National Park Service
U.S. Department of the Interior

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

FIRE ISLAND NATIONAL SEASHORE

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Approved:

K. Christopher Soller
Superintendent

January 31, 2014
Date

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 Fire Island National Seashore. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Title 36 CFR Section 1.5(c), appear in this document identified by italicized print.

(a)(1) The following visiting hours, public use limits, and closures are established:

Visiting Hours:

Please note that all hours may be expanded or decreased based on available staffing and Hurricane Sandy recovery efforts. For up-to-date visiting hours, please see the park website at www.nps.gov/fiis.

- The William Floyd Estate is open Fridays, Saturdays, and Sundays from Memorial Day weekend through Veterans Day from 9:00am to 5:00pm. The Estate is open on the following Federal holidays: Memorial Day, 4th of July, Labor Day, Columbus Day, and Veteran's Day. The Estate may be open on Fridays, Saturdays, or Sundays between November 16 and Memorial Day as weather and staffing allows and for special events or programs.

- The Fire Island Wilderness Visitor Center is open from 9:00am to 4:00pm Fridays through Sundays and holidays except for Thanksgiving Day and Christmas Day. Visitor Center hours and days of operation may be expanded or shortened base on the availability of staff and/or ferries to the area.

- The Park Headquarters Building at 120 Laurel Street in Patchogue, NY is open for business year-round from 9:00am to 4:30pm, Monday through Friday. The building is closed all Federal holidays.

- The Watch Hill Visitor Center is open holidays and weekends from May 17 through Columbus Day, and Wednesdays through Sundays and holidays from July 2 through Labor Day, from 11am to 4pm. Visitor Center hours and days of operation may be expanded or shortened based on the availability of staff and/or ferries to the area.

- The Sailors Haven Visitor Center is open weekends and holidays from May 17 through Columbus Day, and Wednesdays through Sundays from July 2 through Labor Day, from 11am to 4pm. Visitor Center hours and days of operation may be expanded or shortened based on the availability of staff and/or ferries to the area. From May 1 through June 30, and from September 4 through October 31, the Visitor Center will be open to accommodate visiting school groups on weekdays, as staffing permits.

- The Patchogue Ferry Terminal is open weekends from May 18 through June 24, and daily from June 30 through September 3 to accommodate regularly-scheduled ferry trips. The Terminal will be open weekends and Columbus Day between September 4 and October 8. The parking lot will be locked for the evening approximately 20 minutes after the arrival of the last ferry.

- The Fire Island Light Station will be open daily from 9:30am to 5:00pm from April 1 through June 30. From July 1 through Labor Day, the Light Station will be open daily from 9:30am to 5:30pm. From Labor Day to December 15, the Light Station will be open daily from 9:30am to 5:00pm or as posted. From December 16 through March 31, the Light Station will be open 12:00pm to 4:00pm on weekends and Federal holidays, and weekdays by appointment and weather permitting. The Light Station will be closed Christmas Day, Thanksgiving Day, and Easter Sunday.

Public Use Limits:

- For camping use limits and regulations, see 36 CFR §2.10 – "Camping", below.

- The following docks have a public use limit of 14 consecutive days in a 21 day period:

    - Watch Hill Marina
    - Sailors Haven Marina

        - *Fire Island National Seashore marinas are desirable vacation facilities. Time restrictions promote a healthy and equitable turnover of park visitors by ensuring that no vessels occupy a marina slip for the duration of the summer.*

- Vessels may not anchor in the Great South Bay within Park boundaries for more than 14 days in a 21 day period.

    - *Fire Island National Seashore provides desirable anchorages for visitors. Time restrictions promote a healthy and equitable turnover of park visitors.*

- Entering the Manor House on the William Floyd Estate is prohibited except while on a guided tour or with permission from a National Park Service employee. Tours are limited to a maximum of 12 visitors.

    - *This designation is intended to protect the structural integrity of the Manor House and protect the artifacts therein, as well as visitor safety in the event the house should need to be evacuated.*

- Entering the Fire Island Lighthouse Tower is prohibited except with permission from a National Park Service employee, or as part of an interpretive tour conducted by the Fire Island Lighthouse Preservation Society.

