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April 2, 2019

City and County of San Francisco
Board of Supervisors
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

SF Plng Case #: 2019-000684PRJ
SF BOS File #: 190117

**Subject: Request for Inclusion of Quantitative Noise Limits in the Outside Lands Use Permit
Opposition to Issuance of a 10-year Use Permit Extension with NO Noise Limits**

My name is Andrew Solow. I have been employed as a CA Private Investigator for 19 years. And, I have been living on the back side of Mt. Davidson, West of Twin Peaks since 2002.

The use permit extension that you are considering today **does NOT include quantitative numerical noise limits**. So, if you approve the proposed use permit extension as written, **no matter how loud the music is, the affected residents will have no right to object**.

During the 3 day, August 2018 Outside Lands Festival, 190 different residents called in 249 noise complaints. Some of the complaints came from residents who live more than 3 miles from Golden Gate Park. This is a map of those complaints.

Even though I live on Mt. Davidson, more than two miles from the Golden Gate Park Polo Fields, the noise inside my home office was frequently overwhelming. And I had all of my windows and doors shut.

Though I support the annual Outside Lands Festival, the proposed Outside Lands Use Permit **has NO noise limit**. And, it does **not** specify what acoustical standards must be met or what testing protocols must be used to control noise levels at the Festival and in the surrounding neighborhoods. It only requires Outside Lands to monitor noise levels and adjust them **“as required”**. And, “as required” is **not** defined.

San Francisco previously adopted numerical noise standards with decibel limits for events at Sharon Meadow in Golden Gate Park. And, there are numerous other examples of outdoor event spaces that have adopted numerical noise limits including Shoreline Amphitheatre in Mountain View, and Saint James Park in San Jose.

BEFORE the Board of Supervisors approves any extension of the Outside Lands Use Permit, I request that the Commission and Staff take the following actions:

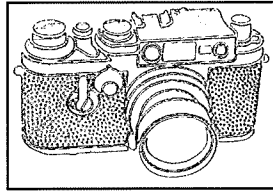
- **Establish Quantitative Noise Limits** for the Outside Lands Festival; using standard acoustical measurement metrics that may be readily monitored, independently checked, and unambiguously used to **‘adjust sound pressure levels as required’ to meet specific numerical noise limits**; and incorporate those standards into the Outside Lands Use Permit currently under consideration.
- **Require that the SFRPD and Outside Lands co-retain Acoustical Engineering Firm Charles Salter Associates to consult on the installation and operation of the sound system at each and every Outside Lands Festival; and make Salter’s reports available for public review.**

- **Require that SFRPD collect and retain all noise complaints received regarding the Outside Lands Festival and make them available for public review.**

Respectfully Submitted,

Andrew Solow

date



**DOCUMENTARY
PHOTOGRAPHY**

April 2, 2019, 3:00 P.M.

Submitted to *San Francisco Board of Supervisors*
1 Dr. Carlton B. Goodlett Place, San Francisco CA 94102-4689

GOLDEN GATE PARK OUTSIDE LAND CONCERTS - AUDIO HEALTH

1. The city government has in recent times turned its attention to plastic bags and their effect on fish and sea life in the ocean, as well as the health effects for the ingestion of sugary drinks. Now it's time to address the hearing health of young people attending *Outside Lands* concerts.
2. In a majestic feat of inverted logic the San Francisco Parks Department claims that the Federal Government's *National Institute for Occupational Safety and Health* (NIOSH) audio level safety standards does not apply to outdoor concerts in the park, with their enormously powerful amplified music, because The Parks Dept. says outdoor concerts are not a workplace environment. Obviously, millions of dollars spent on concert tickets and hundreds of paid employees and paid musicians does constitute a true workplace,
(San Francisco Planning Department - Categorical Exemption Appeal - Outside Lands Use Permit, March 25, 2019)
3. The City's contract with *Outside Lands* must contain some audio health regulations on maximum momentary and average sound levels. The present effort by the Parks Department to remove all audio safety regulations is a blatant and irresponsible failure to protect the hearing of our residents and the young people who attend these concerts.
4. The safety regulations that we ask for already exist for concerts in Sharon Meadows at the other end of Golden Gate Park. The City of Mountain View has sound requirements for Rock concerts at Shoreline Amphitheater. Why can't San Francisco equally promote healthy audio safety standards? Why does this Contract conspicuously not have ANY hearing safety guidelines?

Respectfully submitted,

Stephen F. Somerstein

MONEY TRUMPS THE LAW

I'm Martin MacIntyre, founder of the Coalition for San Francisco Neighborhoods.

All laws and rules must be obeyed, including the right to privacy, California's Public Nuisance Code¹ and Rec and Park's Loudspeaker permit, that indicates "no sound 250 feet from the event."²

You correctly forbid phone rings from disturbing this Hearing, so how could you possibly consider allowing incessant BOOM BOOM BOOM from Outside Lands' gigantic speakers heard four miles away inside CalMart at Laurel Village and homes in Districts 1, 2, 4, 5 and 7.

For over 20 years, Rec and Park has allowed Money to Trump the Laws and sold our right to peace and quiet in our homes. Rec and Park stole the authority for loudspeaker permits from the Entertainment Commission to avoid the Board of Appeals.³

Loud amplified events make a mockery of Golden Gate Park's mission to be "a peaceful refuge in a noisy city." Rec and Park permitted profitable amplified events at Sharon Meadow that forced the non-profit Shakespeare in the Park to leave the quiet glen next to the quiet Conservatory of Flowers.

Under duress, Rec and Park moved the loudest events to the Polo Field and Speedway Meadow but then let events, like Outside Lands, get even larger and louder to make more money. Today's hearing is Rec and Park's unkindest cut of all;

Selling ten-years of unlimited and un-appealable BOOM BOOM BOOM for three days, noon to night.

Protect our right to peace and quiet inside our homes.

Don't violate your sworn duty by letting MONEY TRUMP the LAWS.

1. California Civil Public Nuisance Code Secs. 3479 & 3480 say,
"... an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property is a nuisance .
... and a public nuisance is one which affects ... an entire neighborhood or any considerable number of persons..."?

2. Sound Level may not exceed 250 Feet as specified by Section 47.2(7) MPC

3. S.F. Charter, Article IV, Executive Branch- Board of Appeals Sec. 4.106 (b).
The Board shall hear and determine appeals with respect to any person who ... believes that his or her interest or the public interest will be adversely affected by the grant of a permit EXCEPT for a permit ... under the jurisdiction of the Recreation and Park Commission or Department