

**PRESIDIO TRUST INTERIM COMPENDIUM**

The following Interim Compendium (“Compendium”) has been compiled pursuant to authority provided by chapter X of title 36 of the Code of Federal Regulations, Title I of Public Law 104-333, and other applicable authority. The requirements contained in this Compendium have been adopted by the Presidio Trust Board of Directors or its authorized designees under these regulations.

Unless otherwise stated, these provisions apply in addition to the requirements of chapter X of title 36 of the Code of Federal Regulations, and terms used in these provisions shall have the same meaning as those in chapter X of title 36 of the Code of Federal Regulations.

Written determinations explaining the reasoning behind certain of these provisions are provided in italicized passages.

This Compendium is complete and accurate as of the date last written below.

Legal Review by:     /signature/  
                            Karen A. Cook  
                            General Counsel

Date: June 30, 1998

Approval by the Board of Directors attested to:

/signature/  
                            James E. Meadows  
                            Executive Director

Date: June 30, 1998

## **PART 1001 -- GENERAL PROVISIONS**

### **§ 1001.5 Closures and public use limits.**

(a) The following locations are closed to public use:

- Lobos Creek riparian corridor
- Battery Dynamite
- Battery Howe-Wagner
- Battery Blaney
- Battery McKinnon Stotsenberg
- MacArthur Tunnel Air Vent and Portals
- Dump Site west of Park Boulevard across from Amatury Loop
- Magazine Area at Rob Hill
- Areas and buildings that are locked, fenced, and/or posted as closed to the public
- Residences and their curtilage

*These areas are closed to the public to prevent intrusion into residences and their surrounding yards, to protect the public drinking water source, to restrict access to lead-contaminated areas, and to prevent accidents on uneven surfaces, unstable structures, and steep drop-offs. It is not possible to supervise the public in these areas, and damage to the resources of the area administered by the Presidio Trust would result.*

(b) Picnicking and traveling off established trails is prohibited in the following areas:

- World War II Monument (Serpentine soil area)
- The Pet Cemetery
- Fenced and posted areas at Inspiration Point, north of the Public Health Service Hospital, Rob Hill, and Lobos Creek
- Areas fenced and/or posted as closed

*This restriction is for the purpose of public safety associated with uneven surfaces, loose rock formations, and steep drop-offs as well as protection of irreplaceable cultural resources. In addition, these areas provide vital habitat for birds and sealife, and the vegetated areas contain native and historical vegetation that is sensitive to trampling.*

(c) The feeding of feral animals is prohibited in all areas administered by the Presidio Trust.

*Restrictions are for the protection of significant natural and cultural resources. In addition, the Endangered Species Act requires special protection for the threatened and endangered species found in the area administered by the Presidio Trust. Feral animals have an adverse impact on wildlife and conflict with resource preservation.*

(d) In the area administered by the Presidio Trust, the idling of bus or commercial vehicle engines while loading, unloading or waiting for passengers to reboard is prohibited. Bus engines must remain off until all passengers have reboarded and the bus is ready for departure.

*This area receives a great deal of traffic and this regulation intends to reduce the amount of pollutants and audio disturbances affecting visitors.*

(e) Subject to the conditions included in this subsection, Small Busses and Motor Coaches that have Frequent Use of the area administered by the Presidio Trust are subject to a permit issued by the Presidio Trust (see definitions below). Taxis and limousines 35 feet and smaller, school busses supporting educational programs in the area administered by the Presidio Trust, and MUNI providing public transportation may use all Presidio Trust roads without a permit issued by the Presidio Trust.

In addition to the terms set forth in the Compendium, the following additional terms shall have the following meanings applicable as appropriate, to both the singular and plural forms of the terms herein defined:

*Small Busses:* Vehicles, including motor homes, that are 20 to 35 feet in length;

*Motor Coaches:* Vehicles, including motor homes and double deckers, which are 36 to 45 feet in length;

*Frequent Use:* Any vehicle defined above that visits the area administered by the Presidio Trust at least 3 times in any week or 7 times in any month;

*Special Use Permit:* A permit issued by the Executive Director of the Presidio Trust for a specific short-term event or activity.

Permittees authorized under this provision may operate from 8:00 a.m. until sunset. Vehicles defined above are permitted to operate during prohibited hours when they are supporting activities sponsored by holders of Special Use Permits or authorized commercial tenants of the Presidio Trust.

