



National Park Service  
U.S. Department of the Interior

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

Gateway National  
Recreation Area,  
Sandy Hook Unit

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2009

Approved:

Dave Avrin, Acting Superintendent

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service (NPS), within the boundaries of the Sandy Hook Unit of Gateway National Recreation Area. 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.

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

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

Visiting Hours:

- The Park, including all Day Use Areas, is open from 05:00 AM to 10:00 PM daily from April 1 to October 31 and open from 06:00 AM to 08:00 PM from November 1 to March 31, except:
  - a) By permit.
  - b) When the concession facility is in operation, Area D Parking Lot and facilities (and access to this area) are open from sunrise until the concessionaire closes but no later than midnight.
- The Beach Center Concession facilities are open (except as noted above and when closed due to inclement weather) from 10:00 a.m. to 5:00 p.m. from the Saturday of the Memorial Day Weekend through Labor Day. Additional openings are at the discretion of the concessionaire.
- Fisherman with a valid Fishing Parking Permit (see permits) may utilize the park between sunset and sunrise.
- Park Headquarters (Building 58) is open from 9:00 a.m. to 4:00 p.m. weekdays except Federal Holidays unless posted otherwise.
- The Sandy Hook Visitor Center (public areas only) is open from 10:00 a.m. to 5:00 p.m. daily except Christmas, New Year's and Thanksgiving Day.
- The Fort Hancock Museum (public areas only) is open from 1:00 p.m. to 5:00 p.m. weekends except Christmas and New Year's Day (if applicable) and daily from the Saturday of the Memorial Day Weekend through Labor Day. Unless staffing allows otherwise, the museum will be open via tour from January through March.

- The History House (public areas only) is open from 1:00 p.m. to 5:00 p.m. weekends except Christmas and New Year's Day (if applicable).
- The Sandy Hook Lighthouse (public areas only) is staffed by the NJ Lighthouse Society and NPS staff and is open from 12:00 p.m. to 5:00 p.m. weekends April 1 to mid-December and daily from the Saturday of the Memorial Day Weekend through Labor Day. Additionally, the adjacent barn is open with self-guided interpretative media whenever the park is open.
- The Sandy Hook Lighthouse Keeper's Quarters is staffed by volunteers and NPS staff. It is open weekends year round and daily beginning in April. The hours of operation will be posted.
- Battery Potter (public areas only) is open from 1:00 p.m. to 4:00 p.m. weekends from April 1 to October 31.
- The Nike Radar Site (public areas only) is open intermittently (depending upon volunteer availability) from 1:00 p.m. to 4:00 p.m. from April 1 to October 31.
- Sandy Hook Bird Observatory is operated by the New Jersey Audubon Society (public areas only) who set their hours of operation.
- Other facilities such as the New Jersey Marine Science Consortium are leased structures whose tenants establish public areas and their own hours of operation.

NOTE - Because of special activities or situations that may occur at any time it may be necessary to make changes to what is shown in this section on short notice. In all cases the public will be given as much notice of these changes as possible and hours of operation will be advertised in the park's quarterly calendar of events.

Public Use Limits:

- All parking lots associated with a Beach Center (Areas B, C, D, E, G, I, J & K) are fee areas from Memorial Day Weekend through Labor Day Weekend. Public Use Limits are controlled by the availability of marked/formal parking spaces.
- Sandy Hook has a finite number of parking spaces. When these spaces are full, vehicle entrance to the park is restricted to non-recreational users, residents and cooperators.
- All parking lots not associated with a Beach Center are non-fee areas (except weekend use of Tent City lot).
- The parking lot at the Sandy Hook Visitor Center is restricted to 2 hour parking.  
*This is not a beach use lot and in order to accommodate non-beach use visitors and their vehicles, a parking duration limit has been set.*
- The entrance station parking is restricted to 15 minutes parking.  
*This is not a beach use lot and in order to accommodate persons seeking a refund or conducting other entrance station related matters and their vehicles, a parking duration limit has been set.*
- The Fort Hancock parking lot adjacent to Park Headquarters (Building 58) and the Sandy Hook Lighthouse is restricted to 2 hour parking except by a M.A.S.T. issued permit.  
*This is not a beach use lot and in order to accommodate non-beach use visitors and their vehicles, a parking duration limit has been set.*
- The Multi-Use Path has a center dividing line. Users must keep right per the pavement postings.  
*Heavy use, combined with pedestrian and wheeled users and blind curves makes for a potentially hazardous path. To avoid head-on collisions users must keep to the right of the centerline.*
- The organized youth group campground has 3 sites (a 4<sup>th</sup> is taken offline as a rehab site) with space to accommodate 30 users at each site.
- Capacity limits for all public structures are set by code and posted, when applicable.

