

**Letter 19
cont'd**

Ms. Sherri Abbas
Clover Valley Subdivision Recirculated DEIR
March 6, 2006
Page 16

19-33
cont'd

No Development alternative, which entails retaining the land in an undeveloped state. (DEIR, at p. 2-7), would in fact eliminate a wide range of impacts (DEIR, at p. 6-22). But the DEIR misleadingly downplays that result by misstating the requirements of CEQA Guidelines, section 15126.6(e)(2).

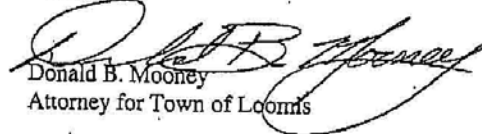
The DEIR falsely states that CEQA "does not allow" the No Development alternative to be identified as the environmentally superior alternative. (DEIR, at p. 6-22.) CEQA Guidelines, section 15126.6(e)(2) states, "If the environmentally superior alternative is the 'no project' alternative, the EIR shall *also* identify an environmentally superior alternative among the other alternatives." (Emphasis added.) This language requires that the DEIR identify the No Development alternative as being environmentally superior to the proposed Project, and that it do so in clear terms.

CONCLUSION

19-34

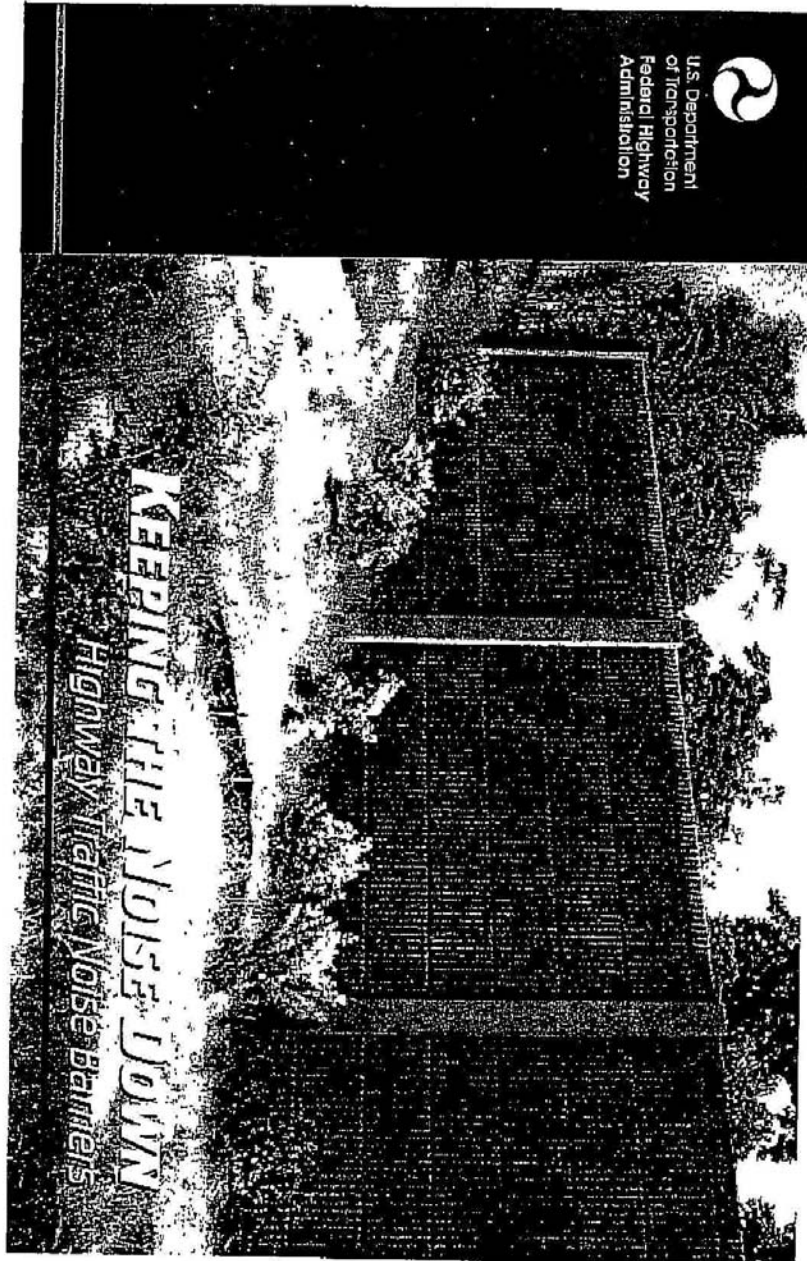
In view of the foregoing defects, the DEIR is fatally flawed, and it must be revised and recirculated before it could serve as an adequate basis for informed public participation or governmental decision making, by the City or others.