Motor Coaches may be operated only on the following routes:

- Mason Street
- Moranga Avenue
- Montgomery Street
- Graham Street
- Halleck Street
- Marshall Street
- Lombard Street
- Lincoln Boulevard
- McDowell

Long Avenue  
Sheridan Avenue  
Arguello Boulevard  
Anza Avenue  
Funston Avenue  
Gorgas Avenue  
Crook Street  
Presidio Boulevard

Small busses may be operated only on the routes specified above for Motor Coach use and on the following routes:

Battery Chamberlin Road  
Langdon Court  
Fisher Loop

*These restrictions are necessary for public safety, noise reduction, and protection of roads and surfaces on roads not designed to carry large vehicles.*

(f) Permits issued by the Superintendent of the GGNRA prior to October 1, 1998, for activities throughout the GGNRA will be recognized as valid within the area administered by the Presidio Trust until such time as such permits may expire, at which point application must be made to the Executive Director of the Presidio Trust for a permit with respect to activities in the area administered by the Presidio Trust.

*This provision is necessary for smooth transition of the management of the portion of the Presidio under the administrative jurisdiction of the Presidio Trust without imposing undue burdens on permitted entities.*

## **PART 1002 -- RESOURCE PROTECTION, PUBLIC USE AND RECREATION**

### **§ 1002.1 Preservation of natural, cultural and archeological resources.**

(b) Leaving a designated trail to shortcut between portions of the same trail or different trails is prohibited.

*This restriction is necessary to prevent erosion channels and “social trails” and for public safety concerns related to uneven walking surfaces.*

(c)(1) Reasonable quantities of blackberries and other edible berries may be hand gathered for personal use or consumption.

*Limited consumption of these resources does not adversely affect the reproduction of plants nor the wildlife's food source.*

(c)(2) The gathering of mushrooms is prohibited, with the exception of the areas identified on the attached map (Exhibit 2), where the collection of up to one pound of mushrooms per day for personal consumption is allowed. Gathering of mushrooms for commercial use is prohibited.

*The identified areas are an unnatural ecosystem that has sustained mushroom gathering for many years. There is little native wildlife use of the areas and natural and cultural values do not appear to be adversely affected by the current level of mushroom gathering. It is believed that the gathering of mushrooms in quantities identified above will not adversely affect wildlife, the reproductive potential of plant species, or other Presidio resources.*

**§ 1002.2 Wildlife protection.**

(e) The use of artificial light to view wildlife is prohibited on all lands administered by the Presidio Trust.

*The purpose of this regulation is to conform with State law and to protect wildlife from poaching activity and the effect of temporarily blinding the animal and potentially jeopardizing its safety.*

**§ 1002.10 Camping and food storage.**

(a)(i) Camping or overnight stays in any type of motor vehicle is prohibited upon lands administered by the Presidio Trust.

*These lands do not have any facilities (drive-in campgrounds or gray water/sewage dumpsites) to accommodate motorized camping.*

(a)(ii) Non-motorized camping is allowed only in designated sites by permit. Reservations for the Rob Hill campground will be subject to the following restrictions: Type:

Group	
People:	7-25
Limit:	3 nights
Permit Available:	Special Use Office of the National Park Service
Reservations:	One year in advance

*All campgrounds in the area are extremely popular and in order to equitably accommodate visitor demand it is necessary to impose limitations on individual use and length of stay.*

**§ 1002.13 Fires.**

(a)(1) Charcoal fires are permitted within government provided grills or visitor provided portable barbecues/hibachis in designated picnic areas and campgrounds unless signed otherwise.

*The purpose of these restrictions is to reduce the possibility of an uncontrolled wildfire.*

**§ 1002.15 Pets.**

(a)(1) Pets are prohibited on trails not designated for pets and in all areas fenced and/or posted as closed.

(a)(5) In all areas so designated by appropriate signage, pet excrement shall be removed from the area administered by the Presidio Trust or deposited in a refuse container by the person(s) controlling the pet(s).

*The area administered by the Presidio Trust receives many visitors per year. These restrictions are intended to reduce possible conflict between users, protect the natural and cultural resources, and to address public health concerns.*

(e) Tenants may keep pets in accordance with established policy, pursuant to the terms of a lease, and subject to all other pet regulations.