## Closures:

- Motor vehicles are permitted on authorized paved or gravel roads/lots only.  
*Soft sand, vegetation and wildlife are easily impacted by vehicles and roadside parking creates an unsafe condition.*
- Roadside parking is prohibited except along the south side of Fishing Beach (Area F) access and the motorcycle parking at Area G.
- Roadside stopping is prohibited except along the paved pull-out on the west side of Hartshorne Road at Area H (the access to Horseshoe Cove).  
*Stopping is allowed for safe loading and unloading.*
- Motorized vehicles are prohibited on the Multi-Use Path (except motorized wheelchairs).  
*The Multi-Use path was designed for non-motorized recreational use only.*
- All structures, buildings, houses, remnants, etc. are closed to the public unless specifically addressed as a public use facility. See Visiting Hours.  
*Non-public use structures and remnants may be unsafe.*
- Unless identified otherwise, Historic Gun Batteries and other Military Fortifications are closed to the public.  
*These historic structures are in various conditions of repair, some are very hazardous.*
- Parking at all three National Oceanic & Atmospheric Administration parking lots is restricted to authorized users of those facilities.
- Parking in the Area D designated employee parking spaces is restricted to authorized vehicles only.
- Access into any Beach Center's loading dock/storage area is restricted to authorized personnel and vehicles.
- All areas posted with authorized access only type signs; i.e. service roads, maintenance compounds and historic ruins are closed to public use, travel and motor vehicles.  
*Work areas and historic ruins contain hazardous conditions, equipment and operations.*
- 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 Holly Forest is a unique preserve and special care must be taken to ensure its protection.*
- The primary dune systems along the entire ocean shoreline are closed to the public except at designated dune crossings.  
*Dunes are fragile resources and easily harmed by social trails.*
- The extensive beach grass dune area adjacent to the U.S. Coast Guard boundary at the northern tip of Sandy Hook is closed to the public.  
*The dune environment is fragile. Random visitor access will damage vegetation and disturb wildlife.*
- The freshwater marshes south east of Guardian Park and north and south of the Nike Missile Launch Site (except the access to the public bird observation blind at Nike Pond) are closed to the public.  
*Freshwater marshes provide important habitat for wildlife and conditions for a diversity of plant species. Entering these marshes will disturb wildlife and can damage this important habitat.*
- The low salt water bayside marshes (delineated by the high tide line) of Spermaceti Cove, Skeleton Hill Island and Horseshoe Cove (north of the boardwalk) on are closed to the public. The closed areas include; beaches, dunes, marshes and water areas.  
*These saltwater marshes provide; important feeding and resting habitat for bird species migrating along the Atlantic flyway, important breeding habitats for fish, crabs, turtles and other marine species, a natural way to filter tidal waters, and serve as a buffer to the uplands. Entry into the marshes will disturb wildlife and damage this important resource.*
- Due to the heightened security as a result of the terrorist attacks of September 11, 2001,

areas across from the Earle Naval Weapons Station and the shipping channel at the north end of the park are under greater scrutiny and visitors taking photographs of naval vessels may be investigated.

*18 U.S.C. § 795 makes it unlawful to photograph or sketch defense installations, vessels, etc.*

