

Express Terms

1. 6 NYCRR section 190.39 is amended as follows:

6 NYCRR section 190.39 [Severability] Neversink River Riparian Corridor

[If a provision of this Part or its application to any person or circumstance is determined to be contrary to law by a court of competent jurisdiction, such determination shall not affect or impair the validity of the other provisions of this Part or the application to other persons and circumstances.] In addition to other applicable general provisions of this Part, the following requirements apply to the Neversink River Riparian Corridor. In the event of a conflict between this section and another section of this Part, the more restrictive provision will control.

(a) Description. For the purposes of this section, the Neversink River Riparian Corridor means all those state forest preserve lands lying and situated within 300 feet on either side of the centerline of the Neversink River situated within the property formerly known as "Camp Pine" adjacent to the west side of County Route 19, Claryville Road, in the Town of Neversink, Sullivan County. The Neversink River Riparian Corridor begins at the New York State land boundary where the state land's southeastern boundary intersects the Neversink River, thence heading north for approximately 4,400 feet, and ending where the state land boundary's northeastern border intersects the Neversink River, encompassing lands designated by the department as the Sundown Wild Forest of the Catskill Park.

(b) No person shall possess coolers larger than 12 inches in any dimension, or alcoholic beverages within the Neversink River Riparian Corridor. No person shall possess a glass container within the Neversink River Riparian Corridor, except when necessary for the storage of prescribed medicines.

(c) No person shall enter the Neversink River Riparian Corridor between one-half hour after sunset and one-half hour before sunrise except for: (1) licensed anglers for the purpose of fishing; (2) licensed hunters and trappers for the purpose of hunting or trapping; (3) persons otherwise authorized by permit issued by the department.

(d) No person shall kindle, build, maintain, or use a fire within the Neversink River Riparian Corridor, including, but not limited to, charcoal fires, wood fires, gas grills, propane stoves or other portable stoves.

(e) No person shall play a musical instrument or audio device within the Neversink River Riparian Corridor, including, but not limited to, radios, tape players, compact disc or digital players, unless the noise is rendered inaudible to the public by personal noise-damping devices such as headphones or earbuds.

(f) No person shall deposit or cause to be deposited any solid waste, garbage, food waste, human wastes or other sanitary waste products within the bounds of the Neversink River Riparian Corridor except at facilities provided and designated by the department.

2. A new section 190.40 is added as follows:

6 NYCRR section 190.40 Severability

If a provision of this Part or its application to any person or circumstance is determined to be contrary to law by a court of competent jurisdiction, such determination shall not

affect or impair the validity of the other provisions of this Part or the application to other persons and circumstances.