JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: July 13, 2009

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Waters Threatened by Excessive Fish Mortalities (FO-233) - 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:

This order is up for renewal with only two minor editorial changes being proposed: the term "District" is being replaced with "Management Unit," and language is included to reflect modern media tools available now for informing the public about proposed regulation changes, such as posting notices on our website (Internet). No other changes are being recommended.

While Fisheries Orders issued under 1994 PA 451, Part 487 have no expiration date, we are recommending 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 is being 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 is 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

FO-233.10

ORDER

WATERS THREATENED BY EXCESSIVE FISH MORTALITIES

Under authority of section 48718 of 1994 PA 451, as amended, being MCL 324.48718, the Director of the Department of Natural Resources on September 10, 2009, ordered that for a period of five years:

That in waters threatened by excessive fish mortalities as determined by the responsible ~~district fisheries biologist~~ **MANAGEMENT UNIT SUPERVISOR**, the water may be opened to the public to fishing with hook and line, hand or spring-propelled spear, bow and arrow, hand net or landing net, or manually by hand for all species of fish without limitation of the number and size of fish so taken, for the anticipated duration of the mortality or, in the case of planned chemical reclamations, for a period preceding the treatment not to exceed one calendar year.

Such waters shall be declared open to this liberalized fishery by the ~~placing of appropriate posters on the lake shore by the responsible district fisheries biologist.~~ **RESPONSIBLE MANAGEMENT UNIT FISHERIES BIOLOGIST THROUGH CONTACT WITH THE MEDIA, NEWS RELEASES, INTERNET OR ANY OTHER SUCH MEANS TO INFORM THE PUBLIC INCLUDING THE POTENTIAL PLACEMENT OF POSTERS ON THE LAKE SHORE.**

This order shall be assigned number FO-233.10, and is entitled "Waters Threatened by Excessive Fish Mortalities."

This order supersedes the order entitled "Waters Threatened by Excessive Fish Mortalities," effective September 16, 2002, and assigned number FO-203.03.

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