- Kite flying and kiteboarding are prohibited: within 650 feet of posted shorebird nesting areas, in parking areas and on all lifeguard protected beaches while guards are on duty.  
*Kite flying and kite boarding will disturb nesting shorebirds and can cause nests to fail. Due to the large number of visitors, kites on the bathing beaches pose a safety hazard.*
- The use and/or possession of glass containers is prohibited except in motor vehicles, park residences and/or in areas authorized as a condition of a special use permit approved by the Superintendent.  
*Littered glass creates a significant injury risk to (barefooted) pedestrians.*
- The use of charcoal, propane, or wood fired cooking grills is prohibited except at the Guardian Park Picnic Area and/or in areas authorized as a condition of a special use permit approved by the Superintendent.  
*(Dumping ash, except in the containers provided, is considered littering.) The disposal of hot coals represents a hazard to the resource and visitors.*
- The interior of all structures and the entire roof deck of the Area D concession facility (currently called the "Sea Gulls' Nest") are closed to smoking.
- The use of tents, shelters, (privacy barriers, shade providers, wind screens, boundary or fence) etc. is prohibited except on the vegetation free beaches during daylight hours. At Area G (Gunnison Beach), when lifeguards are on duty, no windscreens or tents are permitted in front of posts that are placed approximately 35 feet from the high tide line.  
*This helps in visitor movement along the waterline, aids the lifeguards in seeing and responding to events along the shoreline, and provides a viewing area of the ocean in front.* No individual physical barrier or combination of such may exceed twenty-five (25) feet in uninterrupted length. 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 or sun shelters from driftwood is prohibited.  
*The popular use of physical barriers on Sandy Hook beaches has lead to the construction of large, unnecessary obstacles along populated shoreline areas. These barriers, when combined, connected or placed close together, significantly impede and often prevent public and emergency service movement to the water's edge. The visitor's easy access and the park's ability to provide emergency service are critical factors ensuring public safety and enjoyment of the resource. This determination will serve to limit the maximum length of continuous physical barriers and require minimum width access gaps between them. These limitations are intended to facilitate free and easy public access and safer conditions for visitors on the beach.*
- White Road, between South Gunnison Beach and Atlantic Drive is closed to all access.  
*In addition to this road being closed to unauthorized vehicular traffic, foot traffic and bicycles are prohibited. 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 areas for them to leave the road causing the responding vehicles to stop and potentially bog down in the soft sand.*
- Large areas of the ocean beach, as designated by signs and string lines, are closed to the public during certain times of the year for the preservation of nesting shorebirds.  
*Threatened and endangered shorebirds are very susceptible to disturbance. Entry into the closed sections of beach will disturb the shorebirds and can cause nest failures.*

- The entire ocean beach area, east of the primary dune system is closed to pets between March 15 and Labor Day to protect nesting shore birds.  
*Piping plover chicks that feed in the intertidal zone are unable to fly and can easily be killed by predators or wave over wash if separated from the adults.*
- Intertidal Zones may be closed for the protection of feeding piping plovers chicks between March 15 and Labor Day.  
*Piping Plovers are a Federal threatened and State endangered listed species.*
- Landing or beaching vessels as defined in 36 CFR 1.4 on ocean beaches between March 15 and Labor Day is prohibited, otherwise is permitted.  
*It is not possible to determine from the water which beach areas are closed to protect nesting shorebirds.*
- Mylar and helium filled balloons are prohibited within public areas of the park.  
*Discarded or released balloons pose health risks to threatened and endangered species especially marine turtles. They may also disturb nesting activities of threatened and endangered birds.*
- Parking lots, roadways and the organized youth group campground are closed to the possession of open alcohol.  
*The use of excess of alcohol in these areas has traditionally been unmanageable given staffing levels and frequently resulted in more serious infractions.*
- Operation of vessels is prohibited within waters of Spermaceti Cove.  
*The sheltered waters of the cove provide important resting and feeding habitat for birds migrating on the Atlantic flyway. Watercraft, including kite boards, windsurfers, and kayaks will cause the birds to move to less suitable habitat.*
- Trapping, except as permitted under a Scientific Research and Collecting Permit (36 CFR §2.5(b)), is prohibited.  
*The National Park Service has not determined appropriate populations for game species and given the limited habitat available, has not designated any areas for trapping.*
- ~~The use of handheld seines or thrown nets, except as a part of educational catch and release activities or under a Scientific Research and Collecting Permit (36 CFR §2.5(b)), is prohibited.  
*The mass taking of bait and/or juvenile species via the use of handheld seines or thrown nets is counter National Park Service preservation policies. Maintaining sanctuaries for juvenile species is critical to maintaining a healthy marine estuary system. While fishing for NJ State recognized game species is an authorized recreational activity in the park's enabling legislation (Title 16 USC §460cc), bait and non-game species are protected.*~~
- Digging for or capturing bait for commercial or personal use is prohibited. This includes species such as: blood worms, sand worms, fiddler crabs, clams, etc.
- Fishing is prohibited on lifeguard protected beaches when lifeguards are on duty.
- The New Jersey Department of Environmental Protection has closed and "condemned" certain waters to the harvesting or collecting of shellfish (except by NJ DEP permit). The waters around the park are included in this closure.
- Passenger Carrying Buses engines must be shut off when not underway.  
*The idling of bus engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park.*

NOTES:

- Because of special activities that may occur at any time or as a result of various construction projects or for the protection of threatened species, it may be necessary to make changes to what is shown in this section on short notice. In all cases the public will be given as much notice of these changes as

- possible.
- During hazardous conditions or emergency situations some areas may be closed on short notice. These closings will be denoted by closed gates, posted employees, signs, traffic cones and/or "Do Not Enter" type flagging.

