
4.24.2 Health Effects of Noise (CEQA)

By way of background, Section 4.24.2, *Health Effects of Noise (CEQA)*, of the Draft EIS/EIR, provided an evaluation of the health effects of single event noise, cumulative noise exposure in terms of Community Noise Equivalent Level (CNEL), and employee exposure for the No Action/No Project Alternative and Alternatives A, B, and C. The Draft EIS/EIR indicated that, with the exception of Occupational Safety and Health Administration (OSHA) standards that address, and protect against, very high noise levels severe enough to result in hearing loss, there are no quantitative thresholds that define a significant impact relative to health effects of noise. In the absence of clear regulatory or scientific determination for establishing such a threshold, subsection 4.24.2.4.1, *CEQA Thresholds of Significance*, of the Draft EIS/EIR used the FAA 65 CNEL noise level guidelines for residences near LAX to determine significance. The fact that CNEL includes disproportionate weight (i.e., a "penalty") for nighttime noise was considered in the Draft EIS/EIR as a basis for recognizing the increased sensitivity to high noise levels at night, as may result in nighttime awakening. Based on this threshold, the impacts analysis presented in the Draft EIS/EIR identified for each alternative, the number of people and residences anticipated to fall within the 65 CNEL contour at LAX in 2005 and 2015.

Subsequent to the publication of the Draft EIS/EIR, the California Court of Appeal found that, for purposes of CEQA, an evaluation of the effects of single event aircraft noise levels would be required of the Oakland Board of Port Commissioners in its development of a nighttime air cargo facility at Oakland International Airport.⁸⁴⁷ In that case, the Court of Appeal ruled that, to provide a more accurate and complete picture of a project's noise impacts and to provide more comprehensive mitigation, a single event noise analysis must supplement an EIR's cumulative (i.e., CNEL) noise analysis, including use of appropriate thresholds of significance and mitigation of significant events. The Court of Appeal did not, however, define those thresholds or set forth the means for determining the thresholds.

Based on: (1) the Court of Appeal ruling that the significance of single event noise be addressed within the context of an EIR, and (2) careful review of numerous studies and research related to the issue, LAWA developed thresholds of significance to be used in the CEQA analysis of the four build alternatives for the LAX Master Plan (Alternatives A, B, C, and D). The development and application of those significance thresholds relative to the four build alternatives were presented in Section 4.1, *Noise*, of the Supplement to the Draft EIS/EIR.

Within the Supplement to the Draft EIS/EIR, Section 4.1, *Noise*, provided a detailed quantitative analysis of single event noise effects specific to nighttime awakening and specific to school disruption for all four build alternatives, based on the aforementioned thresholds of significance developed by LAWA. The analysis of the health effects of noise presented in Section 4.24.2, *Health Effects of Noise (CEQA)*, of the Draft EIS/EIR was, therefore, superseded by the information and analysis presented in Section 4.1, *Noise*, of the Supplement to the Draft EIS/EIR. So as to not needlessly duplicate that new information and analysis, or present it out of the context of the overall noise analysis, the Supplement to the Draft EIS/EIR considered Section 4.1, *Noise*, of the Supplement to the Draft EIS/EIR to fully address the issue of health effects of noise for the four build alternatives. Similarly, this Final EIS/EIR considers the health effects of noise to be fully addressed in Section 4.1, *Noise*, of this Final EIS/EIR, and no additional analysis or discussion is provided in Section 4.24.2, *Health Effects of Noise (CEQA)*, of this Final EIS/EIR.⁸⁴⁸

⁸⁴⁷ Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners (2001) 91 Cal.App.4th 1344.

⁸⁴⁸ Although Section 4.24.2, *Health Effects of Noise (CEQA)*, of the Draft EIS/EIR also included discussion of LAWA and LAX tenant employees being potentially exposed to high noise levels, such exposure is regulated and addressed by OSHA and CalOHSAs under any scenario including the No Action/No Project Alternative and all four build alternatives. As such, to provide solely within Section 4.24.2 of this Final EIS/EIR an analysis of employee exposure to high noise levels under Alternative D would provide no new information or meaningful basis for comparison to the other alternatives.

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