reminded everyone that we discovered that there was a perception in the community that the Kenton noise meter was installed as a way to identify violations of the decibel limits in the neighborhood.

Mark Wiggington commented that he disagrees with the notion that an adequate amount of data has not been gathered. He agrees the data has not been analyzed, but the Kenton noise meter has gathered 7 years of data.

Mary Sipe commented that she agreed and that she would remove the word gathered from the report.

Kerrie Standlee commented that it is only one location in the neighborhood. You have a reduction between the track and that location. But you do not

have it necessarily at the track. A request was made to install another noise meter in another location, but PIR said “No.”

Paul Van Orden commented that they asked to place the noise meter at Trenton Park.

Mark Wiggington asked when.

Kerrie Standlee said they had 4 locations in 2015.

Paul Van Orden also said they had 4 locations. Trenton Park was one. The current location was their last choice. He has a map that shows the 4 locations that were considered. They could not get a pole to mount the noise meter on at Trenton Park. The current location was the choice they could start with.

Mark Wiggington said he recalled that there were 4 possible locations and that they could not get a pole and agreed to the current location. He said that his point is that he does not think there has been any analysis of data from the current location.

Kerrie Standlee commented that the Kenton location was influenced by the fact that the biggest complaints were for the Wednesday night drags. That does not seem to be the major problem any longer as far as complaints go.

Angela Moss commented that she was part of the community group that was meeting with Mark and PIR. When it was finally determined that a noise meter would be placed in the neighborhood, they had to drag and kick them to make it happen; it was not like they were wanting to run out and do it.

Mark Wiggington agreed. They did not want to spend money for something that is at a distance that is difficult to correlate with racetrack noise. He agreed that it was not on his list of priorities at that time.

NRB Paul Van Orden commented the Noise Office started looking at all this in 2013 and advocated to get funding to finish the 2008 Greenbush Study. He wanted everyone to understand that it is going to take funding to gather and analyze data to get to the answers.

Mary Sipe summarized that the Noise Office has never come to the conclusion that 105 decibels at trackside equates to 65 decibels in the neighborhood. The board never made a recommendation to city council, that 105 be considered code. We need to acknowledge that enforcement and accountability for violations can be challenging. If violations are documented, there is still a question as to what party would be held accountable.

Recommendation:
2. PIR management, the Noise Review Board and sanctioning bodies shall as a matter of policy continue to schedule noisier events during the mid-day, reserving the beginning and ending of the day for quieter events.

Status:
2004 Master Plan Appendix G-Noise Control Report:
"This is hard to do at times but all groups using PIR have made efforts to comply. Event scheduling is sometimes dictated by outside forces (i.e., television) but in most cases this practice has been used since the mid-1980's."

PIR Website Schedule of Events:
The PIR Website Schedule of Events shows events scheduled from 9:00am to as late as 10:00 pm The Wednesday night ET Drag racing, the Friday late night and Saturday late night drag racing, the Pro Drive and Hooked on Driving events all take place during the beginning and end of the day. The Pro Drive and Hooked on Driving events appear to generate noise complaints.

Ron Huegli asked Mary which Pro-Drive & Hooked on Driving events take place at night. He said those events happen during the day. They start at 9am and are off the track by 4- 4:30pm. The events that happened at night are the drags.

Mary Sipe responded that it is not very clear what beginning of day and end of day mean. Her reference to the Pro Drive & Hooked on Driving and the Drags is that the schedule begins at 9am and ends at 10pm. She thinks this needs to be discussed a little more in terms of what type of disturbance it causes when the noise is audible in the neighborhood from 9am to 10pm. Also which are the "nosier events."

Ryan Pittel asked if this recommendation only applies to varianced events.

Mary Sipe responded it refers to “noisier events,” but does not specify varianced events.

Ryan Pittel said that he was always under the impression this recommendation was strictly addressing varianced events. He thought that the promoters of the varianced events attempted to schedule the louder groups during midday.

Kerrie Standlee commented there is another recommendation that addresses varianced races not starting before 10am on Sundays. The Event Schedule on the website shows there are some varianced events scheduled to begin at 9am on Sunday. He also questioned what is considered as midday.

Marty Knowles commented that the schedule on most days is from 9am to 4 or 5pm. However, you have 3 nights (Wednesday, Friday & Saturday nights) of drag racing on top of that. Then on Thursday nights you have motocross so there are not many breaks for the people in the community. Most days activity occurs from 9am to 10pm. He thinks that is something the subcommittee should talk about.