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

Camping:

- Organized youth group camping (administrative fee) is regulated under a permit system – first come, first served.
- Vessels may use the open waters South of Plumb Island, Skeleton Hill Island, Horseshoe Cove and west of Fort Hancock for overnight anchoring.
- Refer to §2.10 for detailed camping area designations.

Open (ground) Fires:

- Are permitted by members of the US Coast Guard at the designated fire pit location within the Station Sandy Hook facility and adjacent to their beach pavilion.

Roller Skating, Inline Skates and Similar Devices:

- Are permitted on the Multi-Use Path and in Fort Hancock excluding Hartshorne Drive.

Boat Launching Sites:

- The unit has no designated boat launching sites. Boats that can be carried from paved parking may be launched in the bay except at low salt water marshes.
- Launching of any vessels (as defined in 36 CFR 1.4 to include small boats, inflatable boats, kayaks, wave-runners, etc) is prohibited on ocean side when lifeguards are on duty.

Docking or Mooring Areas:

- The unit has no designated docking or mooring areas. However, vessels may use the open waters in Horseshoe Cove and west of Fort Hancock for overnight anchoring. This activity is authorized only as long as the vessel is occupied.

Swimming Beaches/Areas:

- Lifeguards are on duty from 10 a.m. to 6 p.m. daily in summer at five ocean beaches. Areas C, D, E, G (Gunnison) & North Beach. Lifeguards may also staff special events such as competitions and concerts. Wherever park lifeguards are on duty, that area is designated as a swimming beach.

Personal Watercraft (PWC) Use Areas:

- The unit is closed to PWC use except to provide passage through the park waters when traveling in the Shrewsbury River Channel. See §7.29 (f)

Bicycles:

- Bicycles are permitted on the Multi-Use Path and all paved or gravel areas except as noted under Closed Areas.

**NOTES:**

- A specific portion of the beach at Area "G" (South Gunnison) has traditionally been used by visitors as a clothing optional area. While not designating the area for this use, the Park acknowledges the popularity and history of the use and as a consequence, warns unfamiliar visitors of this activity through signs. Lewd behavior is prohibited parkwide (36 CFR §7.29(c)) and nudity, outside the traditional use area, may be considered Disorderly Conduct (36 CFR §2.34(a)(2)).

The following restrictions and/or conditions are in effect for the specific uses or activities noted:

Camping:

- Organized youth group camping is available for tent camping only. No trailers, recreational vehicles (RV's), or tent trailers are permitted.
- A permit must be obtained in advance of any youth camping activity. This permit must be presented during camping check-in procedures (36 CFR Section 2.10 (b)(8)). Camping applications must be written, no telephone reservations, and will be accepted up to 13 months in advance. If all three requested dates are booked, the group will have ten (10) days after written notification to select alternate dates via telephone. Groups will be limited to one (1) camping activity per calendar year in order to allow all groups equal opportunity at the present facilities. A written permit will be issued when camping reservations are assigned. This permit must be presented when groups are checked by any NPS employee. In the event a site is damaged or serious complaints are received about a particular group, the information will be forwarded to the Unit Superintendent for a determination of action to be made.
- Firewood from outside the park boundary may not be brought into the park or burned even at the organized youth group campground.
- Violation of the terms and conditions of a permit issued in accordance with this policy is prohibited and may result in the suspension or revocation of the permit for a period of time determined by the Unit Superintendent (36 CFR 2.10(c)).

Swimming Beaches/Areas:

- Lifeguards are on duty from 10 a.m. to 6 p.m. daily at five ocean beaches. Areas C, D, E, G (Gunnison Beach) and North Beach.
- Swimming is restricted outside guarded area at Area I (North Beach) and the north side of Area G (Gunnison Beach) - *Strong currents and multiple sandbars make these areas more dangerous.*
- Flotation of any kind is restricted from the water at Area I (North Beach) and Area G (Gunnison Beach) - *Strong currents and sandbars make these areas more dangerous.*
- Flotation is limited to Boogie boards and canvas covered surf mats at Areas C, D, and E.
- No flotation of any other kind is allowed in the water - *Life preservers, swimmies, tubes, etc are not suitable to be used in the surf and can, in surf conditions, may cause injury to the visitor. Special needs visitors may at the discretion of the Chief Lifeguard or designee be permitted to use USCG approved personal flotation devices.*
- No flotation (defined above) is allowed outside the guarded area on any beach.
- On all beaches, swimming is restricted to about 50-75yds from the beach.
- No balls, Frisbees, or any other thrown objects are allowed in the water.
- Ball playing on the beach may be restricted to less populated areas as density of visitors permit.
- No vessels are allowed in any guarded area - Areas C, D, E, and G have buoys designating the area. Strong currents at I (North Beach) make buoys impractical.
- Launching or use of vessels (as defined in 365 CFR 1.4 to include small boats, inflatable boats, kayaks, windsurfing boards, wave-runners, etc) at designated swimming beaches and on adjacent areas is prohibited.
- Surfing is permitted outside of the guarded area while lifeguards are on duty.
- Swimming either to or from boats is prohibited.
- Excessive horseplay in the water is prohibited.
- Scuba diving and snorkeling are prohibited in guarded areas.
- Digging of deep holes on the beach is prohibited.

