**§ 11-0317. Seasons and limits for taking fish in certain border waters.**

1. After consultation with the appropriate agencies of the neighboring states or provinces mentioned in this section, the department shall have power to adopt regulations establishing open seasons, minimum size limits, manner of taking, creel and seasonal limits for the taking of fish in the waters of Indian Lake and Mianus Reservoir, both situated partly in New York and partly in Connecticut, and in the waters of Greenwood Lake, situate partly in New York and partly in New Jersey, and in the Delaware River, situate partly in New York and partly in Pennsylvania and in the waters of Lake Champlain situate partly in New York, partly in Vermont and partly in the Province of Quebec. Such open seasons, manner of taking and limits shall, whenever possible, be made uniform, with those fixed by the neighboring state or province for the waters in question with respect to all species upon which agreement can be reached with the appropriate agency of that jurisdiction.

2. When the department shall find that conditions permit restoration and maintenance of the shad run of the Delaware River and that restrictions imposed under the foregoing powers are inadequate to cooperate with Pennsylvania and New Jersey in maintaining the maximum sustained yield of such fishery, the department is authorized after consultation with the appropriate agencies of Pennsylvania and New Jersey to declare by regulation that an emergency exists and in its discretion to impose such additional restrictions for the taking of shad in the Delaware River and its tributaries as to numbers and lengths and types of nets and other gear, compulsory lift periods, licenses, closed season, protected waters or other like measures as may in its judgment be necessary to maintain such maximum sustained yield. In adopting any such regulation, the department shall observe the conditions prescribed in section 11-0315.

3. After consultation with the appropriate agencies of the neighboring states and the Province of Ontario, the department shall have power to adopt regulations establishing open seasons, minimum size limits, manner of taking, and creel and seasonal limits for the taking of fish in the waters of Lake Erie, Lake Ontario, the Niagara river and the St.

Lawrence river. Such open seasons, manner of taking and limits shall, whenever possible, be made uniform with those fixed by the neighboring states and the Province of Ontario, as the case may be, for the waters in question with respect to all species upon which agreement can be reached with the appropriate agency of that jurisdiction.