Mary Sipe commented that the subcommittee should discuss what was the intent of this recommendation and is it being fulfilled…it is reasonable…is it doable?

Nikki Gamell asked Kerrie what he would say is middle of the day. To her midday is lunch. It is not possible to run a race school just at midday. It would not make sense to run them from noon to 7pm. Some days events like the SCCA runs quieter cars at 9am, but it is difficult.

Mary Sipe commented that the recommendation is ambiguous. There is not a definition of what is midday, what is beginning and what is end of day. Also she acknowledged that this night not even be doable.

Ron Huegli agreed with Mary that it is ambiguous. He explained how it is not feasible to schedule events this way.

Mary Sipe commented that one of the reasons that it is important for the subcommittee to review all the recommendations in Resolution #3426 is because this was written 35 years ago. Some of the recommendations are not doable and some may need to modified. We need to update this document. Mary said she would make note of the comments to include in the Subcommittee recommendations.

Paul Van Orden commented that in past years, the Noise Review Board did have a dialogue with the Noise Variance applicants about figuring out how to schedule quieter races during certain parts of the day. They were called “Support Race Groups”. Lower decibel limits were established for the Support Race Groups. We removed that from the 2022 variances because things have changed at the track and it is not feasible to do that any longer.

Ron Huegli commented that as Mary alluded to, it is often dictated by network broadcasting and their hands are tied.

Charles Freeborn agreed with Ron’s comment. He also stated that with Hooked on Driving they have a combination of classroom time and track time and this type of scheduling just would not work for that. Having a later starting time just would not work. You cannot ask these people to come to our events and drive until 7pm. They have lives just like all of us. They need to get home Some of them drive down from Seattle to run. He also felt it was not fair to single out Pro Drive & Hooked on Driving. They just ran hooked on driving a couple of weekends ago and they did not have any noise overages.

Mary Sipe responded that the statement about Pro Drive and Hooked on Driving was not that they appear to have noise violations, but that they begin at 9am and run until 4pm and appear to have noise complaints. And then there are often events scheduled immediately following those events that can go to 10pm.

Charles Freeborn said that singling out a couple of organization that are following the same rules that a number of other organization are does not seem fair. These are factory built cars, street cars, legal cars that come out and blow that sound every time. The Shelby’s the corvettes are street legal cars. These guys show up and they want to run them. They are doing the right thing. They are taking their high performance car and they are running

it on a racetrack instead of on the streets. He feel it is a little bit unfair to the organizations that are providing this venue, especially if they are not exceeding trackside limits.

Mary Sipe responded, that as she stated earlier, she will take all the comments and feedback and insert them into the report. Again, this is not about exceeding the trackside limits, it is about the duration of the noise.

Mary Knowles commented that he understands that it might not be possible to schedule loud cars at a certain time. But that he would think it is not unreasonable to ask that you make some changes to the scheduling. If you are going to run an event for 6 or 7 hours like from 9am to 4pm, that you not schedule another event from 5pm to 10pm. That seem doable. Regarding the Hooked on Driving and Pro Drive, it is true that you might be complying with the 105 decibel limit. However, we still do not know if that equates to 65 decibel in the neighborhood. Even if it is a street legal car it is generating complaints. So he thinks it is fair to point it out.

Mary Sipe reminded everyone that it is not just a matter of how loud the cars are. It is also the tone, frequency and duration that has a negative impact on the community. She thinks Marty has a good point. If you have an event that goes on from 9am to 4pm, is it appropriate to have another event from 5pm to 10pm.

Kerrie Standlee reminded everyone that what we are discussing is trying to schedule noisier events in the midday and reserving the beginning and end of the day for quieter events. He said that Mary had picked up on the fact these 2 events, the Pro Drive and Hooked on Driving start at 9am in the morning. It is was just something to discuss. He hears what Charles and Ron and Nikki are saying; that you cannot always guarantee that the louder events can be scheduled midday.

Mark Wiggington asked when we planned for this meeting to end.

Mary Sipe responded that we try to shoot to end around 8pm. We still have a few more recommendations to review and Marty & Kerrie’s presentation and the Task List to review. It is doubtful we will get to those two agenda items tonight. We could just cut this off at 8pm and continue at the next meeting.

Paul Van Orden reminded Mary that we also need to leave time for Public Comments.

There was agreement to finish up what we can by 8pm and continue at the May subcommittee meeting.

