



STATE OF MICHIGAN
 DEPARTMENT OF NATURAL RESOURCES
 LANSING



GRETCHEN WHITMER
 GOVERNOR

DANIEL EICHINGER
 DIRECTOR

SUBMITTED: July 15, 2019
 RESUBMITTED: August 12, 2019

<p>APPROVED</p> <hr/> <p style="text-align: right;">,20</p> <p style="text-align: center;">MICHIGAN NATURAL RESOURCES COMMISSION</p> <hr/> <p style="text-align: center;">(ASSISTANT TO THE COMMISSION)</p>
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MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 240.19
 Sturgeon Regulations - Statewide

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:

Fisheries Order 240 establishes lake sturgeon fishing regulations in Michigan. The Department recommends adding two catch-and-immediate-release (CIR) fishing opportunities for the St. Marys River in Chippewa County and all waters of Portage and Torch Lake in Houghton County.

On April 1, 2018 regulations were implemented which closed the statewide lake sturgeon CIR open season from July 16 – November 30 for waters without specific lake sturgeon fishing regulations. The change was recommended at the time due to concerns with having an open CIR season on lake sturgeon populations which were small given this was a statewide regulation. However, this spring at two of Fisheries Division’s coffee and conversation public meetings, anglers requested that the CIR season closure be reviewed with the possibility of being reinstated. The changes would re-open fishing opportunities for lake sturgeon at the request of the public at two locations formerly open to CIR fishing prior to April 2018. The Department does not anticipate negative impacts to either population due to the amount of fishing effort at each location, the CIR nature of the regulation, and the cool water temperatures of the locations which will minimize hooking mortality. Creel surveys and angling reports have indicated lake sturgeon are regularly caught by anglers targeting walleye in these waters and are required to immediately release all lake sturgeon. The lake sturgeon populations will be monitored with creel surveys and fisheries surveys. Consequently, the Department proposes to add the St. Marys River and all waters of Portage and Torch Lake to the list of Special Provisions in the Order to allow CIR fishing opportunities for anglers.

Therefore, the following changes are proposed to be added under part 4) Special Provisions:

1. Chippewa County: St. Marys River from Soo Locks/Compensating Works downstream to the De Tour Village and Drummond Island ferry terminals to the south, and from Hay Point to Cherry Island then north to the International boundary for the northeast - the fishing season for hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 through March 15, inclusive.
2. Houghton County: all waters of Portage and Torch Lakes including Portage River, Portage Canal, and north and south entry - the fishing season for hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 through March 15, inclusive.

The Department recommends this Order take immediate effect so anglers can utilize this opportunity during the current fishing season. A press release will be distributed, a pre-recorded phone message will be updated (888-367-7060), and the online Fishing Guide will be updated to reflect these changes to inform everyone.

Issue Pros and Cons

The statewide CIR season closure made sense given the threats that some lake sturgeon populations are experiencing; however, not all populations require this added protection from angling. Therefore, reopening a CIR season in areas where lake sturgeon populations can support a fishery benefits anglers. One potential con would be having the CIR fishing opportunities expand in effort to where fishing mortality could result in a negative consequence for the local lake sturgeon population.

Biological

Managers have reviewed the requests by anglers to reopen the CIR seasons at these locations and have indicated that the increased angling opportunities will not pose a risk to the local lake sturgeon populations. However, should any creel or survey information indicate a decline or negative impact to these populations, the CIR season would be recommended to be closed again.

Social

Anglers have voiced their support for reopening the lake sturgeon fishing opportunities in these two locations. Lake sturgeon fishing opportunities are limited in Michigan and in locations where there is an open harvest season for lake sturgeon, most all fish are caught and released unharmed. Anglers value lake sturgeon fishing in Michigan and have been very supportive of the Department's management efforts on this important species.

Economic

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

Following is signature page only.

