



**United States Department of the Interior  
NATIONAL PARK SERVICE**



**Fire Island National Seashore  
120 Laurel Street  
Patchogue, NY 11772**

In Reply Refer to:

February 5, 2013

To Whom it May Concern:

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

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

Public nudity has been prohibited in the State of New York since 1984 under New York State Penal Code 245.01. Fire Island National Seashore shares concurrent jurisdiction with the State of New York, which means that state laws can be enforced on federal lands by federal, state, and local law enforcement officers. Although the National Park Service (NPS) is focusing its enforcement on the identified areas, the law still applies park-wide, and may be enforced throughout the park. NPS policies favor consistent enforcement of state laws on federal lands, and disfavor the designation of clothing optional areas. Public nudity on Fire Island has resulted in conflicts of use, despite past park management efforts to accommodate clothing optional recreation. On Lighthouse beach in particular, the dense visitation invited by the previously-designated "clothing optional beach" presented not only a visitor use conflict, but created a public safety hazard due to the lack of adequate facilities for trash and human waste, in addition to the heavy recreation on a non-lifeguarded beach. Additionally, Hurricane Sandy leveled the dunes in this area, which increases the visibility of the beach from other public use areas. The sandy overwash areas left by the storm created added habitat for sensitive species in the area. Finally, park employees have observed an increase in criminal activity in the designated clothing-optional areas, but have been unable to appropriately manage this activity despite significant attempts at education and enforcement.

Violation of this law is a class B federal misdemeanor, and can result in fines of up to \$5,000 and up to six months imprisonment.

Fire Island National Seashore management recognizes that visitors have come to Fire Island to sunbathe in the nude for many years, and that many responsible and respectful users of this

beach have provided support to the park through volunteer efforts over the years. Fire Island National Seashore management is focusing its enforcement only on those areas in which visitor use conflicts are likely—specifically, those areas that are heavily visited by members of the public who are generally not attuned to nude recreation. On all Seashore lands, however, other regulations such as disorderly conduct, creating an offensive condition, public intoxication, and drug and alcohol laws will be strictly enforced. Use and compliance on all park beaches will be monitored throughout the summer, with additional measures being taken as necessary. Should concentrations of nudity and/or lewd and lascivious behaviors increase in other areas of the park and cause similar conflicts with other visitors and/or protected natural resources, then the park may expand its enforcement efforts to other areas.

Questions about these changes should be directed to Chief Ranger Lena Koschmann at 631-687-4757 or [lena\\_koschmann@nps.gov](mailto:lena_koschmann@nps.gov).

Sincerely,

/s/ Lena Koschmann

Chief Ranger, Fire Island National Seashore  
O: (631) 687-4757  
[Lena\\_koschmann@nps.gov](mailto:Lena_koschmann@nps.gov)