Sincerely,


Donald B. Mooney
Attorney for Town of Loomis

cc: Perry Beck

Attachment: Federal Highway Administration, "Keeping the Noise Down"



018/042

0

09/06/2006 15:02 FAX 15307587189

Highway Traffic Noise Barriers at a Glance

Highway traffic noise barriers . . .

- . . . can reduce the loudness of traffic noise by as much as half;
- . . . do not completely block all traffic noise;
- . . . can be effective, regardless of the material used;
- . . . must be tall and long with no openings;
- . . . are most effective within 61 meters (200 feet) of a highway (usually the first row of homes);
- . . . must be designed to be visually appealing;
- . . . must be designed to preserve aesthetic values and scenic vistas;
- . . . do not increase noise levels perceptibly on the opposite side of a highway; and
- . . . substantially reduce noise levels for people living next to highways.



Keeping the Noise Down

A sound occurs when an ear senses pressure variations or vibrations in the air. Noise is unwanted sound. The brain relates a subjective element to a sound, and an individual reaction is formed. Numerous studies have indicated that the most pervasive sources of noise in our environment today are those associated with transportation. Highway traffic noise tends to be a dominant noise source in our urban, as well as rural, environment. Public concern led to Federal legislation in 1970 that authorized the use of Federal-aid highway funds for measures to abate and control highway traffic noise. These measures include the construction of noise barriers.

What are Noise Barriers?

Noise barriers are solid obstructions built between the highway and the homes along a highway. They do not completely block all noise — they only reduce overall noise levels. Effective noise barriers typically reduce noise levels by 5 to 10 decibels (dB), cutting the loudness of traffic noise by as much as one half. For example, a barrier which achieves a 10-dB reduction can reduce the sound level of a typical tractor trailer pass-by to that of an automobile.

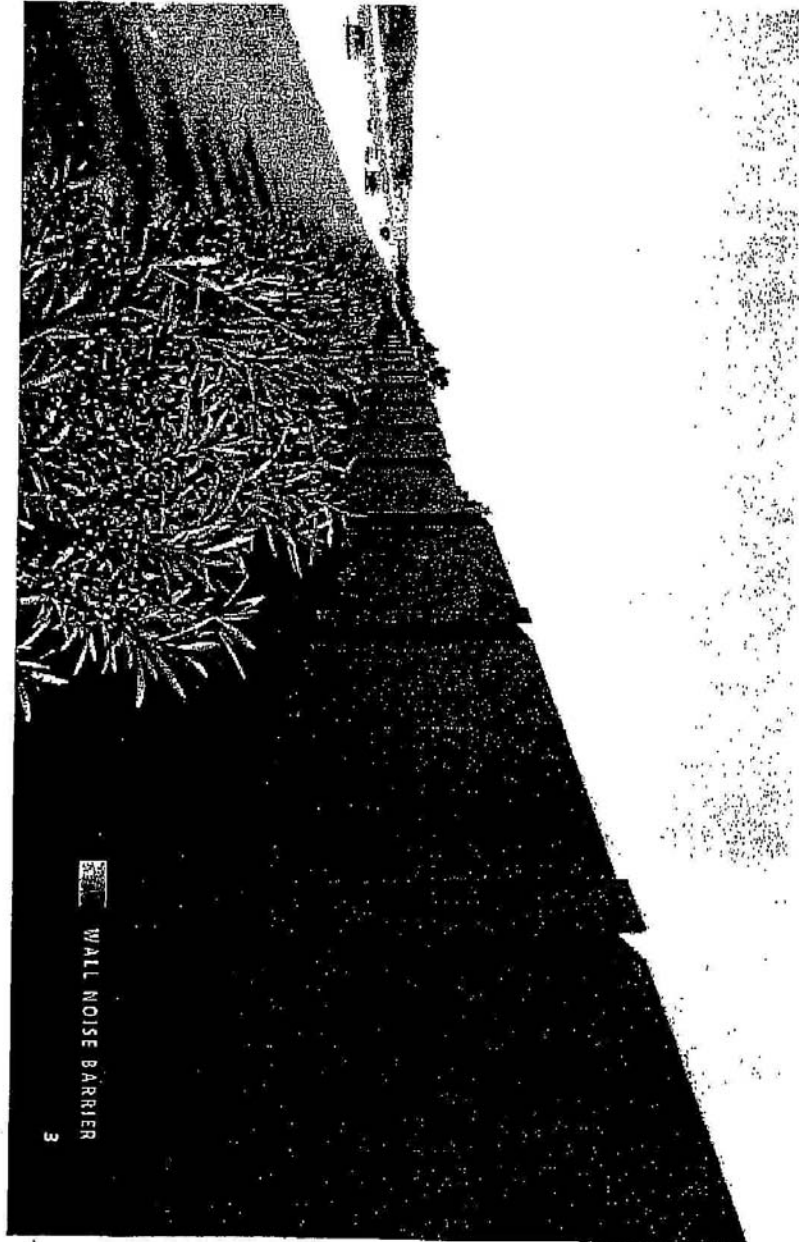
Barriers can be formed from earth mounds or "berms" along the road, from high, vertical walls, or from a combination of earth berms and walls. Earth berms have a very natural appearance and are usually attractive. They also reduce noise by approximately 3 dB more than vertical walls of the same height. However, earth berms can require a lot of land to construct, especially if they are very tall. Walls require less space, but they are usually limited to eight meters (25 feet) in height for structural and aesthetic reasons.

