



Memorandum

December 28, 2021

To: NEPA/NHPA Administrative File

From: Jean S. Fraser, Chief Executive Officer

Subject: Battery Tunnel Tops: Written Determination under 36 CFR 1001.5 for public use restrictions

As the Chief Executive Officer of the Presidio Trust (Trust), under Presidio Trust Board Resolution 04-15, *Authority of Executive Director to Establish Public Use Limits and Closures*, **I am imposing public use restrictions for the new Battery Tunnel Tops (site).**

Built on the Presidio Parkway Tunnels, the new Battery Tunnel Tops is a 6-acre historic cultural landscape within the Presidio, extending from just east of Battery Baldwin to just west of Battery Blaney. To the south is Lincoln Boulevard and the National Cemetery and to the north are views from the batteries over Crissy Field to San Francisco Bay. The site was highly altered due to the Doyle Drive/Presidio Parkway Tunnels projects. By reopening this area of parklands, the Trust is reestablishing the historic, visual and pedestrian connections between the batteries and the greater Presidio landscape, and the bluff as an observation point. The Trust is committed to rehabilitating the historic cultural landscape associated with the batteries while maintaining an atmosphere within the site that is open, inviting and accessible to all. The Battery Tunnel Tops will open to the public in early 2022.

The Trust will provide public recreation opportunities that are uniquely suited and appropriate to the site and can be sustained without causing unacceptable impacts to the site's resources. The following public use restrictions will be established for the Battery Tunnel Tops for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, implementation of management responsibilities, equitable allocation and use of facilities, and the avoidance of conflict among visitor use activities. The restrictions implement management responsibilities of the Trust to "protect the Presidio's cultural landscape" as set forth in the Presidio Trust Management Plan (PTMP). PTMP at 5. The restrictions apply in addition to the requirements contained in 36 CFR, Chapter X, Parts 1001, 1002 and 1005. The restrictions are location-specific and limited to what is necessary to protect the site's resources, to promote visitor safety and enjoyment, or to meet park management needs. Less restrictive measures would require a significant modification to the resource management objectives of the site and will not suffice.

The Trust will provide public notice of these public use restrictions by posted information on the Trust's website and through signs posted at key locations. Signs will include icons prohibiting

particular activities or suggesting appropriate actions and will be user-friendly to serve an international audience (see attachment).

The following restrictions will apply to the entire 6-acre Battery Tunnel Tops site:

- **Staking of tents and umbrellas.** This will be prohibited to prevent digging into underground irrigation lines and damage to landscape surfaces.
- **Commercial outdoor fitness.**¹ Commercial outdoor fitness activities will be prohibited without a written permit. This prohibition is necessary to avoid conflict among visitor use activities, and to ensure access to and use of open space is preserved for all visitors.
- **Skates, skateboards, and similar devices.** In accordance with 36 CFR 1002.20, using skates, skateboards or similar devices will be prohibited due to the increased potential for resource damage to the historic batteries, visitor conflicts, and public safety concerns.
- **Leash and confinement requirements for pets.** In accordance with 36 CFR 1002.15(a)(2), pets must be crated, caged, or restrained on a leash not to exceed six feet in length, or be otherwise physically confined at all times. This restriction is intended to ensure that pets do not trample ornamental gardens and meadows, harass wildlife, or disturb visitors.
- **Pet excrement.** Pet excrement must be removed immediately from the site or be deposited in an appropriate trash/waste container by the pet's owner or handler. This restriction is intended to protect public health and water resources and is necessary for site sanitation.
- **Fires.** The lighting or maintaining of fires, including use of portable liquid fuel stoves or charcoal barbecue grills, will be prohibited. This restriction is consistent with prohibitions on fires at 36 CFR 1002.13 and is intended to reduce hazards and protect natural and cultural resources from fire and associated air pollution.
- **Smoking.** Smoking will be prohibited. This prohibition is intended to protect park resources and public health, reduce the risk of fire, and prevent conflicts among visitor use activities.
- **Balloons.** Balloons will be prohibited. The release of balloons, particularly helium-filled balloons, poses a danger to marine wildlife and creates a litter problem.
- **Special events including weddings and ceremonies.** Indoor and outdoor weddings, ceremonies and other special events require a written permit. This restriction is intended to avoid conflict among visitor use activities, and to ensure access to and use of open space is preserved for all visitors. Rules for special events and permit requirements will be available to the public on www.presidio.gov.
- **Audio disturbances.** In accordance with 36 CFR 1002.12, amplified sound that exceeds 60 decibels measured on the A-weighted scale at 50 feet, or that, if below that level, nevertheless may be disturbing or a nuisance to other park visitors will be prohibited unless for permitted special events.

Attachment: Etiquette Signs

¹ *Commercial Outdoor fitness* means any type of commercial guided exercise activity for a direct or indirect fee or charge. This includes, but is not limited to, fitness instruction, education and motivational exercises for groups of all sizes.