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16 *Counsel list continues on next page*

17 Attorneys for Plaintiffs DRAKES BAY OYSTER COMPANY and KEVIN LUNNY

18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA

20 **DRAKES BAY OYSTER COMPANY,**
21 17171 Sir Francis Drake Blvd
22 Inverness, CA 94937, and

23 **KEVIN LUNNY,**
24 17171 Sir Francis Drake Blvd
25 Inverness, CA 94937

26 Plaintiffs,

27 v.

28 **KENNETH L. SALAZAR,**
in his official capacity as Secretary, U.S.
Department of the Interior,
1849 C Street, NW, Washington, D.C., 20240;
U.S. DEPARTMENT OF THE INTERIOR
1849 C Street, NW, Washington, D.C., 20240;
U.S. NATIONAL PARK SERVICE
1849 C Street, NW, Washington, D.C. 20240;
and **JONATHAN JARVIS,**
in his official capacity as Director, U.S.
National Park Service,
1849 C Street, NW, Washington, D.C. 20240.

Defendants.

Case No. 12-cv-06134-YGR

**REBUTTAL DECLARATION OF DR.
COREY GOODMAN IN SUPPORT OF
MOTION FOR PRELIMINARY
INJUNCTION**

Date: January 25, 2013

Time: 2:00 pm

Court: Oakland Courthouse 5 – 2nd Floor

1 **Counsel List Continued**

2 John Briscoe [CSBN 53223]
3 Lawrence S. Bazel [CSBN 114641]
4 Peter S. Prows [CSBN 257819]
5 **BRISCOE IVESTER & BAZEL LLP**
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Zachary Walton [CSBN 181041]
SSL LAW FIRM LLP
575 Market Street, Suite 2700
San Francisco, CA 94105
Phone: 415.243.2685
Email: zack@sslfirm.com

1 I, Dr. Corey Goodman, Ph.D., declare as follows:

2 1. I am an elected member of the U.S. National Academy of Sciences (1995), the
3 American Academy of Arts and Sciences (1993), and the American Philosophical Society (1999). I
4 was a biology professor at Stanford University (Department of Biological Sciences) and the
5 University of California, Berkeley (the Evan Rauch Chair, Department of Molecular and Cell
6 Biology) for twenty-five years until I moved into the private sector. I am currently an adjunct
7 professor at the University of California San Francisco (Departments of Anatomy, and
8 Biochemistry and Biophysics). The following facts are based on my own personal knowledge and,
9 if called as a witness, I could and would testify competently thereto.

10 2. At the University of California, Berkeley, I was Head of the Division of
11 Neurobiology, Co-founder and Director of the Helen Wills Neuroscience Institute, and an
12 Investigator with the Howard Hughes Medical Institute. I spent two summer studying marine
13 biology, the first at Stanford's Hopkins Marine Station in Pacific Grove, CA, and the second at U.
14 of Washington's Friday Harbor Laboratory on San Juan Island, WA. I have taught at Woods Hole
15 Oceanographic Institution in Falmouth, MA.

16 3. My scientific awards and honors include the Alan T. Waterman Award from the
17 National Science Board, the Foundation IPSEN Neuronal Plasticity Prize, the Ameritec Prize, the
18 Wakeman Award, the J. Allyn Taylor International Prize in Medicine, the Canada Gairdner
19 Biomedical Award, the March-of-Dimes Prize in Developmental Biology, the Reeve-Irvine
20 Research Medal, and the Dawson Prize in Genetics from Trinity College Dublin.

21 4. I have served on the following committees and boards in public service to the role
22 of science in public policy. I served for the National Research Council, the National Academy of
23 Sciences' public policy arm, advising the federal government, as a elected member of the Board on
24 Biology (1996-2000), a member of the Commission on Life Sciences (1998-2000), and Chair of the
25 Board on Life Sciences (2001-2006). I am an elected member of the California Council on
26 Science and Technology, advising the California state government (2007-present). I am a member
27 of the President's Strategic Advisory Council for the California Institute for Regenerative Medicine
28

1 (CIRM) (2011-present). I am a member of the Board of the Directors of the Pacific Institute, a non-
2 profit institute dedicated to advancing environmental protection with science-based solutions.

3 5. I have also served as an advisor to numerous biomedical foundations and
4 universities, and served as editor or member of the editorial board of numerous scientific journals.
5 I have published over 200 peer-reviewed scientific papers and reviews. Further details of my
6 experience can be found in my CV provided in Exhibit 1.

7 6. I have reviewed the declaration of Dr. Kurt Frstrup, and make the following
8 responses to his statements and representations of the issues.

9 7. Dr. Frstrup asserts that I criticized NPS “for overestimating the noise generated by
10 DBOC equipment” Frstrup Dec. D. 64-3 ¶ 5. This is not an accurate statement. Rather, I
11 criticized NPS for not taking *any* noise measurements of DBOC equipment, and for instead
12 employing proxies for DBOC equipment that grossly overstated the noise profile of DBOC’s
13 equipment. I note that none of the proxies for DBOC equipment that NPS had relied on in the
14 DEIS—including New Jersey State Police measurements of a 70 horsepower (HP) Jet Ski and
15 other loud, fast boats to represent DBOC’s 20 HP and 40 HP outboard skiffs, and a 400 HP cement
16 truck to represent a plastic oyster tumbler powered by a 1/4 HP electric motor—were included in
17 the Final Environmental Impact Statement (FEIS) issued on November 20, 2012.

18 8. Dr. Frstrup asserts that “the levels ENVIRON reported were substantially lower
19 than levels reported by other authoritative reports.” Frstrup Dec. D. 64-3 ¶ 5. I am unaware of
20 *any* other “authoritative reports” on DBOC’s operational noise profile besides the 2011 ENVIRON
21 report. For example, the FEIS admits that the “NPS did not obtain noise measurements of
22 operational DBOC equipment in Drakes Estero.” Declaration of Barbara Goodyear (Goodyear
23 Dec.) Ex. 3 at 256.

24 9. Dr. Frstrup does not acknowledge that the NPS still has not taken any onsite
25 measurements of DBOC’s operational noise profile, in violation of NPS policies and NEPA
26 regulations. See NPS Management Policies 2006, § 8.2.2 (“Park managers will . . . monitor, in and
27 adjacent to parks, noise-generating human activities – including noise caused by mechanism or
28 electronic devises – that adversely affect visitor opportunities to enjoy park soundscapes.”); NPS

1 Director’s Order No. 47, Soundscape Preservation and Noise Management (directing “park
2 managers to measure acoustic conditions, differentiate existing or proposed human-made sounds
3 that are consistent with park purposes, set acoustic goals based on the sounds deemed consistent
4 with the park purpose, and determine which noise sources are impacting the parks”); 40 C.F.R. §
5 1502.22(a) (“If the incomplete information relevant to reasonably foreseeable significant adverse
6 impacts is essential to a reasoned choice among alternatives and the overall costs of obtaining it
7 are not exorbitant, the agency shall include the information in the environmental impact
8 statement.”).

9 10. Dr. Frstrup wrongly asserts that “NPS was able to extract estimates of the noise
10 generated by DBOC motorboats. Goodyear Dec. Ex. 3 at 258-59.” Frstrup Dec. D. 64-3 ¶ 5. Dr.
11 Frstrup’s comment refers to NPS’s claim in the FEIS to have positively identified the noise
12 characteristics of DBOC’s skiffs from noise data recorded by the Federal Aviation Administration
13 (FAA) PORE004 microphone. Goodyear Dec. Ex. 3 at 258-259. On November 27, 2012, I
14 submitted a report, in combination with Richard Steffel of ENVIRON, to Secretary Salazar that
15 definitively showed that NPS had falsely identified seven instances of DBOC boat noise on
16 Sundays and Mondays when no DBOC boats were operating, and failed to detect boat noise on
17 several occasions when DBOC boats operated in proximity to the microphone. Waterman Dec. D.
18 43 at ENVIRON Report at 7, and Attachment 1 thereto at 15-19. Dr. Frstrup does not rebut my
19 conclusions regarding the inadequacy of the NPS analysis in the FEIS.

