JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

September 15, 2008

TO: Rebecca Humphries, Director

INFORMATION: Natural Resources Commission

SUBJECT: Statewide Smelt Regulations (FO-246) – FOR INFORMATION ONLY

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director to regulate the taking of all fish protected by the laws of this state.

Discussion and Background:

During negotiations to resolve 1836 inland Tribal hunting and fishing disputes, discussions took place between the State and the Tribes regarding harvest of smelt and the need to limit individual take. Smelt are an important forage fish for many game fish and also provide a fishery during the spring and winter for recreational anglers. Smelt numbers statewide are greatly reduced from their historic levels, and observations of spawning runs into Great Lakes tributaries are few.

Historically, smelt harvest has been unregulated, and during periods of high abundance when spring spawning runs are high this has resulted in cases of wanton waste. To limit overall harvest and to delineate an acceptable level of individual take, Fisheries Division is proposing a 2 gallon daily harvest limit on smelt. The 1836 Tribes support the protection and management of smelt through application of a reasonable bag limit, and will establish an identical regulation for their members once the State has implemented such a regulation for State-licensed recreational anglers.

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 is being submitted for information at the October 2008 Natural Resources Commission Meeting. This item appeared on the Department's September 29, 2008 calendar and is eligible for approval on November 6, 2008.

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-246.09

ORDER

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

STATEWIDE SMELT REGULATIONS

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 6, 2008 ordered the following:

1. The daily harvest/possession limit for smelt on all waters of the state shall be 2 gallons.
2. Smelt may be taken by hook/line, hand nets, or dip nets.
3. The harvest season is open year round.

This order is assigned number FO-246.09 and is entitled "Statewide Smelt Regulations."

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