



**National Park Service U.S.  
Department of the Interior**

**Fire Island National Seashore**

120 Laurel St  
Patchogue, NY 11772  
631-515-5557  
[www.nps.gov/fiis](http://www.nps.gov/fiis)

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

Approved:

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Alexcy Romero, Superintendent

## **A. About this Document**

### **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 provide 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 (5 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 with 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 at:

Superintendent of Documents  
P.O. Box 371954  
Pittsburgh, PA 15250-7954

The CFR is also available on the Internet at:

<https://www.ecfr.gov>

## **2. Law 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 (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 U.S.C. Section 100101).*

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. Section 100751).*

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. Section 100101), 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 Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States."

54 U.S.C. Section 100501 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 visitors 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, then 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 Requirement 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 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 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. Fire Island National Seashore is rather unique in that there are many private in-holdings, lands owned/managed by local municipality, county, and state jurisdictions. This compendium does not apply to those lands not owned by the federal government and or above the mean high tide water line.

## **6. Enforcement of Compendium Requirements**

NPS Law Enforcement Park Rangers 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's 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**

### **CCTC Policy Statement**

In accordance with National Park Service Law Enforcement Reference Manual 9 (RM-9), notice is hereby given that Fire Island National Seashore 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.

## **Terms**

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

## **11. Availability**

Copies of the Compendium are available at 120 Laurel Street, Patchogue NY 11772. A summary may also be found at

<https://www.nps.gov/fiis/learn/management/lawsandpolicies.htm>

## **B. 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 100751, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Fire Island National Seashore. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by 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**

(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 following buildings have been identified as open to the public during established hours of visitation. Hours of visitation may vary seasonally, and they may be affected by current staffing levels, funding or severe weather. Current hours of visitation at the following Seashore locations can be found at the park website at <https://www.nps.gov/fiis/planyourvisit/hours.htm>

- Fire Island Wilderness Visitor Center
- Watch Hill Visitor Center
- Patchogue Ferry Terminal
- Fire Island Light House Stations and Lens Building
- William Floyd Estate - (*Old Mastic House – by guided tour only*)

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

### **Public Use Limits**

- Except for the Otis Pike Fire Island High Dunes Wilderness Area, hiking and walking in/on primary/fore-dune areas is restricted to designated paths and boardwalks.
- Bicycles are not permitted on Seashore boardwalks, in marina areas, or the Wilderness.
- Electronic Bicycles (e-bikes) – Are permitted where bicycles are permitted. See section 4.30
- Powered Micromobility Devices (Segway, e-scooter, hover boards, etc.) are permitted where bicycles are permitted. See section 4.30
- Operating a motor vehicle on Fire Island National Seashore is limited to those possessing a valid Over-sand Driving Permit. The permitting process is regulated through the superintendent's office and Title 36 CFR 7.20 Special Regulations.

### **Areas Closed to the Public Generally**

The following areas are not considered visitor contact areas and therefore are not open to the public:

- Park Headquarters, 120 Laurel St, Patchogue
- Patchogue Maintenance Facility, 166 West Ave, Patchogue
- Residential area at the Lighthouse Annex building (Ranger Station Checkpoint)
- Sailors Haven Maintenance yard
- Sailors Haven employee housing
- Watch Hill Maintenance yard
- Watch Hill employee housing

- William Floyd Estate Maintenance area (including Museum building), 20 Washington Ave, Mastic Beach
- William Floyd Estate employee housing, 20 Washington Ave, Mastic Beach
- Talisman employee housing
- Carrington House

## **Occasional Closures**

The Superintendent may close all, or portions of the park during periods for inclement weather (based on forecasts of inclement weather), hazardous conditions and/or for the protection of natural and or cultural resources.

Closures will be identified by posting signs, maps, media notifications, and/or barriers and gates as appropriate.

*Closure/Determination Justification: Areas where threatened and endangered species may be present may be periodically closed for the protection of wildlife or the environment. Roads and other facilities may be closed during periods of inclement weather or periods of other hazardous conditions to ensure public safety. Areas of new construction, reconstruction, or rehabilitation may be closed to visitors for safety reasons and to avoid unreasonable conflict with authorized work.*

## **Marinas**

The following docks are managed by concessionaire LoveFINS and are available for daily/weekly rental. Please see their website. (<https://www.lovefins.com>)

- Watch Hill Marina
- Sailors Haven Marina

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

## **Anchorage**

- Vessels may not anchor in the Great South Bay within Park boundaries for no more than 14 days in a 21-day period.

*Closure/Determination Justification: Fire Island National Seashore provides desirable anchorages for visitors. Time restrictions promote a healthy and equitable turnover of park visitors.*

## **Dock Restrictions**

Vessels may dock at the Talisman/Barrett Beach Dock for no more than 15 minutes to load or unload. This regulation does not apply to vessels utilized by authorized agencies for official business.

The Lighthouse Annex dock is closed to public use. This regulation does not apply to vessels utilized by authorized agencies for official business, or vessels authorized under a special use permit or commercial use authorization.

Vessels may use the Patchogue Ferry Terminal and adjacent bulkhead for no more than 15 minutes to load or unload. This regulation does not apply to vessels utilized by authorized agencies for official business. Vessels may at no time interfere with the use of the dock by a passenger ferry.

Docking a vessel at the Patchogue Headquarters docks is prohibited, except to load and unload for no more than 15 minutes, or with a valid park issued Special Use Permit.

The Patchogue Maintenance Facility is closed to public use. This regulation does not apply to vessels utilized by authorized agencies for official business or vessels authorized under a special use permit or commercial use authorization.

*Closure/Determination Justification: These restrictions have been put in place to specify where the general public can dock and to establish safe docking conditions at those sites.*

## **Public Vehicle Operation Restrictions**

Beach driving by the general public is defined as driving a motor vehicle on the beach within the jurisdictional boundary of Fire Island National Seashore from the waterline to within twenty (20) feet of the toe of the dune.

- Watch Hill to Old Inlet: Operating any motor vehicle is prohibited on the beach from Watch Hill to the wilderness breach at Old Inlet without written authorization from the Superintendent.
- Smith Point to Old Inlet: A recreational driving permit is required to be obtained from the Superintendent prior to driving on the beach from the Wilderness Visitor Center at Smith Point to the Old Inlet. However, all driving is prohibited from January 1<sup>st</sup> through September 15<sup>th</sup>.
- Oakleyville Dune Crossing through the Sailors Haven East Dune Crossing: Operating any motor vehicle is prohibited between March 15<sup>th</sup> and Columbus Day unless written authorization from the Superintendent.
- Kismet Dune to Robert Moses State Park: Operating any motor vehicle is prohibited on the beach between the Kismet dune crossing and the westernmost boundary of the Seashore adjacent to Robert Moses State Park.

*Closure/Determination Justification: These regulations are established to manage the operation of motor vehicles at the Seashore as required in 36 CFR§7.20. These regulations are created to provide clarification and direction concerning the vehicle permit system and to provide for the protection of the general public and the resource, particularly nesting shorebirds and threatened and endangered species in the area.*

*Exceptions: The above vehicle operation restrictions are exempt to Law enforcement and emergency response vehicles serving in an official capacity.*

## Emergency Traffic Lane on Beaches

An emergency traffic lane has been established ten (10) feet from the toe of the primary dune on the seaward side. The emergency traffic lane will be ten (10) feet wide. All other vehicles will travel at least twenty (20) feet from the toe of the primary dune on the seaward side. Obstructing this lane is prohibited.

