



Major Public Project Construction Noise Variance Questions and Answers

Updated: 4/14/17

Introduction

On Feb. 28, 2017 WSDOT hosted a public meeting to share information, answer questions, and collect public feedback on WSDOT's application for a Major Public Project Construction Noise Variance (MPPCNV) with the city of Seattle. As part of this recent public outreach, WSDOT has compiled a variety of common questions from members of the public, which are listed below, along with answers to these questions. The city of Seattle also hosted a public meeting on April 6, 2017 to collect public feedback on WSDOT's noise variance application. WSDOT has since updated the questions and answers below, and has added new questions and answers, to provide clarifying information in response to the public comments heard at the April 6 meeting.

1. Question: What is an MPPCNV?

Answer: The Major Public Project Construction Noise Variance is a noise variance granted by the city of Seattle that defines the allowable nighttime noise limits for a construction project. It is tailored specifically for major public construction projects, such as the SR 520 [Montlake Phase](#), and is administered by the Seattle Department of Construction and Inspections (SDCI). The variance will define the noise limits and regulations that nighttime construction work must adhere to throughout the Montlake Phase construction project. WSDOT is currently applying for a MPPCNV for the Montlake Phase project which includes construction of the West Approach Bridge South, Montlake lid and interchange, and a bicycle/pedestrian land bridge over the highway.

2. Question: Why did WSDOT apply for an MPPCNV?

Answer: WSDOT applied for this variance because construction crews will work at night within the city of Seattle limits during the Montlake Phase. Nighttime construction work is necessary to avoid disrupting weekday traffic and to provide a safe environment for construction crews and the traveling public. Since nighttime work will be required, WSDOT would receive this variance from the city to set limits on the noise levels for nighttime construction activities.

Additionally, WSDOT applied for an MPPCNV in order to comply with city of Seattle noise code for major public projects. The city of Seattle defines a "major public project" as a project for a public facility that has a substantial impact on the public safety, health and welfare and the provision of public services, including transportation services.

3. Question: Why did WSDOT apply for an MPPCNV now?

Answer: The Montlake Phase is a design-build project, meaning that once hired, the selected design-build contractor will finalize the design and identify the specific construction means and methods for the project. WSDOT has applied for the variance in advance of publishing Montlake Phase contracting documents so that a future design-build contractor is aware of the requirements they must comply with while developing their proposed construction means and methods.

4. Question: What is included in WSDOT's MPPCNV application?

Answer: The Major Public Project Construction Noise Variance application includes the following information:

- **Project description and proposed construction activities:** This section includes a description of how WSDOT anticipates a design-build contractor may construct the Montlake Phase project. The specific construction activities may change once a contractor is hired and they finalize the project design and their construction plans. However, final construction plans must comply with the requirements identified in the noise variance, once granted.
- **WSDOT's baseline noise measurements and proposed nighttime noise limits:** The application includes WSDOT's proposed nighttime noise limits, which were developed based on existing nighttime noise conditions.
 - The MPPCNV contains two types of nighttime construction noise limits, which are based on pre-construction conditions of specific areas in the vicinity. These nighttime noise limits include both nighttime noise hourly averages in addition to nighttime sound maximums that can occur over short durations (less than a minute). The inclusion of two types of nighttime construction noise limits allows for a clearer, more effective way to monitor nighttime noise variance compliance.
 - [Click here](#), or see page 4 of this document, for a graphic that shows the seven sites where existing nighttime noise levels were measured, existing nighttime noise conditions and WSDOT's proposed nighttime sound limits. Data on current nighttime sound levels was collected from midnight to 5 a.m. at periods when no nearby nighttime construction activities were underway. As shown in the graphic, WSDOT's proposed hourly average for the Montlake Phase is six decibels higher than existing conditions, with a proposed maximum sound limit that is within the range of current nighttime noise.
- **Noise Management and Mitigation Plan:** The application provides a framework for the Noise Management and Mitigation Plan to be prepared by the design-build contractor, once hired. The plan will identify how a contractor will keep noise below the limits approved in the variance, and identifies measures needed to meet the any conditions set in the variance that will be granted by the city. Once hired, a design-build contractor will develop this plan, based on their selected construction means and methods and the variance requirements. The design-build contractor will be required to submit their Noise Management and Mitigation Plan to the city of Seattle to demonstrate how they can construct the project within the noise limits set by the MPPCNV.
- **Public outreach and process to resolve noise complaints:** The application also describes how WSDOT and the contractor will maintain communication with the public during construction, and the process for a neighbor to make a noise complaint.