Mary Sipe reminded everyone that she will review Recommendation #3 at the next meeting when we review the Community Enhancement recommendations.

Next was …

Recommendation
4. *Establish a maximum dBA of 90 at 50' track side on Mondays throughout the year. An exception is to be granted when associated with a major variance event such as CART.*

Status:
The PIR schedule of events on the website shows that events on Mondays are restricted to Bicycle Racing, PBOT training at the South Paddock & Beaches areas, and Law Enforcement EVOC training at the North Paddock.

Comments:
The events shown on the PIR website appear to comply with the 90 dBA limit.

A written Board Policy has never been generated. There is no Administrative Rule (Director generated) and this is not addressed in Title 18. This should be discussed further.

Kerrie Standlee asked if PIR had established any kind of written policy relative to this recommendation.

Mark Wigginton responded that to his knowledge, there is no written policy. Basically, they operate within a 90 decibel limit on Mondays.

Kerrie Standlee asked Mary if she was thinking that the Board should develop a policy or maybe Parks & Rec.

Mary Sipe responded that she thinks it should be discussed. Resolution #34626 does not always spell out who is responsible for establishing the

policy. She does tend to think the intent here is that the maximum decibel level on Monday is 90 dBA and perhaps that should be spelled out in Title 18 or an Administrative Rule and there is no policy at PIR. While it sounds like this has been adhered to, it is not written anywhere except in Resolution #34626.

Recommendation:
5. Restrict variance vehicles to a starting time no earlier than 10:00 a.m. on Sundays.

The Commissioner-in-Charge or the Superintendent of Parks may waive this restriction in the event of any unforeseen circumstances such as natural disasters, bad weather, etc.

Status:
2004 Master Plan Appendix G- Noise Control Report
"This has been followed since 1990"

PIR Website Schedule of Events:
Start time of 9:00 am on Sundays for three of the four varianced events. The Rose Cup, SVRA, and Indy Car all have Sunday 9:00 am start times. The NASCAR event does not race on Sunday.

Comments:
It does not appear this provision is always being followed. Like Recommendation #2, it is possible that event scheduling is sometimes dictated by outside forces (i.e. television)
If compliance with this recommendation is not possible, should the wording be revised? i.e., 9:00 am instead of 10:00am ?

Nikki Gamell clarified for the subcommittee that just because the schedule shows a start time of 9am, that does not necessarily mean that the cars are on the track. That means the gates are open to the public. In the future when she creates the schedule, she might be able to make a note that the gates open at 9am, racing starts at….

Mary Sipe thanked Nikki for that clarification and commented that when people see the event schedule, they do not always understand the nuances around it. Mary also commented that the trackside graphs for the varianced

events will confirm what time racing actually began. But again if compliance with this recommendation is not possible, should the wording be revised to 9am instead of 10am?

Mark Wiggington commented that often there are cars on the track at 9am, but they may be under the varianced limit.

Mary Sipe pointed out the recommendation does not specify decibel levels; it simply says before 10am.

Ron Huegli commented that for events like the Rose Cup the cars on the track at 9am are usually dignitary ride arounds.

Mary Sipe commented the statement about a natural disasters and bad weather seems a bit confusing. It would seem in those instances the event would be cancelled rather than starting before 10am.

Ron Huegli responded that bad weather might not impact the beginning of the day but it can impact events later in the day.

Recommendation:
*6. Practice events at the track shall only be scheduled and run between the hours of **10:00 am and 4:00 pm**. No raceway-sponsored practice sessions shall be scheduled on weekends.*

Status:
2004 Master Plan Appendix G- Noise Control Report:
"This provision has been followed precisely by the PIR staff"

PIR Website Schedule of Events:

- July 8, 2022 Rose Cup Test day scheduled from **9:00 am to 7:00 pm.**
- August 26, 2022 Indy Car Test day scheduled from **9:00 am** to 4:00 pm

Comment:
It appears this provision is not always being followed.

Mary Sipe commented that while it appears from the website event calendar that test days are starting at 9am, it could be that cars are not actually on the track at 9am.

Ron Huegli said there will not be any IndyCar testing this year.

Mark Wigginton explained that when he managed the track, they had track sponsored practices. There are no raceway, sponsored practice sessions anymore. They are done by people who rent the racetrack. Typically for various events, IndyCar would start at 9 or 10am. Practice sessions for the Rose Cup are part of their weekend. So they were not raceways sponsored. Raceway sponsored practice sessions were stopped around 2003.

