

## **Noise from farms using propane cannons are a serious health issue**

In the last twenty years, growers of crops that yield fruit, such as blueberries and grapes, have attempted to prevent scavenging birds from reducing yield. The most popular, and least expensive way, is to place propane cannons in their fields. They are set on tripods and propane is periodically injected into a tube and fired. Typical sound levels by this explosion are near 125 decibels at three feet and sound similar to a howitzer being fired. Because of the problem of birds getting used to the sound, these explosions have to be set off at frequent intervals, on the order of minutes. Commonly, these cannons are active during the entire fruit yielding season and from sunrise to sundown.

Residents that surround these farms are subjected continually to explosive levels as high as 90 dBA during these periods. This type of experience is entirely equivalent to that experienced by soldiers in active combat. There is not a noise law, federal, state, or local that permits such egregious levels. Despite that cannon use is widespread and increasing, not only the United States but also in other countries such as Canada and the UK. Starting early, residents lose sleep, later suffer nervous tension waiting for the next blast, with no hope of protecting themselves even inside. It is not possible to create a home so sound insulating that such noise cannot be heard. Besides, residents have the right of enjoyment of their entire property and should not be forced to move. The preamble to the US Constitution states in part: "to...establish justice, insure domestic tranquility,... promote the general welfare...". At the present time none of these objectives are being met; the residents near propane cannon farms must suffer and property values are bound to decline giving realistic concerns to local government.

The source of the problem is partially in bad land use planning. If cannon use is established, planning agencies and developers should be required to give notice of the noise intrusion. Another problem is the so-called "right-to-farm" acts in many states. They are designed to protect farmers from residents who move into nearby areas and attempt to close down farms because of odors, dust, and noise. They are essentially "we-were-here-first" laws that are intended to keep vital agricultural activities alive and normal farming activities protected. Unfortunately, they never contemplated the impact of extremely loud propane cannons. Most of these laws exempt "generally accepted" farming practices from nuisance suits especially if the practice has been in use prior to resident complaints. Some do not exempt changes in the practice that result in "excessive use". Cannons are clearly an excessive use, no matter when use was initiated, particularly since there are other methods of protecting crops from bird predation that do not require loud sounds. There is some hope. A recent case in Washington State has confirmed the validity of such contention and the cannons were shut down. The state of Virginia has enacted a law that permits local jurisdictions to silent loud devices on farms. Independent studies have suggested that cannons are not as effective as that proposed by the manufacturers, despite laudatory testimonials by users. The incremental cost of using non-sonic deterrents, if there is added cost, is normally borne by the farmer and must be added to his pricing. In a non-competitive market that is no hardship, but in a competitive market, it may be critical. Without a factual basis for costs, resistance to eliminating cannons has little validity.

Most people realize that farming is an important industry and are reluctant to interfere. But the extreme and continuous sound levels are so far beyond accepted standards, that something must be done. Many states have effective noise ordinances under which these

cannons fall. Local and state governments need to be made aware of the conflict and called to action for a resolution. The issue for responsible government is to protect the health and welfare of its citizens by requiring farms to use non-sonic devices. Without that, the conflict is bound to intensify in the form of nuisance suits until a high court is forced to decide. Until then, there will be many individuals driven to total distraction by these blasts. Here is one example:

“It has literally caused me to feel depression and a sense of despair to think I will never get to have a minute of relief from it for 6 months of every year; the time when most of us are outside. It's called repetitive noise syndrome. It's like a Chinese water torture. The constancy of it is absolutely torture. To think next summer I will have to endure both the screecher and the cannon; it is just more than I can bare. I know this sounds dramatic but I can't express the level of distress I really feel.”