20 11. Dr. Frstrup also does not contest the findings made by ENVIRON that the proxies
21 that NPS used in the FEIS for DBOC also grossly overstated the sound profile of DBOC
22 equipment. *Compare* Frstrup Dec. D. 64-3 ¶¶ 5-7 *with* Waterman Dec. D. 43, ENVIRON Report
23 at 2-4.

24 12. Dr. Frstrup asserts that, “Although the noise analysis in the FEIS contains
25 considerable detail, its findings are fairly simple to express. DBOC airborne noise sources range
26 from 60-80 dBA, loud enough to interfere with conversation more than 50 feet from the noise
27 source. . . . Industrial noise sources – like DBOC equipment –have huge spatial footprints in quiet
28 natural environments.” Frstrup Dec. D. 64-3 ¶ 7. In his statement, Dr. Frstrup continues to

1 perpetuate the misrepresentation that NPS has data of direct measurements of DBOC noise
2 generators, and that those measurements range from 60-80 dBA in noise level. NPS has no such
3 measurements, and Dr. Frstrup can make no such assertions. Dr. Frstrup has no basis for
4 comparing DBOC equipment to industrial noise sources with huge spatial footprints, since neither
5 he nor anyone else from NPS has ever measured the noise generated by the DBOC equipment.
6 Furthermore, it is inappropriate to compare the DBOC equipment to industrial noise sources with
7 huge spatial footprints. The ENVIRON measurements show that DBOC equipment noise sources
8 make much less noise that NPS misrepresented in either the DEIS or FEIS. Thus, I see no factual
9 basis for either of Dr. Frstrup's statements. Frstrup Dec. D. 64-3 ¶ 7.

10 13. Dr. Frstrup admits that he agrees that "the accelerated removal scenario involving
11 heavy equipment (linked steel barges, crawler crane, etc.) will generate higher noise levels, levels
12 that will plausibly, but temporarily, change the distribution and behavior of animals in Drakes
13 Estero." Frstrup Dec. D. 64-3 ¶ 4. Thus, Dr. Frstrup agrees with Steffel and Abbott that the
14 removal of the DBOC oyster racks will cause disturbance and displacement of harbor seals.

15 14. I note that none of the declarations submitted by Defendants contradict my
16 conclusion that the FEIS misrepresents the conclusion reached by the NPS-contracted harbor seal
17 expert, Hubbs SeaWorld Research Institute senior research scientist Dr. Brent Stewart, which was
18 that there was no evidence of any harbor seal disturbances caused by DBOC's operations.
19 Declaration of Corey Goodman D. 49 ¶¶ 18-22.

20 15. Dr. Frstrup asserts that, "I find it improbable that marine mammals or fishes
21 would abandon Drakes Estero while the DBOC structures are removed." Frstrup Dec. D. 64-3 ¶
22 4. Dr. Frstrup does not attest to any expertise in marine mammal behavior, and none of his
23 publications involve harbor seal behavior. *Id.* at ¶ 1.

24 16. Dr. Frstrup also asserts that "adverse behavioral effects" of oyster rack removal
25 activities will be "temporary. Declaration of Barbara Goodyear ("Goodyear Decl.") Ex. 3, at
26 446." Frstrup Dec. D. 64-3 ¶ 4. Yet the page he cites in the FEIS does not even discuss the
27 potential impacts on harbor seals from noise associated with oyster rack removal activities, much
28 less whether those impacts would be "temporary." Goodyear Dec. Ex. 3 at 446. Furthermore, Dr.

1 Fristrup's assertion is inconsistent with PRNS rules, which state that, "No management action
2 other than closure [during the harbor seal pupping season from March 1 to June 30] is sufficient
3 because a *single* disturbance could significantly reduce the productivity of the colonies, resulting
4 in a reduced population size or loss of habitat if they leave the area." PRNS Superintendent's
5 Compendium, dated June 22, 2012, at 6 (emphasis added). Attached hereto as Exhibit 2 is a true
6 and correct copy of the PRNS Superintendent's Compendium, dated June 22, 2012.

7 17. Dr. Fristrup states: "For a barge radiating 184 dB ... the fish would have to be
8 within 1.1 meters to risk injury." Fristrup Dec. D. 64-3 ¶ 3. He continues: "Fish and seals are
9 likely to move away from the equipment when it is operating and utilize other areas in Drakes
10 Estero." This was precisely the point Steffel and Abbott made in their previous declarations. The
11 standard for an impact is not whether a harbor seal is exposed to such intense noise that it
12 permanently damages the seal's inner ear. The definition of impacts in the FEIS is not based on
13 physiological injury, but rather on disturbance and displacement.

14 18. The FEIS defines a major impact of noise as: "Human-caused noise would be at a
15 level (greater than 41 dBA) that requires elevated vocal effort for communication between people
16 separated by 16 feet, and the natural soundscape is interfered with more than 10 percent of the
17 time." Goodyear Dec. Ex. 3 at 445. Dr. Fristrup appears to agree that during the several years
18 required to remove the DBOC oyster racks, the noise from the equipment will cause a major
19 impact.

20 19. The FEIS defines a major impact to the harbor seals as: "Impacts on harbor seals
21 would result in readily apparent and substantial effects on the population, natural processes, or
22 habitat in the project area. Loss of habitat or consistent disruptions may affect the viability of the
23 species or cause the population to relocate outside the project area." Goodyear Dec. Ex. 3 at 372.
24 A moderate impact is defined as: "Impacts on harbor seals would result in readily apparent effects
25 on the population, natural processes, or habitat in the project area." *Id.* I infer from Dr. Fristrup's
26 declaration that he agrees that during the several years required to remove the DBOC oyster racks,
27 the noise from the equipment will cause at least a moderate, if not a major, impact on the harbor
28 seals.

1 20. For both impacts on soundscape and harbor seals, even if NPS increases the
2 number of crews and barges and decreases the time period from several years to one year, the
3 increased oyster rack removal activity will only increase the severity of negative impacts during
4 that period.

5 21. The DBOC oyster boats normally stay around 700 yards or more away from the
6 harbor seals during pupping season. No bona fide disturbances of harbor seals by the DBOC
7 oyster boats have been recorded. On the other hand, Dr. Frstrup agrees with us that the noise
8 generated by the equipment required to remove the DBOC oyster racks will be substantial, and
9 will cause a short-term major impact on the harbor seals in terms of disturbance and displacement.
10 Dr. Frstrup argues that the population of harbor seals will recover from such a major impact, but
11 his statements are contradicted by management policies and statements from NPS, including in the
12 FEIS, that disturbances can lead to long-term shifts in harbor seal populations.

13 22. In summary, continuation of DBOC operations during the court proceedings will
14 not cause a negative impact on Drakes Estero. NPS did not measure the noise generated by DBOC
15 equipment. Dr. Frstrup is incorrect in making assertions about the noise levels from DBOC
16 equipment based upon surrogate measurements of unrelated equipment. Dr. Frstrup is incorrect
17 in comparing DBOC equipment to heavy industrial equipment. Dr. Frstrup does not dispute the
18 fact that the FEIS relied upon measurements from unrelated equipment (e.g., the U.S. Army
19 portable, metal cement mixer) to represent DBOC equipment (e.g., the plastic oyster tumbler).
20 Only ENVIRON measured the noise generated by DBOC equipment, and measured much lower
21 sound levels than NPS lists in the FEIS. The FEIS exaggerated the noise generated by DBOC
22 equipment, and thus, derived an incorrect assessment of the soundscape impact. Continuing of
23 oyster farm operations will not have a major impact on the soundscape. Similarly, continuing the
24 oyster farm operations will not have a major impact on the harbor seals (or other wildlife). The
25 FEIS incorrectly claimed evidence of two DBOC disturbances of harbor seals based upon a
26 misrepresentation of the USGS Report, which itself misrepresented the Stewart Report, which
27 found no evidence for disturbances by DBOC.
28

1 23. In contrast, removal of DBOC oyster racks and other facilities would have a major
2 adverse impact on the soundscape, harbor seals, and other wildlife in Drakes Estero. Dr. Fristrup
3 agrees that there would be an impact, but calls it a short-term temporary impact. Dr. Fristrup
4 assumes that the harbor seals and other wildlife will return to their normal habitats in Drakes
5 Estero, but this assertion is contradicted by statements from NPS claiming that single disturbances
6 can have profound negative impacts on harbor seals and other wildlife. Thus, there is evidence that
7 removing the DBOC oyster racks would have a major impact on the environment of Drakes Estero,
8 whereas allowing the oyster farm to continue to operate, as it has for 80 years, the last seven under
9 the ownership of Kevin Lunny, will not have a major negative impact on the environment of
10 Drakes Estero.

