



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RODNEY A. STOKES
DIRECTOR

SUBMITTED: August 15, 2011

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Catch Reporting Regulations for Commercial Minnow, Wigglers and
Crayfish Catchers (FO-231)
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

This Order regulates the catch reporting process that all commercial minnow, wigglers and crayfish catchers must adhere to when reporting their monthly harvest. Those persons issued a "Minnow Catchers License" for commercial purposes are required to report their harvest of minnows, wigglers and crayfish to the Department every month on forms provided by the Department.

We are proposing changes to the Order to help clarify the reporting process. These changes will aid in streamlining enforcement of non-compliance of the reporting process. Law Enforcement Division personnel have proposed these changes and we are supportive.

Recommendation

It is our recommendation that the regulations contained in this Order concerning catch reporting requirements for commercial minnow, wigglers and crayfish catchers be changed which will result in clarification of the reporting requirements as well as streamline the enforcement process for reporting non-compliance.

This Order is being submitted for information at the September 15, 2011 meeting of the Natural Resources Commission. This Order will be resubmitted for action at the October 13, 2011 meeting of the Natural Resources Commission. This item appeared on the Department's September 2011 calendar, and will be eligible for approval on October 13, 2011.



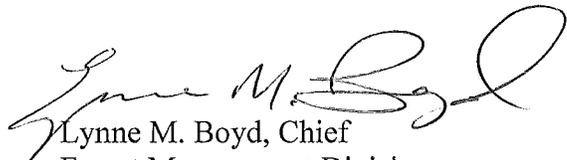
James L. Dexter, Acting Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Lynne M. Boyd, Chief
Forest Management Division



Ronald A. Olson, Chief
Recreation Division



Kelley D. Smith, Ph.D.
Acting Natural Resources Deputy

I approve the staff recommendation.

Rodney A. Stokes, Director

Date

ORDER

CATCH REPORTING REGULATIONS FOR COMMERCIAL MINNOW, WIGGLERS AND CRAYFISH CATCHERS

Under the authority of sections 48730 of 1994 PA 451, as amended, being MCL 324.48730 the Director of the Department of Natural Resources on October 13, 2011, ordered that for a period not to exceed five years, the following regulations are established for catch reporting of commercial minnow, wigglers and crayfish catchers:

That licensed commercial minnow, wiggler and crayfish catchers shall be required to submit monthly reports of their fishing activity as follows:

1. Every person licensed to take minnows, wigglers and crayfish for commercial purposes shall keep an accurate report of each day's catch upon on report forms, furnished by the Department, of the number of gallons of minnows **and crayfish and the pints of wigglers;** ~~wigglers and crayfish~~ taken, of the locality fished, and any other data as may be required by the Department ~~to follow the trend of the fishery in order to track harvest. An accurate monthly report of minnows, wigglers or crayfish taken for commercial purposes shall be submitted to the DNR, Law Enforcement Division, PO Box 30031, Attention: Catch Reporting, Lansing, MI 48909-7531, (under oath when required to do so) by every person licensed to take minnows, wigglers and crayfish on or before the 10th day of the following month whether or not any minnows, wigglers or crayfish were taken during the last preceding month. Said monthly reports shall be submitted for each month during which the license is valid.~~
2. **An accurate monthly report of minnows, wigglers or crayfish taken for commercial purposes shall be submitted to the DNR, Law Enforcement Division, PO Box 30031, Attention: Catch Reporting, Lansing, MI 48909-7531, (under oath when required to do so) by every person licensed to take minnows, wigglers and crayfish on or before the 10th day of the following month for each month during which the license is valid.**
3. **Reports are due each month whether or not any minnows, wigglers, or crayfish were taken during the last preceding month.**
4. Any person whose report is not received by the ~~DNR Law Enforcement Division~~**Department** in Lansing, Michigan, by the 10th day of the following month shall be ~~considered delinquent in violation of this order, and subject to prosecution. and notice to that effect may be mailed to such delinquent person by the Director. Failure to submit a report within ten days of the notice shall be considered as intent to violate the provisions of this order. The license of any person who fails to submit a monthly report, and who has been duly notified by the Director as provided herein, may be suspended by the Director until such time as the delinquent reports are submitted to him. Any person failing to make the report or reports as above described shall be denied a new license or a renewal of his or their license for his or their place of business until the provisions of this section of this order have been complied with.~~

5. **The license of any person who fails to submit a monthly report may be suspended and revoked by the Director in accordance with the Administrative Procedures Act, 1969 PA 306, MCL 24.292.**
6. Falsification of ~~the any report or reports described in~~ **required by this order** Order may also result in the **suspension or revocation of that** license.
72. **The license of any person that has been revoked shall not be issued a commercial minnow, wiggler, and crayfish license within a period of 1 year from the date of revocation.**
3. ~~No person, firm, copartnership, association or corporation shall be relicensed unless all reports required by this order for the immediately preceding year have been submitted to the DNR, Law Enforcement Division, P.O. Box 30031, Attention: Catch Reporting, Lansing, MI 48909-7531.~~

This Order shall be assigned number FO-231.12, and is entitled "Catch Reporting Regulations for Commercial Minnow, Wigglers and Crayfish Catchers."

This Order supersedes the Order entitled "Catch Reporting Regulations for Commercial Minnow, Wigglers and Crayfish Catchers" effective on September 5, 2007 and is assigned number FO-231.07.

This Order shall take effect on April 1, 2012. This Order shall remain in effect until March 31, 2017 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, 2016.

Issued on the _____ day of _____, 2011.

Rodney A. Stokes
Director

The Natural Resources Commission has reviewed this Order.

Timothy L. Nichols
Chairperson

Deb Whipple
Executive Secretary