



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

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

SUBMITTED: July 19, 2021
RESUBMITTED: August 16, 2021
RESUBMITTED: September 20, 2021

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 252.22
Statewide - Lake Whitefish, Round Whitefish, Cisco, Rainbow Smelt and Arctic Grayling 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 252 establishes regulations for lake whitefish, round whitefish, cisco, rainbow smelt and arctic grayling. The information in this order was formerly listed in FO-200 "Statewide Trout, Salmon, Whitefish, Cisco, Grayling and Smelt Regulations," and will now be listed in this order. The Department proposes adding information about the designated Great Lakes Connecting Waters which include the following waters: St. Marys River, St. Clair River (begins at the Fort Gratiot Light) Lake St. Clair, and the Detroit River (begins at the imaginary line extending due south of the Windmill Point Light, Wayne County, and ending at the imaginary east/west line drawn through the most southernly point of Celeron Island). This information is particularly relevant for this order because the species regulated through this order inhabit the Great Lakes and Great Lakes Connecting Waters.

In addition, the Department recommends prohibiting the possession of cisco in Indiana Lake in Cass County. Indiana Lake is a boundary water shared with Indiana, and Indiana recently listed cisco as a state-listed endangered species. This status results in regulations that prohibit the possession of this species throughout Indiana. In Michigan, cisco is listed as a threatened species, and therefore, this recommendation would provide consistent regulations and the desired protections for this species that spans both jurisdictions of Indiana Lake.

Issue Pros and Cons

Anglers may not be familiar with the term Great Lakes Connecting Waters, so adding the list of designated waters will provide clarity to anglers on regulations that are related to those specific waters.

Implementing the same regulation on boundary waters will result in uniform regulations for anglers and law enforcement staff across two jurisdictions. This will result in greater protection of cisco populations occurring in shared boundary waters. There are no cons identified.

Biological

Indiana has prohibited possession of cisco to protect their remaining cisco populations from harvest. Given this is a shared boundary water, Indiana has requested that the Department modify fishing regulations to enhance protection for cisco in Michigan's portion of the lake. Cisco require cold water temperatures, high dissolved oxygen levels, and good water quality throughout the year. Warmer summer temperatures reduce the amount of coldwater habitat available that ciscoes need to survive. The loss of this habitat can reduce cisco numbers or can result in extirpation of the whole population. Reduced harvest will reduce the rate of decline by maintaining the maximum number of spawning adults that exist within the population.

Social

Anglers are supportive of restrictions on harvest to protect species which are in decline.

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 12, 2021 and action on September 16, 2021, at the Natural Resources Commission meetings. This item appeared on the Department's August 3, 2021, calendar and may be eligible for approval on October 14, 2021.



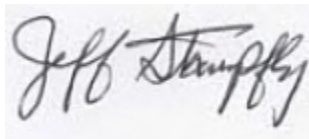
James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



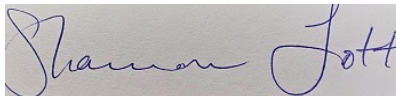
Jared Duquette, Chief
Wildlife Division



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

Statewide - Lake Whitefish, Round Whitefish, Cisco, Rainbow Smelt and Arctic Grayling Regulations Order 252.22

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 and Part 491 of 1994 PA 451, MCL 324.48701 to 324.48740, it is ordered on October 14, 2021, the following section(s) of the Fisheries Order shall read effective April 1, 2022, as follows:

The following regulations are established for Lake Whitefish, Round Whitefish (also referred to as Menominee), Cisco (also referred to as Lake Herring), Rainbow Smelt and Arctic Grayling:

As used in this order the following definition is provided:

1. Great Lakes Connecting Waters: refers to specific bodies of water in Michigan that connect the Great Lakes. The designated connecting waters are the St. Marys River, the St. Clair River (begins at the Fort Gratiot Light), Lake St. Clair, and the Detroit River (begins at the imaginary line extending due south of the Windmill Point Light, Wayne County, and ending at the imaginary east/west line drawn through the most southernly point of Celeron Island).

Seasons - General

Except as otherwise noted in FO-200 and FO-254, the fishing and possession seasons on non-designated trout streams and all other inland waters, Great Lakes, Great Lakes Connecting Waters, and other waters not otherwise closed to fishing are open for the entire year for all Lake Whitefish, Round Whitefish, Cisco and Rainbow Smelt.

Lake Whitefish, Round Whitefish and Cisco

Size and daily possession limits for Lake Whitefish, Round Whitefish and Cisco

On all waters, there is no minimum size limit for Lake Whitefish (*Coregonus clupeaformis*), Round Whitefish (*Prosopium cylindraceum*) or Cisco (*Coregonus artedii*). On all Great Lakes, Great Lakes Connecting Waters and Type F lakes (see FO-254) the daily possession limit shall be ten (10) fish in any combination, except the daily possession limit shall be five (5) fish in any combination on inland waters. The daily possession limit for Cisco shall be zero (0) for Indiana Lake (Cass County). See FO-205 for inland waters that differ from the five (5) fish daily possession limit.

Rainbow Smelt

Size, daily possession limits and gear for Rainbow Smelt

On all waters, there is no minimum size limit for Rainbow Smelt (*Osmerus mordax*). The daily possession limit for Rainbow Smelt on all waters of the state shall be 2 gallons. See FO-219 for spear, bow and arrow, or crossbow seasons and FO-229 for netting seasons.

Arctic Grayling

Size, daily possession limits, and season for Arctic Grayling

A person shall not at any time take, attempt to take, or possess any Arctic Grayling (*Thymallus arcticus*) from any waters over which this state has jurisdiction.

This order shall be assigned number FO-252.22, and is titled "Statewide - Lake Whitefish, Round Whitefish, Cisco, Rainbow Smelt and Arctic Grayling Regulations".

This order supersedes the order titled "Statewide Trout, Salmon, Whitefish, Cisco, Grayling and Smelt Regulations," effective April 17, 2020, and was assigned number FO-200.20A.

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

Issued on this 14th day of October 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