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1 I declare under penalty of perjury under the laws of the United States and the State of
2 California that the foregoing is true and correct.

3 Executed this 14th day of January, 2013, in Marshall, California.



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6 Corey Goodman

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EXHIBIT 1

Corey S. Goodman, Ph.D.

Adjunct Professor of Anatomy, and Biochemistry & Biophysics
University of California, San Francisco

Managing Director and co-founder, venBio, LLC

Co-founder: Exelixis, Renovis, Second Genome, Ossianix

Born: June 29, 1951 in Chicago, Illinois; Married: December 8, 1984 to Marcia Barinaga

Dr. Goodman is a renowned scientist, educator, entrepreneur, CEO, and corporate executive. With a B.S. from Stanford University and Ph.D. from U.C. Berkeley, he spent 25 years as professor of biology at Stanford and Evan Rauch Chair of Neurobiology at Berkeley, where he was Howard Hughes Medical Institute Investigator and co-founder and director of the Wills Neuroscience Institute. He is currently an adjunct professor at U.C. San Francisco.

Dr. Goodman is an elected member of the National Academy of Sciences, American Academy of Arts and Sciences, and American Philosophical Society, and the recipient of many honors including the Alan T. Waterman Award, the Canada Gairdner Biomedical Award, the March-of-Dimes Prize in Developmental Biology, the Reeve-Irvine Research Medal, and the Dawson Prize in Genetics from Trinity College Dublin.

Dr. Goodman moved into biotechnology to help apply biomedical discoveries to human health. He co-founded Exelixis, Renovis, Second Genome, and Ossianix, and led Renovis as President and CEO (2001) from a private to public company (2004) until its acquisition by Evotec (2007). In 2007, he was recruited as President and founder of Pfizer's Biotherapeutics and Bioinnovation Center and a member of Pfizer's executive leadership team, based on a new entrepreneurial R&D model of small units at major biotech hubs fostering innovative drug discovery and game-changing technology.

Today Dr. Goodman is Managing Director and co-founder of venBio, a venture capital firm investing in biotech companies with innovative therapeutics for major unmet medical needs, based on a new model of strategic collaboration in partnership with Amgen, Baxter, and PPD. He is Chair of the Board of three biotech companies, Board member of two others, and advises others.

Amongst his many public policy roles, Dr. Goodman is on the Board of the California Council on Science and Technology, Pacific Institute, Bay Area Science and Innovation Consortium, and is former Chair of the National Research Council's (NAS) Board on Life Sciences and past President of the McKnight Endowment Fund for Neuroscience. He is an advisor to numerous biomedical foundations, and a member of the editorial board of Science Translational Medicine and Neuron.

Dr. Goodman was born in Chicago. He and his wife Marcia Barinaga have lived in West Marin, California since 1993. Marcia oversees Barinaga Ranch, their farmstead sheep dairy, and produces artisanal sheep cheese in her family's Basque tradition.

Education

Postdoctoral studies, U.C. San Diego, developmental neurobiology, Helen Hay Whitney Fellow (adv.: Nicholas Spitzer)	1977-1979
Ph.D., U.C. Berkeley, neurobiology, NSF Fellow (adv.: Hugh Rowell)	1972-1977
B.S., Stanford University, biology, Searle Scholar (adv.: Donald Kennedy) graduated Phi Beta Kappa, Distinction, Department Honors	1968-1972

Academia Appointments

University of California, San Francisco Adjunct Professor of Anatomy and Biochemistry & Biophysics	2007-
University of California, Berkeley Adjunct Professor of Neurobiology, Dept. of MCB	2005-2007
Professor on leave, Div. of Neurobiology, Dept. of MCB	2001-2005
Director, Helen Wills Neuroscience Institute	1999-2001
Member, Wills Neuroscience Institute	1997-2007
Co-founder (w/ Carla Shatz), Helen Wills Neuroscience Institute	1997
Head, Division of Neurobiology, Dept. of MCB	1992-1999
Professor, Div. of Neurobiology, Dept. of MCB	1992-2005
Professor, Div. of Genetics, Dept. of Mol. and Cell Biology	1989-1992
Professor, Depts. of Biochemistry and Physiology-Anatomy	1987-1989
Howard Hughes Medical Institute, Investigator	1988-2001
Cold Spring Harbor, Instructor, Developmental Neurobiology course Stanford University	1986, '88, '90
Associate Professor (tenured 1982), Dept. of Biological Sciences	1982-1987
Assistant Professor, Dept. of Biological Sciences	1979-1982

Industry Appointments

venBio, LLC, Managing Director and co-founder	2009-
Pfizer, President, Biotherapeutics & Bioinnovation Center, and Member, Pfizer Executive Leadership Team	2007-2009
Renovis, President and Chief Executive Officer, and Director	2001-2007

Academia, Foundation, and Public Policy Boards

Member, California Institute for Regenerative Medicine (CIRM) President's Strategic Industry Advisory Council	2011-
Member, Stanley Center for Psychiatric Research, MIT/Harvard, Scientific Advisory Board	2009-
Member, Pacific Institute Board of Directors	2009-
Member, Stanford's BioX Interdisciplinary Biosciences Advisory Council	2008-2011
Member, QB3 (UCSF-UCB-UCSC) Industry Advisory Board	2007-
Member, California Council on Science and Technology	2007-
Chair, Innovation Task Force, California Council on Science & Technology	2006
Spinal Muscular Atrophy Foundation, Member, Scientific Advisory Board	2005-
Christopher Reeve Paralysis Found., Member, Research Planning Comm.	2002-2005
Hong Kong University of Science and Technology, member, International Advisor Board of the Molecular Neurosci. Center	2000-2010
Institute of Neuroscience, Shanghai, Advisory Board member	2000-2006
Reeve-Irvine Research Center, U.C. Irvine, Advisory Board member	2000-2005

Exploratorium, Scientific Advisor, NSF Traits of Life project	1999-2002
Jane Coffin Childs Fund for Medical Research, Scientific Advisory Board	1998-2001
National Academy of Sciences	
Chair, Neurobiology Section (#24)	1998-2001
Member, Class Membership Committee	1998-2000,2005
National Research Council	
Chair, Board on Life Sciences	2001-2006
Member, Commission on Life Sciences	1998-2000
Member, Board on Biology	1996-2000
Member, Research Opportunities in Biology, Subcommittee on Growth and Development	1987
Society for Neuroscience	
Councilor	1996-2000
Public Information Committee	1995-1999
Nominating Committee	1992
PEW Scholars Program, Scientific Advisory Committee	1993
Searle Scholars Program, Scientific Advisory Committee	1988-1992
McKnight Foundation Endowment Fund for Neuroscience	
President	2000-2005
Vice President	1998-2000, 2005-2008
Board of Directors	1986-
Chair, Scholars Award Committee	1989-1997
Member, Scholars Award Committee	1984-1997
Cold Spring Harbor Laboratory, Neurobiology Advisory Board	1984-1990
American Cancer Society, California Division, Fellowship Committee	1984-1987
NIH Neurobiology Study Section Member	1981-1982

