

1.8.3 Noise Subelement

Overview

The Compact directs TRPA to establish Environmental Threshold Carrying Capacities (Thresholds) for noise. Noise in the Tahoe Region has continued to rise as a result of increased human activity. For this reason, changes are needed in implementation of the Noise Threshold Program in order to achieve Thresholds and reduce or eliminate noise-generating activities that interfere with community and neighborhood serenity or produce damaging or distressing noise levels. The Region's primary source of noise is transportation activity.

There are two Noise goals contained in the 1987 Regional Plan. They call for the attainment and maintenance of single event noise standards and Community Noise Equivalent Levels (CNELs). The six policies related to single event noise standards specifically address aircraft, boats, motor vehicles, motorcycles, off-road vehicle use, snowmobiles, and sound proofing practices. The three policies related to CNEL address transportation corridors, the South Lake Tahoe Airport, wilderness areas, roadless areas, and critical wildlife habitat.

Under the existing Noise Subelement (implemented in Code Chapter 23), single noise events are monitored and standards are enforced for the following noise sources: aircraft, watercraft, motor vehicles, motorcycles, off-road vehicles, and over-the-snow vehicles. The standards include parameters for overall noise, speed, and monitoring distance and are intended to limit disturbance to the public by vehicles and equipment.

Standards for CNEL protect people and wildlife from cumulative noise levels. CNELs are monitored and standards are enforced in the following land-use categories and transportation corridors:

- high-density and low-density residential areas;
- hotel and motel areas;
- commercial areas and industrial areas;
- urban outdoor and rural outdoor recreation areas;
- wilderness and roadless areas;
- critical wildlife habitat areas;
- areas affected by the South Lake Tahoe Airport; and
- Highways 28, 50, 89, 207, 267, and 431.

Alternative 1—Continuation of Existing Regional Plan

Summary

Alternative 1, the "No Action" Alternative, assumes the continuation of the current Goals, Policies of the 1987 Regional Plan and minor adjustment to regulations and programs which reflect the spirit and intent of recently adopted programs for noise associated with aircraft, watercraft and off-road vehicles.

Goals and Policies

No changes are proposed to this Subelement under Alternative 1.

Implementation Measures

The following changes are proposed under Alternative 1 to the existing programs for noise .

- Update aircraft noise standards to reflect the Airport Settlement Agreement and other current conditions.
- Update off-road motorcycle noise standards on the CA side of the Region to be consistent with state regulations.
- Marinas and boat launching facilities and off-highway recreation areas, shall post conspicuous notices of the noise ordinances and the impacts of noise.
- New buoys are prohibited in Shoreline areas out of attainment with CNEL standards based on TRPA's monitoring protocols.
- The increase in buoy density at build-out shall be maintained at levels that ensure CNEL levels are maintained 1dB below standards based on TRPA's monitoring protocols.
- A noise analysis shall be completed when structures are expected to increase the number of boats on the lake by 5 or greater.

Alternative 2

Summary

The proposed changes to the Noise Program include development and incorporation of a vision statement, new goals and policies that work toward achievement of the desired conditions and new implementation strategies to reduce noise impacts and achieve and maintain Threshold standards. These changes would be incorporated within the Noise section of the Goals and Policies and the Code of Ordinances and represent input received from the Pathway process, including the Noise Technical Working Group, members of the Pathway Forum, and the general public.

Goals and Policies

The proposed Goals and Policies for the Noise program are designed to be broad in nature, allowing maximum flexibility as conditions change, and are the same across all three action Alternatives. The primary difference between the Alternatives is the implementation strategies which determine the pace of improvements and the methods by which they would be achieved.

The emphasis of the proposed Goals and Policies is on accelerated achievement of Noise Thresholds and developing a program to protect wildlife from harmful noise levels. A new noise vision statement and four new or amended goals are being proposed.

The policies proposed under the action alternatives are designed to improve the Noise

Program, establish a noise mitigation fund, designate all areas in the Region except those classified by TRPA with a CNEL standard of 60 decibels (dBA) or higher as noise-sensitive areas to preserve serenity and quiet, and prioritize funding and implementation of non-motorized transportation as a means of reducing noise.

The two existing goals regarding single event and community noise levels would be strengthened. These amended goals would ensure that single event and community noise levels are controlled to preserve the serenity of the community and neighborhoods and provide abundant quiet recreation areas. These proposed changes were directly influenced by the Pathway efforts and the public's input.

The following new policies are proposed to support the amended goal for single event noise levels:

- Adopt and implement programs, and regulations to control single event noise levels and preserve serenity at the earliest practicable date.
- Adopt and implement the most stringent federal, state, and local noise standards Region-wide for the protection of human and ecosystem health and community serenity.
- Routinely monitor and enforce noise standards for the preservation of community serenity.
- Allow the use of vehicles and equipment only on specified roads, trails, or areas where the impacts are mitigated.
- Restrict off-highway vehicles, motorcycles, and over-the-snow vehicles in close proximity to residential or other sensitive areas.