- Skim boards are permitted in less densely populated areas but may be restricted if visitor density dictates that it is not safe.
- Beach regulations also enforced: no wood or charcoal fires, no kites, no glass, no pets, no metal detectors, carry-out policy, and beach etiquette such as loud music, horseplay, and inappropriate behavior.

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

**(f) The following is a compilation of those activities and/or public uses for which a permit from the superintendent is required:**

36 CFR §1.5(d) Relating to Public Use Limits:

- To implement a public use limit, the superintendent may establish a permit, registration, or reservation system. Permits shall be issued in accordance with the criteria and procedures of 36 CFR 1.6.

Entering or remaining in the park between park closure and sunrise:

- Residents and cooperators are issued non-transferable access permits.
- Persons stationed at the US Coast Guard Base at Sandy Hook and parents, etc. attending Marine Academy of Science and Technology High School (MAST) evening activities are permitted access with proper identification.
- Special Use Permittees require an additional authorization during closed hours.
- Fishing parking permits are required from sunset to sunrise:
  - Permits are issued to fishermen at the Ranger Station 24 hours a day and at the Visitor Center during hours of operation.
  - Fishing permits will be issued beginning on the first day of the year and expire at midnight on January 31 of the following year. The permit must be affixed to the vehicle. To apply for a yearly permit one must be 18 years of age or older and present a valid drivers license and vehicle registration. Camping, sleeping in vehicles, tents, or other shelters (including sleeping bags and bed-rolls) is strictly prohibited. Fireworks, littering, and unleashed pets are prohibited.
  - Fire permits are issued only from October 15 through April 14. Fire permits are to be used only in conjunction with after hours fishing. Fire permits are issued on a daily basis and are valid from sunset to sunrise.
  - Failure to comply with park regulations will result in immediate revocation of fishing privileges for one (1) year.
  - An "Administrative Fee" of \$50.00 is charged for each fishing permit issued. Payment must be made by personal check or money order

36 CFR §2.5(a) Collecting Specimens of plants, fish, wildlife, rocks or minerals, except:

- collecting conducted as designated within 36 CFR 2.1 (c)(1), "Preservation of Natural Features" (fruits, berries, nuts).
- collecting conducted as designated within 36 CFR 2.2(b)(1), "Wildlife Protection" (hunting).
- collecting conducted as designated within 36 CFR 2.3, "Fishing" (fishing). Seining.

36 CFR §2.10 Organized Youth Group Camping is available to organized youth groups whose members are under the age of 21 and for volunteer groups actively participating in park activities.

36 CFR §2.12 Audio Disturbances:

- (a)(2) Operating a power saw in developed areas
- (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas

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

36 CFR §2.12(a)(4) Operation of a Public Address System

36 CFR §2.13(a)(1) Lighting or maintaining a fire

- Fire permits are issued only from October 15 through April 14. Fire permits are to be used only in conjunction with after hours fishing. Fire permits are issued on a daily basis and are valid from sunset to sunrise. Additional conditions are listed on permit.
- Fire permits may also be issued in conjunction with a Special Use Permit.