    - *This designation provides for the safety of visitors in the tower by allowing employees to monitor and limit visitor numbers at any one time.*

- Appropriate attire is required in the Lighthouse Tower, Keeper's Quarters, Lens Building, and Old Mastic House. Appropriate attire is defined as a shirt that fully covers the chest; shorts or pants that fully cover private or intimate parts, including the buttocks; and footwear.

    - *This designation provides for the safety of visitors, as proper footwear is required for the lighthouse tower. In addition, the historic nature of the buildings and the museum area require a type of attire beyond what might be acceptable on the beach.*

- The Superintendent may close all or portions of the park during periods of inclement weather, based on forecasts of inclement weather, or due to other hazardous conditions. Closures will be identified by posting signs, maps, media notifications, and/or barriers and gates as appropriate.

    - *Areas of new construction, reconstruction or rehabilitation may be closed to visitors for safety reasons and to avoid unreasonable conflict with authorized work. Roads and other facilities may be closed during periods of inclement weather or periods of other hazardous conditions in order to ensure public safety.*

- Vessels may dock at the Barrett Beach Dock for no more than 15 minutes in order to load or unload.

    - *A time limit allows people to load and unload without blocking the dock for an unnecessary amount of time.*

- With the exception of administrative use by authorized agencies, vessels may only use the Lighthouse Annex dock by special use permit or commercial use authorization.

    - *This area is prone to strong tides and currents, and lacks ladders that would make the dock easily accessible to the general public in small boats, presenting several safety hazards to visitors. In addition, the dock is used for secure docking of government vessels, and the park has documented vandalism to those vessels in the past. This restriction increases the security of the government vessels, and eliminates the safety hazards of having public boaters access the area.*

- With the exception of administrative use by authorized agencies, vessels may use the Patchogue Ferry Terminal and adjacent bulkhead for no more than 30 minutes in order to load or unload. Vessels may at no time interfere with the use of the dock by a passenger ferry.

    - *This dock is used primarily for passenger ferries. The time limit allows the dock to be kept clear for scheduled ferries, and provides for the safe boarding and disembarking by passengers.*

- Docking at the Patchogue Headquarters docks is prohibited, except to load and unload, or with permission from the Superintendent.

    - *This dock is used for administrative purposes, and must be kept clear.*

- Only vehicles with full four wheel drive capabilities will be granted permits. All-wheel drive vehicles do not meet this criteria.

- Vehicles with over-sand permits are required to have the following equipment:

    - Shovel

- Tow rope, chain, cable or other similar towing device
- Jack
- Jack support board
- Low air pressure gauge
- Five tires that meet or exceed established standards (pneumatic tires)

- Operating a motor vehicle is prohibited on the 6.5 mile stretch of ocean beach from the western boundary of Smith Point County Park to Watch Hill from March 15 through Labor Day each year, with the exception of approved law enforcement and emergency response vehicles, or with written authorization from the Superintendent.

    - *This stretch of beach provides important habitat for shore birds, including threatened and endangered species. Off road vehicles are a risk to these birds, so this portion of beach is closed seasonally to allow them to nest.*

- Operating a motor vehicle is prohibited on the 0.9 mile stretch of ocean beach between the Oakleyville Dune Crossing and the Sailors Haven east dune crossing between March 15 and September 7, with the exception of approved law enforcement and emergency response vehicles, or with written authorization from the Superintendent.

    - *During the peak visitor season, this area of beach is utilized by thousands of beachgoers on a daily basis. In addition, this beach is a major area for shorebirds and threatened and endangered species. A seasonal closure allows for compatible recreational use and increases visitor safety by routing vehicles through the interior road while protecting wildlife during key times of year. Consequently, by routing the vehicles on the beach during non-peak visiting seasons, the impact to Burma Road will be reduced.*

- Operating a motor vehicle is prohibited on the beach between the Kismet dune crossing and the westernmost boundary of the Seashore adjacent to Robert Moses State Park, with the exception of law enforcement and emergency response vehicles, or with written authorization from the Superintendent.

    - *In an effort to regulate federal over-sand vehicle permit holders, all vehicle traffic is diverted from the beach to pass through the western most check point of the Seashore. There is no practical need for vehicles to access the beach before reaching the Kismet vehicle cut. In addition, this closure also offers increased protection to shorebirds and threatened and endangered species in the area.*

- Areas of the Seashore may be closed during shorebird nesting seasons, or to protect threatened/ endangered species or other species of concern. Such closures will be posted with signs and/or will be symbolically fenced (string and pole fencing with attached signs). These areas are closed to pedestrians, vehicles, kites, and pets.

