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March 22, 2019

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**Subject: Appeal of CEQA Categorical Exemption for the
Outside Lands Festival Use Permit – Supplemental
Filing**
SF PIng Case #: 2019-000684PRJ
SF BOS File #: 190117

Board President Yee and Honorable Members of the Board of Supervisors:

On behalf of San Francisco residents Andrew Solow and Stephen Somerstein (“Appellants”), I hereby submit this supplemental filing to support our appeal of the CEQA Categorical Exemption issued on or about January 17, 2019 for the 10-year use permit for the Outside Lands Festival. (Planning Dept. Case No. 2019-000684PRJ; Board of Supervisors File # 190117). In addition to the issues raised in our prior appeal letter, we raise the additional issues and concerns, and respond to the letter filed by

counsel for Another Planet Entertainment on March 18, 2019 (“APE Letter”). We incorporate our prior comments in full by reference.

I. INTRODUCTION

“AS REQUIRED” IS NOT A NOISE LIMIT: As discussed in our February 14, 2019 letter, the subject 10-year Use Permit Extension does not contain any quantitative noise standards or any type of auditory or hearing safety limits. The Permit simply requires Another Planet Entertainment (“APE”) to monitor noise levels and adjust **“as required.”** (Outside Lands Permit ¶47). However, “as required” is not defined, and is an unenforceable permit condition. In short, there is no numerical decibel level that is defined as being simply “too darn loud.” As a result, in 2018, noise complaints more than tripled over the prior three years, to a total of 212 complaints (compared to the prior 3-year average of 58 complaints per year). Noise complaints were registered from as far as three miles from the Festival. This untenable situation has led to this appeal, as well as a unanimous vote of support from the Coalition for San Francisco Neighborhoods. (Exhibit A).

SHARON MEADOW NOISE POLICY: The appellants propose a simple solution. In 2004, the City adopted a reasonable noise policy for Sharon Meadow (“Sharon Meadow Policy”). (Exhibit B). The Sharon Meadow Policy requires, among other provisions, that the maximum levels at the mixing board shall not exceed a 5-minute average sound level of 96 dBA or instantaneous maximum sound level of 102 dBA. This policy seems to have been effective at addressing noise from festivals in Sharon Meadow. It is only reasonable to apply the same policy to different musical events in the same park. CEQA review would require the City staff to analyze the noise impacts of the Outside Lands Festival and consider all feasible mitigation measures. Chief among these would be simply to adopt the Sharon Meadow Noise Policy and apply it to Outside Lands.

II. CEQA ANALYSIS

As discussed in our February 14, 2019 letter, the Festival is not exempt from CEQA review and CEQA review is required to analyze and mitigate the noise impacts. CEQA Guidelines section 15382 specifically provides that “ambient noise” is a “significant effect on the environment” requiring CEQA review. The California courts have held that much smaller events involving amplified music require CEQA review. *Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agric. Assn.*, 42 Cal. 3d 929, 934 (1986), (7000 seat outdoor music theater requires CEQA review); *Keep Our Mountains Quiet v. Cty. of Santa Clara*, 236 Cal. App. 4th 714, 722 (2015) (150-person weddings at private home require CEQA review).

The Outside Lands festival is no different from the above cases. As in the above cases, it will have significant noise impacts on nearby residential areas. Therefore CEQA review is required to analyze the impacts and to propose feasible mitigation measures to reduce those impacts.

The City contends that the Class 4 CEQA exemption for “Minor Alterations to Land” exempts Outside Lands from all CEQA review. As discussed in our February 14, 2019 letter, the Class 4 exemption does not apply because Outside Lands is not a “minor alteration to land.” Furthermore, several exceptions to the Class 4 exemption apply, such as the fact that the Festival impacts the Coastal Zone and several historic resources in Golden Gate Park due to noise and traffic impacts. 14 Cal.Code Regs. 15300.2(a). Also, the exemption does not apply since the City has imposed numerous mitigation measures to the permit. Finally, the exemption does not apply because there is no dispute that the Festival has significant noise impacts.

III. APE LETTER

On March 18, 2019, counsel for Another Planet Entertainment filed a comment letter on this CEQA appeal. In the letter, APE all but abandons the Class 4 CEQA exemption invoked by the City for “Minor Alterations to Land.” Obviously, Outside Lands is not a “minor alteration to land.” As APE’s counsel acknowledges several limitations apply to the Class 4 Exemption, such as the fact that the Festival “may impact” the Coastal Zone. Instead, APE urges the City to invoke the Class 1 (existing facilities) and Class 23 (normal operation of facilities for public gatherings) CEQA exemptions.

As a threshold matter, if the City is going to change course in mid-stream and invoke an entirely different CEQA exemption, it must remand the matter back to the Recreation and Parks Commission for consideration of the new exemptions and to allow the public a reasonable opportunity for review and comment. See, *Gentry v. City of Murrieta*, 36 Cal. App. 4th 1359, 1399 (1995) (agency must inform public of the CEQA provision upon which it is relying).

A. CLASS 1 and CLASS 23 EXEMPTIONS DO NOT APPLY.

The Class 1 exemption for preexisting facilities and the Class 23 exemption for normal operations of facilities for public gatherings do not apply for several reasons. APE argues that music festivals have been held in Golden Park for decades, and that Outside Lands therefore does not expand a preexisting use, and is part of a normal operations of a facility for public gatherings. APE provides a long list of outdoor music festivals dating back to 1894.

1. **Recent Increases in Noise Intensity:** APE provides no evidence that the earlier other music festivals produced anywhere near the levels of noise generated by Outside Lands. Obviously, sound systems in 1894 would not generate noise complaints as far as three miles away. Even the sounds system in use in the 1960s and 1970s were far less powerful than modern systems. Indeed, the number of noise complaints increased dramatically in 2018 by about 300% over prior years. As shown in the Recreation and Parks Department Staff Report dated December 6, 2018:

The following table prepared by SFRPD Staff shows sound complaints received each year.

Noise Complaints	2011	2012	2013	2014	2015	2016	2017	2018
North	168	95	74	28	28	28	35	74
South	134	50	42	39	18	11	32	111
East	15	7	5	14	0	5	13	19
Unknown	67	28	16	3		3		8
Total	384	180	137	84	46	47	80	212

**See: [Item-17-Outside-Lands-Extension-Staff-Report-011719.pdf](#) page 7

The table shows that according to the City's own data, noise complaints in 2018 more than tripled over the average of prior years. Therefore, it appears that Outside Lands is not a mere continuation of pre-existing activities, but represents a significant expansion.

This situation is similar to that in the case of *Meridian Ocean Sys., Inc. v. State Lands Com.*, 222 Cal. App. 3d 153, 164 (1990). In that case, a CEQA exemption was issued for undersea seismic mapping. Years later, information came to light showing that the noise levels were louder and more harmful than previously known. The court held that CEQA review was required to analyze and mitigate the noise issues.¹ Similarly, in *Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agric. Assn.*, 42 Cal. 3d 929, 934 (1986), CEQA review was required for an outside amphitheater, despite prior CEQA review, when noise levels turned out to be greater than previously projected. Since noise complaints spiked in 2018, the fact that prior events occurred in Golden Gate Park does not exempt the Outside Lands Festival.

2. The 10-Year Contract is Different from Prior Shorter Term Contracts:

Another reason that the CEQA exemptions do not apply is the fact that the City is approving a long-term contract, while prior contracts were for shorter terms. The first permit was for four years from 2009 through 2013. The first permit extension was for a period of eight years from 2014 through 2021. The current permit extension is for ten years. The courts have held that when a temporary project is exempted from CEQA review, that fact does not exempt a continuation of the project for a longer period of time. *Apartment Assoc. v. Los Angeles*, (2001) 90 Cal. App. 4th 1162; *Chamberlin v. City of Palo Alto* (1986) 186 Cal. App. 3d 181, 187. The courts held that while the public may tolerate a short-term impact, when the same project is approved on a long term or permanent basis, CEQA review may be required.

3. Outside Lands Has Significant Impacts: Furthermore, Outside Lands may not be exempted from CEQA review because there is no dispute that the Festival has significant impacts. The APE Letter focuses on the allegations that there are no

¹ The *Meridian Ocean* case expressly distinguished the *Campbell v. Third Dist. Agricultural Assn.* (1987) 195 Cal.App.3d 115, case relied upon by APE. The *Campbell* case is also in direct conflict with *Lewis v. Seventeenth Dist. Agricultural Assn.* (1985) 165 Cal.App.3d 823, 830.

“unusual circumstances.” However, the recent case of *Berkeley Hillside Pres. v. City of Berkeley*, 60 Cal. 4th 1086, 1105 (2015) held that there are two ways to establish that a CEQA exemption does not apply: (1) if the project **may** have adverse impacts due to unusual circumstances, or 2) if the project **will** have a significant environmental impact. The second provision does not require unusual circumstances.

a. **Outside Lands Has Significant Noise Impacts:** Acoustical consultant, Derek Watry of Wilson Ihrig consulting firm, concludes that Outside Lands has significant noise impacts. (See Comments of noise consultant Derek Watry, Exhibit C). In 2018 there were 240 noise complaints from 190 separate individuals living up to 3 miles away from the Festival. Noise levels were recorded at homes up to 86 decibels – roughly the noise level of a passing train. The significant noise impacts cannot reasonably be questioned.

b. **Outside Lands Has Significant Traffic Impacts:** Traffic engineer Daniel Smith, P.E., concludes that there is at least a fair argument that Outside Lands has significant traffic impacts. (Exhibit D). Despite repeated requests, the City appears to have no formal traffic counts. “The agency [will] not be allowed to hide behind its own failure to gather relevant data.... CEQA places the burden of environmental investigation on government rather than the public. If the local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record. Deficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences.” *Gentry v. City of Murrieta*, 36 Cal. App. 4th 1359, 1378–79 (1995). Mr. Smith concludes that given that tens of thousands of people are leaving that Festival at the same time, it is a near certainty that the Festival has significant traffic impacts.

4. **Outside Lands Has Significant Impacts on Historic Resources:** CEQA prohibits the use of a CEQA exemption for projects that **may** cause a substantial adverse change in the significance of a historical resource, “or its immediate surroundings.” CEQA § 21084.1, CEQA Guidelines 15300.2(f). Derek Watry of acoustical consulting firm Wilson Ihrig concludes that the Outside Lands Festival creates noise impacts that adversely impact at least the following historic resources: Beach Chalet; Conservatory of Flowers; Dutch Windmill; Francis Scott Key Monument; Lawn Bowling Clubhouse and Greens; McLaren Lodge; Murphy Windmill; Music Concourse; Park Emergency Hospital; Sharon Building. (Exhibit E). Therefore the City may not exempt the permit from CEQA review.

5. **Outside Lands May Not Be Exempted from CEQA Review Because the City Has Imposed Numerous Mitigation Measures:** Finally, as discussed in our prior letter, Outside Lands may not be exempted from CEQA review because the City has imposed at least 15 mitigation measures to reduce impacts. An agency may not exempt a project from CEQA review if it also imposes mitigation measures. The mitigation measures establish that CEQA review is required to analyze the effectiveness of the mitigation measures and other alternative measures. *Salmon Protection & Watershed Network v. County of Marin* (2004) 125 Cal.App.4th 1098, 1108 (“SPAWN”).

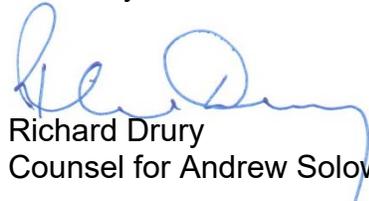
APE attempts to distinguish the *SPAWN* case by citing *Citizens for Environ. Resp. v. 14th Dist. Ag. Assn.* (2015) 242 Cal.App.4th 555, 572 (“*CER*”). The *CER* case is inapposite because in that case the mitigation measure at issue (a manure management plan) was adopted years prior as an ongoing measure for the fairgrounds, not as a specific mitigation measure for the rodeo event at issue in that case. By contrast, the 15 mitigation measures in the Outside Land contract were specifically designed for the Outside Lands Festival and apply only to that single event.

6. **Cumulative impacts.** The City attempts to dismiss Outside Lands as a “temporary” or “short-term” event. However, the APE letter points out the fallacy of this argument. The APE Letter cites at least 77 other musical events in Golden Gate Park. In addition, we have compiled a list of 16 additional events involving amplified sound annually. (Exhibit F). These events have a cumulative impact that is much greater than the 3-day Outside Lands Festival. Recognizing that several projects may together have a considerable impact, CEQA requires an agency to consider the “cumulative impacts” of a project along with other projects in the area. (Pub. Resources Code §21083(b); CEQA Guidelines §15355(b)). If a project may have cumulative impacts, the agency must prepare an EIR, since “a project may have a significant effect on the environment if “[t]he possible effects of a project are individually limited but cumulatively considerable.” *Communities for a Better Env’t v. California Res. Agency*, 103 Cal. App. 4th 98, 114 (2002). It is vital that an agency assess “the environmental damage [that] often occurs incrementally from a variety of small sources . . .” (*Bakersfield Citizens For Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214) The City has failed entirely to analyze the cumulative impacts of Outside Lands together with the numerous other events in Golden Gate Park involving amplified music.

In consideration of the foregoing, we request that:

- **The City withdraw its deficient CEQA Categorical Exemption.**
- **The City promulgate quantitative noise standards that are appropriate for the Outside Lands Festival and other music performance events in Golden Gate Park, similar to the Policy already adopted for Sharon Meadow.**
- **The City conduct a CEQA process leading to Quantitative Noise Limits and other feasible noise mitigation measures.**

Sincerely,



Richard Drury
Counsel for Andrew Solow and Stephen Somerstein

EXHIBIT A



March 21, 2019

AMENDED CSFN EMERGENCY RESOLUTION FROM THE GOVERNMENT & ELECTION'S COMMITTEE FOR THE GENERAL ASSEMBLY MEETING MARCH 19, 2019 FOR THE BOS MEETING ON APRIL 2, 2019.

WHEREAS the unregulated decibel levels for the Outside Lands and other concerts pose a health threat to young children, the elderly and people at risk in all the neighborhoods surrounding the RPD area;

WHEREAS there is decibel abatement available through slight repositioning of the speakers and minor lowering of the volume controls available which will meet independently verifiable safe levels, without compromising artistic integrity;

WHEREAS the excessive volume will greatly hinder calls to 911 and compromise internal communications between emergency responders, their vehicles and their command centers;

THEREFORE BE IT RESOLVED that the CEQA exemption granted be rescinded, and if it is not done, the prevailing regulation of the Police Code of Article 29 for Public Events should prevail in the interim until a transparent means of volume mitigation be enforced.

Sincerely,

**George Wooding, President
Coalition for San Francisco Neighborhoods
PO Box 320098
San Francisco CA 94132**

EXHIBIT B

SHARON MEADOWS NOISE POLICY (SUMMARY OF RELEVANT CONDITIONS)

All of the policies below are taken directly from the Sound Policy for Sharon Meadow, adopted by the San Francisco Parks and Planning Committee on February 24, 2004.

Loudspeakers

1. Provide a "vertical line array" of speakers or maintain a downward tilt if conventional speakers are to be used. A vertical line array loudspeaker system is specifically designed and configured so that the spreading of sound in the vertical plane (the "vertical dispersion") is limited. This type of loudspeaker system has become commonplace in medium to large touring systems, however may not be available from smaller local sound rental companies.
2. Where vertical line array loudspeaker systems are not available, require concert promoters to orient loudspeakers 15 degrees down from the horizontal plane to minimize the noise that could leakage to the community. The effectiveness can be evaluated over the course of the upcoming concert season. The exact design will need to be tested and refined but can be worked out with the City, sound contractor and acoustical consultant.
3. It is recommended that event applicants with an anticipated attendance of 3,000 or more would be required to hire an environmental acoustical consultant to design an appropriate sound system to conform to the requirements of Police Code § 47.2.

Enforcement

4. Maintain maximum sound levels at the Mix position. Assuming the provisions of items 2 and 3 or 4 above, it should be required that the maximum levels at the mixing board shall not exceed a 5-minute average sound level of 96 dBA or instantaneous maximum sound level of 102 dBA.
5. Maintain maximum noise levels in the community. In addition to the sound level limit at the Mix position, measurements should be made at representative locations in the community to assure that average concert noise does not exceed average ambient noise by more than 5 dBA. A measurement of the average sound level should be made at 5-minute intervals during the concert. This can be compared with measurements of ambient noise made prior to concert and during breaks in the concert. The Department will determine locations in the community to take measurements of the average sound level.
6. Determine the responsibility to monitor noise: One possible approach is that the organizer of the event be responsible to provide acoustical measurement services at the mixing board and in the community. Alternately, the Park staff or Police Department could be the measuring authority. Organizers must alert performing companies that concert noise levels must be adjusted to comply with the limits set forth in this policy. The Park Patrol will be the measuring and enforcement authority for noise monitoring.
7. Maintain a Complaint Log. An accurate log of complaints received during concerts should be maintained by the S.F. Police Department and/or Department of Parks and Recreation in order to identify problem areas. A complaint log will be maintained by Park Patrol.

CHARLES M. SALTER ASSOCIATES, INC.
Consultants in Acoustics and Audio/Visual Design
130 Sutter Street, Suite 500
San Francisco, CA 94104
Phone: (415) 397-0442
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Memorandum

Date: 12 February 2004 *Pages (including cover):* 16

Name: *Company:* *Fax #:*

Dan McKenna **Recreation and Park Department** **415-221-8034**

From: Tom Schindler / *mdn*

Subject: **Golden Gate Park Noise Mitigation – Final Report**
CSA Project No.: 01-0428

Dear Dan:

Attached please find our final report dated 25 July 2003 for the subject project. Please call us if you require additional information.

Charles M Salter Associates Inc

Consultants
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& Audio/Visual
System Design

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25 July 2003

Dan McKenna
Recreation and Park Department
501 Stanyan St., 2nd Floor
San Francisco, CA 94117

Subject: Golden Gate Park Noise Mitigation – Final Report
CSA Project No: 01-0428

- Charles M Salter, PE
- David R Schwind, FAES
- Anthony P Nash, PE
- Eva Duesler
- Thomas A Schindler, PE
- Kenneth W Graven, PE
- Eric L Broadhurst, PE
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- Timothy C McLain
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- Kevin M Powell
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- Randy Waldeck
- Jeff Clukey
- Andrew Stanley
- Peter Hotel
- Ethan Saller
- Claudia Kraehe
- Jessica Jerozal
- Pamela M Vold
- Kevin Frye
- Ian Graven
- Marva D Noordzee
- Debbie Garcia

Dear Mr. McKenna,

Enclosed find two copies of the final project report for the Golden Gate Park Noise Mitigation Project our office has conducted.

