



815 Arrowhead Lane
Naples, Florida 34108

BoMar Development Corporation

DR. ROBERT J. SWARTY
President

(941) 513-1090
Fax 941 513-1091
E-mail - swarty1@aol.com

RECEIVED
APR - 4 2000

March 28, 2000

Dear "Oakmont" and "PB in-the Woods" Owners,

May I address two serious and hazardous problems, that are faced every day, hour, and minute in up-scale Pelican Bay. Namely, invasion of our property by intruders, and by noise on the Eastside that abuts U.S. 41.

We need a sound barrier protective wall that will impede unwanted noise and intrusion into Pelican Bay property !! From Tampa to Miami, Pelican Bay is the only private development, just 75 feet from six-lane U.S. 41.

We love the flowers, bushes, and trees on our medians. We love the parks, tennis courts, and dining by our sandy beaches. But we also must love and support our neighbors with these problems. We must protect them from unwanted noise and intrusion. This is a cancer in our midst, and it must be removed.

To initiate action, please contact :

- Pelican Bay Foundation
- Pelican Bay Property Owners Assoc
- Pelican Bay M.S.T. U. [municipal service tax unit]
- Pelican Bay Services
- Oakmont Civic Assoc.
- Collier County Commission [Jim Carter]
- Florida Dept. of Trans.
- All interested media

I wish there was one unifying voice, but there isn't.

Thanking you in advance,

cc: To leaders of named organizations

Bob



Concrete Impressions of Florida, Inc.

Post Office Box 292782, Tampa, FL 33687-2782
11602 N. 51st Street, Suite 104 Tampa, FL 33617
Tel: (813) 899-4284 / Fax: (813) 980-3000

April 3, 2000

X MARK Schulv of DOT
put me on to Concrete
Impressions.

Addison Skaggs
807 Shadow Lake Lane
Naples, FL 34108

Reference: Noise Barriers for Pelican Bay

Dear Mr. Skaggs:

It was a pleasure speaking with you this morning regarding noise barriers for the Pelican Bay development located adjacent to US 41 in Collier County. As promised, I have enclosed our brochure, pictures of noise barriers that have been erected in Florida and across the United States as well as other information I thought you might find useful.

Unfortunately, Collier County's website appears to be down at this time and I was unable to obtain county contacts for you. Most of the article excerpts included in the package come from the No Noise website at www.nonoise.org. Your local library may have access to the Internet and this would be an excellent site for you to visit should you have the opportunity. The remainder of the material is printed from our website at www.concreteimpressions.net and from the Southwest Florida Regional Planning Organization.

X I have also asked our General Manager, Joe Zachara, to touch base with you. Joe can help you with pricing as well as additional information regarding projects he has worked on in Florida. His card is included in your information package.

Please contact me with any questions you may have or if you need additional information. I will continue to try to access Collier County's website for you in the meantime.

Sincerely,

Concrete Impressions of Florida, Inc.

Cindy Thomas

X Cindy J. Thomas
Marketing Manager

CJT/cib

Enclosure

cc: Reading File
Project File

Barbara - If there is additional
information you require, let
me know - FAX IS 594-0715

Phone 592-0543

Brian Glaeser

F

Board of Collier County Commissioners

3301 East Tamiami Trail • Naples, Florida 34112-4977
(941) 774-8097 • Fax (941) 774-3602



John C. Norms
District 1

James D. Carter, Ph.D
District 2

Timothy J. Constantine
District 3

Pamela S. Mac'Kie
District 4

Barbara B. Berry
District 5

April 13, 2000

RECEIVED
APR 18 2000

Mr. Robert J. Swart, President
BoMar Development Corporation
815 Arrowhead Lane
Naples, FL 34108

Dear Dr. Swart:

Thank you for writing to me with your letter dated March 31, 2000.

The issue that you continue to raise is one that needs to be addressed by the Pelican Bay MSTBU. This is the taxing authority and services group that provides for Pelican Bay. The berm issue that you are addressing needs to be discussed with them to improve the sections that you are concerned about. It is not up to the Florida Department of Transportation or Collier County to provide sound barriers along the highways. Each PUD (Planned Unit Development) can develop berm protection along the borders of the communities. These specifications are written into the PUD and required by the developers and ultimately the community itself to maintain and repair these barriers.

I certainly empathize with the situation and believe that you have an issue that needs to be addressed with the MSTBU in terms of repairing or heightening this berm. I would suggest that you meet with Mr. Jim Ward and the MSTBU Chairman, Lou Vlasho, to discuss this issue and look for a solution to the problem.

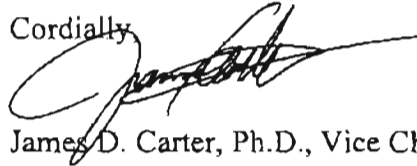
Please keep in mind that the widening of US41 is not going to increase the amount of traffic. The traffic is already there and the widening will help to move it in a more efficient manner. Median beautification will take place as a part of this project. However, those funds are provided for out of the road district for road maintenance and the capital expenditure is a 50/50 agreement with Pelican Bay. Part of the Pelican Bay's dollars for the capital are a result of contributions from WCI.

Dr. Robert Swart
Pelican Bay Berms
April 13, 2000

Page 2

I am sending a copy of this letter to Jim Ward and the MSTBU and trust that they will work with you to reach a satisfactory solution.

Cordially,

A handwritten signature in black ink, appearing to read "James D. Carter", written over the word "Cordially".

James D. Carter, Ph.D., Vice Chairman
Commissioner District 2

JDC/tlm

cc: Lou Vlasho, Pelican Bay MSTBU
Jim Ward, Pelican Bay Services Division

SDC



815 Arrowhead Lane
Naples, Florida 34108

BeMar Development Corporation

DR. ROBERT J. SWART
President

(941) 513-1090
Fax 941 513-1091
E-mail - swarty1@aol.com

Tasha MB

RECEIVED

APR 06 2000

Board of County Commissioners

March 31, 2000

Dear President,

You are a valuable representative for Pelican Bay. Enclosed, please find a letter for your information. We need your help in this important matter.

The unholy trinity of Westinghouse C.I., Collier County Govt., and the Florida Dept. of Transportation have shown great neglect in not providing a sound and protection- from- intruders barrier on the Eastside of Pelican Bay next to U.S.41.. Today, our only choice is to play "catch-up" and put in a barrier.

Pelican Bay property owners, who reside in the Eastern part of Pelican Bay are your neighbors, and they deserve an elevated priority as relates to medians, mangroves, flora, and fauna. Isn't the quality of human life more important?

We request your support.

Thanking you in advance,

Bob

Hi Jim,

Please "carry-the-ball" on this high priority matter.

Much success in your medical procedures!

*Regards,
Bob*



815 Arrowhead Lane
Naples, Florida 34108

BeMar Development Corporation

DR. ROBERT J. SWART
President

(941) 513-1090
Fax 941 513-1091
E-mail - swarty1@aol.com

March 28, 2000

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Pelican Bay Services
Oakmont Civic Assoc. .
Collier County Commission [Jim Carter]
Florida Dept. of Trans.
All interested media

I wish there was one unifying voice, but there isn't.

Thanking you in advance,

cc: To leaders of named organizations

RECEIVED
APR 21 2000

829 Tanbark Drive
#101
Naples, FL 34108
April 20, 2000

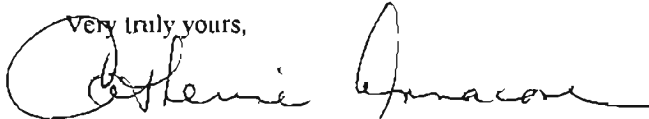
Lou Vlasho, Chairman
MSTBU
801 Laurel Oak Drive
Ste 605
Naples, FL 34108

Dear Mr. Vlasho:

I recently attended a meeting of MSTBU. My intention was to address the noise abatement issue and request that you plant additional shrubbery around the perimeter of Laurel Oaks. My home abuts Greentree and that boundary is my primary, but not solitary, concern. Please let me know if there are plans for additional planting in Laurel Oaks or, if not planting, other strategies you are considering.

