

National Park Service
U.S. Department of the Interior

Gateway National
Recreation Area (GNRA)

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

Approved:

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A. INTRODUCTION

1. Superintendent's Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. *The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.*

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park System.

A copy of Title 36, CFR, can be purchased from the U.S. Government Printing Office:
Superintendent of Documents
P.O. Box 371954
Pittsburgh, PA 15250-7954

The CFR is also available on the Internet at: <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>

2. Laws and Policies Allowing the Superintendent to Develop This Compendium

The National Park Service (NPS) is granted broad statutory authority under 54 United States Code (U.S.C.) Section 100101, and Section 100301 *et. seq.* (Organic Act of 1916, as amended) to "...regulate the use of the Federal areas known as national parks, monuments, and reservations...by such means and measures as conform to the fundamental purposes of the said parks...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations" (54 USC §100101(a)). In

addition, the NPS Organic Act allows the NPS, through the Secretary of the Interior, to “make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service” (54 U.S.C. §10751).

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970 (54 U.S.C. §100101(b)), Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating “Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by §100101(b) of this Title, shall be consistent with and founded in the purpose established by §100101(b) of this Title, to the common benefit of all people of the United States.”

54 U.S.C. §100102 defines the National Park System as “...any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes.”

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director’s Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection, where the Superintendent has a reasonable basis to believe a resource is or would become impaired, than that Superintendent is obliged to place limitations on public use.

3. Consistency of This Compendium with Applicable Federal Law and Requirements

The Superintendent’s Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such, an Environmental Assessment will not be prepared.

4. Development of the Requirements of the Superintendent’s Compendium

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent’s Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is the use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park’s enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park’s protected natural and cultural resources and other protected values?

- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers and United States Park Police enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

8. Comments on the Compendium

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of this document, and remains in effect until revised for a period up to one year.

10. Additional Information

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

11. Availability

Please go to: <https://www.nps.gov/gate/learn/management/superintendent-s-compedium.htm>

SUPERINTENDENT'S COMPENDIUM

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 54 United States Code, Section 100101, 100751, 100752, 100753, 102102, and 103104 (e.g. previously 16 USC Section 3) the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Gateway National Recreation Area (GNRA). 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 Section 1.5(c), appear in this document identified by italicized print.

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

36 CFR § 1.5 - Closures and Public Use Limits

Parkwide

The superintendent may temporarily close all or portions of the park during or as a result of emergency situations or hazardous conditions, which includes inclement weather. Closures will be identified by posted signs, maps, media notifications and by barriers and/or gates as appropriate. All permanent closures will be in accordance with the rulemaking procedures in the Federal Register.

Justification: Park roads and facilities may be closed during periods of inclement weather or other hazardous conditions in order to provide for visitor safety. Areas of new construction, reconstruction or rehabilitation may be closed to visitors for safety reasons and to avoid conflicts with authorized work.

Supplemental Regulations

COVID-19 Updates

Mask-Wearing

When the COVID-19 Community Level is HIGH in the county or all the counties where a unit is located based on data provided by the CDC, all individuals over the age of two must wear masks, regardless of vaccination status, in all common areas and shared workspaces in buildings owned, leased, or otherwise controlled by the National Park Service, including, but not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.

When the COVID-19 Community Level is HIGH in one or more, but not all, of the counties where a unit is located based on data provided by the CDC, the superintendent will determine whether individuals are required to wear masks. The requirement, if any, will apply to all facilities within a given unit.

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of the COVID-19 Community Level, individuals may wear masks if they choose to do so. Where a state, local, tribal, or territorial government where the park is located imposes more protective mask-wearing requirements than those indicated by the COVID-19 Community Level, individuals must follow those more protective requirements within the park. More protective state, local, tribal, or territorial mask-wearing requirements are hereby adopted as federal requirements in all units of the National Park System located within that state, locality, area subject to a federally recognized Indian tribe's regulatory jurisdiction, or territory, regardless of a particular park's jurisdictional status. Masks are required on all forms of enclosed government-operated transportation.

Standard Regulations

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

36 CFR § 1.5 - Closures and Public Use Limits

In accordance with § 1.5(a)(1), the following closures have been established for the park:

(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:

In accordance with § 1.5(a)(1), the following **visiting hours** have been established for the Park:

Parkwide Visiting Hours General:

- All navigable waters within the park boundary are open 24 hours.
- Visitor centers and contact stations are closed on Thanksgiving Day, Christmas Day (December 25) and New Year's Day (January 1).
- Hours of operation for parking areas and park facilities are listed below by unit.
- Hours of operation for park lands or facilities utilized by a third party subject to a corresponding legal authorization (concessionaire, lessee, partner, other authorized party) may vary from typical park hours, as identified by or as otherwise subject to approval by park management.

Parkwide Visiting Hours:

Jamaica Bay Unit Visiting Hours:

6:00 a.m. - 9:00 p.m. for all areas except for Canarsie Pier and Jacob Riis Park;

- Jacob Riis Park Visiting Hours: 6:00 a.m.-10:00 p.m., Parking lot locked at 10:00 p.m.
- Canarsie Park Visiting Hours; Pedestrians: 6:00 a.m.- 10:00 p.m.; Vehicular: 8:00 a.m.-10:00 p.m.

Jamaica Bay Unit Visitor Center Hours:

- Jamaica Bay Wildlife Refuge Visitor Center:
Seasonal Hours. <https://www.nps.gov/gate/learn/historyculture/jamaica-bay-wildlife-refuge.htm>
- Floyd Bennett Field Historic Aircraft Hangar B and Ryan Visitor Center:
Seasonal hours. <https://www.nps.gov/gate/learn/historyculture/floyd-bennett-field.htm>

Staten Island Unit Visiting Hours:

6:00 a.m. - 9:00 p.m.

Staten Island Unit Visitor Center and Ranger Contact Station Hours:

- Fort Wadsworth Visitor Center:
Please visit <https://www.nps.gov/gate/learn/historyculture/fort-wadsworth.htm>
- Miller Field Ranger Station:
Please visit <https://www.nps.gov/gate/learn/historyculture/miller-field.htm>
- Great Kills Park Ranger Station:
Currently closed. Please visit <https://www.nps.gov/gate/learn/historyculture/great-kills-park.htm>

Sandy Hook Unit Park Visiting Hours:

6:00 a.m. - 9:00 p.m.

Sandy Hook Unit Visitor Center and History House Hours:

- The Sandy Hook Lighthouse Keepers Quarters Visitor Center and tours:
Please visit <https://www.nps.gov/gate/planyourvisit/sandy-hook.htm>
- The Sandy Hook History House:
Please visit <https://www.nps.gov/gate/planyourvisit/sandy-hook.htm>
- Spermacetti Cove Visitor Center is closed due to Hurricane Sandy

Justification: Visiting hours have been established to promote an enjoyable visitor experience based on anticipated visitation and current staffing levels.

Public Use Limits - Illumination:

The following public use limits for Illumination have been established for the Park:

Illumination of or projections on NPS structures by third parties at Gateway is prohibited, except for limited circumstances under a special event permit issued at the discretion of the Superintendent where there is a meaningful association between the structure and the proposed event, and the event supports the NPS mission and interpretive themes and does not result in impairment of park resources or the visitor experience. The NPS does not consider the fabric of building and monuments themselves available for private speech but reserves the structures and monuments themselves for communicating messages related to the Park’s value, and interpretive themes.

Justification: Current projection technology allows lights and images to be projected from open areas of System units onto resources in open or closed areas. These projections across and onto open and closed areas may impact resources, the visitor experience and NPS operations.

Although lighting and projecting images are not intended to permanently change the appearance of a physical resource, such as a facility or monument, authorizing the lighting or projection of images related to causes, issues, people, organizations, or viewpoints often results in unintended consequences. In order to promote public trust in the NPS’s ability to manage activities that occur within System units for the protection of resources, the NPS will not be responsible for deciding which causes, issues, people, organizations or viewpoints are worthy of recognition through lighting or projecting images onto such resources, including facilities and monuments.

Public Use Limits - Capacity:

In accordance with § 1.5(a)(1), the following public use limits (parkwide capacity) have been established for the Park:

Parkwide: Capacity limits for all public structures are set by code and posted, where applicable.

Justification: Limiting the number of people in buildings is required by life safety codes.

Jamaica Bay Unit Public Use Limits:

- Special events at Floyd Bennett Field will be managed by the Concessionaire and limited to 1,000 people during summer season from Memorial Day to Labor Day and 3,000 people Labor Day to Memorial Day.
- All permitted activities are subject to public use closures on ocean beaches from March 15-September 15 due to piping plover activity.
- Special events are prohibited at Jacob Riis Park, Fort Tilden, Canarsie Pier from Memorial Day to Labor Day.
- Special events will have maximum capacity limitations based on activity and location and are issued on a first come, first served basis. Special event requests require minimum of 60 days advance submission.

Justification: Special event limits reflect carrying capacity, resource protection, and health and safety issues for visitors and staff.

The following vehicular capacities have been established for the following areas specific to motor vehicle access from Memorial Day to Labor Day:

Jamaica Bay Unit	
Location	Capacity (Vehicles)
Canarsie Pier	327
Floyd Bennett Field	1000
Fort Tilden	250
Jacob Riis	8500

Jamaica Bay Wildlife Refuge	76
North Channel Bridge	85
Riis Landing	90

Justification: Allowing more vehicles into these areas than available parking space causes damage to park resources and facilities and compromises visitor safety.

Sandy Hook Unit Public Use Limits:

Sandy Hook has 4200 beach parking spaces. When these spaces are full, the vehicle entrance to the park is restricted to non-recreational users, residents and those individuals occupying a facility subject to the terms and conditions of a government instrument.

- All permitted activities are subject to public use closures on ocean beaches from March 15-September 15 due to piping plover activity.
- The intertidal zone and shoreline including the Jetty between the Officer's Row Seawall and the Coast Guard Fence are closed to the public for resource protection purposes.
- There is no public parking on Kessler Road between Building 1 and Building 18 except for authorized vehicles.
- The Headquarters Parking lot behind Building 26 should be designated as official use only.

Justification: Allowing more vehicles into the park than available parking spaces causes damage to park resources and facilities and compromises public safety.

The following parking time limits have been established by the Superintendent for the following areas:

Sandy Hook Unit	
Location	Time Limit
Spermacetti Cove Visitor Center*	2 hours
Entrance Station	10 minutes
Fort Hancock – Building #58 Parking Lot	Authorized Use Only
Fort Hancock – Building #26 Parking Lot**	Authorized Use Only
Fort Hancock – Building #32 Parking Lot	Authorized Use Only
Sandy Hook Lighthouse	2 hours
N Lot (across from Building #58)	2 hours

*Note: *Spermacetti Cove Visitor Center is currently closed due to damage sustained from Hurricane Sandy. Restriction does not apply to park staff or persons on official park business.*

Justification: The areas listed are not a beach use lots and in order to accommodate non-beach use visitors and their vehicles, a parking duration limit has been set.

Staten Island Unit Public Use Limits

The following parking time limits have been established by the Superintendent for the following areas:

Staten Island Unit	
Location	Time Limit
Ft Wadsworth Building 120 Parking Lot	Visitor Parking and Authorized Use Only.
Ft Wadsworth Hudson Road Parking Lot	Visitor Parking and Authorized Use Only.

Special events at Miller Field are limited to 500 people. The group picnic area is limited to 200 people in total. The parking lot may not be used for permitted activities, special events, sports, recreational classes, or activities.

Great Kills Park: The parking lot may not be used for special events or activities; except by approved NPS Permit. Permitted activities are prohibited on beaches, bayside and Crook's Point.

Fort Wadsworth: Parking lots may not be used for special events, sports, recreational classes, or activities; except by NPS issued permit or other legal instrument.

Special Events/Permitted activities at the Overlook that are not for public participation are limited to a maximum of 50 people, food, tents are prohibited and the event is required to occur only from 9:00 am – 2:00 pm Wednesday, Thursday and Friday.

Special Events within Fort Tompkins and Battery Weed that are not publicly accessible, such as private retirement parties, are not permitted activities.

Justification: Special event limits reflect carrying capacity, resource protection, staffing availability, and health and safety issues for visitors and staff.

Closures and Restrictions

In accordance with § 1.5(a)(1), the following **closures** have been established for the Park:

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Gateway National Recreation Area is prohibited except as approved in writing by the regional aviation manager, ADVRP or in limited instances, the park superintendent.

Definition: The term “unmanned aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links.) This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

NYC Administrative Code § 10-126 Aviation in and over the city-

Take offs and landings. It shall be unlawful for any person to pilot, steer, direct, fly or manage an aircraft in or through the air, whether controlled from the ground or otherwise, an aircraft to take off or land, except in an emergency, at any place within the limits of the city other than places of landing designated by the department of transportation or the port of New York authority.

Parkwide Restrictions

- The superintendent may temporarily close all or portions of the park during or as a result of emergency situations or hazardous conditions, which includes inclement weather. Closures will be identified by posted signs, maps, media notifications and by barriers and/or gates as appropriate. All permanent closures will be in accordance with the rulemaking procedures in the Federal Register.

