



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RODNEY A. STOKES
DIRECTOR

SUBMITTED: December 12, 2011

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: State-Licensed Commercial Fishing (FO-243)
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

The attached amendment to Fisheries Order 243 addresses an important issue impacting the state-licensed commercial fishery in Lake Erie, and that is retention of lake whitefish (*Coregonus clupeaformis*) from legally set small mesh trap nets. It is an issue of concern for a state-licensed Lake Erie commercial fisher that has been presented several times to the Department of Natural Resources (Department) for resolution. It is the Department's position that all waters of Lake Erie meet the criteria set forth in the commercial fishing statute and warrants designation as "rough fish grounds".

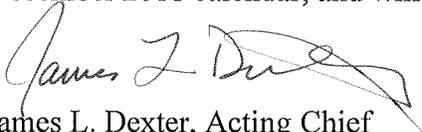
Lake whitefish is the most abundant and important commercial fish species in the Great Lakes fishery and significant harvest occurs annually in Lake Erie by the other jurisdictions that share management of the lake. Allowing the Michigan state-licensed trap net fishery on Lake Erie to harvest whitefish during the open season would not pose any significant risk to the fish population. Additionally, this designation will provide the commercial fishery seasonal access to another lucrative species.

We have discussed this proposed change with Law Enforcement Division staff, who are in concurrence with our recommendations.

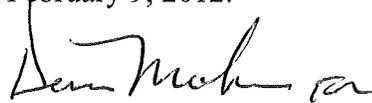
Recommendation

It is our recommendation to change the designation of all Lake Erie waters to "rough fish grounds" for the purpose of commercial fishing. This change will provide increased opportunity for the state-licensed commercial fishing operation there while posing no significant risk to the fish population.

This Order is being submitted for information at the January 12, 2012, meeting of the Natural Resources Commission. This Order will be resubmitted for action at the February 9, 2012, meeting of the Natural Resources Commission. This item appeared on the Department's December 2011 calendar, and will be eligible for approval on February 9, 2012.



James L. Dexter, Acting Chief
Fisheries Division



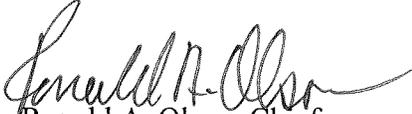
Gary Hagler, Chief
Law Enforcement Division



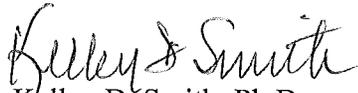
Russ Mason, Ph.D., Chief
Wildlife Division



Lynne M. Boyd, Chief
Forest Management Division



Ronald A. Olson, Chief
Parks and Recreation Division



Kelley D. Smith, Ph.D.
Acting Natural Resources Deputy

I approve the staff recommendation.

Rodney A. Stokes, Director

Date

ORDER

STATE-LICENSED COMMERCIAL FISHING

By authority conferred on the Department of Natural Resources and Environment by section 46701 of 1994 PA 451, being MCL 324.46701, the Director of the Department of Natural Resources on February 9, 2012, authorized the following for a period of five years: **Under the authority of sections 46701- of 1994 PA 451, as amended, MCL 324.46701, the Director of the Department of Natural Resources on February 9, 2012, ordered that for a period not to exceed five years the following state-licensed commercial fishing regulations apply:**

1. State-licensed commercial trap net fishing is **permitted** in water depths of up to 150 feet in Lakes Huron, Michigan, and Superior under licenses issued by the Director.
2. The commercial harvest of chubs (*Coregonus hoyi*) is **permitted** in Lake Michigan north of Grand Haven under licenses issued by the Director.
3. **Lake Erie is designated as rough fish grounds for commercial fishing as defined in MCL 234.47309(g).**
4. **The commercial harvest of Lake whitefish (*Coregonus clupeaformis*), 17 inches in length and greater, caught in Lake Erie in legally set trap nets, is permitted under licenses issued by the Director.**

This Order modifies conditions as set forth in MCL 324.47309 (h and i) of 1994, PA 451, Administrative Rule R 299.1074(b, c, and e) and Administrative Rule R 299.1075(3).

This Order shall be assigned number FO-243.12, and is entitled "State-Licensed Commercial Fishing."

This Order supersedes the Order entitled "State-Licensed Commercial Fishing," effective August 8, 2010, and assigned number FO-243.10A.

Per MCL 324.46702, this Order shall take effect 30 days after being issued. This Order shall remain in effect through March 31, 2017, or until this Order is amended/rescinded, whichever comes first. Although this Order may be reviewed and amended on an annual basis, a review of this Order shall occur no later than August 1, 2016.

Issued on the _____ day of _____, 2012.

Rodney A. Stokes
Director

The Natural Resources Commission has reviewed this order.

Timothy L. Nichols
Chairperson

Deb Whipple
Executive Secretary