Kerrie Standlee asked if this recommendation was addressing when PIR was responsible for practice sessions.

Mark Wigginton responded the recommendation was written back when the racetrack sponsored practice sessions.

Mary Sipe commented the statement about weekends appears to be addressing “racetrack sponsored” practices. What about the varianced events? Does this only apply to varianced events?

Mark Wiggington for a varianced event it would be the promoter, not the racetrack that sponsors the practice. They typically run at either 9am or 10am.

Mary Sipe commented that is good clarification because if we have something in Resolution #34626 that does not apply anymore, we should update that recommendation.

Kerrie Standlee questioned if the last sentence applied to the first sentence or are they separate.

Mark Wiggington agreed the wording is confusing. The first sentence simply states practice session will only be scheduled between the hours of 10am & 4pm. It does not say who is sponsoring the practice sessions. Again, when he was managing the racetrack, practice sessions pretty much operated between 9am and 4pm. Also, other people like Pro Drive would host an open test day which ran from 9am to 4pm.

Nikki Gamell agreed with Mark. She thinks the entire Recommendation #6 would apply to raceway-sponsored practice sessions. The small club races all hold a test day that is for non-race competitors, but they also use that as a test day as well. It is a three-day event including the test day. Also the recommendation does not specify varianced vs. non-varianced events. She feels that the variance events would be addressed in the actual variance, if not, they should be. Nikki said we should transition the variance test days over to the actual variance so that there is better language instead of this vague Recommendation #6. She said that since she has been at the racetrack the test days are part of the entire event and are scheduled from 9am to 4pm.

There was conversation and general agreement that the Noise Review Board should be where the hours for practice sessions should be addressed.

Mary Sipe commented this is another reason for the subcommittee to review Resolution #34626. The resolution has been looked at as the 10 Commandments for PIR. The Noise Review Board does not have an in-depth understanding of all the recommendations in Resolution #34626 Because these recommendations are not codified, the Board might not always grant variances that adhere to the recommendations in Resolution #34626.

Mary Sipe asked the neighborhood representatives, Marty, Angela & Ryan how the hours for practice sessions impact the neighborhood.

Angela Moos commented that it is just more noise all day long. They get to run at varianced levels and they get to do it for 3 days. It seems like it is not just the race that you are giving a variance to.

Kerrie Standlee commented that when he was on the Noise Review Board, the way they saw it was that the practice sessions are just part of the entire race event. It might not be the way it is advertised or presented to the public, so when people in the neighborhood hear the loud cars on a Thursday it is not what they were expecting.

Angela Moss responded that she understands what Kerrie is saying but the reality for the neighbors is the race event is actually from Thursday through Sunday night, not from Saturday morning to Sunday night.

Kerrie Standlee said that is something that maybe we need some clarification on and that should be included in the notification sent to the community.

Mark Wiggington commented that typically the IndyCar test days are months apart from the actual race event and gave some information about test days/practice sessions when he was managing the racetrack.

Ron Huegli stated the testing that Mark and Kerrie talked about was done in the mid to early 2000's. NASCAR and IndyCar no longer allow that type of testing because it gives one team an advantage over another. The "tire tests" that were done in the last 2 years were granted as part of the variance. Those tire tests were multiple teams. This was one time and it is usually when the teams bring in a rookie driver who has never driver those cars at that track. We do not have any NASCAR testing that is allowed.

Marty Knowles agreed with Angela. It is confusing because your hear the race cars but it is not a race weekend but you hear racing. The practice sessions just add to the days of racing that neighbors hear.

Ryan Pittel commented that the 10am to 4pm recommendation for practice sessions needs to be clearly stated in the variances. Any time you can lessen the duration and the impact of an event at PIR the better it will be for the neighborhood. When he sees the Rose Cup running from 9am to 7pm that is very impactful to the neighborhood. He thinks this provision needs to stay and the language "raceway sponsored" should be removed.

Mary Sipe commented this discussion brings up a good point. If there is a test day, we need to be more specific about it in the notification and in the variances. Mary asked Nikki if there will be a test day for the Rose Cup this year.

Nikki Gamell responded that she looked at the calendar of events to see why it shows 7pm. She thinks it is a typo. In all the years she has been working at the racetrack they have never gone until 7pm. She will have that

corrected. Nikki also asked if anyone sees something like that to please send her an email.

