

Summary of Policy

This policy contains a process for prioritizing, funding, and building soundwalls in Los Angeles County. The policy focuses on the implementation of the revised ranking criteria, cost containment measures developed with Caltrans, and the strategy for the phase-in delivery of the POST 1989 Soundwall List, concurrently with the delivery of the May 1989 Soundwall Retrofit projects by Caltrans.

It requires the May 1989 retrofit soundwall projects, which are listed in the State Transportation Improvement Program (STIP), to be built with revenues allocated by the California Transportation Commission in August 1999. It establishes procedures, which include ranking criteria and a phase-in construction strategy, to complete the post-1989 soundwall projects, which are also listed in the STIP. The policy provides a funding and construction plan for the May 1989 retrofit soundwall projects and the post-1989 soundwall projects. Finally, it authorizes the CEO to develop an agreement with Caltrans that includes a scope of work and timeline for delivery for both sets of projects.

Historical Perspective

Effective January 1998, Senate Bill (SB) 45 reformed the state transportation funding process including the manner in which soundwalls are funded. SB 45 transferred the responsibility for funding soundwalls from the State of California to the agency.

As a result, the agency is responsible for developing an implementation policy to fund the State adopted May 1989 Soundwall Retrofit list, the Post 1989 list of soundwalls, which includes the completed HOV lane projects requiring

soundwalls and other soundwalls that have yet to be identified.

In January 1999, staff presented a draft Soundwall Implementation policy. To ensure fairness, the draft policy gives priority to constructing soundwalls on the 1989 Soundwall Retrofit List since communities have been waiting for many years for the implementation of these walls. Furthermore, the policy allows local agencies to accelerate the construction of a soundwall by committing a minimum of 33 percent (non-refundable to local agencies) of the design and construction cost of their respective soundwall. A local agency could also accelerate its soundwall by using its own funds to design and construct a soundwall.

In April 1999, staff presented an update draft policy that incorporated the issues raised at the January meeting. The issues raised included a review of how schools are factored into the soundwall prioritization process. A review of the 33% match requirement, provisions to ensure adherence to the policy by Board members, and the inclusion of a schedule for completing all of the soundwalls on the 1989 Retrofit and Post 1989 lists was conducted. At the April meeting, the Board directed staff to develop alternative soundwall funding plans that would complete the outstanding retrofit soundwall lists in no later than five years. The funding plan should explore alternative soundwall list priorities, the possible outcomes of the pending State soundwall legislation (AB102), and consider and incorporate cost containment analysis currently underway by Caltrans and the agency.

In May, staff presented the Soundwall Implementation Policy in concept that included programming \$34.8 million available through the Regional Transit

Alternative Analysis (RTAA) to the 1989 Soundwall Retrofit List and instructed staff to return to the Board with a funding and construction plan pending the outcome of AB102. The Board adopted, in concept, the Soundwall Implementation Policy in May 1999 and instructed staff to develop funding and construction plans in the event that the legislature did not approve state funding.

When the legislature failed to act, and the California Transportation Commission (CTC) agreed to fund the projects, the Board instructed staff to rank the soundwall projects on the POST 1989 list in consultation with Caltrans and return to the Board with the proposed criteria for ranking these soundwalls and a preliminary ranking of the projects on the POST 1989 soundwall list.

In January 2000, the Board adopted the current implementation policy to deliver the May 1989 Retrofit Soundwall projects with revenues allocated by the CTC and established procedures to implement the POST 1989 Soundwall Projects, including revised ranking criteria and phase-in construction strategy.

Staff made two changes to the process. The first was to give highest priority to freeways with high occupancy vehicle lanes that do not have soundwalls. The second change makes freeway segments that have high occupancy vehicle lanes and soundwalls on only one side a priority also.

Last Board Action

January 27, 2000 – Soundwall Implementation

The Board approved the adoption of the Soundwall Implementation Policy to:

1. deliver the May 1989 Retrofit Soundwall projects with revenue allocated by the California

Transportation Commission in August 1999.

2. establish procedures to implement the POST 1989 Soundwall projects, including revised ranking criteria and phase –in construction strategy.
3. apply \$34.8 million currently programmed in the RTAA through the STIP and/or other funding sources toward delivery of Phase I POST 1989 Soundwall projects.

The Board also approved authorization for the CEO, or his designee, to develop an agreement with Caltrans to formalize the adopted Soundwall Implementation Policy, including scope of work and timeline for delivery of the May 1989 Retrofit Soundwall List and Phase I of the POST 1989 Soundwall projects.