Please forgive any difficulties/ delays associated with the transition from Al Rosen to Tom Schindler and myself in putting this report together.

It has been a pleasure working with you and working on this project.

Feel free to call if you have any questions.

Sincerely,

CHARLES M. SALTER ASSOCIATES, INC.

Julie Malork
Julie Malork
Senior Consultant

Tom Schindler
Tom Schindler, PE
Vice President

C h a r l e s M S a l t e r A s s o c i a t e s I n c

**FINAL REPORT
GOLDEN GATE PARK NOISE
MITIGATION PROJECT
SAN FRANCISCO, CA**

CSA PROJECT NO: 01-0428

Prepared for:

Recreation and Park Department
501 Stanyan Street, 2nd Floor
San Francisco, CA 94117

Prepared by:

Thomas A. Schindler
Vice President

Julie Malork
Senior Consultant

25 July 2003

Golden Gate Park Noise Mitigation Project, 25 July 2003

Page 1

INTRODUCTION

For this project, we conducted measurements of noise from several events at Sharon Meadows and one event at Speedway Meadows to quantify sound propagation from these venues to the neighborhood residential locations. In addition, sound measurements were conducted at Sharon Meadows to quantify the effect of "tilting" the loudspeakers towards the ground and rotating the stage to minimize sound propagation to the community. Based on the results of these tests we provide recommendations on modifications to the existing City permit language, sound system design and maximum sound level criteria at the Mix position to minimize event noise levels in the community.

All sound levels presented in this report are A-weighted. Those readers not familiar with the fundamental concepts of environmental noise are referred to Appendix A.

1 - EXISTING ACOUSTICAL CRITERIA

Existing acoustical criteria for outdoor events are contained in the San Francisco Police Code (MPC) and Police Department's application for permit for an outdoor event.

Section 47.2 of the MPC entitled "regulation for use" enumerates regulations for sound amplifying equipment. Section 7 states that "Except as permitted by Chief of Police for public gatherings, in all cases where sound amplifying equipment remains at one location or when the sound truck is not in motion, the volume of the sound shall be controlled so that it will not be audible for a distance in excess of 250 feet from the periphery of the attendant audience."

In addition the bottom of the second page of the Police permit application states:

- "Sound level may not exceed 250 as specified by section 47.2 (7) MPC" (*this requirement as stated is incomplete, however likely refers to the reference to audibility at 250 feet, as stated in MPC Section 47.2 (7) above*).

- "Permittees shall reduce sound level to a volume requested by law enforcement personnel"

The MPC also considers "unnecessary noises" as those which "cause a noise level in excess of the ambient noise level by more than 5 dBA when measured at the nearest property line of the property from which the sound is omitted (sic)." It appears that this portion of the code does not apply since Section 49 explicitly exempts noises that are covered in Section 47.2.

In summary, the application for permit requires that the noise from concerts be controlled so that it is not audible for a distance in excess of 250 feet from the periphery of the attendant audience. For the purpose of this analysis we use 47.2(7) as a basis for determining whether the noise levels measured meet or exceed the City's code requirements.

2 - MEASUREMENTS

Measurements were made to quantify the noise level of events in the City as well as to test an alternative speaker layout. This section summarizes those results.

2.1 - Ambient Noise Levels.

Measurements were made on August 25th through August 28th 2001 to quantify existing ambient noise levels northeast of the Park at 41 Temescal Terrace and east of the Park near 1833 Page Street. According to police, residents in these areas have previously complained about concert noise.

At Temescal Terrace, the measurement was made at the southwest corner of the backyard, 10 feet above ground on a fence post. At this location, there was a partial view of the areas to the southwest (towards the Park), but was generally screened from the Park by existing terrain and buildings. This location is significantly elevated above the Park.

Golden Gate Park Noise Mitigation Project, 25 July 2003

Page 3

The average daily noise level ranged from 48 to 55 dBA on a Sunday without an event. Nighttime levels ranged from 42 to 48 dBA. The noise level was dominated by traffic on local roads and distant aircraft activity. We also observed occasional noise from the athletic field on Parker Avenue that is associated with the USF campus.

The Page Street measurements were made in front of the existing S.F. Public Library (1833 Page Street) on a utility pole approximately 12 feet above grade. The dominant noise source at this location was vehicular traffic on Page Street. Typical daytime levels range from 58 to 62 dBA. Nighttime noise levels ranged from 48 to 58 dBA.

2.2 - 2001 Concert Season

2.2.1 - "Reggae in the Park" at Sharon Meadows

Measurements of the "Reggae in the Park" concert were made on October 7th 2001 at the Temescal Terrace and Page Street residential monitoring locations. The measurements were made before, during, and after the show to determine the effect of the concert on noise levels at the receiver locations.

At both locations, the sound of the concert was audible. The data indicates that the noise level at the Temescal location decreases after 7 pm when the concert concludes. At Page Street the concert was audible but, at times, harder to detect above other ambient noises such as traffic and general street activity.

An additional measurement was made at 2536 McAllister Street. This location is closer to the Park than the other two monitoring locations. Maximum noise levels from the concert were 64 to 71 dBA; car pass-bys had maximum levels of 65 to 66 dBA. Without the music or cars, the ambient noise level was 50 to 55 dBA.

During the concert, a measurement was made 150 feet in front of the stage while a simultaneous measurement was made 150 feet directly behind the stage. The purpose of the measurement was to determine how much noise reduction could be obtained by rotating the stage to the west, away from the affected homes. We found that the sound level behind the stage was about 16 dBA lower than in front.

2.2.2 - "RACE FOR THE CURE®" AT SHARON MEADOWS, SPEAKER ORIENTATION TESTING

A series of tests were conducted on October 20th 2001 prior to the "Race for the Cure®". During these tests, one of the two main loudspeakers was aimed horizontally (normal position) and the other was aimed with a 15-degree downward tilt. The goal was to determine if the tilting of the loudspeakers would reduce noise levels in the residential neighborhood to the northeast.

Measurements were made near Temescal Terrace as the sound alternated between the two speakers. In most instances it was difficult to ascertain the loudspeaker sound level due to high ambient noise from vehicular traffic on local roads. However, the data seem to indicate that the noise level was reduced by 3 and 5 dB in the mid frequencies (speech frequencies) when switching between the horizontal and downward facing speakers. This leads us to conclude that the orientation of the speakers could be used to effect an overall reduction of up to 3 dBA.

2.2.3 - "STRICTLY BLUEGRASS" CONCERT AT SPEEDWAY MEADOWS

Noise measurements were made during the "Strictly Bluegrass" event at Speedway Meadows on October 27th 2001. Measurements were made along Lincoln Way and Fulton Streets near existing residences outside the Park. In general, the concert was barely detectable or inaudible at these residential locations. In part, this was due to the type of music (the Bluegrass music generated lower levels than those at the Reggae festival). However, the orientation of the stage, acoustical shielding provided by the existing terrain surrounding the Park and the high existing ambient noise levels from roadways helped mask the concert sound so that it was barely audible

in the neighborhood. The sound of the concert was audible to the west, particularly at the eastern end of the Polo Field.

2.3 - 2002 Concert Season

After an initial meeting with local neighbors, the Park staff, police and promoters prior to the 2002 season, it was decided to attempt to maintain noise levels such that they would not exceed the ambient L_{eq} by more than 5 dB. Following are the results.

2.3.1 - "Comedy Day" Event at Sharon Meadows

Noise measurements were made during the "Comedy Day" event at Sharon Meadows on August 18th 2002. For this event, the stage and loudspeakers were oriented to the east. Measurements were made on Alma Street southeast of the Park, on Page Street and on Shrader Street east of the Park, at Temescal Terrace northeast of the Park and on Parnassus Avenue south of the Park in residential neighborhoods. The concert was barely detectable or inaudible at all residential locations except the Page Street location. At Page Street, the event was audible but did not increase the ambient noise level more than 5 dBA. In general, the concert sound levels were one to 3 decibels higher than the ambient noise levels measured in August 2001 and before the concert began. At each location, local traffic dominated the noise environment.

2.3.2 - "A La Carte, A La Park" Concert at Sharon Meadows

Measurements of the "A La Carte, A La Park" event at Sharon Meadows were made on September 1st 2002 at the Page Street, Temescal Terrace and Shrader Street residential monitoring locations. For this event, the stage and loudspeakers were oriented to the north. Concert noise was inaudible or barely audible at each location, and the ambient noise levels were never exceeded by 5 dBA.

2.3.3 - "Now and Zen" Concert at Sharon Meadows

Noise measurements were made during the "Now and Zen" event at Sharon Meadows on September 22nd 2002. For this event, the stage was oriented to the north and the loudspeakers were in a vertical line array to the north. Measurements were made east of the Park at the Page Street location and northeast of the Park at the Temescal Terrace and Shrader Street residential monitoring locations. The concert was detectable at both the Temescal and Shrader locations, but inaudible at the Page location. At the Temescal and Shrader locations, the ambient noise level was also exceeded by more than 5 dBA and neighborhood complaints were generated.

Although the stage and loudspeaker set-up were acoustically optimal (i.e. north-facing and loudspeaker in a vertical line array), the sound levels at the Mix position reached 109 dBA instantaneous maximum sound level. Despite requests by the Park staff and the Police Department for the person at the mixing board to reduce the sound levels, our measurements indicate that between 2:30 pm and 3:20 pm, the sound levels at the Mix position repeatedly reached between 104 and 109 dBA. This measurement experience indicates that restricting the sound level at the Mix location to a maximum level is strongly recommended to comply with the police code, to minimize the negative impact on the nearby residential neighbors and to reduce the likelihood of complaints.

3 - CONCLUSIONS

- 3.1 For several events measured, noise at Sharon Meadows was clearly audible at residential neighborhoods surrounding the Park. This level of noise would likely be considered a violation of the police code (Section 47.2(7)) and use permit since the concert music was audible in excess of 250 feet from the periphery of the attendant audience.
- 3.2 Maintenance of the "5 dB over ambient" limit resulted in barely audible concert sound in the neighborhood and minimal complaints based on a meeting with the neighbors after the first season.

- 3.3 Reorientation of loudspeakers along the horizontal lateral axis (face speakers downward) can cause a slight reduction of noise levels in residential neighborhood. This effect would be approximately 3 decibels. A 3 dB change would be slightly noticeable.
- 3.4 Reorientation of the stage and loudspeakers to the west would reduce noise by 10 to 15 dBA at residences to the east. For comparison, a 10 dBA reduction would be considered a halving of the perceived loudness. However noise levels in other areas to the west could increase as a result of this reorientation. This would require further testing which could be done as part of the ongoing effort to reduce noise from the concerts.
- 3.5 Concerts at Speedway Meadows would likely generate significantly lower levels in residential communities as compared to those at Sharon Meadows.

4 - RECOMMENDATIONS

Based on the aforementioned conclusions, the following mitigation measures should be investigated for future concerts in an attempt to minimize noise impact to the neighborhoods:

Event Permitting

- 4.1 Revise the police permitting requirements so that the concert will not be in direct violation of the code. This would require either a change in the code or an exemption to be granted by the Chief of Police.

Stage/Loudspeaker Orientation

- 4.2 Orient the stage and loudspeakers to the north (towards "hippie hill"), or evaluate the feasibility of orienting the stage and loudspeakers towards the west to minimize sound transfer to residential areas adjacent to the Park.
- 4.3 Provide a "vertical line array" of speakers or maintain a downward tilt if conventional speakers are to be used. A vertical line array loudspeaker system is specifically designed and configured so that the spreading of sound in the vertical plane (the "vertical dispersion") is limited. This type of loudspeaker system has become commonplace in medium to large touring systems, however may not be available from smaller local sound rental companies.
- 4.4 Where vertical line array loudspeaker systems are not available, require concert promoters to orient loudspeakers 15 degrees down from the horizontal plane to minimize the sound leakage to the community. The effectiveness can be evaluated over the course of the upcoming concert season. The exact design will need to be tested and refined but can be worked out with the City, sound contractor and acoustical consultant.

Concert Sound Levels

- 4.5 Maintain maximum sound levels at the Mix position. Assuming the provisions of items 2 and 3 or 4 above, it should be required that the maximum levels at the mixing board shall not exceed a 5-minute average sound level (L_{eq}) of 96 dBA or instantaneous maximum sound level of 102 dBA.
- 4.6 Maintain maximum noise levels in the community. In addition to the sound level limit at the Mix position, measurements should be made at representative locations in the community to assure that average concert noise does not exceed average ambient noise by more than 5 dBA. A measurement of the average sound level (L_{eq}) should be made at 5-

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minute intervals during the concert. This can be compared with measurements of ambient noise (5-minute L_{eq}) made prior to concert and during breaks in the concert.

Noise Monitoring

- 4.7 Determine the responsibility to monitor noise: One possible approach is that the organizer of the event be responsible to provide acoustical measurement services at the mixing board and in the community. Alternately, the Park staff or Police Department could be the measuring authority. Organizers must alert performing companies that concert noise levels must be adjusted to comply with the limits set forth in items 6 and 7.
- 4.8 Maintain a Complaint Log. An accurate log of complaints received during concerts should be maintained by the S.F. Police Department and/or Department of Parks and Recreation in order to identify problem areas.

Alternate Event Site

- 4.9 Evaluate the potential for alternate locations for noisy events (e.g. Speedway Meadows)

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APPENDIX A

FUNDAMENTAL CONCEPTS OF ENVIRONMENTAL NOISE

This section provides background information to aid in understanding the technical aspects of this report.

Three dimensions of environmental noise are important in determining subjective response. These are:

- a) The intensity or level of the sound;
- b) The frequency spectrum of the sound; and
- c) The time-varying character of the sound.

Airborne sound is a rapid fluctuation of air pressure above and below atmospheric pressure. Sound levels are usually measured and expressed in decibels (dB), with 0 dB corresponding roughly to the threshold of hearing.

The "frequency" of a sound refers to the number of complete pressure fluctuations per second in the sound. The unit of measurement is the cycle per second (cps) or hertz (Hz). Most of the sounds, which we hear in the environment, do not consist of a single frequency, but of a broad band of frequencies, differing in level. The name of the frequency and level content of a sound is its sound spectrum. A sound spectrum for engineering purposes is typically described in terms of octave bands, which separate the audible frequency range (for human beings, from about 20 to 20,000 Hz) into ten segments.

Many rating methods have been devised to permit comparisons of sounds having quite different spectra. Surprisingly, the simplest method correlates with human response practically as well as the more complex methods. This method consists of evaluating all of the frequencies of a sound in accordance with a weighting that progressively de-emphasizes the importance of frequency components below 1000 Hz and above 5000 Hz. This frequency weighting reflects the fact that human hearing is less sensitive at low frequencies and at extreme high frequencies relative to the mid-range.

The weighting system described above is called "A-weighting," and the level so measured is called the "A-weighted sound level" or "A-weighted noise level." The unit of A-weighted sound level is sometimes abbreviated "dBA." In practice, the sound level is conveniently measured using a sound level meter that includes an electrical filter corresponding to the A-weighting characteristic. All U.S. and international standard sound level meters include such a filter. Typical sound levels found in the environment and in industry are shown in Figure A-1.

Although a single sound level value may adequately describe environmental noise at any instant in time, community noise levels vary continuously. Most environmental noise is a conglomeration of distant noise sources, which results in a relatively steady background noise having no identifiable source. These distant sources may include traffic, wind in trees, industrial activities, etc. and are relatively constant from moment to moment. As natural forces change or as human activity follows its daily cycle, the sound level may vary slowly from hour to hour. Superimposed on this slowly varying background is a succession of identifiable noisy events of brief duration. These may include nearby activities such as single vehicle passbys, aircraft flyovers, etc. which cause the environmental noise level to vary from instant to instant.

To describe the time-varying character of environmental noise, statistical noise descriptors were developed. " L_{10} " is the A-weighted sound level equaled or exceeded during 10 percent of a stated time period. The L_{10} is considered a good measure of the maximum sound levels caused by discrete noise events. " L_{50} " is the A-weighted sound level that is equaled or exceeded 50 percent of a stated time period; it represents the median sound level. The " L_{90} " is the A-weighted sound level equaled or exceeded during 90 percent of a stated time period and is used to describe the background noise.

As it is often cumbersome to quantify the noise environment with a set of statistical descriptors, a single number called the average sound level or " L_{eq} " is now widely used. The term " L_{eq} " originated from the concept of a so-called equivalent sound level which contains the same acoustical energy as a varying sound level during the same time period. In simple but accurate technical language, the L_{eq} is the average A-weighted sound level in a stated time period. The L_{eq} is particularly useful in describing the subjective change in an environment where the source of noise remains the same but there is change in the level of activity. Widening roads and/or increasing traffic are examples of this kind of situation.

In determining the daily measure of environmental noise, it is important to account for the different response of people to daytime and nighttime noise. During the nighttime, exterior background noise levels are generally lower than in the daytime; however, most household noise also decreases at night, thus exterior noise intrusions again become noticeable. Further, most people trying to sleep at night are more sensitive to noise.

To account for human sensitivity to nighttime noise levels, a special descriptor was developed. The descriptor is called the Day/Night Average Sound Level (abbreviated DNL or L_{dn}), which represents the 24-hour average sound level with a penalty for noise occurring at night.

The DNL computation divides the 24-hour day into two periods: daytime (7:00 am to 10:00 pm); and nighttime (10:00 pm to 7:00 am). The nighttime sound levels are assigned a 10 dB penalty prior to averaging with daytime hourly sound levels. For highway noise environments, the average noise level during the peak hour traffic volume is approximately equal to the DNL.

The effects of noise on people can be listed in three general categories:

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- a) Subjective effects of annoyance, nuisance, dissatisfaction;
- b) Interference with activities such as speech, sleep, and learning; and
- c) Physiological effects such as startle, hearing loss.

The sound levels associated with environmental noise usually produce effects only in the first two categories. Unfortunately, there has never been a completely predictable measure for the subjective effects of noise nor of the corresponding reactions of annoyance and dissatisfaction. This is primarily because of the wide variation in individual thresholds of annoyance and habituation to noise over time.

Thus, an important factor in assessing a person's subjective reaction is to compare the new noise environment to the existing noise environment. In general, the more a new noise exceeds the existing, the less acceptable the new noise will be judged.

With regard to increases in noise level, knowledge of the following relationships will be helpful in understanding the quantitative sections of this report:

- a) Except in carefully controlled laboratory experiments, a change of only 1 dB in sound level cannot be perceived.
- b) Outside of the laboratory, a 3 dB change is considered a just-noticeable difference.
- c) A change in level of at least 5 dB is required before any noticeable change in community response would be expected.
- d) A 10 dB change is subjectively heard as approximately a doubling in loudness, and would almost certainly cause an adverse community response.