As you ponder the "noise" issue, I am confident that you will consider every alternative to a cement enclosure. Oh my goodness, I do not want to feel like a prisoner. I suspect others will feel similarly.

Very truly yours,



Catherine Annacone



COLLIER COUNTY GOVERNMENT

PELICAN BAY SERVICES DIVISION

May 12, 2000

Mr. Mark Schultz
Noise Specialist
District Environmental
FL DOT
P. O. Box 1249
801 N. Broadway
Bartow, Florida 33830-1249

801 LAUREL OAK DRIVE
SUITE 605
NAPLES, FL 34108
(941) 597-1749
FAX (941) 597-4502

—
A CERTIFIED BLUE CHIP COMMUNITY

RE: Noise Abatement

Dear Mr. Schultz:

Pelican Bay is a community in North Naples that is located just west of US 41 at the south end of the six-laning project presently under construction. Several citizens have contacted our office about the high levels of noise from the highway. The noise reported is not a result of the construction operation, but more from the high volume and speed of the traffic on the roadway. With the roadway being expanded to six lanes this noise level would be expected to increase.

We have performed some preliminary noise readings and recorded levels in the 60-70 decibel range. Information that has been received would indicate that this exceeds acceptable levels.

We would request that the FDOT reevaluate this area of US 41 for noise levels to see if noise abatement control is required. Also if noise levels do indicate the need for abatement what methods could be used to control the noise.

Please let me know if I can provide any additional information and when you might be able to reassess the noise concerns of the citizens.

Yours sincerely,
PELICAN BAY SERVICES

Kyle Lukasz
Field Manager



Florida Department of Transportation

JEB BUSH
GOVERNOR

801 N. Broadway
Bartow, Florida 33830

RECEIVED
JUL 08 2000
THOMAS F. BARRY, JR.
SECRETARY

July 5, 2000

Mr. Kyle Lukasz
801 Laurel Oak Drive
Suite 605
Naples, Florida 34108

RE: U.S. 41 from CR 887 to South of Myrtle Road
State Project Number: 03010-1568
Federal Aid Project Number: F-301-1(10)
Work Program Item Number: 1114150
Collier County

Dear Mr. Lukasz:

In response to your letter, the Department has reviewed the Noise Study Report (April 1993) prepared for the portion of U.S. 41 adjacent to the Pelican Bay community and currently under construction. The Department performs a noise study whenever a roadway project involves a capacity improvement. The portion of the Pelican Bay community beginning just south of Myrtle Road and extending to the north was included in the Project Development and Environment (PD&E) Study evaluating the six-laning of U.S. 41. The remainder of the Pelican Bay community is outside the project limits and, therefore, was not included in the PD&E Study.

The traffic noise evaluation was performed for the proposed six-lane section using year 2015 traffic projections. Noise levels were predicted using a traffic noise model approved by the Federal Highway Administration (FHWA). Residences in closest proximity to U.S. 41 were analyzed and an existing berm located between the residences and U.S. 41 was simulated in the model.

In accordance with FHWA regulations, the predicted noise levels are actually equivalent noise levels (Leq) using a one-hour averaging time. The Noise Study Report prepared for this project followed the procedures documented in the Department's PD&E Manual and satisfied FHWA's regulations.

District One Environmental Management Office
801 North Broadway Avenue*Post Office Box 1249*Bartow, Florida 33831
(863) 519-2300 (863) 534-7039 (Fax) MS 1-40

www.dot.state.fl.us

Mr. Kyle Lucasz
July 5, 2000
Page 2

Predicted noise levels for the six-lane concept in year 2015 ranged from 61 to 63 dBA at Pelican Bay residences in closest proximity to U.S. 41. As stipulated in the PD&E Manual, the Department considered abatement measures when predicted noise levels at residences were at 65dBA, or greater. Since the predicted noise levels at Pelican Bay residences were below the criteria, noise abatement measures such as noise barriers were not considered.

Based on the review of the Noise Study Report, the Department followed the procedures established to satisfy FHWA regulations and met the obligations regarding noise abatement considerations for this project. If you have any questions, please call me at (863) 519-2300.

Sincerely,

A handwritten signature in blue ink that reads "Bryan Williams". The signature is written in a cursive style and is positioned above the printed name and title.

Bryan Williams
District Environmental Manager

BW/rp

cc: Mark Schulz, FDOT
Dan Doebler, PBS&J



Florida Department of Transportation

JEB BUSH
GOVERNOR

THOMAS F. BARRY, JR.
SECRETARY

August 10, 2000

Mr. Kyle Lucasz
801 Laurel Oak Drive
Suite 605
Naples, Fl. 34108

RE: US 41 from CR 887 to South of Myrtle Road
State Project Number: 03010-1568
Federal Aid Project Number: F-301-1(10)
Work Program Item Number: 1114150
Collier County

Dear Mr. Lucasz:

Attached is a copy of the Noise Study Report prepared for the project referenced above. The project includes the section of US 41 adjacent to a portion of the Pelican Bay community and currently under construction. The Noise Study Report was prepared as part of the Project Development and Environment Study evaluating the six-laning of US 41.

If you have any questions or would like to schedule a meeting to discuss the Department's procedures regarding traffic noise evaluations and abatement considerations, please call me at (863) 519-2300.

Sincerely,

Mark Schulz
District Environmental Administrator

MS/DD/NJW
Enclosure

District One, Environmental Management Office
801 North Broadway Avenue • Post Office Box 1249 • Bartow, FL 33831-1249
(863) 519-2300 • (863) 534-7039 (Fax) • MS 1-40



SCOPE OF SERVICES PELICAN BAY - NOISE ANALYSIS

The noise evaluation for Pelican Bay would be conducted following procedures outlined in Chapter 17 of the Florida Department of Transportation (FDOT) Project Development and Environment (PD&E) Guidelines. The evaluation would determine whether noise levels with the U.S. 41 improvements have the potential to approach or exceed the Federal Highway Administration's (FHWA's) Noise Abatement Criteria (NAC).

Task 1: Model Validation - To validate the computer model to be used in the analysis (the FDOT and Federal Highway Administration (FHWA)-approved TNM model), field noise measurements will be conducted along the project corridor. The measurements will be conducted in accordance with FHWA's Measurement of Highway-Related Noise at a maximum of three sites within Pelican Bay. At each site, noise measurements will be performed for three 10-minute intervals. During each measurement period, traffic related data and site-specific data will be collected (traffic volume, motor vehicle fleet mix, traffic speed, proximity of the monitor to the roadway, etc.). This data will be used in the TNM to insure that the model can accurately predict future noise conditions in the area. The model will be considered valid if the measured and modeled noise levels are within 3 decibels on the "A"-weighted scale (dBA).

Task 2: Model Future Conditions - Once validated, data related to the improved U.S. 41 and all noise sensitive sites within Pelican Bay will be developed for use in the TNM. This will include, but not be limited to, developing Cartesian coordinate data for the improved roadway and the residences within Pelican Bay and for locations of existing earthen berms and noise barriers. This data, along with appropriate roadway design level-of-service (LOS) "C" traffic data for the improved project, will be used to predict "worst-case" noise levels at each residence within Pelican Bay. Notably, noise levels are low when traffic volumes are low (LOS "A" and "B") and when traffic is so congested that movement is slow (LOS "D" "E" and "F"). Therefore, the maximum noise level occurs between these two conditions (LOS "C").

Task 3: Noise Abatement Measure - Noise barriers will be evaluated for all sites where the "worst-case" noise level with the U.S. 41 improvements are predicted to approach or exceed the NAC (defined as 65 dBA for residences) or where noise levels reach an alternative level defined by Collier County. The analysis will be performed for two barrier alternatives:

- A noise barrier wall (typically concrete) at the Pelican Bay property line, and
- An earthen berm/noise barrier wall combination within Pelican Bay property.

