

**New York State Office of Parks, Recreation
and Historic Preservation**

**POLICY ON NO SMOKING AREAS AT STATE
PARKS AND HISTORIC SITES FOR 2013-2014**

This Policy implements 9 NYCRR Section 386.1, the regulation adopted by the Office of Parks, Recreation and Historic Preservation (OPRHP) that authorizes the Commissioner to establish outdoor no smoking areas at parks, recreational facilities and historic sites under OPRHP's jurisdiction. (See *Notice of Adoption and Notice of Proposed Rulemaking published in the State Register on February 27, 2013 and December 5, 2012, respectively at <http://docs.dos.ny.gov/info/register/2013/feb27/pdf/rulemaking.pdf> at p.7 and <http://docs.dos.ny.gov/info/register/2012/dec5/pdfs/rules.pdf>, at p.10).*

The attached areas are designated as no smoking for the 2013-2014 season, and shall be delineated with signs informing the public.

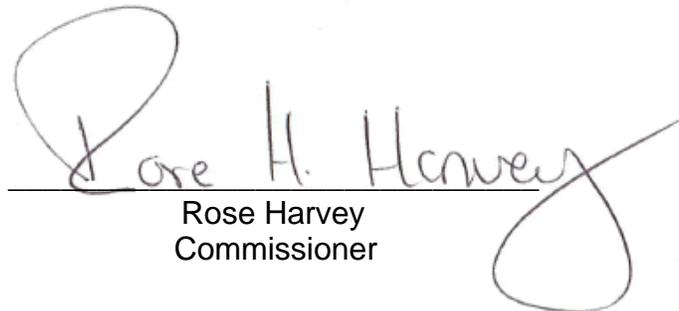
Additionally, under Parks, Recreation and Historic Preservation Law Section 3.11, the Commissioner hereby designates OPRHP's Regional Directors with authority to establish additional no smoking areas at OPRHP facilities for specific events of limited duration, and to delineate those areas with signs informing the public.

It is expected that patrons will voluntarily comply with the regulation and this Policy, however, anyone who fails to comply could be issued a ticket for a violation that usually includes a fine up to \$250 and may also require payment of a mandatory surcharge. (See, PRHPL §§ 27.11 and 27.12; Penal Law §§ 10.00(3) and 80.05(4)).

Any questions regarding implementation of this Policy should be directed to Marc Talluto, Director of Agency Operations.

This policy is effective immediately.

Dated: May 8, 2013


Rose Harvey
Commissioner

NYS Parks No Smoking Areas by Region

Region

Allegheny Region

Swimming Beaches	All swimming beaches within the area defined by the sand beach
Bathhouse and Concession Stand Areas	All, and within 50 feet of bathhouses and concession stands
Patron Facility Buildings	All
Picnic Shelters, Pavilions and Event Tents	All
Entrances to Park Office Buildings	All, and within 50 feet of park maintenance shops and park office buildings
Special Events	Regional Directors are delegated authority to identify certain public events as “No Smoking” events
Allegheny State Park	Group camps including Camp 5, Camp 12 and Camp Allegheny Quaker Amphitheatre
Midway State Park	Amusement rides, carousel, arcade, picnic shelter and concession areas.

Central Region

Swimming Beaches	All swimming beaches within the area defined by the sand beach
Playgrounds	All and within 50 feet of any playground or playground fixture.
Shelters, Pavilions and Tents	Regionwide, and within 50 feet of these structures
Special Events / Activities	Regional Directors have delegated authority to identify certain public events as “No Smoking” events
Concession Areas/ Nature Areas	All and within 50 feet of the concession locations
bathhouses and Concession Stands	All and within 50 feet of bathhouses and concession stands
Chittenango Falls	All shelters and pavillions and tents, and within 50 feet of the Falls Overlook Area
Glimmerglass	All shelters and pavillions and tents, and within 50 feet of the covered bridge
Sandy Island Beach and Boardwalk	Except picnic areas and parking lots
Fort Ontario	Inside the walls of the historic fort and within 50 feet of the sally port entrance

Herkimer Home	Throughout the entire facility except main parking lot and picnic area
Lorenzo State Historic Site	No smoking throughout the facility except specifically designaged areas.
Oriskany Battlefield	No smoking throughout the facility except specifically designaged areas.
Steuben Memorial	No smoking throughout the facility except specifically designaged areas.