FNDA2DNL
3 October 1990

A-WEIGHTED
SOUND PRESSURE LEVEL,
IN DECIBELS

	140	} THRESHOLD OF PAIN
	130	
CIVIL DEFENSE SIREN (100') JET TAKEOFF (200')	120	
RIVETING MACHINE	110	
DIESEL BUS (15')	100	ROCK MUSIC BAND PILEDRIVER (50') AMBULANCE SIREN (100')
BAY AREA RAPID TRANSIT TRAIN PASSBY (10')	90	BOILER ROOM
OFF HIGHWAY VEHICLE (50') PNEUMATIC DRILL (50')	80	PRINTING PRESS PLANT GARBAGE DISPOSAL IN THE HOME
SF MUNI LIGHT-RAIL VEHICLE (35') FREIGHT CARS (100')	70	INSIDE SPORTS CAR, 50 MPH
VACUUM CLEANER (10') SPEECH (1')	60	
	50	DATA PROCESSING CENTER DEPARTMENT STORE
LARGE TRANSFORMER (200') AVERAGE RESIDENCE	40	PRIVATE BUSINESS OFFICE LIGHT TRAFFIC (100')
	30	TYPICAL MINIMUM NIGHTTIME LEVELS--RESIDENTIAL AREAS
SOFT WHISPER (5')	20	
RUSTLING LEAVES	10	RECORDING STUDIO
THRESHOLD OF HEARING	0	MOSQUITO (3')

(100') = DISTANCE IN FEET
BETWEEN SOURCE
AND LISTENER

TYPICAL SOUND LEVELS
MEASURED IN THE ENVIRONMENT
AND INDUSTRY

FIGURE A1



Sharon Meadows -
GGP
3/18/04
0403-009

To: Parks and Planning Committee

From: Sandy Lee, Principal Recreation Supervisor, Permits and Reservations
Margaret McArthur, Commission Liaison

Date: February 24, 2004

Re: Sound Policy, Sharon Meadow

Agenda Item Wording:

Discussion and possible action to amend the Recreation and Park Department's amplified sound permit policy for Sharon Meadow in Golden Gate Park with review by the Commission in October.

Background:

Currently, the Recreation and Park Department's sound policy is incorporated in the Recreation and Park Department's Permit and Reservation Policy amended May 15, 1997. Specifically the policy states that "Permits for events which require amplified sound permits issued by the Police Department shall also be allowed at Sharon Meadow, but only between the hours of 9:00 a.m. and 5:00 p.m.; provided, however, that amplified sound shall not exceed one (1) continuous five (5) hour period during these hours."

The Department is in the process of reviewing the Permit and Reservation Policy for revisions including sound permits, site permits and performance bonds. Changes in City law now require RPD to issue sound permits. The last amendments made to this policy were in 1997. Staff will be bringing to the Commission other revisions to this policy over the next few months. This item is specific to the sound policy at Sharon Meadow. Sharon Meadow is located near the east entrance of Golden Gate Park -surrounded by Kezar Drive, Bowling Green Drive and JFK Drive. Sharon Meadow is currently used for events ranging from Opera In the Park to Now and Zen.

Over the last few years, there have been complaints about noise from these events. Staff has been working with the Park Police Station, SFPD's Sound Bureau, community members and promoters to try and resolve these complaints. In addition the Department hired an outside certified sound consultant, Charles M. Salter Associates to study the sound problems and make recommendations on how to resolve these. A copy of that report is attached.

Below are the recommendations from the report along with Department comments :

4.1 Revise the police permitting requirements so that the concert will not be in direct violation of the code. This would require either a change in the code or an exemption to be granted by the Chief of Police.

- The Department is researching either an amendment to the Police Code or adding this to the Park Code. The sound ordinance has been changed and the Chief of Police no longer has authority over this.

4.2 Orient the stage and loudspeakers to the north (towards "hippie hill"), or evaluate the feasibility of orienting the stage and loudspeakers towards the west to minimize sound transfer to residential areas adjacent to the Park.

- The Department has already incorporated this into the event application. The Department will have final determination over the location of the orientation of the stage.

Loudspeakers

4.3 Provide a "vertical line array" of speakers or maintain a downward tilt if conventional speakers are to be used. A vertical line array loudspeaker system is specifically designed and configured so that the spreading of sound in the vertical plane (the "vertical dispersion") is limited. This type of loudspeaker system has become commonplace in medium to large touring systems, however may not be available from smaller local sound rental companies.

4.4 Where vertical line array loudspeaker systems are not available, require concert promoters to orient loudspeakers 15 degrees down from the horizontal plane to minimize the noise that could leakage to the community. The effectiveness can be evaluated over the course of the upcoming concert season. The exact design will need to be tested and refined but can be worked out with the City, sound contractor and acoustical consultant.

- It is recommended that event applicants with an anticipated attendance of 3,000 or more would be required to hire an environmental acoustical consultant to design an appropriate sound system to conform to the requirements of Police Code § 47.2.

Enforcement

4.5 Maintain maximum sound levels at the Mix position. Assuming the provisions of items 2 and 3 or 4 above, it should be required that the maximum levels at the mixing board shall not exceed a 5-minute average sound level of 96 dBA or instantaneous maximum sound level of 102dBA.

- It is not clear that this would be enforceable or would meet code requirements.

4.6 Maintain maximum noise levels in the community. In addition to the sound level limit at the Mix position, measurements should be made at representative locations in the

community to assure that average concert noise does not exceed average ambient noise by more than 5 dBA. A measurement of the average sound level should be made at 5-minute intervals during the concert. This can be compared with measurements of ambient noise made prior to concert and during breaks in the concert.

- The Department will determine locations in the community to take measurements of the average sound level.

4.7 Determine the responsibility to monitor noise: One possible approach is that the organizer of the event be responsible to provide acoustical measurement services at the mixing board and in the community. Alternately, the Park staff or Police Department could be the measuring authority. Organizers must alert performing companies that concert noise levels must be adjusted to comply with the limits set forth in items 6 and 7.

- The Park Patrol will be the measuring and enforcement authority for noise monitoring.

4.8 Maintain a Complaint Log. An accurate log of complaints received during concerts should be maintained by the S.F. Police Department and/or Department of Parks and Recreation in order to identify problem areas.

- A complaint log will be maintained by Park Patrol.

4.9 Evaluate the potential for alternate locations for noisy events (e.g. Speedway Meadows).

- The Department has not added any new major events using amplified sound for the past two years at Sharon Meadow. In fact, when Sharon Meadow was requested as the site for a new event, staff successfully placed it at Speedway Meadows. Some of those events are Circle of Life, Alice Summer Thing Concert/Festival, Strictly Blue Grass, 911 Festival & Human Rights & Peace Festival.

Staff is recommending incorporating recommendation numbers 4.1, 4.2, 4.6, 4.7, 4.8 and 4.9 along with the requirement that applications of events of an anticipated attendance of 3,000 or more hire an environmental acoustical consultant. The new policy will:

- Set an application process
- Allow the Department the final approval of stage and loudspeaker orientation
- Set enforcement procedures

There will be no additional cost to the Department. The applicant will be required to cover the cost of Park Patrol.

Staff recommends approval of the policy for Sharon Meadow with a review by the Commission in October.

DRAFT

SAN FRANCISCO RECREATION & PARK COMMISSION

AMPLIFIED SOUND PERMIT POLICY

SHARON MEADOW

HOURS: Amplified sound is permitted in Sharon Meadow for a total of 5 hours between 9:00 AM and 5:00 PM, any modification is subject to Commission approval.

APPLICATION PROCESS: Applicants for an amplified sound permit must obtain a site permit from RPD before RPD will issue an amplified sound permit. Applicants should apply for both permits at the same time.

1. Time of application
 - a. 90 days prior to the event for an event by the same sponsor that has been held before, and for which no Commission approval is required.
 - b. 180 days prior to the event for a new event, and/or for which Commission approval is required.
2. Applicant must pay the required fees by cashier check before permits will be issued. These fees include:
 - a. Site permit fees as set forth in the applicable Park Code section, plus an amount that RPD estimates will equal the necessary staff costs, other than the costs covered by the site permit fee, incurred by RPD or other City agencies in connection with the event. These staff costs could include gardener, park patrol, acoustical consultant, and sound engineer services. RPD will refund any amount that exceeds the actual costs of providing these services. (*See, Park Code §§ 7.06, 7.16, 7.18, 12.22*)
 - b. Sound permit filing and licensing fees as set forth in the San Francisco Police Code.
3. Before permits will be issued, applicant must provide:
 - a. Performance bond or security deposit approved by the City's Risk Manager in an amount set by RPD staff to cover the clean-up and/or repair costs in the event the Permittee fails to perform its clean-up obligations under the permit, or damages Park property.
 - b. Insurance in an amount and type of coverage that the City's Risk Manager determines to be necessary for the size and type of the event. (*See, Park Code § 7.06.*)
4. Applicants for events that RPD staff anticipates will have an attendance of 3,000 persons or more must hire a qualified environmental acoustical consultant to design an appropriate sound system that will conform to the requirements of Police Code § 47.2¹. Applicant must supply a copy of the

¹ S.F. Municipal Police Code: SEC. 47.2. REGULATIONS FOR USE.

Use of any sound amplifying equipment, whether truck-mounted or otherwise, within the City and County of San Francisco shall be subject to the following regulations:

- (1) The only sounds permitted are music or human speech;

design with the permit application or within 30 days of submitting the application. Approval of the permit will be conditioned on the applicant's agreement that it will not use a sound system inconsistent with the design that the applicant submits to RPD. RPD will deny for failure to complete the application for an amplified sound permit if the applicant fails to provide an appropriate sound system design.

The event applicant must demonstrate that it will provide the staff at the event qualified to make appropriate adjustments to the sound mix and amplification in order to maintain compliance with Police Code § 47.2 throughout the event. The event applicant must agree that it will direct such staff to comply with directives of the Park Patrol, SFPD or the consulting sound engineer to lower the volume when necessary to obtain compliance with Police Code § 47.2.

In addition, the event applicant shall employ, from a Department list of approved consulting sound engineers, one consultant to supervise amplification to insure compliance with all applicable amplified sound ordinances, rules and regulations. This requirement shall be effective upon

-
- (2) Hours of operation permitted shall be between 9:00 a.m. and 10:00 p.m.; operation after 10:00 p.m. is permitted only at the location of a public event or affair of general public interest or as otherwise permitted by the Entertainment Commission;
 - (3) Except as permitted by the Entertainment Commission, sound shall not be issued within 450 feet of hospitals, schools, churches, courthouses, public libraries or mortuaries;
 - (4) No sound truck with its amplifying device in operation shall traverse any one block in the City and County more than four times in any one calendar day;
 - (5) Amplified human speech and music shall not be unreasonably loud, raucous, jarring or disturbing to persons of normal sensitiveness within the area of audibility, nor louder than permitted in Subsections (6) and (7) hereof;
 - (6) When the sound truck is in motion, the volume of sound shall be controlled so that it will not be audible for a distance in excess of 450 feet from its source; provided, however, that when the sound truck is stopped by traffic, the said sound amplifying equipment shall not be operated for longer than one minute at such stop;
 - (7) Except as permitted by the Entertainment Commission for public gatherings, in all cases where sound amplifying equipment remains at one location or when the sound truck is not in motion, the volume of sound shall be controlled so that it will not be audible for a distance in excess of 250 feet from the periphery of the attendant audience;
 - (8) No sound amplifying equipment shall be operated unless the axis of the center of any sound reproducing equipment used shall be parallel to the direction of travel of the sound truck; provided, however, that any sound reproducing equipment may be so placed upon said sound truck as to not vary more than 15° either side of the axis of the center of the direction of travel and, provided further, that radial, nondirectional type of loudspeakers may be used on said sound trucks either alone or in conjunction with sound reproducing equipment placed within 15° of the center line of the direction of travel.

issuance by the General Manager of a list of not less than five approved sound engineers or sound engineering firms. Said consultant shall not be employed by or associated with any other sound engineer or acoustical consultant employed by the event applicant.

STAGE/LOUDSPEAKER ORIENTATION: As a condition of the approval of an amplified sound permit, the event applicant and applicant's environmental acoustical consultant must work with RPD staff to orient the stage in a manner that minimizes the sound transfer to park and residential areas adjacent to Sharon Meadow. RPD staff will make the final determination regarding the orientation of the stage.

ENFORCEMENT:

1. If the event produces sound in excess of the limits specified in Police Code § 47.2, the Park Patrol or SFPD officer may direct the event manager to adjust the sound levels. If event staff does not adjust the sound level within 15 minutes of this directive, the Officer may again direct the event manager to adjust the sound levels.
2. The failure to adequately adjust the sound levels within 5 minutes after the second directive will be considered a violation of the conditions of the amplified sound permit and may result in revocation of the permit and other sanctions as specified in this Policy.
3. The failure to make the adjustments specified in Paragraph 3 may result in an additional condition on any future amplified sound permit issued to the event sponsor. As a result of such failure, RPD may require the event sponsor to post a performance bond or security deposit for any subsequent sound permits for any event on Park property. Failure to substantially comply with the conditions of a subsequent amplified sound permit for which a performance bond or security deposit was required may result in the forfeiture of that performance bond or security deposit. The amount of the performance bond or security deposit will be 1.5 times the fee for the site permit minus any set-up and breakdown charges.
4. The event's compliance with City law is a condition of all permits. The event sponsor's violation of City law, including laws regulating amplified sound, may result in the denial of a permit in Sharon Meadow for a future event sponsored by the same party, and relocation to an alternative site in order to mitigate serious damage to Park property or substantial interference with the peaceful use and enjoyment of the park and neighboring properties by others. Repeated violations of laws regulating the use of amplified sound may result in the denial of a permit for the use of amplified sound on Recreation and Park Property.
5. The RPD General Manager's decision to: 1) require the posting of a performance bond or security deposit; 2) impose other conditions; 3) require forfeiture of the bond or deposit; 4) deny a permit for Sharon Meadow or 5) deny a permit for amplified sound may be appealed in the same manner as the denial of a permit which is set forth in Park Code §§ 7.07 and 7.20, and Recreation and Park Commission Permit and Reservation Policy of May 15, 1997, Section III.



Park Ranger Sound Permit Protocol

This protocol is established pursuant to the Sharon Meadow Sound Policy approved by the Recreation and Park Commission on _____, 2004. This protocol sets forth the procedures for the monitoring and enforcement of amplified sound permits in Sharon Meadow. The San Francisco Recreation and Park Rangers will be the AHJ (Authority Having Jurisdiction) to monitor, warn and issue citations for violations of all laws, policies and permit conditions governing the use of amplified sound.

1. **STAFFING.** Three Park Rangers will be on duty during any event requiring an amplified sound permit.
 - a. One Park Ranger will be stationed at the Ranger office to receive calls and monitor all complaints. This Ranger is responsible for maintaining an accurate log of all complaints and enforcement actions regarding amplified sound for the duration of the event, including the date, time, location of the caller, contacts with other Rangers on duty and the San Francisco Police Department, investigation and sound level readings, and warnings and citations issued.
 - b. The number (415) 753-7015 will be dedicated for this purpose.
 - c. The Ranger at the office will dispatch the field unit and advise the Ranger assigned to at the venue / event site.
 - d. The second Park Ranger will be assigned to remain at the venue / event site to monitor the sound levels every thirty minutes with the use of a sound decibel meter.
 - e. The third Park Ranger will be in the field and will respond to complaints as dispatched by the Park Ranger at the station. This ranger will respond to the area of the complaint, conduct a sound test reading at the location with the use of a sound decibel meter, and record the date, time, location and meter reading. This information will be reported to the Ranger at the station.
 - f. All information reported will be logged by the Ranger at the station for the purpose of documenting violations and enforcement of the amplified sound permit.
2. **ENFORCEMENT.**
 - a. First incident of a violation of the S.F. Police Code §47.2 and/or any permit conditions: The ranger at the event site will contact the permit holder, promoter or his / her designee and advise the person that the event is in violation of the amplified

sound permit and issue a directive to lower the sound level within 15 minutes. The date, time and to whom the directive was issued will be reported to the Ranger at the station who will record this information, and the name of the reporting Ranger in the complaint log.

- b. Second incident of a violation: If the sound is not lowered within 15 minutes after the directive to lower the sound level, the Park Ranger will issue a written citation for violation of S.F. Police Code § 47.2, and Park Code §§3.01 and 7.16(a)(1). The Ranger who issued the citation will notify the Ranger at the station of the date, time and number of the citation and to whom the citation was issued. The Ranger at the station will record this information, and the name of the reporting Ranger in the complaint log.
- c. Third incident of a violation: If the sound is not lowered within 5 minutes of the issuance of the citation, the Ranger will issue a second citation for violation of S.F. Police Code § 47.2, and Park Code §§3.01 and 7.16(a)(1). The Ranger who issued the citation will notify the Ranger at the station of the date, time and number of the citation and to whom the citation was issued. The Ranger at the station will record this information, and the name of the reporting Ranger in the complaint log.
- d. All information will be documented in the complaint log. The complaint log, the incident reports and citations will be forwarded to the permits division of the SF RPD for the imposition of sanctions and/or future permit conditions on the permittee as set forth by the Recreation and Park Commission.

**Sharon Meadows Amplified Sound
Now and Zen 2005**

RGD Project No. 05-042-2

SUBMITTED TO:

**Dennis Kern
City of San Francisco
Recreation and Park Department
McLaren Lodge, Golden Gate Park
501 Stanyan Street
San Francisco, CA 94117-1898**

PREPARED BY:

**Alan Rosen
Harold Goldberg, P.E.**

DATE:

15 November 2005

1 Introduction

This report is intended to provide a brief summary of the noise control efforts to date (focusing on measurements made for Now and Zen 2005) and what options exist for the future. This report is divided into the following sections:

- Introduction
- Environmental noise fundamentals,
- Amplified Sound Policies
- Noise measurement results from Now and Zen 2005
- Conclusions

2 Environmental Noise Fundamentals

Noise can be defined as unwanted sound. It is commonly measured with an instrument called a sound level meter. The sound level meter captures the sound with a microphone and converts it into a number called a sound level. Sound levels are expressed in units of decibels (dB).

To correlate the microphone signal to a level that corresponds to the way humans perceive noise, the A-weighting filter is used. A-weighting de-emphasizes low-frequency and very high-frequency sound in a manner similar to human hearing. The use of A-weighting is required by most local General Plans as well as federal and state noise regulations (e.g. Caltrans, EPA, OSHA and HUD). The abbreviation "dBA" is often used when the A-weighted sound level is reported.