Justification: Park roads and facilities may be closed during periods of inclement weather or other hazardous conditions in order to provide for visitor safety. Areas of new construction, reconstruction or rehabilitation may be closed to visitors for safety reasons and to avoid conflicts with authorized work.

Note: Public notices regarding closures can be found on Gateway National Recreation Area social media websites, the Gateway homepage at www.nps.gov/gate, and via local news media.

- Unless otherwise identified, all structures, buildings, houses and remnants, to include historic gun batteries and other military fortifications are closed to the public. (See the Visiting Hours section for public use facilities).

Justification: Some non-public structures are only for park administrative purposes while other structures and remnants may be unsafe. These historic structures are in various conditions of repair, some may be hazardous.

- The primary dune systems along the ocean and bay shorelines are closed to the public except at designated dune crossings.
- Marshes, wetlands, holly forest

Justification: Dunes are fragile resources and easily harmed by social trails. Dune systems protect upland areas from storm surge. Dunes are easily damaged and destabilized when vegetation is trampled. Marshes and wetlands are fragile resources and provide important habitat and storm surge protection.

- As needed to protect park resources, to include threatened and endangered species, the superintendent or his/her designee may restrict public access to portions of the park on a temporary basis. This may include large areas of the seashore on the ocean and bay sides. Closures will be designated by signs and some type of physical barrier (i.e., string line, composite markers/posts, etc.). Access is prohibited within 150 feet of posted shorebird nesting areas.

Justification: Threatened and endangered shorebirds (e.g., piping plovers) are very susceptible to disturbances, particularly during nesting season. Visitors cause disturbances to the shorebirds natural

environment, which in turn can cause the nest failures.

Beach Restrictions

36 CFR §1.5 and in accordance with §3.17(c), the superintendent has restricted the following activities or items on ocean and bayside beaches:

- Glass containers, prohibited at all times
- Tents, shade structures, prohibited at all times (see below for Umbrella restrictions)
- Umbrellas, prohibited at all times, except for umbrellas with mounted pole and no larger than 8' in diameter
- Fires or any other combustibles, prohibited at all times
- Grills, barbecues, prohibited at all times
- Power Generators or inverters, prohibited at all times
- Electrical appliances, prohibited at all times,
- Amplified sound producing devices, prohibited at all times
- Tables, prohibited at all times
- Warming trays, prohibited at all times
- Fishing, on designated lifeguarded swimming beaches when lifeguards are on duty
- Kite-flying, on ocean beaches when lifeguards are on duty and on any beach with posted shorebird nesting areas
- Scuba diving and snorkeling, at all times
- Alcohol, at all times, as follows: Sandy Hook Unit- within the entirety of Sandy Hook; Jamaica Bay Unit- Jacob Riis Park lifeguarded beach and Fort Tilden beach; and, Staten Island Unit-Great Kills Park lifeguarded beach and Fort Wadsworth beach
- Smoking, at all times
- Coolers more than 24-quart capacity, at all times
- Vessels, at all times, except in designated launch areas
- Dogs and all Pets, prohibited at all times on all bayside beaches with posted shorebird nesting areas and on all ocean beaches from March 15th to September 15th
- Sunbathing on all ocean and bayside beaches with posted shorebird nesting areas from March 15th to September 15th except when lifeguards are on duty at the Surf Club beach in the Jamaica Bay Unit
- Events of any kind exceeding 25 people, except by permit or other legal authorization
- Windscreens, prohibited on designated lifeguarded swimming beaches within 25 feet of the high tide (wrack) line and must not be between the lifeguard stands and the waterline. No physical structure or combination of such structure may exceed 36 inches in height, fifteen (15) feet in an uninterrupted straight length with no curves or bends. An obstruction-free corridor measuring at least fifteen (15) feet must be maintained between the barriers specified above to ensure free access. The construction of windscreens from driftwood is prohibited.
- Sports/Frisbee/Ball playing, restrictions as follows:
 - Prohibited on designated lifeguarded swimming except by special use permit or other legal authorization or be restricted to less populated areas within the swimming beach or restricted to areas outside the designated swimming beach.
 - Prohibited on all beaches within 150 feet of posted shorebird nesting areas from March 15th to - September 15th.

Justification: These restrictions have been established for visitor safety and to minimize conflicts, disorderly offenses, hazardous conditions and unintended consequences that would likely impact park visitors if these activities were allowed.

Note: A portion of Area "G" (South Gunnison) on Sandy Hook is used by visitors as a clothing optional area. The Park advises unfamiliar visitors of this activity through signs. Nudity, outside the signed area, may be considered Disorderly Conduct (36 CFR §2.34(a)(2)).

Jamaica Bay Unit Restrictions

- All vegetated wetland areas are closed to visitor access.

Justification: Wetlands are fragile ecosystems and are easily damaged by people and vehicles.

The following areas are closed to public use or access:

- West Beach back dune and grassland areas and all other dune systems are closed to visitor use.
- All Grassland Management Areas on Floyd Bennett Field.

- All islands within Jamaica Bay (above mean high water line also, no access on islands or within 300 feet of vegetated shoreline of marsh islands).
- Floyd Bennett Field Ecology Village Campgrounds (except by legal authorization) and public campground
- Dead Horse Bay land area from the Marine Parkway Bridge on the south to the Marina of the Future's southernmost property line, Flatbush Ave. on the East and the shoreline on the west*.

*Justification: These closures are in place to protect fragile natural resources, habitats and environments and to provide for a safe and memorable visitor experience. * The area identified within Dead Horse Bay is closed to all visitor activities due to potentially hazardous contaminations.*

The following roads and areas are closed to public motorized vehicle use:

- All roads in the "Back Fort" historic area in Fort Tilden, west of Hero Road.
- Beach 169th Street, south of the "Do Not Enter" sign.
- Riis Park Boardwalk
- Shore Road East and, and Davis Road south of Beach 169th. Fort Tilden from March 15th - September 15th
- The Riis Landing Basin parking lot located behind old Station Rockaway.
- Vehicle access to the beach at Breezy Point Tip is prohibited from March 15th – September 15th
- Roads leading to, and areas immediately surrounding park housing, are closed to visitor access, with the exception of Aviation Road for pass through to permit only fishing areas.
- Floyd Bennett Field, Ranger Road, east of the Building #272 access road (Navy Pier area) is closed to visitor access.
- All unpaved roads within the North Shore District (North Forty, Dead Horse Bay, Raptor Point Trail, and campgrounds).
- Flatbush Avenue Greenway (Multi-Use Pathway – MUP).
- All roads (paved and unpaved) within the Jamaica Bay Wildlife Refuge.
- Runways 6-24, 11-19 and 12-30.

Justification: These roads are closed to protect park visitors, staff and resources, to limit conflicts with pedestrians, or because they do not meet highway standards.

Parking Restrictions:

- Parking is only allowed in designated parking spaces; Parking on grassed areas, natural areas prohibited.
- All Roadsides (shoulders) are closed to parking and stopping
- Parking at Bay 3 East parking lot allowed for NPS staff and accessible parking only May 15-September 15 6am-9pm. Parking on grassed area prohibited.
- Parking by permit for Fishing Access only Jamaica Bay Unit: 222nd Street Fishing Lot, 222nd Street Fishing lot (all times); Riis Landing (all times); 193rd Street Fishing Lot (all times), West Beach North (Yacht Club) (all times); 169th Street Fishing Lot (closed to vehicles March 15th -September 15th 6:00 a.m.-9:00 p.m.); Shore Road East (closed to vehicles March 15-Sept 15), Fort Tilden (all times September 16-March 14th); Aviation Road, Floyd Bennett Field (all times);
- Fort Tilden- All parking lots within Fort Tilden interior area require Sports League permits, Community Garden permits, Theater, Little League, Arts Alliance from March 15-September 15th. Fishing Access permits are not authorized for parking within Fort Tilden interior March 15-September 15.
- Parking after park hours requires permit.
- Vehicles subject to towing at vehicle owner's expense when parked illegally.
- Plumb Beach, North Channel Bridge, Canarsie Pier, Jamaica Bay Wildlife Refuge Parking lots are closed after park hours
- Parking or stopping is prohibited along Beach Channel Drive and Rockaway Point Boulevard

Justification: Parking restrictions are in place for park resources and visitor safety. Roadside parking damages road shoulders and creates safety hazards for vehicle traffic and pedestrians. Illegal parking damages resources and creates unsafe conditions.

- Canarsie Pier is closed to carpooling, mass transit and commuter parking. Parking is for park visitor use only.

Justification: Use by commuters would limit access for park visitors.

Sandy Hook Unit Restrictions

All roadsides (shoulders) are closed to parking and stopping, except as designated for the following locations:

- Fishing beach at Area F.
- Paved pull-out at Horseshoe Cove (Loading and unloading only).
- There is no public parking on Kessler Road between Building 1 and Building 18 except for authorized vehicles.

Justification: Roadside parking damages road shoulders and creates safety hazards for vehicle traffic and pedestrians.

The following areas are closed to visitor parking:

- The three National Oceanic & Atmospheric Administration (NOAA) parking lots
- Lot A is closed from the Friday before Memorial Day until Labor Day
- All Beach Center loading docks and storage areas.
- The Headquarters Parking lot behind Building 26 should be designated as official use only.

Justification: Parking restrictions and designations are made to facilitate the administrative needs of the park and its cooperators and provide for visitor and staff safety.

The following areas are closed to public use or access:

- The Holly Forest, west of Hartshorne Drive, north of the observation boardwalk and south of Horseshoe Cove is closed to the public, except by reservation or guided tour.
- The freshwater marshes south east of Guardian Park and north and south of the Nike Missile Launch Site (except for the access to the public bird observation blind at Nike Pond).
- The bayside saltmarshes of Spermaceti Cove, Skeleton Hill Island and Horseshoe Cove (north of the boardwalk).

Justification: These public use closures are in place to protect fragile natural resources, habitats and environments of the holly forest, the freshwater marshes and the saltwater marshes and to provide for a safe visitor experience.

- White Road, between South Gunnison Beach and Atlantic Drive is an emergency access point and is closed to public access.

Justification: This road is the primary emergency access road to Gunnison Beach and it has sections that are very narrow through steep dunes on soft sand. Pedestrians hinder emergency response as there are limited to leave the road.

- Vehicle access road (dirt road) across from Beach areas "C" and "D" which runs parallel with Hartshorne Dr. South is closed to vehicular access and is for "Official" government vehicle use only. (This road is for Resource Protection Ranger and other authorized NPS/Gov. personnel/ vehicle access only for park operational purposes).
- Kessler Rd. for "Authorized Vehicle" use only. There is no visitor parking allowed behind "Officers Row"

Justification: Kessler Rd. is too narrow for two-way traffic and parking. Allowing vehicles to park along this roadway becomes a pedestrian and vehicle safety concern and also promotes picnicking in unauthorized areas along the Parade Grounds.

- Access to Sandy Hook Campground campsites is required by permit.
- The campground parking lot is designated for campers only from April 1 to Columbus Day, a Campground parking permit is required at all times to park in this lot.

Justification: Campsites are for campers only, to protect the campers and their enjoyment; the campsites are closed to the public.

Staten Island Unit Restrictions

The following areas are closed to public use or access:

- All marshes

- Hoffman and Swinburne Islands (except by permit).
- Areas of Great Kills Park southeast of Hylan Boulevard and north of Great Kills Harbor to a line approximately 1000 feet south of Wetland Road are fenced, signed and identified on area maps as closed to visitation due to radium contaminated soil.
- Battery Weed (except by NPS tour) and seawall, Fort Tompkins (except by NPS tour), all other batteries and fortifications within Fort Wadsworth
- Fort Wadsworth campground

Justification: These public use closures are in place to protect fragile natural resources, habitats and environments of the marshes and provide for a safe visitor experience.

The following roads and areas are closed to public motorized vehicle use:

- Weed Road at Fort Wadsworth from Mont Sec to Hudson.
- Hudson Road at Fort Wadsworth, (TBTA access is permitted)
- Roads leading to or surrounding employee housing, including North Road, South Road, Clifton Drive and USS New Mexico Court. This does not include Mont Sec Avenue.
- USS North Carolina Rd. between Range Rd. and USS Connecticut Ct.

Justification: Vehicle restrictions on Weed Road are in place to reduce pedestrian safety hazards. Vehicle restrictions around park housing are in place to reduce traffic congestion and increase safety and security. Vehicle restrictions on USS North Carolina Rd between Range Road and USS Connecticut Ct. are in place for pedestrian and bicycle safety as road closures at USCG housing areas have blocked roadways and vehicles must turn around in roadways.

All roadsides (shoulders) are closed to parking and stopping, except as designated for the following locations:

- Harbor Road in Great Kills Park.
- Chapel on New York Avenue at Fort Wadsworth (during services only).
- South side of Mont Sec Avenue at Fort Wadsworth.
- Battery Road at Building 301 and 305 at Fort Wadsworth.
- Miller Field Picnic Area (loading and unloading only).
- Fort Wadsworth Hudson Road Overlook (stopping by permit only).