*Closure/Determination Justification: Emergency vehicles must regularly transit the island and frequently use the Atlantic route to do so. Providing a designated emergency access lane allows for the improved safety of both vehicle operators and beachgoers, and reduces the likelihood of obstructions, holes, and other hazards to emergency responders.*

## Dune Restrictions

Entering the primary dune area from five feet south of the toe of the dune to five feet north of the north side of the dune is prohibited. This prohibition does not apply to constructed wooden walkways and designated dune crossings. Pedestrian dune crossings are identified by boardwalks constructed over the top of the dune or natural breaks that allow easy pedestrian access across the dune line.

The following locations are posted as designated vehicle dune crossings:

- Smith Point
- Watch Hill
- Blue Point Beach
- Barrett Beach
- Fire Islands Pines east
- Sailors Haven Eastern Dune Crossing
- Oakleyville
- Corneille Estates
- Kismet Firehouse

*Closure/Determination Justification: The dunes protect and stabilize natural habitats as well as facilities and infrastructure behind the dunes. By establishing pedestrian crossings, foot traffic is directed to specific locations, and the integrity of the dunes is maintained. Foot traffic on the dunes would destroy the vegetation that holds them together. Although beach grass can strengthen the integrity of the dunes, their roots are highly sensitive to being trampled and damaged, lowering the dunes' resilience to wind and storm events: Dune crossings (vehicle cuts) are not maintained and are subject to periodic closure due to dynamic/changing beach conditions.*

## Entering a Breach

Entering a breach through federally owned land and/or waters in the Seashore is prohibited, either on foot, vehicle or vessel.

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

## **Public Nudity**

Fire Island National Seashore has adopted the State of New York public nudity laws under the Assimilative Crimes Act. Enforcement will be based on the totality of the circumstances and in accordance with the mission of the National Park Service and Fire Island National Seashore.

*Closure/Determination Justification: Public nudity has been prohibited in the State of New York since 1984 under New York State Penal Code 245.01.*

## **Balloons**

All balloons are prohibited on federally owned national seashore lands.

*Closure/Determination Justification: Mylar balloons are far more resilient than rubber balloons and do not burst or break down easily in the atmosphere or the environment thus creating a refuse issue and potential threat to wildlife.*

## **Kite Flying**

The following areas are closed to kite flying.

- William Floyd Estate
- Any beach area during a “Protection of Wildlife Closure” (see below).

*Closure/Determination Justification: Kites can harm nesting shorebirds. These designated closed areas protect cultural and natural resources, provide for increased visitor safety, and protect threatened and endangered species. Prohibiting kite flying on the William Floyd Estate ensures the protection of the historic structures and landscape.*

## **Areas Closed for the Protection of Wildlife**

The following areas are closed for the protection of colonial and shorebird nesting and rearing activities from March 15<sup>th</sup> through Labor Day (Generally). Closure dates may be extended when the presence of nesting and rearing birds are still present. The areas closed will be those areas that have “symbolic fencing”. The specific areas closed are dependent upon where birds are nesting but generally include:

- Beaches at Watch Hill, Sailors Haven, Barrett Beach, the federal tracts, and Lighthouse.
- The area from the Wilderness Visitor Center west to the east end of Watch Hill.

*Closure/Determination 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.*

### **Clothing Restrictions at Lighthouse Tower**

Appropriate attire is required for all visitors at the Lighthouse Tower, Keeper's Quarters, Lens Building and Old Mastic House. Appropriate attire is defined as a shirt that covers the chest and pants, shorts, or a skirt that fully covers private or intimate parts, including the buttocks.

*Closure/Determination Justification: The lighthouse sometimes attracts visitors from the beach in beachwear that may not be appropriate at another venue. This regulation is intended to mitigate user conflicts that may arise.*

### **Shelters and Tents on the Beaches**

Shelters and tents for day use are subject to the following restrictions:

- Shelters may only be used on the vegetation-free beaches during daylight hours.
- Shelters must be temporary and have no more than three sides (i.e. for a windscreen).
- Small tents (fitting in a 6 ft. by 6 ft. footprint) may be erected for the purpose of sun protection, but only when they do not unreasonably impede public access and emergency services movement.
- No individual barrier, or barrier in combination with others, will exceed twenty-five (25) feet in uninterrupted length. An obstruction-free corridor measuring at least fifteen (15) feet must be maintained between the barriers to ensure free access by all.

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

## **(a)(2) Designated areas, conditions or restrictions on a use or activity.**

### **Filming, still photography, and audio recording activity**

Filming, still photography, and audio recording activity may require a permit, consistent with 54 U.S.C. 100905.

- Filming, still photography, and audio recording activity that occurs in closed areas, requires exclusive use of a site or area, or involves a set or staging equipment other than handheld equipment (such as a tripod, monopod, and handheld lighting equipment) requires a permit, unless the activity is

affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.

- Filming, still photography, and audio recording that involves more than eight individuals requires a permit, unless the NPS has specifically notified an individual or group that a permit is not required, or if the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.
- If a permit is required for the reasons stated above, or if the NPS otherwise determines and then notifies an individual or group that a permit is required for a filming, still photography, or audio recording activity, then engaging in that activity without a permit is prohibited. Violating a term or condition of a permit issued by the NPS for a filming, still photography, or audio recording activity is prohibited, and may result in the suspension or revocation of the permit, in addition to any penalties that may apply under 36 CFR 1.3.

*Federal law at 54 U.S.C. 100905 states that permits and fees are not required for filming, still photography, or audio recording in park areas if certain requirements are met. These requirements address various topics, including, but not limited to, group size, location, equipment, potential impacts to resources and visitors, and the likelihood that the NPS will incur related administrative costs. If any of these requirements are not met, the law allows the Secretary of the Interior, acting through the NPS, to require a permit for the subject activity. Permit requirements are imposed by the superintendent under discretionary authority provided by 36 CFR 1.5(a)(2), which allows the superintendent to impose conditions or restrictions on a use or activity, consistent with applicable legislation, to implement management responsibilities. The general regulations for permits in 36 CFR 1.6 do not apply to permits issued for filming, still photography, and audio recording, which instead are governed by the statutory provisions in 54 U.S.C. 100905. The imposition of permit requirements, on a case-by-case basis, for filming, still photography, or audio recording does not require rulemaking under 36 CFR 1.5(b). Requiring a permit with reasonable terms and conditions in accordance with statutory requirements at 54 U.S.C. 100905 is not highly controversial, will not result in a significant alteration in the public use pattern of the System unit, will not adversely affect the System unit's natural, aesthetic, scenic or cultural values, or require a long-term or significant modification in the resource management objectives of the System unit, because the permit requirement is limited in time and scope to the specific activities authorized by the permit, which contain terms and conditions that protect the values, resources, and visitors of the System unit, and implements federal law.*

### **Uncrewed Aircraft Systems (UAS)**

Launching, landing, or operating an uncrewed or remotely piloted aircraft from or on lands and waters administered by the National Park Service within the boundaries of Fire Island National Seashore is prohibited except as approved in writing by the Superintendent.

**Definition:** A device that is used or intended to be used for flight 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, and drones) that are used for any purpose, including for recreation or commerce.

*Closure/Determination Justification: This restriction is necessary to prevent unacceptable impacts to park resources and values from the use of uncrewed aircraft. Potential impacts include harming visitors, interfering with rescue operations, causing excessive noise, impacting viewsheds, and disturbing wildlife. This restriction is required by NPS Reference Manual #60: Aviation Management, Chapter 12 Uncrewed Aircraft Systems.*

## **Camping Areas**

- Camping at the Watch Hill Campground is permitted in designated campsites only and is managed by the concessionaire LoveFINS. Please contact them at: [www.lovefins.com](http://www.lovefins.com) for questions, reservations, rules and regulations
- All other camping within Fire Island National Seashore requires a permit. Please refer to section 2.10 Camping for more information.
- Camping is prohibited within the Seashore marinas (behind boats or in picnic areas).
- Camping is prohibited on the beaches except as described below.