Attachment

Soundwall Implementation Policy

See Related

State Bill 45

May 1989 Soundwall Retrofit List

Post 1989 Soundwall Retrofit List

C. The ranking criteria adopted by the Board at its January 27, 2000 meeting will apply to the POST 1989 Soundwall Project List. This revised criteria includes the provisions currently contained in the Section 215.5 of the State of California Streets and Highways Code which is currently in force and modified by the following over-riding new criteria, Nos. 1 and 2:

1. *Highest consideration shall be given to freeway segments where High Occupancy Vehicles (HOV) lanes were constructed, but warranted soundwalls were not built as part of the HOV project (Phase I).*
2. *Within Phase I, the following defined extenuating circumstances will receive the highest priority in implementation in Phase I:*
 - a) *Priority will be given to those freeway segments where HOV lanes have been constructed and soundwalls were installed on one side of the freeway only. The construction of the soundwall on the opposite side of the freeway shall be given priority for construction provided; for example, residential areas or a school are located on the unmitigated side of the freeway*

b) *Schools sites where noise mitigation was not provided.*

4. Consideration shall be given to residential areas which were developed prior to the opening of a freeway.
5. Any capacity-enhancing project, such as HOV lanes, or adding mixed flow lanes which result in a significant and measurable increase in ambient noise levels above the 67dBA threshold.
6. Cost effectiveness: Projects costing no more than \$40,000 per residential unit protected by the proposed soundwall are considered to be cost-effective. In calculating cost-effectiveness, all living units immediately adjacent to the freeway which will benefit by a 5 decibel or more reduction in noise levels are counted.
7. Significant benefit: The noise barrier must provide a minimum of 5 decibels ambient noise reduction.
8. A majority of the occupants in close proximity to the freeway resided there prior to the time the freeway route was adopted. The city or county requesting the soundwall must provide documentation on the percentage of original occupants still residing along the freeway.

Note: The existing criteria for school noise mitigation, wherein noise levels exceeding 52 dBA must be mitigated, is contained in section 215.5 of the State Streets and Highway Code currently in force will be applied under this policy.

- D. The POST 1989 Soundwall Project list will be prioritized and delivered in two phases in conformance with the revised ranking criteria adopted by the MTA Board at its regular board meeting on January 27, 2000:
 - Phase I will contain all soundwall projects along freeway segments where HOV lanes were constructed without the warranted soundwalls.
 - Phase II will contain all other soundwalls including soundwalls identified prior to the adoption of this policy.
- E. For capacity enhancing projects (i.e., HOV or widening projects) which require a soundwall(s), MTA shall program sufficient funds to such projects (when funds are available) so that the cost of the soundwall(s) is a part of the capacity enhancing project construction cost.
- F. Funding Program:
 1. The \$34.8 million currently identified in the RTAA for delivery of the May 1989 Soundwall list will be reserved for the delivery of the POST 1989 Soundwall Projects;
 2. The funding for the balance of the POST 1989 Soundwall Project List will be addressed as part of the MTA Long Range Plan Update, 2000.
- G. The MTA Board Adherence to This Policy -- Any changes or exceptions to the policy shall be made by a 75 percent majority – 10 votes to pass.

II. Caltrans Responsibilities:

- A. Caltrans shall comply with federal and state requirements and guidelines regarding noise mitigation and highway soundwalls. Caltrans shall follow the Highway Design Manual (Topic 1104 –Highway Traffic Noise Abatement). This includes the inventory of qualifying areas and the calculation of the Priority Index Numbers which shall be based on the current Caltrans policy and guidance contained in the Caltrans Traffic Noise Analysis Protocol (CaTNAP) and the Technical Noise Supplement (TeNS), and modified by the MTA Board action above.
- B. Caltrans will review, cooperatively with the MTA, the POST 1989 Soundwall Project List and “rebundle” the projects, consolidating contiguous soundwall segments pursuant to Section I.B (above) and will apply the revised ranking criteria adopted by the MTA Board, to produce a more cost-effective and expeditious delivery of the POST 1989 Soundwall Projects.
- C. Caltrans agrees to work with MTA staff to reduce the project development cost (currently amounts to 45 percent of the construction cost) to a level that is consistent with other state freeway infrastructure project development costs (i.e. 20 to 30%). These development costs include preparing plans, specifications and construction engineering. Furthermore, Caltrans and MTA staffs will work to reconcile and reduce the average of \$3.7 million cost per mile for the POST 1989 Soundwall Projects.
- D. Caltrans shall update the costs of soundwalls every two to five years
- E. Caltrans shall absorb all costs associated with developing the Priority Index Numbers and the Noise Barrier Scope Study Reports (NBSSR).
- F. Caltrans shall include in their estimates for capacity enhancing projects (i.e., HOV or widening projects) the cost of any required soundwall(s).

III. Local Agencies Responsibilities:

- A. Exceptions shall be granted to local agencies wanting to accelerate the construction of soundwalls, if a local agency meets one of the following legislatively mandated criteria:

Current state legislation allows local agencies to move soundwall projects to the top of the priority list by contributing a minimum of 33 percent (non-refundable to the local agency) of the soundwall project’s design and construction cost. Local agencies shall follow the Streets and Highway Code 215.6. This policy will allow local agencies to contribute 33 percent towards a project on the POST 1989 Soundwall Project List in order to move its project up on the list. Note: This option will terminate if the enabling legislation (Section 215.5, Streets and Highways Code) is repealed.

A local agency may use its local funds to design and construct a soundwall. MTA will reimburse the local jurisdiction (without interest) for the full cost of the design and construction of a project when that project comes up on the priority list for construction.

- B. The design and construction cost of any modifications to the standard wall (i.e., special design features or aesthetic enhancements) which are requested by a local agency shall be paid for by the local agency.
- C. Allow local agencies to trade Proposition A Local Return Funds for State or Federal Funds through the MTA.