**§ 1002.16 Horses and pack animals.**

(b) Horses and pack animals, for other than park management purposes, are prohibited on any trail not designated for horses.

*The area administered by the Presidio Trust receives many visitors per year. These restrictions are intended to reduce any possible conflict between users*

**§ 1002.20 Skating, skateboards and similar devices.**

(i) Skating, skateboards, and similar devices are permitted on hard surfaces wherever pedestrian traffic is allowed, with the exception of:

- Stairs, walkways, or ramps at building entrances
- Pershing Square on the Presidio Main Post
- On any historic military coastal defense structure or building

*The area administered by the Presidio Trust receives many visitors per year. These restrictions are intended to reduce any possible conflict between users, protect cultural resources, and for public safety concerns.*

### **§ 1002.21 Smoking**

(a) All smoking within concession facilities providing food service will comply with all local/State ordinances/regulations. Smoking is prohibited within all government buildings/vehicles (excluding residences and designated smoking areas) and within all tenant facilities.

*The area administered by the Presidio Trust receives many visitors per year. These restrictions are intended to reduce any possible conflict between users and the harmful effects of second hand smoke.*

### **§ 1002.38 Explosives**

(b) No person or persons, firm, company, corporation or association shall possess, fire or discharge any fireworks of any kind or description within or onto lands administered by the Presidio Trust. Except that public displays of fireworks may be conducted with a written permit from the Executive Director and the concurrence of fire and police authorities.

*Fireworks are prohibited in order to maintain consistency with local laws and regulations and to protect visitors from injury and the resources of the area administered by the Presidio Trust from accidental fire.*

### **§ 1002.51 Public assemblies, meetings.**

(e) Areas available for public assemblies and meetings are designated on the attached map (Exhibit 1).

### **§ 1002.52 Sale or distribution of printed mater.**

(e) Areas available for sale or distribution of printed matter are designated on the attached map (Exhibit 1).

## **PART 1004 -- VEHICLES AND TRAFFIC SAFETY**

### **§ 1004.30 Bicycles.**

(a) The use of bicycles in the area administered by the Presidio Trust is prohibited except on Presidio Trust roads, parking lots, and on Quarry Road in the Presidio.

*The purpose of the closures is to prevent conflict between inconsistent recreational uses which would create unsafe situations.*

## **PART 1007 -- REQUESTS UNDER THE FREEDOM OF INFORMATION ACT**

### **§ 1007.9 Fees.**

**(a)(1) Copies:** For black and white copies of documents reproduced on a standard office photocopying machine in sizes of 8 1/2 x 11 inches or 8 1/2 x 14 inches, the charge is \$0.20 per page for single-sided copies and \$0.40 per page for double-sided copies. For copies of documents that require special handling because of their age, size, or color, the charge will be based on the direct costs of reproducing the materials.

*Search and review time:* Time for search and review of documents in response to requests will be charged at the rate of \$6.25 per quarter hour (or portion thereof) when the search and review is performed by administrative staff and \$10.00 per quarter hour (or portion thereof) when the search and review is performed by professional staff.

*Other services:* Other materials or services provided in response to a request -- including but not limited to delivery by means other than regular mail; searching, reviewing, or providing records in microfiche or electronic form; or authenticating copies -- will be charged at the full allowable direct cost to the Trust calculated on a case-by-case basis in accordance with the Uniform Freedom of Information Act Fee Schedule and Guidelines promulgated by the Office of Management and Budget at 52 Fed. Reg. 10012 (Mar. 27, 1987).

**(a)(2)** The cost for routine collection and processing of a fee is \$5.00.

## **PART 1008 -- REQUESTS UNDER THE PRIVACY ACT**

### **§ 1008.15 Requests for access to records: Initial decision.**

**(d)(2)** Fees chargeable for processing of requests under the Privacy Act shall be the same as those for processing requests under the Freedom of Information Act, which are noted above.

**EXHIBIT 1**  
**Designation of Areas Available for First Amendment Activities**

The exercise of first amendment activities by any individual, group, or organization within the area administered by the Presidio Trust shall be in compliance with the provisions of 36 CFR §§ 1002.51 and/or 1002.52. Such activities shall also be subject to and in compliance with other laws and regulations applicable to the area administered by the Presidio Trust.