- Entering the primary dune area from five feet south of the toe of the dune to five feet north of the north side of the dune is prohibited, except for on constructed wooden walkways and designated dune crossings. The following locations are designated as posted for vehicle dune crossings:

    - Smith Point
    - Watch Hill
    - Blue Point Beach
    - Barrett Beach
    - Fire Island Pines east
    - Sailors Haven

- Oakleyville
- Corneille Estates
- Kismet Firehouse

Pedestrian dune crossings are found in other areas as identified by boardwalks constructed over the top of the dune, or natural breaks that allow easy pedestrian access across the dune line.

- *Dunes provide protection and stability for barrier island ecological communities. By providing established dune crossings, the integrity of the dune is maintained, whereas foot traffic in the dunes destroys the vegetation that holds the dunes together.*

- Entering any breach through federally-owned land on Fire Island is prohibited, either on foot or by vessel.

  - *Breaches in a barrier island present a significant safety risk, as they can be unstable and often have strong currents running through them.*

- State nudity laws will be enforced at Fire Island National Seashore. While state laws apply throughout the seashore, the park will focus its public education and enforcement efforts of the existing New York State law at the following federally-owned areas:

  - Lighthouse Beach, from the western boundary of the park to the western boundary of Kismet.
  - The federal tract of land in front of Sailors Haven, from the Point O' Woods to Cherry Grove.
  - One half mile on either side of the Barrett Beach boardwalk.
  - One mile on either side of the Watch Hill lifeguard stand.
  - From the Wilderness Visitor Center to the breach at Old Inlet

  - *Public nudity has been prohibited in the State of New York since 1984 under New York State Penal Code 245.01. Public nudity in developed areas and historic landscapes is incompatible with the park's purposes and values, and diminishes opportunities for current and future generations to enjoy, learn about, or be inspired by park resources or values. On Lighthouse beach in particular, the dense visitation invited by the previously-designated "clothing optional beach" presented not only a visitor use conflict, but created a public safety hazard due to the lack of adequate facilities for trash and human waste, in addition to the dense recreation on a non-lifeguarded beach. Additionally, Hurricane Sandy leveled the dunes in this area, which increases the visibility of the beach from other public use areas, and created added habitat for sensitive species in the area. Finally, park employees have observed an increase in criminal activity in the designated clothing-optional areas, but have been unable to appropriately manage this activity despite significant attempts at education and enforcement.*

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

- Swimming is prohibited in and around all National Park Service marinas, in designated boat channels, and within 25 feet of any breakwater or pilings. Swimming is authorized at

lifeguarded beaches as indicated by the placement of signs and flags at the following locations:

- Watch Hill
- Sailors Haven
- Barrett Beach (if funding and staffing allow)

  - *These restrictions and conditions are necessary to protect visitor safety and to ensure safe boating in and around the marinas and channels.*

- The following are prohibited at designated swimming areas from Memorial Day through Labor Day:

  - Surfing
  - Fishing
  - Glass bottles

    - *Glass bottles pose a significant safety hazard on sand beaches. Fishing and surfing are activities that conflict with swimming, and also pose a potential safety risk.*

- Swimming at any non-lifeguarded area is at the visitor's own risk.

- Shelters and tents may be used when camping in accordance with park camping regulations. Shelters and tents for day use are subject to the following restrictions:
  - Shelters may only be used on the vegetation-free beaches during daylight hours.
  - Shelters must be temporary, and have no more than three sides (i.e. for a windscreen). Small tents may be erected for the purpose of sun protection, but only when they do not unreasonably impede public access and emergency services movement.
  - No individual barrier, or barrier in combination with others, will exceed twenty-five (25) feet in uninterrupted length. An obstruction-free corridor measuring at least fifteen (15) feet must be maintained between the barriers to ensure free access by all.

    - *The popular use of physical barriers along Fire Island National Seashore to block the wind or provide privacy has led to the construction of large, unnecessary obstacles along portions of the beach front. These barriers can significantly impede public access and emergency services movement along the beach, and limit public enjoyment of the beach by restricting public access. Prohibiting larger barriers allows improved access by the public and by emergency responders.*

- Metallized nylon balloons ("Mylar balloons") are prohibited on federally-owned National Seashore lands.