36 CFR §2.17 Aircraft & Air Delivery:

- (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
- (c)(1) Removal of a downed aircraft

36 CFR §2.22(a)(2) Unattended Property.

36 CFR §2.23(b) The following special recreation activities (per 36 CFR Part 71):

- The use of parking areas B, C, D, E, G, I, J and K. Memorial Day Weekend through Labor Day Weekend, (7:00 am through 5:00 pm).
- \$10.00 daily per vehicle
- \$5.00 daily per senior/disabled vehicle (senior = 62 or older)
- \$50.00 annual vehicle pass
- \$25.00 annual senior/disabled vehicle (senior = 62 or older)
- \$25.00 daily for vehicles over 20 feet in length

Additionally, while not "Recreation fees", the following Administrative fees are charged for the activities listed:

- Youth Group Camping - \$50 per group, per reservation (\$25 application fee + \$25 permit)
- Night Fishing - \$50.00 per calendar year
- Education Building (Building #102) - \$150 per day Conference Room + Kitchen - \$50 per night per room (\$200 minimum), \$750 for all 15 rooms (accommodates 50 people)
- VIP House (Building #108) - \$9.66 per room per night (Federal employee) -\$11.56 per room per night (Non-Federal – must have park affiliation)
- Special Use Permits – charges vary depending upon complexity

36 CFR §2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52)

36 CFR §2.38 Explosives:

- (a) Use, possess, store, transport explosives, blasting agents
- (b) Use or possess fireworks

36 CFR §2.50(a) Pageants, public spectator attractions, parades, entertainments, ceremonies, and similar events.

36 CFR §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other activities for public expressions of views.

- (e) - Field east of Bldg. #102
- Guardian Park
- Parking Lot L
- Other areas considered in accordance with Special Use Permit.

36 CFR §2.52(a) Sale or Distribution of Printed Matter

- (e) - Field east of Bldg. #102
- Guardian Park
- Parking Lot L
- Other areas considered in accordance with Special Use Permit.

36 CFR §2.61 Residing on Federal Lands.

36 CFR §2.62 Memorialization:

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

36 CFR §4.11(b,c) Vehicles Which Exceed Load, Weight, Length and Width Limitations as Defined in NJ State Motor Vehicle Law (NJSA 39:3-84 to 39:3-84.5)

36 CFR §5.1 Commercial notices or advertisements.

36 CFR §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).

36 CFR §5.5 Commercial Photography

- (a) Motion pictures and Television.
- (b) Still photography (with model(s) props, etc.).

36 CFR §5.7 Construction of Buildings and Other Facilities

**Special Use Permits can be obtained from the Unit Superintendent's Office.**

**Information on procedures and/or directions can be obtained at 732-872-5945 or at:**

<http://www.nps.gov/gate/planyourvisit/sandy-hook-unit-permits.htm>

### III. GENERAL REGULATIONS

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

(a)(4) Driftwood may be gathered for personal use from ocean and bay beaches only, except in closed areas. Removal of tree branches, plants, beach sand and other natural products not identified below is prohibited.

(c)(1) Fruits, nuts, berries, or unoccupied seashells designated for personal use or consumption include:

1. All edible fruits, nuts, or berries
2. Bayberry berries
3. All unoccupied seashells

*Determination: 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 proceeding 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.*

(c)(2)(i) Collection of edible fruits, nuts, berries, and bayberry berries is limited to one (1) gallon container per person per day.

*Determination: 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 proceeding 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.*

(c)(2)(ii) Collection of designated natural products is permitted in all park areas except those designated as closed in 36 CFR § 1.5.

#### **36 CFR §2.2 - WILDLIFE PROTECTION**

(b)(2) Waterfowl hunting is permitted from designated waters within Sandy Hook Bay in accordance with all federal laws and New Jersey State hunting regulations (Firearms are not permitted on park lands without a park issued permit).

- Hunting within the boundary of Gateway NRA, Sandy Hook Unit is limited to waterfowl and permitted on the bayside waters only. Hunting within the coves is prohibited.
- Hunting and firearms must remain 450 feet from any point of land.
- Access to the authorized hunting zones is by boat only. There is no overland access through the park for the purpose of hunting. Possession of firearms is prohibited in the park except in boats or floating blinds within the designated hunting zone.
- Only floating blinds and/or boats are permitted. Hunting from land and/or permanent blinds is prohibited.
- Launching or recovering vessels within the unit for the purpose of hunting is prohibited.
- Hunting wildlife other than in-season waterfowl is prohibited.

(e) Viewing of wildlife with an artificial light shall be in accordance with applicable state law.

#### **36 CFR §2.3 – FISHING**

**(e) Fishing in salt waters via angling with hand line or rod and line, is authorized in the following areas only and in the following manner:**

- Fishing is permitted Unit-wide except on lifeguard protected beaches when lifeguards are on duty.

- Fishing during closed hours is via permit only.

### **36 CFR §2.4 – WEAPONS, TRAPS, AND NETS**

**(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:**

- Weapons are prohibited except when carried by vessel to designated hunting areas or are authorized by permit or regulation.
- Terrestrial traps are prohibited except when authorized under a contract or permit or NPS approved Integrated Pest Management Plan.