Industry Boards

Biotechnology Industry Organization (BIO), member, Health Section Governing Body	2008 -2009
member, Emerging Company Section (ECS) Governing Body	2005-2007
Bay Area Science and Innovation Consortium (BASIC), member, BOD	2006-
BayBio, member, Board of Directors	2005-
Compugen, scientific and business advisor	2009-
NuMedii, Chair, Board of Directors	2010-2012
Ossianix, Chair, Board of Directors	2010-
Co-Founder (w / Frank Walsh)	
Mirna Therapeutics, Member, Board of Directors	2009-
Neurotherapeutics Pharma, Member, Board of Directors	2009-
Oligasis, Chair, Board of Directors	2009-
Second Genome, Chair, Board of Directors	2009-
Co-Founder (w / Gary Anderson, John Hulls, Thane Kreiner)	2009-
iPierian, Chair, Board of Directors	2009-2011
Limerick, Board of Directors	2007-2012
Chair, Board of Directors	2009-2012
Evotec, Board of Directors	2008-2010
Vice Chair, Board of Directors	2009-2010
Chiron, member, Science Board	2005-2006

Renovis	
Member, Board of Directors	2001-2008
Co-Chair, Scientific Advisory Board	2000-2001
Co-Founder (w/ Marc Tessier-Lavigne, Tito Serafini, Ed Penhoet)	2000
Exelixis	
Member, Scientific Advisory Board	1995-2001
Co-Founder	
(w/ Spyros Artavanis-Tsakonas, Gerry Rubin, Stelios Papadopoulos)	1995
Teijin Limited, consultant for neuroscience	1990-1995
Athena Neurosciences, member, Scientific Advisory Board	1988-1992

Awards, Honors

Dawson Prize in Genetics, Trinity College Dublin	2011
Reeve-Irvine Research Medal (w/ Marc Tessier-Lavigne)	2006
Ernst & Young Entrepreneur of the Year Finalist	2005
March-of-Dimes Prize in Developmental Biology (w/ Tom Jessell)	2001
Evan Rauch Chair of Neuroscience, U.C. Berkeley	1999-2001
Elected Member, American Philosophical Society	1999
Wakeman Award (w/ Tessier-Lavigne) for Research in Neurosciences	1998
Ameritec Prize for basic research toward a cure for paralysis	1997
Canada Gairdner International Award in Medical Sciences	1997
J. Allyn Taylor International Prize in Medicine (w/ Tom Jessell)	1996
Fondation IPSEN Neuronal Plasticity Prize	
(w/ Marc Tessier-Lavigne and Friedrich Bonhoeffer)	1996
Elected Member, National Academy of Sciences	1995
Elected Fellow, American Academy of Arts and Sciences	1993
W. Alden Spencer Award, Columbia University College of P&S	1992
NIH Javits Neuroscience Investigator Award	1992-1999
Fellow, American Association for the Advancement of Science	1991
Weizmann Scholarship Foundation Award, 3rd Annual	1990
Endowed Chair (5 yr award), Class of 1933, U.C. Berkeley	1987-1992
NIH MERIT Award, NICHD	1985-1995
NIH Javits Neuroscience Investigator Award	1985-1992
McKnight Neuroscience Development Award	1985-1987
Alan T. Waterman Award, National Science Board	1983
Demuth Swiss Medical Res Found., 2nd Inter. Award in Neuroscience	1983
Charles Judson Herrick Award	1982
McKnight Scholars Award	1980-1983
Alfred P. Sloan Research Fellow	1980-1982
Helen Hay Whitney Postdoctoral Fellowship	1977-1979
NSF Predoctoral Fellowship	1972-1975
Phi Beta Kappa, Distinction, Department Honors	1972
G.D. Searle Foundation Scholarship	1968-1972
Ford Foundation Scholarship	1968
President, Illinois Junior Academy of Sciences	1967-1968

Endowed and Special Lectures (partial list)

Bodenstein Lecture, University of Virginia	2001
Lecture at the Nobel Forum, Karolinska Institute, Stockholm	1999

Keynote Lecture, Cell Contact and Adhesion Gordon Conference	1999
Pomerat Lecture, University of Texas Medical Branch, Galveston, Texas	1999
Keynote Lecture, American Soc. for Neurochemistry annual meeting	1999
Nachmansohn Lecture, sponsored by Weizmann Inst.	1998
1998 Grass Lecture, Society for Neuroscience	1998
Runnström Lecture, Stockholm University	1998
Keynote Lecture, Basement Membranes Gordon Conference	1998
Vernon B. Mountcastle Lecture, Johns Hopkins University	1998
Ameritec Foundation Award Lecture, New Orleans	1997
Gairdner Foundation Award Lecture, University of Toronto	1997
Congressional Biomedical Research Caucus, House of Representatives	1997
Grass Lecture, University of Illinois	1997
Jack Sadler Memorial Lecture, University of Colorado	1997
Presidential Symposium, Society for Neuroscience	1995
Burton L. Baker Memorial Lecture, University of Michigan	1995
McClintock Lecture, University of British Columbia	1995
W. Alden Spencer Lecture, Columbia University	1992
Laura J. Kalfayan Memorial Lecture, Univ. North Carolina	1992
Anders Retzius Lecture, Karolinska Institute, Sweden	1991
Albert L. Tester Memorial Lecture, U. Hawaii	1990
Victor Hamburger Lecture, Washington University	1989
NSF Commemorative Lecture, Cell Biology Meeting	1989
Jenkinson Memorial Lecture, Oxford University	1988

Editorial Boards

Science Translational Medicine, Board of Reviewing Editors	2009-
Proceedings of the National Academy of Science, Editorial Board	1999-2000
Molecular and Cellular Neuroscience	1995-2005
Development, Associate Editor	1993-2001
Journal of Cell Biology	1993-1994
Current Biology, Current Opinion in Neurobiology	1992-2002
Mechanisms of Development	1990-2000
Cell Regulation/Molecular Biology of the Cell	1989-1992
J. of Neuroscience, Developmental Neurobiology Co-Section Editor	1989-1993
Neuron	1987-
Science, Board of Reviewing Editors	1986-1996
Cell	1986-1992, 1999-2001
Developmental Biology	1985-1988
Journal of Comparative Neurology	1983-1984
Trends in Neuroscience	1981-1996

Patents Approved and Pending (available upon request)

numerous patents sponsored by U.C. Berkeley approved and pending involving therapeutic applications of Semaphorins, Robos, Slits, and Comms

Publications: Journal Articles

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EXHIBIT 2



National Park Service
U.S. Department of the Interior

POINT REYES
NATIONAL SEASHORE

1 Bear Valley Road
Point Reyes Station
CA 94956

Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other Restrictions
Imposed Under Discretionary Authority.

415-464-5100 phone
415-663-8132 fax

Approved: 
Date: 22 JUNE 2012
Superintendent

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Point Reyes National Seashore and the Northern District of Golden Gate National Recreation Area north off the Bolinas/Fairfax Road administered by Point Reyes National Seashore. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, parts 1-7. Some of the sub-sections in are under review.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

Visiting Hours:

- The Park is open to visitors every day of the year. Visitor center hours are as follows:
 - Bear Valley Visitor Center: open year-round (except December 25), weekdays from 9-5; weekends and holidays from 8-5
 - Kenneth C. Patrick Visitor Center: Open Saturday, Sunday, and Holidays from 10-5 year round. Closed December 25.
 - Lighthouse Visitor Center: Open year round (except December 25), Thursday through Monday 10-4:30; closed on Tuesdays and Wednesdays year round.
- All areas in the park are closed to visitor vehicle parking between the hours of 12:00 a.m. and 6:00 a.m. with the exception that visitors holding backcountry camping permits may park at established trailheads and authorized visitors staying overnight at the Clem Miller Environmental Education Center, the Point Reyes Hostel, and the Lifeboat Station may park at those locations or at established trailhead parking lots. Any other overnight parking and use must be approved by the Chief Ranger's office

Since non-permitted overnight use and camping is prohibited in the park, there is no valid reason for a vehicle to remain in the park overnight unless the Chief Ranger's Office has given previous approval.

PUBLIC USE LIMITS:

Sir Francis Drake Boulevard:

- During high visitation seasons due to wildflower, and whale, sea lion, and elephant seal activity visitors entering the westernmost section of the park on Sir Francis Drake Boulevard may be denied access beyond the road to South Beach. During such closures, shuttle bus transportation will be provided from this point to the various viewing and public use areas.

