EXHIBIT B
TO 2020 EXTRAORDINARY PETITION OF KIC FOR AFFIRMATION OF 2019 VARIANCE
BEFORE THE BOARD OF
PUBLIC HEALTH AND ENVIRONMENT
CITY AND COUNTY OF DENVER

ORDER OF THE BOARD OF PUBLIC HEALTH AND ENVIRONMENT

IN THE MATTER OF:

Extraordinary Petition of Kiewit Infrastructure Company for Affirmation of Variance to the City and County of Denver’s Noise Ordinance, Denver Revised Municipal Code Chapter 36, Docket No. BPHE 19-41

On June 10, 2019, Kiewit Infrastructure Co. ("Petitioner"), filed an Extraordinary Petition for Affirmation of Variance ("Petition") with the Board of Public Health and Environment for the City and County of Denver ("Board") seeking affirmation and revisions to its existing variance granted by the Board on September 6, 2018.

On July 26, 2019, the Department of Public Health & Environment ("Department") filed its Findings and Recommendations, wherein the Department recommended that the Board approve the Petition with certain conditions.

The Board finds that Petitioner has met its burden of proof pursuant to section 3.10 of the Rules and Regulations Governing Hearings Before the Board of Environmental Health, dated March 14, 2014 and, as such, hereby affirms and approves the Petition with the following conditions:

1. Petitioner shall comply with all conditions outlined in the Department’s Findings and Recommendations, dated July 26, 2019 (Attachment 1), except for the duration condition;

2. The conditions outlined in the Department’s Findings and Recommendations, dated July 26, 2019, shall replace the prior conditions imposed by this Board that were in the Department’s Findings and Recommendations, dated August 28, 2018; and

3. The duration of the variance shall extend until no later than September 6, 2020.

James A. Rada
Chair, Board of Public Health and Environment
CERTIFICATE OF MAILING

The undersigned states and certifies that on this 19th day of August 2019, one true copy of the foregoing Order of the Board of Public Health & Environment was deposited in the mails of the U.S. Postal Service, first-class postage prepaid, addressed to the following:

Hubert A. Farbes and Justin Cohen
c/o Brownstein Hyatt Farber Schreck
410 17th Street Suite 2200
Denver, CO 80202

Diana Altermatt | Secretary to the Board
Board of Public Health & Environment
101 W Colfax Ave. Suite 800
Denver, CO 80202
720.865.5362 phone
To: Board of Public Health & Environment

From: Denver Department of Public Health & Environment, Division of Public Health Investigations

Date: July 26, 2019

Re: Petition for Variance Request – BEH Docket No. 19-41
Kiewit Infrastructure Co. – Central 70 Project
Findings and Recommendations of the Department of Public Health & Environment

INTRODUCTION

Kiewit Infrastructure Co. (Applicant) has submitted an amended request for a variance to the City and County of Denver’s Noise Ordinance, Denver Revised Municipal Code (“D.R.M.C.”), Chapter 36 for the purpose of construction of the Central 70 Project. The majority of this project is within the City & County of Denver.

The overall scope of this project is to reconstruct a 10-mile stretch of I-70 between I-25 and Chambers Road, add one new express lane in each direction, remove the aging 55-year old viaduct, lower the interstate between Brighton and Colorado Boulevards, and place a 4-acre park over a portion of the lowered interstate.

Nighttime work will consist of viaduct and bridge demolition/reconstruction operations and roadway demolition/reconstruction operations. More specifically the following nighttime activities will take place on this project:

- Maintenance of Traffic (MOT) Lane Closures - Corridor Wide
- MOT Concrete Barrier Set/Remove - Corridor Wide
- MOT Temp Paving Detours – Corridor Wide
- Asphalt Paving – Corridor Wide
- Excavation/Embankment – Corridor Wide
- Mechanically Stabilized Earth (MSE) Walls – Center Section (Colorado to Quebec)
- Surface Removals – Corridor Wide
- Drilled Shafts – Corridor Wide
- Cast in Place (CIP) Walls – Corridor Wide
- Drainage/Utility Tie Ins – Corridor Wide
- Bridge Work – Girder Set
- Bridge Work – Deck Pour
- Bridge Work – Form/Pour/Strip
- Bridge Demolition
The project corridor is located adjacent to single family residential properties and multifamily residential properties with industrial and commercial properties throughout the corridor. The majority of residential properties are located west of Colorado Boulevard.

