



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

SUBMITTED: August 12, 2013

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 204.14
Spawning Closures
FOR INFORMATION ONLY

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, provides the Natural Resources Commission the exclusive authority to regulate the taking of fish in this state.

Discussion and Background:

Fisheries Order 204 regulates spawning closures placed on waters where additional protection is required to preserve spawning fish populations. The Department proposes removing one spawning closure and reinstating another. The Department proposes to remove the Van Etten Creek spawning closure in Iosco County. This closure was created to protect Chinook salmon reared at the Van Etten weir adjacent to Van Etten Creek near its confluence with the Au Sable River in the town of Oscoda. The Department no longer uses this weir for Chinook salmon and the river and creek are no longer stocked with Chinook salmon so fishing opportunities are unnecessarily limited. Therefore, removing the Van Etten Creek spawning closure will remove an unnecessary regulation and increase fishing opportunity.

The Department proposes to reinstate the Otsego Lake Pike Marsh spawning closure which was inadvertently removed during preparation of this Order in 2012. Management unit staff reported that the spawning closure for the Otsego Lake Pike Marsh was no longer listed in the Order and requested it be reinserted accordingly. A brief review ensued and it was noted that the Otsego Lake Pike Marsh provision was inadvertently removed during the previous year's Order preparation.

The removal of the Van Etten Creek spawning closure was presented and discussed at the management unit's public meeting where stakeholder's indicated their support. Additionally, Fisheries Division staff coordinated with local Law Enforcement staff for their input and reported that law enforcement staff supports these proposed modifications.

Recommendation:

This order is being submitted for information and consideration. This item appears on the Department's September 2013 calendar and may be eligible for approval on October 10, 2013.



James Dexter, Chief
Fisheries Division



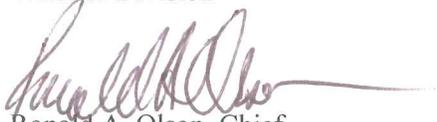
Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Bill O'Neill, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy

FISHERIES ORDER

Spawning Closures Order 204.14

By authority conferred on the Natural Resources Commission by section 48703a of 1994 PA 451, MCL 324.48703a, it is ordered that effective April 1, 2014, the following section(s) of the Fisheries Order shall read as follows:

The following stream sections are closed to fishing to protect concentrations of spawning fish:

County	Area Closed	Closure Time
Alger	Rock River - between dam and its downstream-most foot bridge located downstream from M-28 (T47N, R21W, S15)	April 1 – June 30
Allegan	Swan Creek – from mouth upstream to Diversion Dam ("The Tubes"; T2N, R14W, S9)	September 1 – November 30
Alpena	Beaver Lake Pike Marsh (T30N, R5E, S35)	Whenever marsh is in operation
Antrim	Intermediate River from Bellaire Dam to Highway M-88 Bridge	April 1 – May 14
Arenac, Bay	Pine River – upstream from State Road (T18N, R5E, S5)	March 16 – Friday before last Saturday in April
Arenac, Bay	Saganing Creek – upstream from State Road (T18N, R5E, S30)	March 16 – Friday before last Saturday in April
Baraga	Sturgeon River – from the Prickett Dam downstream to mouth of Clear Creek (T50N, R35W, S12)	April 1 – June 30
Bay	Kawkawlin River and all tributaries upstream from Euclid Avenue (T14N, R5E, S6)	March 16 – Friday before last Saturday in April
Benzie	Betsie River from the Betsie Valley Trail Bridge (former RR trestle bridge) west into Betsie Bay to a line between the westernmost dock of the Northstar Marina and the westernmost dock of the East shore Marina.	Year around until further notice
Benzie	Platte River from US-31 bridge at Veteran's Park downstream to Platte Lake	January 1 – March 31

Benzie	Platte River within 300 feet of the upper (hatchery) weir infrastructure	Whenever weir is in place
Benzie	Platte River within 300 feet of the lower weir infrastructure	Whenever weir is in place
Benzie	Betsie River – No fishing within 100 feet upstream and downstream from the lamprey barrier and fish passage facility (T25N, R15W, S2)	Year around
Charlevoix	Medusa Creek – Tributary to Lake Michigan (T34N, R8W, S28) and including an area of Lake Michigan in a radius of 100 feet from the mouth of Medusa Creek	Whenever weir is in place
Cheboygan	Black River - from Kleber Dam downstream to Red Bridge (T35N, R1E, S5), it shall be unlawful to take or attempt to take any species of fish	April 1 - June 15
Cheboygan	Lower Black River from Alverno Dam downstream to Mograin Bridge (T37N, R1W, S26)	April 1 – May 14
Cheboygan	Douglas Lake Pike Marsh (T37N, R3W, S8)	Whenever marsh is in operation
Chippewa	Potaganissing River from Potagannising Dam downstream to Maxton Road (T42N, R6E, S15)	March 16 – May 14
Delta	Rapid River Borrow Pit (T41N, R21W, S34)	Year around
Grand Traverse	Boardman River within 300 feet upstream or downstream of weir in Traverse City	Whenever weir is in place
Iosco	East Branch Au Gres River – between DNR lamprey weir and Legget Road (T21N, R6E, S10)	December 1 – day before last Saturday in April
Iosco	Au Sable River – All that portion below the Foote Dam including the apron to 175 feet downstream from the dam	Year around
Ioseo	Van Etten Creek from dam at Van Etten Lake to mouth at AuSable River (T24N, R9E, S27 & 34)	August 15 – November 30
Iosco	Au Gres River from a point 50 feet upstream from the Allen (Cox) Road Bridge to 500 feet downstream (T21N, R6E, S31 & 32)	March 16 – Friday before last Saturday in April

