



# RECREATION RULE UPDATE

## FREQUENTLY ASKED QUESTIONS

### **BOATING**

#### **What are the changes to the recreational boating program?**

DEP will extend the recreational boating season from May 1 to Oct. 31. To help prevent the spread of invasive species, DEP has discontinued the use of sailboats, which were more difficult to steam clean and rarely used on the reservoirs.

**What are the changes to the fishing boat program?** The term of the boat tag will increase from 2 years to 4 years. The new rules also limit boat ownership transfers to open boat storage areas only. Boat transfers will not be permitted in closed boat storage areas. However, those waiting for a spot in a closed boat storage area can submit an application to be put on a waiting list that will be carefully tracked and maintained by DEP.

#### **Is the 10-foot-buffer rule that was proposed still part of the revised rules?**

No. DEP removed this proposed change from the rules after hearing feedback from the public. Still, boaters are strongly encouraged to store their boats well above the high-water line to prevent them from floating away.

#### **What if I want to give or sell my boat to someone and it's stored in a closed Boat Storage Area?**

Boat owners can sell or give their boat to any person at any time. Your boat is your personal property. However, boat owners who keep their boats in closed storage areas will not be permitted to transfer their storage location on City-owned property along with the boat. If an open boat storage area is located on the same reservoir, a transferred boat may be relocated to that area.

#### **Why did DEP keep the proposed changes to the transfer restrictions in closed Boat Storage Areas?**

During the public comment period, DEP received many comments about its proposal to ban the transfer of boats in closed storage areas. Originally, the change was proposed to address issues of equitable access to the reservoirs, and to prevent the commercial sale of boat-storage space along the reservoirs. Fishing on New York City's reservoirs and boat storage along their shorelines are meant to be features of recreational access that are offered free of charge to the public.

However, a small number of private businesses and boat owners used the previous recreation rules to sell boats in closed storage areas for exorbitant prices. This practice also exacerbated the length of time that fishermen spent on waiting lists while they waited for a spot to open at some of DEP's most popular reservoirs.

Further research found that the transfer of boat tags and boat storage spaces was a violation of regulations set forth in the NYC Administrative Code ([Section 24-315](#)) because the practice amounted to an illegal transfer of a City-owned property interest. Since the boat tags and spaces are nontransferable, DEP must now issue a new boat tag to each person who takes ownership of a boat stored at any reservoir. This new process will require the original boat owner to submit to DEP a boat tag surrender form, along with the new boat owner's application for a boat tag. A boat tag for the new owner will be processed immediately in open boat storage areas only. Otherwise, the new owner of the boat will be put on the waiting list to enter a closed storage area. Those at the top of the waiting list will be given the first chance to store a boat in the newly opened space.

#### **What are the limits and how will they affect boaters?**

The popularity of the fishing boat program has increased dramatically in recent years. Many boat storage areas on DEP reservoirs east of the Hudson River are closed because they are full. Nearly 500 people are on waiting lists for some reservoirs. More than 13,000 boats are currently stored on DEP reservoirs. The vast majority of boaters (80%) own just one boat. Less than 5% own three or more boats.

To improve the equity of access for fishermen, the new rules will allow DEP to limit the number of boats each person can store alongside its reservoirs. The current DEP Boat Management Policy will allow an individual to store up to 16 boats on DEP reservoirs, but no more than eight on reservoirs east or west of the Hudson River. Individual reservoirs will also have limits, determined both by the reservoir size and capacity. Currently less than 1% of boaters (85 individuals) have eight or more boats. The rules contain a grandfather provision for existing owners of multiple boats. Nobody will be asked to remove their boats.

### **How else will DEP work to increase access for boaters?**

In addition to these rules, DEP will develop several plans to increase access to fishing boats throughout the water supply system. We will develop plans for organized clubs to own and manage shared boats, investigate boat sharing or rental programs, and examine the potential expansion or improvement of boat storage areas. DEP also plans to invite boaters to participate in a working group to discuss important topic of interest, such as the protection of natural resources, trash, over-crowding, enhancing and expanding access, and improving boaters' overall experience. If you're interested in participating in this group, please email [tdavidock@dep.nyc.gov](mailto:tdavidock@dep.nyc.gov).

## **HUNTING AND FISHING**

### **What are the changes for hunting on DEP lands?**

The proposed rules include several small changes for hunting on DEP lands. For example, hunters will be allowed to use trail cameras for scouting game. The rules also allows DEP to establish special programs aimed at reducing or managing deer populations.

### **What changes are proposed for fishing on DEP waters?**

Aside from boating changes, the only adjustment to fishing rules allows anglers to use electric augers for ice fishing. Ice augers must have a rechargeable battery contained within the auger housing, if they are powered by a hand-held power drill. Ice fishing will still be permitted only on some reservoirs east of the Hudson River.

## **PUBLIC ACCESS AREAS**

### **What are the changes to Public Access Areas (PAA)?**

PAAs are typically located away from DEP reservoirs and do not require the visitor to have a DEP Access Permit. Two rule changes will further improve access to these lands. Previously, DEP was only able to designate a PAA if the full range of outdoor activities – including hunting, hiking, fishing and trapping – was going to be allowed at that location. Properties that included a narrower range of access, such as hiking but not hunting, required a permit and could not be designated as a PAA. The new rules will allow DEP to establish single-use PAAs for lands that are appropriate for some activities but not all.

The other significant change would allow PAAs east of the Hudson River, giving DEP the authority to designate permit-free access to water supply lands in Dutchess, Putnam and Westchester counties for the first time.

## **OTHER USES**

### **What other uses will now be permitted under the new rules?**

Service dogs will now be permitted on Public Access Areas, Permit Areas and Day Use Areas. School-issued ID cards will be an acceptable form of identification for access permits. The proposed rules also allow special event designations, giving DEP the authority to waive access permit requirements for special one-time events such as family fishing days or reservoir clean ups.

## **PROHIBITIONS**

### **Are there any additional activities that will be prohibited by the new rules?**

The new rules will prohibit smoking, including electronic cigarettes (e-cigarettes), on all City-owned lands and waters. This rule will promote public health, public safety, and the cleanliness of our natural resources. The smoking ban will also reduce the risk of accidental fires started by unextinguished cigarette butts. The ban aligns with similar policies at other NYC parks and beaches. The proposed rules will also prohibit drone launching/landing on recreation areas, riding horses, and target shooting.

