



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



JENNIFER M. GRANHOLM
GOVERNOR

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: July 13, 2009
RESUBMITTED: August 17, 2009

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: Waters Open to Netting Burbot (FO-232)

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:

The existing burbot netting regulations allow for the use of hoop nets to take American burbot (*Lota lota*) in the following western Upper Peninsula waters: Pesheeke River (Marquette Co.), AuTrain River (from AuTrain Lake to mouth), Sturgeon River (Baraga Co.) from M-38 bridge to mouth, and Sturgeon River (Houghton County). This harvest activity, using hoop nets, provides a unique fishery that has been established for a long period of time (circa 1950's) in these above mentioned waters. The sport is well accepted by anglers as well as Conservation Officers, and has not created any social or biological problems. Sport harvest netting of American burbot in the western Upper Peninsula has strong cultural ties to the early European communities who settled the western Upper Peninsula lands. Additionally, through the issuance of netting permits and subsequent catch reporting, this practice allows the Department to collect biological trend data on burbot populations as well as fish contaminant monitoring data. We are proposing one minor change to the wording for the end of the season in consideration of leap years. Therefore, we propose replacing "February 28" with "last day in February" to help clarify this issue.

While Fisheries Orders issued under 1994 PA 451, Part 487 have no expiration date, it is recommended that a five year expiration date be placed on the order. This will ensure that the order be reviewed at least once every five years which is consistent with orders issued under 1994 PA 451, Part 411.

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

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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 September 10, 2009.



Kelley D. Smith, Chief
Fisheries Division



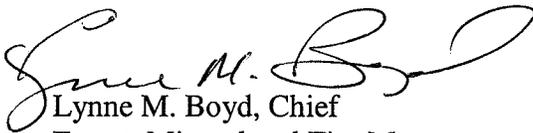
Russ Mason, Ph.D., Chief
Wildlife Division



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 TO NETTING BURBOT

By authority conferred on the Department of Natural Resources by section 48703 of 1994 PA 451, as amended, being MCL 324.48703 (10), the Director of the Department of Natural Resources on September 10, 2009, authorized the following for a period of 5 years:

That the following waters are open for hoop netting of burbot from December 15 through the last day in February.

<u>Water</u>	<u>County</u>	<u>Limits</u>
Peshekee River	Marquette	All
AuTrain River	Alger	Between Lake Superior and AuTrain Lake
Sturgeon River	Baraga	Highway M-38 Bridge Downstream
Sturgeon River	Houghton	All

This order shall be assigned number FO-232.10, and is entitled "Waters Open to Netting Burbot."

This order supersedes the order entitled "Waters Open to Netting Burbot," effective September 16, 2002, and assigned number FO-232.03.

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