Because of the time-varying nature of environmental sound, there are many descriptors that are used to quantify sound levels in the environment. Although one individual descriptor alone does not fully describe a particular noise environment, taken together, they can more accurately represent the noise environment. Some commonly used descriptors are the L_{max} , L_{eq} , L_{90} , DNL and CNEL.

The maximum instantaneous noise level (L_{max}) is often used to identify the loudness of a single event such as a car passby or airplane flyover. To express the average noise level the L_{eq} (equivalent noise level) is used. The L_{eq} can be measured over any length of time but is typically reported for periods of 15 minutes to 1 hour. The background noise level (or residual noise level) is the sound level during the quietest moments. It is usually generated by steady sources such as distant freeway traffic. It can be quantified with a descriptor called the L_{90} which is the sound level exceeded 90 percent of the time.

In environmental noise, a change in noise level of 3 dB is considered a just noticeable difference. A 5 dB change is clearly noticeable, but not dramatic. A 10 dB change is perceived as a halving/doubling in loudness.

3 Amplified Sound Policies

3.1 Sharon Meadows

An acoustical study was prepared in July 2003 by Charles Salter Associates (CSA). The study provided the framework for an amplified sound permit policy for Sharon Meadows. Among the key findings were that the City's standard for amplified sound (MPC 47.2) was virtually impossible to meet for events that used amplified sound since it required that the sound from the event be inaudible at the perimeter of the attending audience.

Based on the City's goal of balancing the desire for these events and the need to protect neighbors from excessive sound, the CSA report recommended controlling noise to the levels specified in Article 29 of the code which defines "unnecessary, excessive or offensive noise" as a noise level which exceeds the ambient by more than 5 dBA. In addition, the Salter report provided other recommendations regarding:

- Stage/loudspeaker orientation
- Sound level limits at mix position and surrounding neighborhood
- Noise monitoring
- Alternate event locations

The City's current "Amplified Sound Permit Policy" requires compliance with MPC 47.2 though it does incorporate some of the suggestions from the CSA report regarding stage/loudspeaker orientation. For the purposes of determining compliance with the policy, the Parks commission agreed to a test using the provisions of Article 29 as an interim noise level limit for Now and Zen 2005. Monitoring and enforcement of the Policy was moved to a separated document entitled "Park Ranger Sound Permit Protocol."

3.2 Other Governmental Agencies

A quick search on the internet reveals that governments throughout the world have developed regulations to control excessive noise from outdoor concerts. Some have adopted noise level limits within the park (stage, audience or perimeter of the park) while others have noise level limits at the noise receptors, typically residential uses. Some agencies further restrict the number of events per year. In some cases the limit on the number of concerts is directly related to the expected loudness of the concert.

Seattle, Washington; Westminster, London (Hyde Park); Malaysia; Helsinki, Finland and various locations in Australia and Hong Kong have adopted quantitative noise standards for concerts. England has published a Code of Practice on Environmental Noise Control at Concerts. The code requires that there be a trade-off between the number of events and the loudness of events.

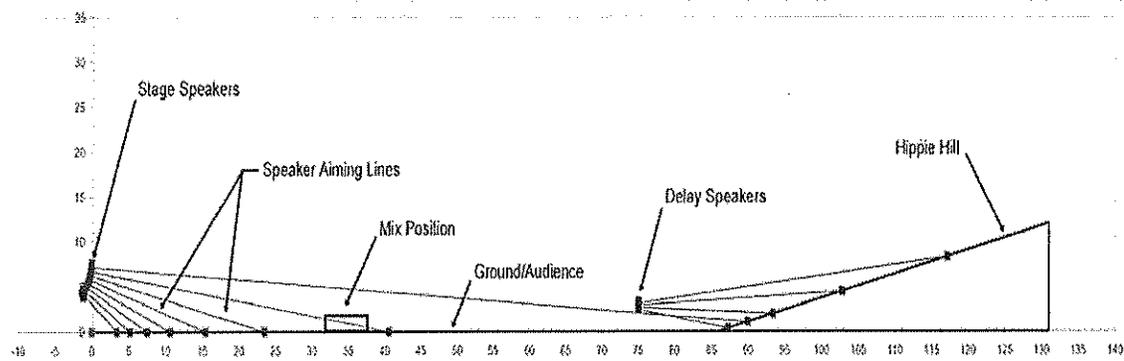
4 Now and Zen 2005

4.1 Sound System Design

Initially, a meeting took place between the permit applicant, Recreation and Parks Department (RPD) staff, a consultant from Rosen Goldberg & Der (RGD), and the applicants sound system designer. The applicant was informed that they would need to submit maps showing the orientation and location of loudspeakers. They were also advised of the noise level limits at the mix (5 minute L_{eq} of 96 dBA) and the noise level limit at residences (no more than 5 dBA above the ambient).

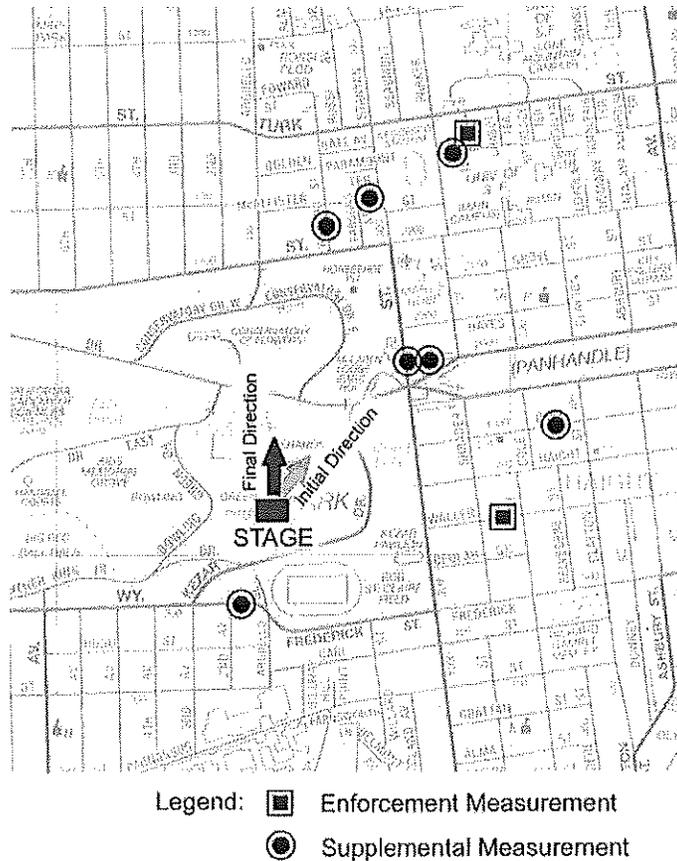
The loudspeaker system design was submitted to RPD for review by RGD. The system was designed as a vertical line array with two satellite (delay) towers. Figure 1 is a loudspeaker aiming diagram. The figure illustrates how the speakers are elevated so that they can be aimed downwards, thereby avoiding excessive transfer of sound to the community. The figure also shows how the delay speakers can be used to provide coverage at the rear of the park, minimizing the need for elevated levels from the main stage speakers.

Figure 1: Loudspeaker Aiming Diagram



During the review process, the applicant was advised that the stage was not properly oriented to the north or west. The stage location was subsequently changed so that it faced in a more northerly direction as shown in Figure 2. The final design was consistent with the Amplified Sound Permit Policy requirement for stage/loudspeaker orientation.

Figure 2: Stage Orientation and Noise Measurement Locations

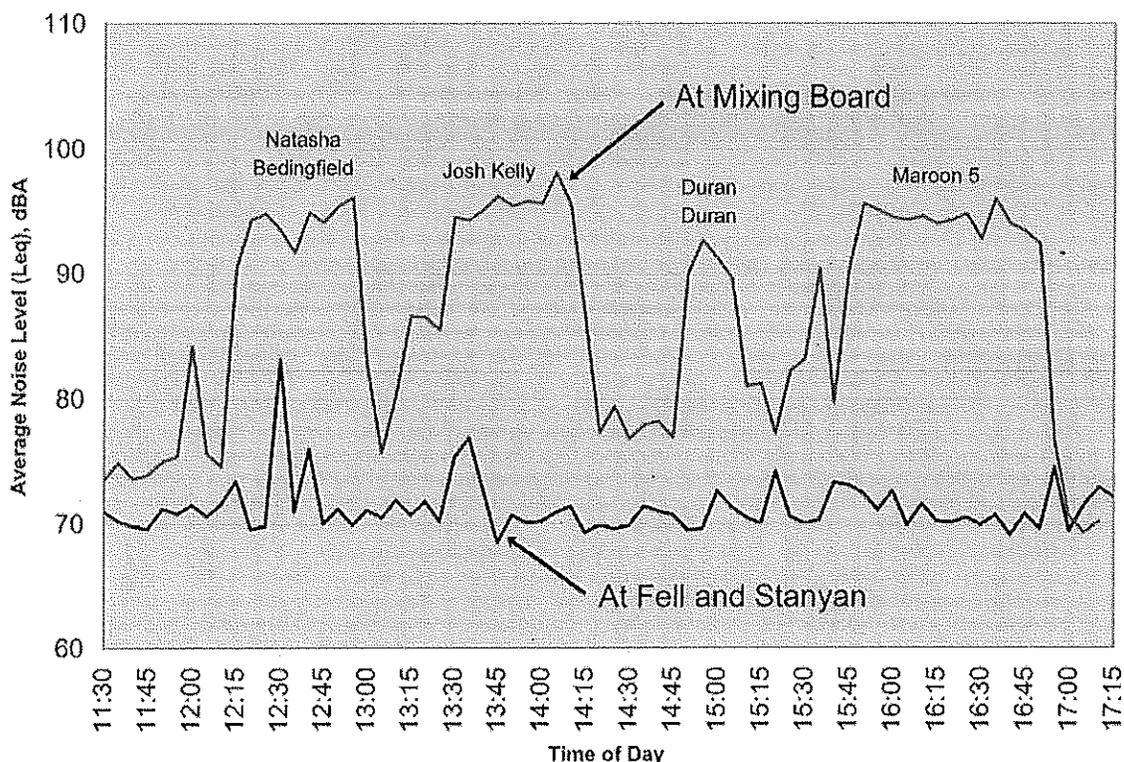


4.2 Noise Monitoring

Three RPD staff were assigned to monitor the concert. One park ranger was stationed at the mix position while a second park ranger, along with an acoustical consultant from RGD were available to respond to complaints. A third person was located at the ranger station to receive complaint calls. Figure 2 shows the field measurement locations. The squares indicate the location of enforcement measurements that were made in response to complaints. The circles indicate supplemental noise measurement locations for use in possible future studies.

Sound engineers for each band were informed that enforcement measurements would be made at residential locations if there were complaints. They were also informed of the limit at the mix position and if levels exceeded an L_{eq} of 96 dBA then a uniformed ranger, stationed at the mix, would instruct them to turn the level down. Figure 3 shows a plot of the noise level at the mix position throughout the entire concert. Noise levels were generally maintained at or below 96 dBA.

Figure 3: Noise Monitoring at Mix and Neighborhood



During the concert, the park ranger responded to four complaints from residential locations; three from Temescal Street and one from Waller Street. Enforcement measurements were made on sidewalks in close proximity to the residences. Based on these measurements, noise from the concert was determined to be no more than 5 dBA above the ambient sound level and no citations were made.

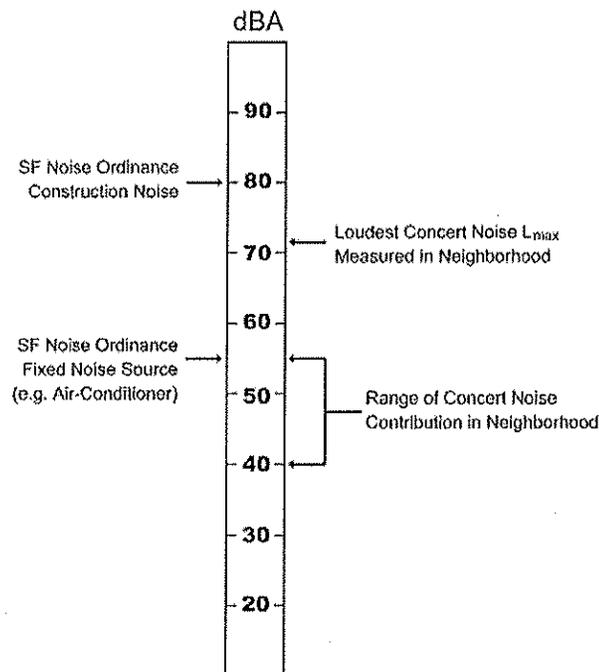
A noise monitor was located at the corner of Fell and Stanyan Streets in an attempt to corroborate noise measurements that were being made by concerned neighbors. The results of these measurements are shown on Figure 3 along with the noise level at the mix position. There does not appear to be a direct correlation between the sound level at the mix and the levels at the monitor on the corner of Stanyan and Fell Streets as the noise at that location was dominated by local traffic.

In addition to the enforcement measurements, we performed measurements as part of the on-going effort to address concert noise at the Park. Most of the additional measurements were made around the perimeter of the park. In general, concert noise is estimated to have contributed average noise levels in the 40 dBA to 55 dBA range. This contribution is estimated because most of the time the concert noise could not be measured by itself, without the influence of traffic noise. Appendix A summarizes the results of the noise measurements.

Toward the end of the concert, the music became increasingly more audible outside the park. For example, the maximum sound level from music measured along Fell Street reached 72 dBA during the last performer. This increased audibility, however, was not due to the performers turning up the volume since the sound levels at the mix did not show that the last performer was louder than the others. Instead, the increased audibility in the neighborhood was probably due to a change in atmospheric conditions which caused the amplified sound to propagate more readily from Sharon Meadows to surrounding areas. After a relatively warm and sunny afternoon, the end of the concert coincided with a rapid cooling from the marine layer. This type of atmospheric condition can eliminate the sound attenuation normally provided by intervening terrain and vegetation.

One way to put the concert noise levels in perspective is to compare the levels that were measured in the neighborhood with noise limits for other sources as promulgated in the City's noise ordinance (Article 29). Figure 4 shows a comparison of the sound levels measured in the neighborhood with the City's maximum allowable levels for construction noise and fixed noise sources.

Figure 4: Comparison of Concert Noise with Other Noise Limits



In areas that are more shielded from local traffic noise such as backyards and decks the concert noise would be expected to be more noticeable. Although we were not able to measure at these locations, it is quite possible that the concert noise (particularly under the atmospheric conditions at the end of the concert) exceeded the ambient by more than the 5 dBA limit of the Noise Ordinance (Article 29).

5 Conclusions

5.1 Findings

- The sound system design was consistent with the amplified sound permit policy requirements for stage/loudspeaker orientation.
- Noise levels at the mix position were monitored by a park ranger and maintained at or below an L_{eq} of 96 dBA except for one five-minute interval.
- Park rangers responded to four complaints at two residential locations.
- Concert noise levels were measured near the complainants and determined to be in compliance with the interim noise limit (5 dBA above the ambient) adopted for this event by the Recreation and Park commission.
- The concert was barely audible or only audible between lulls in traffic at most residential locations. The concert did become more clearly audible towards the end when atmospheric conditions changed.
- Supplemental noise measurements indicate that the interim noise level limit may have been exceeded at other residential locations toward the end of the concert. This was likely due to changing atmospheric conditions near the end of the show.
- Based on field measurements, an L_{eq} of 96 dBA at the mix position appears to limit noise levels in the community to the interim goal in front of residences under normal weather conditions. There may be times when the interim limit is exceeded if atmospheric conditions are favorable for sound propagation or ambient levels are low.

5.2 Recommendations

- Monitor for compliance at the mix position rather than at residential complaint locations due to sound level variations caused by uncontrollable atmospheric conditions and variations in individual resident's noise sensitivities.

OR

Monitor for compliance at a few fixed residential locations that accurately reflect a neighborhoods noise exposure (current sidewalk measurements tend to be heavily influenced by traffic noise). Examples include balconies, backyard utility poles or roofs. Locations could be selected by the City with input from the public.

-
- For compliance monitoring at the mix position: Continue to monitor at some residential locations to confirm that reasonable levels are being maintained. These reasonable levels could be determined based on a review of current city standards and those of other similar cities.
 - For compliance monitoring at fixed residential locations: If the interim noise level limit (5 dBA above ambient) is to be met at all times then the noise level limit at the mix position may need to be lowered below an L_{eq} of 96 dBA. Any further lowering of the noise level at the mix may limit the type of acts that are willing to perform at the park.
 - Review amplified sound permit policy with respect to the roles of required consultants. Policy may need modification to minimize ambiguities and assign tasks to appropriate consultants.

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Appendix A – Noise Measurement Results

Time	Location ¹	Sound Level (dBA)			Noise Sources		
		L _{eq}	L _{max}	Event Audible?	Event (concert)	Non-Event (ambient)	Notes
11:23 am – 11:28 am	Golden Gate, north of Temescal	56	66	no	none	Intermittent car passbys, music from USF athletic field	
11:34 am – 11:39 am	2536 McAllister (between Staryan and Parker)	57	67	no.	none	Intermittent car passbys, airplane and music from USF athletic field	
11:56 am – 12:01 pm	1762 Page (between Cole and Clayton)	56	67	no	none	Intermittent car passbys	
12:05 pm	Concert begins						
12:54 pm – 12:59 pm	2160 Fell	62	68	yes	Live music	Steady traffic with occasional lulls	Concert barely audible during lulls in traffic
1:50 pm – 1:55 pm	35 Lincoln (east of 2nd Ave)	70	88 motorcycle	yes	Live music	Steady traffic with occasional lulls	Concert barely audible during lulls in traffic
2:02 pm – 2:07 pm	339 Willard (north of Fulton)	58	74	yes	Live music	Steady traffic on Fulton with occasional lulls. and stereo from nearby residence	Concert barely audible during lulls in traffic
2:20 pm – 2:25 pm	1762 Page	58	71	yes	Intermission	Intermittent car passbys	
2:56 pm – 3:01 pm	"	58	67	yes	Live music	Intermittent car passbys	Concert barely audible between car passbys
3:01 pm	Complaint from 41 Temescal						
3:15 pm – 3:20 pm	41 Temescal	52	63	no	Intermission	Cars and motorcycle	
3:43 pm	Complaint from 41 Temescal						
3:55 pm – 4:00 pm	Golden Gate, north of Temescal	67 (59 w/o motorcycle (est.))	88 motorcycle	yes	Live music	Intermittent car passbys. Whistle from USF athletic field	Concert audible between car passbys
4:08 pm	Complaint from 1562 Waller						
4:05 pm	Instruct mix to lower sound level by 2 dB						
4:16 pm – 4:21 pm	1562 Waller	63	76	yes	Live music	Steady traffic with occasional lulls	Concert barely audible during lulls in traffic
4:30 pm – 4:35 pm	2160 Fell	68	83	yes	Live music L _{max} 72 dBA	Steady traffic with occasional lulls	Concert audible most of the time
4:48 pm	Complaint from 41 Temescal						
4:49 pm- 4:54 pm	2516 McAllister	59	69	yes	Live music L _{max} 55 dBA	Intermittent car passbys	Concert audible except during car passby
4:52 pm	Concert ends						
4:52 pm – 4:55 pm	Golden Gate, north of Temescal	57	67	no	none	Intermittent car passbys	
4:57 pm – 5:02 pm	2516 McAllister	59	75	no	none	Intermittent car passbys	

¹ All measurements were made on sidewalk near residence; about 20 to 30 feet from roadway centerline.

