



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

December 8, 2020

VIA E-MAIL

State-Licensed Commercial Fishers:

The Department has recently received inquiries from state-licensed commercial fishers seeking clarification regarding the recent amendments to the commercial Fisheries Order (F.O.) 243.21. The Department is providing this letter to all state-licensed fishers to further clarify the reasoning and implications of the Department's recent amendments to the commercial fishing order. Unfortunately, unless the commercial fishing legislation is passed this year, the Department will not be able to enact provisions that were previously within the commercial fishing order that benefited your fishing operations in recent years.

Fisheries Order provisions that were removed that will have direct and impactful implications to your current and ongoing fishing operations include:


- Trap netting will be restricted to 80 feet of water or less.
- Lake Michigan will be closed to the commercial fishing of chubs.
- Lake Erie designation as a rough fish grounds will end.
 - Removal of this designation eliminates Lake Erie whitefish harvest.
- Existing research permits will be discontinued. This includes permits that allow the use of trawls and purse seines.
- Lake Huron and Lake Michigan whitefish season will be closed October 1-December 10.
- Lake Superior whitefish season will be closed November 1-November 26.
- Lake Erie catfish minimum size limit will be 15 inches.
- Upper Great Lakes catfish minimum size limit will be 17 inches.
- The sucker season will be closed from April 15 to May 20 on all lakes except for Saginaw Bay where they may be taken at any time.
- On all lakes the sucker minimum size limit will be 14 inches.

The removal of these provisions was based upon confusing and conflicting legal authority, statute, rules, and orders. The Department retained provisions within F.O. 243.21 that aligned with existing authority under the current statute or federal mandates per the 2000 Great Lakes Consent Decree. Understanding the magnitude and implications related to F.O. 243.21, the Department wanted to provide this communication to highlight the importance of the state-licensed commercial fishing bills (HBs 4567- 4569) that have been approved by the House and that are currently being considered by the Senate.

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If these bills are passed this year, the new statute would provide the regulatory framework for state-licensed commercial fishing that would allow fishers to operate without being impacted by the recent amendments to F.O. 243.21.

Sincerely,

A handwritten signature in black ink, appearing to read "James J. Dexter". The signature is written in a cursive style with a large, circular flourish at the end.

Jim Dexter, Chief
Fisheries
517-284-5836

cc: Mr. Daniel Eichinger, Director, DNR
Mr. Trevor VanDyke, Legislative & Legal Affairs, DNR