The project will require an additional 40 months (approximately) to complete. The time frame accounts for potential schedule delays and other changes to the schedule that may occur. Night work is currently underway pursuant to the existing variance granted on September 6, 2018. Night work is planned to continue pending approval of this variance request or expiration of the existing variance.

D.R.M.C. § 36-7(5)(a) states that no person shall operate any construction equipment, nor conduct any construction activities, between the hours of 9:00 p.m. and 7:00 a.m. Monday – Friday, and 5:00 p.m. and 8:00 a.m. Saturday – Sunday, which exceed the noise limits set forth in Table A.

Table A lists the allowable noise levels as 50 dB(A) in residential areas from 10:00 p.m. to 7:00 a.m., and 55 dB(A) in residential areas from 7:00 a.m. to 10:00 p.m. When background sound levels at the receiving premises equal or exceed the allowable levels specified in Table A, then the background sound levels become the standard. D.R.M.C. § 36-6(a)(2).

An exemption for construction noise during daytime is provided in D.R.M.C. § 36-6(b)(7), and the Board of Public Health & Environment (the “Board”) may grant a variance from construction restrictions pursuant to D.R.M.C. § 36-7(5)(c).

The Board may grant a variance if it can be demonstrated that a construction project will interfere with traffic or jeopardize public safety if it is completed during the day. Additionally, the Applicant has the burden to show, by clear and convincing evidence that: 1) the Applicant will suffer undue hardship if the variance is not granted; 2) A variance, if granted, would not adversely affect public health; and 3) the variance, if granted, would be in harmony with the spirit and purpose of the ordinance, rule, or regulation being appealed.

**RECOMMENDATION**

The Denver Department of Public Health & Environment (“DDPHE”) recommends that a noise variance for nighttime construction be approved with the conditions enumerated below.

In making this recommendation, DDPHE took into consideration the following information:

- reported public health effects of differing noise levels and durations from construction equipment;
- the schedule necessary for the Applicant to minimize public inconvenience due to traffic congestion and/or closure of major roadways;
- public safety considerations;
- the proximity of the project to residential and noise sensitive populations;
- existing and proposed noise mitigation measures;
existing background noise levels and potential public health benefits resulting from overall noise reduction upon project completion;

• the 2014 GES Health Impact Assessment;

• comments from community members, including those received during community meetings, by telephone, email, and other forms of communication;

• opportunities for public participation, community outreach efforts, and notification plans;

• the Applicant’s burden of proof when requesting a variance; and

• potential impacts of not granting the variance request, such as:

  o according to the Applicant, if nighttime work is not allowed to continue, the overall length of the project will likely more than double, along with associated costs and other impacts;

  o a longer project duration will increase the exposure to elevated air quality issues, dust, and carbon dioxide during high-traffic daytime hours;

  o a longer project duration increases the exposure to traffic-related issues because traffic detours are not affected by the grant or denial of a variance. Issues associated with traffic detours include speeding and running stop signs;

  o a longer project duration will also increase traffic volume during daytime hours along with associated issues such as air quality/idling vehicles, speeding, and running stop signs;

  o a longer project duration may impact emergency services during daytime hours due to high traffic volumes which may create longer response times for ambulances, fire and police; and

  o a longer project duration will create negative impacts to local businesses in the surrounding area due to a decrease in accessibility for customers, product deliveries, and shipments.

DDPHE has attempted to balance the need to conduct maintenance and construction work on aging infrastructure with the potential public health benefits of an overall reduction in noise affecting the surrounding neighborhoods. While a project of this scope will undoubtedly have impacts on the community, the conditions below provide options for affected households to minimize the negative impact of nighttime noise. Based on the information submitted by the Applicant, DDPHE recommends that the Board approve a variance request for nighttime noise, contingent upon the following conditions:

1) **Duration:** This variance shall extend through March 6, 2021.

2) **Allowable Noise Levels:** Construction Activity noise levels shall not exceed an hourly Leq of 75 dB(A) or an Lmax of 86 dB(A) during the hours of 9:00 p.m. to 7:00 a.m. Monday through Friday, and 5:00 p.m. to 8:00 a.m. Saturday and Sunday (Nighttime Hours) unless accommodations described in Condition 4 are provided and all other conditions below are
met. Construction Activities during Nighttime Hours shall be subject to all of the conditions below.