**Section I: Established Zones**

In accord with and consistent with 36 CFR §§ 1002.51 and 1002.52, the Executive Director will issue permits for the exercise of first amendment activities in the following designated areas:

- A. *Main Post*: An area approximately fifty (50) feet by fifty (50) feet on the Main Post at the intersection of Arguello Boulevard and Sheridan Avenue and set back five (5) feet from any roadway, parking lot or sidewalk (see map, Figure 1).
- B. *Lombard Gate*: An area approximately twenty-five (25) feet by one hundred (100) feet along Lombard Street, set back five (5) feet from the sidewalk, beginning thirty (30) feet inside the Lombard Gate (see map, Figure 1).



(Map courtesy of San Francisco Communications)

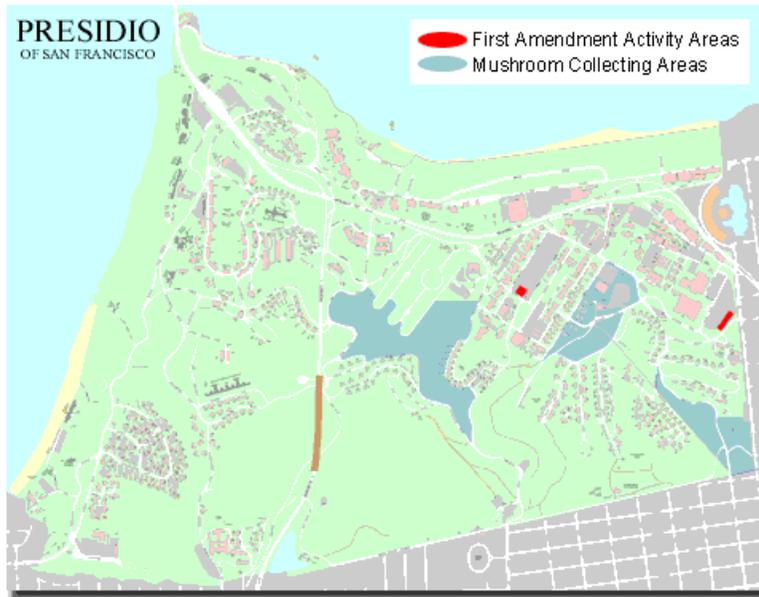
**Figure 2**

## **Section II: Special Areas or Situations**

1. *Special events or activities:* Individuals or groups wishing to exercise first amendment rights in relation to a special event or activity within the area administered by the Presidio Trust may apply to the Executive Director for the designation of an additional First Amendment area. Upon receipt of an application, the Executive Director will, if not inconsistent with the criteria in 36 CFR §§ 1002.51 and 1002.52, identify and make available a specific location for the exercise of First Amendment activities in accordance with the conditions and restrictions found in 36 CFR §§ 1002.51 and 1002.52. These sites are temporary and will only exist during the time frame designated within the permit.
2. No permits will be issued for activities covered under 36 CFR §§ 1002.51 and 1002.52 within any area permanently or temporarily closed by the Board or the Executive Director under authority granted by 36 CFR § 1001.5(a)(1).
3. There is a prohibition on sound amplification.

**EXHIBIT 2**  
**Designation of Mushroom Collecting Areas**

- A. The open space area east of Park Presidio Boulevard, south of Lincoln Boulevard, north of Armatury Loop, along Nauman Road and the Presidio Golf Course boundary, over to Arguello Boulevard, along the outside of the housing area on Thomas Street, continuing north along Infantry Terrace, cutting west south of the Chapel and connecting back to Lincoln Boulevard around the boundary of the Cemetery (see map, Figure 2).
- B. The open space area south of Liggett Avenue, along Lovers Lane to the Presidio boundary following it east and north to just south of Green Street, then heading west to Presidio Boulevard and continuing along the south side to Liggett Avenue (see map, Figure 2).
- C. The open space area south of Lincoln Boulevard, continuing south along Presidio Boulevard and MacArthur Avenue to Fernandez Street, west along Fernandez Street and north along Barnard Avenue to connect with Lincoln Boulevard, passing along the east side of the Gymnasium and parking area (see map, Figure 2).



(Map courtesy of San Francisco Communications)

**Figure 2**