

April 07, 2025

~~Senate Local Government & Housing Committee~~
SB26-098 / State & Local Noise Abatement Authority
OPPOSE: Rose Johnston, *El Paso County*

House Transportation, Housing & Local Govt.

Good afternoon, Madam Chair and committee members.

[slide 1] My name is Rose Johnston. I'm a 37-year homeowner in El Paso County, and I oppose SB26-098. *and amendments -*

[slides 2-3] The bill *significantly* favors entertainment corporations and disfavors citizens by replacing statewide noise protections with a patchwork of local decisions.

[slides 4-5] We're told local governments should decide acceptable noise levels. But decisions made in Colorado Springs allowed noise to bleed across a 10 x 4.5 mile area, from the city into the county and beyond. Something similar happened in Salida, with disruptive noise routinely bleeding into homes. In both cases, it was locally-permitted noise without meaningful accountability.

We can all reasonably expect that SB26-0908 would lead to more—not fewer—situations like Colorado Springs and Salida.

[slide 6] In short, we can expect permit holders to maximize noise and residents to bear the physical, mental, and financial costs of uneven and unaccountable decisions.

[slide 7] Sadly, we can also expect that at both the state and the local level, the legal remedies for all citizens will be

- (a) inaccessible due to questions about legal standing and practical hurdles;
- (b) ineffective because a permitted level is a permitted level; there is nothing to enforce; &
- (c) illusory because there is no real-time protection.

[slide 8] If local control worked, we wouldn't be here. For two years, the citizens have

- (a) Attended citizen council meetings and town halls.
- (b) Reported noise at the city web site and by sending comments to the mayor.
- (c) Recorded real-time data with monitors attached to homes, cell phones, and heat maps.
- (d) Spent money on professional engineering reports and, yes, towards a lawsuit.
- (e) And more than a few have also sold or have their homes for sale.

~~So~~ I submit to you that two years of lived quantitative and qualitative experience for the citizens who have suffered real consequences should far outweigh a one-time survey that was paid for by a prominent for-profit business.

[slide 9] Please vote no on SB26-098.

Handout: Slides

SB26-098: Asking Residents to Bear the Costs of Commercial Noise

Rose Johnston
El Paso County

Vote NO



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SB28-098: The Reality

Local Control
means:

Permits FAVOR large
event corporations

Impacts felt in bordering
municipalities

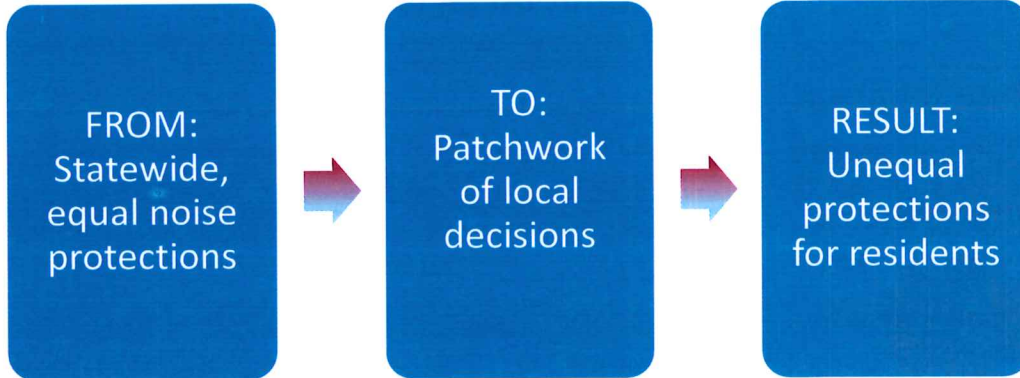
All residents lose
guaranteed minimum
protections

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What SB26-098 Changes

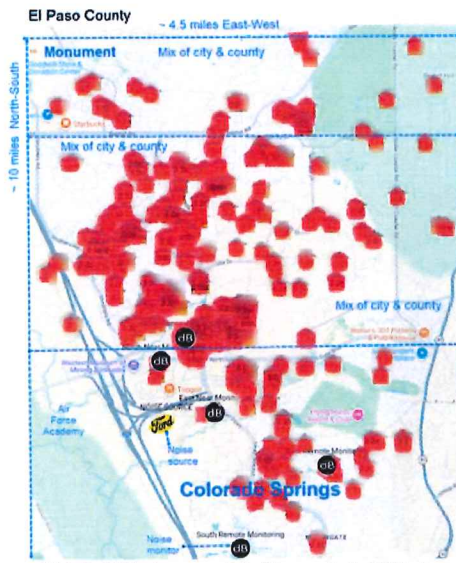


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Real-World #1: Colorado Springs – Unregulated Disturbance



This is the 2025 heatmap; no notable differences for the 2024 heatmap.

- Noise spread across a 10 x 4.5 mile area
- Crossed city boundaries
- Minimal monitoring
- No meaningful enforcement
- No violations ever recorded

Key points

- Noise travels. Authority does not.
- When permitted noise level is high, there is nothing to enforce.

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Real-World #2: Salida – Escalation Without Accountability



- No required monitoring
- Complaint-logging only
- No formal enforcement
- No penalties

The Power Imbalance

Permit Holders

- Maximize
- Volume
 - Timing
 - Duration

Residents

- Bear the costs
- Physical,
 - Mental, and
 - Financial well-being

Bottom Line: One side controls the noise. The other is forced to live with it.

The Myths of Recourse

REMEDIES ARE

Inaccessible due to

- Jurisdiction (legal standing) and
- Practical hurdles (tight deadlines + significant legal costs).

Ineffective

- If a permitted level is high, there is nothing to enforce.

Illusory

- Noise continues; no real-time protection.

Years of Lived Experience vs. a Single Survey

Citizens: 2 Years

- City council meetings, town halls.
- City & mayor websites
- Real-time data with monitors, cell phones, & heat maps.
- Professional engineering reports.
- Selling their homes

Paid Survey: 1 Time

- Asks, "Do you support local control?"
- What did respondents truly know about how we got here?
- Disregards concerns about residents' investments in their homes & quality of life.

Bottom Line: Years of real lived experience should outweigh point-in-time paid surveys.

The Ask

If local control worked, we wouldn't be here.

Vote NO on SB26-098