3) **Construction Activities:**

a) For Construction Activity creating noise exposure to Residential Properties, noise activity predicted to exceed allowable noise levels described in Condition 2 may occur so long as all conditions below, including the Eligibility Zone requirements per Condition 4, are met. However, noise levels within any part of the same Eligibility Zone with any of the same Residential Property receptors may not exceed the allowable levels described in Condition 2 for more than three consecutive nights. Every seven-day period shall include a minimum of four consecutive nights where noise from Construction Activity within any part of the same Eligibility Zone with any of the same Residential Property receptors is at or below Background Noise Levels (L90) or 50 db(A) (whichever is greater). Applicant shall exercise its reasonable best efforts to complete Construction Activity at any one location within an Eligibility Zone in five aggregate nights.

b) For all Construction Activity creating noise exposure to Residential Properties, every seven-day period shall include a minimum of two consecutive nights where noise at any of the same Residential Property receptors from Construction Activity is at or below Background Noise Levels (L90) or 50 db(A) (whichever is greater).

c) During Construction Activities in an Eligibility Zone, the Applicant shall conduct noise monitoring as described in Condition 7(e)(1) to verify the sound modeling and/or study results. If noise complaints are received from Residential Properties outside of the Eligibility Zone, the Applicant must conduct noise monitoring to determine if the Leq or the Lmax at the complainant’s location exceeds the allowable noise levels described in Condition 2. If the Leq or the Lmax at the complainant’s location exceeds the allowable noise levels described in Condition 2, a designated field representative shall shut down Construction Activity at the location creating the excess noise, authorize correction or remediation of sources of excess noise, and authorize resumption of Construction Activity as necessary to maintain compliance with allowable noise levels (as per Condition 8(a) below). The Applicant may expand the Eligibility Zone during the following seven-day period after providing all applicable notices and receiving DDPHE approval.

4) **Nighttime noise mitigation within Eligibility Zones:**

a) Hotel accommodations for residents: The Applicant shall make hotel accommodations available for persons, and persons with pets, residing within Eligibility Zones where the noise levels from Construction Activity during Nighttime Hours are predicted to exceed the allowable noise levels described in Condition 2. Furthermore, the Applicant shall provide meal per diems and/or food vouchers and transportation to and from hotel accommodations if persons residing within Eligibility Zones do not have means of transportation of their own. Hotel
accommodations, meal per diems and/or food vouchers, and transportation for persons residing within Eligibility Zones shall all be provided and documented in a manner and form mutually agreed upon in advance by the Applicant and DDPHE.

b) Redress for Facilities. The Applicant shall address adverse impacts to Facilities caused by noise exceeding allowable noise levels described in Condition 2 through one or more of the following methods: (1) maintaining noise levels at or below Background Noise Levels (L90) or 50 db(A) (whichever is greater) between the hours of 10 p.m. and 7 a.m. as measured at the affected Facility’s property line; (2) providing compensation for lost profits due to reduced patronage or increased costs from the excess noise; and/or (3) reaching agreement with the adversely impacted Facility to provide alternative redress.

5) **Notifications:** The Applicant shall notify the following people not less than seven days prior to the commencement of Construction Activity:

   a) Individual households and property owners located within a one-half mile radius of the expected Construction Activity;

   b) Representatives of each Registered Neighborhood Organization (RNOs) (see Appendix B) and city council representative whose boundaries or district overlaps the one-half mile radius of the expected Construction Activity;

   c) Representatives of community organizations and any school within a half-mile radius of the expected Construction Activity; and

   d) DDPHE.

Notice shall be in writing and/or by direct personal contact from the Applicant’s representative. Notice, verbal and written, shall be communicated in both English and Spanish. Notice shall include the expected start time, expected duration, character of work activity planned, names and telephone numbers of available contact persons, contact numbers for complaints, any other relevant parameters or programs, and a disclosure that DDPHE regulates noise in Denver accompanied by contact information for the Public Health Inspections Division.

The Applicant shall provide notice to individual households within any Eligibility Zone regarding their eligibility for hotel vouchers, meals per diem and/or food vouchers, and transportation. Eligibility Zone notice shall be provided no less than seven days prior to commencement of Construction Activity during Nighttime Hours when noise levels are expected to exceed those described in Condition 2. Eligibility Zone notice shall be in writing and/or by direct personal contact from the Applicant’s representative. Eligibility Zone notice, verbal and written, shall be communicated in both English and Spanish.

