

EXPRESS TERMS

6 NYCRR Part 10 is amended to read as follows:

Clause 10.1(f)(3)(iii)(c) is amended to read as follows:

(c) Hudson River Overland Transportation Corridor shall mean the geographical area associated with the water body as defined in subparagraph (7)(x) of this subdivision starting at the eastern shore of the Hudson River at the Federal Dam in Troy, continuing east on W. Glenn Avenue in Troy to its intersection with State Route 4, then continuing south on State Route 4 to its intersection with State Routes 9 and 20, then continuing easterly to its intersection with State Route 9, then continuing east on State Route 82, then continuing east on State Route 82 to its intersection with the Taconic State Parkway, then continuing south on the Taconic State Parkway to its intersection with the Sprain Brook Parkway, then continuing south on the Sprain Brook Parkway to its intersection with I-287, then continuing west on I-287 across the [Tappan Zee] Governor Mario M. Cuomo Bridge to I-87 North, then continuing north on I-87 to where State Route 9W crosses I-87 in Greene County, then continuing north on State Route 9W to where State Route 9W crosses I-87 in Albany County, then continuing north on I-87 to its intersection with State Route 7, and then continuing east on State Route 7 to its intersection with I-787, and then continuing north on I-787 to its intersection with Tibbets Avenue, and then continuing east on Tibbets Avenue to its intersection with Delaware Avenue, then proceeding in a straight line to the west edge of the Troy Dam.

Clause 10.10(c)(4)(ii) is amended to read as follows:

(ii) The operator of a party or charter boat operating above the Governor [Malcolm Wilson Tappan Zee] Mario M. Cuomo Bridge on the Hudson River may possess anadromous river herring in excess of the individual recreational possession limit, as specified in subparagraph (i) of this paragraph, prior to the commencement of a fishing charter.

6 NYCRR Part 11 is amended to read as follows:

Clause 11.2(b)(4) is amended to read as follows:

(4) take or possess American shad in the Hudson River and its tributary waters upstream from the river to the first falls or barrier impassable by fish, from the Federal Dam at Troy south to the Governor [Malcolm Wilson Tappan Zee] Mario M. Cuomo Bridge, and the Marine and Coastal District at any time.

Clause 11.2(e) is amended to read as follows:

(e) Possession and sale of American shad in the Hudson River, and its tributary waters upstream from the river to the first falls or barrier impassable by fish, from the Federal Dam at Troy south to the Governor [Malcolm Wilson Tappan Zee] Mario M. Cuomo Bridge, and the Marine and Coastal District.

Clause 11.2(e)(1) is amended to read as follows:

(1) Any American shad inadvertently taken in the Hudson River, and its tributary waters upstream from the river to the first falls or barrier impassable by fish, from the Federal Dam at Troy south to the Governor [Malcolm Wilson Tappan Zee] Mario M. Cuomo Bridge, and the Marine and Coastal District must be returned to the water immediately without unnecessary injury.

6 NYCRR Part 35 is amended to read as follows:

Clause 35.1(c) is amended to read as follows:

(c) Persons taking and landing fish for commercial purposes in the Hudson River downstream from the [Tappan Zee] Governor Mario M. Cuomo Bridge must possess a resident or a nonresident marine commercial food fishing license as required by Environmental Conservation Law (ECL), section 13-0335 and a Hudson River commercial gear license as required by section 36.1 of this Title.

Clause 35.1(d) is amended to read as follows:

(d) Fees paid for a resident or nonresident marine commercial food fishing license to take and land fish for commercial purposes pursuant to Environmental Conservation Law section 13-0335 from the marine and coastal district, which includes the Hudson River downstream from the [Tappan Zee] Governor Mario M. Cuomo Bridge, may be credited toward the purchase of the Hudson River commercial gear license. Fees for the Hudson River commercial gear license will be paid only to the extent that the fee for such license exceeds the \$100 resident fee or the \$1,000 nonresident fee for the marine commercial food fishing license, whichever is applicable.