The analysis will determine the optimum length and height for the barrier alternatives and evaluate whether the barrier alternatives will reduce predicted noise levels a desired level for the affected residences (a reduction of at least 5 dBA is currently required by the FDOT in order to consider a noise barrier feasible). Once the optimum length of the barriers is determined, alternative barrier heights will also be evaluated to determine if additional noise reduction benefits can be achieved with additional barrier height.



Based on a review of aerials for the Pelican Bay community, it is anticipated that the two barrier alternatives will need to be evaluated at three locations:

- From the northern U.S. 41 intersection with Pelican Bay Boulevard to north of Gulf Park Drive (a distance of approximately 1 mile),
- From south of Gulf Park Drive to the Pelican Bay ponds adjacent to U.S. 41 (a distance of approximately 1/2 mile), and
- From the southern most pond adjacent to U.S. 41 to the southern U.S. 41 intersection with Pelican Bay Boulevard (a distance of approximately 0.2 miles).

Task 4: Reasonable/Feasible Evaluation - Using the results of Task 3, the noise barriers will be subjected to the FDOT's reasonable and feasible criteria for the construction of noise barriers as a noise reduction measure. These criteria include:

- The level of predicted noise at the noise sensitive sites,
- The ability of the barriers to provide a desired noise reduction level (a minimum reduction of 5 dBA with a desire reduction level of 10 dBA), and
- The cost effectiveness of the barriers (the cost of the barrier versus the number of properties receiving a benefit from the barriers)

The cost effectiveness of the barriers will be determined using estimated average costs for standard noise barriers constructed by the FDOT and would not include items such as landscaping or extraordinary aesthetic treatments to the barriers.

Task 5: Noise Study Report (NSR) - The results of the analysis will be documented in a NSR for the project. It is assumed that two (2) draft reports will be prepared prior to the final report.

Task 5: Project Coordination Meetings - To coordinate the analysis of the project improvements, obtain data for and discuss results of the analysis, it is assumed that four project coordination meetings will be required.

To Be Provided by Others In Support of the Noise Analysis:

- Project traffic data - design level-of-service "C" traffic volumes and speeds.
- Anticipated motor vehicle fleet mix - percentage of cars, heavy trucks, and medium trucks to be used in the analysis.
- Project aerials denoting the improved roadway location and the noise sensitive sites within Pelican Bay.
- Elevational data of the improved roadway and the U.S. 41 right-of-way line.

Pelican Bay
West of U.S. 41 From Vanderbilt Beach Road to Seagate Drive

Consultant: Environmental Science Associates
Estimated Fee Sheet
Date: 6/28/00

Task	Project Manager	Chief Designer	Senior Professional \$110.00	Associate \$60.00	Graphics/ Drafting \$55.00	Clerical \$40.00	Total	
							Manhours	Fee
Model Validation			12	8			20	\$1,800.00
Model Future Conditions			60	8			68	\$7,080.00
Noise Abatement Measure			80	10			90	\$9,400.00
Reasonable and Feasible Evaluation			16	2			18	\$1,880.00
Noise Study Report (Draft/Final)			16		8	2	26	\$2,280.00
Project Coordination Meetings			32			2	34	\$3,600.00
Subtotal Labor			216	28	8	4	256	\$26,040.00
OOP								\$692.50
Total Labor/OOP			216	28	8	4	256	\$26,732.50

OOP Expenses:

Travel from Clearwater	
- To Project: 5 trips x 200 miles x 0.31/mile	\$310.00
- Per Diem	\$50.00
Photocopies	
- Reports - B/W (15 copies x 75 pages x 0.10/page)	\$112.50
- Reports - Color (15 copies x 6 pages x 1.50/page)	\$135.00
- Miscellaneous - B/W (200 pages x 0.10/page)	\$20.00
Shipping/Telephone	\$50.00
Film/Processing	\$15.00
TOTAL OOP	\$692.50



COLLIER COUNTY GOVERNMENT

PELICAN BAY SERVICES DIVISION

801 LAUREL OAK DRIVE
SUITE 605
NAPLES, FL 34108
(941) 597-1749
FAX (941) 597-4502

September 25, 2000

Mr. Addison Skaggs
807 Shadow Lake Lane
Naples, Florida 34108

—
A CERTIFIED BLUE CHIP COMMUNITY

Re: US-41 Noise Abatement

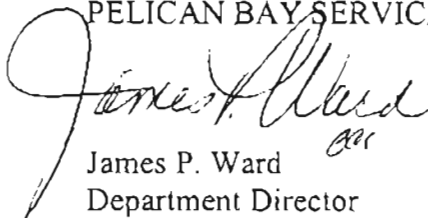
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Also enclosed is a proposal from Environmental Service Associates to conduct another noise study to identify if the noise levels exceed projections in the FDOT Noise Study Report. Pelican Bay Services doesn't have the budgeted funds necessary to conduct this study.

Mr. Mark Schulz, District Environmental Administrator for FDOT has offered to come to Pelican Bay to explain the study and the criteria used for evaluating noise issues. If you have any further questions or require additional assistance please contact me at 597-1749.

Yours sincerely,
PELICAN BAY SERVICES DIVISION


James P. Ward
Department Director



COLLIER COUNTY GOVERNMENT

PELICAN BAY SERVICES DIVISION

801 LAUREL OAK DRIVE
SUITE 605
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FAX (941) 597-4502

September 25, 2000

Dr. Robert J. Swart
815 Arrowhead Lane
Naples, Florida 34108

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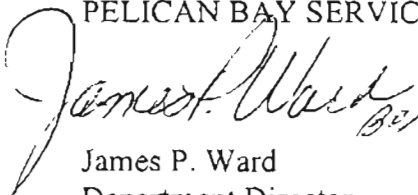
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Yours sincerely,
PELICAN BAY SERVICES DIVISION


James P. Ward
Department Director



COLLIER COUNTY GOVERNMENT

COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES DIVISION

RECEIVED
DEC 12 2000

December 8, 2000

Code Enforcement Department
2800 North Horseshoe Drive
Naples, FL 34104

James P. Ward, Deputy Director
Collier County Government
Pelican Bay Services Division of MSTU
801 Laurel Oak Drive Suite 605
Naples, Florida 34108

Re: Letter, dated October 31, 2000, from Dr. Robert J. Swart, President of BoMar Development Corporation.

Dear Mr. Ward,

I received a copy of the letter from Dr. Robert Swart expressing his concerns that the U.S. 41 expansion may be a violation to Collier County's Noise Ordinance. Because my Department is responsible for enforcing that Ordinance, I feel obligated to respond to his concerns.

Please be advised that I reviewed the April 1993 Noise Study Report prepared by Greiner, Inc. for the Florida Department of Transportation. My position is that the County's noise ordinance does not apply to sound generated by traffic utilizing our roadways.

The County's Noise Ordinance exempts certain uses and activities from regulation of the ordinance. Such uses/activities include, but are not limited to, motor vehicle noise. The statute establishes standards for the Environmental Protection Agency's utilization for testing or inspecting vehicles which is not intended to apply to noise standards regulated by local government.

The sounds referred to in Mr. Swart's letter are exempt from regulation by the County's Noise Ordinance. Traffic noise is considered ambient (or background noise) and is only measured as a comparison to sound generated from uses that are regulated by the ordinance to assess the noise level above the ambient noise. Sirens, alarms and horns emanating from emergency vehicles are also exempt from the Ordinance, primarily because of the emergency/safety nature of the vehicle and they are intended to be loud so that they can be heard by other motorists to clear a safe path for their passage to the emergency at hand.

I spoke to Mr. Swart on December 4, 2000 and advised him of the same. At his request we will be conducting an octave band reading of the traffic noise generated by vehicles traveling on U.S. 41 in January 2001. I will pass that information on to you when it becomes available.

Should you have any questions or need my assistance, please contact me at (941) 403-2440.