6) **Mitigation Requirements/Activity Restraints:** When Construction Activity is conducted during Nighttime Hours and such Construction Activity emits noise levels that exceed the applicable background noise levels or 50 db(A) (whichever is greater) at Residential Properties, then, where reasonable, these Construction Activities shall occur behind either an existing sound barrier wall, a Temporary Sound Barrier (“TSB”), or a new permanent
sound barrier wall (constructed in accordance with Central 70 Project requirements). No such barrier wall or TSB is required if Construction Activity occurs 15 feet below the top of a Project roadway cut, or where an earthen berm greater than 10 feet in elevation exists. Except for reasonably limited periods when the TSB is being relocated to the next appropriate location along the corridor, Applicant will employ the TSB during the term of this variance to optimize the mitigation of Construction Activity in areas with Residential Properties and Facilities.

The Applicant shall also utilize best management practices (BMPs) to mitigate construction noise impacts to adjacent property owners. BMPs include the following:

a) Using reasonable best efforts to complete the construction as quickly as possible.

b) Minimizing nighttime construction duration near areas with Residential Properties and Facilities whenever possible.

c) Quiet-use generators and light-plants shall be utilized for nighttime construction activities.

d) Re-routing of truck traffic away from residential streets when possible.

e) The use of compression release engine brakes (Jake brakes) on any vehicles and any equipment will not be allowed in the City County of Denver.

f) Conducting truck loading, unloading, and hauling operations so that noise levels are kept to a minimum, such as, but not limited to, eliminating slamming of truck beds, truck tailgates, and equipment buckets.

g) Idle equipment motors down when the equipment is not in immediate use.

h) Configuring equipment on the site to minimize back-up alarm noise, where practical and feasible (for example, by using circular movement of trucks).

i) Shielding equipment, such as but not limited to jackhammers, saws and pavement breakers, through use of an existing sound barrier wall or a temporary barrier where practicable.

j) Maintaining all equipment to meet manufacturer’s specifications.

k) Additional equipment noise mitigation techniques or materials (for example, lining doors of heavy equipment engine compartments and installing engine and compressor mufflers) will be used with the manufacturer’s approval.

l) Occupational Safety and Health Administration (“OSHA”) backup alarms for all Project machinery or equipment shall be equipped with either audible self-adjusting ambient-sensitive backup alarms or manually adjustable alarms. Ambient-sensitive alarms shall automatically adjust to a maximum of 5 db(A) over surrounding background noise levels. Manually adjustable alarms shall be set at the lowest setting allowable, which assures safe alarm levels (above ambient noise) for equipment operators and other construction workers. Installation and use of alarms shall be consistent with the performance requirements of Society of Automotive Engineers standards and OSHA regulations.

m) Informing employees, contractors and subcontractors performing construction of the general requirements of this variance and exercising best efforts to ensure that
such employees, contractors, and subcontractors follow BMPs in mitigating construction noise.

n) The TSBs shall, as practical, be located to reduce noise most effectively.
o) Placement of noise wall posts and panels during day hours where possible.
p) Maintenance of existing noise barrier walls for as long as possible (during construction) to mitigate construction and highway-related noise.
q) Applicant shall construct permanent sound barriers prior to roadway construction, where possible, from a construction staging standpoint.
r) Drilled shafts, pile driving and/or sheet pile driving will not be performed during Nighttime Hours in the City and County of Denver.
s) Additional best reasonable management practices for project equipment and Construction Activities, when available, may be implemented upon mutual consent of DDPHE and Applicant.

7) Monitoring:

The Applicant shall perform monitoring sufficient to maintain compliance with the requirements of the noise variance and to demonstrate to the community the noise levels that are present.

Noise monitoring equipment shall be Type I or Type II Sound Level Meters as defined by the current ANSI Standard S1.4. Documentation of annual certification of calibration for sound level meters, microphones, and acoustical calibrators shall be available for review by DDPHE or other city staff upon request.

Noise measurements shall be collected using ANSI guidelines for community noise monitoring including the following general guidelines:

(1) Field calibration - calibration of each sound level meter shall be verified and documented prior to and after each monitoring period.
(2) Manufacturer’s specifications for appropriate meter use shall be followed.
(3) Noise monitoring shall be supervised by an acoustical engineer.
(4) All noise measurements shall be made using the A-weighted scale (db(A)) and a fast response.
(5) Noise measurements shall be made at the nearest Residential Property or Facility’s property line, unless physically impractical.
(6) Noise monitoring shall be provided immediately in response to all noise complaints, when possible, and in no event shall noise monitoring be provided later than thirty minutes after receiving the complaint.
(7) Construction Activity shall be monitored for Lmax and hourly Leq levels.

d) All Construction Activity during Nighttime Hours shall be monitored. Monitoring shall be required for activity groups including, but not limited to, the following:

(1) Excavation or grading work
(2) Drainage or utility work
(3) Bridge construction
(4) Asphalt road surface removal
(5) Asphalt road paving
(6) Embankment work
(7) Concrete work
(8) Concrete road surface removal
(9) Concrete road paving
(10) Demolition operations
(11) Rubble load-out

e) In addition to the general procedures for collecting noise data described under condition 7(c), monitoring shall also meet the following requirements:

(1) Fixed-location dataloggers for each nighttime activity group shall run from 9 p.m. to 7 a.m. The fixed-location data loggers shall be located at the nearest Residential Property line outside of the Eligibility Zone. Hourly Leq, momentary LMax related to Construction Activity at or exceeding 86 db(A), and the associated measurement location shall be logged for each hour between 9 p.m. and 7 a.m.

(2) Each activity under subsection (d) shall be monitored a minimum of five days for hourly Leq to establish an activity baseline for each activity when initially undertaken, and for each activity at the expected worst-case situation.

(3) Hourly Leq monitoring of each activity shall continue as long as noise levels are within 1 dB(A) of the maximum allowable Leq when Type I SLM is used and 2 dB(A) if a Type 2 SLM is used. At all other times (except in Eligibility Zones), the Applicant shall conduct a minimum of one spot check per activity per night at the expected worst case situation.

(4) Hourly Leq monitoring shall be re-instituted when any spot check monitoring result shows a short-term noise level at or above the maximum allowable Leq (Type I meter) or 1 dB(A) (type II meter) or 2 dB(A) less than the maximum allowable Leq, unless documentation is provided to verify that: (1) an unusual event occurred, and (2) the unusual noise problem has been corrected.

(5) Additional monitoring shall be conducted upon DDPHE’s request.

(6) All data in hard copy and in an electronic format must be maintained by Applicant throughout the life of the project. Copies of the data in the mutually agreed upon electronic format will be provided to DDPHE upon request.

(7) Raw data will be submitted to DDPHE upon request in an electronic format mutually agreed upon by DDPHE and Applicant.
An annual project summary report shall be submitted to DDPHE and the Board of Public Health & Environment no later than August 1 of each year while this variance is in effect.

8) **Complaint Notification and Response:** All complaints, verbal and written, shall be recorded, responded to, and reported to DDPHE in the weekly report. All complaints shall also be posted online by the Applicant. All complaint responses shall be communicated in English, Spanish, or both, as applicable. The Applicant shall ensure that methods are available to receive, address and respond to concerns raised by people in the community, through:

   a) Empowering a designated field representative to review monitoring data and complaints regarding construction noise levels. This designated field representative shall be empowered to shut down Construction Activity, authorize correction or remediation of sources of excess noise, and authorize resumption of Construction Activity as necessary to maintain compliance with allowable noise levels.

   b) Providing a noise hotline to be staffed 24 hours a day, seven days a week, with an operator who speaks English and Spanish. All complaints shall be recorded, investigated, and addressed by the Applicant’s representative and reported to DDPHE and its designated representatives in a manner mutually agreed to by DDPHE and Applicant. A response summarizing the investigation and any actions taken shall be provided to the caller in a reasonable manner requested by the caller.

9) **Weekly Report:** A weekly report from the Applicant shall be supplied to DDPHE in a manner mutually agreed by DDPHE and the Applicant, beginning a minimum of seven days prior to commencement of Construction Activity during Nighttime Hours and continuing on a weekly base throughout the duration of this noise variance or completion of Construction Activity during Nighttime Hours, whichever occurs first. The weekly report shall include the following:

   a) copies of all written complaints and descriptions of each verbal complaint received by the Applicant and the responses given during the reporting period;

   b) a list of addresses that received notifications during the reporting period;

   c) a list of RNOs that received notifications during the reporting period;

   d) a copy of the notification sent to the RNO and households in (a) and (b) of this section;

   e) a list of the households contacted regarding eligibility for hotel vouchers, per diems and/or food vouchers, and transportation during the reporting period;

   f) a list of the households that used hotel vouchers, per diems and/or food vouchers, or transportation during the reporting period;

   g) documentation of the hotel vouchers, per diems and/or food vouchers, or transportation offered to eligible households;

   h) a description of the scope and location of work conducted for each night of the reporting period;
the BMPs utilized for Construction Activity during Nighttime Hours for each night during the reporting period;

the following information for noise monitoring in a manner and form mutually agreed upon by the Applicant and DDPHE. DDPHE shall make the following information available to the public. DDPHE or their designated representatives may inspect collected data more frequently that once per week:

