J. Noise Public Involvement

► see Appendix_H: Flowchart for Noise Analysis Public Involvement Process
► see Appendix_I: Post-Noise Analysis Process Flowchart
► see Appendix_J: Noise Public Involvement Summary (NPIS) Document Checklist

Noise public involvement is conducted after the Noise Analysis is prepared and approved. Public involvement shall be held for each noise barrier project per ORC 5517.05 effective June 30, 1995. Public involvement shall be held for the purposes of soliciting comments from property owners and residents of the benefited receptors. Desires for or against the project, barrier material type, textures and colors will be discussed and preferences documented. Coordination with the local political authorities, i.e., mayor, City Council, Township Trustees, may be done separately or concurrently. For abatement to be designed and constructed, a minimum of 50% of the property owners and residents of the benefited receptors should respond in favor of the abatement.

The ODOT typically meets with local officials as part of the public involvement process to obtain their input on noise barrier aesthetics on the roadway side of the noise barrier. To minimize future traffic noise impacts on currently undeveloped lands of Type I projects, local officials within whose jurisdiction the highway project is located shall be informed of the best estimation of the future design year noise levels at various distances from the edge of the nearest travel lane of the highway improvement where the future noise levels meet the highway agency’s definition of “approach” for undeveloped lands. At a minimum, identify the distance to the exterior noise abatement criteria in Table 1.

23CFR772.13(h) requires that noise abatement be included in project plans, specifications, and estimates where they are feasible and reasonable. Concerns of local officials will be considered in the noise abatement design, but will not be a determining factor regarding noise barrier construction.

The ODOT communicates with the property owners and residents of the benefited receptors when noise barriers are offered as noise abatement and provides the opportunity for them to indicate whether or not they want noise abatement. If noise abatement is feasible and reasonable, the affected receptors may also choose the aesthetic appearance of the receptor side of the noise barrier.

► see Appendix_K: Noise PI Standard Colors and Textures Template

1. For Type I projects, it is the responsibility of the ODOT to solicit the viewpoints of all of the benefited receptors and obtain enough responses to document a decision on either desiring or not desiring the noise abatement measure. Mailed surveys should include enough information for receptors to determine whether or not they desire a noise barrier, to select from various aesthetic (color and texture) options, and to select vegetation if a
noise barrier is not desired. A mailed survey augments data collected from a public meeting and may be used in lieu of a public meeting in many cases. The survey must include information about the project and provide information regarding noise abatement considerations associated with the project. This survey must be pre-stamped and self-addressed for return.

Respondents shall be given the opportunity to indicate whether or not they want a noise barrier or if they prefer a vegetative screening in lieu of a noise barrier, only if a vegetative screening is constructible and will provide an actual screening. Field review the site as needed. Spending for vegetation in lieu of a noise barrier is limited to not more than $125 per lineal foot. Respondents to surveys must be identified by name and address.

As an option to asking receptors to make a selection from various aesthetic color and texture options, ODOT can elect to decide the color and/or texture of the noise barrier for the community and solicit any comments regarding the choice made by ODOT.

In lieu of an open house noise public meeting, an effective strategy ODOT encourages for noise public involvement is going door-to-door to the benefited receptors (canvassing) and providing them with the mailers and even giving them the option to sign a petition for a noise wall if they choose to. Another effective strategy for noise public involvement is to meet with the community leaders and/or attend scheduled neighborhood association meetings. Other noise PI tools include phone call canvassing, email responses, and online/web-based technology. A conference call or meeting between the noise public involvement consultant and ODOT should be held to discuss the proposed noise public involvement strategy, expectations, and deliverables, prior to conducting noise public involvement.

Consideration for whether or not noise abatement will be constructed is left to the benefited property owners and residents of the receptors. For owner-occupied dwellings, one ballot shall be solicited per benefited receptor but is counted as 2 votes/tallies. Relative to benefited rental properties in the same noise sensitive area, one owner ballot and individual resident ballot shall be solicited and is counted as 2 votes/tallies (1 vote for the owner and 1 vote for the renter). There is also the option to count an owner-occupied dwelling as 1 vote/tally, however, a benefited rental property within the same noise sensitive area would be counted as 1 vote/tally (0.5 votes for the owner and 0.5 votes for the renter).

Regarding multi-family buildings, the owner will have the same number of votes as there are number of dwelling units and each rental unit will have one vote per unit. For example, for a 10-unit apartment building, the owner will have ten votes and each unit will receive one vote. An owner-occupied residence of an apartment complex will receive one owner vote (equaling the same number of votes as there are number of dwelling units) plus one additional vote as an occupant. For example, for a 10 unit apartment building in which the
owner occupies one unit, the owner will receive ten votes as the owner of the building plus one vote as an occupant, totaling 11 votes for the owner. A single family home being rented is 1 benefited receptor but is allowed 2 votes, 1 for the renter and 1 for the owner, and those votes must be tallied. An unoccupied rental that is livable receives 1 vote/tally from the owner. There is no tally for the occupant. Vacant/Boarded up/condemned residential buildings requiring a permit to become livable are not considered noise sensitive areas.

For abatement to be designed and constructed, a minimum of 51% of the benefited property owners and residents should respond in favor of the abatement. If the first noise public involvement survey does not result in a minimum of 51% of the benefited property owners and residents responding in favor of the noise abatement due to a lack of responses, a resurvey of the non-responders should be conducted. A resurvey may be the final attempt to solicit comments from the benefited property owners and residents, or additional resurveying can be performed of the non-responders. The ODOT District Environmental Coordinator shall be coordinated with relative to all noise public involvement activities including resurveying. If desire for noise abatement is unclear after multiple resurveying activities, consultation with the FHWA Division Office may be initiated or a decision can be made at that time regarding moving forward with the abatement or not.

A Noise Public Involvement Summary (NPIS) must be prepared which discusses the results and shows them in a tabular fashion and includes aerial mapping showing the benefited receptors that responded and what their response was relative to desire and aesthetics as well as the benefited receptors that didn’t respond. NPIS graphics must also show the proposed noise wall and, if applicable, benefited receptors being taken by the project, foreclosures, and/or vacancies.

The Noise Public Involvement Summary (NPIS) report must be reviewed and approved by ODOT and written recommendations made by the project team on whether or not to construct the noise wall(s), prior to beginning any noise abatement design activity.

After the decision has been made as to whether or not a noise wall will be constructed, a notification should be mailed to the benefited receptors informing them of the decision.

If available, the results of the Noise Public Involvement and ODOT’s responses should be included in the NEPA documentation for the project. Otherwise, these items must be included in the NEPA documentation as environmental commitments to the project.

Pre noise wall construction noise public involvement should be conducted to inform the benefited receptors of the upcoming noise wall construction project schedule.