### Wilderness Camping (permit required):

- Fire Island Wilderness Eastern Zone - From 1000 feet west of Breach at Old Inlet (camping year-round)
- Old Inlet to the eastern boundary of Bellport Beach (camping year-round).
- Fire Island Wilderness Western Zone - From 1000 feet west of Bellport Beach (aka Ho Hum Beach) to Long Cove (camping year-round)
- Great South Beach Western Zone - From 1000 feet west of Bellport Beach to Long Cove between March 15 and Labor Day (camping seasonally from March 15th to Labor Day)

## **Docking or Mooring Areas**

- Docking at the Sailors Haven Marina and Watch Hill Marina is managed by concessionaire, LoveFINS. Information for day-use and seasonal rentals can be found on their website. (<https://www.lovefins.com>)
- Mooring is allowed within the boundary of the Seashore for 14 consecutive days within a 21-day period outside of designated channels

## **Swimming and Wading Beaches/Areas**

Sailors Haven Beach, Talisman/ Barrett Beach, and Watch Hill are designated as seasonal lifeguarded swimming areas subject to staffing. Please note that Talisman / Barrett Beach is generally staffed only on Saturday and Sunday and subject to longer closures based on other conditions.

## **Parking**

### **Patchogue Ferry Terminal Parking Lot**

Use of the Patchogue Ferry Terminal parking lot is restricted to National Park Service employees and visitors accessing Fire Island National Seashore via ferry service. Parking by unauthorized users, including but not limited to construction vehicles, hotel patrons, or commuter train passengers, is prohibited. Vehicles not in compliance with this restriction are subject to citation and may be towed at the owner's expense.

*Justification: This restriction is necessary to ensure that adequate parking remains available for Seashore visitors and employees. The restriction prevents displacement of parking spaces by non-park use.*

## **Personal Watercraft Use Areas**

Operation of Personal Watercraft (PWC) is limited to the Long Island Intracoastal Waterway within the park boundaries, the Great South Bay from the western boundary of the National Seashore adjacent to Robert Moses State Park, east to the western boundary of the Sunken Forest, excluding any area within 1,000 feet of the shoreline, except as provided in (ii), including the area surrounding East Fire Island and West Fire Island and navigation channels marked by buoys or identified on the NOAA navigational chart (12352) to include access channels to and from Fair Harbor, Dunewood, Lonelyville, Atlantique, Cherry Grove, Fire Island Pines, Davis Park, Moriches Inlet, Kismet, Saltaire, Ocean Beach, Ocean Bay Park, Point O'Woods, Oakleyville, and Water Island. Operation of PWCs anywhere else within the boundaries of Fire Island National Seashore is prohibited. See 36 CFR 7.20(d)(1)(i) – (iii) for full regulation.

## **Boating and Water Use Areas**

New York State law is adopted under the Assimilated Crimes Act except as outlined under 36 CFR §3.2.

## **Hiking and Pedestrian Use**

- Creating a trail or walkway to shortcut between portions of the same trail or walkway is prohibited.

*Closure/Determination Justification: Restricting hikers and pedestrians to the park's trails and walkways helps protect the fragile habitat and natural resources of the park.*

## **36 CFR §1.6 – Activities that Require a Permit**

(f) The following is a compilation of those activities requiring a permit.

Some filming, still photography, and audio recording (depends upon the facts and circumstances; contact the park for more information). 36 C.F.R. §1.5(a)(2) and 54 U.S.C. 100905

### **36 CFR §1.6(a) – Scientific Research**

- Resource Stewardship Division Manager for permit: 631-710-2017

### **36 CFR §2.4(e) – Weapons**

- Firearms may be carried or possessed in accordance with applicable local, state *and* federal law.
- Other weapons as defined under 36 F.C.R. 1.4 will require a permit. Contact the Chief Ranger's Office to inquire about permit at: 631-997-7015

### **36 CFR §2.5(a) – Specimen collection**

- Resource Stewardship Division Manager for permit: 631-710-2017

### **36 CFR §2.10 (a) – Camping**

- Backcountry wilderness camping. Permits are issued through Recreation.gov:  
<https://www.recreation.gov/permits/234768>
- Watch Hill Campground permits are issued through park's authorized concessionaire for the period of May 18 through October 18.

### **36 CFR §2.12 Audio Disturbances**

(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.

- Contact Permit Specialist: 631-710-3022

### **36 CFR §2.12 Aircraft and Air Delivery:**

(c)(1) Removal of a downed aircraft.

- Contact Permit Specialist: 631-710-3022

**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)

- Contact Permit Specialist: 631-710-3022

### **36 CFR §2.50 Special Events**

- 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, the observance contributes to visitor understanding of the significance of the park area, and a permit has been issued by the superintendent.
- Contact Permit Specialist: 631-710-3022

### **36 CFR §2.51 Demonstrations**

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.

- The following locations are designated as available for demonstrations.
  - The parking corral adjacent to the Wilderness Visitor Center
  - Patchogue- Watch Hill Ferry Parking Lot south of the terminal building
  - The South parking lot, south of the Park Headquarters Building
  - "A" Basin Picnic Area at Watch Hill
  - "East" Marina picnic area in Sailors Haven
  - William Floyd Estate parking lot in center island north of public restrooms
- Contact Permit Specialist: 631-710-3022

*NOTE: Demonstrations involving 25 persons or fewer may be held without a permit in designated park areas, provided that the requirements in 2.51(b) are met. The 25-person maximum for the small group permit exception may be reduced pursuant to §2.51(b)(3).*

#### *Closure/Determination Justification:*

*These designated locations are based upon a determination that such locations will not negatively impact park resources, unreasonably interfere with park operations, impair public facility use, create a danger to public health and safety, or unreasonably impair the atmosphere of peace and tranquility maintained in the historic zones. These locations are available for any group without a permit, provided they meet the small group exception of fewer than 25 people.*

**Maps of demonstration areas are available for reference at the end of the Superintendent's Compendium.**

### **36 CFR § 2.52 – Sale or Distribution of Printed Matter**

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

- Contact Permit Specialist: 631-710-3022

### **36 CFR §2.62 Memorialization: – Contact Permit Specialist: 631-710-3022**

(b) Scattering ashes from human cremation

- Contact Permit Specialist: 631-710-3022

### **36 CFR §3.3 Use of a vessel for commercial purposes**

- A Commercial Use Authorization is required for any vessel providing commercial services within the legislative boundaries of the seashore that:
  - uses park-owned land, fixture or facility in any manner, or
  - provides recreational services, such as guided or organized fishing tours, sight-seeing, or other chartered recreational tours.
- Contact Permit Specialist: 631-710-3022

**36 CFR §4.11(a)** Exceeding of established vehicle load, weight, and size limits.

- Contact Permit Specialist: 631-710-3022

**36 CFR §5.1** Advertisements - (Display, posting, or distribution.)

- Contact Permit Specialist: 631-710-3022

**36 CFR §5.2(b)** Sale of intoxicants on public lands.

- Contact Permit Specialist: 631-710-3022

**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).

- Contact Permit Specialist: 631-710-3022

**36 CFR §5.6(c)** Use of commercial vehicles on park area roads (The superintendent shall issue a permit to access private lands within or adjacent to the park when access is otherwise not available)

- Contact Permit Specialist: 631-710-3022

**36 CFR §5.7** Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.

- Not permitted on federal tracts of land without permission of Superintendent

**36 CFR §6.9(a)** Operation of a solid waste disposal site

- Not permitted

**36 CFR § 7.20** Operation of a Motor Vehicle ([7.20\(a\) Special Regulations](#))

- Contact Permit Specialist: 631-710-3022

## Filming

- In most cases, permits and fees are not required for filming, still photography, or audio recording that involves eight or fewer individuals. In order to avoid permit and fee requirements, the filming, still photography, or audio recording must meet all of the following conditions:
  - Occurs in areas open to the public;
  - Uses hand-carried equipment only;
  - Does not require exclusive use of a site;
  - Does not adversely impact park resources, values, or other visitors; and
  - Is not likely to result in additional administrative costs for the NPS.

