

The Citizens Noise Advisory Group and Albuquerque New Mexico's New Noise Code

by Stephen O. Frazier

It was in fall of 1998 when, like the newscaster in the movie "Network" I decided I'd had enough and I wasn't going to take it anymore. Enough loud background music. Enough outdoor amplified pagers bouncing through the neighborhood from the nearby car dealer. Enough radio station remote sound trucks blasting in the shopping center parking lot. Enough traffic roar from the speeders on the road two miles away. Enough noise! Enough! Enough! I had to do something.

I began researching noise and its bad effects on mental and physical health on the internet with the hope that I might find enough background material to write an article that one of the City's major newspapers might publish. I also contacted the City's Environmental Health Department for information on the noise control and abatement program run by the City.

Soon I was shooting written pieces off to various publications and, to my delight, getting some of them published not only in the local press but in national publications. I was on a roll! People were interested in noise - I wasn't a nut case.

This success let me to pressure contacts I'd developed in the Health Department to have a citizens committee appointed to develop a stronger noise control strategy for Albuquerque, a city of over half a million that was growing noisier by the day. Although there was some interest in the idea at the Health Department, and they set up a meeting with others who had contacted the department with suggestions similar to mine, nothing resulted from the initial meeting. This was my first warning that while protecting our health, the department was suffering from a severe case bureaucratic inertia with possibly a touch of paranoia.

The newspaper had carried a story about a local group fighting airport noise and I'd saved it. I contacted the President of that group (we had met at the city sponsored meeting earlier) and

told her of my desire to create a citizen's group (independent of City government) to work for changes in the noise code and noise policies of Albuquerque. She was all in favor of the effort, wanted to be included, and was ready to roll.

We put together a list of activists who were willing to work on the project, met, and named ourselves the Citizen's Noise Advisory Group (CNAG). In addition to the ANA President and me, the group included the President of a large Neighborhood Association, a psychologist, a speech therapist, an environmental scientist, an electrical engineer and a representative from the local chapter of a national environmental group. We invited the Chamber of Commerce to provide a representative but they said nobody on their "Quality of Life" Committee was interested. We also invited the Environmental Health Department to appoint a liaison from their office to sit in on our meetings.

I had secured (through the internet and other sources) the noise codes of 36 American and foreign cities comparable in size to Albuquerque. At our first meeting, these were divided among the group and each was provided a copy of the local code. They also each got copies of a sample noise code written by Prof. Eric Zwierling, Director of the Rutgers Noise Technical Assistance Center and various postings he had made to the internet. They also were given a paper on developing noise codes by Prof. Federico Miyara from the University of Rosario in Argentina. These technical papers had been secured through an e-mail anti-noise group I had found on the internet called the "Quiet-List". Papers defining noise terms, Federal Transportation Department noise studies and other information that had been downloaded from the web site of the Noise Pollution Clearing house (www.nonoise.org) was also shared.

At this first meeting, we developed a plan to create a report on noise in our city that we would then present to the Mayor and the City Council. The report would include both recommended changes to the noise code and changes to City policies for dealing with noise. The report was to be patterned after similar documents that had been developed in Vancouver, BC, CA and in Denver, CO, USA. Although both of those reports were created by governmentally sponsored groups, they were an excellent outline for us to follow.

We found that, beginning in 1996, the City of Albuquerque had commissioned a study of Ambient Noise. When it was completed, it was put away and not used. Its findings and recommendations had been sequestered in the darkest corners of the Health Department, never to see the light of day again for over two years. In 1997, a second study was commissioned by the City, measuring citizen perceptions of noise in the city. It met the same fate as the first study.

and only surfaced after we whispered into the ears of enough representatives of the fourth estate that they were forced to release it.

Through the federal government's Freedom of Information Act, I was able to secure a copy of the first study before our group was formed and then the Health Department provided us with copies of the second. I copied the report for all "Group" members. As word of our endeavor became public, the second study was finally presented to the City Council a year and a half after it was completed, but that body has yet to see the initial (and far more comprehensive) study that they paid for. We were also given copies as they didn't realize we had, by this time, secured our copies through other sources. We now had hard data to back up our planned report.

At our second meeting, the CNAG members compared notes on the various codes we had read, offering suggestions for changes to our code based on what we had found. We began a process of reviewing our code one paragraph at a time and then altering or accepting it by majority vote. Often we would adapt a clause from the code of another city. At other times we would create our own wording, aimed at addressing specific problems raised by those who attended a public meeting we held.

At times we had to do additional research to make sure we understood how the changes would work and be implemented. We consulted with audiologists and others on specific problems. We also began developing recommendations for changes or additions to the City's policies that impact on noise based on the knowledge and expertise of those in the group, ideas drawn from our studies and suggestions from the public.