Justification: Roadside parking damages road shoulders and creates a hazard for traffic and pedestrians.

36 CFR 1.5(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

Areas Designated for a Specific Use or Activity:

Note: Area designations and activity conditions or restrictions will be addressed under the section of 36 CFR that codifies that particular activity. For example, 36 CFR §2.11 applies to picnicking and under that authority the Superintendent may restrict picnicking and establish conditions for picnicking in areas where picnicking is allowed. Those area designations and activity conditions or restrictions not codified in a particular section of 36 CFR will be addressed in this section.

Jamaica Bay Unit

- Parking or stopping is prohibited along Beach Channel Drive and Rockaway Point Boulevard
- Parking on grassed areas outside of parking areas, including the areas surrounding the Riis Bathhouse and Bay 3 East parking lot

Justification: Roadside parking damages road shoulders and creates a hazard for traffic and pedestrians.

Permit-Restricted Parking Areas:

- 222nd Street Fishing Lot, Breezy Point: Parking Permit for Fishing Access Only; all times
- Sand Lot, Breezy Point: Parking Permit for Off-Road Vehicle Fishing Access Only; all times
- Riis Landing: Parking Permit for Fishing Access or NPS Programs Only; all times
- 193rd Street Fishing Lot, Fort Tilden: Parking Permit for Fishing Access Only; all times
- West Beach North (Yacht Club) Fort Tilden Bayside: Parking Permit for Fishing Access Only; all times
- Shore Road East, Fort Tilden: March 15th - September 15th: No parking or vehicular access
- 169th - Davis Road Parking Area, Fort Tilden: March 15th -September 15th : No Parking 6:00 a.m.-9:00 p.m.;

Parking by Fishing Access Permit Only from 9:00 p.m.-6:00 a.m.

- Fort Tilden Interior Post Area-All Parking Lots: March 15th - September 15th: Parking for Special Use Permits for Sports Leagues, Community Garden, Picnic (July-August), Little League, Theater, Arts Alliance Parking for Fishing Access permits prohibited
- Aviation Road Fishing Parking Lot, Floyd Bennett Field: Parking Permit for Fishing Access Only; all times
- Bay 3 East Parking Lot, Jacob Riis Park: May 15th - September 15th: Parking for NPS staff and accessible parking only 6:00 a.m.-9:00 p.m. Accessible parking requires parking fee.

Justification: Parking restrictions are in place to protect fragile natural resources, provide for a safe visitor experience, manage appropriate recreational uses, reduce traffic congestion; reduce pedestrian safety hazards. Illegal parking damages resources and creates unsafe conditions.

- Hiking, birding and educational programming are the only activities allowed within the Jamaica Bay Wildlife Refuge and trails.

Justification: The primary use of the wildlife refuge trails is for nature study. Activities such as jogging, running, bicycling, rollerblading, ATV's/motorcycles, and cross country skiing can startle wildlife and diminish wildlife viewing opportunities.

- All permitted activities are subject to public use closures on ocean beaches from March 15-September 15 due to piping plover activity.

Justification: The restriction is in place to protect Threatened and Endangered Species at bird nesting areas and provide for the safety of the visiting public and to mitigate user conflicts.

- Wind Powered Vehicles may be operated under a Special Use Permit on Runway 19 at Floyd Bennett Field except between March 15 – August 31 when they are not allowed to be used.

Justification: This restriction is in place to provide for the safety of the visiting public and to mitigate user conflicts. Use of such vehicles requires a large open space unimpeded by obstacles or people.

Staten Island Unit

- Parking at the Crookes Point Natural Area is by Fishing Access permit only.

Justification: The permit system limits the number of users necessary to protect the ecology of the area. Parking in Crooke's Point is limited. General parking is available in the main parking lot, "Lot A".

Parkwide

- Golfing, including the use of whiffle golf balls is prohibited except at the following locations:
 - Riis Park Pitch and Putt.
 - The Brooklyn Golf Center.

Justification: Hitting golf balls compromises visitor safety, creates visitor use conflicts, and cause divots, which damage the lawn.

- Passenger buses may not idle in the park when not underway.

Justification: The idling of bus engines adds unnecessary exhaust fumes to the air, which affects the quality of the air in the Park and diminishes the visitor experience.

- Glass containers are prohibited on all park beaches and shorelines; oceanside and bayside.

Justification: Glass containers are prohibited on park beaches to protect visitors from injuries associated with broken glass.

- Remote controlled model cars are prohibited in the park.

Justification: The use of remote controlled model cars are prohibited in order to mitigate user conflicts, prevent injuries to park visitors, and minimize disturbances to wildlife.

- Balloons (latex and Mylar) are prohibited within the park

Justification: Discarded and released balloons become refuse that pose health risks to threatened and endangered species, especially marine turtles. They may also disturb nesting activities of threatened and endangered birds.

- Kite Boarding is allowed; except within 650 feet of posted shorebird nesting areas or lifeguarded swimming beaches.

Justification: Kiteboarding can disturb nesting shorebirds and can cause nests to fail and also be dangerous to swimmers.

- Kite flying is allowed; however, the following are prohibited:
 - Within 650 feet of posted shorebird nesting areas.
 - In parking areas.
 - Within 1000 feet of the Model Airplane Field on Floyd Bennett.
 - On all lifeguarded beaches while guards are on duty.
 - From March 15 to September 15 at Fort Tilden Beach, West Beach and the ocean and bay beaches of Breezy Point Tip, Sandy Hook ocean side beaches.
 - Fighting kites (kite string is coated with sharp or abrasive material) are prohibited

Justification: Kite flying can disturb nesting shorebirds and can cause nests to fail. Due to the large number of visitors, kites on the bathing beaches and parking areas pose a safety hazard and can cause injury to visitors and wildlife and damage property. Kite string left on beaches and areas of the park creates safety hazards for visitors and wildlife. Kite flying at Floyd Bennett Field would create safety issues and user conflicts with model plane activities.

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Gateway National Recreation Area is prohibited except under the following conditions:
 - All quadcopters, drones, helicopters, or similar devices are prohibited.
 - Fixed wing model aircraft (airplanes) may be operated only by permit at the model airplane field at Floyd Bennett Field in the Jamaica Bay Unit. Permits are issued by the Pennsylvania Avenue Radio Controlled Society (PARCS). All fixed wing model aircraft must be operated in accordance with PARCS General and Safety Rules. Appropriate Academy of Model Aeronautics (AMA) insurance is required. (This activity may be suspended during the U.N. General Assembly Meetings each September/October).
 - Fixed wing model aircraft may only be flown for recreational or hobby use only (non-commercial) and remain within sight of the operator at all times.
 - The superintendent may authorize the use of unmanned aircraft in accordance with the provisions of a valid permit. This authorization is at the discretion of the Superintendent and will be evaluated based on the merits of the request and its relevancy to the mission of the NPS (e.g., research project). (See also page 9) remove

Justification: The closure is necessary to maintain public health and safety within the park and to protect park resources and values until the NPS can determine whether specific uses of unmanned aircraft on lands and waters administered by the NPS are appropriate and will not cause unacceptable impacts.

The park contains sensitive natural areas which support a variety of wildlife including threatened and endangered species and nesting birds. This wildlife can be easily disturbed by unmanned aircraft flying in close proximity. Visitors in the park could be injured by a downed aircraft and their experience at the park could be lessened by the intrusion of these aircraft during their visit. Other immediate concerns regarding the use of unmanned aircraft include interference with commercial flight operations at nearby JFK Airport and possible intrusions into cooperator areas such as the U.S. Coast Guard facilities, Armed Forces Reserve Center and the NYPD facilities.

The model airplane field at Floyd Bennett Field is an authorized longstanding area for the use

of model aircraft. The continued use of this area for recreational flying of fixed wing model aircraft is appropriate as the site is a former airfield and the activities take place on a portion of large open runway exclusive of other visitor activities. The airfield is operated by the Pennsylvania Avenue Radio Controlled Society (PARCS) and the flying of model unmanned aircraft is in accordance with Federal Administration (FAA) Advisory Circular 91-57 and section 336 of the FAA Reauthorization Act of 2012, which further reduces possible impacts on visitors, wildlife, and neighboring airports.

- The use of tents is permitted only in designated campgrounds. Tents will not be permitted in any other area of the park to include but not limited to beaches, picnic areas, day use areas and parking lots.

Justification: Per the Merriam- Webster dictionary, a tent is defined as a collapsible shelter of fabric (as nylon or canvas) stretched and sustained by poles and used for camping outdoors or as a temporary building. Per §2.10(b)(10), camping is only permitted at designated sites or in designated areas. At Gateway National Recreation Area camping is only permitted in designated campgrounds, not on the beach, in the picnic areas, parking lots or day use areas. Section §5.7 prohibits constructing a building on other facility upon, over, across, through or under any park area, except in accordance with the provisions of a valid permit. Constructing tents or similar structures in areas where they are not permitted can affect emergency response, create user conflicts and disturb the aesthetics of the park environment. Additionally, tents have been used on the beach to conceal illegal activity, such as public lewdness and the use of controlled substances.

- The use of temporary shade structures, such as umbrellas, are permitted during daylight hours and only in the following areas:
 - Designated picnic areas
 - Designated campgrounds (see section on Campgrounds for additional restrictions)
 - Umbrellas, no larger than 8' in diameter may be used on beach areas, however, no other shade structures are allowed on beaches.

Note: These structures cannot be enclosed or modified or combined with any other structure, additional umbrellas or material to construct an enclosure or expand the size of a shade structure. The use of driftwood to construct an enclosure is prohibited.

Windscreens may be used on ocean beaches. However, on swimming beaches, no windscreens are permitted within 25 feet of the high tide (wrack) line and must not be between the lifeguard stands and the waterline. No physical windscreen structure or combination of such structure may exceed 36 inches in height, twenty (20) feet in an uninterrupted straight length with no curves or bends. An obstruction- free corridor measuring at least fifteen (15) feet must be maintained between the barriers specified above to ensure free access. The construction of windscreens from driftwood is prohibited. (see also page 10) remove

Justification: Maintaining obstruction-free corridors is necessary for effective emergency response and visitor movement. Additionally, it helps facilitate visitor movement along the waterline, aids the lifeguards in seeing and responding to events along the shoreline, and provides an unobstructed viewing area of the ocean.

- The following restrictions apply to all Multi-Use Pathways (MUPs):
 - Users must keep to the right of the center dividing line per the pathway postings.
 - The Multi-Use Path (MUP) is closed to motorized vehicles (electric bicycles referenced in subsequent section). This does not apply to those vehicles meeting the intent of the American's with Disabilities Act of 1990 (ADA).

Justification: The MUP receives heavy visitor use from pedestrian (e.g., walkers, runners) and wheeled (e.g., bicycles, roller blades) user groups. The heavy traffic along with the winding curves can make for a potentially unsafe situation. The divided pathway is intended to mitigate associated risks for all user groups involved.

- In accordance with 18 USC §795, Photographing active defense installations or vessels is

prohibited.

Justification: Due to the heightened security as a result of the terrorist attacks of September 11, 2001, Park areas across from the Earle Naval Weapons Station, the US Coast Guard Stations, at the north end of the Sandy Hook Unit are under greater scrutiny and visitors taking photographs of naval vessels or homeland security facilities may be investigated.

The following **vessel restrictions** are in effect:

Sandy Hook Unit

- Landing or beaching vessels on ocean beaches is prohibited.
- Spermaceti Cove is closed to vessel operation.
- Mooring, operating, launching or retrieving a vessel within 500 feet of the ferry dock at Fort Hancock is prohibited, except in emergencies.

Justification: In accordance with 33 CFR 95.010 a vessel is defined as “every description of a watercraft or other artificial contrivance used or is capable of being used, as a means of transportation on water.”

Staten Island Unit

- Operating a vessel within 300 feet of all marshes is prohibited including the peat flat at Great Kills Park.

Note: See 36 CFR Part 3 for additional boating and water use activities regulations.

Justification: Restrictions are in place to mitigate user conflicts, provide for the safety of the vessel operators and other park visitors and to protect the fragile coastal environments found at Spermaceti Cove and the marshes at Great Kills Park.

CCTV POLICY STATEMENT

In accordance with National Park Service Law Enforcement Reference Manual 9 (RM-9), notice is hereby given that Gateway National Recreation Area uses Closed Circuit Television (CCTV) security camera monitoring.

The park’s use of Closed Circuit Television (CCTV) for law enforcement and security purposes will only be to visually monitor public park areas and public activities where no constitutionally protected reasonable expectation of privacy exists. Such CCTV use – which will have adequate privacy and First Amendment safeguards – will be to help ensure public safety and security; facilitate the detection, investigation, prevention, and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; and help facilitate the protection of the innocent and the apprehension and prosecution of criminals. (RM-9, 26.1)

This policy does not restrict the official use of CCTV in government administrative areas, including administrative buildings, jail holding facilities (RM-9, 26.3.7), revenue collection sites, etc., where the government may record/monitor its facilities. For example, the government may perform unrestricted video/audio recording at revenue collection points (entrance stations, visitor center counters, etc.). This policy does not restrict the use of an Audio/Visual Recording Device (AVRD) in patrol vehicles or officer-worn recording devices used by commissioned rangers. (RM-9, 26.1).