Respectfully,

Michelle Edwards Arnold
Code Enforcement Director

cc: Dr. Robert J. Swart, President

smith_b

From: lukasz_k
Sent: Thursday, May 17, 2001 7:30 AM
To: smith_b
Subject: Fence Cost

Barbara,

The concrete fence used on the north berm run's \$35 - \$40 per lineal foot.

Kyle

PELICAN BAY PROPERTY OWNERS ASSOCIATION, INC.

801 Laurel Oaks Drive
Suite 600
Naples, Florida 34108

Phone (941) 566-9707
Fax (941) 598-9485

January 13, 2002

Lou Vlasho, Chairman MSTBU
6790 Pelican Bay Blvd.
Naples, Florida 34108

Re: QUALITY of LIFE

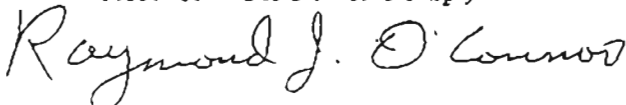
Pelican Bay is not only paradise, it is "Heaven on Earth", and I believe that the Community owners and residents share in that perception. Now, some 20 years from conception, the Community residents can attest to the phenomenal population growth here in Collier County and the increased traffic on six lanes of U.S. 41 highway. The PB Community residents along a 1.8 mile stretch, adjacent to the U.S. 41 highway/berm can attest to the 3 specific problems that impact their quality of life:

- 1) excessive carbon monoxide
- 2) heavy road traffic noise
- 3) open access (no security) to the Community property

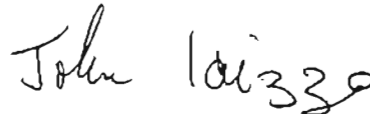
If these problems are allowed to continue, the future holds one of two certainties for the MSTBU board; either pay an exorbitant price to correct these problems or see a drastic devaluation in their community property starting on the east end, neither of which are acceptable. The Advisory Board must not wait but must act now to preserve and protect not only the Community beautification but our "quality of life" as well.

All 3 problems can be mitigated through careful planning using the U.S. 41 berm as a "buffer zone", but first the Advisory Board must place a moratorium on the current landscape improvement now!! To restore a reasonable quality of life along this stretch of property, the "buffer zone" planning must include heavy vegetation. It is reasonable to assume that vegetation, if it is high enough, wide enough, and dense enough (can not see through or over) can reduce the aforementioned problems. It is imperative that a Contractor's request for bid must include the type of vegetation that will alleviate the problems along U.S. 41 Highway. With this understanding, the PBPOA is willing to engage an expert/botanist who could identify the proper combination of trees, shrubs and plants.

I look forward to the Board's reply.



Kay O'Connor
President PBPOA



John Iaizzo
Chairman Safety & Security Committee

c.c. MSTBU Board Members

HIGHWAY TRAFFIC NOISE

IN THE UNITED STATES

Problem and Response

U.S. Department of Transportation

Federal Highway Administration

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INTRODUCTION

Noise, defined as unwanted or excessive sound, is an undesirable by-product of our modern way of life. It can be annoying, can interfere with sleep, work, or recreation, and in extremes may cause physical and psychological damage. While noise emanates from many different sources, transportation noise is perhaps the most pervasive and difficult source to avoid in society today. Highway traffic noise is a major contributor to overall transportation noise. A broad-based effort is needed to control transportation noise. This effort must achieve the goals of personal privacy and environmental quality while continuing the flow of needed transportation services for a quality society.

Purpose

This report has been developed to provide information about the problem of highway traffic noise and the United States' response to that problem. This report summarizes 1) the general nature of the problem, 2) the response of the Federal Highway Administration (FHWA) to the problem, and 3) highway noise barriers constructed or planned. Before discussing these items, however, a general discussion of the Federal-aid highway program is included to assist the reader.

The Highway System

Most (95 percent) roads and streets in the United States are under the jurisdiction of State and local governments. The Federal jurisdiction is mainly limited to National Parks, National Forests, and other government-owned land. Generally in these areas, there are no permanent residents and, therefore, no noise problem of any extent.

Ownership of the roads in the United States is shown in Table 1.

Table 1

Road Ownership in the United States - 1994

Owner	Linear Kilometers *	Percent of All Roads
Federal	292	5
State	1,333	20
Local	4,883	75

* Rounded to the nearest thousand

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The Federal-aid highway program is a federally assisted, State administered grant program which provides Federal funds to State and local governments to construct and improve highways. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) set the course for future roles of federal, state, and local government in maintaining the country's highways, bridges, and mass transit facilities, and in strengthening highway safety programs. The ISTEA called for linking "...all forms of transportation in a unified, interconnected manner...economically efficient and environmentally sound...[to] move people and goods in an energy efficient manner." The ISTEA restructured the Federal-aid highway program and established two Federal-aid systems - the National Highway System (NHS) and the Interstate System, which is a component of the NHS. The revised Federal-aid program includes about 1.6 million kilometers of the 6.5 million kilometers of roads in the United States. As can be seen in Table 2, urban roadways currently comprise a small portion of total roadways yet carry a large portion of all highway travel.

Table 2

Classification of Roads by Functional System - 1994

System	Linear Kilometers *	Percent of All Roads	Percent of Vehicle Kilometers Traveled
Urban	1,355	20.8	61.5
Rural	5,153	79.2	38.5
TOTAL	6,508	100.0	100.0

* Rounded to nearest thousand

The Federal/State Relationship

The FHWA is the designated Federal government agency for administering the Federal-aid highway program. The FHWA mission is to aid States in providing safe and efficient surface transportation for the movement of people and goods by all modes. The FHWA is responsible for providing guidance to State highway agencies and metropolitan planning agencies (MPOs) and for reimbursing the States and MPOs for the Federal share of projects. The States, in cooperation with MPOs, initiate, plan, design, construct, operate, and maintain the highways on the Federal-aid systems.

Federal Participation in the Cost of Projects

With a few exceptions, the FHWA does not pay for the entire cost of the projects it funds. Federal funds are normally "matched" with State and/or local government funds to account for the necessary dollars to complete the project. The Federal share is specified in legislation. Interstate System projects are typically funded 90 percent Federal and 10 percent State, but most other types of projects are funded at a slightly lower Federal share (80 percent).

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THREE-PART APPROACH TO NOISE ABATEMENT

Effective control of the undesirable effects of highway traffic noise requires that land use near highways be controlled, that vehicles themselves be quieted, and that mitigation of noise be undertaken on individual highway projects.

The first component is traditionally an area of local responsibility. The other components are the joint responsibility of private industry and of Federal, state, and local governments.

Land Use Planning and Control

The Federal Government has essentially no authority to regulate land use planning or the land development process. The FHWA and other Federal agencies encourage state and local governments to practice land use planning and control in the vicinity of highways. The Federal Government advocates that local governments use their power to regulate land development in such a way that noise-sensitive land uses are either prohibited from being located adjacent to a highway, or that the developments are planned, designed, and constructed in such a way that noise impacts are minimized.

Some state and local governments have enacted legislative statutes for land use planning and control. As an example, the state of California has legislation on highway noise and compatible land use development. This State legislation requires local governments to consider the adverse environmental effects of noise in their land development process. In addition, the law gives local governments broad powers to pass ordinances relating to the use of land, including among other things, the location, size, and use of buildings and open space.

Although other States and local governments have similar laws, the entire issue of land use is extremely complicated with a vast array of competing considerations entering into any actual land use control decisions. For this reason, it is nearly impossible to measure the progress of using land use to control the effects of noise.

Source Control

The Noise control Act of 1972 gives the Federal Environmental Protection Agency (EPA) the authority to establish noise regulations to control major sources of noise, including transportation vehicles and construction equipment. In addition, this legislation requires EPA to issue noise emission standards for motor vehicles used in Interstate commerce (vehicles used to transport commodities across state boundaries) and requires the FHWA Office of Motor Carrier Safety (OMCS) to enforce these noise emission standards.