- Permits and fees are never required for filming, still photography, or audio recording that is associated with an activity or event that has been authorized under a written instrument (e.g., permit or agreement), such as a wedding, sporting event, demonstration or other activity.
- All filming, still photography, and audio recording is treated the same under the new law. It does not matter whether it is commercial, non-commercial, for content creation, by a student, or conducted by media or for news gathering.
- When a filming, still photography, or audio recording permit is required, the National Park Service will charge location fees and fees to recover its costs to administer the permit, including application fees.
- Individuals and groups conducting filming, still photography, or audio recording remain subject to all other laws and regulations applicable to visitors to park areas, including those requiring permits for certain activities (e.g., special events or demonstrations) and those prohibiting disturbance or other negative impacts to natural or cultural resources.
- Individuals and groups conducting filming, still photography, or audio recording are subject to entrance and/or recreation fees that may apply in park areas even when a permit is not required.

### **36 CFR §2.1 – Preservation of Natural, Cultural and Archeological Resources.**

- The following items may be collected by hand for personal use or consumption, provided that no person exceeds two quarts per day:
  - Bayberry (*Myrica* spp.)
  - Beach plum (*Prunus maritima*)
  - Bearberry (*Arctostaphylos uva-ursi*)
  - Raspberry (*Rubus* spp.)
  - Blackberry (*Rubus* spp.)
  - Serviceberry (*Ametanchier canadensis*)
  - Cranberry (*Vaccinium macrocarpon* or *Vaccinium oxycoccos*)
  - Blueberry (*Vaccinium corymbosum* [highbush], *Vaccinium angustifolium* [lowbush])
  - Huckleberry (*Gaylussacia baccata*)
  - Dewberry (*Rubus* spp.)
  - Black cherry (*Prunus serotina*)
  - Chokeberry (*Aronia arbutifolia*)
  - Grape (*Vitis* spp.)
  - Unoccupied Seashells

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

## 36 CFR §2.2- Wildlife

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

- Waterfowl hunting is permitted at the Seashore in the area to the north of the Burma Road (or its trace, where the actual trail has been over-washed or overgrown) beginning ½ mile west of the boundary with Smith Point County Park known as Hayhole Point and ending ½ mile east of Watch Hill known as Long Cove. Waterfowl hunting is also permitted in the waters surrounding Sexton Island, East Fire Island, and West Fire Island located in the Great South Bay out to 4,000 feet north of Fire Island.

*Closure/Determination Justification: Under Public Law 88-587, enacted by the 88th Congress on September 11, 1964, The Secretary shall permit hunting, fishing and shell fishing on lands and waters under his administrative jurisdiction in the Fire Island National Seashore in accordance with the laws of New York and the United States of America, except that the Secretary may designate zones where, and establish periods when no hunting shall be permitted for reasons of public safety, administration or public use and enjoyment. Any regulations of the Secretary under this Section shall be issued after consultation with the Conservation Department of the State of New York.*

- Hunters may only use nontoxic shot while waterfowl hunting. Approved nontoxic shots include steel, bismuth/tin, tungsten/iron, tungsten/polymer, tungsten/matrix, tungsten/nickel/iron, or other shot approved by the U.S. Fish and Wildlife Service. Possession or use of shells loaded with shot other than listed above is strictly prohibited when hunting waterfowl.

*Closure/Determination Justification: Lead is poisonous to humans, the environment and to the animals that may accidentally consume it.*

- Waterfowl hunting is the only permitted hunting within the boundaries of the National Seashore.

*Closure/Determination Justification: The Seashore has determined that land-based hunting for animals will not be permitted within 500 feet of residential areas and NPS facilities within the park. Organized public hunting of deer within the designated Otis Pike Fire Island High Dune Wilderness may be organized by the NPS as to be beneficial to the management of plant and animal populations and pursuant to New York State hunting regulations.*

- The transportation of lawfully taken wildlife through the park is permitted under the following conditions and procedures:
  - The transportation of wildlife must be in accordance with New York State Department of Environmental Conservation (DEC) rules and regulations.

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

*Closure/Determination Justification: This regulation allows for the legal transportation of wildlife so long as it is harvested or collected in accordance with a valid New York State hunting license or a valid permit.*

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

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

*Closure/Determination Justification: Viewing wildlife with artificial light is a technique associated with hunting and is commonly referred to as "spotlighting". The use of artificial light to view wildlife negatively impacts the creatures in their natural environment.*

### **36 CFR §2.3 – Fishing**

- The harvest of horseshoe crabs (*Limulus polyphemus*) is prohibited within Fire Island National Seashore.

*Closure/Determination Justification: A horseshoe crab is more closely related to an arachnid than a crab. Based on current case law (Associates of Cape Cod, Inc. and Jay Harrington vs. Bruce Babbitt), the National Park Service does not consider a horseshoe crab to be a fish or a shellfish; therefore, State of New York recreational fishing regulations do not apply. Collecting horseshoe crabs will not be considered under Seashore hunting regulations as the primary reason for collecting or hunting the horseshoe crab is to sell them for personal gain or to use them as fish bait.*

### 36 CFR §2.4 - Weapons, Traps, and Nets

- Visitors may possess firearms within a national park unit provided they comply with federal, state, and local laws. The role of the responsible gun owner is to obey the federal, state, and local laws appropriate to the park they are visiting.
- Federal law prohibits firearms in certain park facilities and buildings. These places are marked with signs at the public entrances.

### 36 CFR §2.10 – Camping and Food Storage

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

#### BACKCOUNTRY CAMPING

- Backcountry camping is available by reservation for overnight stays in the [Otis Pike Fire Island High Dune Wilderness](#) area. **Note: There is no parking available at the Wilderness Visitor Center. Please plan to be dropped off and picked up.**
- Reservations may be obtained at [www.recreation.gov](http://www.recreation.gov) for wilderness/backcountry camping permits.
- There is a fee to reserve a wilderness/backcountry permit which can be paid by credit card when the reservation is made online.
- At least one member of each camping party must be 21 years of age or older in order to obtain a backcountry camping permit.

#### LOCATIONS

- Back Country (Undeveloped) Camping:
  - Fire Island Wilderness Eastern Zone - From 1000 feet west of the filled-in Breach at Old Inlet to the eastern boundary of Bellport Beach (camping year-round).
  - Fire Island Wilderness Western Zone - From 1000 feet west of Bellport Beach to Long Cove (camping year-round).
  - Great South Beach Eastern Zone - From 1000 feet west of the filled-in Breach at Old Inlet to the eastern boundary of Bellport Beach (camping seasonally from March 15 to Labor Day).
  - Great South Beach Western Zone - From 1000 feet west of Bellport Beach to Long Cove between March 15 and Labor Day (camping seasonally from March 15 to Labor Day).