Operation of CCTV cameras, maintenance of recorded images and use of recorded images will be in accordance with NPS and Department policy and applicable laws and regulations. (RM-9, 26.1-26.4) No person will be targeted or monitored merely because of race, religion, gender, sex, disability, national origin, or political affiliation or views. (RM-9, 26.4.2)

Nothing in this policy statement is intended to create any rights, privileges, or benefits not otherwise recognized by law.

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

In accordance with §1.6(f), the following is a compilation of those activities for which a permit from the superintendent is required:

§1.5 - Public Use Limits

- Entering or remaining in the park after Park Hours of Operation, except for third party occupants authorized by a government instrument.
- 36 CFR §1.5 (d)
Events, social gatherings, activities with 25 persons or more, whether organized through social media or other means shall be considered special events and require a permit be issued to the group through proper application prior to the event. (This does not include school groups and day camps that are only coming to utilize the beaches, have paid the daily amenity fee where required, and will not violate any other regulations or permit requirements).

§2.4 – Weapons, Traps or Nets

- Using traps for fur bearing game species requires a permit. (NPS Scientific Research and Collection Permit required).
- Permits are required year round for use of the archery range on Floyd Bennett Field.
 - 1) Permits expire January 31st following the year of issuance.
 - 2) A \$75 Administrative Fee” is required.

§2.5 – Research Specimens

- Collecting Specimens of plants, fish, wildlife, rocks or minerals (NPS Scientific Research and Collection Permit required).

§2.10 – Camping and Food Storage

- Camping at all public and group campgrounds.
- Camping requires a tent in designated tent campgrounds

§2.12 - Audio Disturbances

- Operating a power saw.
- Operation of any type of portable motor or engine, or device powered by a portable motor or engine without an approved permit or other legal instrument.
- Operation of a public address system in connection with a public gathering or special event.

§2.17 - Aircraft and & Air Delivery

- Delivery or retrieval of a person or object by parachute, helicopter or other airborne means.
- Removal of a downed aircraft.
- Runways at Floyd Bennett Field may be opened to aircraft for educational or interpretive purposes, (Public Law 92-592).

§2.22 – Property

- Leaving Property Unattended (see page 31 for details).

§2.23 – Recreation Fees

- Daily Site Use Fees
 - In the Sandy Hook Unit the use of parking areas B, C, D, E, G, I, J and K. Memorial Day Weekend through Labor Day. (7:00 a.m. through 5:00 p.m.).
 - In the Jamaica Bay Unit the use of Riis Park parking areas Memorial Day Weekend through Labor Day (7:00 a.m. through 5:00 p.m.).

Special Recreation Permit Fees:

Off-Road Vehicle Access for Fishing Breezy Point Tip

Breezy Point, Jamaica Bay Unit

Required year-round, all times, to access Breezy Point Sand Road and Sand Lot. The Off-Road permit allows for access to Breezy Point Tip only from September 16th to March 14th.

Fishing Access Parking and After-Hours Access for Fishing Access Permit:

Parking and After-Hours Access to allow for fishing access after regular park hours of operation and to park in certain locations within the park specifically for the activity of fishing. The permits are not fishing permits.

- Sandy Hook Unit:
After-hours parking permit required, 9:00 p.m.- 6:00 a.m.
- Staten Island Unit:
Crook's Point Fishing Access Parking Lot, Great Kills Park
Fishing Access Parking Permit required year-round, all times
After-hours parking permit required, 9:00 p.m.- 6:00 a.m.
- Jamaica Bay Unit:
222nd Street Fishing Parking Lot, Breezy Point:
Fishing Access Parking Permit required year-round, all times
West Beach North (Yacht Club Tilden Bayside):
Fishing Access Parking Permit required year-round, all times
Riis Landing Parking Lot, Riis Landing:
Fishing Access Parking Permit or program pass required year-round, all times
Fort Tilden-Interior Fort Area:
Fishing Access Permits prohibited for parking during park hours: March 15th -September 15th
193rd Street Fishing Parking Lot, Fort Tilden:
Fishing Access Parking Permit required year-round, all times
169th Street Fishing Parking Area, Fort Tilden:
Fishing Access Parking Permit required year-round, 9:00 p.m.-6:00 a.m., all times
March 15th-September 15th- No Parking Permitted 6:00 a.m.- 9:00 p.m.
Shore Road East Parking Area, Fort Tilden:
March 15th-September 15th: Shore Road East Parking Area closed to vehicular use and vehicular access prohibited from Davis Road to Shore Road East Parking Area
Bay 3 East Lot, Jacob Riis Park:
Fishing Access Parking Permit required year-round, all times, 9:00 p.m.- 6:00 a.m.
Floyd Bennett Field:
Fishing Access Parking Permit required year-round, 9:00 p.m.- 6:00 a.m.
Aviation Road Fishing Parking Lot, Floyd Bennett Field:
Fishing Access Parking Permit required year-round, all times

Archery Area Parking Access:

-Archery Field Permit, Floyd Bennett Field, Jamaica Bay Unit

Athletic Fields Permit:

- Athletic Fields Permits, Fort Tilden, Jamaica Bay Unit
- Athletic Fields Permits, Frank Charles Park, Jamaica Bay Unit
- Athletic Fields Permits (Soccer, Softball, Cricket), Miller Field, Staten Island Unit

Boat Launch Parking Great Kills Park:

-Boat Launch Parking Permit, Great Kills Park, Staten Island Unit
Required April 1st – November 31st

Community Garden Permit:

- Community Garden Permit, Fort Tilden, Jamaica Bay Unit
- Community Garden Permit, Miller Field, Staten Island Unit

Group Barbecue-Picnic Area Permit:

- Group Barbecue-Picnic Area Permit, Fort Tilden, Jamaica Bay Unit
- Group Barbecue-Picnic Area Permit, Miller Field, Staten Island Unit

Nature Study Area Parking:

- Crook's Point, Great Kills Park, Staten Island Unit
- Required year-round during regular park operating hours*

Note: Other activities such as special events, ceremonies, filming and photography, and use of park buildings are subject to special use permit fees and may have additional costs associated with cost recovery for park supplied services.

§2.37 – Noncommercial Soliciting

- Soliciting or demanding gifts, money goods or services.

§2.38 – Explosives

- Use, possession, store, transport explosives, blasting agents.
- Use or possession of fireworks.

§2.50 – Special Events

- Large gatherings, bicycle and running events, sporting events, parades, ceremonies, and similar events.

§2.51 – Demonstrations

- Public assemblies, meetings, gatherings, demonstrations, parades and other activities for public expressions of views.
- Groups of less than 25 persons do not require a permit within designated areas.

§2.52 - Sale or Distribution of Printed Matter

- Groups of less than 25 persons do not require a permit within designated areas.

§2.61 - Residing on Federal Lands

§2.62 - Memorialization

- Erection of monuments (Requires approval from the Regional Director or designation by Congress).
- Scattering ashes from human cremation.

§4.11 – Load, Weight and Size Limits

- Exceeding vehicle load, weight, length and width limitations as established by State law.

§5.1 – Advertisements

- Commercial notices or advertisements.
Requires a permit, contract or other written agreement. Can only be goods and services within park.

§5.2 – Alcoholic Beverages; Sale of Intoxicants

- Sale of alcoholic, spirituous, vinous or fermented liquor (more than 1% of alcohol by weight)

requires Regional Director approval.

§5.3 – Business Operations

- Engaging in or soliciting any business requires a permit, contract or other written agreement

§5.5 - Commercial Photography/Filming

- (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than verified newsreel or news television.

NOTE: commercial filming/photography is not allowed:

- 1) between March 15 through September 15 at park designated bird nesting areas and all oceanside beaches
- 2) between Memorial Day through September at the Jamaica Bay Unit for Commercial Photography and Filming with more than 25 participants.

- (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.

§5.6 – Commercial Vehicles

- Use of commercial vehicles on park area roads requires a permit.

§5.7 - Construction of Buildings and Other Facilities

- Any building, structure, boat dock, road, trail, path, telephone line, power line, or public or private utility over, upon, across, under, or through any park areas.

Justification: Permits are required per the provision found in 36 CFR and are intended to protect the visitor, protect the resource, reduce user conflicts, provide for an equitable visitor experience and help manage the operations of the Park.

Note: Permits can be obtained through www.gate.nps and at the following locations(hours and times vary, please check the website to confirm)

- Sandy Hook Unit Headquarters Office, 26 Hudson Rd.
- Ryan Visitor Center, Floyd Bennett Field, Jamaica Bay Unit
- Miller Field, Ranger Station, Building 26, Staten Island Unit
- NPS Scientific Research and Collection Permits (<https://irma.nps.gov/rprs/>)

GENERAL REGULATION

Part 2 – Resource Protection, Public Use and Recreation

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

(a)(4) Using or possessing wood gathered from within the park area is prohibited, except that dead wood on the ground may be collected for use as fuel for campfires within the park in the following areas:

- The superintendent has not designated any areas where dead wood on the ground may be collected for campfire fuel, therefore this is not allowed

(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archaeological or cultural resource, monument, or statue is prohibited, except in the following areas and/or under the following conditions:

- In accordance with § 2.1(a)(5), The superintendent has established the following conditions for walking, climbing, entering, ascending or traversing archaeological or cultural resource, monuments or statues.
 - Walking in or on gun batteries and fortifications is limited to the areas designated by signs, walkways or under the direction of a park ranger when attending a ranger-led tour.

Justification: Restrictions are necessary to protect park resources and for the safety of park visitors.

(b) Hiking or pedestrian traffic is restricted to designated trail(s) or walkway(s) listed in 36 CFR §1.5 of this document.

Justification: Restrictions are necessary to minimize visitor impact on fragile vegetation and natural habitats.

Under, §2.1(a) collecting natural materials from the park is generally prohibited. However, pursuant to §2.1(c), 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 possession and consumption restrictions:

Item	Quantity
Beach Plums	1 Pint Per Person Per Day
Bayberries	1 Pint Per Person Per Day
Mushrooms	1 Pint Per Person Per Day
Seashells (Empty shells only)	One Gallon Per Person Per Day

Justification: Based on information from individuals knowledgeable in the field of park resources and review of state and federal law, the superintendent has determined that the gathering, use or consumption of the preceding natural products at the indicated quantity will not adversely affect park wildlife, the reproduction potential of a plant species, or otherwise adversely affect park resources.

36 CFR § 2.2 – WILDLIFE PROTECTION

Note: Public Law 92-592 § 3(f) establishes that the park shall permit hunting and trapping in accordance with the applicable law of the United States and the laws of the States of New York and New Jersey and the political subdivisions thereof. The law further states that the Secretary may designate zones where and establish periods when these activities may not be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment.

In accordance with § 2.2(b)(2), the superintendent has evaluated the activity of hunting and based on the interest of public safety and enjoyment, and sound resource management principles, the following designations have been established:

- Hunting is prohibited in all areas of the Jamaica Bay Unit.
- Hunting within the Sandy Hook Unit is allowed as follows:
 - Waterfowl hunting is allowed in accordance with the State of New Jersey hunting regulations. All other hunting is prohibited.
 - Waterfowl hunting is only allowed in the Sandy Hook Bay. Hunting is prohibited within 450 feet from any point of land and hunting is prohibited in any cove.
 - Waterfowl hunting is allowed only from a floating blind or a boat. There is no hunting on land or from a permanent blind.
 - Access to the authorized hunting zones is by boat only. There is no overland access through the park for the purpose of hunting. Launching or recovering vessels within the unit for the purpose of hunting is prohibited.
- Hunting is prohibited in all areas of the Staten Island Unit.

Justification: Restrictions on hunting are to insure compliance with State hunting regulations and New York City firearm laws, for visitor safety, and for the protection of wildlife.

In accordance with § 2.2(b)(3), trapping is allowed in the park under the following conditions:

- Fur bearing game may be taken in accordance with state trapping regulations.
- Park lands and waters are closed to the harvesting/collection of horseshoe crabs and diamondback terrapins.
- In addition to a valid state hunting license, trapping requires a park issued permit.

Justification: Restrictions on trapping are to insure compliance with state hunting regulations, for visitor safety, and for the protection of wildlife. The harvesting of horseshoe crab is prohibited in New Jersey, but allowed in New York. The horseshoe crab is closer related to an arachnid than a crab, and therefore the horseshoe crab is considered wildlife by the NPS. The diamondback terrapin is the only turtle that lives its life cycle in the salt marsh environment and recently has been receiving a lot of hunting pressure due to increase popularity in the Asian market.

In accordance with § 2.2(d), the superintendent has established the following conditions and procedures for transporting lawfully taken wildlife through the park:

- In New York, notify USPP Dispatch at 718-354-4700
- In New Jersey, notify NPS Dispatch at 718-354-4700.