As a result of dramatically increasing visitation and traffic during the wildflower seasons, whale migrations, elephant seal and sea lion colony expansions in this area of the park, capacity limits have been established. It was determined that the visitor would be better served, and necessary resource protection would be better facilitated, by a docent program combined with shuttle bus service. Shuttle bus transportation will be provided from the point of closure to the various viewing and public use areas.

Wilderness Trail Use:

- Day users traveling on established trails within designated wilderness areas may not travel in groups of more than 40 persons.

Large groups create noise and a presence that disturbs wildlife and interferes with other people in the area who are looking for a wilderness experience away from crowds and noise.

Bicycle Groups:

- The maximum number of bicyclists in any one group is 10. Larger groups of cyclists will have to divide into groups no larger than 10.

This size restriction is necessary for the safety of cyclists using public roadways and authorized trails within the Park. These roadways and trails are narrow and winding and will not accommodate large numbers of bicyclists.

Picnic Group Size/Permits:

- Visitor groups of more than 100 people who wish to picnic in the park must obtain a permit.

Because there are limited places in the park which can accommodate a picnic group of this size, and to minimize the impact of such a group on other visitors, a permit system is necessary for these groups.

Weddings/Permits:

- All visitors wishing to hold a wedding ceremony in the park must obtain a permit.

In order to provide for resource protection, avoid conflicts between groups wishing to use the same site, and to minimize the impact of such events on other visitors, a permit system is necessary for these events.

Beach Fires:

- Individuals or groups visiting beach areas, who light or maintain a wood fire, including ceramic pit fires, must obtain a permit.

In order to protect beach resources, educate visitors on proper fire use and allowed materials, and control fires during High and Extreme Fire Danger, a permit system is necessary within the park.

Boat Stay Limit:

- Within the waters of Point Reyes National Seashore, all boats (occupied or unoccupied) are limited to a stay of four (4) consecutive nights in any one stay, and thirty (30) total nights within a calendar year.

In order to protect water quality, provide for standardized rules with other camping experiences and to allow all visitors access to the few protected anchorages, it is necessary to limit overnight stays.

Boat Moorings:

- Individuals who wish to install permanent boat moorings on Tomales Bay south of Walker Creek (in both Point Reyes NS and Golden Gate NRA waters) and within the ¼ mile Point Reyes offshore park boundary north of Walker Creek must obtain a permit.

In order to protect water quality, control numbers of boat moorings, and provide for standardized management of all of Tomales Bay, a permit system has been determined to be necessary.

CLOSURES:

Park Facilities:

The following areas and facilities are closed to public use:

- Park administrative, maintenance, operations, storage, and employee housing facilities, including but not limited to access roads, outbuildings, grounds, and docks. This closure shall not apply to residents, guests of residents, or persons engaged in legitimate Government activities or permitted business activities.
- Except for facilities designated for visitor use, all buildings are closed to unauthorized entry. This shall not apply to persons in non-public areas who have been granted specific permission by the National Park Service (NPS) or another authorized Federal agency, licensed concessionaires or their representatives, or those who are under escort of park employees acting within the scope of employment.

Parking:

- All parking areas in the park are closed to camping and overnight parking, with the exception that visitors holding (hike-in) backcountry camping permits may park at established trailheads and visitors staying overnight at the Clem Miller Environmental Education Center, the Point Reyes Hostel, and the Lifeboat Station may park at those locations. Overnight parking is defined as a vehicle parking from 12:00 a.m. to 6:00 a.m.

Since overnight use and camping is prohibited in the park except in established backcountry campsites there is no valid reason for a vehicle to remain in the park overnight unless the Visitor and Resource Protection Division has been previously advised.

Chimney Rock Boat Launch:

- The pier and marine railway boat launching facility adjacent to the historic lifeboat station at Chimney Rock are closed.

These facilities are closed due to safety considerations. There are no less restrictive means that would ensure the continued safety of visitors.

Kehoe and Tomales Cliffs:

- Ocean facing cliff areas from Kehoe Beach to Tomales Point are closed except at the following sites: Elk Fence, Elephant Rock, Driftwood Beach and the Lower Pierce Point Beach.

These areas are closed due to safety considerations. Less restrictive closures are not as safe as a full closure and could lead to visitor confusion as to when or whether the areas are open.

Chimney Rock Cliffs:

- Cliff areas between mean low tide and the bluffs between Chimney Rock and the Lighthouse are closed.

This area is closed due to safety considerations and to protect marine mammal and bird colonies. Less restrictive closures are not as safe as a full closure and could lead to visitor confusion as to when or whether the areas are open.

Chimney Rock Fish Dock:

- The Fish Dock area beyond the closed sign at the end of Chimney Rock Road is closed to unauthorized vehicles. The Fish Dock is closed to public use/entry.

For visitor safety, the Chimney Rock Fish Dock and is for NPS administrative use only.

Point Reyes Lighthouse:

- The Lighthouse area is closed from the upper observation area to the lower Lighthouse on Tuesdays, Wednesdays and all other days from 4:30 pm to 10:00 a.m. and during periods when the wind speed exceeds 40 mph. The entire Lighthouse area (from the gate at the parking lot to the lower Lighthouse) is closed from 10:00pm to 6:00am. The Lighthouse area (from the gate at the parking lot to the lower Lighthouse) is also closed to wedding ceremonies and other non-park sponsored events.

This area is closed for public safety reasons and to protect the historic Lighthouse, Visitor Center and other structures when no park staff is in the area. Weddings impact visitors not participating in the ceremonies. The Lighthouse is closed to weddings because the Lighthouse is a high visitation area, and weddings substantially increase the visitation and traffic in the area. The area is too small to safely accommodate wedding parties and visitors at the same time. Parking is also very limited.

Seal Pupping Areas:

- Double Point, Drake's Estero, and South Blue Gums Beach harbor seal pupping areas are closed to the public from March 1 to June 30 of each year. Hog Island is closed to overnight use. Day use is permitted at Hog Island with access and use restricted to the west side only. (See Exhibit A).
- Drakes Beach elephant seal pupping area as delineated by the signing at the western most end of Drakes Beach is closed to all entry by visitors due to seal activity at all times of the year.

These closures are necessary to protect harbor and elephant seals from disturbance during the pupping or season when they are exceptionally vulnerable and for other wildlife concerns. No management action other than closure is sufficient because a single disturbance could significantly reduce the productivity of the colonies, resulting in a reduced population size or loss of habitat if they leave the area.

Snowy Plover Closures:

- Specific areas on Point Reyes Beach which are signed and fenced to protect snowy plover nests from March 1 through September 30 every year are closed to all entry by visitors (including on horseback) in order to protect the Snowy Plover.

The seasonal closure is necessary to ensure that no damage occurs to ground nests of snowy plovers, a federally listed threatened species. Because there are bird nests there throughout the breeding season, nothing other than a full closure of the specific fenced areas would be sufficient to protect the birds.

Seabird Colony Sites:

Seabird Nesting Areas:

- Point Reyes Headlands, Miller Rocks, Stormy Stack, and Hog Island seabird nesting areas are closed to the public from March 1 to July 30 of each year (See Exhibit A)
- Bird Rock is closed year round to visitor use.

The year round closure is necessary to insure that no damage occurs to nesting burrows of storm petrels and rhinoceros auklets, both of which are species of concern under California state law. Brown pelicans, a federally listed threatened species, roost on Bird Rock in the summer time. Because there are bird colonies there throughout the year, nothing other than a full closure would be sufficient to protect the birds.

Kite-boarding:

Kite-boarding is not allowed off Limantour Beach, Drakes Beach, and the Great Beach due to snowy plover habitat.

This closure is necessary as kite-boarding interferes with wildlife behavior.

Disturbing Wildlife with Sound:

- The use of any audio or mechanical device to attract or disturb wildlife is prohibited.

The use of audio devices to attract wildlife has the potential to cause bodily injury, energy loss, a decrease in food intake, habitat avoidance and abandonment, and reproductive losses (Busnel, R.G. and J. Fletcher (eds.) 1978. Effects of noise on wildlife New York: Academic Press.) In addition, audio attractants can increase mortality by causing animals to move into high risk areas (ie. roadways) or areas where they would be more vulnerable to predators (ie. open fields).