Mackinac	Three Lake Huron bays in the Les Cheneaux Area including (1) Mackinac Bay, north of the Line beginning at Hessel Point and running easterly to the southeast tip of Lone Susan Island, thence easterly to the southeast tip of Echo Island, thence easterly to the mainland, (2) Shepard Bay, west of a line beginning at Connor Point and running northwesterly to Melcher's Point and (3) Flower Bay, bounded by a line beginning at Loon Point and running easterly to the northwestern tip of Hill Island, thence easterly following the north shoreline of Hill Island to the narrows between Flower Bay and Moscoe Channel, thence northerly across the narrows to the mainland, thence westerly following the shoreline back to the point of beginning	March 15 – May 14
Manistee	The southern end of Manistee Lake in the vicinity of the mouth of the Little Manistee River, being that area of Manistee Lake south of a line drawn from a squared red post, located 100 feet southeast of the launch ramp at the DNR Public Access Site on the east shore, extending southwest to a squared red post on the west shore located near the southern end of the Packaging Corporation of America Plant	September 6 – October 15 or whenever the established quota of Chinook eggs are taken
Manistee	Little Manistee River from a point 300 feet downstream from the DNR weir (T21N, R16W, S25) to Manistee Lake	September 1 – November 14 and January 1 – March 31
Manistee	Little Manistee River within 300 feet of the DNR weir (T21N, R16W, S25)	Year around
Manistee, Mason, Lake	Little Manistee River from a point 300 feet upstream of the DNR weir to Spencers Bridge	January 1 – March 31
Marquette	Salmon-Trout River from lower falls (T51N, R28W, S13) to the mouth (T52N, R27W, S31)	August 15 – Friday before the last Saturday in April
Midland	Tittabawassee River—between Sanford Dam and the mouth of the Salt River (T15N, R1W, S24)	March 16 – Friday before last Saturday in April
Midland	Tittabawassee River—between the Dow Dam and Gordonville Bridge (T13N, R2E, S1)	March 16 – Friday before last Saturday in April
Ontonagon	W. Br. Ontonagon River—from its confluence with the Victoria Hydro Station tail race (T50N, R39W, SE ¼ of the SW ¼ of S29) upstream to Victoria Dam	April 1 – June 10
Otsego	Otsego Lake Pike Marsh (T30N, R3W, S20)	Whenever marsh is in operation

Presque Isle	Shuberts Creek (T33N, R7E) from Long Lake upstream to Clinton Creek Road (T33N, R7E, S14)	April 1 – May 14
Presque Isle	Clinton Creek (T33N, R7E, S26)	April 1 – May 14
Presque Isle	Grand Lake Pike Marsh (T34N, R7E, S21 & 22)	Whenever marsh is in operation
Presque Isle	Swan River – from 300 feet above weir to mouth (T35N, R6E, S20 & 29)	Whenever weir is in place
Presque Isle	Rainy River from the confluence with Black Lake upstream to North Allis Road Bridge (T35N, R2E, S15)	April 1 – May 14
Roscommon	Backus Creek from its confluence with the Cut River (T23N, R3W, S22) upstream to Little Mud Lake Dam (T23N, R2W, S30)	March 23 – April 23
Roscommon	Cut River from its confluence with Backus Creek (T23N, R3W, S22) upstream to its outlet at Marl Lake (T24N, R3W, S34)	March 23 – April 23

This Order shall be assigned number FO-204.14, and is entitled “Spawning Closures.”

This Order supersedes the Order entitled “Spawning Closures,” which became effective October 10, 2012, and is assigned number FO-204.12A.

This Order shall take effect on April 1, 2014, and shall remain in effect until amended/rescinded.

Issued on this 12th day of October, 2013.

J. R. Richardson, Chairman
Natural Resources Commission