Gavin Newsom, Mayor

Recreation and Park Commission Minutes

March 16, 2006

President Gloria Bonilla called the regular meeting of the Recreation and Park Commission to order on Thursday, March 16, 2006 at 2:08 p.m.

ROLL CALL

Present

Gloria Bonilla, President
Tom Harrison
Jim Lazarus
David Lee
Meagan Levitan
Larry Martin
John Murray

President's Report

President Bonilla announced that at the April 20, 2006 Commission meeting the Commission would be hearing a discussion item on permits and reservations.

General Manager's Report

Bill Wilson, the Chair of the Park, Recreation and Open Space Advisory Committee announced that PROSAC did hear the Acquisition Policy at the March meeting and would be hearing it again in April with a recommendation to the Commission in April. He also stated that his response to the Audit Report recommendation that PROSAC become a public liaison between the public and RPD, he is willingly, open and eager for input from the Commission on how to make this happen. He also stated that he was encouraged by the new management team at the Department and believes there is a new openness.

Denny Kern, Director of Operations, announced that the Department received the news from the National Association of Counties that the Department's Volunteer Program for Natural Areas has received the Acts of Caring Award for Community Improvement Volunteer Program nationwide. The will be an awards program in Washington, D.C. in May.

Yomi Agunbiade, General Manager, announced that the San Francisco Parks Trust was putting together a visibility campaign for SF Parks Trust and for parks. He stated that it would be a wonderful opportunity to present our park system in a positive light and that RPD will be joining SF Parks Trust. The campaign will be on the radio, in parks, on bus shelters and media time to discuss this.

Marvin Yee stated that he was giving the Commission an informational presentation only on the community gardens and that this item would be heard as an action item at the Commission in April. He gave a brief presentation on the overview of the Community Gardens Program and described the process for the policy development.

CONSENT CALENDAR

On motion by **Commissioner Harrison** and duly seconded, the following resolutions were adopted:

RESOLVED, That this Commission does approve the minutes of the February 2006 meeting.

RES. NO. 0603-001

RESOLVED, That this Commission does approve the following animal transactions for the San Francisco Zoological Society which were processed under Resolution No. 13572.

RES. NO. 0603-002

PURCHASE FROM:

Doris Vosburg 220 Pajaro Lane Nipomo, CA 93444 USDA - N/A	0.7 Cochon chicken	\$90.00 grp
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DONATION FROM:

Pacific Wildlife Care PO Box 3257 San Luis Obispo, CA 93403 USDA- N/A	0.0.1 California brown pelican	NIL
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Kathryn Rigby 1777 Hawk Road Abilene, KS 67410 USDA – N/A	0.2 (Kune kune) Pig	NIL
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SOLD TO:

Malissa Sartain 11900 Volver Ave. Felton, CA 95018 USDA – N/A	0.1 Goat	\$100.00
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DONATION TO:

Gail Klein 280 MacArthur Lane Sonoma, CA 95476 USDA – N/A	0.1 Budgerigar	NIL
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Bronx Zoo 2300 Southern Blvd. Bronx, NY 10460 USDA – 21-C-0020	Group Cichlid	NIL
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RESOLVED, That this Commission does retroactively approve an abatement of rent, and approve an amendment to the Lease for the Golden Gate Park Carrousel and Food Concession to: 1) allow for a reduction in the Minimum Schedule, a reduced rent during the term of the Lease and, 2) change the termination date of the Lease to March 31, 2007.

RES. NO. 0603-003

RESOLVED, That this Commission does approve an increase in boat rental prices at Stow Lake.

RES. NO. 0603-004

RESOLVED, That this Commission does approve the award of a professional services contract in the amount \$147,693.00 to Science Applications International Corporation (SAIC) to provide technical and field sediment characterization services for the San Francisco Marina West Basin Maintenance Dredge and Sand Mining Program.

RES. NO. 0603-005

RESOLVED, That this Commission does approve exceeding the San Francisco Zoo Africa! Savanna base contract amount by 15.30 percent, for a final contract amount of \$ 12,352,476.00.

RES. NO. 0603-006

RESOLVED, That this Commission does approve the conceptual plan for renovations to St. Mary's Playground.

RES. NO. 0603-007

RESOLVED, That this Commission does approve the award of a construction contract for the Joseph Lee Recreation Center and Playground to West Bay, Inc., in the amount \$6,455,000. 00.

RES. NO. 0603-008

RESOLVED, That this Commission does approve a Memorandum of Understanding with the Public Utilities Commission for the replacement of a 30-inch potable water transmission mainline from Lincoln Way at Sixth Avenue to Fulton Street at 6th Avenue, known as the Fulton at Sixth Avenue Transmission Main across Golden Gate Park.

RES. NO. 0603-009

RESOLVED, That this Commission does approve the award of a professional services contract in the amount \$168,126.00 to EDAW, Inc. for the preparation of an Environmental Impact Report for the renovation of the Golden Gate Park Equestrian Center.

RES. NO. 0603-010

RESOLVED, That this Commission does approve the award of a construction contract not to exceed \$95,802.41 to Yerba Buena Construction, contractor for the Department of Public Works Job Order Contracting Services, for Year 1 accessibility improvements to the San Francisco Zoological Gardens.

RES. NO. 0603-011

RESOLVED, That this Commission does approve the award of a construction contract not to exceed \$98,174.09 to Fine Line Construction, contractor for the Department of Public Works Job Order Contracting Services, for the purchase and installation of an Animal Cremation Unit at the San Francisco Zoological Gardens.

RES. NO. 0603-012

RESOLVED, That this Commission does approve new parking fees at the Kezar Stadium parking lot.

RES. NO. 0603-013

JOSEPH L. ALIOTO PERFORMING PIAZZA

San Francisco Opera, under the new leadership of David Gockley, is keen to broaden the audience for Opera through the provision of free, outdoor simulcasts to audiences in the Bay Area. These simulcasts will be relays of performances in the War Memorial Opera House, relayed by fiber-optic cable, microwave or satellite signal, to various locations in the City, the East Bay, the Peninsula and the North Bay. The first such simulcast is to be on the opening night of the summer season, May 27, 2006, with the hugely popular Madame Butterfly relayed to an audience in the Joseph L. Alioto Performing Arts Piazza. There will be sales of food and beverages (pastries, desserts, light refreshments, water, tea, coffee, soda and hot chocolate) and merchandise (tee shirts, sweatshirts). The hope is for audiences of at least 5,000 people bringing their own chairs, blankets and picnics, and enjoying this most beloved opera in a relaxed setting. The hope is that this first live simulcast would herald in a new era of civic opera in San Francisco in which the community will be able to engage with the art form, irrespective of income level or willingness to step into an opera house. The video feed would be projected to a large-screen mounted on a truck, with the audience seated in the Piazza. The exact location for the screen is yet to be determined, but possible thoughts are in front of the statue on Fulton Street between the Asian Art Museum and the Library, in front of the Bill Graham Auditorium or in front of City Hall.

On motion by **Commissioner Murray** and duly seconded, the following resolution was adopted:

RES. NO. 0603-014

RESOLVED, That this Commission does approve The San Francisco Opera's request to produce a simulcast of "Madame Butterfly" on May 27, 2006 and a request to modify the amplified sound policy and permit amplified sound between the hours of 8:00 and 11:00 p.m.

CAPITAL PLAN - 2005 ANNUAL UPDATE

Per Article XVI, Section 16.107.(g).1 of the San Francisco Charter (Park, Recreation and Open Space Fund), the Recreation and Park "Department shall prepare, for Commission consideration and approval, a five-year Capital Plan, *to be updated annually*, for the development, renovation, replacement and maintenance of capital assets, and the acquisition of real property. In its Capital Plan the Department shall propose specific properties to be acquired for open space, recreation facilities, significant natural areas, and other recreational purposes and shall prioritize capital and maintenance improvements and provide budgets associated with such improvements. Capital and acquisitions projects will be designated by the Department based upon needs identified by the Department and community. Capital projects will include the planning, design and construction of projects that rehabilitate, restore or replace existing facilities or that develop new facilities. Acquisition projects will include, but will not be limited to, purchase lease, exchange, eminent domain, license or any other vehicle given the City a right, whether revocable or not, to use real property, or any interest therein, or any improvement or development rights thereon, for recreational purposes, including by not limited to, protection of natural resources, development of community gardens and development of urban trails, provided that, notwithstanding anything herein to the contrary, no acquisition of less than fee simple title may be for a term of less than ten years."

Overview:

Over the years, the Capital Plan document has continued to evolve to include more comprehensive information on the progress and status of the capital program. This document is comprised of the three chapters, containing detailed information on the efforts of the Division over the past year, as well as specified objectives for the continued progress of the program over the next year and over the course of the 10-year plan cycle.

The report is organized as follows:

- Chapter 1 serves as a report introduction for those who are not familiar with the Recreation and Park Department's Capital Program. It includes general background and history of the program, as well as information on the report format and content.
- Chapter 2 contains detailed information on key developments in the Capital Program over the plan year. This includes scope, budgets and schedules for projects that were active during that year, developments in the program's finances including a year-end financial plan, and information on key events that have occurred or actions taken during the course of the plan year.
- Chapter 3 focuses on goals and objectives for the program over the next year and into the future. This chapter includes an Implementation Plan that lists and prioritizes future capital improvement projects.

Summary of Plan Changes since 2004:

The most significant change to the Capital Plan involves the way in which acquisitions are reported on. In an attempt to conform the Capital Plan to the goals and objectives established with the adoption of a Draft Open Space Acquisition Policy, the report's Implementation Plan (see Chapter 3, Section A) will no longer include future acquisitions in its Phasing Plan. The Capital Improvement Division believes that the long-range planning for Open Space is better handled by the Department's Planning Division through the Open Space Acquisition Policy, and that the role of the Capital Division, and the Capital Plan as mandated under Proposition C, is to report on acquisitions being considered annually and track open space acquisitions completed and funded with Open Space dollars. In this plan, acquisitions under consideration or in progress are reported on in Chapter 2, Section C: Acquisitions Active in 2005. Only completed acquisitions are

included in the Implementation Plan. Other changes to the Phased Implementation Plan include minor changes made to improve accuracy and completeness of the information provided, and revisions to the projects included with Natural Area focus, to better conform to the recommendations established in the department's draft Significant Natural Areas Management Plan.

Great strides have been made to improve the accuracy, completeness and quality of the information provided in this report. Accomplishments in 2005 include:

- Expansion of information provided on active projects to include the following information
 - Project Status and details on key actions taken during the plan year.
 - Expanded Budget information that includes total project budget, estimated construction budget, and project budget broken out by project phase.
 - Percentage complete for each project phase to give readers a better understanding of the progress of project development.
- Inclusion of an Update Park Map in the Annual Report Appendix
- Preliminary information on the Next Phase of Capital Projects
- Implementation of various tools used for system-wide research and analysis, including the GIS database and routine park surveys

This report was reviewed by the Parks, Recreation and Open Space Advisory Committee (PROSAC) and their comments have been incorporated.

On motion by **Commissioner Murray** and duly seconded, the following resolution was adopted:

RES. NO. 0603-015

RESOLVED, That this Commission does approve the updated Capital Plan as presented in the Capital Improvement Division's 2005 Annual Report.

CONDITION ASSESSMENT & PROJECT MANAGER SOFTWARE

The Capital Division of the Recreation and Parks Department is responsible for the capital improvements, refurbishment, renovation, code compliance improvements (i.e., seismic, ADA, etc.) as well as on-going and deferred maintenance for all 211 of the City and County of San Francisco's parks. These sites consist of a broad cross section of buildings and grounds facilities including recreation centers, clubhouses, playgrounds, pools, courts, playing fields as well as historic and well known landmarks such as the Palace of Fine Arts, the San Francisco Zoo and Golden Gate Park. As keepers of such world renowned civic institutions and facilities, it is incumbent upon the RPD to provide the necessary care and planning to ensure that all of the City's park facilities are held to a high standard of excellence. To that end, the Capital Division of the Recreation and Park Department (RPD) is requesting to utilize available contingency funds currently residing in the Park, Recreation and Open Space Fund to conduct comprehensive condition assessments on all of its 211 facilities. The assessments will identify deferred maintenance items and building systems that are beyond their useful life. RPD will use this information to:

- Provide a financial work plan to strategically and efficiently reduce the current backlog of deferred maintenance and replace worn out building systems.
- Enhance facility planning capabilities by addressing the highest priority needs and future needs.
- Help Forecast develop present and future budgets for capital and on-going maintenance projects.

In addition to identifying the conditions of our facilities during the assessment, the Recreation and Park Department supplied facility condition data must be incorporated into the assessment software, analytical studies and reports and will utilize the data residing in our TMA system in developing and providing those reports. The final results of all analysis and assessments will allow for the commencement of life cycle conditioning at all location – including sites that have been recently upgraded. The Capital Division would also like to request the purchase of industry standard program and project management software that will enable our program directors to more accurately plan and estimate their projects and manage them to budget and schedule. The proposed software is Oracle based and thereby has the capability of interfacing with the City’s FAMIS system. By implementing the proposed system RPD would begin to standardize the way projects are managed and provide affective, accurate fiscal reports as required and will have the capability to “roll-up” information from each project into program wide reports that would be available to senior managers and to the public. The system being considered is IMPACT, to be provided by 3D/I and will provide:

- **Cost information:** budget, commitments (encumbrances), projects (spend-down) and payments
- **Schedule:** planned, actual and key milestones
- **Contracts:** contract document and summary information
- **Status:** narrative description and photos

The intent in adopting a project management tool such as IMPACT is that the RPD will be effectively answering areas of concern cited in the 2006 Management Audit, Section 18 by providing the project status, a standard manner for tracking and documenting project cost against the project budget routine and on-going reports to controller, commission, any oversight committee as required. The cost to fund this assessment activity and to procure the project management soft is \$1,495,000 with an on-going cost of \$81,000 (annually) for routine assistance and all upgrades to the system. The actual time frame to complete the assessment is 8 to 10 months with a phased approach. The first phase of assessments will consist of the first 33 sites within the 2005 Capital Plan identified as Phase II Priority I sites and will take approximately five months to complete. The remaining park and recreation sites will follow in increments of 30 to 45 sites (depending on size and condition) until all 211 RPD facilities have been assessed.

Capital Project Year:

Fiscal year 2005-2006

Funding Source:

Park, Recreation Open Space Contingency Fund - \$3,377,662

Proposed Breakdown

- Assessment
 - \$900,000 - Assessment of all facilities (8 to 10 month timeframe)
 - \$250,000 - Additional cost for ADA review/input at \$14 to \$16 per square foot
 - \$150,000 - Additional cost for seismic review/input at \$.10 per square foot
- Project Management Software

Permanent licensing. An additional annual support contract of 18% of permanent license fee that covers routine assistance and all upgrades.

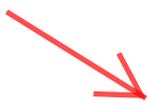
- \$45,000 Purchase fee – assuming 10 users
- \$150,000 Training, loading data, reports, FAMIS mapping and support

Emeric Kalman spoke on the system and stated that RPD wanted to justify the need for this new program.

On motion by **Commissioner Murray** and duly seconded, the following resolution was adopted:

RES. NO. 0603-016

RESOLVED, That this Commission does approve the award a professional services contract not to exceed \$1,500,000.00 to conduct condition assessments on all Recreation & Park Department facilities and to



purchase project management software for the management and oversight of Capital projects with the condition that the software license is not tied to the maintenance agreement.

SHARON MEADOW SOUND POLICY

At the November 2005 meeting of the Recreation and Park Commission, the Commission received an information briefing relating the results and findings of the acoustic data collection conducted at the Now & Zen 2005 concert that was presented in Sharon Meadow in September 2005 (briefing slides attached). At that meeting the Commission asked that staff compile proposed changes to the Sharon Meadow Amplified Sound Policy based on the recommendations of the Rosen Goldberg & Der Report that forwarded those findings (report attached). The intent of this policy is to establish a clear, enforceable amplified sound policy for Sharon Meadow that permits its use as an outdoor event venue and is responsive to neighborhood concerns regarding excessive noise.

Summary of Proposed Changes:

1. Establish a Sound Permit Performance Bond in the amount equal to the Site Permit Fee. The current Performance Bond is in an amount equal to 1.5 x Site Permit Fee.

Rationale: RPD will be proposing FY 06 /07 increases to all Site Permit Fees that will be based on flat rate venue capacity. This new calculation will result in substantially increased Site Permit Fees and, consequently, increased Performance Bond amounts. A one-to-one calculation appears to be fair in view of the higher dollar amounts.

2. Applicant must provide a policy-compliant Sound System Design for approval by the RPD acoustical consultant no later than 30 days prior to the event. Applicant must agree to use the approved design in the event and provide technical staff for sound adjustment at the Mix Position throughout the event. Proposed change establishes a 30-day deadline for Sound System Design submission and provides minimum criteria that the Sound System Design must meet for approval. Failure to meet the 30-day deadline will result in forfeiture of the Site Permit Fee.

Rationale: Sound System Design criteria are based on the findings and recommendations of the 2003 Salter Report (report attached) and the 2005 Rosen Goldberg & Der Report.

3. Monitor and Enforce Sound Level Limits at the Mix Position.

- **Sound Level Limit at the Mix:**
 - 96 dBA (5-minute average)
 - 102 dBA (maximum instantaneous)
- **Noise Level Limit in the Community:**
 - **Not to exceed 5 dBA above ambient (as measured at six designated noise monitoring locations in surrounding neighborhoods).**

Existing sound levels on are taken from the Police Code Section 47.2 which mandates that event sound not be audible in excess of a distance 250 feet from the periphery of the attendant audience.