Justification: Wildlife transportation procedures are necessary to avoid confusion with wildlife that may have been taken illegally within the park.

In accordance with § 2.2(e), the superintendent may establish areas in the park that are closed to the viewing of wildlife with the use of artificial light. No such closures have been established; therefore, viewing wildlife with artificial light is permitted.

- In accordance with NJ State law if viewing wildlife with artificial light, no weapons of any sort may be present.

Justification: No exceptions designated

36 CFR § 2.3 – FISHING

Note: Public Law 92-592 § 3(f) establishes that the park shall permit fishing and shellfishing in accordance with the applicable law of the United States and the laws of the States of New York and New Jersey and the political subdivisions thereof. The law further states that the Secretary may designate zones where and establish periods when these activities may not be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment.

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

Note: Carrying and using firearms, to include handguns and long guns, in the park will be in accordance with the state and local laws in which the Park is located. Therefore, carrying a firearm at the Sandy Hook Unit will be in accordance with New Jersey State law and carrying a firearm at the Jamaica Bay Unit or the Staten Island Unit will be in accordance with New York State and New York City law. It is the responsibility of the gun owner to know and obey the federal, state, and local laws applicable to the park they are visiting.

Title 18 of the United States Code §930 prohibits the possession of firearms and dangerous weapons in federal facilities and shall be conspicuously posted at each public entrance. Federal facilities are defined as buildings or parts thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties. A dangerous weapon is a weapon, device, instrument, material, or substance, animate or inanimate, which is used for, or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.

In accordance with §2.4(a)(2)(i), the superintendent has designated the following times and locations when weapons, traps, or nets may be carried, possessed or used:

- Under §2.2, Waterfowl hunting is authorized at the Sandy Hook Unit in accordance with New Jersey State law. No other hunting is authorized in the park. The following conditions apply:
 - Firearms specific to waterfowl hunting may not be transported, carried or used on park lands.
 - Firearms specific to waterfowl hunting must be transported into the park by boat and may only be used in the boat or a floating blind.
 - Firearms specific to waterfowl hunting may not be within 450 feet of a point of land within the park
 -

Justification: These regulations are in place to protect the visiting public, to protect wildlife, and to reduce user conflicts.

- Under §2.2, the use of weapons and traps for trapping is authorized at the Sandy Hook Unit in accordance with New Jersey State law and at the Jamaica Bay Unit and the Staten Island Unit in accordance with New York State and New York City law. Trapping requires a park issued permit.

- Under §2.3, the use of weapons, traps and nets for fishing is authorized at the Sandy Hook Unit in accordance with Federal and New Jersey State law and authorized at the Jamaica Bay Unit and the Staten Island Unit in accordance with Federal and New York State law. No park specific conditions apply.

In accordance with § 2.4(a)(2)(ii), the superintendent has established the following conditions for using weapons for target practice in the park:

- The Archery Range at Floyd Bennett Field is the only location in the park established for target practice. The following conditions apply:
 - A permit is required for the use of the archery range on Floyd Bennett Field. The permit expires January 31st of the year following the issuance. A "\$75.00 administrative fee" is charged.
 - Archery range users may only use field tip arrows only. The use of broad head or judo point arrowheads is prohibited.
 - The use of crossbows is prohibited.

Justification: A permit is required to aid in the management of the program. The other regulations are in affect to provide for the safety of the range users as well as the visiting public.

36 CFR §2.10 – CAMPING and FOOD STORAGE

In Accordance with §2.10(a), the superintendent has designated the following permit requirements, sites or areas for camping and conditions for camping:

- Camping is only permitted in designated camping areas/sites. Sleeping in any area other than a designated camp area/site, including parking areas, parking lots, beaches, is prohibited. Tents are only permitted within designated camp areas. This includes sleeping in any manner in conjunction with an after-hours fishing permit.
- Camping requires a tent in designated tent campground.

The following areas have been designated for camping in the Park, along with the following use limits:

Camp Site Location- by permit	Campers Per Site	Vehicles Per Site	Tent Sites	RV/Trailer Sites
Floyd Bennett Field Public Campgrounds -Closed 2023 Season	6	2	32	12 (no Hook-ups)
Sandy Hook Public Campgrounds	6	1	20	None
Fort Wadsworth Public Campgrounds* -Closed 2023 Season	4	1	7	None
Ecology Village Educational Group Campground (through partnership agreement or other legal instrument)	30	N/A	3	None

- A permit or other legal instrument is required for all camping within the park and is required in advance of all camping activities. Applicable fees will apply for all camping permits.
 - Reservations are required for campsites at all public campgrounds. Reservation shall be made through www.recreation.gov.
 - Persons making reservations (obtaining the camping permit) must be at least 18 years old.
 - An adult, 18 years or older, must be present at the campsite for the duration of the stay.
 - Group Camping is available to educational groups participating in Ecology Village.
 - Camp parking at the Sandy Hook and Fort Wadsworth Public Campgrounds will be in a designated area and no more than 1 overnight parking pass will be issued per reservation.
 - At the Sandy Hook, Fort Wadsworth, and Floyd Bennett Field Public Campgrounds, the camping permit must be presented during camping check-in procedures and to access the park after normal operating hours.

- Organized Youth Group Camping is permitted at the Sandy Hook Public Campgrounds. Reservations can be made through the www.recreation.gov website.
 - Group Camping Permits are available to educational groups participating in the Ecology Village Education Programs (partnership agreement).
- Camping at all public campgrounds is limited to a maximum of 7 seven consecutive days at Sandy Hook and 3 consecutive days at Fort Wadsworth and Floyd Bennett Field
 - Public Campgrounds are open seasonally only
 - RVs/Trailers are not allowed at designated tent camping sites and tents are not allowed at designated RV/Trailer sites.
 - RVs/Trailers are not allowed anywhere within Gateway except at Floyd Bennett Field campground in designated RV locations by permit.

Justification: The camping regulations and use limits have been established to provide for an equitable, safe and enjoyable visitor experience, while limiting the impact on the resources in and around the campgrounds.

In accordance with §2.10(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 prohibited.

Justification: No exceptions designated.

In accordance with §2.10(d), the superintendent has established the following conditions for food storage:

Food and scented items may not be left sitting out unattended in campgrounds. Food and scented items must be stored in a cooler or similar device or motor vehicle

- All Campgrounds: Sandy Hook, Fort Wadsworth, Floyd Bennett Field: Food and scented items must be stored in vehicles or provided designated container

Justification: Food storage restrictions are necessary to maintain sanitary conditions in the campground and to minimize habituation of park fauna.

36 CFR §2.11 – PICNICKING

In accordance with §2.11, the Superintendent has established the following closures and conditions for picnicking:

Note:

Barbecuing and grilling are prohibited except within the designated Picnic-Barbecue areas.

Designated Picnic-Barbecue areas:

Jamaica Bay Unit:

- **Fort Tilden Group Picnic-Barbecue Area** by Special Use Permit; Hours of Operation for 2022 Season: Saturday and Sunday 10:00am-5:00pm; July 9th to August 28th; Maximum 75 people (Refer to conditions and restrictions for picnic-barbecue areas).
- **Canarsie Pier Picnic-Barbecue Area** (only within the designated area at northern grassed area); First come-First serve; Picnic Area closes at 9:00 pm (Refer to conditions and restrictions for picnic-barbecue areas).
- **Jacob Riis Park Picnic-Barbecue Area** (only within the designated Barbecue-Picnic area); First come-First serve; Picnic Area closes at 9:00 pm (Refer to conditions and restrictions for picnic-barbecue areas).

Staten Island Unit:

- **Miller Field Group Picnic-Barbecue Area** by Special Use Permit; Hours of Operation: Saturday, Sunday, and Holidays 10:00am-6:00pm; Memorial Day weekend to Labor Day; Maximum 200 people (Refer to conditions and restrictions for picnic-barbecue areas).

Sandy Hook Unit:

- **Guardian Park Picnic-Barbecue Area**, First come-First serve; Picnic Area closes at 8:00 pm (Refer to conditions and restrictions for picnic-barbecue areas). **Picnicking without Grilling, Barbecuing, Open flame:**

- Picnics without grilling and barbecuing are permitted in groups of 10 people or less in areas of the park that are not closed to public access or conflict with other park uses in the following locations:
- Staten Island Unit: Picnic Tables at Fort Wadsworth and Great Kills Park, first come-first serve
- Sandy Hook Unit: Picnic tables at Beach Centers B,C,D,E, G, and I, including the observation deck where tables are available at Area I
- Sandy Hook Unit: Field area behind Building 102 and the parade grounds within the historic post.

Barbecuing-grilling is only permitted in designated areas listed above. Additionally, picnicking without barbecuing- grilling is prohibited within the following areas:

- Jamaica Bay Wildlife Refuge
- Floyd Bennett Field Ecology Village Gazebo
- Community Gardens
- Spring Creek Park
- Dead Horse Bay
- Breezy Point all areas
- Sports Fields, Sports Courts, Playgrounds
- Natural Resource areas closed to the public

The following conditions and restrictions have been established for designated picnic-barbecue areas:

- Barbeque grills associated with picnicking may only be used in designated areas.
- Groups of people in excess of 25 within designated barbecue-grill areas require a permit
- After hours barbecuing, grilling, picnicking is prohibited
- Amplified Sound is prohibited
- Glass Containers are prohibited
- Personal grills are prohibited
- Picnicking supplies and food shall not be left unattended.
- Inflatable structures, such as bounce houses or similar inflatable structures are prohibited
- Mechanical rides are prohibited
- Coals must be disposed of in designated locations
- No propane bottles or any type of liquid gas fuel is allowed for barbecuing.
- Excessive Noise - Incessant or repeated sounds that have the effect of disturbing member(s) of the community, or any sound in excess of 60 dB that is annoying, a nuisance or causes alarm to any person(s). Such sound includes but is not limited to mechanically-increased volume of sounds of the human voice, musical instruments, recorded music, or any other mechanically enhanced sound-producing or sound- reproducing device that is able to increase normal noise volume levels.

Justification: Picnicking restrictions are in effect to protect park resources and avoid conflicts among users.

36 CFR §2.12 Audio disturbances

(a) The following are prohibited:

(1) Operating motorized equipment or machinery such as an electric generating plant, motor vehicle, motorized toy, or an audio device, such as a radio, television set, tape deck or musical instrument, in a manner: (i) That exceeds a noise level of 60 decibels measured on the A-weighted scale at 50 feet; or, if below that level, nevertheless; (ii) makes noise which is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, purpose for which the area was established, impact on park users, and other factors that would govern the conduct of a reasonably prudent person under the circumstances.

(2) In developed areas, operating a power saw, except pursuant to the terms and conditions of a permit.

(3) In non-developed areas (natural areas), operating any type of portable motor or engine, or device powered by a portable motor or engine, except pursuant to the terms and conditions of a permit. This paragraph does not apply to vessels in areas where motor boating is allowed.

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

(5)

(b) Violation of the terms and conditions of a permit issued in accordance with section is prohibited and may result in the suspension or revocation of the permit

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:

- The following areas and receptacles are designated for maintaining a fire:
 - Permanent grills at the designated Barbecue-Picnic areas at Canarsie Pier, Riis Park, Fort Tilden, Miller Field and Guardian Park, Fort Hancock.
 - Fire rings at Designated Campgrounds.
 - Approved grills at Park residences and grills as outlined in Park Housing Plan.
- The following conditions for maintaining a fire have been established:
 - Wood from outside the park boundary may not be brought into the park or used as fuel for a fire. This includes natural and processed wood, such as lumber.
 - Only charcoal may be used as a fuel source

Justification: These restrictions are in place to prevent resource and asset damage, as well as limit user conflicts.

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

- Lanterns may be used in conjunction with permitted night fishing, at campgrounds or when otherwise approved via a permit.

Justification: These restrictions are in place to prevent resource and asset damage.

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

- Campfires must be extinguished only with water. Campfires rings must be cool to the touch before leaving.
- All charcoal must be placed in designated barrels. Barrels are marked “charcoal” and/or are red in color.
- Ash from fires must be deposited in the receptacles provided or removed from the park.

Justification: This policy is necessary to prevent wildland fires and minimize the risk of injury to bare feet from improper disposal of hot coals.

(c) During periods of high fire danger, the following areas of the park are closed to the lighting or maintaining of a fire.

- All Campground areas.

36 CFR §2.14 – SANITATION and REFUSE

(a)(2) The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property is allowed under the following conditions:

- This activity is not allowed

a)(5) Bathing or washing food, clothing, dishes, or other property at public water outlets, or fixtures is prohibited, except at the following outlets or fixtures designated for such purposes:

- At designated campground locations

(a)(7) Disposing of fish remains on land or in waters within 200 feet of boat docks or designated swimming beaches or within developed areas is prohibited, except as designated below:

- No such areas have been designated.

(a)(8) In developed areas, the disposal of human body waste is prohibited, except at the following designated locations or fixtures provided for that purpose:

- No such areas have been designated.