- Kite flying is prohibited in the following areas:

  - The entire area of the William Floyd Estate
  - Areas closed for the protection of colonial and shorebird nesting and rearing activities
  - Designated lifeguarded beaches at Watch Hill, Sailors Haven, and Barrett Beach while lifeguards are on duty
  - The area from the Wilderness Visitor Center west to Long Cove from March 15th through Labor Day
  - The area defined as the Sailors Haven beach between the designated dune crossings from March 15th through Labor Day

- *Kites have the ability to harm nesting shorebirds. These designated closed areas protect cultural and natural resources, provide for increased visitor safety, and protect threatened and endangered species. Prohibiting kite flying on the William Floyd Estate maintains the integrity of the cultural landscape.*

- Vehicles may only operate between the water's edge and 20 feet seaward of dune vegetation or the toe of any dune.

  - *Dunes are held together by the fragile root systems of the vegetation that grows on them. This vegetation, and the integrity of the dune, is highly susceptible to damage from vehicles that drive too close.*

- The first ten feet of driveable ocean beach (measured either from the edge of any symbolic fencing or, in the absence of symbolic fencing, from the edge of the area where driving is prohibited, above) is designated as an emergency access lane.

  - *Emergency vehicles must regularly transit the island, and frequently use the Atlantic route to do so. Providing a designated emergency access lane allows for the improved safety of both vehicle operators and beachgoers, and reduces the likelihood of obstructions, holes, and other hazards to emergency responders. Prohibiting driving within ten feet of the toe of the dune*

Waterfowl Hunting

- The area to the north of the Burma Road (or its trace, where the actual trail has been overwashed or overgrown) beginning ½ mile west of the boundary with Smith Point County Park known as Hayhole Point, and ending ½ mile east of Watch Hill known as Long Cove, is designated for waterfowl hunting. Waterfowl hunting is also allowed in the waters surrounding Sexton, East and West Islands located in the Great South Bay out to 4,000 feet north of Fire Island. A Federal Duck Stamp, New York State hunting license, Migratory Bird Harvest Information Program (HIP) confirmation number, and a National Park Service waterfowl hunting permit are also required. Hunters must use steel shot only while waterfowl hunting.

36 CFR 1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit.

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

(c)(1-2) Gathering of fruits, nuts, berries, and unoccupied seashells

- The following items may be collected by hand for personal use or consumption, provided that no person exceeds two quarts per day:
  - Bayberry *(Myrica spp.)*
  - Beach plum *(Prunus maritima)*
  - Bearberry *(Arctostaphylos uva-ursi)*

- Raspberry *(Rubus spp.)*
- Blackberry *(Rubus spp.)*
- Serviceberry *(Amelanchier canadensis)*
- Cranberry *(Vaccinium macrocarpon or Vaccinium oxycoccos)*
- Blueberry *(Vaccinium corymbosum* [highbush], *Vaccinium angustogolium* [lowbush]*)*
- Huckleberry *(Gaylussacia baccata)*
- Dewberry *(Rubus spp.)*
- Black cherry *(Prunus serotina)*
- Chokeberry *(Aronia arbutifolia)*
- Grape *(Vitis spp.)*
- Unoccupied Seashells

    - *This allowance is made based on a determination that the gathering or consumption of small quantities of fruits, berries, and nuts will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.*

36CFR §2.2 – WILDLIFE PROTECTION

(b) Hunting and trapping

- Hunting is allowed only in the area so designated in "Waterfowl Hunting" of 36 CFR §1.5 in this compendium, and must be conducted in accordance with applicable state and federal law. No other hunting is permitted within the boundaries of the National Seashore.

- The National Park Service does not consider horseshoe crabs "fish," and therefore their collection falls under hunting and trapping regulations. Therefore, the collection of horseshoe crabs is prohibited throughout the park. Only waterfowl hunting is allowed. The only other wildlife and natural products that can be collected in the park are the fruits, nuts, berries and unoccupied seashells listed in 36 CFR § 2.1 of this document.

