A. INTRODUCTION

The proposed project is expected to change traffic volumes slightly in the general vicinity of the Nation's properties subject to this fee-to-trust application. Since traffic on adjacent roadways is the main source of ambient noise, changes to traffic patterns or volumes could lead to changes in the ambient noise level.

In order to identify any potential impacts, a screening level analysis was performed at locations where the proposed project would have the potential to increase traffic volumes and therefore increase noise levels.

The screening analysis determined that the proposed project would not have the potential to result in any significant noise increases.

As discussed in the Project Description, the Montezuma parcel has been withdrawn from the fee-to-trust application and is therefore no longer part of the Proposed Action or alternatives. Therefore, any analysis of the Montezuma parcel that was included in the DEIS has been removed from this FEIS. Since the publication of the DEIS, the background conditions of the Project Area have not changed to any degree that would substantively affect the analyses or the conclusions drawn thereon. The Nation continues to utilize its properties in the manner described in the DEIS. Furthermore, there have been no substantive environmental or socioeconomic changes in the vicinity of the Project Site that warrant further analysis of the existing conditions, or future with or without the Proposed Action.

B. NOISE FUNDAMENTALS

Quantitative information on the effects of airborne noise on people is well documented. If sufficiently loud, noise may adversely affect people in several ways. For example, noise may interfere with human activities, such as sleep, speech communication, and tasks requiring concentration or coordination. It may also cause annoyance, hearing damage, and other physiological problems. Although it is possible to study these effects on people on an average or statistical basis, it must be remembered that all the stated effects of noise on people vary greatly with the individual. Several noise scales and rating methods are used to quantify the effects of noise on people. These scales and methods consider such factors as loudness, duration, time of occurrence, and changes in noise level with time.

"A"-WEIGHTED SOUND LEVEL (dBA)

Noise is typically measured in units called decibels (dB), which are ten times the logarithm of the ratio of the sound pressure squared to a standard reference pressure squared. Because loudness is important in the assessment of the effects of noise on people, the dependence of loudness on frequency must be taken into account in the noise scale used in environmental assessments. Frequency is the rate at which sound pressures fluctuate in a cycle over a given

quantity of time, and is measured in Hertz (Hz), where 1 Hz equals 1 cycle per second. Frequency defines sound in terms of pitch components. In the measurement system, one of the simplified scales that accounts for the dependence of perceived loudness on frequency is the use of a weighting network—known as A-weighting—that simulates the response of the human ear. For most noise assessments the A-weighted sound pressure level in units of dBA is used due to its widespread recognition and its close correlation to perception. In this analysis, all measured noise levels are reported in dBA or A-weighted decibels. Common noise levels in dBA are shown in Table 3.5-1.

Table 3.5-1
Common Noise Levels

Sound Source	(dBA)
Military jet, air raid siren	130
Amplified rock music	110
Jet takeoff at 500 meters	100
Freight train at 30 meters	95
Train horn at 30 meters	90
Heavy truck at 15 meters	
Busy city street, loud shout	80
Busy traffic intersection	
Highway traffic at 15 meters, train	70
Predominantly industrial area	60
Light car traffic at 15 meters, city or commercial areas or residential areas close to industry	
Background noise in an office	50
Suburban areas with medium density transportation	
Public library	40
Soft whisper at 5 meters	30
Threshold of hearing	0

Note: A 10 dBA increase in level appears to double the loudness, and a 10 dBA decrease halves the apparent loudness.

Source: Cowan, James P. Handbook of Environmental Acoustics. Van Nostrand Reinhold, New York, 1994. Egan, M. David, Architectural Acoustics. McGraw-Hill Book Company, 1988.

COMMUNITY RESPONSE TO CHANGES IN NOISE LEVELS

The average ability of an individual to perceive changes in noise levels is well documented (see Table 3.5-2). Generally, changes in noise levels less than 3 dBA are barely perceptible to most listeners, whereas 10 dBA changes are normally perceived as doublings (or halvings) of noise

levels. These guidelines permit direct estimation of an individual's probable perception of changes in noise levels.

Table 3.5-2
Average Ability to Perceive Changes in Noise Levels

Change (dBA)	Human Perception of Sound
2-3	Barely perceptible
5	Readily noticeable
10	A doubling or halving of the loudness of sound
20	A dramatic change
40	Difference between a faintly audible sound and a very loud sound
Source:	Bolt Beranek and Neuman, Inc., *Fundamentals and Abatement of Highway Traffic Noise*, Report No. PB-222-703. Prepared for Federal Highway Administration, June 1973.