**(f) The carrying or possessing of a weapon, trap, or net in violation of applicable Federal or State law is prohibited.**

- For the purposes of 18 USC 930a the following are designated “Federal Facilities” as defined in 18 USC 930(g)(1): The Fee Administration Building, Area D Lifeguard headquarters, the Visitor Center, the Ranger Station, the Buildings of the South Maintenance complex, the Water Treatment Facility, the Sewer Plant, Building 74, Building 74A, Building 58, the Fort Hancock Museum, the Lighthouse Tower and Keepers Quarters and associated buildings, the History House, Building 102, the Firehouse, Building 47, the North Beach Lifeguard Building and the Buildings of the North Maintenance complex.

### **36 CFR §2.10 – CAMPING and FOOD STORAGE**

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

- The organized youth group campground at Horseshoe Cove
- Vessels may use the open waters in Horseshoe Cove and west of Fort Hancock without a permit for overnight anchoring.
- Other areas designated in a special use 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:**

#### **Designated Areas:**

- Guardian Park picnic grills
- Fire pits in the organized youth group campground (registered users only)
- Other areas as listed specifically in a special use permit
- Park residence areas using picnic grills
- Lanterns may be used in conjunction with permitted night fishing, in the organized youth group campground or when approved via a permit.

#### **Receptacles Allowed:**

- In Guardian Park fires must be contained in a grill.

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

- Ash from fires must be deposited in the receptacles provided or removed from the park.

#### **Special Condition:**

- Firewood from outside the park boundary may not be brought into the park or burned even at the organized youth group campground or under the auspices of a fire permit.

### **36 CFR §2.15 – PETS**

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

- The entire ocean beach area, east of the primary dune system is closed to pets between March 15 and Labor Day to protect nesting shore birds except for service animals, which include any guide dog, signal dog or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including but not limited to guiding individuals with impaired vision, alerting individuals with impaired hearing, mobility assistance dogs and seizure alert dogs. Also excluded, as provided in §2.15(f), this prohibition does not apply to dogs used by authorized federal, state and local law enforcement officers in the performance of their official duties.

### **36 CFR §2.16 – HORSES and PACK ANIMALS**

(b) No areas designated - The use of horses or pack animals is prohibited.

### **36 CFR §2.18 – SNOWMOBILES**

(c) No areas designated - The use of snowmobiles is prohibited.

### **36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES**

**The use of roller skates, skateboards, roller skis, or similar devices are allowed only in the following areas:**

- The Multi-use Path
- Fort Hancock excluding Hartshorne Drive

### **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:**

- Following federal government policy, the interior of all structures (except residences) are closed to smoking. This includes the deck area of the concession at Area D.

*Determination: Smoking is prohibited to protect park resources, reduce the risk of fire, and/or prevent conflicts among visitor use activities.*

### **36 CFR §2.23 – RECREATION FEES**

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

- The use of parking areas B, C, D, E, G, I, J and K. Memorial Day Weekend through Labor Day Weekend, (7:00 am through 5:00 pm).
- \$10.00 daily per vehicle
- \$5.00 daily per senior/disabled vehicle (senior =62 or older)
- \$50.00 annual vehicle pass
- \$25.00 annual senior/disabled vehicle (senior =62 or older)
- \$25.00 daily for vehicles over 20 feet in length

Additionally, while not "Recreation fees", the following Administrative fees are charged for the activities listed:

- Youth Group Camping - \$50 per group, per reservation (\$25 application fee + \$25 permit)
- Night Fishing - \$50.00 per calendar year
- Education Building (Building #102) - \$150 per day for the use of Conference room - \$25 per night per room
- VIP House (Building #108) - \$9.66 per room per night (Federal employee) -\$11.56 per room per night (Non-Federal – must have park affiliation)
- Special Use Permits – varies depending upon complexity

**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 Path and the organized youth group campground except as authorized by a Special Use Permit granted by the Superintendent.

*Determination: The consumption of alcohol is an inappropriate activity considering the other uses of the locations identified above and the purpose for which it is maintained or established; and that incidents of aberrant behavior related to the consumption of alcoholic beverages have been of such magnitude that the diligent application of authorities in this section and §1.5 (Closures and Public Use Limits), and §2.34 (Disorderly Conduct), over a reasonable time period, had not alleviated the problem. [36 CFR §2.35(a)(3)(1)(A)&(B)].*

**36 CFR §2.62 – MEMORIALIZATION**

(b) A permit is required for the scattering of ashes from cremated human remains.

