



Mn/DOT Noise Policy for Type I Federal-aid Projects

Updates to 23 CFR 772:

- Clarification of Noise Abatement Criteria Activity Categories.
- Clarification of definition of “undeveloped land”; replaced “planned, designed and programmed” language with “evidenced by the issuance of a building permit” prior to the date of public knowledge.
- Refined definition of Type I project: defines substantial horizontal and vertical alteration of a highway; added the following as Type I projects: the addition of an HOV, HOT, contra-flow, truck climbing or bus lane, the addition of an auxiliary lane (except when it’s a turn lane), the addition or relocation of interchange lanes or ramps to complete an existing partial interchange, the restriping for the purpose of adding a through traffic lane, and the addition or substantial alteration of a weigh station, rest stop, ride-share lot or toll plaza.
- Added Type III project definition: a project not meeting Type I or Type II requirements, therefore does not require a noise analysis.
- Removal of the use of “TNM look up tables” for project screening.

New Requirements of 23 CFR 772:

- Feasibility Analysis: define the minimum number of receptors that must achieve a 5 dB(A) reduction. *New Policy: at least one receptor per proposed noise barrier must receive the 5 dB(A) reduction to achieve acoustic feasibility.*
- Reasonableness Analysis: requires “Solicitation of Viewpoints of Benefited Receptors” and to define the number of receptors needed to constitute a decision for or against abatement. *New Policy: implementing a point system based on proximity to roadway and whether the benefited receptor is the property owner and/or resident.*
- Reasonableness Analysis: requires setting a “Noise Reduction Design Goal”. *New Policy: Mn/DOT require a minimum 7dB(A) reduction for at least one impacted receptor per noise barrier evaluated.*
- Statement of Likelihood: a statement addressing the likelihood of noise abatement provided in the environmental clearance document based on the feasibility and reasonableness analysis completed at the time the environmental document is being approved. *A list of required information for the Statement of Likelihood is included.*
- Third Party Funding: is not allowed on a Type I or Type II project if the funding is needed to meet the feasible and/or reasonable requirements; is allowed to make functional enhancements.

Additional PROPOSED Mn/DOT Noise Policy Updates:

- Cost Effectiveness Value: *\$43,500 per benefited receptor (previously \$3250/dB reduction/benefited residence).*
- Project-wide averaging is not required.
- New Policy includes guidance for the selection of noise analysis locations, conducting field noise measurements, traffic noise analysis documentation, public involvement and evaluating viewpoints.

Next Steps:

- The new Mn/DOT Noise Policy was approved by FHWA, Washington, DC and also by the FHWA MN Division Office on May 5, 2011 and was determined to conform with the July 13, 2010 Final Rule.
- Implementation: If NEPA is started on or after June 1, 2011; use the new Noise Policy.
If NEPA is started prior to June 1, 2011 and the noise analysis is started prior to July 13, 2011; use the old Noise Policy.
If NEPA is started prior to June 1, 2011 and the noise analysis is started after July 13, 2011; use the new Noise Policy.
- Update HPDP (Highway Project Development Process Manual).

For More Information Contact:

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