Rationale: Per authority granted to the Commission in the City Charter and as allowed in the San Francisco Administrative Code, the Commission may establish policy for permitting use of RPD property – including sound levels for outdoor amplified sound. Both the 2003 Salter Report and the 2005 Rosen Goldberg recommend controlling maximum sound levels at the Mix Position as the policy control point. Field measurements taken by Rosen Goldberg & Der at the 2005 Now & Zen Concert indicate that 96 dBA at the Mix Position appears to limit noise levels in the community to 5 dBA above ambient under normal weather conditions.

4. Park Patrol officially tasked with sound level monitoring and policy compliance at the Mix Position and in response to neighborhood complaint. Enforcement authority in the existing policy is inferred and not clearly stated. This proposed change clarifies enforcement roles and responsibilities.

Rationale: Per findings and recommendations of the 2003 Salter Report and 2005 Rosen Goldberg & Der Report.

5. Enforcement and sanctions protocol will be administered at the Mix Position and per neighborhood complaint response.

- *Exceeding maximum dBA levels stated above will result in a Park Patrol warning to technicians at the Mix Position who have 5 minutes to adjust sound levels.*
- *Park Patrol verification of adjustment of sound levels to a reduced level at the Mix Position within 5 minutes of warning results in no violations.*
- *Any subsequent exceeding of maximum sound levels results in a new Park Patrol warning and a new 5-minute window to adjust sound levels at the Mix Position.*
- *Park Patrol verification of adjustment of sound levels to a reduced level at the Mix Position within 5 minutes results in no violation.*
- *Failure to adjust sound levels at the Mix Position to a reduced level within 5 minutes of any warning will result in a citation for policy violation and forfeiture of the Performance Bond.*

Current Enforcement Protocol allows two 15-minute compliance windows after warning. If a third warning is given, the Performance Bond is forfeit.

Rationale: Monitoring at the Mix Position provides better real time compliance monitoring. The proposed 5-minute compliance window is a significant reduction from the existing 15-minute compliance window, yet it still allows technicians to adjust sound within artist performance and stage production requirements. Renewing the warning protocol creates a responsive compliance process whereby RPD can work constructively with the event presenter and enforce sound reduction in response to neighborhood concerns. It also does not penalize event promoters for changes in sound propagation that are beyond their control; *i.e.*, changes in atmospheric sound attenuation conditions due to weather changes.

Public Meeting Concerns:

A noticed Public Meeting was held on these proposed policy changes on February 27, 2006 at the County Fair Building. The meeting was attended by residents from neighborhoods surrounding Sharon Meadow and event presenters who currently stage events at Sharon Meadow.

Neighbor Concerns:

- 5-minute compliance window is too long
- Wanted follow-on public meetings

Event Presenter Concerns:

- Responded to Neighborhood concern regarding 5-minute compliance window that it was the minimum limit for production requirements.
- Performance Bond amount is set too high
- Wanted follow-on public meetings

Staff Response to Public Meeting Concerns:

- 5-minute compliance window is a significant reduction from the existing 15-minute compliance window
- Performance Bond amount can be further adjusted by Commission action if the resultant calculation (after new event fee schedule is approved) is too high
- Public Meeting met and exceeded all noticing requirements

Financial Impact:

If the future proposed increases to the Site Permit Event Fee Schedule are approved, the potential exists for both increased revenue from such increased fees, as well as decreased revenue from events that view themselves 'priced-out' of Sharon Meadow. However, a select number of the latter events may choose alternative venues for their events (such as Speedway Meadow or Lindley Meadow) with the attendant revenue from those Site Permit Fees. Sheri Sternberg noted that although a lot of time had been spent on this policy, there was one element that was not taken into account and that was the events themselves.

Several criteria events based on average ambient levels in the community that do not include event days does not seem fair. She hoped that the monitoring locations would take into account the sound flow in the meadows and the various wind conditions – but that was unknown at this point. She believed this policy would severely restrict the types of events that could take place in Sharon Meadow. Maggie Lynch, with Comedy Day, stated that in addition to the previous speaker's concerns, she also was concerned: 1) with the lack of public notification for the public meeting and for the Commission meeting, 2) that staff was requesting the Commission vote on sound levels that were still to be determined, and 3) the need for a sound bond and the amount of a sound bond. Deb Durst, with Comedy Day, seconded the previous speaker's concerns. She stated that they do not oppose the sound policy per se but it is the extra fees that will be required – including the refundable sound bond – as it is money they do not have. She stated she concerned that the small events will be squeezed out. Jack Anderson, with Comedy Day, stated that he needed to make sure that they did not have the type of financial problem that he would foresee if this policy were to pass. He hoped that the Commission would empower someone to provide exemptions to the policy. Chris Duderstadt complimented staff for all the work they have done on the policy and believed that everything should be done to bring people into the park together as a community. He also suggested that for the smaller events there was another venue – the Concourse that would be reopening soon. Dan Hirsch with On Board Entertainment, stated that they do not oppose the concept of a sound policy but does oppose the way that it has come together. He was just finding out now that a year and a half ago a major policy was changed. The sound performance bond is a death sentence for events even with a reduction of 1.5 percent to 1 percent. Sean Sullivan stated that he shared the same sentiments as the previous speaker. They produce a small event that they would like to see grow. Because of the inexpensive access to Sharon meadow they were able to start a small event and grow it. At the event they can do the same kind of amplification that was being used in the hearing room. They would be unable to put forward the bond fee and it would be a hardship for their nonprofit. He believed it would eliminate the opportunity for small events in Sharon Meadow. Marsha Garland the producer of the North Beach Festival announced that the Outdoor Event Coalition had been formed and that they would like to be more involved in any policy setting issues. She supports the previous speaker's comments. Eliote Durham a resident around the park is opposed to putting any restrictions that would eliminate the music in the park any more than it has already been eliminated. Greg Nemitz, the General Manager of Alice Radio. Last year they came up with the performance bond and adhered to the sound policy. He noted that there were 10 complaints during the concert, and that the majority came from one person. Although this is a great venue, the event does not have to occur in Sharon Meadow and they have looked at other options. The sound performance bond and possible new fee structures are making them look at other venues. George Edwards, General Manager for Sound on Stage, stated that the 96 dBA level in front of a house is attainable if you are doing acoustic type events. Anything else it would tough to adhere to 96 dBA. Kainila Rajan with the Festival of the Chariots stated that they have never had a complaint about their event. He agreed with previous speakers who requested exceptions to the policy be granted. Gabriel Foley with the Festival of the Chariots seconded what the previous speaker said. He also stated that if it is too expensive they may not be able to continue the event. Craig Miller with AIDS Walk San Francisco stated that they had a number of concerns but they are prepared to live with and make a good faith effort to comply with the majority of what is being suggested. The piece that is absolutely critical to them is the directive that stages face in one of two directions. Because of reasons that relate to both public safety and to the quality of the event, that would be impractical. Dana Van Gorder with San Francisco AIDS Foundation that it is crucial to the event that they are able to face the stage in a certain direction. He asked for the flexibility to be able to face the stage in the direction that makes the greatest amount of sense. Greg Miller pointed out that the Commission needs to discern the difference between the size of the bond and the potential financial cost of it. The real issue is whether the small nonprofits would have access to the funds, ability to borrow or the ability to buy a bond. Martin Macintyre stated that the information that all dBA measurements were less than or equal to 5 dBA was not true. He did not believe that the power point presentation was true. He stated that they would be passing a policy that effects all the neighborhood around the Commission's jurisdiction but outside of their jurisdiction.

There was detailed discussion on this item.



On motion by **Commissioner Murray** and duly seconded, the following resolution was adopted:

RES. NO. 0603-017

RESOLVED, That this Commission does approve the revisions to the Sharon Meadow Sound Policy as recommend by staff with the following amendments: 1) add “In the interest of public safety or in the case of an event with more than 10,000 participants in and adjacent to Sharon Meadow, the Commission may waive this requirement and approve a different stage orientation”, 2) add “Performance Bond in an amount equal to one-half the Site Permit fee. Should the Performance Bond be forfeited for a violation of this policy, any subsequent application for an Amplified Sound Permit by this Permittee / Event Sponsor will be subject to a Performance Bond in the amount equal to the Site Permit Fee. If this increased Performance Bond is also forfeited due to policy violation, subsequent applications for an Amplified Sound Permit by this Permittee / Event Sponsor will be in the amount of one-and-a-half times the Site Permit Fee. Such new Performance Bond amounts will remain in effect for all Amplified Sound Applications by this Permittee / Event Sponsor for a period of five years” and 3) that staff study and come back to the Commission the idea of having the spec of a sound system that would serve x number of people or a wattage level that would not require a sound performance bond in 30 days.

Commissioner Murray stated that San Francisco Parks Trust is willing to work with the smaller nonprofit organizations as fiscal agent and fundraising support if there are issues with the fees. **Commissioner Levitan** stated that they are basing this on a performance bond fee that may change. She requested that this be brought back to the Commission for review if it is problematic or excessively expensive once the fee structure was in place.

GOLDEN GATE PARK CONCOURSE SURFACE IMPROVEMENT PROJECT

The Recreation and Park Department is undertaking the restoration and enhancement of the Music Concourse in Golden Gate Park with its Surface Improvements Project. Three acres of land are being added to park landscaping with the removal of on-site parking, narrowing of roadways and reduced building footprints of the deYoung Museum and California Academy of Sciences. Consistent with Golden Gate Park’s Master Plan, the Music Concourse has been redesigned to enhance pedestrian enjoyment, increase accessibility and improve safety. New utility infrastructure is being installed to serve the area.

Coordination has been critical in accommodating re-construction of two of major institutions in the Concourse, the deYoung Museum reopened in October 2005 and the California Academy of Sciences reopening in 2008. An 800-car underground parking facility has been introduced to the Concourse to serve these institutions. Work for the Surface Improvements Project is situated between the institutions and over the garage. The Recreation and Park Commission previously approved the award of contract to Swinerton Builders, Inc. on November 18, 2004, per the Resolution No. 0411-009. Construction commenced in May 2005, with an anticipated completion date at the end of March 2006. Project costs, including planning, design, construction management, construction and contingency total \$9,030,000

Construction Status:

- Construction work is 92 percent complete with 96 percent of contract period elapsed (312 calendar days of 325 calendar days for substantial completion schedule).
- Construction on bowl pathway improvements is complete, including bases for site furnishings and asphalt surfacing. Bowl utilities for irrigation and electrical service to pedestrian lights completed. Minor irrigation and planting improvements remain.
- 97-24” box sycamore and elm trees have been planted in the bowl to re-plant the historic grid.
- Tea Garden Drive and Concourse Drive roadways have been re-opened for Muni and drop-off traffic.
- Preparation underway for return of monuments.
- Coordination underway with San Francisco Park Trust’s commemorative bench program for 171 benches in the concourse bowl. 50 benches have been installed, a batch of 60 benches has been ordered, and the remaining benches are scheduled for order in late spring 2006.

Cost and Source of Funding

Total Project cost: \$9,030,000:

- 78 percent Proposition 40 (State bond funds): \$7,050,000
- 5 percent Proposition 12 (State bond fund) : \$450,000
- 17 percent Music Concourse Community Partnership (per lease agreement): \$1,530,000

GOLDEN GATE PARK CONCOURSE PARKING GARAGE

Michael Ellzey gave a brief presentation on the status of the parking garage that included construction start date and completion dates, garage project amenities, the need to complete the JKF area around 10th Avenue and the Shuttle program.

CALIFORNIA ACADEMY OF SCIENCES

In 1995 the City’s voters approved a \$29,245,000 bond measure for the improvement of the Steinhart Aquarium facility and in 2000 voters approved an \$87,445,000 bond measure improvement of the Academy facilities. In August 2003, the Board of Supervisors approved reconstruction of the facilities in Golden Gate Park operated by the California Academy of Sciences. At this date all the bonds have been issued. Since last coming before the Recreation and Park Commission November 2005, the Project remains on schedule. The Project has been subject to the same escalation in construction costs seen by other major building projects. In the Bay area, the City’s contribution to the project has not changed. The Project is being financed through a combination of public and private funds and the entire increase in the budget will be funded from private funds. The Academy is actively raising private funds for the project, and has also issued 501 (c) (3) conduit bonds through the California Infrastructure and economic Development Bank. With these funds, along with the City General Obligation Bonds, CAS has in hand all funds necessary to fund the total Project. Construction activities continue throughout the site. The first steel installation occurred in Africa Hall at the end of January. In addition, the first concrete deck pour was made this month in the central utility plant area. Fabrication and installation of underground life support system piping is nearing completion in the Coral Reef Tank area and will begin on the California Coast tank in early February. Installation of LSS piping continues to drive the critical path of the project at this time, and is tracking with Webcor’s schedule. Concrete pours for footings, columns, vertical walls and slabs/decks are now occurring on almost a daily basis at various locations throughout the project. The Architect team is now in Construction Administration mode. Focus is on preparing bulletins as needed to update design information for coordination and field design issues. A review of the curtain wall mock-up was conducted in late January while Renzo Piano was in town. The architects will issue a report on observations made during this review in early March that will help guide quality and detailing of work in the building.

PUBLIC COMMENT

Jim Salinas, Sr. representing the Latino Steering Committee and the Mission Advisory Committee, stated that he had been asked to approach the Commission in regard to La Raza Park. He requested that the Commission hold a hearing in the Mission in regard to the changes to be made at La Raza Park and stated that some of the community leaders had been unaware of these changes. He asked that the Commission act on his requests.

ADJOURNMENT

The Meeting of the Recreation and Park Commission was adjourned at 5:40 p.m.
Respectfully submitted,

Margaret A. McArthur
Commission Liaison

EXHIBIT C



11 January 2019

City and County of San Francisco
Recreation & Park Commission
501 Stanyan Street
San Francisco, CA 94117
Via E-mail to: recpark.commission@sfgov.org
margaret.mcarthur@sfgov.org

City and County of San Francisco
Recreation & Park Department
501 Stanyan Street
San Francisco, CA 94117
Via E-mail to: phil.ginsburg@sfgov.org
dana.ketcham@sfgov.org

Attention To:

Mark Buell, President
Allan Low, Vice President
Margaret McArthur, Secretary
Staff: Kat Anderson, Gloria Bonilla, Tom
Harrison, Eric McDonnell, Larry Mazzola

Attention To:

Philip Ginsburg, General Manager
Dennis Kern, Director of Operations
Dana Ketcham, GGP Property Manager

cc: San Francisco Supervisors Sandra Fewer, Sandra.Fewer@sfgov.org
San Francisco Supervisor Norman Yee, Norman.Yee@sfgov.org

Subject: Noise Control of Outside Lands Festival

Honorable Commissioners and Staff,

This letter was prepared at the request of San Francisco resident Andrew Solow, 58 Lake Forest Court.

We have reviewed the sections of the original Use Permit for Outside Lands Music and Arts Festival (“Use Permit”, dated April 1, 2009) and the First Amendment to Outside Lands Music and Arts Festival Use Permit (“First Amendment”, dated December 5, 2012) that pertain to noise control in the residential neighborhoods surrounding Golden Gate Park, where the Festival is held. We have also reviewed the logs and map of noise complaints related to the 2018 Festival provided by Andrew Solow.

The Use Permit did not establish noise limits from the amplified music. Rather, it stipulated that “[s]ound level measurements from the 2009 concert will be used to set goals for future year’s festivals” [Use Permit, Appendix B, p. iv]. To point out the obvious, using the potentially high noise levels from the first concert to establish permissible noise levels for future concerts in no

way substantively addresses the potential noise impacts this large-scale event has on the surrounding neighborhoods.

At this time, we do not know if, in the wake of the 2009 festival, any noise limits were established. Regardless, in 2012, the First Amendment deleted the requirement to “set goals” and replaced it with the requirement for the permittee to “coordinate with the San Francisco Park Rangers to deploy monitors in the neighborhood who will measure sound pressure levels and record the data. Data will be promptly transmitted to the production staff at the Festival, who will use it to adjust sound pressure levels as required” [First Amendment, Section 13, p. 4].

This same section also requires the permittee to “use commercially reasonable best efforts to limit sound to the close environs of the concert grounds.” As the noise complaints Mr. Solow mapped clearly demonstrate, thousands of residences are exposed to the concert noise and hundreds of people complained [map appended]. Clearly, noise from the Outside Lands Festival in 2018 was not limited to the close environs of the concert grounds.

Returning to the permit terms regarding amplified sound in the First Amendment, the operative phrase is “adjust sound pressure levels as required”. The obvious question is: What does “as required” mean?

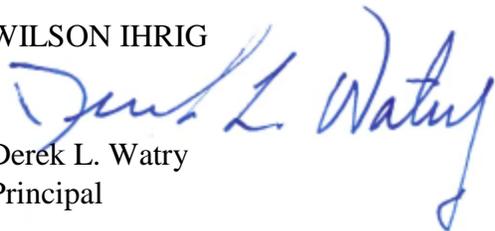
At this time, as far as we can ascertain, there is no actual requirement to limit the noise levels in any way, an obvious short-coming in the permit terms.

In our opinion, the City and County of San Francisco should, in the service of the thousands of residents exposed to Outside Lands concert noise, establish quantitative noise limits using standard acoustical measurement metrics that may be readily monitored (and independently checked by the City and others if they so desire) and unambiguously used to “adjust sound pressure levels as required” to meet said noise limits.

Mr. Solow has informed us that the permittee has retained our professional colleagues at Charles M. Salter Associates to advise them on the noise issues; they are well-suited to this task. We would be pleased to review and comment on whatever limits and monitoring plan Salter Associates proposes.

Very truly yours,

WILSON IHRIG


Derek L. Watry
Principal

Outside Lands Festival – Noise Complaint Map - August 2018
(Courtesy of Andrew Solow)



EXHIBIT D



March 21, 2019

Mr. Richard Drury
Lozeau Drury
410 12th Street, Suite 250
Oakland, CA 94607

Subject: Outside Lands

P19019

Dear Mr. Drury:

At your request, I have reviewed transportation matters associated with the Outside Lands Music and Arts Festival (the "Project") scheduled to take place in Golden Gate Park in San Francisco (the "City").

My qualifications to perform this review include registration as a Civil and Traffic Engineer in California and over 50 years professional consulting engineering practice in the traffic and transportation industry. I have both prepared and performed adequacy reviews of numerous transportation and circulation sections of environmental impact reports prepared under the California Environmental Quality Act (CEQA) including residential and mixed use complexes. My professional resume is attached. Findings of my review are summarized below.

The Sheer Size of the Event Indicates the Project Should Be Subjected to Environmental Review

In 2018, ticket sales for Outside Lands was approximately 210,000 or about 70,000 per day for the 3-day event. There is fair argument and reasonable expectation that the gathering of these numbers of attendees plus numerous others associated with the production of the event on 3 consecutive days in an area of the City not designed for such hosting such crowds (as contrast with a baseball or football stadium and their surroundings and supporting infrastructure) is bound to cause transportation impacts that should be subject to environmental review. Yet no formal environmental review has been performed.