*Closure/Determination Justification: Designated camping areas have been established in the Seashore to help protect the resources and to mitigate visitor use impacts.*

## NUMBER OF CAMPERS ALLOWED

- No more than 36 persons may camp in the backcountry at one time. The breakdown for the specific time periods and areas are as follows:
  - Off Season (After Labor Day to March 14th)
    - Fire Island Wilderness Eastern Zone -12 people per night, no more than 4 to a campsite.
    - Fire Island Wilderness Western Zone - 24 people per night, no more than 8 persons per campsite.
  - Peak Season (March 15th to Labor Day)
    - Fire Island Wilderness Eastern Zone and the Great South Beach Eastern Zone - 12 people per night, no more than 4 to a campsite.
    - Fire Island Wilderness Western Zone and the Great South Beach Western Zone- 24 people per night, no more than 8 persons per campsite.
    - The Great South Beach Zones (East and West) are the area from the toe of the dune to the water's edge on the ocean side.

*Closure/Determination Justification: Maximum camping capacity has been established in the Seashore to help protect the resources and to mitigate visitor use impacts.*

## The following rules and regulations apply to Fire Island National Seashore Permits for backcountry camping:

- Check-in is required. Campers must check in upon arrival at the Visitor Center during hours of operation. For after hours and off-season arrivals a self-check-in station is available at the Dune Station along the main dune crossing at Watch Hill or outside the entrance to the Wilderness Visitor Center or you may email your permit number and check-in date to: [fiis\\_camping\\_check-in@nps.gov](mailto:fiis_camping_check-in@nps.gov)
- Permittee is required to have one print or digital copy of their permit upon check-in. Permit is to be retained by the permittee at all times during camping.
- Permittee must be 21 years of age or older and carry valid, government issued photo ID.

for up to three (3) consecutive nights in the Fire Island Wilderness or on the Great South Beach, with a 48-hour break between visits.

- No camping on the primary dunes or within 20 feet of the toe of the dunes.
- No open fires; camp stoves only.
- Bury human waste in cat-holes dug six to eight inches deep and at least 200 feet from water.

- Camp at least 300 feet away from other campers.
- No camping within 1,000 feet of Bellport Beach.
- No trenching around tent.
- No camping within 200 feet of piping plover exclosures or nesting threatened and endangered species.
- No camping within symbolic fencing.
- No permanent camping facilities will be built.
- No vehicle access permitted for camping.
- No camping permits will be issued to hunters.
- Carry in/carry out all trash and personal items.
- No pets permitted March 15 through Labor Day on the beach or in the wilderness. **At other times (except for within the Wilderness) they are permitted but must always be on a leash no longer than 6 feet in length.**
- Campsites are not assigned, but you must select a suitable site which will not disturb vegetation, dunes, or nesting shorebirds.
- No bicycles or other wheeled vehicles are allowed in the wilderness area.
- **No dogs/pets allowed March 15 - Labor Day. At other times they are permitted but must always be on a leash no longer than 6 feet in length.**

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

- A camping permit is required for all camping.
  - Each person registering for a camping permit must be 18 years of age or older.
  - The permit holder must also be a member of the camping party.

*Closure/Determination Justification: An adult (18 years of age or older) is required to hold a permit because there is an obligation on the part of the permittee to obey the regulations associated with camping.*

## FRONTCOUNTRY CAMPING

- Front Country camping is managed by the concessionaire, LoveFINS. Please contact them at [www.lovefins.com](http://www.lovefins.com) for questions, reservations, rule and regulations.
- Front-Country (developed area) camping is allowed at the Watch Hill Campground, which is open seasonally from May 18 to October 18.
- Persons may camp for up to fourteen (14) consecutive days without a 48-hour break at the Watch Hill Campground.

### 36 CFR §2.13(a)(1) – Conditions on Lighting or Maintaining Fires

A fire may be ignited and maintained only by using fuel sources designed and commonly used for warmth or the preparation of food, such as charcoal briquettes or natural firewood. Lighting or maintaining a fire with other materials including, but not limited to, flammable liquids, garbage, fireworks, plastics, aerosol canisters, batteries, or other manufactured or synthetic materials, is prohibited.

*This action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, and the implementation of management responsibilities. Materials other than approved combustibles – especially fire accelerants and substances prone to wind transport or explosion – creates serious risks when used to light or maintain fires. These combustibles can ignite or spread wildfires that directly threaten people and valuable resources and assets. The burning of manufactured or synthetic materials can contribute to air pollution, contaminate soil and water, and be toxic to humans and the environment. Less restrictive measures, such as an education campaign informing visitors of the risks of using certain materials to light or maintain a fire, would not be commensurate with the substantial risks associated with those activities and could lead to adverse outcomes that might be prevented by establishing an enforceable condition.*

### 36 CFR §2.13(a)(2)

- Fires are permissible only under the following conditions:
  - Charcoal fires are permitted in grills only in designated picnic areas or at the Watch Hill campsites.
  - Charcoal fires are prohibited on boats within the marinas or on marina boardwalks or on picnic tables. All boat on-board cooking devices, including electric grills, are restricted to the galley.
  - Charcoal fires are prohibited on all Seashore beaches.

*Closure/Determination Justification: Open fires are prohibited due to wildland fire concerns to include potential impacts on the communities located with the legislative*

*boundaries of the park. Limited use of charcoal fires and closed fuel source cooking devices has been allowed so long as they do not create a public hazard.*

- The following restrictions are in effect for the use of stoves or lanterns:
  - Backpacking stoves or contained cooking units with a closed fuel source (e.g., propane, white gas) are allowed when picnicking or camping in the Seashore.

### **36 CFR §2.13(a)(5)**

- Fires must be extinguished according to the following conditions:
  - Where permitted at designated sites, all fires and coals must be adequately extinguished using water. Burying coals is prohibited.

*Closure/Determination Justification: Water has been established as the source to be used to extinguish a fire. If not done properly, using sand can hide the smoldering fire and create a visitor safety issue.*

### **36 CFR §2.14 – Sanitation and Refuse**

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

- Approved area: Watch Hill Campground

### **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:

- All federally owned oceanfront National Seashore beaches from March 15 through Labor Day however, the season may be extended if endangered shore birds are nesting or rearing in the area. National Seashore beaches are defined as beaches owned or hereafter acquired by the United States within the authorized boundaries of the Fire Island National Seashore, from the toe of the dune to the water's edge
- Within the boundaries of the Otis Pike Wilderness from March 15 through Labor Day. This season may be extended if endangered shorebirds are still nesting or rearing.

*Closure/Determination Justification: Possessing a pet in these areas has been restricted to mitigate user and wildlife conflicts during periods of high visitation. 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.*

- (a)(3) Leaving a pet unattended and tied to an object is prohibited, except in the following areas and/or under the following conditions:
- Pets may be left unattended and tied to an object only in employee housing areas by NPS employees residing in government quarters. .
- (b) The use of dogs in support of hunting must be in accordance with Federal and State laws and the following conditions:
- Dogs may be used while waterfowl hunting in accordance with New York State laws and only within the prescribed waterfowl hunting season.
- (e) Pets may be kept by park residents under the following conditions:
- Persons residing in government quarters may keep pets in accordance with the Fire Island National Seashore Housing Management Plan.