The following policies are proposed to support the amended goal for community noise levels:

- Adopt and implement programs, and regulations to meet community noise standards and preserve serenity at the earliest practicable date.
- Restrict or control uses or events to those that comply with noise standards and do not cause adverse environmental effects..
- Implement a noise mitigation fund.
- Require sound proofing or control as appropriate for projects, uses, or structures with the potential to cause an exceedance of noise standards or adversely impact the surrounding areas or persons enjoying quiet recreational activities.
- Reduce noise levels within the transportation corridors at the earliest practicable date to avoid adverse noise effects on adjacent areas.
- Prioritize funding and implementation for non-motorized transportation methods.
- Reduce the transmission of noise to and from transportation corridors using site design requirements, which may include setbacks, earthen berms, barriers, low noise pavement, vehicle trip reductions, or other appropriate measures for both private and public projects and programs.

The third proposed goal in the Noise Subelement is new. It would ensure that noise levels are controlled to protect wildlife. The following new policies are proposed in support of this new goal:

- Coordinate and collaborate with the applicable enforcement agencies and local jurisdictions to develop and enforce policies, programs, and regulations that control noise levels to protect wildlife.
- Adopt and implement noise programs, standards, monitoring requirements, and

enforcement programs for the protection of wildlife.

The fourth proposed goal is also new. It would ensure that transportation programs and activities are controlled to maintain Threshold and other jurisdictional noise standards.

The following new policies are proposed in support of this new goal:

- The Regional Transportation Plan will incorporate measures to ensure attainment and maintenance of noise standards and preservation of the community's serenity at the earliest practicable date.
- Prioritize funding and implementation of non-motorized transportation methods over motorized sources.
- Implement noise mitigation fees for projects that cannot directly mitigate their noise impacts. (*Note: direct mitigation will continue to be the preferred method.*)

Implementation Measures

Alternative 2 would include the following measures within Code Chapter 23 :

- Adopt the most stringent federal, state, and local noise standards and implementation practices Region-wide.
- Incorporate into the Regional Transportation Plan measures to attain and maintain noise standards within its projects and programs.
- Prohibit off-highway vehicles, off-road motorcycles, and over-the-snow vehicles from operating within 1,000' of residences and other sensitive areas or users.
- Implement noise mitigation fees for projects that cannot directly mitigate their noise impacts.
- Require the use of low-noise pavement on all major transportation routes and in areas that are in non-attainment with CNEL standards at time of roadway projects (including resurfacing).
- Prohibit the use of all vehicles and equipment that do not meet noise standards.
- Require local jurisdictions to enforce noise standards.

Alternative 3

Summary

Though Alternative 3 is characterized as generally maintaining the current system of regulation in the Basin, its goals, policies, and implementation measures are proposed to be updated within the Noise Subelement. This is in response to the fact that Thresholds for noise are currently out of attainment. In order to accelerate the pace of Threshold attainment, the existing set of regulations must be strengthened and amended. As stated above, the proposed goals and policies would be the same across the action alternatives; the difference between Alternative 3 and the other alternatives would be expressed in the implementation measures.

Goals and Policies

The goals and policies in Alternative 3 would be the same as those proposed for Alternative 2.

Implementation Measures

Alternative 3 would include existing implementation measures in addition to the following implementation measures within Chapter 23 of the Code:

- Adopt two separate sets of noise standards and implementation programs, one for California and one for Nevada.
- Develop a noise mitigation fund to assist in implementation of noise control measures and strategies.
- Implement a noise education and signage program to help reduce noise.
- Implement an Internet-based noise data tracking and analysis program.

Alternative 4

Summary

Alternative 4 would focus on additional regulatory requirements as tools to achieve Noise Thresholds.

Goals and Policies

The goals and policies included in Alternative 4 would be the same as those proposed for Alternative 2.

Implementation Measures

Implementation measures for Alternative 4 would include the measures bulleted below in addition to those proposed under Alternative 2.

- Resurface all roadways in noise non-attainment areas with low noise pavement by 2025.
- Require noise containment measures such as sound proofing and enclosures for generators and other loud sources.
- Require noise testing of watercraft as part of the Watercraft Inspection Program.
- Prohibit projects with the potential to increase vehicle trips by more than 20 trips per day within any noise non-attainment area.
- Require local jurisdictions with police powers to have a noise monitoring and enforcement program in place. The program would require the jurisdictions to actively enforce noise standards, especially for excessive vehicle noise and events that have the potential to exceed noise standards.
- Establish a system to automatically fine the Airport for aircraft noise above allowable standards. The fines would be deposited in a noise mitigation fund, which could be used to retrofit homes impacted by excess airport noise.
- Prohibit motorized travel in areas designated as significant wildlife habitat.