(d) Transportation of wildlife

- The transportation of lawfully taken wildlife through the park is permitted under the following conditions and procedures:

    - The transportation of wildlife must be in accordance with New York State Department of Environmental Conservation (DEC) rules and regulations
    - Recognized organizations that hold current National Park Service, New York State DEC, U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service permits in accordance with the Marine Mammal Act and the Endangered Species Act may transport and possess wildlife within Fire Island National Seashore boundaries.
    - Waterfowl lawfully taken within the boundaries of Fire Island National Seashore may be transported in accordance with a National Park Service hunting permit, a New York State Hunting License, and a Federal Duck Stamp.

(e) Artificial light

- The use of artificial light to view wildlife is prohibited within Fire Island National Seashore

36CFR §2.3 – FISHING

(a) Recreational fishing shall be allowed in accordance with the laws and regulations of New York State.

- NOTICE TO FISHERMEN: The harvest of horseshoe crabs (*Limulus polyphemus*) is prohibited within Fire Island National Seashore. See 36 CFR § 2.2 of this document.

36CFR §2.5 – RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.

36CFR §2.10 – CAMPING AND FOOD STORAGE

(a) Camping is allowed in the following designated sites or areas and is subject to the following established conditions:

- The following areas are designated for camping:
  - Fire Island Wilderness Eastern Zone: From 1000 feet west of Old Inlet to the eastern boundary of Bellport Beach
  - Fire Island Wilderness Western Zone: From 1000 feet west of Bellport Beach to Long Cove
  - Great South Beach Eastern Zone: From 1000 feet west of Old Inlet to the eastern boundary of Bellport Beach between March 15 and Labor Day
  - Great South Beach Western Zone: From 1000 feet west of Bellport Beach to Long Cove between March 15 and Labor Day
  - Watch Hill Campground
- At least one member of each camping group must be18 years of age or older.
  - *Due to the remote and primitive nature of backcountry camping in the wilderness and on the beach, this determination provides additional safety for campers, and helps to ensure that camping rules and regulations will be followed.*
- A maximum of 36 persons at any one time may backcountry camp in the Fire Island Wilderness Zones and Great South Beach Zones. The following camping limits and regulations apply:
  - From Labor Day until March 15 annually in the Fire Island Wilderness Eastern Zone, no more than 12 people may camp per night with a limit of four persons per campsite.
  - From Labor Day until March 15 annually in the Fire Island Wilderness Western Zone, no more than 24 people may camp per night with a limit of eight persons per campsite.
  - From March 15 until Labor Day annually in the combined Fire Island Wilderness Eastern Zone and the Great South Beach Eastern Zone, no more than 12 people may camp per night, with a limit of four persons per campsite.
  - From March 15 to Labor Day annually in the combined Western Wilderness Zone and the Great South Beach Western Zone no more than 24 people may camp per night, with a limit of eight persons per campsite.
  - Persons may not camp more than three consecutive days in the Fire Island Wilderness or on the Great South Beach, with a 48-hour break between visits.
  - Camping on any dune is prohibited.
  - Camping on the beach south of the dune is prohibited from Labor Day until March 15.
  - Open fires are prohibited, with the exception of small propane grills.
  - All trash and refuse must be carried out by visitors.

- *Wilderness/Backcountry camping use limits were determined based on the Wilderness and Backcountry Guidelines meant to achieve optimal wilderness character. Use limits are established to create an equitable turnover to allow for more visitors to enjoy backcountry camping and to reduce the impact on park resources. Camping on a dune would reduce the integrity of the dune. Open fires in a windy, dry environment put the natural resources and visitors at risk of fire. In order to maintain a primitive camping experience and to protect the natural environment in the backcountry, all trash and refuse must be carried out.*

- Overnight public use limits for camping:
  - Watch Hill Campground: 14 consecutive days with a 48-hour break
  - Wilderness/ Backcountry camping: 3 consecutive days with a 48-hour break

(d) Food left unattended at a picnic area, front country or backcountry campsite must be stored in a hard sided or similar container.