1



02/10/02

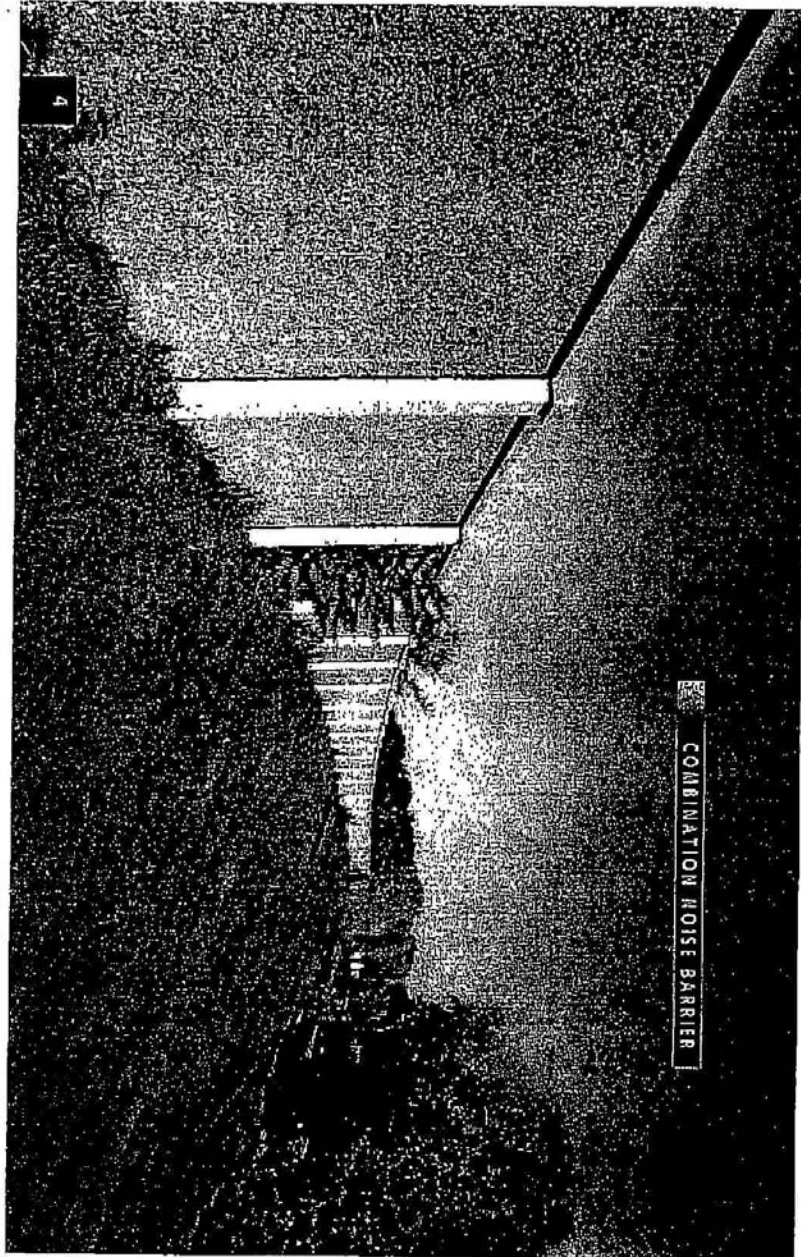
02/10/02



022/042

0

03/08/2008 15:04 FAX 15307587169



023/042

U

09/06/2008 10:04 PM 1307387189

When Are Noise Barriers Required?

