

As we discussed in our previous letter, Federal noise regulations allow the state departments of transportation to decide how they will handle noise impacts on undeveloped land along existing roadways. TxDOT determined that their policy will be to require developers of properties adjacent to existing roadways are responsible for addressing noise impacts within their developments. US 281 has existed far longer than most of the residential subdivisions along the route in this area. There are no provisions in Federal regulations which would allow FHWA to have any role in the enforcement of local land development regulations on the developers.

We have discussed this situation with TxDOT and have learned that TxDOT is considering changing the pavement surface to a quieter pavement. This measure would mitigate some of the noise impact along US 281. However, there are concerns about the cost of installation and maintenance which will need to be considered before this option can be implemented.

Your letter raised the question of the definition of an "existing" highway. US 281 is a public highway that has existed for many years. The proposed project will reconstruct the existing highway in a revised configuration that will provide additional capacity. This will require some additional right-of-way but the reconstructed highway will follow the same general alignment of the existing facility. The profile, or vertical alignment, will be changed to create overpasses at current at-grade intersections to allow free flowing traffic operations along the main lanes. New roads on the other hand are ones where no road currently exists and require entirely new right-of-way.

We hope that this response addresses your concerns. Thank you for your interest on the noise impacts on the US 281 project.

Sincerely,



Salvador Deocampo  
District Engineer

cc: Senator Kay Bailey Hutchison  
Mr. David Casteel, District Engineer, TxDOT San Antonio District, San Antonio, Texas





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

300 East 8th Street  
826 Federal Building  
Austin, Texas 78701

September 16, 2005

In Reply Refer To:  
HA-TX

**Control Number: 050816-011-2004**

Bexar County  
US 281: From LP 1604 to Marshall Road  
CSJ: 0253-04-114; 0253-04-089

Re: Environmental Assessment for the Proposed Improvements to US 281



Dear Mr. [REDACTED]

Thank you for your letter of September 2, 2005, regarding the environmental assessment for the proposed improvements on US 281.

As we mentioned in our previous letter, dated August 30, 2005, the Federal Highway Administration is responsible for the development of environmental documents under the National Environmental Policy Act (NEPA). FHWA worked with TxDOT in the preparation of the environmental assessment for this project. This was done by participating in discussions and coordination efforts with other resource agencies and attending public meetings and the public hearing. FHWA reviewed and approved the US 281 environmental assessment.

In our review of the noise analysis conducted in 2000, the noise impact which was identified as a result of the construction of the proposed improvements to US 281 did not rise to a significant level as defined in the regulations. This determination was based on the noise level predicted by the model. A 2 to 3 dBA increase over the existing condition at the modeled receptors in the vicinity of the proposed right-of-way line was determined. The dBA scale is a logarithmic scale, not a linear scale, and a 2 to 3 dBA increase is barely perceptible to the human ear. This level of increase can be attributed to expected increases in traffic volumes. An increase of 10 dBA is equivalent to a doubling of the noise intensity. Since there is a noise impact in the existing condition, the no-build option would not change the expected noise impact.