36CFR §2.11 PICNICKING

- Picnicking is prohibited on the William Floyd Estate, except in designated areas surrounding the public parking lot, pursuant to 36 CFR § 1.5 of this document.
  - *The William Floyd Estate has many significant archeological, historic, and natural resources. Limiting visitor use to already-disturbed areas minimizes the impact to these resources, and maintains the cultural landscape.*

36CFR §2.12 – AUDIO DISTURBANCES

(a)(2) Operating a power saw in developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(4) Operating a public address system is prohibited, except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

36CFR §2.13(a)(1-2) – FIRES

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the provisions below:

- Charcoal fires are permitted in grills in designated picnic areas or Watch Hill campsites only. Charcoal fires are prohibited on boats within the marinas or on marina boardwalks. All on-board cooking devices, including electric grills, are restricted to the galley.
- Self-contained gas stoves may be used when picnicking or camping on Fire Island.

(a)(2) The following restrictions are in effect for the use of stoves or lanterns:

- When camping in the Fire Island Wilderness or on any Seashore beach in accordance with park camping regulations, only self-contained gas stoves may be used.

(b) All fires and coals must be adequately extinguished using water.

36CFR §2.15 – PETS

(a)(1) Possessing pets in public buildings, swimming beaches, and the following structures and/or areas is prohibited:

- With the exception of bona fide service animals, pets are prohibited on all federally-owned oceanfront National Seashore beaches and within the boundaries of the Fire Island Wilderness from March 15 through Labor Day. National Seashore beaches are defined as beaches owned or hereafter acquired by the United States within the authorized boundaries of the Fire Island National Seashore, from the toe of the dune to the water's edge.

36CFR §2.16(b) – HORSES AND PACK ANIMALS

- Horseback riding and the possession of pack animals are prohibited on National Seashore owned lands within the boundaries of Fire Island National Seashore.

36CFR §2.18(c) – SNOWMOBILES

- The use of snowmobiles is prohibited.

36CFR §2.19(a-b) – WINTER ACTIVITIES

- The Burma Road may be used for cross-country skiing. Some communities may have additional restrictions; visitors are responsible for knowing local area rules within community boundaries.
- The towing of persons on skis, sleds, or similar device by motor vehicle or snowmobile is prohibited.
- Roads and trails at the William Floyd Estate may be used for Cross-Country skiing when the estate is open to the public.
- Cross-country skiing is permitted within the Fire Island Wilderness.

36CFR §2.21(a) – SMOKING

- Smoking is allowed only under the following conditions:
  - Smoking is prohibited inside all government buildings
  - Smoking is prohibited within 25 feet of the exterior of all government buildings
  - Smoking is prohibited on decks and boardwalks
  - Smoking is prohibited on lifeguarded beaches
    - *This restriction is intended to reduce any possible conflict between users and the harmful effects of second-hand smoke and to protect park structures from fire danger or smoke. This prohibition is consistent with Federal law.*

36 CFR 2.35 (3)(i) – ALCOHOLIC BEVERAGES

- The possession or consumption of alcoholic beverages in the Lighthouse Tower, Keepers Quarters, Lens Building, and Old Mastic House is prohibited except pursuant to the terms and conditions of a permit.

    - *This designation provides for the safety of visitors, as the consumption or possession of alcohol conflict with the historic nature of the buildings and the museum.*

36CFR §2.37 – NONCOMMERCIAL SOLICITING

- Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions of a permit that has been issued under §2.50, §2.51, or §2.52.

36CFR §2.38 – EXPLOSIVES

(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit.

(b) Using, or possessing fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a permit.

36CFR §2.50 – SPECIAL EVENTS

(a) Sporting events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the Superintendent.

36CFR §2.51 – DEMONSTRATIONS

(b) Demonstrations of 25 people or less are allowed within the park areas designated as available under paragraph (c)(2). Demonstrations of more than 25 people are allowed within designated park areas when the Superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- Adjacent to the Visitor Shelter at the Park's western boundary
- Smith Point West Parking Lot
- Patchogue- Watch Hill Ferry Parking Lot south of the terminal building
- The south parking lot, south of the Park Headquarters Building
- The William Floyd Estate public parking lot
- "A" Basin Picnic Area at Watch Hill
- "East" Marina picnic area in Sailors Haven

    - *Limiting heavy visitor use at large events to specific areas protects natural and cultural resources, and minimizes these events' impact to the public use and enjoyment of the park.*

36CFR §2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

(b) The sale or distribution of printed matter by 25 people or less is allowed within the park areas designated as available under §2.51(c)(2) (see above). The sale or distribution of printed matter by more than 25 persons is allowed within designated park areas when the Superintendent has issued a permit.

