ADMINISTRATIVE INFORMATION:

- This Engineering Bulletin is effective beginning with projects receiving an Environmental Determination (e.g., CE, FONSI, DONS, ROD) on or after July 13, 2011.
- This issuance supersedes Environmental Procedures Manual Chapter 3.
- This guidance will reside in The Environmental Manual (TEM).

PURPOSE: To announce the availability of Section 4.4.18, “Noise Analysis Policy and Procedures,” of TEM.

TECHNICAL INFORMATION:

- These policies and procedures have received FHWA approval and meet the requirements of FHWA’s July 13, 2010 final rulemaking.
- The policy:
  - Establishes standard practices for analyzing land use activities in the revised Activity Categories in the regulation;
  - Establishes that the NYSDOT “approach” level for establishing impacts will remain within 1 dB(A) of the Noise Abatement Criteria (NAC);
  - Establishes that the NYSDOT “substantial noise increase” will remain at 6 dB(A);
  - States that NYSDOT will continue not to use Federal-aid highway funds for Type II projects;
  - Establishes that a majority of impacted receptors must receive a 5 dB(A) reduction for the measure to be considered feasible;
  - Establishes that, when soliciting viewpoints, a response must be received from at least half of the benefited residents and property owners and that a majority of the responses must support the measure to be considered reasonable;
  - Establishes cost indices of $80,000 per benefited receptor for berms and noise insulation and a maximum of 2,000 square feet per benefited receptor for barrier walls; and
  - Establishes a Noise Reduction Design Goal of 7 dB(A) and states that a majority of the benefited receptors must achieve this goal for a measure to be considered reasonable.
- The “Outreach to Local Officials” subsection has been expanded to discuss the timing of the outreach and information to be provided to local officials, consistent with the FHWA noise regulation. The construction noise analysis guidance has also been changed to make clear that construction noise needs to be appropriately addressed for all projects.
• Consistent with the noise regulation, the noise policy includes the “Type III” project type, which consists of projects that are not classified as Type I or Type II. Type III projects do not require a noise analysis or consideration of noise abatement measures under the noise regulation.

BACKGROUND:

• On July 13, 2010, FHWA issued a final rule to amend their noise regulation. The 2010 final rule required highway agencies to revise their current noise polices to demonstrate compliance with the amended noise regulation, obtain FHWA approval of the revised noise policies, and implement the policies by July 13, 2011.

• This TEM section was formatted to be consistent with other Department guidance.

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