### **36 CFR §2.16 – Horses and Pack Animals**

- Horseback riding and the possession of pack animals are prohibited on National Seashore owned lands within the boundaries of Fire Island National Seashore. (Ref: 36 CFR § 2.16(g))

*Closure/Determination Justification: Horses and pack animals create a conflict with other user groups, particularly during periods of high visitation, based on the limited undeveloped lands in the park that would be conducive to such activity.*

### **36 CFR §2.19 – Winter Activities**

- Cross country skiing and snowshoeing is permitted in the following areas:
  - Burma Road (applies only to federally held sections)
  - Roads and trails at the William Floyd Estate when the estate is open to the public.
  - Otis Pike Wilderness

*Closure/Determination Justification: Winter sports are prohibited unless otherwise designated. This regulation defines those areas where cross country skiing may take place.*

### **36 CFR §2.20 – Skating, Skateboards, and Similar Devices**

- Park roadways and parking lots are designated as open to roller skating, skateboards, roller skis, roller blades, coasting vehicles, or similar devices in accordance with New York State laws.

### 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 and the use of electronic nicotine delivery systems (ENDS) as noted:

- Smoking and the use of ENDS is prohibited in all government buildings.
- Smoking and the use of ENDS is prohibited within 25 feet of the exterior of all government buildings.
- Smoking and the use of ENDS is prohibited within any government owned or leased vehicle, heavy equipment, and vessels.
- Smoking and the use of ENDS is prohibited on lifeguarded beaches.

*Closure/Determination Justification: Smoking is prohibited in all Federal buildings under Executive Order 13058 to comply with the December 2010; US Court of Appeals for the D.C. Circuit ruling in Sottera, Inc.,v. Food and Drug Administration. This restriction is intended to provide a smoke free environment for those areas, such as lifeguarded beaches and building entryways that tend to have a high concentration of visitors. It is also designed to protect park resources, reduce the risk of fire, and prevent visitor use conflicts.*

### 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:

- The superintendent may allow geocaching. A geocache will consist of a small weatherproof container large enough to hold related items accessible to the related activity.
- Contact Permit Specialist: 631-710-3022

### 36 CFR §2.23 – Recreation Fees

- Daily Site Use Fee Areas:
  - Visitor use of the Fire Island lighthouse Tower is managed by the Fire Island Light House Society. For further information, please see their website. (<https://www.fireislandlighthouse.com/>)
  - Patchogue Ferry Terminal is managed by Davis Park Ferry. For further information, please see their website. (<https://www.davisparkferry.com/>)
  - Special Recreation Permit Fee (Such as but not limited to, group activities, recreation events, and the use of motorized recreation vehicles): Special use fees may apply. Please visit <https://www.nps.gov/fiis/planyourvisit/permits.htm> for more information.

### 36 CFR §2.35 – Alcoholic Beverages and Controlled Substances

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 ranger stations, visitor centers, and government owned buildings except government owned housing, unless specifically allowed as part of official duty, a licensed concession operation and/or as part of a special event authorized by the superintendent.
- The Federal tracts of land located within the Town of Islip and between the communities of Atlantique and Corneille Estates are closed to the consumption of alcoholic beverages and/or the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed.

*Closure/Determination Justification: These two tracts of Federal land are located within the town of Islip and are isolated to the east and the west from other Federal lands by numerous Town of Islip communities. For many years the Town of Islip has prohibited the consumption of alcoholic beverages on public lands, which includes beaches. Over the past few years, visitors realized that the Seashore did not prohibit the consumption of alcoholic beverages on these two tracts of land. These Federal lands became a destination for individuals wishing to consume alcoholic beverages. On busy weekends these lands attracted approximately 500 to 1,000 visitors.*

*The visitation quickly outgrew the public use capacity of these lands. These lands were never intended to accommodate so many visitors and therefore, amenities such as garbage receptacles and bathrooms were not installed. Visitor services, such as lifeguarded beaches, were not provided because there was no direct NPS ferry service to this location. As such, issues developed relevant to public health and safety as well as resource degradation. Large groups of visitors, to the point of standing room only, were observed to be consuming large quantities of alcoholic beverages. On at least one occasion, locals from the adjacent communities had to assist an intoxicated individual out of the water. Visitors were improperly disposing of human waste on park lands as well as in the adjoining communities on private property. Visitors were damaging the resources by crossing the dunes and trampling the vegetation. Visitors would depart in the evenings leaving behind large amounts of trash, which comprised mostly of empty alcoholic beverage containers. This debris would then have to be removed by park staff.*

*By establishing this alcohol closure, it is the intent of the Seashore that the concentration of visitation will be redistributed more evenly across the adjacent beaches, thus reducing the visitor health and safety issues as well as the resource degradation.*

### 2.62 – Memorialization

- (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 scattering of human ashes from cremation, without a permit, is allowed under the following terms and conditions:

- The remains to be scattered must have been cremated and pulverized.

- The scattering of remains by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility, or body of water.
- The scattering of remains from the air is to be performed at a minimum of 2000 feet above the ground.
- No scattering of remains from the air is to be performed over developed areas, facilities, or bodies of water.

### **36 CFR Part 3 – Boating and water use activities**

In addition to Part 3 that applies to *all* units of the National Park Service, the following applies specifically to Fire Island National Seashore. See also §7.20 for regulations specific to personal watercraft use at Fire Island National Seashore.

#### **36 CFR §3.2 – What Vessel Operations are Prohibited?**

Vessels may not be operated in excess of flat wake speed in designated areas.

- Watch Hill Marina from the flat wake buoys into the marina.
- Sailors Haven Marina and channel from the flat wake buoys into the marina.

#### **36 CFR §3.12 – May I use a vessel to tow a person for water skiing or similar activities?**

- Water Skiing is prohibited in any breach, marina entrance channels, and lifeguarded beaches.

*Closure/Determination Justification: These restrictions and conditions are established to promote visitor safety and to ensure safe boating.*

#### **36 CFR §3.16 – May I Swim or Wade in Park Waters?**

- Swimming is permitted at the Seashore; however, swimming is prohibited in and around all National Park Service marinas, in designated boat channels, and within 25 feet of any breakwater or pilings.

*Closure/Determination Justification: These restrictions and conditions are established to promote visitor safety and to ensure safe boating in and around the marinas and channels.*

#### **36 CFR §3.18 – May I Snorkel or Underwater Dive in Park Waters?**

- Snorkeling and underwater diving is allowed at the Seashore; however, diving and snorkeling are prohibited inside marinas and designated boat channels, except in accordance with official Government business or with a permit issued by the superintendent.

*Closure/Determination Justification: These restrictions and conditions are established to promote visitor safety and to ensure safe boating in and around the marinas and channels.*

### **36 CFR §4.10 – Travel on Park Roads and Routes**

Park roads open for travel by motor vehicle are those indicated below,

- William Floyd Estate paved entrance and exit road from gate to parking lot when site is open to the public.
- Routes and areas for off-road vehicle use are provided for in section 7.20 Fire Island National Seashore Special Regulations and in section 1.5(a)(2).
  - All beach areas
  - Burma Road
  - All federal tracts of land on Fire Island

### **36 CFR §4.21 – Speed Limits**

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

- Over-sand (beach) routes and the Burma Road have a maximum posted speed limit of 20 MPH.
- When approaching or passing within 100 feet of any person not in a motor vehicle, or when passing through or over any dune crossing, the speed limit is reduced to 5 MPH.

### **36 CFR §4.30 – Bicycles**

The use of a bicycle, including pedal-assisted electric bicycles, is allowed on park roads, in parking areas, and on routes designated for bicycle use. Park roads and parking areas that are closed to bicycle use are listed in §1.5 of this document.

#### **Where are bicycles, e-bikes, and Powered Micromobility Devices permitted?**

- Bicycles and e-bikes are permitted on park roadways and on routes consistent with motor vehicle travel.
- All ocean beaches have been designated for bicycle use.
- William Floyd Estate parking lot and dirt trail or road.