It is also possible to characterize the effects of noise on people by studying the aggregate response of people in communities. The rating method used for this purpose is based on a statistical analysis of the fluctuations in noise levels in a community, and integrates the fluctuating sound energy over a known period of time, most typically during 1 hour or 24 hours. Various government and research institutions have proposed criteria that attempt to relate changes in noise levels to community response. One commonly applied criterion for estimating this response is incorporated into the community response scale proposed by the International Standards Organization (ISO) of the United Nations (see Table 3.5-3). This scale relates changes in noise level to the degree of community response and permits direct estimation of the probable response of a community to a predicted change in noise level.

Table 3.5-3
Community Response to Increases in Noise Levels

Change (dBA)	Category	Description
0	None	No observed reaction
5	Little	Sporadic complaints
10	Medium	Widespread complaints
15	Strong	Threats of community action
20	Very strong	Vigorous community action
Source:	International Standards Organization, Noise Assessment with Respect to Community Responses, ISO/TC 43 (New York: United Nations, November 1969).	

NOISE DESCRIPTORS USED IN IMPACT ASSESSMENT

Because the sound pressure level unit, dBA, describes a noise level at just one moment, and very few noises are constant, other ways of describing noise over extended periods have been developed. One way of describing fluctuating sound is to describe the fluctuating noise heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level," L_{eq}, can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by $L_{eq(1)}$, or 24 hours,

denoted as $L_{eq(24)}$), conveys the same sound-energy as the actual time-varying sound. Statistical sound level descriptors such as L_1, L_{10}, L_{50}, L_{90}, and L_x, are sometimes used to indicate noise levels that are exceeded 1, 10, 50, 90 and x percent of the time, respectively. Discrete event peak levels are given as L_1 levels. L_{eq} is used in the prediction of future noise levels, by adding the contributions from new sources of noise (i.e., increases in traffic volumes) to the existing levels and in relating annoyance to increases in noise levels.

The relationship between L_{eq} and levels of exceedance is worth noting. Because L_{eq} is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates very little, L_{eq} will approximate L_{50} or the median level. If the noise fluctuates broadly, the L_{eq} will be approximately equal to the L_{10} value. If extreme fluctuations are present, the L_{eq} will exceed L_{90} or the background level by 10 or more decibels. Thus the relationship between L_{eq} and the levels of exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the L_{eq} is generally between L_{10} and L_{50}. The relationship between L_{eq} and exceedance levels has been used in this analysis to characterize the noise sources and to determine the nature and extent of their impact at all receptor locations.

For the purposes of this analysis, the maximum 1-hour equivalent sound level ($L_{eq(1)}$) has been selected as the noise descriptor to be used in the noise impact evaluation.

C. NOISE PREDICTION METHODOLOGY

PROPORTIONAL MODELING

Proportional modeling was used to determine locations which had the potential for having significant noise impacts and to quantify the magnitude of those potential impacts.

Using this technique, the prediction of future noise levels, where traffic is the dominant noise source, is based on a calculation using measured existing noise levels and predicted changes in traffic volumes to determine No Build and Build levels. Vehicular traffic volumes are converted into Passenger Car Equivalent (PCE) values, for which one medium-duty truck (having a gross weight between 9,900 and 26,400 pounds) is assumed to generate the noise equivalent of 13 cars, and one heavy-duty truck (having a gross weight of more than 26,400 pounds) is assumed to generate the noise equivalent of 47 cars, and one bus (vehicles designed to carry more than nine passengers) is assumed to generate the noise equivalent of 18 cars. Future noise levels are calculated using the following equation:

F NL - E NL = 10 * $\log_{10}$ (F PCE / E PCE)

where:

    F NL = Future Noise Level

    E NL = Existing Noise Level

    F PCE = Future PCEs

    E PCE = Existing PCEs

Sound levels are measured in decibels and therefore increase logarithmically with sound source strength. In this case, the sound source is traffic volumes measured in PCEs. For example, assume that traffic is the dominant noise source at a particular location. If the existing traffic volume on a street is 100 PCE and if the future traffic volume were increased by 50 PCE to a

total of 150 PCE, the noise level would increase by 1.8 dBA. Similarly, if the future traffic were increased by 100 PCE, or doubled to a total of 200 PCE, the noise level would increase by 3.0 dBA.

Analyses were conducted for two time periods: a Friday PM and a Saturday midday (MD) peak hour. These time periods are the hours when the maximum traffic generation is expected and, therefore, the hours when the Build conditions are most likely to result in maximum noise impacts.

APPLICABLE NOISE CODES AND IMPACT CRITERIA

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The New York State Department of Environmental Conservation (DEC) published a guidance document titled *Assessing and Mitigating Noise Impacts* (October 6, 2000).[1] This guidance document is used for noise analyses conducted in New York State in compliance with the New York State Environmental Quality Review Act (SEQRA), Part 617 of the implementing regulations pertaining to Article 8 of the New York Environmental Conservation Law. In the absence of specific federal guidance and to reflect local New York State practice, this analysis reflects the DEC guidance.

