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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: Sturgeon Regulations – Statewide (FO-240)

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 two changes to this order including adding the appropriate language that lake sturgeon harvest tags are nontransferable and the addition of a catch and release season for the St. Clair River and Lake St. Clair location.

Anglers have been utilizing the very specialized St. Clair River and Lake St. Clair lake sturgeon fishery since 1999. The regulations governing this fishery have resulted in primarily a catch and release sport fishery for lake sturgeon that has been gaining popularity over the past several years. This fishery draws interest starting with the opening day on July 16, but participation increases in September, when boating traffic slows and the weather starts to cool. On weekend nights during the season there may be 8 to 10 boats anchored and fishing sturgeon from dusk to early morning hours in the North Channel of the St. Clair River. During weekday evenings, effort is lower, but steady. Shoreline anglers have access to these large fish as well. Catches vary, but based on personal observations and reports posted on local fishing websites, we estimated most boats catch an average of one or two fish each night. Nearly all lake sturgeon landed are returned, unharmed to the water, usually after a few pictures have been taken. Fisheries Division contacts and web reports indicate the fishery has a family quality as many of the anglers are taking their children and other family members and giving them a chance to catch this important native species.

Participation in this fishery seems to be peaking each year when the season closes on September 30. There are still many nights in October and November with low pleasure boat traffic and

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good weather for fishing, and many more angler days could result from extending this fishery. The tagging and registration system over the past 8 years has allowed us to monitor the growing popularity of the sturgeon fishery, as well as the harvest. We now know quite a bit more about sport sturgeon harvest rates (from 0 to 6 are registered per year), and it appears this harvest is well below the Lake Sturgeon Rehabilitation Strategy Sub-goal #1 objectives: "the target fishing mortality of 3% for an expanding population or 6% to maintain sturgeon abundance" [page 26 of Special Report No. 18]. Current lake sturgeon abundance in the St. Clair River and Lake St.Clair is estimated to be 10,000 to 20,000 (M. Thomas, DNR research, personal communication). The number of tags distributed to anglers has grown from about 50 in 1999 to approximately 325 in 2006. Extending the season in this location will result in additional opportunities for anglers without any significant effects on this valued fish community.

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-240.08

ORDER

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

STURGEON REGULATIONS - STATEWIDE

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 the following regulations shall apply to the take of lake sturgeon:

1. Sturgeon Fishing Tag: A nontransferable locking sturgeon tag must be obtained prior to any sturgeon fishing and must be in the angler's possession while targeting sturgeon. Anglers harvesting sturgeon must tag the fish immediately and register it within 24 hours at a designated registration station (available online at www.michigan.gov/dnr). Sturgeon being released should not be tagged.

2. Possession Limit: An angler may harvest no more than one (1) lake sturgeon in a given year.

3. Size Limit:

   Otsego Lake (Otsego County): 50 inches minimum.

   Lake St. Clair and St. Clair River: Between 42 -50 inches. Fish less than 42 inches and greater than 50 inches must be released.

   Black Lake (Cheboygan County): 36 inches minimum.

4. Seasons:

a) Great Lakes & Connecting waters (except Lake St. Clair and St. Clair River) and all inland waters (except Otsego Lake):	Hook and line catch and release season: July 16 -November 30
b) Lake St. Clair & St. Clair River:	Hook and line possession season: July 16 - September 30 Hook and line catch and release season: October 1 – November 30
c) Otsego Lake (Otsego County):	Hook and line possession season: July 16 - March 15
d) Black Lake (Cheboygan County):	Spearing/Hook and line: First Saturday in February - Sunday following the second Saturday in February (Sunday of the following weekend), or when the quota of five fish is reached, whichever comes first.

5. Black Lake (Cheboygan County): A quota fishery will be instituted, with a maximum of five sturgeon being harvested under the quota. One sturgeon per registered angler will be allowed until the maximum harvest level is reached. Further details of the quota system are as follows:

   a. Twenty-five tags will be issued on a daily basis for the entire sturgeon spearing season by means of a pre-season drawing of registered applicants. Season will last till the Sunday following the second Saturday in February OR until the maximum sturgeon harvest level is reached.

   b. Tags will be issued the morning of each fishing day to successful applicants drawn for that day, and will be valid for only that day of fishing. Fishing tags are not transferable and shall be used only by the individual, successful applicant.

   c. Fishing hours will be 8:00am until 5:00pm.

   d. Successful applicants will receive a tag and marking flags, both issued in their name. These must be returned to the Department of Natural Resources by 6:00pm daily. The marking flags must be located at opposite corners of successful applicant's fishing shanty, and must be visible from any direction.

   e. All fish harvested must be registered immediately with the Department of Natural Resources at a designated registration station.

All other waters: No possession

This order shall be assigned number FO-240.08, and is entitled "Sturgeon Regulations – Statewide."

This order supersedes the order entitled "Sturgeon Regulations - Statewide" effective October 6, 2005, and assigned number FO-240.05.

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