(a)(9) In non-developed areas, the disposal of human body waste within 10 feet of a water source, high water mark of a body of water, or a campsite, or within sight of a trail is prohibited, except

as designated below:

- This activity is not allowed at any Gateway National Recreation Area locations.

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

- At established RV camping site at Floyd Bennett Field only.

Justification: Refuse that is not managed properly can cause unsanitary conditions which directly impact visitor health and safety as well as park aesthetics and the visitor experience.

36 CFR §2.15 – PETS

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

- Ocean side beaches (the entire seashore to include life-guarded and non-lifeguarded beaches) at Breezy Point Tip, Breezy Point Cove, West Beach, Fort Tilden, Riis Park and Sandy Hook from March 15 to September 15.
- The Jamaica Bay Wildlife Refuge
- The lifeguarded beach at Great Kills Park from Memorial Day weekend through Labor Day.

Justification: These restrictions are in place to mitigate user conflicts, protect wildlife and to maintain the sanitary conditions of lifeguarded beaches.

Note: The closures do not apply to service animals as defined under the Americans with Disabilities Act of 1990. Complete regulations pertaining to service animals can be found at www.ada.gov. The following requirements can be found in the ADA revised final regulations, dated January 14, 2017:

- A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Although the DOJ definition of service animal only refers to a dog, the NPS must make reasonable modifications to policies, practices, or procedures to permit the use of a miniature horse by a person with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. The term “assistance animal” is not synonymous with the term “service animal”.
- A service animal is trained to perform work or a task. The work or task must be directly related to the person’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.
- Staff may only ask two questions when inquiring about the legitimacy of a service animal: 1) is the dog a service animal required because of a disability, and 2) what work or task has the dog been trained to perform.
- A person with a disability cannot be asked to remove his service animal from the premises unless the dog is 1) out of control or 2) the dog is not housebroken.
- Separate provisions have been added to the ADA about the use of miniature horses that have been trained to do work for people with disabilities.
- Leaving a pet unattended and tied to an object is prohibited, except in the following areas and/or under the following conditions: Visitors may leave a pet unattended and tied up for no more than 10 minutes to enter a park building or concession operation to obtain a permit, purchase supplies or use the restroom. A pet and its actions are the responsibility of the owner, whether restraint is direct or implied, while in the Park. Owners should consider the temperament of the pet as well as the location and the density of the visitation in that area before leaving a pet unattended and tied up.

Justification: This regulation has been put in place to allow visitors with pets the ability to acquire essential services that are provided in areas when pets are restricted.

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

- Within the Staten Island Unit and Jamaica Bay Unit, all solid pet excrement must be collected and deposited in a waste receptacle. At Sandy Hook Unit, all waste is carry-in and carry-out.

Justification: Allowing pet excrement to remain in the park can create unsanitary conditions, create user

conflicts, and impact the natural fauna. This regulation mirrors the New York State Public Health Law §1310 for the entire park.

(b) The use of dogs in support of hunting is prohibited in the park.

Justification: No exceptions designated.

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) The use of animals other than those designated as “pack animals” for purposes of transporting equipment is prohibited. The following animals are designated as pack animals for purposes of transporting equipment:

- The superintendent has not designated any additional mammals as pack animals.

Justification: No exceptions designated.

(b) The use of horses or pack animals is prohibited outside of the following trails, routes or areas designated for their use:

- Horseback riding is allowed on the upland trails at Bergen Beach, as provided by legal instrument issued by the superintendent, at the Jamaica Bay Riding Academy. No other visitor activities are authorized on these trails.
- At Floyd Bennett Field in accordance with special event activities associated with Aviator Sports.
- Horseback riding and the use of pack animals is prohibited at all other park locations.

(d) Free-trailing or loose-herding of horses or pack animals on trails is prohibited.

Justification: Horseback riding is limited to minimize soil erosion and damage to vegetation in the park.

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(a)(1), aircraft use must be in areas designated by special regulation.

- At Fort Wadsworth the grassy open space south of the Verrazano Narrows Bridge, bounded by Hudson Road, (aka the former “ballfield”) is a designated helicopter landing zone for use by law enforcement, the U.S. Coast Guard or other military units. Landings should be for emergency or critical purposes only. For non-emergencies, permission must be granted in advance by the superintendent or the Unit Manager.
- (a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means is prohibited, except in emergencies involving public safety or serious property loss or pursuant to the terms and conditions of a permit.

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

- The superintendent will provide written authorization.
- Removal or salvage operations will be in compliance with Federal, State and local law under supervision of qualified specialists.
- Conditions regarding the removal of downed aircraft will be reviewed and established by the Superintendent on a case by case basis.

Justification: Removal and salvage operations must be restricted to ensure the safety of the personnel involved as well as to protect park resources.

Note: Helicopter and aircraft landings associated with the official business of the Federal government must be coordinated through the U.S. Park Police or the Chief of Visitor and Resource Protection Division. When possible, landings for law enforcement, emergencies, or rescue missions within the Staten Island Unit should be confined to the softball field at Fort Wadsworth, the southeast parking lot at Miller Field, and the main parking lot at Great Kills Park.

36 CFR §2.18 – SNOWMOBILES

(c) The use of snowmobiles is prohibited. The superintendent has not designated any routes or water surfaces for snowmobile use.

Justification: No exceptions designated

36 CFR §2.19 – WINTER ACTIVITIES

(a) Skiing, snowshoeing, ice skating, inner-tubing, tobogganing, and similar winter activities are prohibited on all park roads and parking areas open to motor vehicle traffic. The aforementioned activities are allowed in park areas that are not designated as closed to the public.

Justification: No exception designated.

(b) The towing of persons on skis, sled or other similar device by motor vehicle is prohibited.

Justification: No exceptions designated

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited, except in the following designated areas:

- Riis Boardwalk Runways closed to motor vehicles at Floyd Bennett Field.
- Multi-use Pathways and Greenways.
- Fort Hancock roadways, excluding Hartshorne Drive.
- Great Kills Park roadways.
- Miller Field roadways.

Justification: Limitations are necessary for visitor safety along roadways and to avoid conflicts with other park users.

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:

For the purpose of this section, smoking is inclusive of tobacco products as well as electronic cigarettes and “vaping” products.

- Smoking is prohibited on all park beaches, playground areas, ball fields, picnic areas, campgrounds, trails, and is only allowed in designated areas.
- Designated smoking areas are all parking lots in each Park Unit.
- Smoking is prohibited on all public programs, volunteer programs.
- Smoking is prohibited in all buildings, facilities and enclosed structures located in the park. This applies to shared living quarters such as dormitory housing, but not to individual residences.
- Smoking is prohibited within 25 feet of all buildings, facilities and enclosed structures located in the park. This applies to shared living quarters such as dormitory housing, but not to individual residences.
- Smoking is prohibited in all government owned and leased vehicles and vessels, to include heavy equipment and UTVs.
- Designated smoking areas are all parking lots in each Park Unit.

Justification: Smoking restrictions are in alignment with both New York City and NJ state regulations, and are necessary to prevent accidental fires, avoid conflicts with second hand smoke between park users and to comply with NPS Policy and Federal law.

36 CFR §2.22 – PROPERTY

(a)(2) Leaving property unattended for longer than 24 hours is prohibited, except in the following locations or under the following conditions:

- Disabled vehicles or vessels may be temporarily left in parking lots, anchored, docked or in another safe area after notification and approval of the US Park Police or the Resource and Visitor Protection Division.
- Vessels under agreement with marina concessionaire at Great Kills Park and Gatewaymarina.
- Under conditions established in a permit.

Justification: Restrictions are necessary to minimize impacts to park operations and to preserve the visitor experience and the aesthetics of the Park. Geocaching is prohibited due to the potential natural and cultural resources damage that can be associated with placing a geocache and treasure hunting.

36 CFR §2.23 – RECREATION FEES

(a) Recreation fees shall be established as provided for in 36 CFR §71.9. The superintendent has established the following daily recreation use fees:

Jamaica Bay Unit

- The use of Riis Park parking area Memorial Day Weekend through Labor Day, fees will be charged and collected from 7:00 a.m. until 5:00 PM daily.
 - \$20.00 daily per vehicle under 20' in length.
 - \$50.00 daily per vehicle over 20' in length.
 - \$100.00 annual pass per vehicle under 20' in length.
 - \$200.00 annual pass per vehicle over 20' in length.

Sandy Hook Unit

- Beach parking areas B, C, D, E, G, I, J and K. Memorial Day Weekend through Labor Day Weekend, fees will be charged and collected from 7:00 a.m. until 5:00 PM daily.
 - \$20.00 daily per vehicle under 20' in length.
 - \$50.00 daily per vehicle over 20' in length.
 - \$100.00 annual pass per vehicle under 20' in length.
 - \$200.00 annual pass per vehicle over 20' in length.
- Public Campgrounds are \$30.00 per site per night.

In accordance with §2.23(a), Recreation fees shall be established as provided for in 36 CFR §1.9. The superintendent has established the following special recreation permit fees

Staten Island Unit:

- **Fishing Access Permit: \$50.00**
Parking and After-Hours Access to allow for fishing access after regular park hours of operation and to park in certain locations within the park specifically for the activity of fishing.
Crook's Point Fishing Access Parking Lot, Great Kills Park-Fishing Access Parking Permit required year-round, all times
- **Athletic Fields Permits** (Soccer, Softball, Cricket), Miller Field, Staten Island Unit
- **Boat Launch Parking Permit: \$50.00**
Boat Launch Parking Permit, Great Kills Park, Staten Island Unit; *Required April 1st – October 31st*
- **Community Garden Permit: \$50.00**
Community Garden Permit, Miller Field, Staten Island Unit
- **Group Barbecue-Picnic Area Permit: \$50.00**
Group Barbecue-Picnic Area Permit, Miller Field, Staten Island Unit
- **Nature Study Area Parking: \$50.00**
Crook's Point, Great Kills Park, Staten Island Unit; *Required year-round during regular park operating hours*

Jamaica Bay Unit:

Off-Road Vehicle Access for Fishing Permit: \$50.00

Breezy Point, Jamaica Bay Unit

Required year-round, all times, to access Breezy Point Sand Road and Sand Lot. The Off-Road permit allows for access to Breezy Point Tip only from September 16th to March 14th.

Parking and After-Hours Access for Fishing Permit:

Parking and After-Hours Access to allow for fishing access after regular park hours of operation and to park in certain locations within the park specifically for the activity of fishing.

- 222nd Street Fishing Parking Lot, Breezy Point-
Fishing Access Parking Permit required year-round, all times
- West Beach North (Yacht Club) Parking Area Tilden Bayside-
Fishing Access Parking Permit required year-round, all times
- Riis Landing Parking Lot, Riis Landing-
Fishing Access Parking Permit or program pass required year-round, all times
- Fort Tilden-Interior Fort Area-
Sports League Permits, Group Picnic Permits, Community Garden Permits, required March 15th -September 15th. Fishing Access Parking Permits Prohibited.
- 193rd Street Fishing Parking Lot, Fort Tilden-
Fishing Access Parking Permit required year-round, all times
- 169th Street Fishing Parking Area, Fort Tilden-
Fishing Access Parking Permit required year-round, 9:00 p.m.-6:00 a.m., all times
March 15th-September 15th- No Parking Permitted 6:00 a.m.- 9:00 p.m.
- Shore Road East Parking Area, Fort Tilden-
Fishing Access Parking Permit required September 16th-March 14th, all times
March 15th-September 15th: Shore Road East Parking Area closed to vehicular use and vehicular access prohibited from Davis Road to Shore Road East Parking Area
- Bay 3 East Lot, Jacob Riis Park-
Fishing Access Parking Permit required year-round, all times, 9:00 p.m.- 6:00 a.m.
- Floyd Bennett Field-
Fishing Access Parking Permit required year-round, 9:00 p.m.- 6:00 a.m.
- Aviation Road Fishing Parking Lot, Floyd Bennett Field-
Fishing Access Parking Permit required year-round, all times

Archery Permit: \$75.00

- Archery Field Permit, Floyd Bennett Field, Jamaica Bay Unit

Athletic Fields Permit:

- Athletic Fields Permits, Fort Tilden, Jamaica Bay Unit
- Athletic Fields Permits, Frank Charles Park, Jamaica Bay Unit

Community Garden Permit: \$50.00

- Community Garden Permit, Fort Tilden, Jamaica Bay Unit

Group Barbecue-Picnic Area Permit: \$50.00

- Group Barbecue-Picnic Area Permit, Fort Tilden, Jamaica Bay Unit

Sandy Hook Unit:

A Fishing Parking Permit is required to fish from closing until opening in the Sandy Hook Unit. Fee is \$50.00 per calendar year.

Note: Other activities such as special events, ceremonies, filming and photography, and use of park buildings have special use permit fees and may have additional costs associated with cost recovery for park supplied services.

Justification: Fees are established to provide equitable allocation and use of services and facilities as well as recover costs associated with park operations and management responsibilities.

(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:

- There are no entrance fees at any of the park units.