Clause 35.3(c)(1) is amended to read as follows:

(1) bait fish taken in the Hudson River upstream of the [Tappan Zee] Governor Mario M. Cuomo Bridge and below the Federal Dam at Troy, including all tributaries up to the first barrier impassable by fish, may also be possessed, sold, offered for sale, bartered, or transferred for use in the marine and coastal district defined in Environmental Conservation Law, section 13-0103; or

6 NYCRR Part 42 is amended to read as follows:

Clause 42.2(w) is amended to read as follows:

(w) **Marine district** means the waters of the Atlantic Ocean within three nautical miles of the coastline of the State and all tidal waters within the State including the Hudson River up to the [Tappan Zee bridge] Governor Mario M. Cuomo Bridge.

6 NYCRR Part 43 is amended to read as follows:

Clause 43-1.1 is amended to read as follows:

The purpose of this Subpart is to promote and support the maintenance of viable surf clam and ocean quahog populations in select areas of the Marine and Coastal District. The Marine and Coastal District includes the waters of the Atlantic Ocean within three nautical miles from the coastline and all other tidal waters within the State, including the Hudson River up to the [Tappan Zee] Governor Mario M. Cuomo Bridge. The provisions of this Subpart are designed to limit mechanical surf clam and ocean quahog harvesting activities to specifically defined areas of the Marine and Coastal District, to require a special surf clam/ocean quahog mechanical harvesting permit, to provide specific controls over the design of mechanical harvesting gear, weekly and annual harvest quotas, open and closed seasons, and to require recordkeeping and reporting. Such requirements and controls are intended to support the continuation of a limited capacity fishery in the involved waters of the Marine and Coastal District so that the fishery continues to operate in basic balance with available surf clam and ocean quahog stocks and to aid in the management of a complex system of shellfish resources in adjoining waters.

Clause 43-2.1 is amended to read as follows:

The purpose of this Subpart is to promote and support the maintenance of viable surfclam and ocean quahog populations in the Atlantic Ocean portion of the Marine and Coastal District. The Marine and Coastal District includes the waters of the Atlantic Ocean within three nautical miles from the coastline and all other tidal waters within the State, including the Hudson River up to the [Tappan Zee] Governor Mario M. Cuomo Bridge. The provisions of this Subpart require surfclam and ocean quahog mechanical harvesting permits, establish specific controls over the possession and design of mechanical harvesting gear, set daily vessel harvest limits and annual harvest limits, establish an Individual Fishing Quota system for each eligible surfclam vessel, establish container and cage tagging requirements and require recordkeeping and reporting, implement mandatory Vessel Monitoring System requirements and establish rules for confidentiality of fisheries data. Such requirements are intended to support the continuation of a viable fishery in the involved waters of the Atlantic Ocean so that the fishery continues to operate in balance with available surfclam and ocean quahog stocks.

6 NYCRR Part 45 is amended to read as follows:

Clause 45.1(g) is amended to read as follows:

(g) **Marine district** means the waters of the Atlantic Ocean within three nautical miles of the coastline of the State and all tidal waters within the State including the Hudson River up to the [Tappan Zee] Governor Mario M. Cuomo Bridge.

6 NYCRR Part 47 is amended to read as follows:

Clause 47.1(i) is amended to read as follows:

(i) **Marine district** means the waters of the Atlantic Ocean within three nautical miles of the coastline of the State, and all tidal waters within the State, including the Hudson River up to the [Tappan Zee] Governor Mario M. Cuomo Bridge.

6 NYCRR Part 576 is amended to read as follows:

Clause 576.2(h) is amended to read as follows:

(h) **Marine and coastal district waters** means the waters of the Atlantic Ocean within three nautical miles from the coast line and all other tidal waters within the state, including the Hudson River up to the Governor [Malcolm Wilson Tappan Zee] Mario M. Cuomo Bridge.

6 NYCRR Part 591 is amended to read as follows:

Clause 591.3(l)(2)(i) is amended to read as follows:

(i) the proposed project is a tidal wetland, with or without associated upland buffer, as defined in article 25 of the Environmental Conservation Law, located either in the marine and coastal district as defined in section 13-0103 of the Environmental Conservation Law or in the Hudson River Valley between the [Tappan Zee] Governor Mario M. Cuomo Bridge and the Federal Dam at Troy; or