Remote Controlled, Motorized Aircraft

- Remote controlled aircraft (both motorized propeller driven and gliders) are not allowed in the park.

Because the use of remote controlled aircraft has the potential to harass wildlife, especially marine mammals and threatened shore bird species, and bother other visitors, their use has been determined to be incompatible with the parks mission.

Boating:

- Boating or the use of any vessel (as defined by 36 CFR 1.4) is prohibited in the following areas:

Within 100 yards of the Point Reyes headlands shoreline between the Point Reyes Lighthouse and Chimney Rock

This closure is necessary to protect marine mammals and seabirds in this area consistent with the State of California Point Reyes Special Closure Marine Protected Area.

Limantour & Drakes Estero:

The waters including tidal areas of Limantour and Drakes Estero are closed to boating from March 1 to June 30. This closure excludes operations associated with Drakes Bay Oyster Company

The Esteros are protected seabird, shorebird, and marine mammal pupping sites. No management action other than closure is sufficient because a single disturbance could significantly reduce the productivity of the colonies, resulting in a reduced population size or loss of habitat if they leave the area.

Non-Motorized Craft Allowed:

- Where the use of vessels on inland waters, such as freshwater lakes and including Abbots Lagoon, Drakes and Limantour Esteros, and the Giacomini Wetlands area (this area is bordered by the Tomales Bay State Park to the north and the "Green Bridge" to the south) is permitted in the Park, only non-motorized craft may be used.

Under the Wilderness Act, motorized vehicles are prohibited in congressionally designated wilderness areas. Additionally, the NPS manages designated potential wilderness in a manner consistent with wilderness designation.

NOTE: All areas within the park are subject to emergency closure to the public when the Superintendent or designated representative determines an emergency situation exists which, coupled with continued visitation or unrestricted activities, would pose a threat to public safety or adversely affect the park's natural, aesthetic, scenic or cultural values. Such closures will be lifted immediately upon termination of the emergency situation.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

- Bicycle Riding: The following roads, though closed to public motor vehicle use, are open to bicycling:
 - Sky Trail (from Limantour Road to Sky Camp)
 - Bear Valley Trail (Bear Valley Trailhead to Glen Junction)
 - Coast Trail (Laguna Road to Coast Camp)
 - Inverness Ridge Trail (Limantour Road to the Mt. Vision Road)
 - Marshall Beach Trail
 - Stewart Trail (including Glen Camp Spur Trail from Stewart Trail to Glen Camp)
 - Lighthouse Road from the parking lot to the Lighthouse Visitor Center

- Camping: Please refer to § 2.10 of this compendium for specific camping area designations.

At-large camping has been determined to be inconsistent with the resource protection and visitor management mission of the park. Campsite locations have been selected for maximum visitor experience while avoiding sensitive resource areas.

- As per section § 7.81, Drakes Beach Overlook is the only location approved for powerless flight. A permit is required in that location.

For safety reasons, Drakes Beach Overlook is best suited for this use. A large part of the park is congressionally designated wilderness where powerless flight is not a compatible use. There are very few places where powerless flight would be safe.

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

(f) The following is a compilation of those activities for which a permit from the Superintendent is required:

For all permits, contact Point Reyes National Seashore, Point Reyes Station, California 94956, phone number, 415 464-5170.

- §1.5(d) The following activities related to Public Use Limits:
 - Picnic groups of over 100 people
 - Weddings
 - Visitors lighting or maintaining beach fires and ceramic pit fires
 - Installation of permanent boat moorings
- §2.4(d) Carry or possess a weapon, trap, or net
- §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals)
- §2.10(a) The following camping activities:
 - Overnight camping, including backcountry and boat camping.
- §2.12 Audio Disturbances:
 - (a)(2) Operating a chain saw in developed areas
 - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
 - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51
- §2.13(a) Fires: Beach fires and ceramic pit fires
- §2.16 Horses and Pack Animals: Groups with over 25 head of horses or pack animals.
- §2.17 Aircraft & Air Delivery:
 - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
 - (c)(1) Removal of a downed aircraft
- §2.38 Explosives:
 - (a) Use, possess, store, transport explosives, blasting agents
 - (b) Use or possess fireworks

- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views involving more than 25 people
- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising
- §2.60(b) Livestock use
- §2.61(a) Residing on federal lands
- §2.62 Memorialization:
 - (a) Erection of monuments (Requires approval from Regional Director)
 - (b) Scattering ashes from human cremation
- §4.11(a) Exceeding of established vehicle load, weight and size limits
- §5.1 Advertisements - (Display, posting or distribution.)
- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).
- §5.5 Commercial Photography/Filming:
 - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
 - (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.
- §5.6(c) Use of commercial vehicles on park area roads (The Superintendent may issue a permit to access private lands within or adjacent to the park when access is otherwise not available)
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.
- §6.9(a) Operation of a solid waste disposal site
- Part 7 Special Regulations
- §7.81 Powerless Flight

III. GENERAL REGULATIONS

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(a)(4) Dead wood on the ground may be collected for use as fuel for campfires within the park in the following areas:

- Individuals or groups who have been issued a fire permit under 1.5(a)(1) may collect naturally occurring dead wood (driftwood) that does not contain creosote from beach areas for use as firewood on those beaches in the park, except for beaches on Tomales Bay.

(c)(1), (c)(2) The following fruits, nuts, berries or unoccupied seashells may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or use or consumption restrictions:

- Blackberries, Raspberries, Thimbleberries, Gooseberries, Salmonberries, Huckleberries, or apples, 2 quarts per person per day.
- Mushrooms, 2 gallons and 1 mushroom per adult per day.

The minor collection of any of these items will not result in an adverse effect to park wildlife, the reproduction of any plant species or other park resources or otherwise adversely affect park wildlife. If future monitoring indicates that such collection is causing any of the above problems, the authorization of this consumptive use will be terminated.

36 CFR §2.2 - WILDLIFE PROTECTION

(d) The transporting of lawfully taken wildlife through the park is permitted under the following conditions and procedures:

- The carcass must be tagged in accordance with state law.
- Said carcass must be kept out of sight.

(e) The following areas are closed to the viewing of wildlife with the use of an artificial light:

- The entire park is closed to viewing wildlife with artificial light.

36 CFR §2.3 – FISHING

Note: By California State Law no fishing is allowed in:

- Lagunitas Creek and all its tributaries including Olema and Bear Valley Creeks
- All coastal streams within the park
- Limantour Estero
- Point Reyes Headlands State Marine Reserve

Note: Per 36CFR 2.3(d)(1) Fishing in freshwaters by any manner other than hook and line is prohibited

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) The sites and areas listed below have been designated for camping activities as noted. A permit system has been established for certain campgrounds or camping activities, and conditions for camping and camping activities are in effect as noted:

- Stay Limit: Camping in Point Reyes National Seashore is limited to not more than a total of 4 nights in any one visit and not more than 30 nights in any given calendar year unless authorized by a special use permit.
- Site Limit: Each campsite at Point Reyes National Seashore has a maximum density (persons per site) which is given at the time the permit is issued and to exceed this number is considered a violation of permit.
- Group Site Limit: Group sites are limited to a maximum of 25 people per night at Coast Camp, Wildcat Camp, and Sky Camp.

- Checkout Time: Checkout time in all campgrounds is 12:00 noon on the day of departure.
- Waste Water Disposal: Camping waste-water (dishwater and cooking water) must be discharged at least 100 feet from streams or bodies of water.
- Age Limit: The minimum age of any camper is 18 unless accompanied by an adult.
- Backcountry Camping Permits: Backcountry camping in Point Reyes National Seashore is by permit only at designated backcountry campsites. The sites are located at the following designated campgrounds: Coast Camp, Sky Camp, Wildcat Camp and Glen Camp. Camping permits must be in the possession of the camper while he/she is enroute to their site. Thereafter the permit is to be attached to the tent or some other object where it can be checked should the permittee be away from the site.
- Tomales Bay Boat Camping: All camping in Tomales Bay is boat-in camping and requires a permit. Camping on the west shore of Tomales Bay in Point Reyes National Seashore, with the exception of Tomales Bay State Park, is authorized for dispersed minimum impact camping within 75 feet of the mean high tide level. Camping permits must be in the possession of the group while in the park.
- Camping on Hog Island and on Duck Island is prohibited.

