JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

August 18, 2008
Resubmitted: September 15, 2008

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

SUBJECT: Fishing Prohibited in Fish Ladders (FO-241)

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 attached order prohibits fishing in fish ladders where fish often concentrate during annual spawning migrations. Fishing within a fish ladder gives anglers an unfair advantage, since fish are typically concentrated within a small area. It also creates harassment of fish trying to migrate up through the ladder system. This order has been in place for several years and is well understood by the angling public. The present order is set to expire March 31, 2009. According to recommendations made by biologists, managers, and conservation officers, this order should be renewed with one change. We propose to change the title to "Fishing Prohibited in Fish Ladders" in an attempt to provide a more accurate name for this order.

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 September 2008 Natural Resources Commission Meeting. This item appeared on the Department's September 2, 2008 calendar and is eligible for approval on October 9, 2008. We are recommending that it be acted upon at this meeting.

Kelley D. Smith, Chief
Fisheries Division

Gary Hagler, Chief
Law Enforcement Division

Russ Mason, Ph.D., 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-241.09

ORDER

Fishing Prohibited in Fish Ladders

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 October 9, 2008, ordered that for a period of five years it shall be unlawful to fish anywhere in any fish ladder in the public waters of this state.

This order is assigned number FO-241.09 and is titled "Fishing Prohibited in Fish Ladders."

This order supersedes the order entitled "Fishing Closures" effective April 1, 2004, and assigned number FO-241.04.

This order shall take effect on April 1, 2009, and shall remain effective through March 31, 2014.

Issued on the _____ day of _____, 2008.

Rebecca A. Humphries
Director

The Natural Resources Commission has reviewed this order.

Keith J. Charters
Chairperson

Teresa Gloden
Executive Secretary