**36 CFR §3.21 – SWIMMING AND BATHING**

**(b) The following restrictions apply to all swimming and bathing activities on lifeguarded beaches when the lifeguards are on duty:**

- See §1.5 (a)(2) above

**36 CFR §3.23 – SCUBA AND SNORKELING**

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

- None

**36 CFR §3.24 – PERSONAL WATERCRAFT (PWC)**

- The unit is closed to PWC use except to provide passage through the park waters when traveling in the Shrewsbury River Channel.

**36 CFR §4.13 – OBSTRUCTING TRAFFIC**

**(a) The following areas are established for the parking on park roads:**

- Mercer Road East Side
- Pennington Street North & South Side
- Road between Bldg's 64 & The Fort Hancock Museum South Side

**The following areas are established for stopping on park roads:**

- Marine Academy of Science and Technology High School (MAST) service roads

### **36 CFR §4.21 – SPEED LIMITS**

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

- Hartshorne Drive
  - a. 35 mph Northbound from Rt. 36 to the Ranger Station
  - b. 25 mph Northbound through Ranger Station zone
  - c. 35 mph Northbound from Ranger Station to South Maintenance
  - d. 45 mph Northbound from South Maintenance to Atlantic Drive
  - e. 35 mph Northbound from Atlantic Drive to Guardian Park
  - f. 25 mph Northbound from Guardian Park to U.S. Coast Guard Gate
  - g. 25 mph Southbound from USCG Gate to Guardian Park
  - h. 35 mph Southbound from Guardian Park to Atlantic Drive
  - i. 45 mph Southbound from Atlantic Drive to Ranger Station
  - j. 35 mph Southbound from Ranger Station to Rt. 36
- Atlantic Drive
  - a. 35 mph Northbound except on curves as posted by signs
  - b. 35 mph Southbound except on curves as posted by signs
- 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 15 mph

### **36 CFR §4.30 – BICYCLES**

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

- The Multi-use path is open to non-motorized bicycles.

**36 CFR §4.30(d)(3) Areas where riding abreast is permitted:**

- Bicycles must keep right but may be ridden abreast of another bicycle when not creating a hazard and/or traffic is not impeded and a solid centerline is not crossed.



# United States Department of the Interior

NATIONAL PARK SERVICE  
Gateway National Recreation Area  
Sandy Hook Unit  
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## **2008 Superintendent's Compendium Interim Rule Governing Use of Segways by Persons with Disabilities in the Unit**

Motorized vehicles are permitted only on park roads, in parking areas and on routes and areas designated for off-road motor vehicle use per 36 CFR Section 4.10(a). 36 CFR Section 1.4 excludes "motorized wheelchairs" from the definition of "motorized vehicle," and separately defines "motorized wheelchair" as: "a self-propelled wheeled device, designed solely for and used by a mobility-impaired person for locomotion that is both capable of and suitable for use in indoor pedestrian areas." Section 1.2(e) states that "the regulations in this chapter are intended to treat a mobility-impaired person using a manual or motorized wheelchair as a pedestrian, and are not intended to restrict the activities of such a person beyond the degree that the activities of a pedestrian are restricted by the same regulations." Segways are two-wheeled, gyroscopically stabilized, battery-powered personal transportation devices (by CFR definition; motor vehicles) that can be used by persons with or without mobility impairment. Allowing the use of Segways and similar devices by individuals with mobility disabilities is compelled by the Rehabilitation Act of 1973 and the Department of the Interior's (DOI) regulations at 43 CFR Part 17, Subpart E, notwithstanding the NPS regulations discussed above. However, the federal regulations have not kept pace with technology therefore requiring this interim determination.

### Interim Determination:

Segways and similar devices may be utilized by individuals with mobility disabilities in the following areas of the Sandy Hook Unit of Gateway National Recreation Area:

- Roadways
- Parking lots
- Sidewalks and/or pedestrian plazas
- Boardwalks
- Visitor use buildings including but not limited to restrooms, visitor centers, etc.
- The Multi-Use Path

Segway users must yield to pedestrians, bicycles and other users of devices not classified as motor vehicles. Helmets must be worn during operation. Mobility disabilities are determined by affirmative statements by the user however fraudulent statements made by the user may result in legal action by this agency.

(The State of New Jersey does not consider Segways as motor vehicles (N.J.S.A. 39:4-14.10) and does not require registration, valid driver's license or insurance for use on highways, sidewalks or bike paths however some municipalities have prohibited or regulated their use.)

s// Richard E. Wells

Richard E. Wells, Superintendent

06/11/07