



STATE OF MICHIGAN
 DEPARTMENT OF NATURAL RESOURCES
 LANSING



GRETCHEN WHITMER
 GOVERNOR

DANIEL EICHINGER
 DIRECTOR

SUBMITTED: July 20, 2020
 RESUBMITTED: August 17, 2020

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

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 219.21
 Bow, Spear, and Crossbow 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 219 governs fishing regulations for bow, spear, and crossbows. One change is proposed for this Order regarding the removal of North Manistique (Round) Lake in Luce County. The spearing prohibition was implemented on this lake when muskellunge stocking was initiated in the early 2000s. Managers were concerned that juvenile muskellunge and northern pike could be misidentified by spearing anglers to the detriment of the muskellunge stocking program. Fall fingerling muskellunge were stocked in 2004, 2008, 2012, 2014, and 2016. Managers have recently been evaluating the stocking program in North Manistique (Round) Lake to determine how effective the muskellunge stocking program has been at developing a valued muskellunge fishery. There have been no reports from anglers of muskellunge sighted or caught. A robust fisheries survey was conducted in 2019 targeting muskellunge which failed to capture any. As a result of the findings, fisheries management efforts for North Manistique (Round) Lake will no longer focus on muskellunge. The removal of this water from the Order will result in opening the lake to northern pike and muskellunge spearing through the ice from December 1 through March 15.

Issue Pros and Cons

This change will allow anglers to target northern pike and muskellunge during the winter spearing season. No cons have been identified.

Biological

There is no longer a biological rationale to maintain the spearing ban placed on this lake to protect stocked muskellunge. Managers maintain that the muskellunge stocking effort did not create a fishery as desired, so management efforts will no longer focus on this species.

Social

Anglers are supportive of special regulations to protect unique and high-quality fishing populations which provide diverse public fishing opportunities. However, when there is evidence that special regulations are no longer needed, anglers benefit from the removal of the special regulation.

Economic

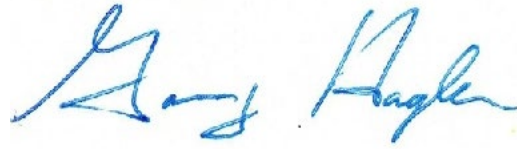
The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

Recommendation:

Relevant Divisions have contributed to the preparation of this Order. This Order was submitted for information on August 13, 2020, at the Natural Resources Commission meeting. This item appeared on the Department's August 4, 2020 calendar and may be eligible for approval on September 10, 2020.



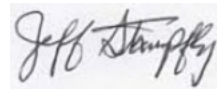
James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



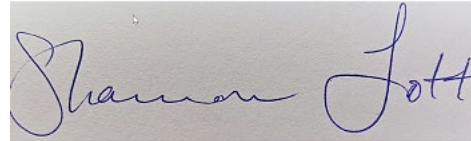
Daniel Kennedy, Acting Chief
Wildlife Division



Jeff Stampfly, Acting 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

Bow, Spear, and Crossbow Fishing Regulations Order 219.21

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 September 10, 2020, the following section(s) of the Fisheries Order shall read effective April 1, 2021, as follows:

The seasons, gear, waters, and species where a spear, bow and arrow, or crossbow may be used are as specified in the table below and lists which follow (except as otherwise prohibited). Spearing gear shall be limited to: hand-propelled spear, rubber-propelled spear, spring-propelled spear, bow and arrow, and crossbow. Artificial lights may be used. It shall be unlawful to use a rubber-propelled spear or a spring-propelled spear without being submerged and have the spear under control by means of an attached line not exceeding 20 feet in length. It is unlawful to spear any fish in a waterbody closed to fishing, except as noted in the spearing exceptions list.

SEASON	GEAR	WATERS (see Note 1)	SPECIES
Open all year	spear, bow and arrow, or crossbow	ALL WATERS <i>except</i> : Designated Trout Lakes and Designated Trout Streams	bowfin, bullheads, burbot, carp, catfish, drum, gizzard shad, goldfish, grass carp, cisco (lake herring), longnose gar, smelt, suckers (see Note 2), and whitefish
December 1 through March 15 (through the ice)	hand-propelled spear	ALL WATERS <i>except</i> : Designated Trout Lakes and Designated Trout Streams	northern pike and muskellunge

Note 1 - Check the spearing exceptions lists (below) for regulations that differ from those listed in the table above. Designated Trout Lakes are those lakes classified under Type A and Type D trout regulations (see FO-200). Designated Trout Streams are those listed in the following classifications: Type 1, 2, Gear Restricted Streams, Research Areas, and Brook Trout Research Areas. Most of the Type 3 and Type 4 streams are Designated Trout Streams (see FO-200 and FO-210).