Noise barriers are not always required at locations where an absolute threshold is met. There is no "number standard" which requires the construction of a noise barrier. Federal requirements for noise barriers may be found in Title 23 of the U.S. Code of Federal Regulations, Part 772, "Procedures for Abatement of Highway Traffic Noise and Construction Noise."

The Federal Highway Administration noise regulations apply only to projects where a State transportation department has requested Federal funding for participation in the improvements. The State transportation department must determine if there will be traffic noise impacts, when a project is proposed for (1) the construction of a highway on new location or (2) the reconstruction of an existing highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the State transportation department identifies potential impacts, it must implement abatement measures, possibly including the construction of noise barriers, where reasonable and feasible.

Federal law and Federal Highway Administration regulations do not require State transportation departments to build noise barriers along existing highways where no other highway improvements are planned. They may voluntarily do so, but they are solely responsible for making this decision.

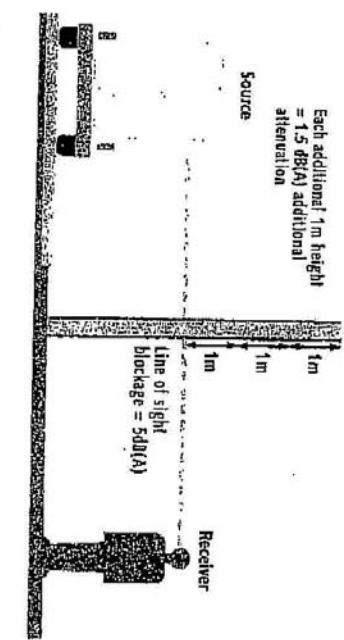
How Is a Noise Barrier Funded?

There are no special or separate Federal funds for highway traffic noise abatement. State transportation departments include the costs of noise barriers in their proposed Federal-aid highway projects. The Federal share is the same as that for the highway system on which the project is located. Noise barriers are sometimes constructed without using Federal funds - for example, using only State, local, or private funds. The costs of noise barriers are sometimes shared by governmental agencies and individual homeowners.

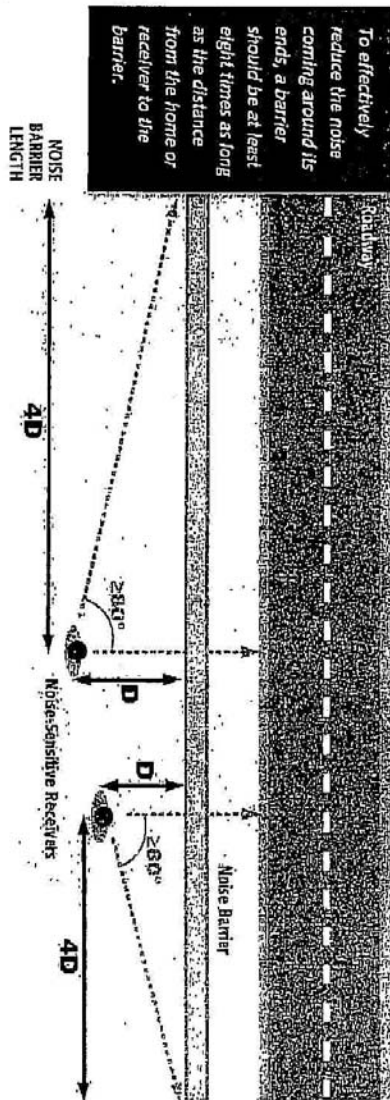
How Does a Noise Barrier Work?

Noise barriers reduce the sound which enters a community from a busy highway by either absorbing the sound, transmitting it, reflecting it back across the highway, or forcing it to take a longer path over and around the barrier. A noise barrier must be tall enough and long enough to block the view of a highway from the area that is to be protected, the "receiver." Noise barriers provide very little benefit for homes on a hillside overlooking a highway or for buildings which rise above the barrier. A noise barrier can achieve a 5 dB noise level reduction, when it is tall enough to break the line-of-

sight from the highway to the home or receiver. After it breaks the line-of-sight, it can achieve approximately 1.5 dB of additional noise level reduction for each meter of barrier height.



