

**From:** [Arthur \(Art\) Kupper](#)  
**To:** [Joan Yu](#)  
**Subject:** Rule 012 Feedback  
**Date:** Friday, July 21, 2023 4:58:05 PM  
**Attachments:** [image002.png](#)  
[image010329.png](#)  
[image087856.png](#)

**CAUTION:** This email has been sent from an external source. Confirm you recognize the sender's email address and treat hyperlinks and attachments in this email with due care.

Hello Joan,

Thank you for coordinating today's technical meeting. It is a strength of the AUC that you seek continual development/improvement of Rule 012 and request input from stakeholders.

Further to the discussions about urban sound levels, I would strongly recommend that the AUC remove wording limiting when an ambient sound level survey can be performed. i.e. in Table 2, I would recommend deleting the following sentences and leaving the applicability of the A2 adjustment to the professional judgement of the consultant.

| Class | Reason for adjustment Value   | Value      |
|-------|---|------------|
| A1    | Seasonal adjustment for wintertime conditions must not be added when determining the permissible sound level for design purposes. In the case of wintertime noise complaint under Section 5 of this rule, this adjustment may be used in determining the permissible sound level.   | +5         |
| A2    | <p>Ambient monitoring adjustment is applicable if the measured ambient sound level is not representative of the assumed ambient sound environment. <del>The ambient sound levels may be measured in areas considered to be pristine as defined in Appendix 1 or areas that have non-energy industrial activity that would impact the ambient sound levels.</del></p> <p>-</p> <p><del>In the case where there are existing energy-related facilities located within an area and the assumed ambient sound level without the existing energy-related facilities as determined from Table 1 is considered not representative of the actual sound levels, the area may be eligible for an ambient adjustment.</del></p> <p>An ambient adjustment for one dwelling may be applied to other dwellings within the same project study area that have a similar acoustic environment. To be deemed similar, justification must be provided demonstrating that the difference in daytime or nighttime ambient sound level at the dwelling(s) is no greater than plus or minus three dBA from the measured ambient sound level.</p> <p>Use Figure 1 to determine the applicable adjustment value.</p> | -10 to +10 |

This limitation is highlighted in the Commission responses that the AUC provided in the 2023-04-25-Comment Matrix. Below I have highlighted two excerpts from that document that I understand to be explicitly contradictory:

| Topic 1.4 Existing framework in Rule 012 (Table 1 and A2 adjustment)  |   |
|---|---|
| Reviewer feedback   | Commission response   |
| <p><b>Table 1</b></p> <p>AltaLink and dNCL suggested the Commission refine “dwelling density” and “proximity to transportation” in Table 1 to account for urban areas with very high population densities and busy surroundings.</p> <p>SLR and Stantec note that the BC Oil &amp; Gas Commission (BCOGC) updated its <i>British Columbia Noise Control Best Practices Guideline</i> in July 2021. Consistent with Rule 012, previous versions of the BCOGC guideline defined a Category 2 receptor as being located between 30 m and 500 m from transportation infrastructure (i.e., a heavily travelled road or rail line), and defined a Category 3 receptor as being located less than 30 m from transportation infrastructure. The updated BCOGC guideline has increased the distance threshold from 30 m to 100 m when differentiating Category 2 and Category 3 receptors (i.e., a Category 2 receptor is now located between 100 m and 500 m from transportation infrastructure and a Category 3 receptor is now located less than 100 m from a transportation infrastructure).</p> | <p>The Commission is not persuaded of the need to change the way that PSLs are adjusted based on proximity to transportation infrastructure. Circumstances where proximity to transportation infrastructure are not adequately captured by Table 1 of Rule 012 can be addressed through ASL measurements and A2 adjustments.</p> <p>Based on consultations with the AER, both the Commission and the AER agree that Rule 012 and Directive 038 should remain consistent with respect to the treatment of heavily travelled roads and rail lines, and at the current stage, neither of these two regulations are proposed to change on this matter.</p>  |
| <p><b>Class A2 adjustments</b></p> <p>AER submitted that the existing provisions for determining PSLs and A2 adjustments are still practical and reasonable.</p> <p>Motive Acoustics indicated that if PSLs are not applicable (e.g., real ASL is higher than assumed ASL), Class A2 adjustment methodology should be followed.</p> <p>SLR recommended that the Commission mandate an A2 adjustment sound monitoring survey as part of the noise impact assessment (NIA) process. SLR suggested a publicly available map be created showing the applicable PSLs from NIAs accepted by the Commission.</p> <p>dNCL’s view is PSLs should be established based on a measured ASL or a calculated traffic noise level, if the receptor is close to transportation infrastructure. dNCL noted that stakeholders (i.e., local residents) typically</p>   | <p>It is important to maintain consistency between AUC Rule 012 and AER Directive 038 regarding application of Class A2 adjustments. Both Rule 012 and Directive 038 explicitly state that Class A2 adjustments are <u>only</u> applicable in a pristine area or an area with non-energy industrial activities. The Commission maintains discretion to determine if an ASL survey or a Class A2 adjustment is required in a particular area.</p> <p>The Commission emphasizes that wherever assumed ASLs in Table 1 are representative, measurements for ASLs are not necessary.</p> <p>ASL surveys should follow the requirements in Section 4 of Rule 012. The Commission does not intend to revise those requirements in the current process.</p> <p>The Commission’s use of assumed ASLs in Rule 012 is intended to provide a reasonable, consistent and practical mechanism for predicting and assessing cumulative sound levels in noise impact assessments (NIAs). The use of assumed ASLs is also intended to promote consistency when assessing energy-related projects in similar environments. Further, assumed ASLs promote consistent PSLs</p> |

Visit the Acoustics, Noise & Vibration section of [SLR's website](#)

**Arthur (Art) Kupper** P.Eng.  
Principal Acoustical Engineer & Environmental Team Lead

M +1 403 369 3429  
E akupper@slrconsulting.com

SLR Consulting (Canada) Ltd.  
Suite 200 - 1620 West 8th Avenue, Vancouver BC Canada V6J 1V4



Confidentiality Notice and Disclaimer  
This communication and any attachment(s) contain information which is confidential and may also be legally privileged. It is intended for the exclusive use of the recipient(s) to whom it is addressed. If you have received this communication in error, please e-mail us by return e-mail and then delete the e-mail from your system together with any copies of it. Any views or opinions are solely those of the author and do not represent those of SLR Management Ltd, or any of its subsidiaries, unless specifically stated.