(1) Manufacturer names, model numbers, and serial numbers of each SLM and acoustical calibrator used.
(2) Software manufacturer, program and version.
(3) Dates of annual certified calibration of SLM, microphone and acoustical calibrator.
(4) Pre- and post-monitoring calibration data for the SLM.
(5) Date and specific location (address if appropriate) of monitoring.
(6) Start time and end time of monitoring.
(7) Ambient weather conditions including temperature, relative humidity, wind speed and cloud cover during the monitoring period.
(8) Signature of technician collecting the data.
(9) List of each hourly Leq for the monitoring period, with associated spot check results.
(10) Maximum noise level (Lmax) that occurs during hourly Leq monitoring periods and short-term monitoring periods.
(11) Graph of Leq (in db(A)) vs. time for the monitoring period for hourly, 24-hour, and weekly Leq data.
(12) Sign-off of all data by acoustic engineer.
(13) All measurements associated with any unusual noise events that occurred, cause of such event, correction of such event (if any), and adjusted and unadjusted measurements.
(14) Results of all spot checks conducted, including those recording unusual events.

10) **Community Input and Communication:** Applicant shall continue to work with the community and may involve DDPHE and City Council to design a community engagement plan that meets the needs of the affected residents. The community engagement plan may include, but need not be limited to, mechanisms for community input related to the project; processes for reviewing the effectiveness of communications (including the complaint hotline) and updating the plan as necessary; mechanisms for reporting and reviewing information related to the project including noise complaints; and the efficacy of assistance measures. Applicant shall provide a monthly report to DDPHE detailing all community engagement activities.

11) **Fines and Penalties:** Each violation of a condition and any line item contained within a condition constitute a separate violation of this variance and the City and County of
Denver’s noise ordinance, Denver Revised Municipal Code Chapter (DRMC) 36 Noise Control. Fines and penalties are subject to the DRMC and Noise Program policies.

12) **Suspension:** If the Applicant fails to comply with the terms of this variance, DDPHE may suspend this variance upon notice to the Applicant. The Applicant shall have the opportunity to appeal any suspension to the Board of Public Health & Environment.

13) **Revocation:** Upon notice to the Applicant and after a hearing before Denver’s Board of Public Health & Environment, the Board of Public Health & Environment may revoke this variance if the Applicant fails to comply with its terms.
APPENDIX A

The following definitions shall be attached hereto and incorporated above by reference:

**Background sound level** shall mean the A-weighted sound level of all sound associated with a given environment, exceeded ninety (90) percent of the time (L90) measured and being a composite of sounds from many sources during the period of observation while the sound from the noise source of interest is not present.

**Construction Activity** shall mean all construction, demolition and excavation activity that is associated with bridge, viaduct, mechanically stabilized earth (MSE) walls, the cover, cast in place (CIP) walls and roadway associated with partial modification, full removal, new construction and any other improvements by the Applicant, including all activity in or related to development of any associated right-of-way within the City and County of Denver (the "City").

**Eligibility Zone** shall mean an area determined in advance of Construction Activities where the Applicant intends to create noise levels which exceed an hourly Leq of 75 db(A) or an Lmax of 86 db(A) during Nighttime Hours. The Eligibility Zone shall be determined every seven-day period through a sound study conducted by the Applicant using sound modeling and shall be provided to DDPHE for review and approval prior to a seven-day notification period.

**Facilities** shall mean, hotels, motels, fire stations, primary schools, churches, nursing homes and similar facilities.

**Hourly Leq** shall mean the equivalent continuous noise level of A-weighted sound energy averaged over a one-hour period.

**Integrating Sound Level Meter** shall mean an ANSI standard S1.4 Type 1 (Precision) or Type 2 (General Purpose) sound measurement device.

**Lmax** shall mean the maximum sound level measured during the monitoring period with the SLM set to A weighting and fast response.

**Nighttime Hours** shall mean the timeframe from 9:00 p.m. to 7:00 a.m. Monday – Friday and from 5:00 p.m. to 8:00 a.m. Saturday – Sunday.

**Residential Property** means all premises containing dwelling unit(s), primary schools, churches, nursing homes, and similar institutional facilities and includes any commercial premises where the use of more than fifty (50) percent of the gross floor area meets this definition.

