STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING

RICK SNYDER
GOVERNOR

KEITH CREAGH
DIRECTOR

SUBMITTED: July 16, 2012

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Spawning Closures (FO-204)
FOR INFORMATION ONLY

Authority

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director to provide for better protection and preservation of fish, game and birds.

Discussion and Background

This Order regulates spawning closures on select waters for the protection and preservation of spawning fish populations. We propose two changes for the Platte River at this time; 1) to reinstate the historical spawning closure for the Platte River covering the section from the upper hatchery weir downstream to Platte Lake, and 2) to change the fishing closure placed on the section of the Platte River within 300 feet of the upper (hatchery) weir infrastructure from a set date to whenever the weir is in place.

The historical spawning closure for the Platte River covering the section from the upper hatchery weir downstream to Platte Lake has been in effect for many years and anglers are supportive of the regulation. Recently, the spawning closure from January 1 – March 31 was replaced with a new closure from March 1 – the last Saturday in April in an effort to increase angler opportunity. However, the change resulted in confusion for our anglers and the closure no longer lined up with the spawning closure currently in place on the Little Manistee River. Both streams are important broodstock sources for hatchery production. Therefore, we propose to realign the Platte River spawning closure with the Little Manistee to January 1 – March 31. We also propose to change the upper boundary "from the upper hatchery weir" to "from US-31 bridge East of Honor" to match the upstream boundary for the Type 4 trout regulations there.

The proposal to modify the closure date on the Platte River within 300 feet of the upper hatchery weir infrastructure to whenever the weir is in place will reduce confusion and protect broodstock when the weir is in operation. Historically, this section has been closed to fishing all year and in 2011 we changed the regulation by adding dates to when the weir would be in operation (February 15 through April 28 and August 15 through November 7). However, this was confusing to anglers given the current season of the last Saturday in April through September 30 that is in effect near the weir. Issuing a section closure during a closed fishing season became problematic since people believed the stream was open to fishing outside of those spawning closure dates. This change will benefit our anglers by removing the problematic dates. Additionally, our hatchery production operations will benefit from this change when broodstock are congregating near the weir.

Both proposals were discussed this spring at several local public meetings and anglers indicated they were supportive of the changes. Local law enforcement personnel are also supportive of these regulatory modifications.

Recommendation

It is our recommendation that the change proposed to Fisheries Order 204 as indicated above be approved to take effect on April 1, 2013. The recommended changes will help alleviate confusion created by recently enacted changes to this Order and continue our ability to maintain protection of important broodstock in the Platte River. This will also align the spawning closure between the Platte River and Little Manistee River which are both important broodstock sources for hatchery production.

This Order is being submitted for information at the August 2012 meeting of the Natural Resources Commission. This Order will be resubmitted for action at the September 2012 meeting of the Natural Resources Commission. This item appeared on the Department's August 2012 calendar, and is eligible for approval on September 13, 2012.

James L. Dexter, Chief
Fisheries Division

Gary Hagler, Chief
Law Enforcement Division

Russ Mason, Ph.D., Chief
Wildlife Division

Bill O'Neill, Acting Chief for
Forest Resources Division

Ronald A. Olson, Chief
Parks and Recreation Division

William E. Moritz, Ph.D.
Natural Resources Deputy

I approve the staff recommendation.

Keith Creagh, Director

Date

ORDER

SPAWNING CLOSURES

Under the authority of sections 48718 of 1994 PA 451, as amended, being MCL 324.48718 the Director of the Department of Natural Resources on September 13, 2012, ordered that for a period not to exceed five years, the following stream sections are closed to fishing to protect concentrations of spawning fish:

County	Area Closed	Closure Time
Alger	Rock River - between dam and its downstream-most foot bridge located downstream from M-28 (T47N, R21W, S15)	April 1 – June 30
Allegan	Swan Creek – from mouth upstream to Diversion Dam ("The Tubes"; T2N, R14W, S9)	September 1 – November 30
Alpena	Beaver Lake Pike Marsh (T30N, R5E, S35)	When marsh is in operation
Antrim	Intermediate River from Bellaire Dam to Highway M-88 Bridge	April 1 – May 14
Arenac, Bay	Pine River – upstream from State Road (T18N, R5E, S5)	March 16 – Friday before last Saturday in April
Arenac, Bay	Saganing Creek – upstream from State Road (T18N, R5E, S30)	March 16 – Friday before last Saturday in April
Baraga	Sturgeon River – from the Prickett Dam downstream to mouth of Clear Creek (T50N, R35W, S12)	April 1 – June 30
Bay	Kawkawlin River and all tributaries upstream from Euclid Avenue (T14N, R5E, S6)	March 16 – Friday before last Saturday in April
Benzie	Platte River from **US-31 bridge at Veteran's Park** ~~upper (hatchery) weir~~ downstream to Platte Lake	~~March 1 – the last Saturday in April~~**January 1 – March 31**

