

(iv) During extended construction and maintenance Operations, the Operator shall, at convenient places within the Oil and Gas Well Site, provide fly-proof outside toilets, which shall be maintained in a sanitary condition in compliance with the approved Temporary Sanitary Facilities Plan. Toilets shall not be permitted in any water reservoir area and shall not be permitted where they may pollute a water supply.

(d) Drainage and Stormwater Management.

(i) Drainage. Operations shall comply with all applicable state and local drainage requirements and standards.

(ii) Stormwater Management. All stormwater management shall comply with state and local requirements and standards.

**(9) Nuisance Standards.**

(a) Odor/Dust Containment. Operations shall be conducted in such a manner that odors and dust do not constitute a nuisance or hazard to public health, safety, welfare or the environment. All Operations shall use the best available technologies that are technically and economically practicable to control odor and dust. If deemed necessary and reasonable, the City may require additional mitigation efforts at any point during Operations.

(b) Noise Impacts.

(i) Operations shall be conducted in such a manner that noise does not constitute a nuisance or hazard to public health, safety, welfare or the environment. All Operations shall use the best available technologies that are technically and economically practicable to control noise. If deemed necessary and reasonable, the City may require additional mitigation efforts at any point during Operations.

~~(ii) The Operator shall comply with the stricter of all provisions of COGCC noise rules Rule 802 on Noise Abatement, as may be amended from time to time, and the following maximum permissible noise levels in Residential/Rural-zoned areas: to be applied under Rule 802 allowed shall be,~~

~~1. 50 db(A) in the hours between 7:00 p.m. to 7:00 a.m. and 55 db(A) in the hours between 7:00 a.m. to 7:00 p.m. or 4 dB(A) higher than baseline ambient sound measured, and~~

~~2. 60 db(C) during all hours of the day or 4 dB(C) higher~~

than baseline ambient sound measured.

(iii) The foregoing noise limits shall be enforced during all drilling, completion, and production operations but not during Well Site pad construction. During pad construction at the Well Sites, noise levels shall not exceed those produced by the construction of a typical residential or commercial development

(iv) Noise measurement protocols and points of compliance are as specified by COGCC rules. ~~other than during pad construction at the Well Sites, the greater of: (i) the levels set forth for the land use type of “Residential/Agricultural/Rural” under Rule 802 applicable COGCC rules if measurements are taken at 1,000 ft. from the sound walls at the Well Site; or (ii) 4 dB(A) higher than baseline ambient sound measured at 1,000 ft. from the sound walls at the Well Site. During pad construction at the Well Sites, noise levels shall not exceed those produced by the construction of a typical residential or commercial development.~~

(v) Operators may be required to provide for additional noise mitigation as described in the BMP Document.

**(10) Traffic Standards.**

(a) If public road improvements are necessary to accommodate an Operation, and before work will be permitted within any City right-of-way, the Operator shall submit construction drawings to be prepared by a Colorado licensed civil engineer, in conformance with City standards, for review and approval by the City Engineer. Financial assurances shall be required when any Operation requires the construction or reconstruction of public or private roads.

(b) Maintenance. If Operations or related activities cause any City roadway to become substandard, the City may require the Operator to provide ongoing repair and maintenance of the roadway at the Operator's cost. Such maintenance may include dust control measures and roadway improvements (e.g. graveling, shouldering, paving) as determined in the Traffic Impact Study.

(c) Oil and Gas Well Site Access. Access to any property from a City street requires a City-issued Right-of-way permit. Right-of-way Permits are revocable upon issuance of a stop work order or if other Oil and Gas Permit violations occur. The permitting and construction of accesses shall comply with the City's Engineering Construction Standards and Specifications and design standards.

d. Additional noise mitigation measures may include:

- i. Continuous noise monitoring by a third party contractor, at expense of Operator, during construction, drilling, and completions, with instruments placed between the Oil and Gas Location and Residential Building Units within 2000'. Data shall be provided to the City.
- ii. The Operator shall address C scale noise/vibration through berming, capable sound walls, and other practices.
- iii. During the drilling and completion, the operator may be required to construct a perimeter wall and/or comparable measures to mitigate noise as appropriate on a case-by-case or modeled basis.

~~iv. Additional mitigations must be taken by the Operator if C-scale noise levels are increased the larger of either 5db over ambient or above 65db at 25' from the nearest occupied building unit.~~

~~iv.~~ Use of electric-powered motors and pumping systems.

~~v.~~ Construction of buildings or other enclosures where Operations create noise and visual impacts that cannot otherwise be mitigated due to proximity, density or intensity of adjacent land use.

[REDACTED]