6

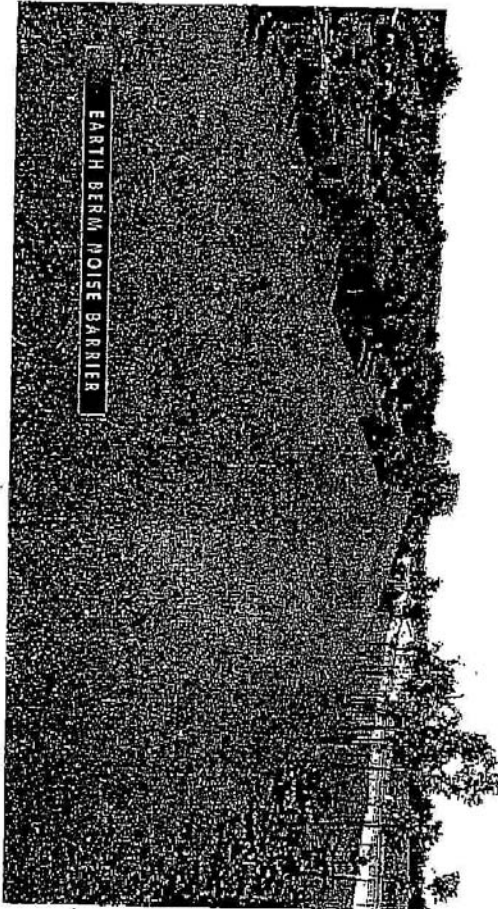


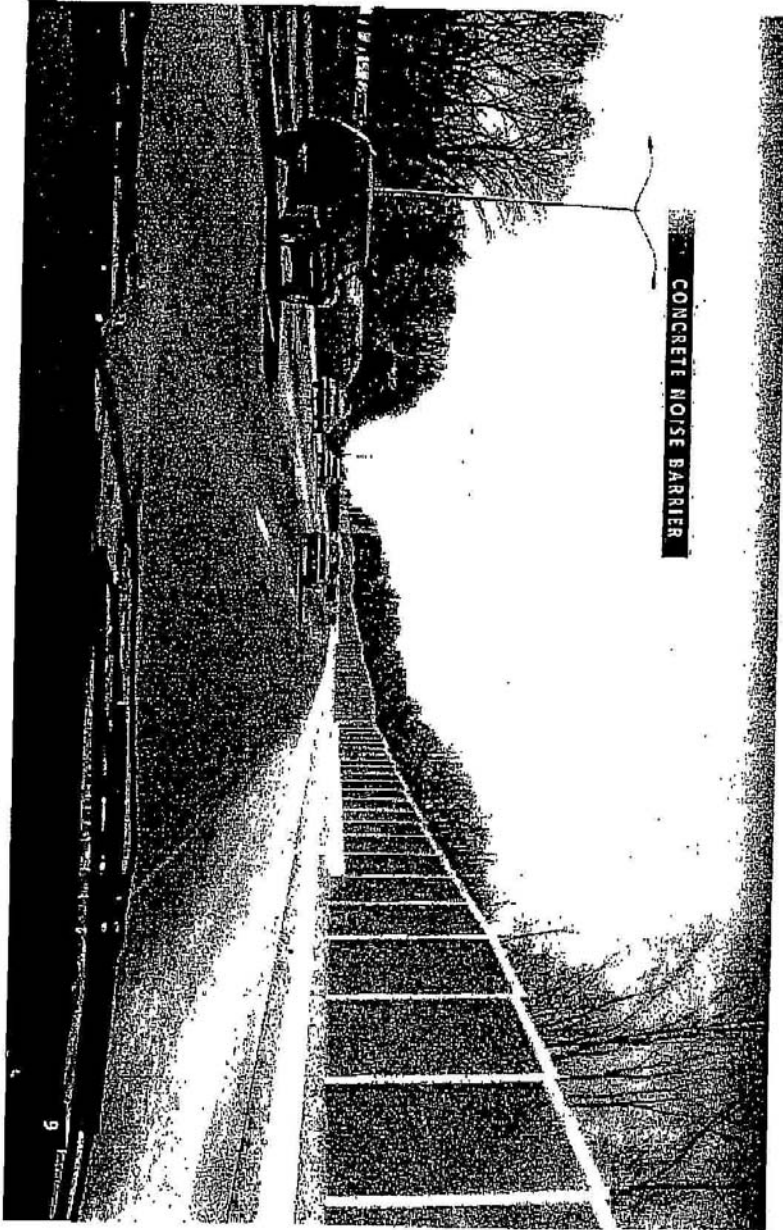
To effectively reduce the noise coming around its ends, a barrier should be at least eight times as long as the distance from the home or receiver to the barrier.

