



**Maryland Department of Transportation**  
The Secretary's Office

**Martin O'Malley**  
Governor

**Anthony G. Brown**  
Lt. Governor

**John D. Porcari**  
Secretary

**Beverley K. Swaim-Staley**  
Deputy Secretary

July 21, 2008

The Honorable Roger Berliner  
Montgomery County Council  
Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville MD 20850

Dear Councilmember <sup>Roberta</sup> Berliner:

Thank you again for your letter regarding a noise barrier on behalf of Ms. Frosso Malavakis, President of the Bethesda Place Community Association, and the Bethesda Place community, adjacent to the northbound I-270 West Spur between I-495 (the Capital Beltway) and Democracy Boulevard in Montgomery County. We appreciate your patience and the opportunity to respond to your concerns.

The State Highway Administration (SHA) considers the need for sound barriers in two circumstances, designated Type I and Type II. In Type I situations, barriers are considered when a new highway is being built or an existing highway is being expanded. The environmental document for the most recent improvements to the I-270 West Spur was approved by the Federal Highway Administration in 1997, with a Finding of No Significant Impact (FONSI). This determination was made while the State's 1988 Noise Policy was in effect. Under that policy, noise abatement would be further evaluated and considered if:

- 1 highway traffic noise levels were predicted to equal or exceed 67 decibels in the design year (typically 20 years in the future), with the proposed improvements (the "build" scenario); and
2. those noise levels would exceed, by at least 5 decibels, predicted highway traffic noise levels in the design year, without the proposed improvements (the "no-build" scenario).

The evaluation indicated that the community did not meet this two-pronged test.

In fall 2000, the environmental evaluation for this area was revisited to determine if the design had changed in a way that also would change the results of the previous noise analysis. This review, which included a review of the previous noise analysis, confirmed the prior findings: namely, that the increases in highway traffic noise were insufficient to warrant consideration of noise abatement.

In 1998, the State's Noise Abatement Policy was revised to its current version. The impact threshold of 67 decibels was revised to 66 decibels, and the noise differential in the "build" vs. "no-build" comparison was lowered from five to three decibels. Each proposed highway improvement project is evaluated with the federally-approved Type I criteria in effect when the environmental document is prepared. When a project is approved under one policy, but executed under a subsequent policy, the new criteria would apply only if the horizontal or vertical design of the highway, as built, substantially differs from the design that was approved in the original environmental document. The highway improvements to the interchange of Democracy Boulevard and I-270 were not substantially different from those that received the 1997 FONSI approval.

My telephone number is 410-865-1000  
Toll Free Number 1-888-713-1414 TTY Users Call Via MD Relay  
7201 Corporate Center Drive, Hanover, Maryland 21076

