



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT
LANSING



REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: July 12, 2010

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: Gear Restrictions for Fishing (FO-218)
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:

These statewide regulations were put in place primarily to curtail snagging activities and to protect migrating fish species that congregate in streams during spawning runs. These regulations have been in place for many years and have proved to be important and effective tools for resource managers and law enforcement division personnel. The public and law enforcement division officers are supportive of the restrictions.

Recommendation:

We recommend renewing this order with minor technical changes only. This order restricts the possession and use of certain gear types in some waters as an enforcement tool. These regulations have proven to be valuable for the protection of the resource and should be continued.

This order is being submitted for information at the August 12, 2010 Natural Resources Commission meeting. This item appeared on the Department's July 2010 calendar and may be eligible for approval on September 9, 2010.

Kelley D. Smith, Chief
Fisheries Division

Russ Mason, Ph.D., Chief
Wildlife Division

David E. Freed, Chief
Land and Facilities

Ronald A. Olson, Chief
Recreation Division

Lynne M. Boyd, Chief
Forest Management Division

Gary Hagler, Chief
Law Enforcement Division

Mindy Koch, Deputy Director
Resource Management

Frank Ruswick, Deputy Director
Stewardship

I approve the staff recommendation.

Rebecca A. Humphries
Director

Date Approved

ORDER

GEAR RESTRICTIONS FOR FISHING

By authority conferred on the Department of Natural Resources and Environment by sections 41101 through 41105 of 1994 PA 451, being MCL 324.41101 through 324.41105, the Director of the Department of Natural Resources and Environment on September 9, 2010 ordered that for a period NOT TO EXCEED of five years, the following regulations are established:

1. In all waters of the State it shall be unlawful to:
 - a. Have a weight permanently and/or rigidly attached to a multi-pointed hook; or
 - b. Have a weight suspended from a multi-pointed hook; or
 - c. Retain any fish not hooked in the mouth; or
 - d. Fail to immediately return to the water a fish not hooked in the mouth.

2. On all streams, including tributaries to the Great Lakes except for the St. Marys, St. Clair and Detroit Rivers, it shall be unlawful to use the following gear during the period August 1 – May 31:
 - a. Multi-pointed hooks exceeding 3/8 inch between point and shank and/or single pointed hooks exceeding 1/2 inch between point and shank; or
 - b. Lures exceeding one ounce in weight.

The intent of this regulation is to allow the baited hook or the lure to suspend freely in the water, allowing the fish to take the hook or lure in its mouth.

3. In a river, stream, and drowned river mouth lake* it shall be unlawful to:
 - a. Have a weight suspended below any hook unless the hook is on an un-weighted line which is at least 3 inches long.

*Drowned river mouth lakes listed by county: **Allegan:** Kalamazoo River and Silver Lake; **Benzie:** Betsie Lake; **Manistee:** Arcadia Lake, Manistee Lake, and Portage Lake; **Mason:** Pere Marquette Lake; **Muskegon:** Duck Lake, Mona Lake, Muskegon Lake, and White Lake; **Oceana:** Pentwater Lake, Silver Lake, and Stony Lake; **Ottawa:** Macatawa Lake and Pigeon Lake.

This order shall be assigned number FO-218.11, and is entitled "Gear Restrictions for Fishing."

This order supersedes the order entitled "Gear Restrictions for Fishing," effective April 1, 2006, and assigned number FO-218.06.

THIS ORDER SHALL TAKE EFFECT ON APRIL 1, 2011. THIS ORDER SHALL REMAIN IN EFFECT UNTIL MARCH 31, 2016 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, 2015.

Issued on the _____ day of _____, 2010.

Rebecca A. Humphries
Director

The Natural Resources Commission has reviewed this order.

Timothy L. Nichols
Chairperson

Teresa Gloden
Executive Secretary