



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



RODNEY A. STOKES  
DIRECTOR

SUBMITTED: December 12, 2011  
RESUBMITTED: January 17, 2012

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission  
Subject: State-Licensed Commercial Fishing (FO-243)

**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**

The attached amendment to Fisheries Order 243 addresses an important issue impacting the state-licensed commercial fishery in Lake Erie, and that is retention of lake whitefish (*Coregonus clupeaformis*) from legally set small mesh trap nets. It is an issue of concern for a state-licensed Lake Erie commercial fisher that has been presented several times to the Department of Natural Resources (Department) for resolution. It is the Department's position that all waters of Lake Erie meet the criteria set forth in the commercial fishing statute and warrants designation as "rough fish grounds".

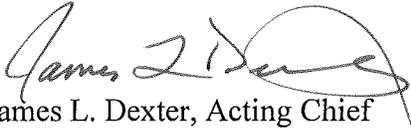
Lake whitefish are the most abundant and important commercial fish species in the Great Lakes fishery and significant harvest occurs annually in Lake Erie by the other jurisdictions that share management of the lake. Allowing the Michigan state-licensed trap net fishery on Lake Erie to harvest whitefish during the open season should not pose any significant risk to the fish population. Additionally, this designation will provide the commercial fishery seasonal access to another lucrative species.

We have discussed this proposed change with Law Enforcement Division staff, which are in concurrence with our recommendations.

**Recommendation**

It is our recommendation to change the designation of all Lake Erie waters to "rough fish grounds" for the purpose of commercial fishing. This change will provide increased opportunity for the state-licensed commercial fishing operation there while posing no significant risk to the fish population.

This Order was submitted for information at the January 12, 2012, meeting of the Natural Resources Commission. This Order is being resubmitted for action at the February 9, 2012, meeting of the Natural Resources Commission. This item appeared on the Department's December 2011 calendar, and is eligible for approval on February 9, 2012.



James L. Dexter, Acting Chief  
Fisheries Division



Gary Hagler, Chief  
Law Enforcement Division

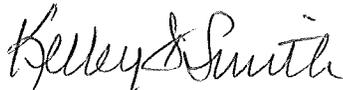


Russ Mason, Ph.D., Chief  
Wildlife Division

Bill O'Neill, Acting Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division



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

I approve the staff recommendation.

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Rodney A. Stokes, Director

\_\_\_\_\_  
Date

# ORDER

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## STATE-LICENSED COMMERCIAL FISHING

Under the authority of sections 46701 of 1994 PA 451, as amended, MCL 324.46701, the Director of the Department of Natural Resources on February 9, 2012, ordered that for a period not to exceed five years the following state-licensed commercial fishing regulations apply:

1. State-licensed commercial trap net fishing is permitted in water depths of up to 150 feet in Lakes Huron, Michigan, and Superior under licenses issued by the Director.
2. The commercial harvest of chubs (*Coregonus hoyi*) is permitted in Lake Michigan north of Grand Haven under licenses issued by the Director.
3. Lake Erie is designated as rough fish grounds for commercial fishing as defined in MCL 234.47309(g).
4. The commercial harvest of Lake whitefish (*Coregonus clupeaformis*), 17 inches in length and greater, caught in Lake Erie in legally set trap nets, is permitted under licenses issued by the Director.

This Order modifies conditions as set forth in MCL 324.47309 (h and i) of 1994, PA 451, Administrative Rule R 299.1074(b, c, and e) and Administrative Rule R 299.1075(3).

This Order shall be assigned number FO-243.12, and is entitled "State-Licensed Commercial Fishing."

This Order supersedes the Order entitled "State-Licensed Commercial Fishing," effective August 8, 2010, and assigned number FO-243.10A.

Per MCL 324.46702, this Order shall take effect 30 days after being issued. This Order shall remain in effect through 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 \_\_\_\_\_, 2012.

Rodney A. Stokes  
Director

The Natural Resources Commission has reviewed this order.

Timothy L. Nichols  
Chairperson

Deb Whipple  
Executive Secretary