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 roadways, parking areas, multi-use pathways and campgrounds.
- Fort Tilden beaches, Riis Park (including beaches), except that alcohol may be consumed within the delineated areas at certain facilities as authorized by a permit or other legal instrument (lease agreement) issued by the NPS
- Sandy Hook Unit, except at events and locations that the consumption is authorized by special permit or other legal instrument (e.g. agreement, lease, etc.)
- Great Kills Park swimming beaches and Fort Wadsworth beach
- Alcohol is prohibited at organized events except by a Special Use Permit or other legal instrument issued by the NPS.

Justification: It has been determined that the consumption of alcohol has been in conflict with the alcohol policies in NJ State Parks and Beaches as well as New York City Beaches, Parks and public places. The consumption of alcohol has had a significant and negative impact on the amount of law enforcement encounters and incidents in our Gateway NRA Parks. Consuming alcoholic beverages on roadways and along multi-use pathways contributes to the risk of injury due to collisions between pedestrians, bicycles and motor vehicles.

(b)(2) The possession of a controlled substance, unless such substance was obtained by the possessor directly, or pursuant to a valid prescription or order, from a practitioner acting in the course of professional practice or otherwise allowed by Federal or State Law.

- Despite the recent attempts in both NY and NJ to legalize marijuana for medical and / or recreational use, the use of controlled substances is prohibited in all Park Unit locations of Gateway National Recreation Area. The National Park Service rules follow Drug Enforcement Agency (DEA) rules and the DEA prohibits the use of marijuana and therefore the Park prohibits the use of marijuana.
- In regards to permits or first amendment activities, Gateway will not issue permits to allow use of marijuana for any events or First Amendment activities.

36 CFR §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) Fireworks and firecrackers are prohibited except pursuant to the terms and conditions of a permit or in designated areas under such conditions as the superintendent may establish, and in accordance with applicable State law.

Justification: No exceptions designated.

36 CFR §2.50 – SPECIAL EVENTS

(a) Sports 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.

36 CFR §2.51 -- DEMONSTRATIONS

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

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

Park-Wide

- Areas considered in accordance with Special Use Permit.

Jamaica Bay Unit

- Flagpole west of the Ryan Visitor Center at Floyd Bennett Field, 50' x 50' space.
- 50' x 50' center of grassy Mall)
- North east side of parking lot at Jamaica Bay Wildlife Refuge, 50' x 50 'space.

Sandy Hook Unit

- Field east of Fort Hancock Bldg. #102.
- Guardian Park.
- Parking Lot L.

Staten Island Unit

- Grass field south of Tompkins Street in Fort Wadsworth.
- Great Kills Park: the grassy area that borders the south end of Parking Lot A.
- Miller Field Memorial Circle.

Justification: Provide opportunity to exercise 1st Amendment Rights.

36 CFR §2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER

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

Justification: Provide opportunity to exercise 1st Amendment Rights.

36 CFR §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.

36 CFR §2.62 – MEMORIALIZATION

(a) The installation 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, or in the following areas and according to the following conditions:

- The remains to be scattered must have been cremated and pulverized.
- Scattering of human remains must be in accordance with other federal and state laws, including the Clean Water Act.
- Terms and conditions will be established in the permit.

Justification: Permits are necessary to minimize visitor use conflicts and to insure compliance with Federal and State law.

Part 3 – BOATING AND WATER USE ACTIVITIES

36 CFR §3.3 – VESSEL PERMITS

In accordance with § 3.3, a permit is not required to operate a vessel in the Park.

Justification: No exceptions designated.

36 CFR §3.7 – PERSONAL FLOATATION DEVICE (PFD) REQUIREMENTS

In accordance with § 3.7(b), the superintendent has designated that PFDs are required during the following times, locations, and activities:

- PFDs must be worn or carried on the designated waters, at the designated times and/or during designated water based activities outlined in §1.5 of this document.

- During NPS led interpretive tours or programs.

Justification: PFD use insures visitor safety during park led programs and when operating watercraft.

36 CFR § 3.8 – VESSEL OPERATIONS

(a)(2) Launching or operating a vessel is prohibited, except at one of the following launch sites:

- Boats on trailers may be launched and recovered at the Great Kills Park Boat Ramp. Conditions of use are as follows:
 - Use of the Boat Ramp parking lot is by special use permit only.
 - Boat launch is not for commercial use.
 - Vehicles parked at the facility must have a trailer attached. Trailers may not be parked in other parking lots.
 - Vehicles and/or trailers may not park more than 24 hours.
 - Only motorized boats are allowed to be launched at the Great Kills Boat Ramp

Justification: Permits and conditions are needed to regulate the use of the boat ramps so that services are provided to visitors on a fair and equitable basis.

- Boats and vessels (hand carried/car top) may only be launched and recovered by hand at the following locations. Permits and/or fees may apply:
 - Jamaica Bay Plumb Beach.
 - Floyd Bennett Field Mill Basin inlet.
 - Floyd Bennett Field Seaplane ramp.
 - Riis Landing
 - Rockaway Point Cove.
 - Rockaway Point Yacht Club
 - Canarsie Pier.
 - Jamaica Bay North Channel.
 - Sandy Hook Bayside Area C and Horseshoe Cove.
 - Great Kills Park Boat Ramp.

Justification: These boating restrictions are in place to limit user conflicts, limit resource damage and to provide for the safety of park visitors utilizing the park beaches.

- Boats may be docked at the following locations:
 - Great Kills Marina (Staten Island Unit).
 - Gateway Marina (Jamaica Bay Unit).

Justification: The regulations are in place to allow park visitors the opportunity to dock their boats while enjoying the park. These locations are designated to prevent boaters from mooring off in administrative or prohibited areas.

Note: Cost and requirements for docking are set by the concessionaire and approved by the NPS.

(b)(5) Operating a power-driven or sailing vessel within 500 feet of a shoreline designated as a swimming beach is prohibited.

36 CFR § 3.9 – PERSONAL WATERCRAFT (PWC)

In accordance with §3.9, the superintendent may allow PWC use at Gateway NRA if promulgated by special regulations. No special regulations have been established, so PWC use is prohibited.

Justification: No exceptions designated.

36 CFR §3.12 – USING A VESSEL TO TOW A PERSON

In accordance with §3.12(a), the towing of persons by vessels is prohibited.

Justification: No exceptions designated.

36 CFR §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:

- A permit may be required for this activity depending on the location and conditions.

36 CFR §3.16 – SWIMMING AND WADING

In accordance with §3.16, the superintendent has established the following closures and restrictions:

- **Swimming is prohibited when lifeguards are not on duty.**
- Swimming from vessels to ocean side beaches or swimming from ocean side beaches to vessels is prohibited within the view shed of on duty lifeguards.
- Swimming from vessels to beaches that have enclosures for the protection of shorebirds, other park resources, or for public safety is prohibited.
- Swimming from vessels to Fort Tilden Beach, West Beach and ocean and bayside beaches of Breezy Point Tip is prohibited from March 15 to September 15.
- Swimming at West Beach and ocean and bayside beaches of Breezy Point Tip is prohibited from March 15 to September 15.
- The following areas are unprotected and do not have lifeguards. Swimming is prohibited in areas that do not have lifeguards on duty.
 - All bay side beaches and unprotected and non-lifeguarded oceanside waters
 - All ponds and landlocked bodies of water.

Justification: Visitors swimming outside protected areas or from vessels draws lifeguard attention away from the protected areas. These restrictions are in place to mitigate user conflicts and protect wildlife.

Note: Swim only in designated lifeguarded swimming beaches during the times that lifeguard services are provided.

36 CFR §3.17 – SWIMMING AREAS AND BEACHES

In accordance with §3.17(a), the superintendent has designated the following areas and conditions for swimming beaches:

The following areas are designated as swimming beaches from Memorial Weekend through Labor Day:

- Jamaica Bay Unit, Riis Park Bays 1 through 14
- Sandy Hook Unit, Areas C, D, E, G (Gunnison) & North Beach
- Staten Island Unit, Great Kills Park

The following conditions are established for swimming beaches:

- **Swimming is prohibited when lifeguards are not on duty.**
- Swimming Beaches are open Memorial Day Weekend through Labor Day
- Swimming Beaches are lifeguarded 10:00 am to 6:00 pm daily
- Swimming is prohibited in all other areas of the park not designated as swimming beaches
- Digging of holes on beach is limited to no more than one foot deep due to hazard of collapse and suffocation.
- Also see section 1.5

(b) Within designated swimming areas, the use of a surfboard or similar rigid device is prohibited.

- Sandy Hook allows surfing at Oceanside B beach, an unprotected beach, and Beach C Oceanside within the unprotected area. Surfing is prohibited on beaches that have enclosures for the protection of shorebirds, other park resources. Prohibitions on the use or possession of flotation devices, glass containers, kites, or incompatible activities in swimming areas or swimming beaches are outlined in §1.5 of this document.

36 CFR §3.18 – SCUBA AND SNORKELING

(a) Snorkeling and underwater diving is not allowed in park waters.

Justification: Snorkeling and scuba diving will create visitor use conflicts and safety issues in lifeguarded swimming beaches and safety issues in non-lifeguarded beach and waterfront areas.

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.

Part 4 – VEHICLES AND TRAFFIC SAFETY

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(b) The superintendent has established the following routes and areas for off-road vehicle. These routes and areas are promulgated as special regulations in §7.29.

- Sand Road and the western tip of Breezy Point.
- Driving off designated roads or areas in other parts of the park is prohibited except by NPS employees operating government owned vehicles, by federal, state and local cooperating agencies, and by service and utility vehicles, when it is necessary for the protection, maintenance and operation of park resources and facilities and is authorized by permit or the superintendent.

Justification: These designations are necessary to protect the natural resources and habitats of the seashore environment as well as provide for the equitable use and protection of park visitors.

(c)(1) Operating a motor vehicle not equipped with pneumatic tires is prohibited, except that a track-laying motor vehicle or a motor vehicle equipped with a similar traction device may be operated on one of the following routes designated for these vehicles:

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:

- In accordance with § 4.11(a), the load, weight and size limits established by the State of New York and the State of New Jersey apply to vehicles operated on park roads. A permit is required to operate vehicles which exceed the designated load, weight and size restrictions.
 - Sandy Hook: Commercial vehicles greater than 8 feet wide and/or in excess of 7 tons (Class 3 Vehicle is the limit), are prohibited from use of Hartshorne Dr. at Magruder Rd. to Hartshorn Dr. at S. Bragg (in front of Officer's Row).

Justification: Oversize/weight vehicles on narrow roads creates a traffic hazard for two way vehicle traffic as well as pedestrian and cyclists. Accelerated deterioration to the roadway in front of Officers Row is occurring due to heavy construction vehicles using this road.

36 CFR §4.21 – SPEED LIMITS

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

Jamaica Bay Unit

- Floyd Bennett Field 25 mph
- Fort Tilden
 - Heintzelman Road 15 mph
 - Haan Road 15 mph
 - Hero Road 15 mph
- Jamaica Bay Wildlife Refuge 15 mph (parking lot)
- Canarsie Pier 15 mph (all areas)
- Jacob Riis Park 15 mph (parking lots and service roads)
- Hamilton Beach 15 mph (along road)
- Sand Road and BP Tip Beach ORV Areas 10 mph
- North Channel Bridge in Broad Channel 10 mph (parking lot)

Sandy Hook Unit

- Hartshorne Drive
 - Northbound from Rt. 36 to the Ranger Station 35 mph
 - Northbound from Ranger Station to South Maintenance 35 mph
 - Northbound from South Maintenance to Atlantic Drive 45 mph
 - Northbound from Atlantic Drive to Guardian Park 35 mph
 - Northbound from Guardian Park to U.S. Coast Guard Gate 25 mph
 - Southbound from USCG Gate to Guardian Park 25 mph
 - Southbound from Guardian Park to Atlantic Drive 35 mph
 - Southbound from Atlantic Drive to Ranger Station 45 mph
 - Southbound from Ranger Station to Rt. 36 35 mph
- Atlantic Drive
 - Northbound (except on curves as posted by signs) 35 mph
 - Southbound (except on curves as posted by signs) 35 mph
- Magruder Road 25 mph
- Gunnison Road 25 mph
- MAST Way and MAST service roads 15 mph
- Hudson Drive 25 mph
- Hudson Road 25 mph
- Pennington Street 15 mph
- Lawson Lane 15 mph
- Kessler Road 15 mph
- Kearney Road 25 mph
- McNair Road 15 mph
- Mercer Road 15 mph
- Canfield Road 25 mph
- North Bragg Drive 15 mph
- South Bragg Drive 25 mph
- Randolph Drive (Water Plant Rd) 15 mph
- All parking areas & access roads 15 mph
- Fee Plaza 10 mph

Staten Island Unit

- Fort Wadsworth
 - New York Avenue 25 mph
 - New Mexico Court 15 mph
 - Mont Sec Avenue 15 mph
- Great Kills Park
 - Buffalo Street 25 mph
 - Harbor Road 10 mph

- Crookes Point Access Road 10 mph
- Miller Field 15 mph
- Bulkhead Road 10 mph

Justification: Speed limits are established to provide for the safety of visitors on and around routes, roads and parking areas and to protect park resources and assets.

