



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

JENNIFER M. GRANHOLM
GOVERNOR

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

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

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: Waters Open and Regulations Governing the Taking of Wigglers and Crayfish for Commercial Purposes (FO-227)

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:

Changes proposed for this order involve the removal of two streams and two inland lakes from the list affording each protection from commercial wiggler and crayfish harvest. The following trout streams are recommended for removal from the list: Big Sturgeon River and Little Sturgeon River (Cheboygan County). Both rivers are designated trout streams. Wigglers are available at other locations throughout the state and these top-quality trout streams should be protected. The Michigan Bait Dealer's Association stated they would not be opposed to removal of these streams from the list.

The two lakes proposed for removal from the list are Gun Lake (Allegan and Barry Counties) and Pine Lake (Barry County). There is no biological reason or historical data to support maintaining these regulations for Gun and Pine lakes. The only reference to wiggler harvest in these waters is from Hazzard (1944) and Scholma (1945), which document wiggler harvest in both lakes, but do not indicate any biological impacts. Commercial harvest of wigglers or crayfish has not been a concern in any other lakes in Michigan. The existing closed season between June 1 and September 1 should provide adequate protection.

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



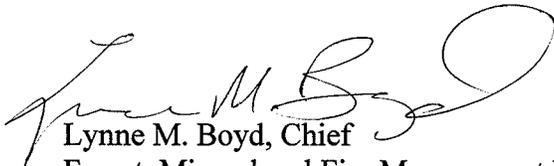
Russ Mason, Ph.D., Chief
Wildlife Division



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

WATERS OPEN AND REGULATIONS GOVERNING THE TAKING OF WIGGLERS AND CRAYFISH FOR COMMERCIAL PURPOSES

By authority conferred on the Department of Natural Resources by section 48730 of 1994 PA 451, as amended, being MCL 324.48730, the Director of the Department of Natural Resources on October 8, 2009, ordered that the following waters are open to the taking of wigglers and crayfish for commercial purposes:

That the following waters are open to the taking of wigglers and crayfish for commercial purposes:

1. The Great Lakes and their connecting waters (including Lakes Superior, Michigan, Huron, Erie, and St. Clair, and the St. Mary's, St. Clair, and Detroit Rivers) except that, the following waters are closed to the taking of wigglers and crayfish for commercial purposes:
 - a. That portion of Tawas Bay of Lake Huron lying between the projections of Wadsworth and Church streets of East Tawas for a distance of 900 feet out from the water's edge.
2. All nontrout streams.
3. The following trout streams:

BENZIE COUNTY

Betsie River from River Road, Sec. 30, T26N, R15W, downstream to M-22

CHARLEVOIX COUNTY

Boyne River Pond (T32N, R5W, S5)

Boyne River (T33N, R6W, S35)

EMMET COUNTY

Bear River (T34N, R5W, S21, 28 & 34)

GRAND TRAVERSE COUNTY

Boardman River from Beitner Road down to Boardman Lake

KALKASKA COUNTY

That part of the Rapid River west of Co. Road 597 (T28N, R8W, S5, 6 & 7) down to Torch River

LEELANAU COUNTY

Solon Creek from the S. line of (T28N, R12W, S16) down to the entrance into Cedar Creek, (T28N, R12W, S9) Crystal River

MACKINAC COUNTY

Millecoquin River from Millecoquin Lake to Lake Michigan

MANISTEE COUNTY

Big Bear Creek down from Potters Bridge (T22N, R14W, S18) down to Big Manistee River (T22N, R15W, S22)

MASON COUNTY

Sauble River from highway US-31 down to Hamlin Lake
Pere Marquette River down from Walhalla Bridge to Pere Marquette Lake

MISSAUKEE COUNTY

Clam River from highway 66 to Falmouth Dam
West Branch of Muskegon River from Co. Road Bridge in the Center of (T23N, R6W, S25) down to the Muskegon River (T22N, R5W, S3)

MUSKEGON COUNTY

White River and bayous
Cedar Creek downstream from River Road

OCEANA COUNTY

Pentwater River from highway US-31 down to Pentwater Lake
White River down from Taylor Bridge

WEXFORD COUNTY

Big Manistee River from US-131 downstream

It shall be unlawful for any person to:

1. Commercially harvest wigglers from any state waters from June 1st to September 1st
2. Use or make use of a water or sand-sucking pump or a mechanically powered device to take or attempt to take wigglers or crayfish.
3. Take, possess or sell rusty crayfish (Orconectes rusticus) anywhere in the State of Michigan.
4. Take wigglers or crayfish without submitting a monthly catch report as required by FO-231.

This order shall be assigned number FO-227.10, and is entitled "Waters Open and Regulations Governing the Taking of Wigglers and Crayfish for Commercial Purposes."

This order supersedes the order entitled "Waters Open and Regulations Governing the Taking of Wigglers and Crayfish for Commercial Purposes," effective September 9, 2004, and assigned number FO-227.04a.

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