§ 11-1109. Registered muskrat marshes.

1. Applicability. A registered muskrat marsh is an enclosed marsh which was registered with the department prior to September 1 of the year previous to the year in which a privilege granted or a rule provided by this section is invoked or applied.

2. Registration. Application for registration of a muskrat marsh shall be made upon forms supplied for such purpose by the department. If the department is satisfied that the marsh covered by the application is being managed in accordance with sound management practices, it shall issue a certificate of registration which shall entitle registrant to apply for the permission provided for in this section. The department shall be entitled to receive ten dollars as a registration fee.

3. Control of muskrats on registered marshes. The owner or lessee of a registered marsh may apply to the department for permission to trap within specified dates during the closed season in order to allow the removal of surplus muskrats, not required for breeding stock.

4. Investigation; permit. The department shall cause an investigation to be made of the allegations of all trapping applications filed with it by registered applicants, and may, in its discretion, issue a permit to such applicant, allowing him, and persons whom he may designate in writing, to trap muskrats within specified dates during the closed season, except that no such permit shall be issued for the trapping of muskrats during the period from May 1 through October 31. The name and address of every person designated in writing to trap shall, prior to the time designee begins to trap, be forwarded by the registrant to the Department of Environmental Conservation, Albany, New York, by registered mail.

5. Regulations. Notwithstanding any other provisions of the Fish and Wildlife Law to the contrary, the department may make regulations governing the manner of trapping muskrats on registered marshes; provided, however, that no such regulations shall be made which are more restrictive than provisions of this chapter expressly regulating the

manner of taking muskrats.

6. Reports. Registrants shall, not later than May 1 of each year, furnish the department with a report covering the number of muskrats trapped.

7. License. No person other than the owner or lessee thereof shall engage in trapping on a registered marsh unless he holds a trapping license.