

SUBJECT: Erecting a highway sound barrier on Interstate 610 in Houston

COMMITTEE: Transportation — favorable, with amendment

VOTE: 6 ayes — Alexander, Siebert, Finnell, Hawley, Hill, Pickett
0 nays
3 absent — Edwards, Hartnett, Uher

WITNESSES: For — Clinton Johns, Bridgette Murray, and Talmadge Sharp; Pleasantville Civic League, Inc.
Against — None
On — Robert Cuellar, Texas Department of Transportation

BACKGROUND : The federal government identifies two types of highway noise abatement projects:

- Type I projects involve construction at a new location or alteration of an existing highway. TxDOT is required under certain circumstances to include noise abatement features in Type I projects. Under federal law, the state may be reimbursed 80 percent of the cost of Type I projects.
- Type II projects pertain to noise abatement features that are added to existing highways where no major highway construction is taking place. There are no state or federal mandates concerning noise abatement on existing highways. If a state adopts a type II noise abatement program under federal guidelines, the state can use existing federal transportation funds for noise abatement projects, but additional federal funds do not become available.

DIGEST: HB 691, as amended, would require TxDOT, as soon as would be practical, to erect sound barrier walls for approximately five-eighths of a mile along the west side of Interstate 610 in Houston. The barriers would start about one-half mile south of the intersection of Interstate 610 and Interstate 10 on the east side of Houston.

The sound barrier would be designed to reduce highway noise for residents located near Interstate 610 on the following streets: Laurentide, Candy, Fannette, Berndale, Tilgham, Cowart, Wiggins, Pattibob, Josie, Flossie Mae, Othello, Quaker, and Guinivere.

HB 691 would also provide that it would be the intent of the Legislature that that the bill would not be construed as establishing a program for Type II noise abatement projects on federal highways.

The bill would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

**SUPPORTERS
SAY:**

HB 691 would help make life endurable for the residents of the Pleasantville community in Houston who reside along a certain portion of Highway 610, where the noise level has become unbearable. Under the bill, noise barriers would be constructed along one side of the Interstate to decrease the noise level in certain residential areas.

The federal government has said that noise abatement projects are appropriate in neighborhoods where noise is above 67 decibels; the noise level on the streets identified by the bill is, at times, between 75 and 90 decibels. This is not just a nuisance but an actual health hazard for residents who sometimes cannot sleep or relax due to the incredible traffic noise engulfing them. Ninety decibels is as loud as a jet engine going by overhead or the sound of a lawn mower engine from a few feet away. Increased traffic on Interstate 610 in recent years has contributed to ever increasing decibel levels in the neighborhood.

The Pleasantville neighborhood that the barrier proposed by HB 691 would shield was established before the highway was built in the 1960s. The highway carved a path through the neighborhood and barriers to protect the residents should have been constructed at the time. The highway department, however seemed disinclined at the time to spend money to protect a poor, black neighborhood with little political clout. HB 691 would remedy this unjust situation.

It is true that transportation projects in general and noise abatement projects in particular need to be prioritized, but there is no doubt whatsoever of the

pressing need for this particular project. Residents in the area have complained for years about the noise, but nothing has been done to help them. The vast majority of the residents on the streets designated by the bill support the construction of a barrier, and no commercial properties have protested the idea.

TxDOT has performed a traffic noise analysis in the area and found levels to be very high at certain times. This is not a case of a neighborhood complaining about a little nuisance noise — it is a neighborhood under siege by overwhelming and unrelenting clamor.

The project is already included — at a cost of \$2 million — in Article 11 of both House and Senate versions of HB 1, the general appropriations bill.

OPPONENTS
SAY:

In the fiscal note for the bill, TxDOT estimates that the cost of constructing the barriers would be approximately \$1.5 million. This is too much money to take from the State Highway Fund for a project that would benefit very few people. Transportation projects in the state must be prioritized because there is not enough money for all of them. First priority must be given for projects that correct potential safety hazards, like the repair of aging roads and bridges. TxDOT did not mitigate noise impacts on any highway projects in the state in the 1960s, and thus did not specially discriminate against this particular neighborhood.

Decisions about the location of noise abatement projects should be uniform and equitable throughout the state. It would be easier to achieve equity if decisions were made based on well-established criteria rather than through individual legislation for each project. Before a noise abatement project is instigated, for example, there should be detailed traffic noise analyses to indicate whether or not a barrier is feasible and cost effective and the majority of property owners in the area support it. Commercial property owners, for example, sometimes oppose barriers that can block views and easy access to their businesses.

TxDOT is currently studying whether or not it would be advantageous for the state to have a Type II highway noise abatement program. Until this study is complete, however, state money should not be expended for individual projects. TxDOT estimates that a Type II Noise Abatement

Program would cost the state approximately \$52 million a year and require eight additional employees to be hired. A program of this kind would allow federal highway dollars to be used for noise abatement projects but would not increase Texas' federal funding. Merely because a project is included in the Article 11 "wish list" of the appropriations bill, does not mean money will be appropriated for it.

NOTES:

The committee amendment provided that bill would not constitute the establishment of a federal Type II Noise Abatement Program.

The Senate companion, SB 789 by Ellis, has been referred to the Senate State Affairs Committee.