(b)(3) Camping within 25 feet of a fire hydrant or main road, or within 100 feet of a flowing stream, river or body of water is authorized only in the following areas, under the conditions noted:

- In established campsites in designated campgrounds

(d) Conditions for the storage of food are in effect, as noted, for the following areas:

- All food items(including canned, bottled or otherwise packaged, equipment used to cook or store food, garbage and toiletries such as soap, toothpaste and cosmetics) must be stored in food lockers where provided.
- Canned or bottled items that have never been opened may be stored in vessels, or in the trunk of the vehicle parked at the trailhead parking area or if there is no trunk, as low in the vehicle as possible, provided that the cans and bottles are stored out of sight in odor-tight containers and all vehicle doors, windows and vents are closed.

36 CFR §2.11 – PICNICKING

Conditions for Picnicking:

- Leaving food unattended is prohibited.
- Picnicking is permitted within all designated campgrounds; however, picnickers must yield campsites to persons with camping permits.
- Groups of over 100 people who wish to picnic in the park must first obtain a permit.
- A designated portion of Bear Valley picnic area is available by reservation. This portion is limited to a maximum of 75 people.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas and/or receptacles, and under the conditions noted:

Designated Areas:

- Beaches: Wood fires are allowed, by permit, pursuant to 1.5(a)(1) Public Use Limits, on beaches below the high tide line within Point Reyes National Seashore.
- Campgrounds and Picnic Areas: Charcoal fires only for cooking.
- Stewart Horse Camp: Wood and charcoal fires in park provided grills

Established Conditions:

In all cases, fires are only allowed in such fire danger conditions as directed by the park's Fire Step-Up Plan

Beach Fires:

- The person attending the beach fire must have in his/her possession a valid permit.
- Fires must be a minimum of 30 feet in all directions from flammable material, including vegetation.
- No fire shall exceed 36 inches in diameter at its base.
- Wooden pallets, tires or flammable liquid such as gasoline may not be burned. All metal such as nails or screws, must be removed from wood before it is brought to the beach.

Campgrounds and Picnic Areas:

- Only charcoal, gas stove or canned heat may be used for cooking.
- Charcoal fires only may be made in the provided grills or in visitor owned grills brought into a campground.

Stewart Horse Camp:

- Wood fires may only be made in the provided grills
- Charcoal fires may only be made in the provided grills or in visitor owned grills brought into a campground.

(b) Fires must be extinguished according to the following conditions:

- Fires shall be attended at all times by a responsible person until the fire is completely out and the coals are cold.
- Fires must be extinguished by 12 midnight.
- Fires must be completely extinguished with water, using the "drown, stir and feel" method.
- Extinguishing fires with sand is prohibited.

(c) High fire danger closures will be in effect as noted:

- Mount Vision Road will be closed to vehicles during extreme and red flag fire danger

36 CFR §2.14 – SANITATION and REFUSE

(b) Conditions for the disposal, containerization, or carryout of human body waste have been established as follows:

- Human waste must be disposed of at least 100 feet from any water source (including seasonal creek beds, etc, that may be dry), campsite or trail and be buried 6" deep in the soil.
- Portable toilets are required for all overnight trips in Tomales Bay.

36 CFR §2.15 – PETS

(a)(1) The following structures and/or areas are closed to the possession of pets:

- All Point Reyes National Seashore trails and in wilderness areas, except:
 1. Trails within the Northern District of Golden Gate NRA, north of Bolinas Fairfax Road including the Tomales Bay Trail and the trails in the Giacomini Wetlands Preserve.
 2. Trails and roads within the Niman Ranch/Commonweal area south of the Commonweal entrance road and west of Mesa road.
 3. Kehoe Beach access trail.
 4. The Point Reyes Beach (Great Beach) except below listed seasonal closures
- Bull Point Trail
- Drakes Beach
- McClures Beach
- Palomarin Beach
- Limantour Preserve and that portion of the beach peninsula parallel to the preserve and designated by signs.
- Abbotts Lagoon including that area within 150 yards of the trail and the Lagoon itself.
- Chimney Rock Headlands area, and all areas adjacent to the Chimney Rock trailhead parking area.
- During snowy plover nesting season, the portion of the Great Beach from the intersection of Kehoe Beach trail and Kehoe Beach to the north of North Beach parking lot (as signed), to protect snowy plovers.
- The southern end of South Point Reyes Beach from the Ben Davis Reservation of Use and Occupancy property (as signed) to the Lighthouse during January, February and March, to protect elephant seals during pupping season.
- Lighthouse area, parking lot, Sea Lion Overlook and all adjacent trails.
- All campgrounds except Tomales Bay boat-in camping sites south of the Tomales Point Tule Elk Preserve.
- Specific areas as posted by signs.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- Pet excrement must be bagged and deposited in proper waste receptacles.

(e) Pets may be kept by park residents under the following conditions:

- Park employees in government housing may keep pets only in accordance with the Point Reyes National Seashore Pet Policy SOP approved by the Superintendent. That document shall, by reference, be made a part of this compendium. Permit/lease and Reservation of Use and Occupancy holders must comply with Marin County pet regulations.

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) The following animals are designated as pack animals for purposes of transporting equipment:

- horses
- mules
- burros
- llamas

(b) The use of horses or pack animals is allowed on the following trails, routes or areas:

- Park wide except that:
- Drakes Beach, Earthquake Trail, and Woodpecker Trail are closed to horses and other pack animals at all times (See Exhibit B).
- Llamas are prohibited on the Tomales Point Tule Elk Preserve and the Limantour Area from Home Bay to Coast Trail/Woodward Valley Trail Junction and the beach to Inverness Ridge (See Exhibit C).
- The following areas are closed to horses and pack animals on weekends and holidays because such use will conflict with high visitor use: Bear Valley Trail (between Mt. Wittenberg Trail and Glen Trail junction), Meadow Trail, and Old Pine Trail.
- Overnight camping with horses and pack animals (except llamas) is permitted only in the designated areas of the Coast, Wildcat or Sky Camps. Llamas are allowed to overnight camp in the designated areas at Wildcat and Sky Camps.
- Horses and pack animals are not permitted overnight at Glen Camp.

(g) Other conditions concerning the use of horses or pack animals:

- Horse drawn wagons, carts and/or buggies are prohibited on all trails unless specifically authorized by the Superintendent or designated representative.
- Off-trail or cross-country travel is prohibited, except within 100 feet of the trail for purposes of watering and rest stops, or by permittees conducting normal ranching operations in enclosed pastures, corrals and fields under Special Use Permit, Lease or Reservation of Possession .
- Stock users are specifically prohibited from establishing new trails and from short cutting trails and switchbacks.
- All persons who wish to camp in the backcountry campgrounds must obtain and carry with them a camping permit. The permit is valid only for the dates and camping locations indicated.
- The maximum string size for parties not spending nights in the park is 25 head of stock on designated routes. Groups in excess of 25 head of stock must obtain a permit from the Superintendent.

- Tying stock to trees overnight or for extended periods of time is prohibited. When picketed on a line, stock must be tied so they cannot chew on tree bark or eat the leaves of shrubs or plants.
- It is prohibited to tie or picket stock within 100 feet of any stream, lake or spring. Stock may not be tied within a campsite except for loading and unloading or in designated areas.
- Grazing is prohibited.
- Groups with horses or pack animals must bring in their own feed for their animals. Certified weed free hay, pellet feed or hay cubes are required to minimize noxious weed introduction.
- Horse users are prohibited from unloading manure and hay from their trailers into parking lots within the Seashore.
- Campers are required to thoroughly clean the campsite on a daily basis. Manure and uneaten fodder must be raked and spread out.
- Watering facilities must be used when they are provided.
- The maximum number of horses permitted overnight at Sky, Coast and Wildcat campgrounds is 8.

