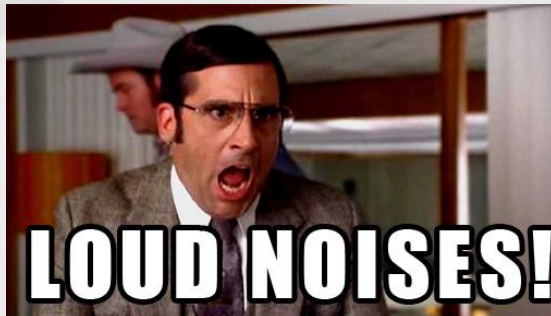


NHDOT's Type I & II Noise Policy

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Overview

- Regulations
- Policy Requirements
- Type II Abatement Implementation
- Important Notes
- Questions

Regulations

- Title 23, Part 772 of the Code of Federal Regulations (23 CFR 772)
 - Requirements:
 - Identification of highway traffic noise impacts
 - Examination of potential abatement measures
 - Incorporation of reasonable and feasible highway traffic noise abatement measures into the highway project
 - Coordination with local officials to provide helpful information on compatible land use planning and control
 - Identifies three types of highway projects; Type I, Type II & Type III

Regulations

- Types of highway projects
 - Type I
 - A project involving:
 - Construction of a new highway
 - “Substantial” alteration of either the vertical or horizontal alignment of the roadway
 - Addition of 1 or more through traffic lanes or auxiliary lanes (Including weave, HOV, HOT and truck climbing lanes)
 - Addition of interchange lanes or ramps
 - Addition of a weigh station, rest stop, park & ride or toll plaza
 - All state highway agencies are required to have a Type I highway noise policy detailing their policies and procedures for maintaining compliance with 23 CFR 772
 - All Type I projects must comply with the State’s noise policy as a prerequisite for receiving Federal-aid highway funds

Regulations

- Types of highway projects (cont.)
 - Type II
 - A proposed project for noise abatement on an existing highway where no highway improvements are programmed
 - Type II abatement is eligible for Federal-aid highway funds if the agency has an approved Type II Noise Policy
 - Participation in the Type II abatement program is voluntary
 - Type III
 - Projects that are not a Type I or Type II
 - Do not require assessment of noise impact & abatement

Noise Policy Requirements

- Noise impact and abatement assessment process for Type I & II projects:
 - Identification of receptors
 - Identification of noise impacts
 - Examination of potential abatement measures

Noise Policy Requirements

- Identification of receptors
 - Type I projects
 - All receptors within or adjacent to the project area
 - Includes future development if final approval for development has been received by the date of public knowledge
 - Type II projects
 - Considers only those receptors permitted for development prior to November 30, 2017

Noise Policy Requirements

- Noise Impacts
 - Type I Projects:
 - Design year noise levels must approach or exceed the noise abatement criteria
 - or
 - Design year noise levels must exceed existing conditions by at least 15 dBA
 - Type II
 - Existing noise levels must approach or exceed the noise abatement criteria (past and future years not considered)

Noise Policy Requirements

- Abatement
 - Must be both feasible and reasonable
 - Feasible Type I & II:
 - Must provide at least 5 dBA reduction at one impacted receptor
 - Barrier cannot exceed 25 ft
 - Can it be built (Engineering, safety, access, environmental concerns)

Noise Policy Requirements

- Abatement
 - Reasonable Type I & II:
 - Noise Reduction Design Goal – Minimum 7 dBA reduction at one benefitted receptor
 - Views of the benefitted receptors – 51% support
 - Effectiveness – Base criteria of 1,500 s.f. per benefitted receptor.
 - Adjusted up or down based upon the dates of development of the benefitted receptors or municipal adaptation of noise compatible planning and development regulations

Noise Policy Requirements

- Effectiveness (Cont.)

- Type I projects:

- » Date of development: Base EC lowered by the following values according to the percentage of benefiting receptors permitted for development after November 30, 2017

Properties permitted for development after November 30, 2017	Adjustment factor subtracted from base EC
1-25%	100 s.f.
26-50%	200 s.f.
51-75%	300 s.f.
76-100%	400 s.f.

- » Noise compatible planning: Base EC increased by 200 s.f. in communities which have enacted noise compatible planning and development regulations

Noise Policy Requirements

- Effectiveness (Cont.)

- Type II projects:

- » Recent development: The base EC lowered according to the percentage of benefiting receptors permitted for development on or after November 28, 1995.

Properties permitted for development on or after November 28, 1995	Adjustment factor subtracted from base EC
1-25%	100 s.f.
26-50%	200 s.f.
51-75%	300 s.f.
76-100%	400 s.f.

- » Prior development: The base EC increased according to the percentage of benefiting receptors permitted for development prior to original system opening date of adjacent highway.

Properties permitted for development prior to original system opening date	Adjustment factor added to base EC
1-25%	100 s.f.
26-50%	200 s.f.
51-75%	300 s.f.
76-100%	400 s.f.

Type II Policy Requirements

- Type II eligibility requirements:
 - Must be located along existing Tier 1 highway
 - Cannot be located along a section of roadway for which a Type I eligible project is programmed within the 10-year Plan
 - Cannot be constructed in areas where such measures were previously determined not to be feasible and reasonable, regardless of any subsequent development
 - At least one benefitting receptor must have been permitted for development prior to either the original system opening date of the adjacent highway or prior to November 28, 1995
 - Cannot necessitate any permanent modification to the alignment of an existing roadway
 - Right-of-way must be donated to the state

Type II Policy Requirements

- Municipal participation requirements:
 - Municipality must have enacted noise compatible planning & development regulations adjacent to state highways in order to participate in Type II program
 - Commit to 20% municipal match prior to design
 - Municipality must demonstrate 51% support from benefitting receptors prior to final design
 - Municipality must send request to Department to participate in Type II program

Type II Policy Requirements

- Department must develop an outreach program to inform local officials of:
 - Noise compatible planning concepts
 - Noise levels adjacent to Type I improvement projects
 - Adjustments to the Effectiveness Criteria based upon date of development
 - Ineligibility for Type II abatement
 - Abatement at that location was previously determined infeasible or unreasonable
 - At least one benefitting receptor must have been permitted for development prior to either the original system opening date of the adjacent highway or prior to November 28, 1995

Type II Abatement Implementation

1. Municipalities wishing to participate in the Type II program submit request to Department.
 - a) Must demonstrate implementation of noise compatible land use planning regulations
2. Upon acceptance into the program, a Type II abatement study will be initiated of all eligible roadways within the municipality
3. Abatement measures that meet criteria will be added to the statewide priority list based upon effectiveness
4. Type II abatement funding becomes available in Ten Year Plan
5. Municipality commits to 20% match & demonstrates 51% support.
6. Final design begins & necessary ROW is donated to State
7. Project advertises and is constructed

Important notes

- Investigation and implementation of Type II noise abatement would be subject to the availability of funds
 - Federal Aid (FHWA)
 - Turnpikes
 - Other – Legislative funds

Questions?