VI. Type II Projects

► see Appendix_L: Flowchart for Type II Noise Wall Process
► see Appendix_M: Application and Petition Forms for Type II Noise Barrier Mitigation

23 USC 772.13 paragraph (b) - Federal participation has been revised to read as follows: (b) For Type II projects, (1) No funds made available out of the Highway Trust Fund may be used to construct Type II noise barriers, as defined by this regulation, if such noise barriers were not part of a project approved by the FHWA before November 28, 1995. (2) Federal funds are available for Type II noise barriers along lands that were developed or were under substantial construction before approval of the acquisition of the rights-of-way, or construction of, the existing highway. (3) FHWA will not approve noise abatement for locations where such measures were previously determined not to be feasible and reasonable for a Type I project.

ODOT’s present Type II program honors commitments made prior to November 1, 1995 and is in effect through FY 2015. Type II noise barrier projects developed after this date that are in areas where 90% of the adjacent development (impacted receptors) predates the construction of the roadway, may be State and Federally funded. House Bill 201 (HB-201: 1992-1993 Biennium Budget Bill), effective July 1, 1991, prompted the prioritization of noise sensitive areas around the state. The goal of the Type II or retrofit noise barrier program is to provide abatement for receptors that were in existence prior to the construction of the roadway. Communities that qualify under the Type II noise barrier program and desire a noise barrier are required to complete application and petition forms for Type II noise mitigation (see Appendix A). Once the forms are reviewed and approved by ODOT, the requirement for desire has been met and the only item left to be determined is the aesthetics which can be determined via mail survey. The Type II prioritization process considers existing noise levels and the preliminary cost per benefited receptor based on preliminary modeling. This is used to achieve a fair and equitable prioritization process. Prioritization can also be based on other factors such as type of development to be protected, constructability and practicability of highway traffic noise abatement at the site, and increase in highway traffic noise since the development was constructed.

A noise analysis and test for feasibility and reasonableness as addressed in Title 23 CFR 772 shall be performed for all Type II projects in the same manner as conducted for Type I projects. When selecting project limits and specific locations, consideration should be given to maintenance of traffic and construction contract duration. Projects should generally be selected according to their prioritization, however, other considerations, such as construction at all listed locations within a corridor, may result in construction of a project with a lower priority before higher priority projects. Noise barrier installations can also be added to project locations already programmed for
upgrading, i.e., resurfacing, R/W fence replacement, etc. as long as both projects are independently prioritized and fall within the same construction time frame. Combining project locations with others based on roadside locations (left and right) is permitted. Normal procedures for programming through both the Office of System Planning and Program Management and the District Office should be followed. This criteria does not apply to Type I projects.