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The EPA has established regulations which set emission level standards for newly manufactured medium and heavy trucks that have a gross vehicle weight rating (GVWR) of more than 4,525 kilograms and are capable of operating on a highway or street. Table 3 shows the maximum noise emission levels allowed by the EPA noise regulations for these vehicles.

Table 3

**Maximum Noise Emission Levels
as Required by EPA for Newly Manufactured Trucks
with GVWR Over 4,525 Kilograms**

Effective Date	Maximum Noise Level 15 Meters from Centerline of Travel*
January 1, 1988	80 dBA

* Using the Society of Automotive Engineers, Inc. (SAE), test procedure for acceleration under 56 kph

For existing (in-use) medium and heavy trucks with a GVWR of more than 4,525 kilograms, the Federal government has authority to regulate the noise emission levels only for those that are engaged in interstate commerce. Regulation of all other in-use vehicles must be done by State or local governments. The EPA emission level standards for in-use medium and heavy trucks engaged in interstate commerce are shown in Table 4 and are enforced by the FHWA OMCS.

Table 4

**Maximum Noise Emission Levels
as Required by EPA for In-Use Medium and Heavy Trucks
with GVWR Over 4,525 Kilograms Engaged in Interstate Commerce**

Effective Date	Speed	Maximum Noise Level 15 Meters from Centerline of Travel
January 8, 1986	< 56 kph	83 dBA
January 8, 1986	> 56 kph	87 dBA
January 8, 1986	Stationary	85 dBA

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Highway Project Noise Mitigation

The National Environmental Policy Act (NEPA) of 1969 provides broad authority and responsibility for evaluating and mitigating adverse environmental effects including highway traffic noise. The NEPA directs the Federal government to use all practical means and measures to promote the general welfare and foster a healthy environment.

A more important Federal legislation which specifically involves abatement of highway traffic noise is the Federal-Aid Highway Act of 1970. This law mandates FHWA to develop noise standards for mitigating highway traffic noise.

The law requires promulgation of traffic noise-level criteria for various land use activities. The law further provides that FHWA not

approve the plans and specifications for a federally aided highway project unless the project includes adequate noise abatement measures to comply with the standards. The FHWA has developed and implemented regulations for the mitigation of highway traffic noise in federally-aided highway projects.

The FHWA regulations for mitigation of highway traffic noise in the planning and design of federally aided highways are contained in Title 23 of the United States Code of Federal Regulations Part 772 ([attached](#)). The regulations require the following during the planning and design of a highway project: identification of traffic noise impacts; examination of potential mitigation measures; the incorporation of reasonable and feasible noise mitigation measures into the highway project; and coordination with local officials to provide helpful information on compatible land use planning and control. The regulations contain noise abatement criteria which represent the upper limit of acceptable highway traffic noise for different types of land uses and human activities. The regulations do not require that the abatement criteria be met in every instance. Rather, they require that every reasonable and feasible effort be made to provide noise mitigation when the criteria are approached or exceeded. Compliance with the noise regulations is a prerequisite for the granting of Federal-aid highway funds for construction or reconstruction of a highway.

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FHWA Noise Abatement Procedures

The FHWA noise abatement procedures are codified in the code of Federal Regulations (23 CFR 772). The procedures are described in the following sections.

Noise Descriptors

Noise descriptors are used to describe the time-varying nature of noise. The L10 and Leq noise descriptors are used in the abatement procedures. The former is the noise level exceeded 10% of the time in the noisiest hour of the day. The latter is the constant, average sound level, which over a period of time contains the same amount of sound energy as the varying levels of the traffic noise. The L10 is a statistical descriptor that is easy for most people to determine and understand. While the Leq descriptor is harder for inexperienced people to understand, it has the advantages over L10 of being more reliable for low-volume roadways and of permitting noise levels from different sources to be added directly to one another for inclusion in noise analyses. Leq for typical traffic conditions is usually about 3 dBA less than L10 for the same conditions.

Impact criteria

A noise impact occurs when either of the following conditions exist:

- (1) The projected noise levels approach or exceed the noise abatement criteria (NAC) shown in Table 5, or
- (2) The projected noise levels substantially increase over the existing noise levels in an area.

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Table 5

Noise Abatement Criteria (NAC)
Hourly A-Weighted Sound Level - decibels (dBA)*

Activity Category	Leq(h)	L10(h)	Description of Activity Category
A	57 (Exterior)	60 (Exterior)	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67 (Exterior)	70 (Exterior)	Picnic area, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
C	72 (Exterior)	75 (Exterior)	Developed lands, properties, or activities not included in Categories A or B above.
D	--	--	Undeveloped lands.
E	52 (Interior)	55 (Interior)	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.

* Either L10(h) or Leq(h) (but not both) may be used on a project.

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There is no mandated definition for what constitutes a substantial increase over existing noise levels in an area. Most State highway agencies use either a 10 dBA increase or a 15 dBA increase in noise levels to define a "substantial increase" in existing noise levels. Several State highway agencies use a sliding scale to define substantial increase. The sliding scale combines the increase in noise levels with the absolute values of the noise levels, allowing for a greater increase at lower absolute levels before a substantial increase occurs.

Existing Activities

The location of existing activities in the vicinity of various study alternatives for a highway project are identified by individual land uses, or by broad categories of land use for which a single NAC level may apply. In some cases, lands that are undeveloped at the time of the project may be known to be under consideration for development in the future. If this is the case and definite commitments have been made to develop the land, then these lands are treated as developed and the highway noise impacts assessed accordingly. Primary consideration for highway traffic noise analysis is normally given to exterior areas where frequent human use occurs.

Type I/ Type II Projects

The FHWA regulation makes a distinction between projects for which noise abatement is considered as a feature in a new or expanded highway and those for which noise abatement is considered as a retrofit feature on an existing highway. The former are defined as Type I projects, the latter as Type II. For Type I projects, the consideration of noise abatement as part of the highway construction project is mandatory if Federal-aid funds are to be used and if a traffic noise impact is expected to occur. Type II projects are, however, completely voluntary on the part of the individual states, and funds for such projects compete with all the other construction needs of the States. It should be noted that the National Highway System Designation Act of 1995 (NHS) restricted Federal participation in Type II noise barriers to those projects that were approved before November 28, 1995 or are proposed along lands

where land development or substantial construction predated the existence of any highway.

Noise Analysis

Analysis of the traffic noise impacts expected from construction of a highway involves a number of technical steps. The traffic noise analysis includes the following for each alternative under detailed study:

- (1) identification of existing activities, developed lands, and undeveloped lands for which development is planned, designed and programmed, which may be affected by traffic noise from the highway;
- (2) prediction of traffic noise levels;
- (3) determination of existing noise levels;

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(4) determination of traffic noise impacts; and

(5) examination and evaluation of alternative noise abatement measures for reducing or eliminating the noise impacts.

If potential traffic noise impacts are identified, noise abatement is considered and implemented if it is found to be both reasonable and feasible. The views of the impacted residents are a major consideration in reaching a decision on the reasonableness of abatement measures to be provided. When noise abatement measures are being considered, every reasonable effort is made to obtain substantial noise reductions, substantial noise reductions have been defined by state highway agencies to typically range from 5 to 10 dBA.

Federal Participation

Federal funds may be used for noise abatement measures where:

- (1) a traffic noise impact has been identified,
- (2) the noise abatement measures will reduce the traffic noise impact, and
- (3) the overall noise abatement benefits are determined to outweigh the overall adverse social, economic, and environmental effects and the costs of the noise abatement measures.

The Federal share of the abatement costs is at the same participating ratio as for the system on which the project is located.

Noise Abatement

If noise impacts are identified, various noise abatement measures are considered to mitigate the adverse impacts. Noise barriers are the mitigation measure that is most often associated with the concept of noise abatement. For this reason a special section on noise barriers, which begins on page 12, has been included in this report to discuss this subject in more detail.