Studies Performed for Another Planet Entertainment Admit Outside Lands Has Significant Transportation Impacts

A transportation performance review of the 2018 Outside Lands event was performed for Another Planet Entertainment, the producers of Outside Lands, by the transportation consulting firm Fehr & Peers. It is misleadingly titled *Outside Lands Transportation Management Plan* and dated October, 2018.

At page 1 this report admits:

- There is intense transportation demand associated with the event,
- There are heavy pedestrian flows at select locations,
- There is a need to accommodate those using public and private transportation,
- There is a need to accommodate circulation and staging of TNC vehicles,
- There is a need to mitigate temporary capacity constraints and bottlenecks.

At pages 2 and 3 the referenced report further admits:

- The difficulty of matching individual TNC vehicle locations with that of the specific passenger requesting that vehicle in congested traffic and crowded pedestrian conditions creates a chaotic situation,
- There are potential safety risks and a need to mitigate them,
- There is traffic congestion,
- There are disturbances to Golden Gate Park neighbors.

Despite the Objective Evidence of Transportation Impacts, There Is No Structured Comparison of Transportation Conditions During Normal Fridays and Normal Weekend Days To the Friday and Weekend Days During the Event

At the essence of a CEQA analysis is the comparison of conditions with the Project to current conditions that exist without the Project, a comparison that reveals the extent and nature of impacts and the type of mitigation required. There is no evidence that either the City or the Project Sponsor has ever attempted such a structured environmental assessment of transportation and related impacts. In fact, City staff and the Sponsor's consultants seem allergic to uttering the words 'transportation impacts', instead preferring to use the code words "transportation challenges".

The Court has found that an agency cannot hide behind its own failure to gather relevant data. "CEQA places the burden of environmental investigation *1379 on government rather than the public. If the local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record. Deficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences."

(*Sundstrom v. County of Mendocino* (1988) 202 [Cal.App.3d](#) 296, 311, 248 Cal.Rptr. 352.

The limited documentation that is on the record provides clear indication that there are transportation impacts that are significant. Therefore, there is fair argument that full environmental review of the Project must be undertaken before permits can be issued.

An Obvious Mitigation Measure Has Not Been Considered

In prior practice, gates open at noon on all three Festival days and live music concludes just before 10 PM on Friday and Saturday and just after 9:30 PM on Sunday. This closing time in August conditions sends departing crowds surging into the neighborhoods surrounding Golden Gate Park in hours of full darkness, with the darkness exasperating transportation difficulties and neighborhood disturbances. If the live music were conditioned to conclude at 7:30 PM, departing attendees would have about 36 to 38 minutes or so of full daylight and another 30 minutes of fairly bright twilight to find their way to their Ubers, Lyfts, taxis or MUNI stops or to walk or bicycle home or to where they parked their cars instead of having to do these things in full darkness. Some of the lost time could be made up by opening the gates up earlier, say at 10:00 or 10:30 AM each day.

Conclusion

This concludes my comments on the 2019 Outside Lands Music and Arts Festival. Because there are fair arguments that the Project would have impacts not disclosed or mitigated through formal CEQA analysis, the permits for the Festival cannot be issued.

Sincerely,

Smith Engineering & Management
A California Corporation



Daniel T. Smith Jr., P.E.
President

Mr. Richard Drury
March 21, 2019
Page 4

Attachment 1
Resume of Daniel T. Smith Jr., P.E.



SMITH ENGINEERING & MANAGEMENT

DANIEL T. SMITH, Jr.
President

EDUCATION

Bachelor of Science, Engineering and Applied Science, Yale University, 1967
Master of Science, Transportation Planning, University of California, Berkeley, 1968

PROFESSIONAL REGISTRATION

California No. 21913 (Civil) Nevada No. 7969 (Civil) Washington No. 29337 (Civil)
California No. 938 (Traffic) Arizona No. 22131 (Civil)

PROFESSIONAL EXPERIENCE

Smith Engineering & Management, 1993 to present. President.
DKS Associates, 1979 to 1993. Founder, Vice President, Principal Transportation Engineer.
De Leuw, Cather & Company, 1968 to 1979. Senior Transportation Planner.
Personal specialties and project experience include:

Litigation Consulting. Provides consultation, investigations and expert witness testimony in highway design, transit design and traffic engineering matters including condemnations involving transportation access issues; traffic accidents involving highway design or traffic engineering factors; land use and development matters involving access and transportation impacts; parking and other traffic and transportation matters.

Urban Corridor Studies/Alternatives Analysis. Principal-in-charge for State Route (SR) 102 Feasibility Study, a 35-mile freeway alignment study north of Sacramento. Consultant on I-280 Interstate Transfer Concept Program, San Francisco, an AA/EIS for completion of I-280, demolition of Embarcadero freeway, substitute light rail and commuter rail projects. Principal-in-charge, SR 238 corridor freeway/expressway design/environmental study, Hayward (Calif.) Project manager, Sacramento Northeast Area multi-modal transportation corridor study. Transportation planner for I-80N West Terminal Study, and Harbor Drive Traffic Study, Portland, Oregon. Project manager for design of surface segment of Woodward Corridor LRT, Detroit, Michigan. Directed staff on I-80 National Strategic Corridor Study (Sacramento-San Francisco), US 101-Sonoma freeway operations study, SR 92 freeway operations study, I-880 freeway operations study, SR 152 alignment studies, Sacramento RTD light rail systems study, Tasman Corridor LRT AA/EIS, Fremont-Warm Springs BART extension plan/EIR, SRs 70/99 freeway alternatives study, and Richmond Parkway (SR 93) design study.

Area Transportation Plans. Principal-in charge for transportation element of City of Los Angeles General Plan Framework, shaping nations largest city two decades into 21st century. Project manager for the transportation element of 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf office/commercial space, 8,500 dwelling units, and community facilities. Transportation features include relocation of commuter rail station; extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local bus; removal of a quarter mile elevated freeway; replacement by new ramps and a boulevard; an internal roadway network overcoming constraints imposed by an internal tidal basin; freeway structures and rail facilities; and concept plans for 20,000 structured parking spaces. Principal-in-charge for circulation plan to accommodate 9 million gsf of office/commercial growth in downtown Bellevue (Wash.). Principal-in-charge for 64 acre, 2 million gsf multi-use complex for FMC adjacent to San Jose International Airport. Project manager for transportation element of Sacramento Capitol Area Plan for the state governmental complex, and for Downtown Sacramento Redevelopment Plan. Project manager for Napa (Calif.) General Plan Circulation Element and Downtown Riverfront Redevelopment Plan, on parking program for downtown Walnut Creek, on downtown transportation plan for San Mateo and redevelopment plan for downtown Mountain View (Calif.), for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salem, Oregon.

TRAFFIC • TRANSPORTATION • MANAGEMENT
5311 Lowry Road, Union City, CA 94587 tel: 510.489.9477 fax: 510.489.9478

Mr. Richard Drury

March 21, 2019

Page 6

Transportation Centers. Project manager for Daly City Intermodal Study which developed a \$7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station plus development of functional plans for a new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco. In Santa Clarita Long Range Transit Development Program, responsible for plan to relocate system's existing timed-transfer hub and development of three satellite transfer hubs. Performed airport ground transportation system evaluations for San Francisco International, Oakland International, Sea-Tac International, Oakland International, Los Angeles International, and San Diego Lindberg.

Campus Transportation. Campus transportation planning assignments for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center campuses; San Francisco State University; University of San Francisco; and the University of Alaska and others. Also developed master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

Special Event Facilities. Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts throughout western United States.

Parking. Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking .

Transportation System Management & Traffic Restraint. Project manager on FHWA program to develop techniques and guidelines for neighborhood street traffic limitation. Project manager for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of traffic restraint techniques in the U.S. Developed residential traffic plans for Menlo Park, Santa Monica, Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana and others. Participated in development of photo/radar speed enforcement device and experimented with speed humps. Co-author of Institute of Transportation Engineers reference publication on neighborhood traffic control.

Bicycle Facilities. Project manager to develop an FHWA manual for bicycle facility design and planning, on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

MEMBERSHIPS

Institute of Transportation Engineers Transportation Research Board

PUBLICATIONS AND AWARDS

Residential Street Design and Traffic Control, with W. Homburger *et al.* Prentice Hall, 1989.

Co-recipient, Progressive Architecture Citation, *Mission Bay Master Plan*, with I.M. Pei WRT Associated, 1984.

Residential Traffic Management, State of the Art Report, U.S. Department of Transportation, 1979.

Improving The Residential Street Environment, with Donald Appleyard *et al.*, U.S. Department of Transportation, 1979.

Strategic Concepts in Residential Neighborhood Traffic Control, International Symposium on Traffic Control Systems, Berkeley, California, 1979.

Planning and Design of Bicycle Facilities: Pitfalls and New Directions, Transportation Research Board, Research Record 570, 1976.

Co-recipient, Progressive Architecture Award, *Livable Urban Streets, San Francisco Bay Area and London*, with Donald Appleyard, 1979.

EXHIBIT E



WI #19-005

22 March 2019

Richard Drury, Esq.
Lozeau Drury LLP
410 12th St., No. 250
Oakland, California 94607

Subject: Appeal of CEQA Categorical Exemption for the Outside Lands Festival Use Permit
Significance of Noise Impacts – Comments on National Historic Registry Sites
SF Plng Case No.: 2019-000684PRJ
SF BOS File No.: 190117

Dear Mr. Drury,

In my letter of 13 February 2019, I used the very limited noise level data that has been collected by the Outside Lands promoters and the San Francisco Recreation and Park Department (RPD) to establish reasonable and substantial evidence for the assertion that the noise from the festival does create a significant noise impact in the residential neighborhoods and indeed a wide area surrounding Golden Gate Park. My letter focused on residences because it was based, in part, on complaints made by 192 residents who independently complained about noise from the 2018 event. This letter now addresses the noise at eight sites within Golden Gate Park that are listed in the National Register of Historic Places.

At the outset, I note that to my knowledge no one visiting one of these sites called to complain about noise from the 2018 event. This does not establish that no one at those sites was annoyed or had their use and enjoyment of those sites diminished by noise from the 2018 Outside Lands event. There are many explanations for why no complaints were received, chief among them is that the people would have reasonably concluded that calling the Recreation and Park Department or even the Police would do nothing to change their experience in any meaningful way.

Based on a log of noise complaints received by San Francisco Recreation and Parks Department from the Outside Lands Noise Hotline, Mr. Solow created the map in Figure 1 showing the locations of the intersections closest to each complaint address (the exact addresses were understandably withheld by RPD). The map and the data table from which it was derived (Figure 2) illustrate that 192 San Francisco residents called to complain about the concert noise during the 3-day Festival, clearly indicating that it was unreasonably loud to persons of normal sensibilities.

On the map in Figure 1, I have indicated the locations of the following site which are all listed in the National Register of Historic Places:

1. Conservatory of Flowers
2. Francis Scott Key Monument
3. Lawn Bowling Clubhouse and Greens
4. McLaren Lodge
5. Music Concourse
6. Sharon Building

I note that it was somewhat difficult to fit legible labels on the map without covering any of the noise complaint locations.

Clearly, the area at the east end of Golden Gate Park where the majority of these historic sites are situated is literally surrounded by noise complaints lodged by residents. Therefore, it is very reasonable to presume that some people visiting, utilizing, and enjoying the historic sites were likewise annoyed. Please refer to my 13 February 2019 letter for a discussion of the noise limits that should be enforced per Article 29 of the San Francisco Police Code and how even the limited amount of data collected during the 2018 event reasonably establishes that those limits were exceeded.

Regarding the historic sites, I would like to note, in particular, that clearly audible music from the Outside Lands Festival would be particularly encroaching upon visitors of the Conservatory of Flowers and users of the Lawn Bowling Clubhouse and Greens, both places where people might ordinarily be expected to spend a fair amount of time. The number and extent of noise complaints surrounding the east end of Golden Gate Park establish beyond any doubt that the festival music was clearly audible at the and the other historic place.

I take it as self-evident that the Music Concourse was rendered unusable during the 2018 Outside Lands Festival.

At the west end of the park, the dozen complaints received from residents who live between Sunset Boulevard and the Great Highway provide substantial evidence that noise at both historic windmill sites and the entire Beach Chalet area were also unreasonably loud to persons of normal sensibilities.

In conclusion, the map of noise complaints regarding the 2018 Outside Lands Festival provides a clear indication that noise from the festival adversely impacted visitors and users of the many sites within Golden Gate Park that are listed in the National Register of Historic Places.

Respectfully submitted,

WILSON IHRIG

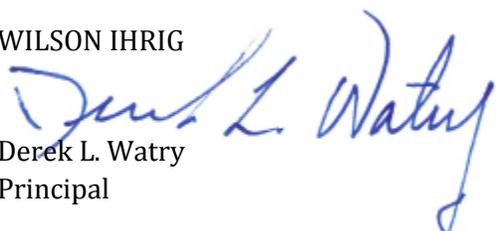

Derek L. Watry
Principal

Figure 1
Outside Lands Festival – Noise Complaint Map - August 2018

(Courtesy of Andrew Solow)



Figure 2 Outside Lands Noise Hotline Complaints Log

2018 Outside Lands Noise Complaints				
Provided by SF Recreation & Parks and resorted by address				
ID #	Date	Time	Address	Inquiry/Actions/Notes
138	8/11/2018	10:15am	10th btwn Lawton and Moraga	Noise complaint
240	8/12/2018	8:54pm	11th and Fulton	Noise complaint
179	8/11/2018	6:30pm	11th and Noriega	Noise complaint
43	8/10/2018	5:55pm	11th and Pacheco	Noise complaint
53	8/10/2018	6:45pm	12th and Lawton	Noise complaint
76	8/10/2018	7:38pm	14th and Kirkham	Noise complaint
22	8/10/2018	4:26 PM	14th btwn Balboa and Cabrillo	Noise complaint
201	8/11/2018	9:03pm	15th and Anza	Noise complaint
206	8/11/2018	9:30pm	15th and Anza	Noise complaint
245	8/12/2018	9:11pm	15th and Anza	Noise complaint
192	8/11/2018	8:42pm	15th and Clement	Noise complaint
72	8/10/2018	7:28pm	15th and Lawton	Noise complaint
227	8/12/2018	6:45pm	15th ave @ Balboa	Noise complaint
175	8/11/2018	6:00pm	16th @ Pacheco	Noise complaint
210	8/11/2018	9:37pm	16th and Fulton	Noise complaint
158	8/11/2018	5:00pm	16th and Lincoln	Noise complaint
123	8/10/2018	9:28pm	16th and Moraga	Noise complaint
196	8/11/2018	8:57pm	16th and Ortega	Noise complaint
189	8/11/2018	8:33pm	17th and Irving	Noise complaint
88	8/10/2018	8:35pm	17th and Lake	Noise complaint
224	8/12/2018	5:30pm	17th and Lake	Noise complaint
225	8/12/2018	5:40pm	17th and Lake	Noise complaint
203	8/11/2018	9:13pm	17th and Lawton	Noise complaint
5	8/10/2018	1:25pm	17th and Vicente	Noise complaint
102	8/10/2018	8:47pm	17th and Vicente	Noise complaint
241	8/12/2018	9:03pm	17th ave & Wawona	Noise complaint
145	8/11/2018	11:10am	1800 block of Funston at Ortega	Noise complaint
150	8/11/2018	12:18pm	18th and Taraval	Noise complaint
139	8/11/2018	10:15am	18th and Wawona	Noise complaint
164	8/11/2018	5:05pm	18th ave @ Vicente	Noise complaint
128	8/10/2018	9:40pm	18th ave btwn Anza and Balboa	Noise complaint
82	8/10/2018	8:06pm	1934 24th ave	Noise complaint
188	8/11/2018	8:25pm	19th and Cabrillo	Noise complaint
232	8/12/2018	8:30pm	20th and California	Noise complaint
208	8/11/2018	9:35pm	20th and Judah	Noise complaint
79	8/10/2018	7:55pm	20th and Ortega	Noise complaint
89	8/10/2018	8:35pm	20th and Ortega	Noise complaint
156	8/11/2018	4:15pm	20th and Ortega	Noise complaint
115	8/10/2018	9:03pm	21st and Clement	Noise complaint
73	8/10/2018	7:35pm	21st and Irving	Noise complaint
149	8/11/2018	12:15pm	22nd and Clement	Noise complaint
15	8/10/2018	3:10pm	22nd and Quintara	Noise complaint
54	8/10/2018	6:45pm	22nd and Quintara	Noise complaint
143	8/11/2018	10:50am	22nd ave @ Taraval	Noise complaint
87	8/10/2018	8:34pm	23rd and Ortega	Noise complaint
97	8/10/2018	8:42pm	24th and Ortega	Noise complaint
110	8/10/2018	8:57pm	24th and Ortega	Noise complaint
17	8/10/2018	3:22pm	24th and Quintera	Noise complaint
11	8/10/2018	2:08pm	24th and Taraval	Noise complaint
116	8/10/2018	9:05pm	24th and Taraval	Noise complaint
151	8/11/2018	12:31pm	24th and Taraval	Noise complaint
229	8/12/2018	7:00pm	24th av btwn Irving and Judah	Noise complaint
127	8/10/2018	9:37pm	24th ave and Taraval	Noise complaint
226	8/12/2018	6:21pm	25th btwn California and Lake	Noise complaint
37	8/10/2018	5:39pm	26th and Quintara	Noise complaint
59	8/10/2018	6:50pm	26th and Quintera	Noise complaint
18	8/10/2018	3:30pm	26th and Rivera	Noise complaint
9	8/10/2018	1:53pm	26th and Santiago	Noise complaint
220	8/12/2018	3:44pm	26th at Lincoln	Noise is much quieter