**Temporary Sound Barrier** shall mean:

a) A Mobile Curtain Wall, which shall mean a temporary curtain-wall structure (truck cargo box trailers with sound-absorbent skirting or equivalent) capable of transport to various locations along the project periphery. The Mobile Curtain Wall will be
b) A site-specific or equipment-specific acoustical curtain wall structure (utilizing Sound Seal Acoustical H-D [or equivalent] sound absorbent material) constructed or designed for suppression of Construction Activity noise levels which exceed the background noise level but are not otherwise shielded by an existing sound barrier wall or a Mobile Curtain Wall. Acoustical curtain walls may be designed or manufactured for particular pieces of equipment or may be specially constructed by the Applicant, to accomplish a 10-dB(A) insertion loss at the insertion point from noise emissions without curtain wall controls; or

c) A project sound barrier (PSB) which is a series of 12-foot high wood/plywood fixed-in-place sound barriers designed and deployed to achieve a 10-dB(A) insertion loss at the insertion point.
APPENDIX B

List of City Council Districts and Registered Neighborhood Organizations:

Candi CdeBaca
Councilwoman District 9
Phone: 720-337-7709
candi.cdebaca@denvergov.org

Christopher Herndon
Councilman District 8
Phone: (720) 337-8888
christopher.herndon@denvergov.org

Stacie Gilmore
Councilwoman District 11
Phone: 720-337-7711
stacie.gilmore@denvergov.org

Robin Kniech
Council At Large
Phone: (720) 337-7712
kniechatlarge@denvergov.org

Deborah “Debbie” Ortega
Council At Large
Phone: (720) 337-7713
ortegaatlarge@denvergov.org

Cross Community Coalition
4301 Thompson Ct.
Denver, CO 80216
Contact: Candi CdeBaca
Phone: 720-289-7884
Email: candicdebaca@gmail.com
Website: https://www.facebook.com/groups/SwanseaElyria/
N: County Boundary
S: 40th Ave.
E: Colorado Blvd.
W: Platte River
Last Changed: 1/30/2018
Denver Arts and Culture Initiative
2947 Champa St.
Denver, CO 80205
Contact: Annie Iselin
Phone1: 720-469-6327
Phone2: 303-564-4703
Email: starhustler3@gmail.com elizabeth.iselin@gmail.com
N: I-70
S: Colfax Ave. / Park Ave.
E: Quebec St.
W: I-25
Last Changed: 1/11/2018

Elyria Swansea/Globeville Business Association
4555 York St.
Denver, CO 80216
Contact: Michele Chambers
Phone1: 720-220-4663
Email: manager@esgba.org
LBUR238057@msn.com
Website: https://www.esgba.org/
N: City Limits
S: Park Ave./Market/40th Ave.
E: Colorado Boulevard
W: Inca St.
Last Changed: 3/8/2019

Elyria and Swansea Neighborhood Association
4653 High St.
Denver, CO 80216
Contact: Drew Dutcher
Phone1: 303-349-4360
Phone2: 303-296-8267
Email: drewdutcherdirect@gmail.com
pilgrimchurch1@msn.com
N: County Boundary
S: 40th Ave.
E: Colorado Blvd.
W: Platte River
Last Changed: 1/29/2018

Far Northeast Neighbors, Inc.
13295 Andrews Dr.
Denver, CO 80239
Contact: Isabella E. Allen
Phone1: 303-371-4352
Globeville Civic Association #2
4707 Pearl St.
Denver, CO 80216
Contact: Mike Stone
Phone1: 303-667-4506
Email: armandopayan80@yahoo.com
N: City Limit
S: Platte River
E: Platte River
W: Inca St.
Last Changed: 1/26/2018

Globeville Civic Partners
510 E. 51st Ave. #205
Denver, CO 80216
Contact: Joseph Henry
Phone1: 303-810-1822
Email: jhenry@jmpacific.com
lorens73mba@hotmail.com
Website: http://www.globevillecivicpartners.org/
N: City Limits
S: Platte River
E: Platte River
W: Inca St.
Last Changed: 1/16/2019

Globeville K.A.R.E.S.
4447 Grant St.
Denver, CO 80216
Contact: Bernadette Garcia
Phone1: 303-298-9523
Email: GlobevilleKARES@gmail.com
N: City Limits
S: Platte River
E: Platte River
W: Inca St.
Last Changed: 1/12/2018
Greater Park Hill Community, Inc.
2823 Fairfax St.
Denver, CO 80207
Contact: Sierra Fleenor
Phone1: 303-388-0918
Email: director@greaterparkhill.org
chair@greaterparkhill.org
Website: http://greaterparkhill.org/
N: City Limits
S: Colfax Ave.
E: Quebec St.
W: Colorado Blvd.
Last Changed: 1/2/2018