Other possible noise abatement measures include traffic management measures, creating buffer zones, planting vegetation, installing noise insulation in buildings, and relocating the highway.

Traffic management measures can sometimes reduce noise problems. For example, if acceptable alternative truck routes are available, trucks can be prohibited from certain streets and roads, or they can be permitted to use certain streets and roads only during daylight

hours. Traffic lights can be changed to smooth out the flow of traffic and to eliminate the need for frequent stops and starts. Speed limits can be reduced; however, about a 32 kilometer-per-hour reduction in speed is necessary for a noticeable decrease in noise levels.

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Buffer zones are undeveloped, open spaces which border a highway. Buffer zones are created when a highway agency purchases land, or development rights, in addition to the normal right-of-way, so that future dwellings cannot be constructed close to the highway. This prevents the possibility of constructing dwellings that would otherwise experience an excessive noise level from nearby highway traffic. An additional benefit of buffer zones is that they often improve the roadside appearance. However, because of the tremendous amount of land that must be purchased and because in many cases dwellings already border existing roads, creating buffer zones is often not possible. Although Federal-aid highway funds may be used on a highway project to create buffer zones, this measure has not been used very often.

Vegetation, if it is high enough, wide enough, and dense enough that it cannot be seen over or through, can decrease highway traffic noise. A 61-meter width of dense vegetation can reduce noise by 10 decibels, which cuts in half the loudness of traffic noise. It is not feasible, however, to plant enough vegetation along a road to achieve such reductions. If vegetation already exists, it can be saved to maintain a psychological relief, if not an actual lessening of traffic noise levels. If vegetation does not exist, it can be planted for psychological relief.

Insulating buildings can greatly reduce highway traffic noise, especially when windows are sealed and cracks and other openings are filled. Sometimes noise-absorbing material can be placed in the walls of new buildings during construction. However, insulation can be costly because air conditioning is usually necessary once the windows are sealed. Federal-aid highway funds may be used for noise insulation of public-use or non-profit institutional structures, such funds may also be used for noise insulation of residences and other private-use buildings where noise impacts are especially severe, and where no other abatement is possible. Very few private-use buildings have been noise insulated with Federal-aid highway funds. The majority of Federal-aid highway funds used for noise insulation has been spent to noise insulate schools. In many parts of the country, highway agencies do not have the authority to insulate buildings; thus, in those states insulation cannot be included as part of a highway project.

A noise attenuation measure that should always be considered is the possibility of altering the highway location to avoid those land use areas which have been determined to have a potential noise impact. Since sound intensity decays with distance from the source, increased distance between the noise source and receiver may reduce the noise impact. It may also be possible to obtain attenuation by depressing the roadway slightly to produce a break in the line of sight from the source to the receiver. Potential noise reduction should be considered with the many other factors that influence the selection of roadway alignment. Since there are very few new highways being built in the United States, the choice of changing the alignment or depressing the roadway is usually not available.

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Coordination With Local Officials

The FHWA noise regulation requires coordination with local officials whose jurisdictions are affected. The primary purpose of this coordination is to promote compatibility between land development and highways.

Highway agencies furnish the following information to appropriate local officials:

- (1) Estimated future traffic noise levels at various distances from the highway improvement.
- (2) Locations where local communities should protect future land development from becoming incompatible with anticipated highway traffic noise levels.

Traffic Noise Prediction

The FHWA has developed a model to accurately predict future highway traffic noise levels. State highway agencies either use the FHWA model for highway traffic noise analysis or a model based upon the same methodology as that contained in the FHWA model.

The FHWA has also developed national averages of vehicle emission levels to be used in the FHWA prediction model. State highway agencies either use the national average levels or measure their own levels based upon FHWA measurement procedures.

Construction Noise

Highway construction noise is not a major issue in the United States. This noise is often viewed by the public as being short term and a necessary price for growth and improvement. Highway construction noise should generally be addressed in a qualitative rather than quantitative manner that is commensurate with the scope of the highway project. Construction noise levels may be predicted, if warranted. If potential construction noise impacts are identified, a common sense approach should be utilized to incorporate appropriate abatement measures into the highway project.

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NOISE BARRIERS CONSTRUCTED OR PLANNED

Noise barriers are solid obstructions built between the highway and the homes along the highway. Effective noise barriers can reduce noise levels by ten to fifteen decibels, cutting the loudness of traffic noise in half. Barriers can be formed from earth mounds along the road (usually called earth berms) or from high, vertical walls. Earth berms have a very natural appearance and are usually attractive. However, an earth berm can require quite a lot of land if it is very high. Walls take less space. They are usually limited to eight meters in height because of structural and aesthetic reasons. Noise walls can be built out of wood, stucco, concrete, masonry, metal, and other materials. Many attempts are being made to construct noise barriers that are visually pleasing and that blend with their surroundings.

Noise Barriers Constructed

The Federal-aid highway program has always been based on a strong State-Federal partnership. At the core of that partnership is a philosophy of trust and flexibility, and a belief that the States are in the best position to make investment decisions that are based on the needs and priorities of their citizens. The FHWA noise regulations give each SHA flexibility in determining the reasonableness and feasibility of noise abatement and, thus, in balancing the benefits of noise abatement against the overall adverse social, economic, and environmental effects and costs of the noise abatement measures. The SHA must base its determination on the interest of the overall public good, keeping in mind all the elements of the highway program (need, funding, environmental impacts, public involvement, etc.). Congress affirmed and extended the philosophy of partnership, trust, and flexibility in the enactment of ISTEA.

The flexibility in noise abatement decisionmaking is reflected by data indicating that some States have built many noise barriers and some have built none. Through the end of 1995, forty-one state highway agencies (SHAs) and the Commonwealth of Puerto Rico have constructed over 2,120 linear kilometers of barriers at a cost of over \$1.2 billion (\$1.4 billion in 1995 dollars). Nine states and the District of Columbia have not constructed noise barriers to date. Table 6 lists the ten states that have constructed the most noise barriers, in terms of area, length, and cost. The cost data in Table 6 give a general indication of trends. However, the data should not

be used for exact comparisons, since precise, uniform individual barrier costs are very difficult to obtain. Table 7 shows total noise barrier areas by material type. Table 8 lists the nine states that have not constructed noise barriers to date.

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Table 6

Noise Barrier Construction By State Through 1995

	Square Meters (Thousands)		Linear Kilometers
California	2529	California	701.0
New Jersey	652	Virginia	116.8
Virginia	598	New Jersey	113.9
Minnesota	476	Minnesota	99.0
New York	391	Colorado	92.4
Maryland	298	New York	90.0
Pennsylvania	291	Pennsylvania	75.2
Colorado	284	Washington	71.9
Connecticut	254	Oregon	70.2
Ohio	253	Michigan	62.6
10 State Total	6, 026		1,493.0
	Actual Cost (Millions)		1995 Dollars (Millions)
California	\$368.5	California	\$438.7
New Jersey	141.2	New Jersey	163.9
Virginia	88.7	Virginia	106.0
Maryland	78.1	Maryland	89.6
New York	69.0	New York	78.5
Pennsylvania	66.4	Pennsylvania	76.8
Michigan	41.9	Minnesota	58.3
Florida	38.9	Michigan	52.0
Minnesota	37.3	Florida	44.4
Wisconsin	37.3	Wisconsin	43.2
10 State Total	\$967.3		\$1,151.4

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Table 7

Total Noise Barrier Area by Material Type Through 1995

Single Material Barriers		Combination Barriers	
Material	Square Meters (Thousands)	Material	Square Meters (Thousands)
Concrete/Precast	2884	Berm/Wood	278
Block	2402	Berm/Concrete	172
Wood/Post&Plank	464	Wood/Concrete	152
Concrete/Unspecified	391	Berm/Metal	133
Berm Only	298	Concrete/Block	94
Wood/Unspecified	289	Metal/Concrete	87
Wood/Glue Laminated	236	Concrete/Brick	72
Metal/Unspecified	233	Berm/Block	52
Brick	94	Wood/Metal	43
Other	81	Berm/Wood/Concrete	27
		Wood/Block	26
		Berm/Wood/Metla	16
		Other	80
Total	7,372	Total	1,232

Table 8

States That Have Not Constructed Noise Barriers to Date

Alabama	Idaho	Montana	Rhode Island	Wyoming
Hawaii	Mississippi	North Dakota	South Dakota	

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Effectiveness

Noise barriers can be quite effective in reducing noise for receptors within approximately 61 meters of a highway. Table 9 summarizes barrier attenuation.