5. Question: What is the process and timeline for obtaining a MPPCNV?

Answer: The schedule for obtaining the Montlake Phase MPPCNV is as follows:

- February 2017:
 - ✓ WSDOT submitted draft MPPCNV application to Seattle's Department of Construction and Inspections (SDCI).
 - ✓ WSDOT hosted informational public meeting on Feb. 28, 2017. The meeting materials are [posted online](#).
- March 2017:
 - ✓ WSDOT submitted the final MPPCNV application to SDCI.
- Spring 2017:
 - ✓ SDCI published WSDOT's MPPCNV application online for public review on the [city of Seattle Land Use Information Bulletin](#) (project number 3027364).
 - ✓ SDCI hosted a public meeting and comment period on WSDOT's MPPCNV application. The public meeting occurred on April 6, 2017 and the public comment period runs from March 9, 2017 to April 20, 2017.
 - WSDOT's goal: SDCI publishes decision on Montlake Phase MPPCNV.
- 2018:
 - Selected SR 520 Montlake Phase design-build contractor submits updated Noise Management and Mitigation Plan to SDCI.

6. Question: How will nighttime construction noise in the Montlake Phase differ from nighttime noise experienced during the current West Approach Bridge North construction?

Answer: Similar nighttime construction activities that occurred during the WABN project will also likely occur during the Montlake Phase project, except in different locations, as construction moves to the west. The main difference between WABN nighttime construction work and Montlake Phase nighttime construction work is the type of variance granted by the city of Seattle that allows this work to occur. See Question 7 below for more information on the difference between the types of variances.

7. New! Question: What is the difference between the nighttime noise variance used for the WABN project and the nighttime noise variance that WSDOT applied for on the Montlake Phase?

Answer: The current WABN construction project has used temporary noise variances (TNVs), rather than an MPPCNV. TNVs are short-term variances, applicable for up to 14 days, that allow the contractor to perform certain construction activities, such as paving, at night. TNVs typically do not set specific noise level limits that must be met while conducting the activities permitted under the TNV. However, TNVs do come with conditions that a contractor must comply with while conducting the activities allowed under the TNV, and these conditions could include noise level limits. If a contractor is not meeting TNV conditions, SDCI can revoke the TNV at any time. Current city of Seattle practice is to limit the issuance of consecutive TNVs.

In order to comply with current city of Seattle noise code, WSDOT applied for an MPPCNV for Montlake Phase construction. MPPCNVs are tailored specifically for major public construction projects, such as the Montlake Phase. A MPPCNV differs from a TNV in that it sets limits for nighttime construction noise levels for the duration of the project. The goal of obtaining an MPPCNV is to provide a clear, longer-term set of limits and requirements for nighttime work and noise levels during construction of the Montlake Phase.

8. Question: How will nighttime noise limits for the Montlake Phase be monitored and enforced?

Answer:

- Nighttime noise monitoring is a variance requirement and will be performed throughout the entirety of Montlake Phase construction. Noise monitors will be used 24 hours a day to verify that nighttime noise activities remain within the approved limits set in the variance. Noise monitors will also detect if any exceedances occur. Weekly and annual noise monitoring reports will be provided to SDCI to demonstrate compliance. These reports will be made available to the public as well.
- An Independent Noise Monitor (INM) will also be hired by WSDOT to oversee noise monitoring and reporting of the contractor's work at night, and will report on compliance directly to SDCI. The INM will be on-site during all periods of scheduled nighttime work and will be notified of any noise complaints received. If the INM receives a complaint during nighttime work hours, the INM will notify the contractor, perform a site inspection, and conduct additional noise measurements while on-site. If noise exceedances occur, WSDOT will work with the Montlake Phase contractor and SDCI to assess if the associated construction activity should be halted or modified. SDCI retains the authority to suspend or cancel the noise variance if the requirements of the variance are not met.
- If members of the public wish to submit a noise complaint, they can continue to utilize the SR 520 24-hour construction hotline.
- WSDOT is also evaluating opportunities to incorporate incentives and/or disincentives into the Montlake Phase construction contract with the goal of promoting compliance with the noise variance.

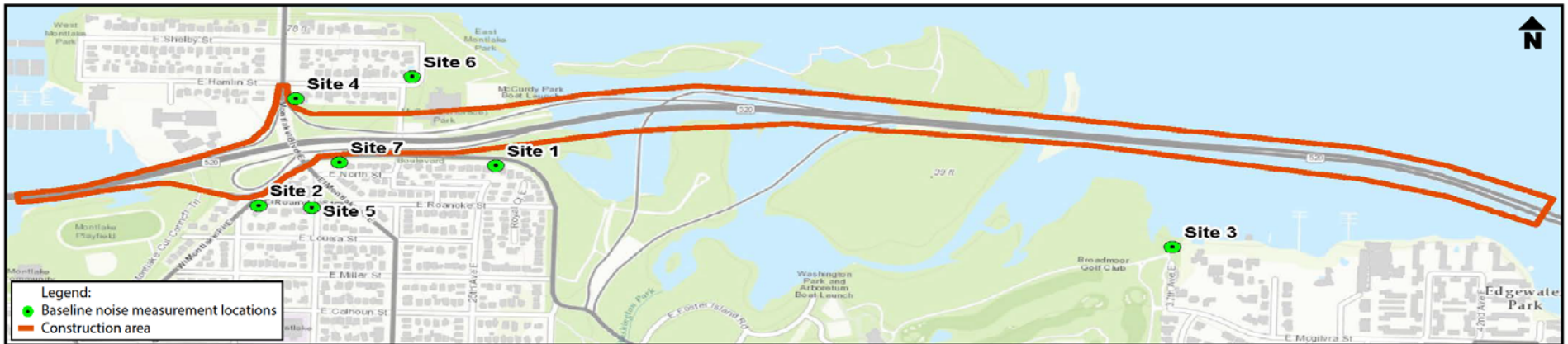
9. New! Question: How many years will the MPPCNV be in effect?

Answer: WSDOT's application requests a MPPCNV for a total of seven years. This duration is intended to cover the estimated four to five years to construct the Montlake Phase project plus additional time which may be necessary to complete project closeout which includes cleanup, dismantling of staging areas, and restoration where required by permit conditions. Only nighttime construction activities related to the Montlake Phase project will be covered by the Montlake Phase MPPCNV. Construction of the Montlake Phase is expected to begin in 2018.

SR 520 BRIDGE REPLACEMENT AND HOV PROGRAM



Proposed nighttime noise limits



Site	Current hourly average (or L_{eq})	Proposed hourly average (or L_{eq})	Current range of sound maximums (or L_{max})	Proposed sound maximum limit (or L_1)
1	61	67	71.2 to 82.5	80
2	72	78	72.4 to 89.3	80
3	56	62	55.3 to 77.5	80
4	60	66	74.5 to 94.3	80
5	59	65	45.3 to 90.1	80
6	57	63	52.7 to 92.0	80
7	60	66	70.2 to 91.8	80

- Sound levels measured during the late night hours (midnight to 5 a.m.) provide the most conservative representation of existing baseline conditions. Noise measurement sites were selected based on their proximity to construction activities.
- Proposed variance sound limits are based on current conditions and typical city of Seattle nighttime noise limits.

Note: Data shown in table is measured in A-weighted decibels (dBA).