The DEC guidance document states that increases from 0-3 dBA should have no appreciable effect on receptors, increases of 3-6 dBA may have the potential for adverse impact only in cases where the most sensitive of receptors are present, and increases of more than 6 dBA may require a closer analysis of impact potential depending on existing noise levels and the character of surrounding land use and receptors. It goes on to say that in terms of threshold values, the addition of any noise source, in a non-industrial setting, should not raise the ambient noise level above a maximum of 65 dBA, and ambient noise levels in industrial or commercial areas may exceed 65 dBA with a high end of approximately 79 dBA. Projects which exceed these guidance levels should explore the feasibility of implementing mitigation.

D. EXISTING CONDITIONS

STUDY AREA

The study area for this analysis consisted of the area around NYS Route 90 between NYS Route 326 and McDonald Point in Union Springs, NY and the area around NYS Route 89 between Jackson Road and Garden Street in Seneca Falls, NY. These two areas, where the Nation has its commercial properties, are the most likely to see an increase in potential noise.

SELECTION OF NOISE RECEPTOR LOCATIONS

Three noise receptor locations were chosen within the study area. Site 1 is located on NYS Route 89 between Jackson Road and Garden Street. Site 2 is located on NYS Route 90 between NYS Route 326 and Old Route 326. Site 3 is located on NYS Route 90 between Old Route 326 and McDonald's Point Road. These sites were chosen because they represent nearby noise-sensitive land uses, which would primarily be residential uses.

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[1] Available at http://www.dec.ny.gov/docs/permits_ej_operations_pdf/noise2000.pdf.

NOISE MONITORING

At each receptor site existing noise levels were determined by field measurements for both of the noise analysis time periods. Noise monitoring was performed during September 2008. At Sites 1-3, 20-minute spot measurements were taken during the time periods that reflect peak hours of trip generation: Friday PM Peak Hour (4:00 to 5:00 PM) and Saturday Midday Peak Hour (12:00 AM to 1:00 PM).

It should be noted that monitoring noise levels resulting from traffic under similar conditions as those on the date of the environmental baseline (e.g., the date of the fee-to-trust application) was not possible due to the suspension of gaming operations following that date. Resuming gaming operations would be expected to resume previous vehicular noise conditions, similar to those when gaming was operational. It is possible that current ambient noise levels may be lower during some time periods and locations than the environmental baseline, especially considering the potential reduction of roadway use due to the slight population decline in Cayuga County.

EQUIPMENT USED DURING NOISE MONITORING

The instrumentation used for the measurements was a Brüel & Kjær Type 4189 ½-inch microphone connected to a Brüel & Kjær Model 2260 Type 1 (according to ANSI Standard S1.4-1983) sound level meter. This assembly was mounted at a height of 5 feet above the ground surface on a tripod and at least 6 feet away from any large sound-reflecting surface to avoid major interference with sound propagation. The meter was calibrated before and after readings with a Brüel & Kjær Type 4231 sound-level calibrator using the appropriate adaptor. Measurements at each location were made on the A-scale (dBA). The data were digitally recorded by the sound level meter and displayed at the end of the measurement period in units of dBA. Measured quantities included L_{eq}, L_1, L_{10}, L_{50}, and L_{90}. A windscreen was used during all sound measurements except for calibration. Only traffic related noise was measured; noise from other sources (e.g. emergency sirens, aircraft flyovers, etc.) was excluded from the measured noise levels. Weather conditions were noted to ensure a true reading as followed: wind speed under 12 mph; relative humidity under 90 percent; and temperature above 14^oF and below 122^oF. All measurement procedures conformed to the requirements of ANSI Standard S1.13-1971 (R2005).

EXISTING NOISE LEVELS AT NOISE RECEPTOR LOCATIONS

MEASURED NOISE LEVELS

Noise monitoring results for the three receptor locations are summarized in Table 3.5-4. Traffic was the dominant noise source at all three sites, and the values shown reflect the level of vehicular activity on the adjacent streets.

Table 3.5-4
Existing Noise Levels (dBA)

Site	Measurement Location	Time		L_{eq}	L_1	L_{10}	L_{50}	L_{90}
1	Route 89 between Jackson Road and Garden Street	Fri	PM	70.2	80.0	75.2	61.7	45.6
		Sat	MD	71.0	80.3	75.6	64.1	50.9
2	Route 90 between Route 326 and Old Route 326	Fri	PM	69.0	79.3	72.2	64.6	55.5
		Sat	MD	68.1	79.0	71.4	62.4	52.6
3	Route 90 between Old Route 326 and McDonald's Point Road	Fri	PM	68.4	77.2	73.0	62.8	48.2
		Sat	MD	67.7	76.9	72.5	60.4	46.3
Notes:	Field measurements were performed by AKRF, Inc. in September, 2008 (see Appendix F of the DEIS).							