JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: August 17, 2009
RESUBMITTED: September 14, 2009

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Statewide Coolwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish and Yellow Perch (FO-215)

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:

Two special provisions on walleye are recommended for removal from this order. Both provisions limited harvest of large walleye (greater than 23 inches) to one fish in portions of the St. Joseph River and Little Bay de Noc.

The St. Joseph River regulation was implemented in 1999 and was intended to reduce harvest of large spawning females in the St. Joseph River to promote natural reproduction. Walleye have continuously been stocked in the river since 1980 to maintain the fishery. Creel surveys were used to evaluate harvest, length, age, and growth of walleye before and after the regulation change. The majority of the walleye harvest (92 percent) is in the 15 to 22 inch length range. The number of harvested walleye over 23 inches in length was nearly the same before (7.9 percent) and after (8.4 percent) the regulation change. The age structure of harvested fish was the same before and after the regulation. Most fish are harvested at age 2 and 3. The growth of walleye in the St. Joseph River continues to be good. Evaluations of fish origin are underway using oxytetracycline marked hatchery fish. Stocking rates and marked walleye returns have been too variable to come up with a viable estimate. Biologists have no evidence of a change in natural reproduction and believe that it is still low at 5 percent. Due to the low estimated rate of natural reproduction, this regulation has been determined to be unwarranted. Therefore, this provision is recommended for removal from the order.

NATURAL RESOURCES COMMISSION
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The Little Bay de Noc regulation was implemented in 1994 and was intended to preserve the spawning stock for Little Bay de Noc (LBDN) by protecting large female walleye. Results from creel surveys conducted on LBDN from 1988-93 show that approximately 17 percent of all fish creeled were over 23 inches in length (season closed March 15). Creel surveys conducted on LBDN from 1999-2003 show that 14 percent of all fish creeled were over 23 inches (season closed end of February). These data suggest that removing the possession exception for LBDN will likely have little negative impact on this walleye population. These data should also ease concerns about over harvest of large walleye since anglers have been allowed an additional two weeks of walleye angling on LBDN beginning in 2009.

Both regulation proposals were presented through public meetings, news articles, and web discussions. The St. Joseph River regulation change proposal feedback has all been positive with no strong opposition to the change. The LBDN regulation change proposal feedback has been mixed and some social concerns still remain within the local angling community. Law Enforcement Division has indicated their support for these two proposals.

Recommendation:

This order was submitted for information and consideration at the August 13, 2009, Natural Resources Commission meeting. This item appeared on the Department's August 2009 calendar and may be eligible for approval on October 8, 2009.

Kelley D. Smith, Chief
Fisheries Division

Russ Mason, Ph.D., Chief
Wildlife Division

David E. Freed, Chief
Land and Facilities

Ronald A. Olson, Chief
Parks and Recreation Division

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management Division

Gary Hagler, Chief
Law Enforcement Division

Arminda S. Koch
Resource Management Deputy

I approve the staff recommendation.

Rebecca A. Humphries
Director

Date Approved

ORDER

STATEWIDE COOLWATER REGULATIONS FOR Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, and Yellow Perch

By authority conferred on the Department of Natural Resources by sections 41101 through 41105 of 1994, PA 451, as amended, being MCL 324.41101 through 324.41105, the Director of the Department of Natural Resources on October 8, 2009, ordered that for a period of five years the statewide size limits, possession limits and seasons on all state waters shall be as listed below, except as otherwise ordered:

STATEWIDE SIZE and POSSESSION LIMITS: (except as otherwise provided)

SPECIES	MINIMUM SIZE LIMIT	POSSESSION LIMIT
Largemouth bass* Smallmouth bass*	14 inches	5 in combination*
Walleye*	15 inches**	
Northern pike*	24 inches	
Flathead catfish*	15 inches	
Muskellunge	42 inches	1
Channel catfish	12 inches	10
Yellow perch	No size limit	50

* The possession limit for these species is 5 fish singly or in any combination, except as follows:

a. St. Clair River (beginning at the Ft. Gratiot Light) and Lake St. Clair: one (1) additional walleye may be taken from the St. Clair River and Lake St. Clair.

b. Michigan waters of Green Bay: from the mouth of the Menominee River northward to the latitudinal line (45 degrees/15 minutes) located approximately 3 miles south of Rochereau Point: from March 2 - Friday before 1st Saturday in May the daily possession limit is 1 walleye and from the 1st Saturday in May – March 1 the daily possession limit is 5 walleye.

c. No more than two (2) of which may be northern pike, except the limit is five fish on those waters where northern pike may be taken at any size (refer to FO-214).

** The minimum size limit on Lake St. Clair and St. Clair River shall be 13 inches.

STATEWIDE SEASONS (except as otherwise provided) – A person shall not take, catch, or kill or attempt to take, catch or kill any of the fish of the species named below except during the open seasons specified below:

1. Largemouth bass and smallmouth bass

   a. Lake St. Clair, St. Clair River, Detroit River: From the last Saturday in April to the Friday before the 3rd Saturday in June, catch and immediate release fishing is permitted. All bass caught during this period must be immediately returned to the water. The open possession season is 3rd Saturday in June - December 31;

   b. On Lake Michigan, within one-half mile of the following islands of the Beaver Island Archipelago, Beaver, Garden, High and Hog, Charlevoix County: The open season is July 1 - December 31. Catch and immediate release fishing is not permitted on these waters prior to the open season;

   c. All other waters: From the last Saturday in April to the Friday before Memorial Day on all waters in the Lower Peninsula (including Lower Peninsula Great Lakes waters), and from May 15 to Friday before Memorial Day on all waters in the Upper Peninsula (including Upper Peninsula Great Lakes waters), catch and immediate release fishing is permitted. Bass caught during this period must be immediately returned to the water. The open possession season is Saturday before Memorial Day - December 31.

2. Walleye, northern pike, and muskellunge (including tiger muskellunge).

   a. In all Upper Peninsula waters including the surrounding Great Lakes and connecting waters not otherwise closed to fishing the open season shall be from May 15 - March 15, except:

      For walleye only and only in waters of Green Bay, the following regulations apply to the harvest of walleye taken from Michigan waters of Green Bay from the mouth of the Menominee River northward to the latitudinal line (45 degrees/15 minutes) located approximately 3 miles south of Rochereau Point: from March 2 - Friday before 1st Saturday in May the daily possession limit is 1 walleye and from the 1st Saturday in May – March 1 the daily possession limit is (5) walleye.

   b. In all Lower Peninsula inland waters not otherwise closed to fishing, the open season shall be from the last Saturday in April - March 15.

   c. In all Lower Peninsula Great Lakes and connecting waters not otherwise closed to fishing, the open season shall be year around, except: the open season for muskellunge in Lake St. Clair and the St. Clair and Detroit Rivers shall be from the first Saturday in June - December 15.

3. Flathead and channel catfish: Open all year.

4. Yellow perch: Open all year.

This order shall be assigned number FO-215.10, and is entitled "Statewide Coolwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, and Yellow Perch."

This order supersedes the order entitled "Statewide Coolwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, and Yellow Perch," effective April 1, 2008, and assigned number FO-215.08.

This order shall take effect April 1, 2010, and shall remain effective through March 31, 2015.

Issued on the _____ day of _____, 2009.

Rebecca A. Humphries
Director

The Natural Resources Commission has reviewed this order.

Keith J. Charters
Chairperson

Teresa Gloden
Executive Secretary