36CFR §2.61 – RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit, lease or contract.

36CFR §2.62 – MEMORIALIZATION

(a) The installment of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit.

36CFR §3.14 – REMOVING A SUNKEN, GROUNDED, OR DISABLED VESSEL

(a) The removal of a vessel and its cargo must be done in accordance with the following established procedures:

- Any grounded vessel must have removal arrangements made by the owner within 72 hours of the initial report. The vessel will be removed in its entirety within seven days of the initial report, except as otherwise authorized by the Superintendent.
- If an unseaworthy vessel is cut up on the beach to facilitate easier removal, the owner is responsible for taking adequate measures to prevent the spill of hazardous materials or the undue destruction of natural resources. The owner is responsible for the removal of ALL debris associated with the vessel. If it is determined by the National Park Service that debris is still on scene after removal, the park may require additional cleanup or charge the owner for the cost of cleanup.

36 CFR §3.16 – SWIMMING AND WADING

Swimming or wading is allowed in waters, subject to the closures and restrictions designated in 36 CFR§ 1.5 of this document.

- Swimming is prohibited in and around all National Park Service marinas, in designated boat channels, and within 25 feet of any breakwater or pilings.
- Swimming is authorized at lifeguarded beaches as indicated by the placement of signs and flags at the following locations:
    - Watch Hill
    - Sailors Haven
    - Barrett Beach (if funding and staffing allow)
- Swimming at any non-lifeguarded area is at the visitor's own risk.

36 CFR §3.17 – SWIMMING AREAS AND BEACHES

(a) Swimming areas and beaches have been designated in 36 CFR § 1.5 of this document.

- Swimming is authorized at lifeguarded beaches as indicated by the placement of signs and flags at the following locations:
    - Watch Hill
    - Sailors Haven
    - Barrett Beach (if funding and staffing allow)

(c) Prohibitions on the use or possession of flotation devices, surf boards, kite boards, glass containers, kites, or incompatible activities in swimming areas or swimming beaches are outlined in § 1.5 of this document.

- The following are prohibited at designated swimming areas from Memorial Day through Labor Day:
    - Surfing
    - Fishing
    - Glass Bottles

36 CFR §3.18 – SCUBA AND SNORKELING

(a) Snorkeling and underwater diving is allowed in most park waters. Diving and snorkeling are prohibited inside marinas and designated boat channels, except in accordance with official Government business or with a permit issued by the Superintendent.

36 CFR §3.19 – USE OF SUBMERSIBLES

The use of manned or unmanned submersibles may only occur in accordance with a permit issued by the Superintendent

36 CFR §4.21(b) – SPEED LIMITS

- The following speed limits are established for Fire Island National Seashore:
    - 20 miles per hour for all designated off road areas
    - The speed of any motor vehicle being operated on Seashore lands shall be reduced to five miles per hour approaching or passing within 100 feet of any person not in a motor vehicle.
        - *This determination improves visitor safety on and around the off road areas. Vehicles drive primarily on rough, unpaved roads and on beach sand, making faster speeds both difficult and dangerous. In addition, the high number of pedestrians and bicyclists who utilize the same areas makes driving on Fire Island more complex.*

36 CFR §4.30 – BICYCLES

(a) The use of a bicycle is prohibited except on park roads, in parking areas, and on routes designated for bicycle use.

- Bicycles are not permitted on federal boardwalks, in marina areas, or in the Fire Island Wilderness.

The following additional routes have been designated for bicycle use:

- All ocean beaches
    - *These designations are based on the determination that such use is consistent with the protection of a park area's natural, scenic and aesthetic values, safety considerations and management objectives, and will not disturb wildlife or park resources.*

(d)(3) Riding a bicycle abreast of another rider is prohibited except for on the following routes:

- Burma Road through the Lighthouse Tract
- All ocean beaches

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.

36 CFR §5.6 – COMMERCIAL VEHICLES

(b) & (c) Commercial vehicles may only be operated under the terms and conditions of a permit from the Superintendent, or when such use is connected to official business of the park.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

Such activities are prohibited on federal lands, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

36 CFR §7.20 – FIRE ISLAND NATIONAL SEASHORE

(a)(10)(viii) Driving is prohibited on federal lands within Fire Island National Seashore from June 14 through September 14, except by authorization of the Superintendent.

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