Finger Lakes Region

Buttermilk Falls State Park	Swimming Area Playgrounds Pavilions and shelters Comfort stations and bathhouse
Cayuga Lake State Park	Sandy beach area All pinic shelters Park contact stations Playgrounds Comfort stations and bathhouse
Fair Haven Beach State Park	Swimming beaches Diving channel Within 50 feet of concession and bathhouse entrances Playgrounds Comfort Stations and bathhouse Pavilions and shelters
Fillmore Glen State Park	Swimming area Playgrounds Comfort stations and bathhouse Pavilions and shelters
Ganondagan State Historic Site	Within 50 feet of visitor center Longhouse
Long Point State Park	Swimming area Bathhouse Playground
Mark Twain State Park	Rain shelters, tents and pavilions Comfort stations
Robert H. Treman State Park	Swimming area Playgrounds Shelters and pavilions

	Comfort stations and bathhouse
Sampson State Park	Swimming beach Comfort stations and bathhouse Concession Pavilions and shelters Playgrounds
Seneca Lake State Park	Beach area Spray park Pavilions and shelters Comfort stations and bathhouse Playgrounds
Stony Brook State Park	Concession deck Playgrounds Picnic shelters
Taughannock Falls State Park	Swimming beach Comfort station and bathhouse Pavilions and shelters Within 50 feet of concession Playgrounds
Watkins Glen State Park	Pavilions and shelters Pool deck Comfort station and bathhouse Playgrounds concessions
Special Events	Regional Directors are delegated authority to identify certain public events as “No Smoking” events

Genesee Region

Swimming Beaches Regionwide	All of Darien Lakes State Park Beach and Beaches 3, 3A, 4 & 4A at Hamlin Beach State Park and smoking will be allowed on the other beaches at Hamlin Beach State Park where swimming is prohibited
Bathhouses	All, and within 50 feet
Enclosed Picnic Shelters	Regional Directors are delegated authority to prohibit smoking in open sided shelters for special events
Concessions	All, and within 50 feet of concessions
Special Events	Regional Directors are delegated authority to identify certain public events as “No Smoking” events

Campground Recreation Buildings	All and within 50 feet of these structures
Letchworth Council Grounds	All areas except the parking lot
<u>Long Island Region</u>	
Region-wide	All sandy beach areas, boardwalks, all developed (formal) playing fields, pavilions and shelters
Bayard Cutting Arboretum	All areas except parking lots
Planting Fields Arboretum	All areas except parking lots
Swimming Pool Complexes	All
Playgrounds	All and within 50 feet
Picnic Pavilions & Fixed Covered Seating Areas	All and within 50 feet. Sun shelters and rain shelters with seats and/or benches shall be considered fixed covered seating areas
Special Events	Regional Directors are delegated authority to identify certain public events as “No Smoking” events
Jones Beach Bandshell and the Adjacent Seating area at the Central Mall at Jones Beach State Park	Within 50 feet of the Bandshell
Games Areas at Jones Beach State Park	Paddle tennis, shuffleboard, and miniature golf
Volleyball Courts at Jones Beach and Robert Moses State Parks	
Jones Beach Theatre including the entire Jones Beach Theatre complex, which is the fenced-in area on the north side of Zach’s Bay beachfront throughout the box office, backstage area and the Plaza.	All areas except designated smoking areas
Tennis Courts	All and within 50 feet
Gas Stations	All and within 50 feet of all gas station complex locations
Park Preserves	All areas
Concession Areas	All and within 50 feet
Building Entrances & Exits	All and within 50 feet

New York City Region

Bayswater State Park	All areas except sidewalk outside of gates on Mott Avenue and Point Breeze Place
Clay Pit Ponds Preserve	All areas except parking lots at office and environmental interpretation center
East River State Park	All areas except sidewalks along Kent Avenue
Gantry Plaza State Park	All areas except sidewalks along Center Boulevard
Riverbank State Park	All areas except parking lot west of main entrance
Roberto Clemente State Park	All except parking lot on lower level [southeast corner]

Niagara Region

Artpark State Park	All areas except parking lot
Beaver Island State Park queuing area for purchasing food and beverage at the Beaver Island Clubhouse	Within 50 feet of the pro shop, restaurant and starter booth at the Beaver Island Golf Course
DeVeaux Woods State Park	Within 50 feet of the outdoor ice rink, restrooms, playground
Evangola State Park	Covered porch of the recreation building and all areas where outdoor environmental education programs are being conducted, and within 50 of entrance/ exits of all park facilities and buildings, designated beach area, bathhouse including snack bar area, recreational center which includes nature center building, and basketball and tennis courts
Fort Niagara State Park	Including pool; playgrounds; picnic shelters; bathhouse and pool area; fish cleaning station; in lines; and within 50 feet of these structures
Four Mile Creek State Park	Playgrounds, restrooms and within 50 feet of these structures
Golden Hill State Park	boat launch, picnic shelters; Lighthouse; restrooms; gazebo; campground office; playground; basketball courts; and within 50 feet of these areas
Knox Farm State Park	Within 50 feet of all park structures
Niagara Falls State Park	Visitor Center – Front and rear patio areas Discovery Center – Patio area surrounding the building, the ramp to the roof and including the roof; Cave Upper – Lobby area, including DNC food area, and the stationary queuing line for the elevators from the Kodak booth to the elevators; Cave lower – all areas, the elevators/tunnel/walkways/decks;