We held a public meeting to explain what we were doing and solicited input from the citizenry. We conducted a noise survey developed by the Noise Center of the League for the Hard of Hearing for use in their International Noise Awareness Day observance and used its findings to give us guidance.

Throughout this process, we worked closely with the Environmental Health Department. We were fortunate in having officials who were interested in and supportive of our efforts. As time passed, City officials created their own Interdepartmental Committee on Noise and began an effort to examine noise policy and possible changes. They were provided with up-to-date information on our deliberations and ideas and we got feedback as to possible support or opposition from various City Departments.

Our primary concern was to create a stronger noise code and a better method of dealing with all aspects of noise on the part of City government. We did not draw back from making recommendations that found opposition in the Solid Waste, Police or other departments. Our concern was the peace and the health of the citizens of Albuquerque, not the convenience of City employees. We did, however, attempt to be realistic in our recommendations, realizing that an improved code was a possibility, an ideal code was not.

By October of 1999, after months of biweekly meetings, we completed our deliberations, produced and revised several drafts of our "City Noise Report" and were finished with that portion of our undertaking. Copies of the report were made and distributed to the Mayor, the City Council, the Director of the Health Department, the media and others. A follow-up meeting was set with the Mayor to discuss our report and to detail certain areas where we were strongly opposed to certain proposals and ideas being circulated within the Health Department.

Among those changes was removal of the restriction in the Noise Code for the use of noise meters that meet internationally recognized standards as a means of lowering the cost of such equipment. We also were strongly opposed to the method being pushed by some in that department from determining acceptable maximum noise levels.

Fortune a gain smiled on us when the Mayor has took a strong interest in the noise issue and his office (working with the Environmental Health Department) will be the one to introduce a revised noise code to the Council for their consideration. We regularly placed fuel on the Mayor's fire by recommending, to any and all who contacted us with noise complaints, that they e-mail, snail mail or telephone the Mayor with their complaints. We hear a good many followed through on this and the Mayor got an earful.

We also began a public relations campaign involving the media and succeeded in getting several newspaper and TV news stories about noise. To raise their awareness of the issue, we began sending weekly "sound bytes" (little snippets of information about noise) to the City Council members and the media.

We have pledged the Mayor our support in lobbying the Council for a stronger code but have also advised him that we will publicly, before the Council, oppose the previously mentioned

problem areas of noise meters and maximum acceptable noise levels if changes are not made to the ideas under consideration.

The current draft of revisions by the EHD contains almost all of the recommended changes contained in our report. Certain City policies and procedures are already under review as a result of our efforts and public pressure created by our publicity campaign to raise awareness of noise issues. The entire process of dealing with barking dogs is being scrutinized and new procedures have been developed for cooperation between the Police and the Health Department in dealing with noise complaints.

Throughout this process, we have been fortunate in having the expertise of contacts here and abroad to review our efforts and offer comments and suggestions that have helped to guide us. These selfless individuals shared their knowledge and their time with us and have given us invaluable help in our efforts. These wonderful people are listed at the end of this tome.

The next phase in our noise abatement efforts involves passage of a revised, stronger noise code and, then, a watchdog and ombudsman role in the years to come. Letters and phone calls have helped us to develop a substantial mailing list. We also have an e-mail list for time sensitive notification of our supporters. We have instituted a quarterly newsletter and are in the process of setting up a permanent, non-profit organization to carry on our work.

The Environmental Health Department is putting the finishing touches to a revised noise code that the Mayor will present to the Council in April of 2000. It will include the bulk of the our group's recommended changes. If that does not happen, CNAG will marshal our troops and raise a cry our elected officials can't ignore. We'll be pushing for action to insure that code revision does not meet the same fate as the City's initial noise study which still lurks on a dark, dusty shelf somewhere in the bowels of the building at 1 Civic Plaza.

A generous grant from the Intel Corporation has repaid us for the cost incurred in developing our report and will pay the costs of gaining non-profit tax status. Supporters are mailing in checks to become members and we are now hard at work on a constitution and by-laws. As the purpose of the group has changed, we are considering a revision in our name from Noise Advisory Group to Noise Abatement Group - we would still be a NAG.

We are also working on plans for International Noise Awareness Day 2000. We have a commitment from the city's largest TV station to produce and run a news story on the effects of excessive noise on children's health, hearing and learning. We are developing several other activities for INAD are are working with City officials on a noise brochure to be sent out in all people's water bills in April.

The Noise Pollution Clearinghouse has graciously provided us with our own web site that is tied to their very extensive noise data web site. Much of our research was facilitated by the wealth of information contained at www.nonoise.org and we thank the NPC for they dedication in leading the fight against noise pollution.

Our full "City Noise Report", newsletters, the City's overlooked noise study, our "sound bytes" and other information developed by CNAG is available to all at:

<http://www.nonoise.org/quietnet/cnag/cnag.html>

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