



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: September 20, 2021
RESUBMITTED: October 18, 2021

<p><u>APPROVED</u></p> <p>_____, 20____</p> <p>MICHIGAN NATURAL RESOURCES COMMISSION</p> <p>_____ (ASSISTANT TO THE COMMISSION)</p>
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MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 202.22
Special Hook Size Fishing Regulations

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 202 governs special hook regulations on select waters to protect fish that are susceptible to being foul hooked. The Department is recommending that the existing spawning closure as described in Fisheries Order 204.21 be removed and a seasonal gear restriction for the Torch River from the Crystal Beach Road Bridge downstream to Lake Skegemog, including Rapid River up to Aarwood Road Bridge effective from May 1 – July 1 be added to Fisheries Order 202.22. The recommended seasonal gear restriction in this order would provide protection to spawning muskellunge while also allowing angling opportunities for other species. This area of the Torch River is known to be an important breeding habitat for naturally reproducing Great Lakes strain muskellunge. Unfortunately, the large fish and shallow clear water has resulted in unlawful fishing and harassment of these highly valued fish during spawning activity. If adopted, anglers fishing in the area will be limited to using only one single-pointed un-weighted hook measuring ½-inch or less from point to shank from May 1 – July 1. This will result in increased angler opportunities in the area while also maintaining desired protections for spawning muskellunge.

Fisheries Order - 204 effective on April 1, 2021 implemented a spawning closure on the same waters listed above to protect the spawning muskellunge; however, the spawning closure resulted in prohibiting all fishing activity during the effective dates in the specific portion of the Torch River. Therefore, in addition to adopting the recommendation in this order for the seasonal gear restriction, the Department recommends removing the current spawning closure described within FO-204.21.

Issue Pros and Cons

Adding a seasonal gear restriction and removing the existing spawning closure will increase angling opportunities because although gear will be restricted the prohibition of all fishing activity will be removed. Anglers will now be able to lawfully fish in the area if they are using terminal gear with one single-pointed un-weighted hooks measuring ½-inch or less from point to shank. The change will provide law enforcement staff with another tool to help protect vulnerable spawning stocks from unlawful activities.

Biological

The fishery resource will benefit by the change because highly valued muskellunge will continue to have added protection during the spawning season.

Social

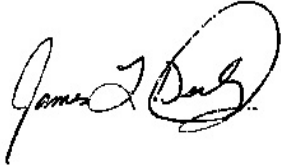
Anglers are supportive of special regulations to protect unique and high-quality fishing opportunities. This change will result in reopening the area to fishing with more restrictive gear regulations during part of the year to maintain the desired protection of the resource.

Economic

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

Recommendation:

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on October 14, 2021, at the Natural Resources Commission meeting. This item appeared on the Department's October 5, 2021, and November 1, 2021, calendars and may be eligible for approval on November 10, 2021.



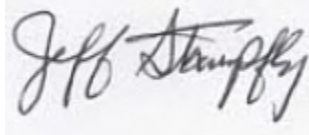
James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



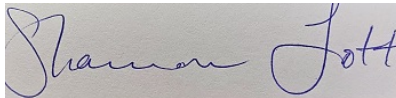
Jared Duquette, Chief
Wildlife Division



Jeff Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



Shannon Lott
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

Special Hook Size Regulations Order 202.22

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, ordered on November 10, 2021, the following section(s) of the Fisheries Order shall read effective April 1, 2022, except as otherwise provided:

- 1) Streams where it shall be unlawful to use other than one single-pointed un-weighted hook measuring ½-inch or less from point to shank:

County	Stream	Effective Date
Allegan	Swan Creek (from the mouth upstream to the dam at 118th Avenue)	All year
Antrim, Kalkaska	Torch River from the Crystal Beach Road Bridge downstream to Lake Skegemog including Rapid River up to Aarwood Road Bridge	May 1 – July 1
Benzie	Platte River	All year
Berrien	Townsend Creek (T6S, R17W, S19 and the mouth area of Lake Chapin, to a point 100 yards below the Townsend Creek mouth into Lake Chapin)	All year
Charlevoix	Boyne River (from mouth upstream to dam in T32N, R5W, S5)	All year
Emmet	Bear River (from foot bridge north of Lake Street upstream to Lake Street Dam T34N, R5W, S6)	All year
Van Buren	South Branch Black River and all tributaries upstream of Breedsville (Mill Street).	All year

- 2) For the purpose of this section, an artificial lure is defined as a body bait, plug, spinner, or spoon. An artificial lure is not a device primarily constructed of lead. From August 1 through November 15, inclusive, terminal fishing gear is restricted to single-pointed hooks or jigs, measuring ½-inch or less from point to shank or treble hooks measuring ⅜-inch or less from point to shank only when attached to an artificial lure on the following waters:
- a. Benzie County: all waters of the Betsie River.
 - b. Manistee County: all waters of Bear Creek, all waters of the Betsie River, and the Manistee River from Tippy Dam downstream to Railroad Bridge below M-55 (T21N, R16W, S6).
 - c. Mason County: the Big Sable River (from mouth upstream to Hamlin Lake Dam).
 - d. Mason, Lake, Oceana, Newaygo: all waters of the Pere Marquette River.
 - e. Manistee, Mason, and Lake Counties: all waters of the Little Manistee River.
 - f. Muskegon and Oceana Counties: the White River (from mouth upstream to Hesperia Dam) and all waters of the North Branch White River.
 - g. Muskegon and Newaygo Counties: the Muskegon River upstream to Croton Dam.
 - h. Oceana and Mason Counties: all waters of the North Branch Pentwater River, South Branch Pentwater River (upstream to Hart Dam).

This order shall be assigned number FO-202.22 and is entitled "Special Hook Size Regulations."

This order supersedes the order entitled "Special Hook Size Regulations," which became effective April 1, 2021, and is assigned number FO-202.21.

This order shall take effect April 1, 2022 and shall remain in effect until amended/rescinded.

Issued on this 10th day of November 2021.

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

Carol Moncrieff Rose, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.

Daniel Eichinger
Director