Inter-Neighborhood Cooperation (INC)
1075 S. Garfield St.
Denver, CO 80209
Contact: George E Mayl
Phone1: 303-887-2233
Email: comayl@aol.com
execcomm@denverinc.org
Website: http://www.denverinc.org/
N: City Limits
S: City Limits
E: City Limits
W: City Limits
Last Changed: 1/7/2018

Montbello 20/20
PO Box 39763
Denver, CO 80239
Contact: Ann White
Phone1: 303-371-1145
Email: annladywhite63@gmail.com
montbello2020mo@gmail.com
N: 72nd Ave.
S: I-70
E: Picadilly Rd.
W: Quebec St.
Last Changed: 1/18/2018

Montbello Neighborhood Improvement Association
4865 Crystal St.
Denver, CO 80239
Contact: Emmett Hobley Jr.
Phone1: 720-707-5159
Phone2: 720-839-6698
Email: emmetthobley@gmail.com
emmetthobley@yahoo.com
N: 56th Ave.
S: I-70
E: Chambers Rd.
W: Peoria St.
Last Changed: 12/4/2017

Northeast Park Hill Coalition (NEPHC)
3401 Eudora St.
Denver, CO 80207
Contact: Darcie Ezell, Leslie Williams
Phone: 303-564-1916
Email: nephcoalition@gmail.com
N: City Limit
S: MLK Blvd.
E: Quebec St.
W: Colorado Blvd.
Last Changed: 12/5/2018

Northern Corridor Coalition
15132 Kelly Place
Denver, CO 80239
Contact: Mary T. Sam
Phone: 303-371-7329
Email: northerncorridorcoalition@comcast.net
marytsam@comcast.net
N: 72nd Ave.
S: I-70 / City Limit
E: City Limit
W: Havana St.
Last Changed: 12/29/2017

Opportunity Corridor Coalition of United Residents
Contact: Donna Garnett
Phone: 720-810-5475
Email: dmsgdenver@yahoo.com
donnagarnett50@gmail.com
N: City Limit
S: Border of Colorado Senate District 33
E: City Limit
W: Border of Colorado Senate District 33
Last Changed: 12/4/2017

RiNo Art District
3501 Wazee St., Suite 109
Denver, CO 80216
Contact: Alye Sharp
Phone1: 904-377-2593
Email: alye@rinoartdistrict.org
Website: https://rinoartdistrict.org/
N: I-70
S: Park Ave. West
E: Arapahoe St.
W: I-25
Last Changed: 1/23/2019

Rio Norte
1205 24th St.
Denver, CO 80205
Contact: Leland Kritt
Phone1: 720-635-9700
Phone2: 818-398-7500
Email: Leland@DenverDeveloper.com
LelandKritt@aol.com
Website: www.RioNorte.org
N: I-70
S: 20th Ave.
E: Downing St.
W: I-25
Last Changed: 12/27/2017

Stapleton Master Community Association
7530 E. 29th Ave. Ste. 30
Denver, CO 80238
Contact: Keven Burnett Phone1: 303-388-0724
Email: kburnett@stapletoncommunity.com
Website: http://stapletoncommunity.com/
N: 56th Ave.
S: Montview Blvd.
E: Havana St.
W: Quebec St.
Last Changed: 12/4/2017

Stapleton United Neighbors
8041 E. 29th Ave.
Denver, CO 80238
Contact: Bryan Penny
Phone1: 720-209-2925
Email: stapletonunitedneighbors@gmail.com
bryanpenny@gmail.com
Website: http://www.stapletonunitedneighbors.com
N: City Limits
S: Montview Blvd.
E: Havana St.
W: Quebec St.
Last Changed: 12/5/2017

UCAN
4707 Pearl St.
Denver, CO 80216
Contact: Rey G.
Phone1: 303-667-4506
Email: reygz303@gmail.com
armandopayan80@yahoo.com

N: Denver City Limits
S: MLK to Curtis to 20th to Inca
E: Colorado Blvd
W: Inca St.
Last Changed: 1/24/2018

Unite North Metro Denver
4585 Irving St.
Denver, CO 80211
Contact: Alice Harris
Phone1: 303-477-6657
Phone2: 303-477-5928
Email: sandraerikarp13@yahoo.com
jaguirrejja@aol.com

N: City Limit
S: 38th Ave.
E: Central Park Blvd.
W: City Limit
Last Changed: 12/5/2018