Recommendation:

Relevant Divisions have contributed to the preparation of this Order. This Order was submitted for information on August 8, 2019, at the Natural Resources Commission meeting. This item appeared on the Department's July 30, 2019 calendar and may be eligible for approval on September 12, 2019.



James Dexter, Chief
Fisheries Division



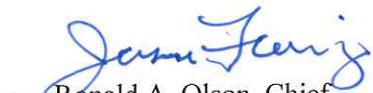
Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Debbie Begalle, Chief
Forest Resources Division



for Ronald A. Olson, Chief
Parks and Recreation Division



Shannon Hanna
Natural Resources Deputy

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

Daniel Eichinger, Director

Date

FISHERIES ORDER

STURGEON REGULATIONS - STATEWIDE Order 240.19

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 on September 12, 2019, the following section(s) of the Fisheries Order shall read effective September 13, 2019, as follows:

1) Fishing for Lake Sturgeon

- A) Except on waters where specific regulations are in place, as identified in paragraph 4) Special Provisions, fishing for lake sturgeon on all waters of the State shall be prohibited.

2) Mandatory Registration of Harvested Lake Sturgeon

- A) On waters where harvest of lake sturgeon is allowed as specifically identified in paragraph 4) Special Provisions:
- i) Except as otherwise specifically provided in paragraph 4) Special Provisions, anglers are required to register lake sturgeon harvest within 24 hours. Anglers must report their harvest online (www.michigan.gov/registerfish), toll-free by calling 844-345-FISH(3474), or in person at any DNR Customer Service Center during normal state business hours with advanced notice of arrival.

3) Harvest Limit

- A) On waters where harvest of lake sturgeon is allowed as specifically identified in paragraph 4) Special Provisions, an angler shall not harvest more than one (1) lake sturgeon per year.

4) Special Provisions:

- A) Lake St. Clair and the St. Clair River (St. Clair, Macomb, and Wayne Counties)

i) Fishing seasons

- a) The hook-and-line harvest season for lake sturgeon shall be July 16 - September 30, inclusive.
- b) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.

ii) Size Limit

- a) Between 42 and 50 inches, inclusive.

- B) Detroit River (Wayne County)

i) Fishing season

- a) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.

- C) St. Marys River from Soo Locks/Compensating Works downstream to the De Tour Village and Drummond Island ferry terminals to the south, and from Hay Point to Cherry Island then north to the International boundary for the northeast (Chippewa County)

i) Fishing season

- a) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.
- D) Portage and Torch Lakes, all waters including Portage River, Portage Canal, and north and south entry (Houghton County)
 - i) Fishing season
 - a) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.
- E) Otsego Lake (Otsego County)
 - i) Fishing seasons
 - a) The hook-and-line harvest season for lake sturgeon shall be July 16 - March 15, inclusive.
 - b) Fishing for lake sturgeon shall be prohibited from March 16 - July 15, inclusive.
 - ii) Size Limit
 - a) 50 inches minimum.
- F) Black Lake (Cheboygan/Presque Isle County) – the Director and the Commission will set conditions for the fishing season no later than January 15 each year and will be posted on the DNR website.
- G) Menominee River
 - i) All regulations governing fishing for lake sturgeon and the take of lake sturgeon in the Menominee River system are established in Fisheries Order 205: Michigan-Wisconsin Boundary Water Regulations.
- H) All Other Waters of the State not specifically identified in this Paragraph 4) Special Provisions
 - i) Fishing season
 - a) No fishing season for lake sturgeon.

This Order shall be assigned number FO-240.19 and is titled "Sturgeon Regulations - Statewide."

This Order supersedes the Order titled "Sturgeon Regulations - Statewide," which became effective April 1, 2018, and is assigned number FO-240.18.

This Order shall take immediate effect September 13, 2019 and shall remain in effect until amended/rescinded.

Issued on this 12th day of September, 2019.

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

Vicki J. Pontz, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.

Daniel Eichinger
Director