Reservoir State Park	Trolley & Information Booths – queueing lines for the cashier and the trolleys; Heritage Park – Gazebo; Top of the Falls restaurant – all patio areas; Maid of the Mist – front patio areas, to include bench seating, queue lines and tower deck Basketball, tennis and floor hockey courts; picnic shelter; playground; softball fields; restrooms; outdoor ice rink; and within 50 feet of these structures
Whirlpool State Park	Restroom, picnic shelter and playground
Wilson Tuscarora State Park Special Events	playgrounds and within 50 feet of restrooms Regional Directors are delegated authority to identify certain public events as “No Smoking” events

Palisades Region

Regionwide	All beaches, picnic shelters and pavilions
Bear Mountain State Park	Pool deck and playground
Beaver Pond	Playground
High Tor State Park	Pool deck
Rockland Lake State Park	Pool deck
Tallman Mountain State Park	Playground
Minnewaska State Park	All swimming beach areas
Bear Mountain Zoo Special Events	The entire facility Regional Directors are delegated authority to identify certain public events as “No Smoking” events

Saratoga/Capital District Region

Region-wide	Within 50 feet of areas in front of bathhouses and concession stands and within 50 feet of building entrances and exits
Bennington Battlefield	Within 50 feet of any historic structure
Cherry Plain Campground	Swimming beach and playground
Crown Point Historic Site	Within 50 feet of any historic structure
Fort Crailo Historic Site	Within 50 feet of any historic structure
Grafton Lakes State Park	Swimming beach Inside fenced area of bathhouses North area playground Concession stand patio Deerfield playground
John Boyd Thacher State Park	Playgrounds and concession stand patio

	Concession stand patio
John Brown Farm Historic Site	Within 50 feet of any historic structure
Johnson Hall Historic Site	Within 50 feet of any historic structure
Max V. Shaul Campground	Playground
Mine Kill State Park	Pool deck; concession stand patio; playground
Moreau Lake Campground	Swimming beach; concession stand patio and playgrounds
Peebles Island State Park	Within 50 feet of any historic structure
Saratoga Spa State Park	Victoria pool deck Peerless pool deck Geyser area playground Peerless area playgrounds
Schodack Island State Park	Playgrounds
Schoharie Crossing Historic Site	Within 50 feet of any historic structure
Schuyler Mansion Historic Site	Within 50 feet of any structure
Thompson's Lake Campground	Swimming beach; playgrounds
Special Events	Regional Directors are delegated authority to identify certain public events as "No Smoking" events

Taconic Region

Swimming Beaches	All swimming beaches within the sandy areas
bathhouse Areas	All and within 50 feet of bathhouses and concession stands
Shelters, Pavilions and Tents	All, regionwide
FDR State Park	Inside area of pool fence; pool deck; pool concession area; bathhouse; inside of boat rental fence; on the fishing pier; and within 50 feet of the fence surrounding the pool complex
The Dinsmore Clubhouse	Upper and lower patios and within 50 feet of the
Walkway over the Hudson bridge and approaches	All areas except parking lots and specifically identified smoking areas
Norrie Environmental Center	All areas except parking lot
Norrie Point Marina docks	All docks within the marina
Rockefeller State Park Preserve	The entire facility

Taconic Outdoor Education Center	The entire facility
Copake Iron Ore Pit Swimming Area	All areas within the designated swimming area
Special Events	Regional Directors are delegated authority to identify certain public events as “No Smoking” events

Thousand Islands Region

Playgrounds	All playgrounds, regionwide
Beaches	Beach and swimming areas as defined by the ropes
Sackets Harbor Battlefield State Historic Site	Within 50 feet of any historic structure
Beach bathhouses/ concessions	All and within 50 feet of these structures
Rock Island Lighthouse State Park	The entire island
Wellesley Island State Park	Within 50 feet of nature center building
Point Au Roche State Park	Within 50 feet of nature center building
Higley Flow State Park	Within 50 feet of nature center building
Special Events	Regional Directors are delegated authority to identify certain public events as “No Smoking” events

updated 5/1/13