



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

SUBMITTED: August 17, 2015
RESUBMITTED: September 14, 2015

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 228.15
Regulations on the Take of Freshwater Mollusks

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue Orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

This Order governs regulations placed on freshwater Mollusks. Native freshwater mussels are protected from harvest (including the shell or parts) as they are considered to be one of the most imperiled groups of animals in America. Their decline has been attributed to overharvest, habitat destruction, water pollution, and invasive species introductions. Climate change has also been identified as a potential threat for this group of animals. These regulations have been in place for decades. Staff reviewed the Order and recommends renewal as written with immediate effect.

Issue Pros and Cons

Renewal of the Order will result in maintaining protection of this important group of animals. There are no cons associated with this.

Neighboring States

Freshwater mollusks are in peril throughout America and collection and harvest is primarily forbidden, except for a few common species in some jurisdictions.

Biological

Freshwater mollusk populations are generally in peril and protection from harvest is critical to managing this important group now and for future generations.

Social

People are in support of protecting important rare and threatened animals. These regulations have been in place for years.

Economic

The Department does not expect the proposed renewal of the Order to have any significant budgetary or personnel implications.

Recommendation:

This Order was submitted for information on September 10, 2015, at the Natural Resources Commission Meeting. This item appears on the Department's September 2015 calendar and may be eligible for approval on October 8, 2015.



James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



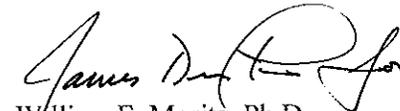
for
Russ Mason, Ph.D., Chief
Wildlife Division



for
Bill O'Neill, Chief
Forest Resources Division



for
Ronald A. Olson, Chief
Parks and Recreation Division



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

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

Keith Creagh, Director

Date

FISHERIES ORDER

Regulations on the Take of Freshwater Mollusks Order 228.15

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 of 1994 PA 451, MCL 324.48701 to 324.48740, it is ordered that effective October 8, 2015, the following section(s) of the Fisheries Order shall read as follows:

It shall be unlawful to take or attempt to take freshwater mussels or parts of any freshwater mussels, whether living or dead, including the shell or parts thereof, from any waters of this state, except under the provisions of a cultural or scientific investigation permit issued by the Director of the Department of Natural Resources. Zebra mussels (*Dreissena polymorpha*) and quagga mussels (*Dreissena rostriformis bugensis*) may be taken from any waters of this state.

This Order shall be assigned number FO-228.15, and is entitled "Regulations on the Take of Freshwater Mollusks."

This Order shall take effect immediately upon signature and shall remain in effect until amended/rescinded.

Issued on this 8th day of October, 2015.

Approved as to matters over which the Natural Resources Commission has authority.

John Matonich, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Keith Creagh
Director