STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING

RICK SNYDER
GOVERNOR

KEITH CREAGH
DIRECTOR

SUBMITTED: July 15, 2013
RESUBMITTED: August 12, 2013

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 226.14
Hook and Line Restrictions during Walleye Spawning Runs

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:

This Order contains special gear restrictions established to protect spawning populations of walleye in locations where artificial lures have been used to unlawfully foul hook fish. The suite of regulations has been in effect for years on the Saginaw River and its tributaries, and the Department proposes to add the Clinton River cut-off channel from the spillway weir to the Harper Road Bridge to the Order. Additionally, the name of the Order should be modified accordingly.

Conservation officers have observed unlawful fishing activity on Clinton River cut-off channel in Macomb County during the spring for many years. Enforcement at this location is difficult because local courts have dismissed cases citing that it cannot be proven without a reasonable doubt that anglers were targeting species during a closed season. Conservation officers have reported that on one day alone, as many as 21 anglers were observed to have been fishing in an unlawful manner on Clinton River cut-off channel. Managers and conservation officers have indicated that placing more restrictive fishing regulations will also help protect northern pike, muskellunge while still allowing anglers the opportunity to fish legally for perch and panfish. These regulations have been an effective law enforcement tool in the Saginaw River and the Department proposes to implement this regulation on the Clinton River cut-off channel.

This proposed regulation was presented to the Lake Erie/Lake St. Clair Fisheries Citizens Advisory Committee and received unanimous approval. This regulation was also approved by the Michigan United Conservation Clubs at a recent statewide meeting as a resolution. The regulation proposal was also reviewed during the management unit's spring regulation review meeting where it was supported by stakeholders.

Recommendation:

This order was submitted for information on August 8, 2013, at the Natural Resources Commission Meeting. This item appears on the Department's July 2013 calendar and may be eligible for approval on September 12, 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

HOOK AND LINE RESTRICTIONS DURING WALLEYE SPAWNING RUNS
Order 226.14

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 regulations are established on the waters listed:

During the period from March 16 through the Friday before the last Saturday in April:

1. It shall be unlawful to fish with artificial baits or minnows, except that minnows may be used on the Saginaw River and some other designated streams;

2. Other natural baits may be fished only on single pointed hooks not more than 1/2 inch between the point and shank;

3. Weights may not be rigidly attached to hooks;

4. No hook may be attached to the line between any weight and the rod except on an unweighted dropper line at least 3 inches long;

5. No beads, spinners or reflectors may be attached to the line within 6 inches of any hook.

Bay County:	Saginaw River and tributaries, except that minnows may be used on the Saginaw River. Kawkawlin River downstream from Euclid Avenue (T14N, R5E, S5) except that minnows may be used on the Kawkawlin River.
Saginaw County:	Saginaw, Tittabawassee, Shiawassee, Bad, Cass and Flint Rivers and all respective tributaries, except that minnows may be used on the Saginaw River, Swan Creek and tributaries, and the Bad River and tributaries upstream from the confluence with Pickerel Creek (T10N, R3E, S4).
Macomb County	Clinton River cut-off channel (T2N, R13E) from spillway weir to the Harper Rd Bridge.
Midland County:	Tittabawassee River downstream from Sanford Dam (T15N, R1W, S24) and Salt, Chippewa, and Pine Rivers and all respective tributaries.
Genesee County:	Flint River downstream from Holloway Dam and all respective tributaries (T8N, R8E, S11), except that minnows may be used upstream of Hamilton Street Dam in the City of Flint and all respective tributaries (T7N, R7E, S7).

This Order shall be assigned number FO-226.14, and is entitled "Hook and Line Restrictions during Walleye Spawning Runs."

This Order supersedes the Order entitled "Hook and Line Restrictions during Walleye Spawning Runs on the Saginaw River and its Tributaries," which became effective April 1, 2011, and is assigned number FO-226.11.

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

Issued on this 12th day of September, 2013.

J. R. Richardson, Chairman
Natural Resources Commission