#### **Where are bicycles, e-bikes, and Powered Micromobility Devices prohibited?**

- Bicycles are not permitted on Seashore boardwalks, in marina areas, or the Otis Pike High Dune Wilderness.

Riding a bicycle abreast of another rider is allowed on the following routes:

- Burma Road through the Lighthouse Tract.
- All Ocean Beaches
- William Floyd Estate parking lot and dirt trail or road

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

## **Electric Bicycles (E-Bikes)**

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.).

E-Bikes are allowed in Fire Island National Seashore where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

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, 4.20, 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 Fire Island National Seashore is governed by State law, which is adopted and made part of this Compendium. Any violation of State Law adopted by this paragraph is prohibited. 8

*Determination/Justification: On October 02, 2020 the Department of the Interior announced that its final regulations support the Secretary of Interior’s Order 3376. Order 3376 was issued on August 30, 2019 allowing e-bikes to be ridden/operated within the National Park System provided that they comply with State Law and that they be allowed to be ridden in those areas where bicycles are normally allowed. Fire Island National Seashore is wholly within the territorial boundary of the State of New York. Further guidance regarding New York laws with respect to e-bike can be found [here](#).*

## **PART 7 – SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM**

The following section is this Compendia highlights 36 CFR 7.20; it is not the entire text. For the full law, click [here](#).

### **36 CFR §7.20 Fire Island National Seashore – Driving**

Driving for permitted residents, construction, essential services.

#### **2025 Driving Dates**

##### **Residents**

- January 1 to May 1: Driving is authorized.
- May 2 to May 22: Weekday resident driving is permitted. Driving on Saturday and Sunday may occur only before 9:00 a.m. and after 6:00 p.m.
- May 25 (Memorial Day): No driving is authorized until after 6:00 p.m.
- May 23 to June 26 (last day of school) Monday-Friday: driving may occur only before 9:00 a.m. and after 6:00 p.m. Saturday and Sunday: No driving is authorized.
- June 27 through September 7 (Labor Day): No driving is authorized.
- September 8 through September 13: Monday-Friday: driving may occur only before 9:00 a.m. and after 6:00 p.m. Saturday and Sunday: No driving is authorized.
- September 14 through October 12: Weekday resident driving is permitted. Driving on Saturday and Sunday may occur only before 9:00 a.m. and after 6:00 p.m.
- October 13 through December 31: Driving is authorized.

##### **Construction/Business:**

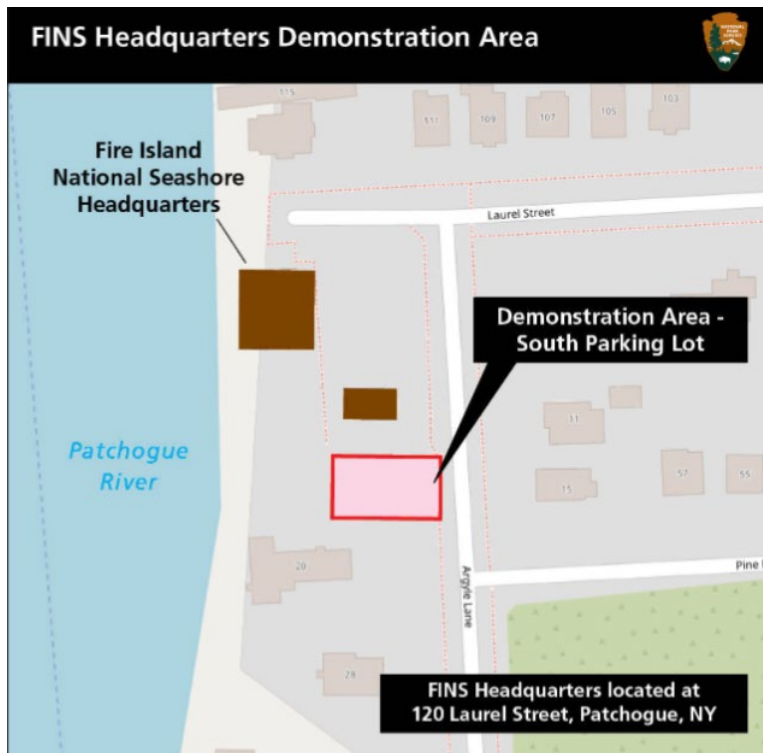
- January 1 to May 1: Driving is authorized.
- May 2 to May 15: No weekend driving is authorized. Weekday driving is allowed only when adequate ferry service is not available.
- May 16 to October 12: No driving is authorized.
- October 13 to December 31: Driving is authorized.

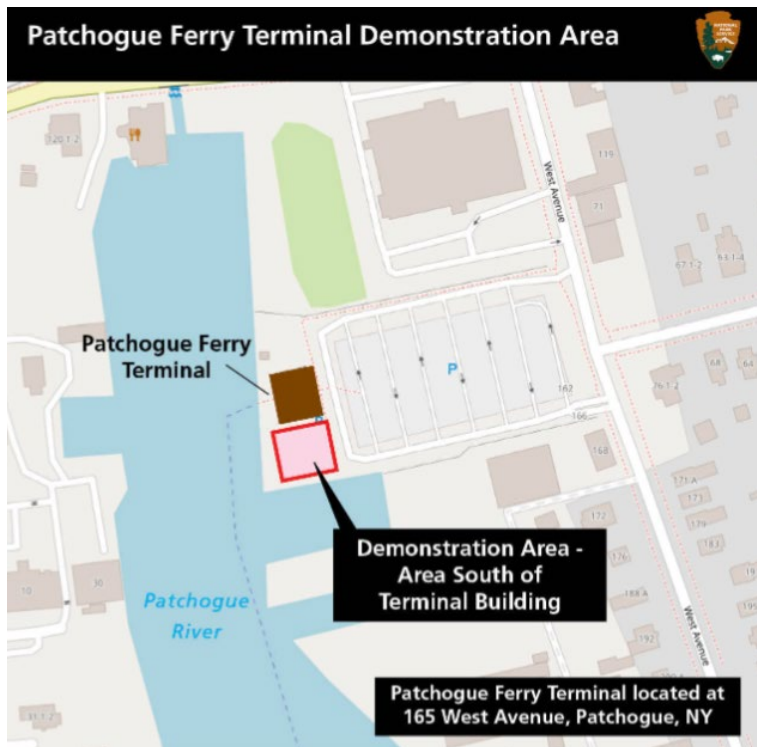
##### **Essential Services:**

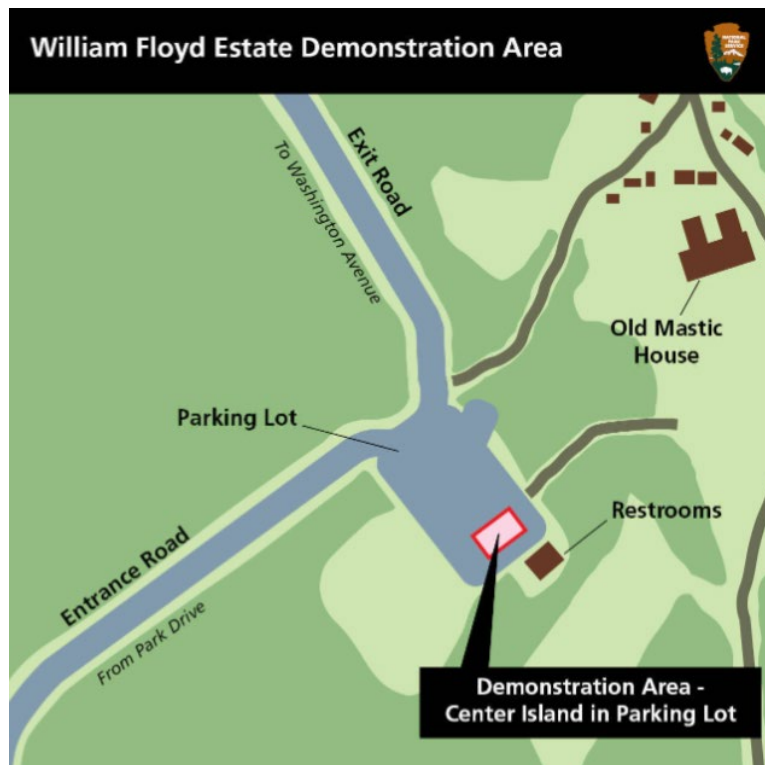
- January 1 to May 1: Driving is authorized.
- May 2 to May 22: Weekday driving is permitted. Driving on Saturday and Sunday may occur only before 9:00 a.m. and after 6:00 p.m.