Benzie	Platte River within 300 feet of the upper (hatchery) weir infrastructure	**Whenever weir is in place**~~August 15 – September 30~~
Benzie	Platte River within 300 feet of the lower weir **infrastructure**	Whenever weir is in place
Benzie	Betsie River – No fishing within 100 feet upstream and downstream from the lamprey barrier and fish passage facility (T25N, R15W, S2)	Year around
Charlevoix	Medusa Creek – Tributary to Lake Michigan (T34N, R8W, S28) and including an area of Lake Michigan in a radius of 100 feet from the mouth of Medusa Creek	Whenever weir is in place
Cheboygan	Black River - from Kleber Dam downstream to Red Bridge (T35N, R1E, S5), it shall be unlawful to take or attempt to take any species of fish	April 1 - June 15
Cheboygan	Lower Black River from Alverno Dam downstream to Mograin Bridge (T37N, R1W, S26)	April 1 – May 14
Cheboygan	Douglas Lake Pike Marsh (T37N, R3W, S8)	When marsh is in operation
Chippewa	Potaganissing River from Potagannising Dam downstream to Maxton Road (T42N, R6E, S15)	March 16 – May 14
Delta	Rapid River Borrow Pit (T41N, R21W, S34)	Year around
Grand Traverse	Boardman River within 300 feet upstream or downstream of weir in Traverse City	Whenever weir is in place
Iosco	East Branch AuGres River – between DNR lamprey weir and Legget Road (T21N, R6E, S10)	December 1 – day before last Saturday in April
Iosco	AuSable River – All that portion below the Foote Dam including the apron to 175 feet downstream from the dam	Year around
Iosco	Van Etten Creek from dam at Van Etten Lake to mouth at AuSable River (T24N, R9E, S27 & 34)	August 15 – November 30
Iosco	AuGres River from a point 50 feet upstream from the Allen (Cox) Road Bridge to 500 feet downstream (T21N, R6E, S31 & 32)	March 16 – Friday before last Saturday in April

Mackinac	Three Lake Huron bays in the Les Cheneaux Area including (1) Mackinac Bay, north of the Line beginning at Hessel Point and running easterly to the southeast tip of Lone Susan Island, thence easterly to the southeast tip of Echo Island, thence easterly to the mainland, (2) Shepard Bay, west of a line beginning at Connor Point and running northwesterly to Melcher's Point and (3) Flower Bay, bounded by a line beginning at Loon Point and running easterly to the northwestern tip of Hill Island, thence easterly following the north shoreline of Hill Island to the narrows between Flower Bay and Moscoe Channel, thence northerly across the narrows to the mainland, thence westerly following the shoreline back to the point of beginning	March 15 – May 14
Manistee	The southern end of Manistee Lake in the vicinity of the mouth of the Little Manistee River, being that area of Manistee Lake south of a line drawn from a squared red post, located 100 feet southeast of the launch ramp at the DNR Public Access Site on the east shore, extending southwesterly to a squared red post on the west shore located near the southern end of the Packaging Corporation of America Plant	September 6 – October 15 or whenever the established quota of chinook eggs are taken
Manistee	Little Manistee River from a point 300 feet downstream from the DNR weir (T21N, R16W, S25) to Manistee Lake	September 1 – November 14 and January 1 – March 31
Manistee	Little Manistee River within 300 feet of the DNR weir (T21N, R16W, S25)	Year around
Manistee, Mason, Lake	Little Manistee River from a point 300 feet upstream of the DNR weir to Spencers Bridge	January 1 – March 31
Marquette	Salmon-Trout River from lower falls (T51N, R28W, S13) to the mouth (T52N, R27W, S31)	August 15 – Friday before the last Saturday in April
Midland	Tittabawassee River—between Sanford Dam and the mouth of the Salt River (T15N, R1W, S24)	March 16 – Friday before last Saturday in April
Midland	Tittabawassee River—between the Dow Dam and Gordonville Bridge (T13N, R2E, S1)	March 16 – Friday before last Saturday in April
Ontonagon	W. Br. Ontonagon River—from its confluence with the Victoria Hydro Station tail race (T50N, R39W, SE ¼ of the SW ¼ of S29) upstream to Victoria Dam	April 1 – June 10

Presque Isle	Shuberts Creek (T33N, R7E) from Long Lake upstream to Clinton Creek Road (T33N, R7E, S14)	April 1 – May 14
Presque Isle	Clinton Creek (T33N, R7E, S26)	April 1 – May 14
Presque Isle	Grand Lake Pike Marsh (T34N, R7E, S21 & 22)	When marsh is in operation
Presque Isle	Swan River – from 300 feet above weir to mouth (T35N, R6E, S20 & 29)	Whenever weir is in place
Presque Isle	Rainy River from the confluence with Black Lake upstream to North Allis Road Bridge (T35N, R2E, S15)	April 1 – May 14
Roscommon	Backus Creek from its confluence with the Cut River (T23N, R3W, S22) upstream to Little Mud Lake Dam (T23N, R2W, S30)	March 23 – April 23
Roscommon	Cut River from its confluence with Backus Creek (T23N, R3W, S22) upstream to its outlet at Marl Lake (T24N, R3W, S34)	March 23 – April 23

This Order shall be assigned number FO-204.13, and is entitled "Spawning Closures."

This Order supersedes the Order entitled "Spawning Closures," which became effective April 1, 2012 and is assigned number FO-204.12.

This Order shall take effect on April 1, 2013. This Order shall remain in effect until March 31, 2018 or until this Order is amended/rescinded, whichever comes first. Although this Order may be reviewed and amended on an annual basis, a review of this Order shall occur no later than August 1, 2017.

Issued on the _____ day of _____, 2012.

Keith Creagh
Director

The Natural Resources Commission has reviewed this Order.

Timothy L. Nichols
Chairperson

Deb Whipple
Executive Secretary