36 CFR §4.30 – BICYCLES

(a) All park roads and parking areas are open to bicycle use. The superintendent has also designated the following routes as open to bicycle use:

- Greenway paths.
- Multi-use pathways.

Justification: Multi-use pathways and greenways were designed in developed areas to provide alternative transportation methods and recreational opportunities. These routes underwent public review and were designed in consideration of the parks natural and scenic values and the safety of park visitors. Use of bicycles on these pathways will not disturb wildlife or harm park resources.

In accordance with §4.30(h), bicycle use is prohibited in all undeveloped areas, such as beaches.

Justification: No exception designated.

In accordance with §4.30(h)(4), the superintendent has established the following conditions for riding a bicycle abreast of another rider:

- Bicycles may be ridden abreast of another rider under the following conditions:
 - Riders are obeying established traffic regulations.
 - The center line is not crossed, or if no center line exists, riders are keeping to the right.
 - Riders are not creating a hazard and/or impeding traffic.

Justification: These restrictions are in place to provide for the safety of bicycle riders, pedestrians and motor vehicle operators and to mitigate user conflicts.

Use of Electric Bikes (e-bikes) in GATE:

In accordance with the recent NPS e-bike policy, e-bikes are defined as a two or three-wheel cycle with fully operable pedals and an electric motor of fewer than 750 watts (1 horsepower) that provides propulsion assistance. On pathways and trails closed to motor vehicles but open to traditional bicycles, the operator of an e-bike may only use the motor to assist pedal propulsion. The motor may not be used to propel an e-bike without the rider also pedaling.

In the NJ portion of GATE, e-bikes will be allowed in the Sandy Hook Unit as outlined here:

Class 1 and class 2 e-bikes are allowed on most routes open to traditional bicycles, including the Multi Use Paths (MUP). Class1 and class 2 e-bikes provide assistance to the operator only up to 20 miles per hour. Speed limits of 10 mph will be posted on the MUP's. Class 3 e-bikes which can provide assistance up to 28 miles per hour are not allowed on any park trails or MUP's. Additionally, the park will maintain its prohibition of e-bikes on all trails where traditional bicycles are already banned. More information and frequently asked questions about e-bikes in national parks are available on the e-bike webpage.

1. The term "e-bike" means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.).
2. Comply with the requirements in 36 CFR 1.5, including the requirement to provide adequate public notice in accordance with 36 CFR 1.7.
3. Comply with all applicable laws implicated by the compendium action, including the National Environmental Policy Act of 1969 (NEPA). The compendium action will ordinarily fall within the categorical exclusion specified in section 3.3.D.3 of the National Park Service NEPA Handbook for which documentation is required.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4-14(c) 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5). Except as specified in this Compendium, the use of an e-bike within Gateway NRA is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

New York City DOT Regulation:

Bicycle riders must use bike path/lane, if provided, except under the following situations:

- When preparing for a turn at an intersection or into a private road or driveway.
- When reasonably necessary to avoid conditions (including but not limited to, fixed or moving objects, motor vehicles, bicycles, pedestrians, pushcarts, animals, surface hazards) that make it unsafe to continue within such bicycle path or lane.

Other vehicles shall not drive on or across designated bike lanes except when it is reasonable and necessary:

- to enter or leave a driveway; or
- to enter or leave a legal curbside parking space; or
- to cross an intersection; or
- to make a turn within an intersection; or
- to comply with the direction of any law enforcement officer or other person authorized to enforce this rule; or
- to avoid an obstacle which leaves fewer than ten feet available for the free movement of vehicular traffic. Notwithstanding any other rule, no person shall drive a vehicle on or across a designated bicycle lane in such manner as to interfere with the safety and passage of persons operating bicycles.
- Bicyclists may use either side of a 40-foot wide one-way roadway.

Pedal-assist bicycles:

- No person shall operate or park a pedal-assist bicycle on any public highway in the city of New York unless such bicycle has permanently affixed in a prominent location on the electric motor of the bicycle or elsewhere on the bicycle a legible original label of the manufacturer of the bicycle and/or of the electric motor containing the maximum motor-assisted speed and motor wattage of the bicycle.
- All pedal-assist bicycles and their operators must comply with the provisions of Article 34 of the New York State Vehicle and Traffic Law relating to the operation of bicycles, except as provided in section 4-02(e) of these rules.
- A pedal-assist bicycle that has been modified in any of the following ways shall not be considered a pedal-assist bicycle and may not be operated or parked on any public highway:
 1. Any modification that increases the output of such bicycle to seven hundred fifty watts or greater;
 2. Any modification that prevents the motor from disengaging when (i) the operator applies the brakes, (ii) the operator stops pedaling, or (iii) the bicycle achieves a speed of twenty miles per hour; or
 3. Any modification that accelerates the speed of the pedal-assist bicycle motor by means other than pedaling.Restricted areas of parks No person shall ride a bicycle in any park, except in places designated for bike riding; but persons may push bikes in single file to and from such places, except on beaches and boardwalks.

Part 6: 36 CFR §7 – SPECIAL REGULATIONS

In accordance with §7.29(a), the superintendent has established the following beaches and over sand routes for 4 wheel drive off road vehicle use with valid NPS off road permit:

- Sand road and western tip of Breezy Point

In accordance with §7.29(b)(6), the superintendent has established the following limit on the number of over sand permits:

- 750 Special Use Permits for Off Road Vehicles will be issued annually.
 - Vehicle permit are required September 1 through March 14 to access the beach, and all year to access the sand parking lot. The beach is closed to vehicles during the remainder of the year.
 - Off Road Vehicle Permits are only issued for fishing access.

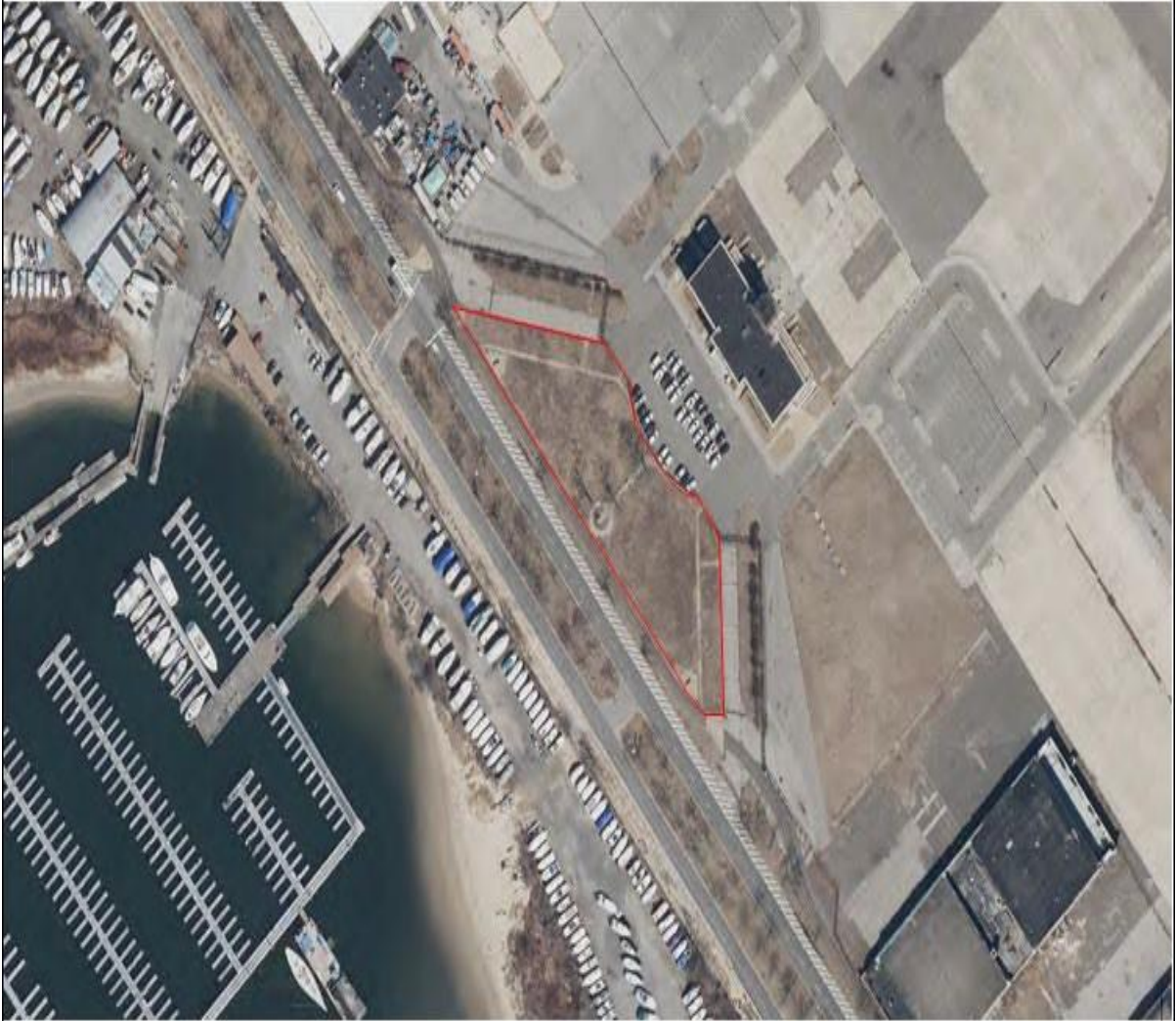
Justification: Vehicle operation limits are necessary for the protection of the coastal habitat.


APPENDIX A:
Maps of Designated First Amendment Areas

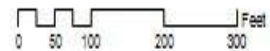




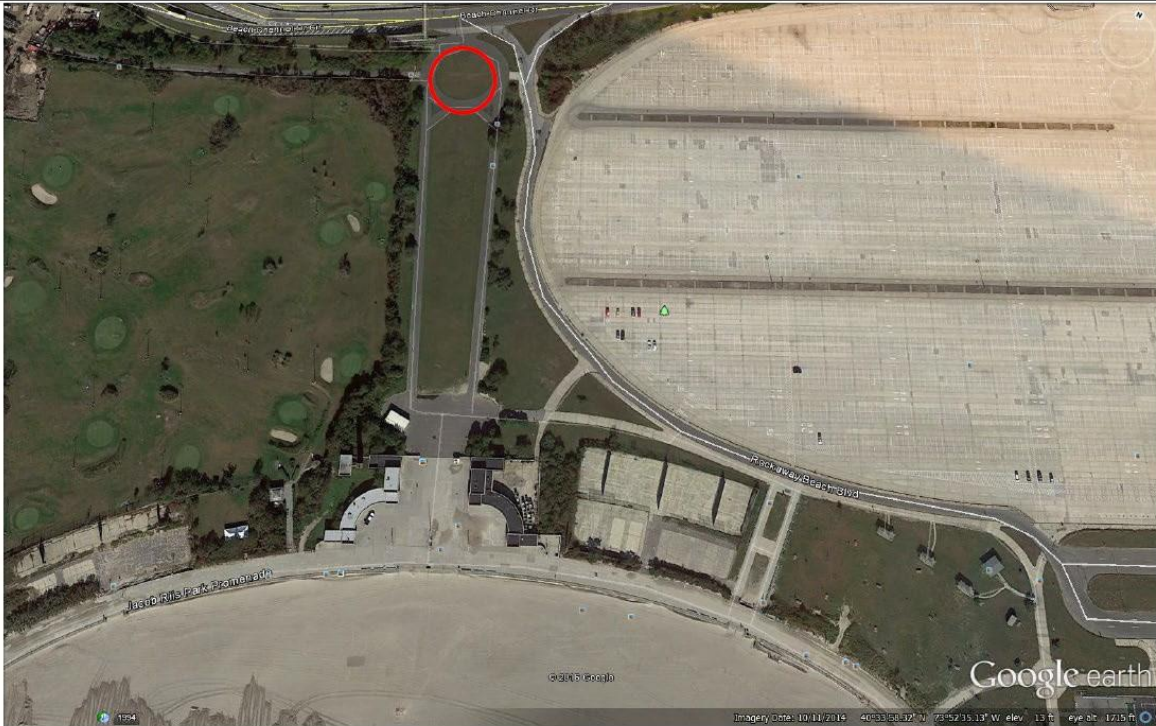
Floyd Bennett Field - Ryan Center



 First Amendment Area



Riis Park – Bay 9 Mall Area




First Amendment Area

Lawn area within paved grassy circle




MillerField



 First Amendment Area




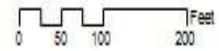
First Amendment Area 



Fort Wadsworth




 First Amendment Area





Sandy Hook - Nike Radar Site



 First Amendment Area

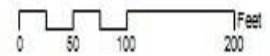
0 50 100 Feet



Sandy Hook - Guardian Park




 First Amendment Area





Sandy Hook - Fort Hancock



 First Amendment Area