Marty Knowles commented that he is looking at the 2023 Event Calendar on the PIR website and it shows Rose Cup Test Day on Friday, July 7 2023 from 9am to 7pm. Note: sponsored by Pro Drive

Ron Huegli responded that there are no drag races that night. He is not aware of any cars running after 4pm. He will check with Darrell LeBlanc at Friends of PIR (event sponsor). It could be a meet and greet event that they have at the Kenton Fire Station every year.

Mary Sipe commented that she thinks it is a good suggestion to remove the wording "raceway sponsored." Also, the Noise Review Board should include looking at the trackside and Kenton noise meter data for any test days or practice sessions to confirm start and end times are in compliance.

It was 8pm and Mary advised the subcommittee that there are 4 more recommendations to be reviewed. She suggested this was a good stopping point and everyone agreed.

Mary asked if there was anyone who wished to give Public Comment.

Caller, Ken Green commented that he dialed into this meeting because it was on his schedule, however, he did not receive an agenda in the mail and it is not posted on the website. He said the same thing happened in January.

Mary Sipe thanked Ken for the information. She said she knows the agenda was mailed out because she received it in the mail. She will have to check on the posting to the website.

Paul Van Orden said he checked the website. He was able to join the meeting through the web portal. The full agenda is not posted. Paul said the Noise Program has moved from the Bureau of Community & Civic Life to the Bureau of Development Services and their website was transitioned so there may be some kinks to work out.

Mary Sipe said she is working with City staff on the website. She noticed that the website is very difficult to navigate and there are some redundancies and general clean up that needs to be done. She again

thanked Ken for the “heads up” and said she will make sure to confirm the agenda is posted to the website in the future.

Mark Wigginton asked if there was an opening on the Noise Review Board. He could not find anything on the website.

Mary Sipe responded that yes, there is a vacant “Citizen at Large” position on the Board. Because the Noise Coordinator position has been vacant since October and with the move of the Noise Office to the Bureau of Development Services, the recruitment has been delayed. Mary anticipates the recruitment process will begin soon as the Noise Office Coordinator position has been filled.

Mark Wiggington asked about the recruitment process for the Acoustic Professional position as he never saw anything on the website.

Mary Sipe responded the recruitment for the Acoustic Professional followed the standard process the City has established for all Advisory Committees. The position was posted on the website and outreach was extensive. Due to receiving very few applications, the posting was extended through September. A qualified applicant was selected in September or October. Unfortunately, the confirmation of the appointment was not placed on the City Council Agenda until just this past week. One of the challenges with getting the appointment on the City Council agenda was that former Commissioner Hardesty’s office was seriously understaffed with her transition out of office. The recruitment process for the vacant Citizen At Large position will follow the standard process.

Jason Henshaw asked if it would be possible with the new website to post a link to the recordings of the subcommittee meetings.

Mary Sipe responded that is something she is looking in to. She said that she has been very detailed with the meeting summaries in order to capture all discussion and presentation of information. She prints the word for word transcript and uses that to create the summary. That process is very labor intensive and it often takes 7-8 hours to draft the summary. Currently the recordings are only kept for 30 days. She would like to have links to either the recordings or the transcript on the website.

Paul Van Orden commented the Noise Office is now in a much larger Bureau with more staff available for things like this and he is confident that this can happen.

Mary Sipe commented that we may need to defer Marty & Kerrie's report on the comparison of complaints to the schedule of events until the June meeting. We still have a number of recommendations in Resolution #34626 to review. We also need to review and update the Task List and our next steps to drafting recommendations.

Ryan Pittel informed the subcommittee that he would be out of the country on May 16th and would not be able to join the meeting.

Charles Freeborn said that he has a birthday event at his house on May 16th so he might not be able to attend, but he will make every effort to join the meeting.

Ron Huegli commented that June is not going to be a good month for PIR staff to participate in subcommittee meetings. They are getting into their busy time with the many events at the racetrack. They are preparing for the Formula E, NASCAR, IndyCar etc.

Paul Van Orden commented that the summer busy season is problematic for Noise Office staff as well.

Nikki Gamell said that May is not a problem for her, but June is a really busy month for PIR & the Noise Office. She think that it is important for PIR & Noise Office staff to participate in the subcommittee meetings.

Mary Sipe commented one of the reasons we suspended the subcommittee meetings last year was because PIR & Noise Office staff are so busy during the summer months.

There was agreement to finish up the review of Resolution #34626 at the May 16th subcommittee meeting and then determine if the subcommittee should take a break during the summer.

The meeting was adjourned.