2018 Outside Lands Noise Complaints 2 of 4

172	8/11/2018	5:45pm	26th Ave at California	Noise complaint
248	8/12/2018	9:43pm	26th ave btwn California and	Noise complaint
131	8/10/2018	9:47pm	26th btwn California and Lake	Noise complaint
38	8/10/2018	5:40pm	27th and Balboa	Noise complaint
122	8/10/2018	9:27pm	27th and Balboa	Noise complaint
126	8/10/2018	9:35pm	27th and Balboa	Noise complaint
205	8/11/2018	9:28pm	27th and Balboa	Noise complaint
209	8/11/2018	9:35pm	27th and California	Noise complaint
96	8/10/2018	8:41pm	28th and Anza	Noise complaint
90	8/10/2018	8:35pm	29th and Quintera	Noise complaint
107	8/10/2018	8:51pm	29th and Rivera	Noise complaint
135	8/10/2018	9:52pm	29th and Rivera	Noise complaint
118	8/10/2018	9:10pm	29th btwn Cabrillo and Balboa	Noise complaint
91	8/10/2018	8:36pm	29th btwn Fulton and Cabrillo	Noise complaint
191	8/11/2018	8:41pm	2nd and Balboa	Noise complaint
50	8/10/2018	6:30pm	2nd and Lincoln	Noise complaint
98	8/10/2018	8:43pm	2nd ave and Hugo	Noise complaint
21	8/10/2018	4:13 PM	2nd btwn Balboa and Cabrillo	Noise complaint
77	8/10/2018	7:38pm	300 Cabrillo at 4th	Noise complaint
214	8/11/2018	9:57pm	30th and Lincoln	Noise level is better.
213	8/11/2018	9:47pm	30th and Fulton	Noise level is better.
134	8/10/2018	9:49pm	30th and Lake	Noise complaint
101	8/10/2018	8:46pm	30th btwn Fulton and Cabrillo	Noise complaint
70	8/10/2018	7:25pm	31st and Ortega	Noise complaint
144	8/11/2018	11:01am	31st and Ulloa	Noise complaint
83	8/10/2018	8:21pm	31st btwn Ortega and Pacheco	Noise complaint
171	8/11/2018	5:44pm	32nd and Irving	Noise complaint
16	8/10/2018	3:10pm	32nd and Rivera	Noise complaint
45	8/10/2018	5:58pm	32nd and Ulloa	Noise complaint
243	8/12/2018	9:06pm	32nd btwn Ulloa and Cabrillo	Noise complaint
170	8/11/2018	5:30pm	33rd and Fulton	Noise complaint
202	8/11/2018	9:10pm	33rd and Vicente	Noise complaint
233	8/12/2018	8:30pm	35th and Anza	Noise complaint
137	8/11/2018	10:13AM	35th and Cabrillo	Sound is a good volume.
239	8/12/2018	8:49pm	35th and Cabrillo	Noise complaint
111	8/10/2018	8:57pm	36th and Balboa	Noise complaint
142	8/11/2018	10:44am	36th ave and Cabrillo	Noise complaint
242	8/12/2018	9:05pm	36th ave and Cabrillo	Noise complaint
249	8/12/2018	10:20pm	36th ave and Cabrillo	Noise complaint
165	8/11/2018	5:10pm	36th and Geary	Noise complaint
74	8/10/2018	7:35pm	36th and Pacheco	Noise complaint
67	8/10/2018	7:15pm	38th and Geary	Noise complaint
130	8/10/2018	9:44pm	39th and Fulton	Noise complaint
75	8/10/2018	7:36pm	3rd and Anza	Noise complaint
154	8/11/2018	12:48pm	3rd and Irving	Noise complaint
166	8/11/2018	5:10pm	3rd and Irving	Noise complaint
104	8/10/2018	8:49pm	40th and Fulton	Noise complaint
112	8/10/2018	8:57pm	40th and Fulton	Noise complaint
114	8/10/2018	9:01pm	40th and Vicente	Noise complaint
100	8/10/2018	8:45pm	40th ave at Cabrillo	Noise complaint
12	8/10/2018	2:31pm	41st and Rivera	Noise complaint
27	8/10/2018	5:04pm	41st and Santiago	Noise complaint
129	8/10/2018	9:43pm	42nd and Quintara	Noise complaint
7	8/10/2018	1:35pm	42nd and Taraval	Noise complaint
34	8/10/2018	5:34pm	42nd and Ulloa	Noise complaint
19	8/10/2018	4:06pm	42nd ave at Ulloa	Noise complaint
58	8/10/2018	6:49pm	43rd and Rivera	Noise complaint
81	8/10/2018	8:05pm	43rd and Rivera	Noise complaint
33	8/10/2018	5:31pm	44th and Quintara	Noise complaint
136	8/10/2018	10:02pm	44th and Rivera	Noise complaint
14	8/10/2018	2:52pm	44th and Rivera	Noise complaint
62	8/10/2018	7:03pm	44th and Rivera	Noise complaint
80	8/10/2018	7:59pm	44th and Rivera	Noise complaint
141	8/11/2018	10:30am	44th and Rivera	Noise complaint
71	8/10/2018	7:26pm	44th and Taraval	Noise complaint
109	8/10/2018	8:56pm	45th and Noriega	Noise complaint
30	8/10/2018	5:15pm	45th and Rivera	Noise complaint
52	8/10/2018	6:38pm	46th and Vicente	Noise complaint

2018 Outside Lands Noise Complaints 3 of 4

117	8/10/2018	9:09pm	47th and Moraga	Noise complaint
23	8/10/2018	4:30pm	47th and Quintara	Noise complaint
180	8/11/2018	7:05pm	4th and Cabrillo	Noise complaint
120	8/10/2018	9:22pm	5th and Cabrillo	Noise complaint
48	8/10/2018	6:22pm	5th and Kirkham	Noise complaint
64	8/10/2018	7:10pm	5th and Kirkham	Noise complaint
93	8/10/2018	8:40pm	657 25th ave	Noise complaint
236	8/12/2018	8:37pm	6th and Cabrillo	Noise complaint
61	8/10/2018	7:00pm	6th and Judah	Noise complaint
181	8/11/2018	7:05pm	6th and Judah	Noise complaint
68	8/10/2018	7:20pm	6th and Locksley	Noise complaint
84	8/10/2018	8:27pm	6th and Locksley	Noise complaint
231	8/12/2018	8:16pm	6th at Kirkham	Noise complaint
94	8/10/2018	8:40pm	794 31st at Cabrillo	Noise complaint
237	8/12/2018	8:38pm	7th and California	Noise complaint
169	8/11/2018	5:20pm	7th and Clarendon	Noise complaint
35	8/10/2018	5:34pm	7th and Irving	Noise complaint
20	8/10/2018	4:12 PM	7th and Judah	Noise complaint
69	8/10/2018	7:22pm	7th and Lawton	Noise complaint
140	8/11/2018	10:15am	7th btwn Judah and Kirkham	Noise complaint
113	8/10/2018	8:59pm	823 29th at Fulton	Noise complaint
29	8/10/2018	5:07pm	8th and Lawton	Noise complaint
49	8/10/2018	6:25pm	8th and Lincoln	Noise complaint
40	8/10/2018	5:45pm	8th and Moraga	Noise complaint
99	8/10/2018	8:44pm	8th and Moraga	Noise complaint
103	8/10/2018	8:47pm	8th ave and Judah	Noise complaint
85	8/10/2018	8:33pm	8th btwn Lincoln and Irving	Noise complaint
8	8/10/2018	1:50pm	9th and Lincoln	Noise complaint
47	8/10/2018	6:11pm	9th and Lincoln	Noise complaint
65	8/10/2018	7:10pm	9th and Lincoln	Noise complaint
56	8/10/2018	6:46pm	Anza and Arguello	Noise complaint
95	8/10/2018	8:40pm	Anza and Stanyan	Noise complaint
32	8/10/2018	5:30pm	Ashbury and Frederick	Noise complaint
204	8/11/2018	9:17pm	Ashbury and Frederick	Noise complaint
148	8/11/2018	12:07pm	Baker and Fulton	Noise complaint
216	8/12/2018	10:25am	Baker and Fulton	Noise complaint
230	8/12/2018	7:05pm	Balboa and 27th	Noise complaint
197	8/11/2018	8:57pm	Broderick @ Divisidero	Noise complaint
157	8/11/2018	4:35pm	Broderick btwn California and	Noise complaint
178	8/11/2018	6:15pm	Buela and Stanyan	Noise complaint
39	8/10/2018	5:40pm	Cabrillo and 6th	Noise complaint
159	8/11/2018	5:00pm	Cabrillo at 6th	Noise complaint
211	8/11/2018	9:37pm	California and 22nd ave	Noise complaint
183	8/11/2018	7:20pm	California and 7th ave	Noise complaint
244	8/12/2018	9:10pm	California and Jordan	Noise complaint
121	8/10/2018	9:24pm	California and Parker	Noise complaint
60	8/10/2018	6:52pm	Carl and Hillway	Noise complaint
160	8/11/2018	5:00pm	Carl at 8th	Noise complaint
86	8/10/2018	8:33pm	Carl btwn Hillway and Hillard	Noise complaint
218	8/12/2018	1:05pm	City View Way & Knollview Way	Noise complaint
92	8/10/2018	8:37pm	Clayton and Parnassas	Noise complaint
78	8/10/2018	7:40pm	Clement and 15th	Noise complaint
161	8/11/2018	5:00pm	Clement and 22nd	Noise complaint
10	8/10/2018	2:00pm	Cole and Fulton	Noise complaint
24	8/10/2018	4:30pm	Cole and Fulton	Noise has abated. Very
3	8/10/2018	1:20pm	Commonwealth @ California	Noise complaint
63	8/10/2018	7:08pm	Commonwealth @ California	Noise complaint
177	8/11/2018	6:05pm	Downey and Ashbury	Noise complaint
195	8/11/2018	8:55pm	Fillmore and Grove	Noise complaint
173	8/11/2018	5:45pm	Frederick and Ashbury	Noise complaint
234	8/12/2018	8:30pm	Fulton and 21st	Noise complaint
198	8/11/2018	8:57pm	Fulton and 23rd	Noise complaint
162	8/11/2018	5:00pm	Fulton and Cole	Sound is better
228	8/12/2018	6:48pm	Fulton at 11th	Noise complaint
235	8/12/2018	8:30pm	Garfield and Monticello	Noise Complaint but
124	8/10/2018	9:33pm	Geary and 35th	Noise complaint
190	8/11/2018	8:36pm	Haight and Baker	Noise complaint

2018 Outside Lands Noise Complaints 4 of 4

247	8/12/2018	9:28pm	Haight and Baker	Noise complaint
167	8/11/2018	5:15pm	Haight and Schrader	Noise complaint
46	8/10/2018	6:03pm	Hayes and Ashbury	Noise complaint
125	8/10/2018	9:33pm	Irving and 6th ave	Noise complaint
246	8/12/2018	9:19pm	Irving btwn 10th and 11th	Noise complaint
222	8/12/2018	5:00pm	Lake and 17th	Noise complaint
31	8/10/2018	5:27pm	Lawton and 16th	Noise complaint
57	8/10/2018	6:48pm	Lawton btwn 9th and 10th	Noise complaint
36	8/10/2018	5:34pm	Lincoln and 16th	Noise complaint
184	8/11/2018	7:20pm	McAllister and Baker	Noise complaint
108	8/10/2018	8:53pm	Noriega and Funston	Noise complaint
2	8/10/2018	11:31am	Oak Park Drive & Lake Forest Ct	Noise complaint
13	8/10/2018	2:43pm	Oak Park Drive & Lake Forest Ct	Noise complaint
25	8/10/2018	4:30pm	Oak Park Drive & Lake Forest Ct	Noise complaint
44	8/10/2018	5:55pm	Oak Park Drive & Lake Forest Ct	Noise complaint
105	8/10/2018	8:49pm	Oak Park Drive & Lake Forest Ct	Noise complaint
155	8/11/2018	1:45pm	Oak Park Drive & Lake Forest Ct	Noise complaint
147	8/11/2018	12:05pm	Oak Park Drive & Lake Forest Ct	Noise complaint
152	8/11/2018	12:32pm	Oak Park Drive & Lake Forest Ct	Noise complaint
163	8/11/2018	5:03pm	Oak Park Drive & Lake Forest Ct	Noise complaint
176	8/11/2018	6:00pm	Oak Park Drive & Lake Forest Ct	Noise complaint
200	8/11/2018	9:00pm	Oak Park Drive & Lake Forest Ct	Noise complaint
217	8/12/2018	10:40am	Oak Park Drive & Lake Forest Ct	Noise complaint
219	8/12/2018	2:38 PM	Oak Park Drive & Lake Forest Ct	Noise complaint
221	8/12/2018	3:55pm	Oak Park Drive & Lake Forest Ct	Noise complaint
238	8/12/2018	8:48pm	Oak Park Drive & Lake Forest Ct	Noise complaint
146	8/11/2018	11:45am	Ocean and Meadowbrook	Noise complaint
187	8/11/2018	8:15pm	Ocean and Sunset	Noise complaint
207	8/11/2018	9:30pm	Ocean at Middlefield	Noise complaint
106	8/10/2018	8:50pm	Ortega and 14th	Noise complaint
185	8/11/2018	7:30pm	Ortega btwn 11th and 14th	Noise complaint
186	8/11/2018	7:50pm	Pacheco at 8th	Noise complaint
42	8/10/2018	5:49pm	Page and Scott	Noise complaint
193	8/11/2018	8:50pm	Page at Scott	Noise complaint
28	8/10/2018	5:05pm	Palm and California	Noise complaint
153	8/11/2018	12:45pm	Panorama Dr at Starview Way	Noise complaint
133	8/10/2018	9:48pm	Presidio near Baker Beach	Noise complaint
26	8/10/2018	4:36 PM	Rockaway and Ulloa	Noise complaint
194	8/11/2018	8:50pm	Rossi and Turk	Noise complaint
1	8/10/2018	10:23am	Santiago and 41st	Noise complaint
199	8/11/2018	8:57pm	Sola and Marcela (Forest Hill)	Noise complaint
132	8/10/2018	9:47pm	Stanyan	Noise complaint
4	8/10/2018	1:22pm	Stanyan & Haight	Noise complaint
6	8/10/2018	1:30pm	Stanyan & Hayes	Noise complaint
223	8/12/2018	5:15pm	Stanyan and 17th	Noise complaint
41	8/10/2018	5:48pm	Stanyan and Anza	Noise complaint
51	8/10/2018	6:36pm	Stanyan and Anza	Called an hour ago, got
66	8/10/2018	7:10pm	Sunset and Balboa	Noise complaint
215	8/12/2018	10:20am	Ulloa & Allston Way	Noise complaint
55	8/10/2018	6:45pm	Washington and Cherry	Noise complaint
168	8/11/2018	5:15pm	Washington btwn Broderick and	Noise complaint
182	8/11/2018	7:10pm	Washington btwn Broderick and	Noise complaint
174	8/11/2018	5:45pm	Webster and California	Noise complaint
119	8/10/2018	9:11pm	West Portal/Forest Hill	Noise complaint
212	8/11/2018	9:38pm	Yorba and Wawona	Noise complaint

EXHIBIT F

2019 Special Events Master Applications-
Not Approved Until I or P appears in 1st column

Site	Permit	Comments	Day	Date	Set Up	Down	Attendance	Sound	Site	Area	Event Name:
a			Week Starting	11-Mar					a		
a			Week Starting	18-Mar					a		
a			Week Starting	25-Mar					a		
a			Week Starting	1-Apr					a		
a			Week Starting	8-Apr					a		
P	admin R10575	n/a	Saturday	13-Apr	10-Apr		1000	Yes	GGP-Robin Williams Meadow (Sharon Meadow		Eggstravaganza
a			Week Starting	15-Apr					a		
	SB admin SB 420 only	sent email	Saturday	20-Apr	18-Apr		20000	Yes	GGP-Robin Williams Meadow (Sharon Meadow		420 Hippie Hill
a		n/a	Sunday	21-Apr					Easter		Easter
a			Week Starting	22-Apr					a		
I	R9763	sent email RC 11/5	Saturday	27-Apr			2000	Yes	GGP-MurphyWindmill	Murphy Windmill	Kingsday 2019
a			Week Starting	29-Apr					a		
a			Week Starting	6-May					a		
a			Week Starting	13-May					a		
	admin R10497	sent email	Sunday	19-May	16-May		30000	Yes	GGP-Roadway	we reserve all of Golden Gate	Bay to Breakers 2019
a			Week Starting	20-May					a		
a			Week Starting	27-May					a		
a			Week Starting	3-Jun					a		
	admin R11018 - in	sent email	Sunday	9-Jun			10000	Yes	GGP-Roadway	JFK Dr. between Trans	Sunday Streets Sunset/Golden Gate Park
a			Week Starting	10-Jun					a		
a			Week Starting	17-Jun					a		
a			Week Starting	24-Jun					a		
a			Week Starting	1-Jul					a		
a			Week Starting	8-Jul					a		
	SB admin R10631	sent email; multi day	Thursday	11-Jul	8-Jul	23-Jul	8,000	Yes	GGP-Botanical Gardens	Whole Garden	Flower Piano 2019
	SB admin R11029	sent email	Sunday	14-Jul	13-Jul	15-Jul	6,000	Yes	GGP-Robin Williams Meadow (Sharon Meadow	Sharon Arts Building	AIDS Walk San Francisco
a			Week Starting	15-Jul					a		
	SB admin R10631	sent email; 3 nights	Thursday	18-Jul	15-Jul	20-Jul	3000	Yes	GGP-Botanical Gardens		Flower Piano at Night 2019
	SB admin R10631	sent email; multi day	Saturday	20-Jul	8-Jul	23-Jul	8,000	Yes	GGP-Botanical Gardens	Whole Garden	Flower Piano 2019
a			Week Starting	22-Jul					a		
	SB admin R10579	sent email DK	Sunday	28-Jul	26-Jul		8500	Yes	GGP-14th Ave Meadow	14th Avenue Meadow	The San Francisco Marathon
	SB admin R10579	sent email DK	Sunday	28-Jul	27-Jul		15000	No	GGP-Roadway	various roads in the pa	The San Francisco Marathon
a			Week Starting	29-Jul					a		
a			Week Starting	5-Aug					a		
	admin	Aug 9-11	Friday	9-Aug	29-Jul	16-Aug	Impact		GGP-West End		Outside Lands
	admin	Aug 9-11	Saturday	10-Aug	29-Jul	16-Aug	Impact		GGP-West End		Outside Lands
	admin	Aug 9-11	Sunday	11-Aug	29-Jul	16-Aug	Impact		GGP-West End		Outside Lands
a			Week Starting	12-Aug					a		
a			Week Starting	19-Aug					a		
a			Week Starting	26-Aug					a		
a			Week Starting	2-Sep					a		
a			Week Starting	9-Sep					a		
a			Week Starting	16-Sep					a		
a			Week Starting	23-Sep					a		

2019 Special Events Master Applications-
 Not Approved Until I or P appears in 1st column

Sta	Permit	Comments	Day	Date	Set Up	Down	Attendance	Sound	Site	Area	Event Name:
a			Week Starting	30-Sep					a		
	admin R10576	3 days	Friday	4-Oct	29-Sep	9-Oct	75,000	Yes	GGP-Meadows		Hardly Strictly Bluegrass 2019
a			Week Starting	7-Oct					a		
a			Week Starting	14-Oct					a		
a			Week Starting	21-Oct					a		
a			Week Starting	28-Oct					a		