Openings in noise barriers for driveway connections or intersecting streets destroy their effectiveness. In some areas, homes are scattered too far apart to permit noise barriers to be built at a reasonable cost. Noise barriers are normally most effective in reducing noise for areas that are within approximately 61 meters (200 feet) of a highway (usually the first row of homes).

What Type of Material Is Best for a Noise Barrier?

Noise barriers can be constructed from earth, concrete, masonry, wood, metal, and other materials. To effectively reduce sound transmission through the barrier, the material chosen must be rigid and sufficiently dense (at least 20 kilograms/square meter). All noise barrier material types are equally effective, acoustically, if they have this density.





028/042

0

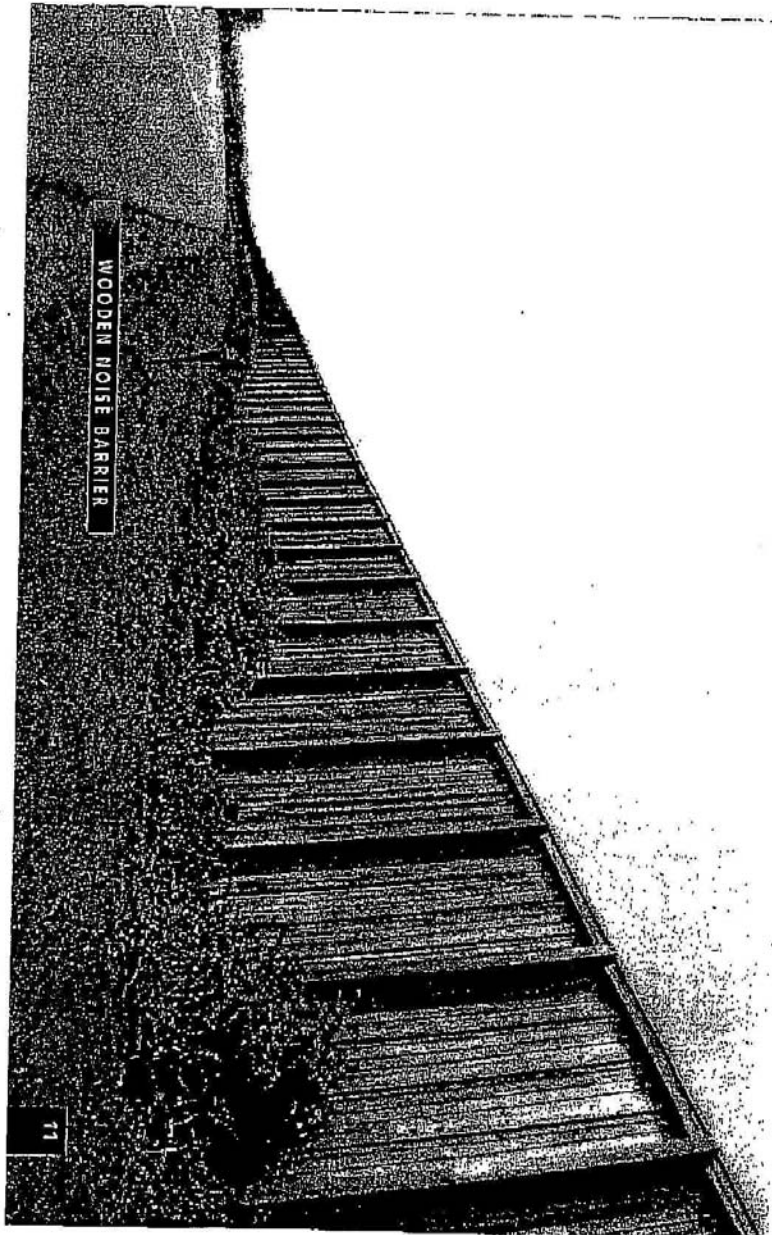
03/08/2006 15:07 FAX 15307587189



028/042

0

03/08/2008 15:08 FAX 15307587189



740 / 000 00

001 001 0001 001 001 0002 / 00 / 00