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(a)(1) Areas designated for operating or using aircraft are provided for in section 7.81

(a)(2) The operation or use of aircraft under power on water within 500 feet of designated swimming beaches, boat docks, piers, or ramps is permitted in the following areas, under the conditions noted:

- There are no park designated areas where seaplanes may land.

(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent through written authorization.

36 CFR §2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking as noted:

- All public buildings including park offices and restrooms, and public areas of concession buildings.
- Within 25 feet of building entrances normally used by the public, or 25 feet of entrances not normally used by the public if smoke gets in the building.
- Where posted.
- Smoking while traveling on trails. Persons who wish to smoke while hiking or riding on trails must stop and remain in one location until they have extinguished their smoking material.
- Morgan Horse Ranch barn and exhibit areas.

- All government vehicles.
- The Superintendent may ban smoking on trails and in backcountry areas during periods of very high and extreme fire danger.

These restrictions are enacted to protect public health and structures from fire danger or smoke. This prohibition is consistent with state law and past practice. Smoking while travelling on trails is prohibited because of fire danger. Ashes inadvertently dropped while walking or riding an animal have the potential to start a fire that may go unnoticed in its initial stages. Requiring persons to remain in one location minimizes this risk. Smoking while on trails or backcountry areas during very high or extreme fire danger conditions is prohibited because of heightened fire danger.

36 CFR §2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours in the following areas and under the following conditions:

- Visitors on backcountry trips may leave their vehicles unattended for the period specified by the backcountry permit.

36 CFR §2.23 – RECREATION FEES

(b) Recreation fees, and/or a permit, in accordance with 36 CFR part 71, are established for the following entrance fee areas, and/or for the use of the following specialized sites, facilities, equipment or services, or for participation in the following group activity, recreation events or specialized recreation uses:

Entrance Fee Areas:

- None

Daily Site Use Fee Areas:

- None

Special Recreation Permit Fee (Such as but not limited to, group activities, recreation events, and the use of motorized recreation vehicles):

- None

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- All public use areas within the park are closed to the possession of a receptacle(s) with a capacity of five fluid gallons or more which contain(s) an alcoholic beverage.

The behavior induced by the consumption of excessive amounts of alcoholic beverages may adversely affect the park experience of other visitors. Parties with alcohol in large containers (i.e. kegs) have consistently caused problems in the past including rowdy behavior and vandalism.

36 CFR §2.51 – PUBLIC ASSEMBLIES , MEETINGS

(e) The following areas are designated for the purpose of 1st Amendment speech, demonstrations and/or the distribution and/or sale of printed matter. Groups of more than 25 demonstrators must obtain a permit from the park Superintendent.

- Areas adjacent to the Bear Valley and Ken Patrick Visitor Centers (see Exhibit D).

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains, or in the following designated areas without a permit, in accordance with the following terms and conditions:

- A permit is required for all areas.
- Remains to be scattered must have been cremated and pulverized.
- Scattering by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility or body of water, and 440 yards seaward from the shoreline on the Pacific Ocean.
- Scattering from the air will not be performed over developed areas, facilities or bodies of water and will be performed at a minimum altitude of 2000 feet above the ground.

36 CFR §3.3 – VESSEL PERMITS

Permits are required for the use of a vessel in the following areas:

- None

36 CFR §3.21 – SWIMMING and BATHING

(a)(1) The following areas are closed to swimming and bathing:

- None.

(a)(2) Swimming and bathing is allowed under the following conditions:

No soap may be used in any freshwater lake, pond, or stream.

36 CFR §3.23 – SCUBA and SNORKELING

(a) SCUBA diving and snorkeling is permitted in the following swimming, docking, and mooring areas under the terms and conditions noted:

- All areas except Drakes Estero and Limantour Estero.

36 CFR §4.10 – TRAVEL ON PARK ROADS and ROUTES

(a) Park roads open for travel by motor vehicle are those indicated below, and/or as indicated in the following publication or document (attached hereto):

- Most current version of the official NPS Map & Guide to Point Reyes National Seashore

36 CFR §4.11 – VEHICLE LOAD, WEIGHT and SIZE LIMITS

(a) The following load, weight and size limits, which are more restrictive than State law, apply to the roads indicated under the terms and conditions, and/or under permit as noted:

- Vehicles over 24 feet in length are prohibited on Mount Vision Road and Chimney Rock Road. Groups arriving by bus who have reservations at the Lifeboat Station will be escorted by NPS staff to that location.
- Travel trailers are prohibited on Limantour Road, Mount Vision Road and Chimney Rock Road.

36 CFR §4.21 – SPEED LIMITS

(b) The following speed limits are established for the routes/roads indicated:

15 MPH:

- The unpaved section of Mesa Road
- Drakes Bay Oyster Company Access Road
- Mt. Vision Road
- Estero Trail Access Road
- Marshall Beach Road
- Sacramento Landing Road
- Chimney Rock Road
- The following sections of trails open for administrative vehicle use:
 - Sky Trail (from Limantour Road to Sky Camp)
 - Bear Valley Trail (Bear Valley Trailhead to Glen Junction)
 - Coast Trail (Limantour Road to Coast Camp)
 - Drivable sections of the Inverness Ridge Trail (Limantour Road to the Mt. Vision Road)
 - Marshall Beach Trail
 - Stewart Trail (including Glen Camp Spur Trail from Stewart Trail to Glen Camp)
 - Lighthouse Road from the parking lot to the Lighthouse Visitor Center
 - Bolinas Ridge Trail
 - Randall Trail

25 MPH:

- Limantour Road (Sky Trail to Limantour Parking Lot, including the road to the southern parking lot)
- L Ranch Road to L Ranch
- North Beach Access Road
- South Beach Access Road
- Drakes Beach Road from D Ranch to the Ken Patrick Visitor Center
- Sir Francis Drake Blvd from Chimney Rock Junction to the Lighthouse Parking lot

35 MPH:

- Pierce Point Road
- Limantour Road (Sky Trail to Bear Valley Road)

Posted speed limits shall apply on all County and State controlled roads within Point Reyes National Seashore and the Northern District of Golden Gate NRA

36 CFR §4.30 – BICYCLES

The following additional routes, in developed areas or special use zones, have been designated for bicycle use:

- Sky Trail (from Limantour Road to Sky Camp)
 - Bear Valley Trail (Bear Valley to Glen Junction)
 - Coast Trail (Laguna Road to Coast Camp)
 - Inverness Ridge Trail (Limantour Road to Mt. Vision Road)
 - Marshall Beach Trail
 - Stewart Trail (including Glen Camp Spur Trail from Stewart Trail to Glen Camp)
 - Bull Point Trail
 - Chimney Rock Trail
 - Drakes Head Trail
 - Estero Trail (Trailhead to 1.4 mi past Drakes Head Trail)
 - Morgan Trail (Bear Valley Trailhead north to Bear Valley Road)
 - Olema Valley Trail
 - Sunset Beach Trail
 - White Gate Trail
 - Mount Vision Road from the locked gate to the FAA Station
- The speed limit for bicycles on designated routes within the Park shall be 15 mph on trails with long sight distances and 5 mph when passing others or approaching blind turns.
 - No bicycle shall be operated in a manner which may endanger the safety of others or environmental resources.

(b) Bicycle use is allowed in undeveloped areas as provided for in section 7.97 [Golden Gate NRA]

- Bolinas Ridge Trail
- McCurdy Trail
- Randall Trail
- Jewell Trail
- Cross Marin Trail
- Tomales Bay Trail

36 CFR §4.31 – HITCHHIKING

Hitchhiking is permitted in the following areas under the conditions noted:

- Hitchhiking is allowed anywhere in the park as long as the person does not stand in a roadway and the hitchhiking/solicitation does not adversely affect visitor safety or the normal flow of traffic.

36 CFR §7.81 - POWERLESS FLIGHT:

(a) The use of devices designed to carry persons through the air in powerless flight is allowed at the following locations pursuant to terms and conditions of a permit.

- Drakes Beach Overlook