



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



JENNIFER M. GRANHOLM
GOVERNOR

REBECCA A. HUMPHRIES
DIRECTOR

August 20, 2007

TO: Rebecca A. Humphries, Director
INFORMATION: Natural Resources Commission
SUBJECT: Possession and Transportation of Exotic Species (FO-209) -
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:

Michigan's waters are under assault from aquatic nuisance and invasive species which are already present, but there is an ever increasing threat of more to come. An extraordinary amount of time and money is spent each year to control species like Eurasian water milfoil, sea lamprey and zebra mussels in Michigan's waters. Native communities of fauna and flora have been forever changed by the invasion of non-native species. Round goby and tubenose goby are already present in some areas of the Great Lakes, but have not yet invaded many inland waters. Eurasian ruffe have been found in Lake Superior and a small part of Lake Huron, but also have not invaded inland waters yet. This order will serve to prevent introductions to non-infested waters.

This order has been in place for several years and we are recommending that it be renewed with some changes. We recommend adding largescale silver carp *Hypophthalmichthys harmandi* to the order to prohibit all possession and transport in Michigan. Largescale silver carp, native to parts of China and Vietnam, are a distinct species related to the silver carp. While not yet known to be in the U.S., largescale silver carp could compete with native species for food and habitat and may hybridize with silver and bighead carp, both of which are already in U.S. waters. The closely related silver carp, native to Asia, were introduced in the United States in the early 1970s for use as algae control agents in sewage lagoons and fishery production ponds, but escaped into surrounding waters. The carp have established themselves in the Mississippi River Basin, but are not currently cultured in the U.S. Managers are concerned the silver carp could spread throughout the U.S. and compete with native species for food and habitat. Silver carp are prohibited in Michigan and it is recommended that the closely related largescale silver carp be

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prohibited as well. The US Fish and Wildlife Service recently added the silver carp and the largescale silver carp as injurious species under the Lacey Act effective August 9, 2007. The Great Lakes Commission is on record as supporting this action.

Previously, FO 209.03 made it illegal to transport or possess live specimens of several other species including: black carp *Mylopharyngodon piceus*, bighead carp *Hypophthalmichthys nobilis*, silver carp *Hypophthalmichthys molitrix*, and all members of the snakehead family *Channidae*, genus *Channa*. These species are now included as prohibited species in Part 413 of P.A. 451 of 1994 and so do not need to be listed in this order. Therefore, we are recommending that they be removed from the order. This order has been in place for several years and has been accepted by the public. This order is set to expire in February 2008, therefore, we are recommending that it be renewed and take immediate effect.

Recommendation:

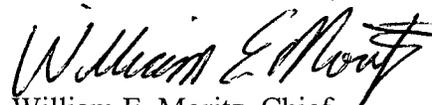
This order is being submitted for information at the September 2007 Natural Resources Commission Meeting. This item appeared on the Department's September 4, 2007 calendar and is eligible for approval on October 11, 2007.



Kelley D. Smith, Chief
Fisheries Division



Rodney Stokes, Acting Chief
Law Enforcement Division



William E. Moritz, Chief
Wildlife Division



Lynne M. Boyd, Chief
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David E. Freed, Chief
Land and Facilities



Ronald A. Olson, Chief
Parks and Recreation Division

Armindia S. Koch
Resource Management Deputy

I approve the staff recommendation.

Rebecca A. Humphries
Director

Date Approved

ORDER

(Under the authority of Act 451
of the Public Acts of 1994, as amended)

POSSESSION AND TRANSPORTATION OF EXOTIC SPECIES

Under the authority of sections 41101 through 41105 of Act 451 of the Public Acts of 1994, as amended, being sections 324.41101 through 324.41105 of the Michigan Compiled Laws, the Director of the Department of Natural Resources on October 11, 2007, ordered that no person shall possess or transport live Eurasian ruffe *Gymnocephalus cernuus*, tubenose goby *Proterorhinus marmoratus*, round goby *Neogobius melanostromus*, and largescale silver carp *Hypophthalmichthys harmandi*. No person shall possess or transport the eggs of any of the above species.

This order is assigned number FO-209.07, and is titled "Possession and Transportation of Exotic Species."

This order supersedes the order entitled "Possession and Transportation of Exotic Species" effective February 5, 2003 and assigned number FO-209.03

This order shall take immediate effect October 11, 2007, and shall remain effective through March 31, 2012.

Issued on the _____ day of _____, 2007.

Rebecca A. Humphries
Director

The Natural Resources Commission has reviewed this order.

Keith J. Charters
Chairperson

Teresa Gloden
Executive Secretary