Table 9

Barrier Attenuation

Reduction in Sound Level	Reduction in Acoustic Energy	Degree of Difficulty To Obtain Reduction
5 dBA	70%	Simple

10 dBA	90%	Attainable
15 dBA	97%	Very Difficult
20 dBA	99%	Nearly Impossible

Barriers do have limitations. For a noise barrier to work, it must be high enough and long enough to block the view of a road. Noise barriers do very little good for homes on a hillside overlooking a road or for buildings which rise above the barrier. Openings in noise walls for driveway connections or intersecting streets greatly reduce the effectiveness of barriers. In some areas, homes are scattered too far apart to permit noise barriers to be built at a reasonable cost.

Public Perception

Overall, public reaction to highway noise barriers appears to be positive. There is, however, a wide diversity of specific reactions to barriers. Residents adjacent to barriers have stated that conversations in households are easier, sleeping conditions are better, a more relaxing environment is created, windows are opened more often, and yards are used more in the summer. Perceived non-noise benefits include increased privacy, cleaner air, improved view and sense of ruralness, and healthier lawns and shrubs. Negative reactions have included a restriction of view, a feeling of confinement, a loss of air circulation, a loss of sunlight and lighting, and poor maintenance of the barrier. Most residents near a barrier seem to feel that barriers effectively reduce traffic noise and that the benefits of barriers outweigh the disadvantages of the barriers.

Research Efforts

Over the last two decades, much work has been done within the highway program to develop the basic tools necessary to analyze the impacts of highway traffic noise. Efforts have focused on the establishment of criteria for considering highway traffic noise, the measurement and prediction of noise levels, and the development and evaluation of feasible measures to abate highway traffic noise. Today, research efforts are continuing to assure that analysis tools reflect the current state-of-the-art in highway traffic noise, while meeting the program needs of State highway agencies.

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Highway traffic noise research has been guided and continues to be guided by representatives of State highway agencies, other State government agencies, local government agencies, Federal agencies, and the academic and private sectors. An important part of this cooperative effort is the work of the Transportation Research Board Committee on Transportation-Related Noise and Vibration, which has been instrumental in identifying and prioritizing research needs. Another important part of this effort is the research work that individual states conduct within their own highway programs.

Future research efforts will strive to produce more cost effective solutions and efficient allocation of resources to deal with the problems of highway traffic noise. Emphasis is anticipated in the areas of traffic noise prediction and abatement analysis.

SUMMARY

The United States has undertaken a program which utilizes a three-part approach to the abatement of highway traffic noise. Noise-compatible development through effective land use planning and control is traditionally an area of local responsibility. Source control or control of noise emissions from the vehicles themselves is a joint responsibility of private industry and of Federal, State, and local governments. The FHWA has established noise standards for different types of land use activities adjacent to highways. These standards require that for certain types of federally-aided highway projects, States must conduct noise analyses to identify potential highway traffic noise impacts. If impacts are identified, noise abatement measures must be considered and implemented if determined to be both reasonable and feasible. Among the various types of possible abatement measures, the construction of noise barriers is most commonly used.

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COLLIER COUNTY GOVERNMENT

PELICAN BAY SERVICES DIVISION

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FAX: (941) 597-4502

January 23, 2002

Mr. Raymond O'Connor
Mr. John laizzo
Pelican Bay Property Owners Association
801 Laurel Oak Drive
Suite 600
Naples, Florida 34108

RE: Quality of Life

Dear Messrs O'Connor and laizzo:

I have received a copy of your letter to the Chairperson of the Pelican Bay Advisory Committee requesting the Committee's consideration on placing a moratorium on any activities on the US 41 Berm Landscaping Program.

This item will be scheduled for discussion at the Pelican Bay Advisory Committee Meeting of February 6, 2002 at 3:00 P.M. and as the petitioner you will need to be present at that meeting in order to make such presentation as you deem appropriate to the Committee for its' consideration. If you plan on presenting any materials to the Advisory Committee and would like that information included in the back up material to the Board, please provide that material to our office not later than Wednesday, January 30, 2002 for inclusion in the agenda package,

If you will be unable to attend the meeting please advise Mrs. Barbara Smith in my office at 597-1749.

Yours sincerely,
PELICAN BAY SERVICES DIVISION


James P. Ward
Department Director

RECEIVED
MAY 14 2002

TO: Pelican Bay Property Owners Association
c/o Dick Laughlin, John Iazzo

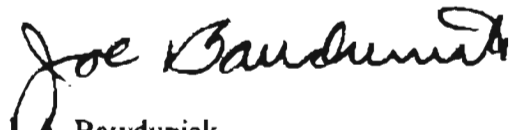
DATE: May 9, 2002

Attached are data on noise measurements taken along Route 41 with the procedure used and equipment settings.

The db meter was a hand-held model.

While not an acoustics expert, I hold a degree in Physics and am not unfamiliar with scientific methods. I hope these preliminary, non-calibrated instrument data at least give a fundamental insight into the noise problems our neighbors along Route 41 are experiencing.

If questions, please call me.



J.A. Bawduniak
598-1976

Attachments

cc: K. Kinney
J. Ward (Distribute to MSTBU)
Commissioner J. Carter

Noise Measurements
Pelican Bay

Procedure

1. For 'side' of '41' - 10 minute observations
 'A' weighted (human ear)
 5 feet above ground level
 within 100 feet of center line (50 feet approx. From shoulder)
 Fast response setting
2. Neighborhood same as above, but in back yards

Equipment

Tandy 33-2050 +/- 2 db accuracy at 114 db

Microphone - condenser omnie directional

Reference Noise Levels

Pain - 130 db

Riveter - 100 db

Conversation - 60 db

Whisper - 20 db (in quiet room)

Note:

Procedure follows 17-4.1.1 Field Measurements for Establishment of Ambient Noise Conditions,
23 Code of CFR

Jaw/CRB
5-9-02

Data

Noise Measurements - Pelican Bay

<u>April 2, 02</u>	<u>Location</u>	<u>Time</u>	<u>Level</u>	<u>Surface</u>
1.	100 yards S. P.B. Blvd. N.	4:40 pm	N - 66db S - 76db S - 85 Truck	Macadam
2.	0.5 mi. S. P.B. Blvd. N.	5:00 pm	S - 76-78 db	Macadam
3.	0.2 mi. S. Gulf Park	5:20 pm	N - 62db S - 76-82db S - 76-85db	Cement
4.	0.9 mi. S. Gulf Park	5:35 pm	S - 74-76db S - 76-80db	Cement
5.	1.1 mi. S. Gulf Park	5:50 pm	S - 76-80db S - 77db A. (Red light) 69-72db B. (Green light) 76-78db	Cement

April 3, 02

6.	Backyards Arrowhead, Pinewood	5:25 pm	56-60db 56-58 db	
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Note:

A - red light - slower traffic
B - green light - faster traffic

Jaw/ceb
5-9-02

PELICAN BAY PROPERTY OWNERS ASSOCIATION, INC.