Note 2 - For the purpose of this Order the term suckers refers to: suckers (longnose, white, northern hog, spotted), redhorse (silver, golden, black, greater, shorthead), buffalo (bigmouth, black), lake chubsucker, and quillback carpsucker.

SPEARING EXCEPTIONS

LIST A – INLAND WATERS

WATERS CLOSED TO NORTHERN PIKE AND MUSKELLUNGE SPEARING

It shall be unlawful to fish by any means other than hook-and-line for northern pike or muskellunge in the following waters:

Alger County	Kingston Lake
Alpena and Montmorency Counties	Fletcher Floodwaters
Barry County	Lower Crooked Lake and Thornapple Lake (from McKeown Rd T3N, R8W, S27 to Barger Rd T3N, R7W, S20)
Clare County	Budd Lake
Clinton County	Lake Ovid
Delta County	Dana Lake
Dickinson County	East Lake, Island Lake, South Lake, and West Lake (all within Groveland Mines)
Iron County	Brule Lake, Chicagon Lake, Lake Emily, Paint Lake, Paint Pond (Brule Isle Imp.), Stanley Lake, and Swan Lake
Kent County	Campau Lake and Murray Lake
Keweenaw County	Lake Gratiot
Lenawee County	Lake Hudson
Schoolcraft County	Grassy Lake and McKeever Lake
St. Joseph County	Long Lake (T6S, R12W, S7)
Van Buren County	Bankson Lake and Round Lake (T4S, R16W, S31)

WATERS WITH SPEARING AND GAFF HOOK RESTRICTIONS

Cheboygan County

April 1 through June 15, inclusive, it shall be unlawful to take or attempt to take any species of fish with spearing gear or gaff hook from the following waters:

Black River

Cheboygan River

Indian River

DESIGNATED TROUT STREAMS OPEN TO SPRING SPEARING

The following designated trout streams are open to the use of spearing gear from April 1 through May 31, inclusive, for taking bowfin, bullheads, burbot, carp, catfish, drum, longnose gar, gizzard shad, goldfish, grass carp, cisco (lake herring), smelt, suckers (as listed above), and whitefish:

Alcona County

Bryant Creek from Vaughn Lake downstream to Little Lake

Buff Creek

Sucker Creek from confluence of Vincent Creek (T27N, R8E, S9) downstream to Hubbard Lake (T28N, R8E, S36)

Calhoun County

Nottawa Creek: from Calhoun County line (T4S, R8W, S31) upstream to T3S, R5W, S35

Rice Creek: South Branch Rice Creek from confluence of Rice Creek and Kalamazoo River (T2S, R6W, S25) upstream to Concord Road (Jackson County)

Chippewa County

Trout Creek downstream of Big Trout Lake (T42N, R3E, S31)

Prentiss Creek (T42N, R2E,)

Delta County

Squaw Creek downstream of County Road 513

Mackinac County

Doe Creek (T43N, R10W)

Foley Creek downstream of I-75

Hoban Creek downstream of US-2

Hudson Creek (T41N, R11W, S8)

Martineau Creek downstream of I-75

McClouds Creek

Milakokia River, from Milakokia Lake downstream to Heinz Lake

Norton Creek from M-135 downstream to South Manistique Lake

Nunn's Creek downstream of Highway M -134

Pearson's Creek, T42N, R1W and R1E

Rabbits Back Creek downstream of Mackinac Trail

Scrams Creek (T42N, R11W, S11)

Taylor Creek (T43N, R12W, S2, 11, 12 and 13)

Mason County

Sable River from Freesoil Road downstream to Custer Road (T20N, R16W, S22)

Van Buren County

Dowagiac River and tributaries upstream of 50th Street (T45N, R15W, S35)

Lake of the Wood Outlet to confluence with Dowagiac River (T45N, R15W, S34)

**LIST B – GREAT LAKES AND CONNECTING WATERS
WATERS CLOSED TO MUSKELLUNGE SPEARING**

It shall be unlawful to fish by any other means other than hook-and-line for muskellunge in the following waters:

Lake Erie
Lake St. Clair
Detroit River
St. Clair River

WATERS OPEN TO YELLOW PERCH SPEARING

December 1 through March 15, inclusive.

Lake St. Clair: a hand-propelled spear, bow and arrow, or crossbow may be used to harvest yellow perch.

This Order shall be assigned number FO-219.21 and is entitled “Bow, Spear, and Crossbow Fishing Regulations.”

This Order supersedes the Order entitled “Bow, Spear, and Crossbow Fishing Regulations,” which became effective April 1, 2018, and is assigned number FO-219.18.

This Order shall take effect April 1, 2021 and shall remain in effect until amended/rescinded.

Issued on this 10th day of September, 2020.

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

Carol Rose, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.

Daniel Eichinger
Director