- May 23 to September 13: Driving may only occur before 9:00 a.m. and after 6:00 p.m. No driving on weekends or federal holidays.
- September 13 to October 12: Weekday driving is permitted. Driving on Saturday and Sunday may occur only before 9:00 a.m. and after 6:00 p.m.
- October 13 to December 31: Driving is authorized.

## Maps of First Amendment Demonstration Areas

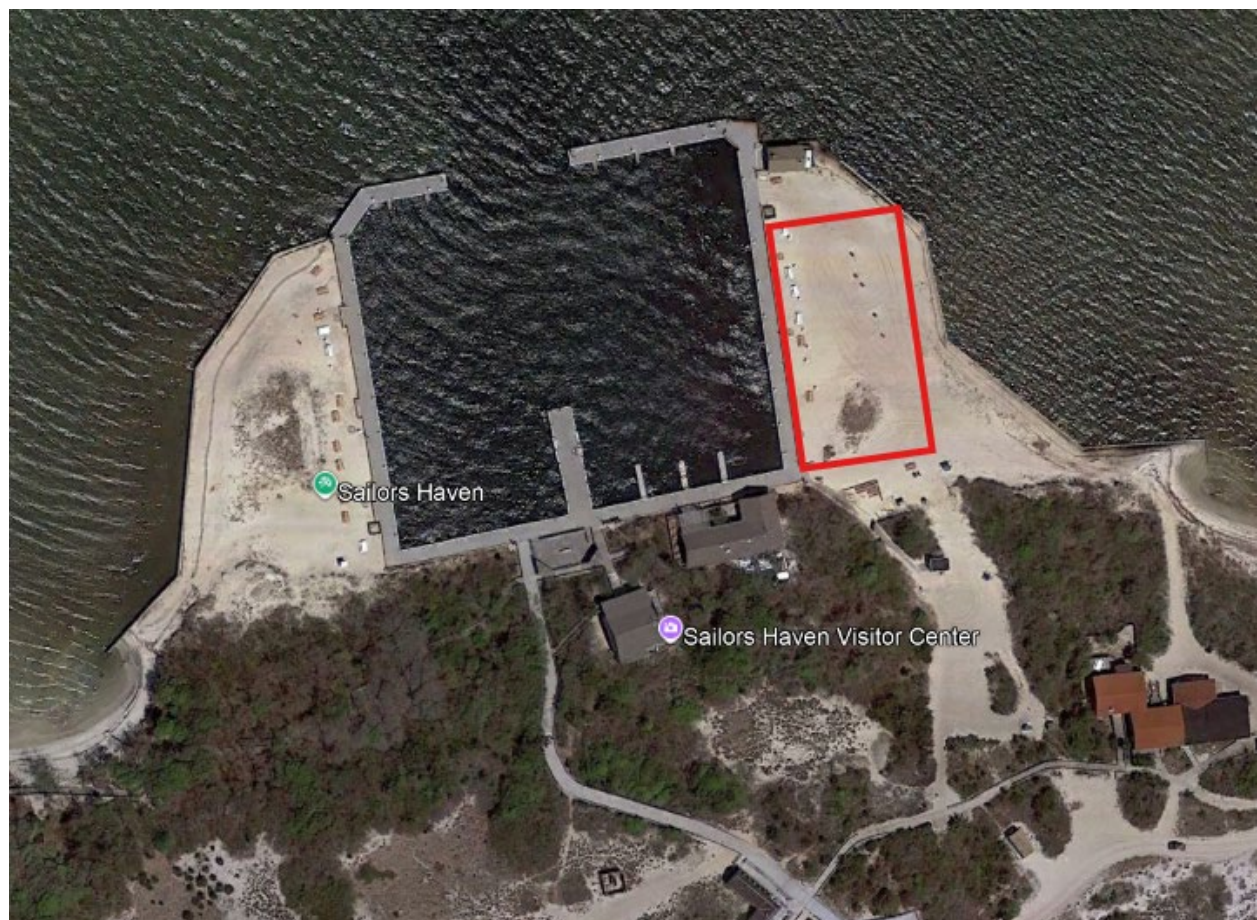












# Map of Designated Charcoal Fire Areas

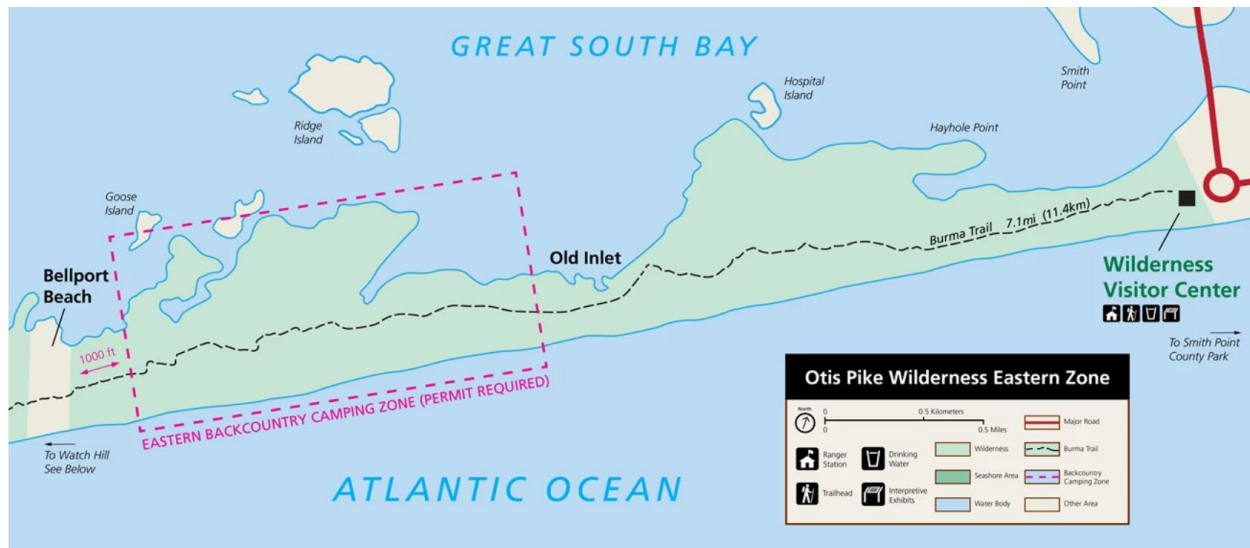
## Watch Hill Marina



# Watch Hill Campground



## Eastern Wilderness Zone Backcountry Camping



## Western Wilderness Zone Backcountry Camping