801 Laurel Oak Drive, Suite 600

Naples, FL 34108

(941) 566-9707 FAX (941) 598-9485

July 9, 2002

Lou Vlasho, Chairman PB Service Division Board
6790 Pelican Bay Blvd.
Naples, FL 34108

Re: Noise Amendment

Dear Lou,

The Board of The Pelican Bay Property Owners Association has requested that this letter be presented to the full Board of the MSTBU

At the PBPOA June meeting a copy of the new ordinance was presented by John Iaizzo and particular attention was directed to the requirements of the ordinance in connection with noise. As you know the PBPOA have been particularly interested in reduction of the effect of traffic and traffic noise on the residents of Pelican Bay. John Iaizzo has appeared before your Board a number of times on this issue and at the June meeting with a plan for plantings devised by a local landscape group. Since the landscape group would not guarantee a reduction of noise the plan was rejected. Such a small organization, basing its estimate of cost without such guarantee, could hardly be expected to assume such liability when it was not built into its costs.

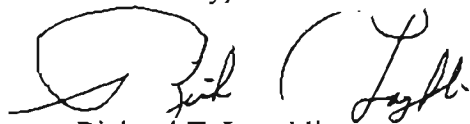
This ordinance requires the MSTBU to investigate the problem of noise and to recommend remedial action to the County. The noise amendment philosophy firmly supports the need to reduce incoming noise from outside sources (US-41).

The PBPOA is requesting that the MSTBU undertake a study as required by the ordinance within a reasonable time and to recommend remedial action. From our prior correspondence you know that this situation can affect property values throughout Pelican Bay. The situation is intensifying rather than abating with the wider highways.

As you know the PBPOA has suggested that a greater density of plantings would be helpful with this matter in the short run. It has also been suggested that the County's removal of the sea grape plants along the berm paralleling US-41 is a major mistake since the plant acts as a major shield for the adjacent property owners.

Your attention to this request on behalf of the property owners in Pelican Bay is urgently requested.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Richard T. Laughlin', written in black ink.

Richard T. Laughlin
President



COLLIER COUNTY GOVERNMENT

Pelican Bay Services Division

801 Laurel Oak Drive • Suite 605 • Naples, Florida 34108 • (239) 597-1749 • Fax (239) 597-4502

September 10, 2002

Mr. Addison Skaggs
807 Shadow Lake Lane
Naples, Florida 34108

RE: U. S. 41 Noise Study

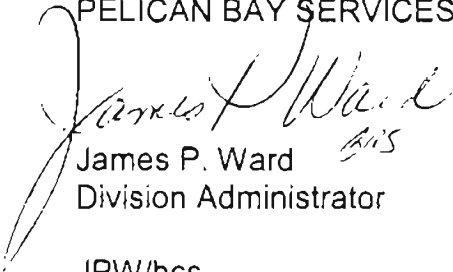
Dear Mr. Skaggs:

Finally a response from the County to the question that you have been asking with regard as to whether a Noise Study was performed during January 2001.

Attached please find a copy of the E-mail that was generated asking this question, however, I am sure that this is not the answer that you had wanted to hear.

If I can be of any further assistance please do not hesitate to contact my office.

Yours sincerely,
PELICAN BAY SERVICES DIVISION


James P. Ward
Division Administrator

JPW/bcs

smith_b

From: mudd_j
Sent: Monday, September 09, 2002 5:01 PM
To: ward_j
Subject: FW: U.S. 41 Noise Study

Jim,

FYI.

Jim Mudd

-----Original Message-----

From: arnold_m
Sent: Monday, September 09, 2002 3:45 PM
To: smith_b, Feder_N
Cc: carter_j; mudd_j; SchmittJoseph; kant_e
Subject: RE: U.S. 41 Noise Study

No readings were conducted. My staff at the time (Gary Dantini no longer works for the County) was given the task and he indicated to me that he discussed with a representative from Pelican Bay that the reading they were requesting would not be sufficient to challenge the State's figure.

Michelle

-----Original Message-----

From: smith_b
Sent: Monday, September 09, 2002 11:54 AM
To: Feder_N
Cc: carter_j; mudd_j; SchmittJoseph; arnold_m; kant_e
Subject: FW: U.S. 41 Noise Study

Mr Feder,

With regard to the above referenced U.S. 41 Noise Study I am aware that the original study was done by FDOT. The issue in my original message was that Ms Michelle Arnold wrote a letter to my office dated December 8, 2000 indicating that an octave band reading of the traffic noise generated by vehicles traveling on U.S. 41 was going to be done by Collier County during January 2001. My question is, was that study ever done by Collier County and if so could I get a copy of the results of that study for our files? This question has come before the Pelican Bay Services Division Board from a resident who has been unsuccessful in obtaining this information from Collier County.

Thank you
 Jim Ward

-----Original Message-----

From: mudd_j
Sent: Monday, September 09, 2002 11:18 PM
To: ward_j
Subject: FW: U.S. 41 Noise Study

9/10/2002

Jim.

FYI.

Jim Mudd

-----Original Message-----

From: SchmittJoseph

Sent: Friday, September 06, 2002 11:50 AM

To: carter_j

Cc: mudd_j

Subject: FW: U.S. 41 Noise Study

Commissioner Carter.

Note Norm's comments below.

Joe

-----Original Message-----

From: Feder_N

Sent: Friday, September 06, 2002 10:16 AM

To: SchmittJoseph; arnold_m; kant_e

Subject: RE: U.S. 41 Noise Study

This was done by FDOT. They need to address this issue for US41. Contact is Mike Rippe @ 461-4300 Norman

-----Original Message-----

From: SchmittJoseph

Sent: Friday, September 06, 2002 9:43 AM

To: arnold_m; kant_e

Cc: Feder_N

Subject: FW: U.S. 41 Noise Study

Michelle. Ed

Are either of you aware of any data collection on this issue of noise along US 41?

Joe

-----Original Message-----

From: carter_j

Sent: Friday, September 06, 2002 9:33 AM

To: SchmittJoseph

Cc: mudd_j

Subject: FW: U.S. 41 Noise Study

Joe.

Could you please let me know where we are with this issue?

Thank you.

James D. Carter, Ph.D.
Commissioner, District 2

-----Original Message-----

From: smith_b
Sent: Thursday, September 05, 2002 7:38 AM
To: carter_j
Subject: FW: U.S. 41 Noise Study

Commissioner Carter:

Below is the e-mail message that Jim Ward talked to you about at yesterday's Pelican Bay Services Division Board Meeting.

*Barbara Smith
Pelican Bay Services Division
(239) 597-1740*

-----Original Message-----

From: smith_b
Sent: Thursday, August 08, 2002 7:57 AM
To: arnold_m
Subject: U.S. 41 Noise Study

Michelle:

As I am sure you are quite aware that there has been much interest by many residents in Pelican Bay regarding vehicular noise as a result of the six-laning of U.S. 41 north, fronting Pelican Bay. I am interested to find out if an octave band reading of the traffic noise generated by vehicles traveling on U.S. 41 was ever done in January 2001 as you had indicated in your letter to me dated December 8, 2000. If so, I would be interested in receiving a copy of the results of that study for our files. Please advise.

Thank you.

James P. Ward
Division Administrator
Pelican Bay Services Division
(239) 597-1740



F

815 Arrowhead Lane
Naples, Florida 34108

B&M Development Corporation

DR. ROBERT J. SWART
President

(239) 513-1090
Fax (239) 513-1091
E-mail - swarty1@aol.com

Jan FYI Bob

T

October 31, 2002

Ms. Libbie Bramson
PBPOA
Suite 600 Sun Trust Bldg.
801 Laural Oak Dr.
Naples, FL 34108

Dear Ms Bramson,

Thank you for your erudite summation of the services provided by PBPOA as found in the PB Post.

For several years ,many of the property owners of PB, have tried to have our representative officials,provide an aesthetic,protective,acoustical, fence on the berm along 41 from PB North to PB South.
"It a, int gonna happen!!!!!"

The very least that can be done, is to have the responsible PB organizations, including Collier County, see that the legal speeds are adhered to. Sound is a product of truck and vehicle speed..Speeds of 60,70, 80, are routine morning, noon and night, especially morning and night. These are very noisy and unnecessary sounds!

Anything that the PBPOA can do, to enforce the law , would be appreciated by many in PB.

Sincerely,
Bob Swart