JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

September 17, 2007
Resubmitted: October 15, 2007

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

SUBJECT: Protection of Lake Sturgeon, Muskellunge, and Walleye on the Black, Indian, and Cheboygan Rivers (FO-223)

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:

We are proposing one change to this order to increase protection of spawning lake sturgeon in the Black, Indian, and Cheboygan Rivers. Law enforcement and the Sturgeon for Tomorrow have asked Fisheries Division to incorporate and modify this order to further protect lake sturgeon. The large, vulnerable fish have been known to inhabit these river systems in as late as June, which was not accounted for in the previous order (ending in May). Lake sturgeon is a threatened species in Michigan and cooperative efforts have been ongoing to study and protect this species in both Black Lake and the Black River. The Black River is the major spawning ground for lake sturgeon in the Black Lake system so we are recommending that the order be changed to extend the protection of this small population until June 15.

NATURAL RESOURCES COMMISSION
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake

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Recommendation:

This order was submitted for information at the October, 2007, Natural Resources Commission Meeting. This item appeared on the Department's October 1, 2007, calendar and is eligible for approval on November 8, 2007. We are recommending that it be acted upon at this meeting.

Kelley D. Smith, Chief
Fisheries Division

Rodney Stokes, Acting Chief
Law Enforcement Division

Douglas A. Reeves, Acting Chief
Wildlife Division

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

David E. Freed, Chief
Land and Facilities

Ronald A. Olson, Chief
Parks and Recreation Division

Arminda S. Koch
Resource Management Deputy

I approve the staff recommendation.

Rebecca A. Humphries
Director

_____
Date Approved

FO-223.08

ORDER

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

PROTECTION OF STURGEON, MUSKELLUNGE, AND WALLEYE ON THE BLACK, INDIAN, AND CHEBOYGAN RIVERS

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 November 8, 2007, ordered that for a period of five years, from April 1 through June 15, it shall be unlawful to:

(1) Take or attempt to take any species of fish with a spear, bow and arrow or gaff hook from the Black, Indian, or Cheboygan Rivers in Cheboygan County.

(2) Take or attempt to take any species of fish from the Black River from Kleber Dam downstream to Red Bridge (T35N, R1E, S5) in Cheboygan County.

This order is assigned number FO-223.08 and is entitled "Protection of Sturgeon, Muskellunge, and Walleye on the Black, Indian, and Cheboygan Rivers."

This order supersedes the order entitled "Protection of Sturgeon, Muskellunge, and Walleye on the Black, Indian, and Cheboygan Rivers" effective April 1, 2007, and assigned number FO-223.07.

This order shall take effect April 1, 2008, and shall remain effective through March 31, 2013.

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