



Noise Issues in the Re-evaluation Process and Design-Build Projects

As you know....

- **The 23 CFR 772 Final Rule dated July 13, 2010 “grandfathered” the following projects:**
 - **Projects for which the original environmental document was signed by the effective date of the final rule effective July 13, 2011.**
 - **Projects with re-valuations approved prior to July 13, 2011.**

So....what happens after July 13, 2011?

- **Environmental documents and re-evaluations not approved on or prior to that date have to meet the new final rule.**
- **This means updating the noise studies following the requirements of the final rule.**
- **If previous noise studies were done using old noise models, they have to be re-done using TNM (as per 2005 rule).**

Statement of Likelihood

- For noise impacted areas requiring abatement consideration, the environmental document contains a Statement of Likelihood as required by the final rule.
- The Statement of Likelihood identifies locations where noise impacts are predicted to occur and where feasible and reasonable noise abatement is likely to be provided contingent upon certain conditions.
- Conditions:
 - Noise analyses during final design supports the need, feasibility and reasonableness of providing abatement
 - Community input supporting types, heights, and locations of the noise barrier(s)
 - Safety and engineering aspects as related to the road user and the adjacent property owner have been reviewed and any conflicts or issues resolved

Design Phase

- **Final plans include:**
 - **Noise barriers included in the Statement of Likelihood – no changes**
 - **In the case of Design-Build projects, noise barriers are in the final plans or concept plans included with the RFP**
- **Noise barriers re-analyzed in design and determined to be reasonable and feasible are considered environmental commitments that will be carried out through construction.**

Design Changes & Re-evaluations

- **DBB projects - if substantial changes are made during design.....a re-valuation should be performed – including a new noise study if applicable.**
- **Florida Design-Build guidelines: Prior to the authorization of Design-Build projects a review of the environmental impacts and commitments shall be made.**
- **If a major design change is proposed after the authorization of a Design-Build project, then a written re-evaluation must be prepared including a new noise study if applicable**

Design-Build

Issues:

- **One of the first things the Design-Build teams tackle is making changes to the design so noise barriers “disappear”.**
- **DOT responsible for preparing environmental documentation including re-evaluations.**
- **Needed consistent process to evaluate design changes especially those affecting noise abatement.**

Re-evaluation – Noise Issues

- **New noise analysis indicates:**
 - design changes result in new impacted receptors
 - design changes affect the height and length of previously committed barriers
 - design changes require new barriers
 - design changes eliminate barriers
- **Original noise analysis performed:**
 - under previous versions of 23 CFR 772
 - older noise models

Need guidance on how to address differences between results of previous noise studies and those performed under re-evaluations, especially for Design-Build projects.

Proposed Process

- Developed in agreement FHWA Florida Division
- Substantial change in design:
 - Re-evaluation:
 - Using latest version of 23 CFR 772
 - TNM 2.5
- Comparison between results of previous commitments and results of new analysis:
 - If new analysis results in- new receptors being impacted or previously identified barriers should be longer all taller → consider new or dimensionally different (larger) barriers.
 - If new analysis results in – previously identified receptors no longer qualify for noise abatement → consider providing barriers previously committed to, use public involvement methodologies to convey information and input.
 - Elimination of previously identified abatement – use public involvement methodologies to convey information to affected communities and obtain input and add language to the re-evaluation.