Lake Huron Citizens
Fishery Advisory Committee

Established by the Department of Natural Resources
to improve and maintain fishery resources
of Lake Huron through better communication and partnership.

Lake Huron Citizens Fishery Advisory Committee
Sea Grant assisted Zoom Meeting
Tuesday, January 31, 2023
10:30 am - 3:00 pm
Approved

Attendees:
Frank Krist, Randy Claramunt, Chuck Bronte, Jim De Clerk, Blaise Pewinski, Randy Terrian, April Simmons, Jason Gostiaux, Meaghan Gass, Brandon Schroeder, Tom Andris, Judy Ogden, Julie Shafto, Steve Shafto, Tom Keerl, Bryan Darland, Tom Baird, Kendra Kozlauskos, Kevin Postma, Christian Lesage, Tess Nelkie, Todd Wills, Dave Caroffino, Nick Torsky, Tim Cwalinski, David Cozad, Paul Stowe, Tom Frontjes, Matt Kornis, Ed Retherford, Jeff Jolley, Neal Godby, Ed Blissick, Fred Sterns, Jeff Moss, Eric Morrow, Ed Roseman, Edward Beckley, Laura Ogar, Jim Francis, Denny Grinold, Seth Herbst, Bill Winowiecki, Tod Williams, Andrew Briggs, Kyle Brumm, Bryan Burroughs, Stan Czarnik, Tom Heritier, Patrick VanDaele, Mike Veine, Henry Walters, Jim Johnson, Tom Gorenflo, Steven Johnson, Mathew Klungle, Dan Manyen, Spencer McCormack, Cameron McMurray, Eric Olsen, Frank Pearson, Tony Radjenovich, Bill Rastetter, Robert Reider, Brian Rivet, Carol Rose, Dana Serafin, Dam Sampson, Dennis Eade, Ed Erdelac, Michael Feagan, Jim Fenner.

Welcome and Introductions (Frank Krist, and Randy Claramunt, DNR Lake Huron Basin Coordinator)

Frank began by thanking Meaghan Gass for setting up the room for the hybrid meeting. It was noted that the meeting will be recorded, with live transcription, to assist with the meeting minutes.

Frank also introduced Citizen's Fishery Advisory Committee Co-Chair Randy Claramunt, Lake Huron Basin Coordinator, and Vice-Chair Randy Terrian. Frank acknowledged that Natural Resources Commissioners Carol Rose and David Cozad were participating and Commissioner Tom Baird indicated that he would be joining in the afternoon.

Frank and Tim Cwalinski welcomed Matthew Klungle who will be filling Tim's previous position as a DNR Fisheries Biologist. Matt will cover the more southern portion of the Northern Lake Huron Management Unit which will include working with anglers and organizations that focus on the Au Sable River. He is looking forward to learning the new system and the challenges ahead.

The Advisory Committee Members introduced themselves.

10:40 Discussion of the changes in the Coded Wire Tag (CWT) Program (Randy Claramunt; Randy Terrian; Kendra Kozlauskos, MDNR CWT Program; Matt Kornis and Chuck Bronte, US Fish and Wildlife Service CWT Program Coordinators).

Both Randy Claramunt and Randy Terrian have been meeting with Chuck Bronte and Matt Kornis on how to better coordinate the Michigan and US Coded Wire Tag Program (CWT), to improve the

quality of the data, and extract the most useful information to better assist in managing the fisheries. Frank turned the meeting over to Randy Claramunt to lead the discussion.

Matt reviewed the history of the Mass Marking Program. It began in 2010 and is a collaboration among federal, state, and Tribal agencies coordinated by the U.S. Fish and Wildlife Service. The goal is to address questions on the survival and contribution of hatchery fish, natural reproduction and other measures for trout and salmon. The program is funded by the Great Lakes Restoration Initiative (EPA) and has in just 9 years compiled data on over 134,000 fish provided by anglers.

The Fish and Wildlife (FWS) Biotechs tag and mark the fish with state-of-the-art equipment that takes much training to operate. Field workers collect the heads with tags from the recreational anglers which are returned to the lab where tags are extracted from these hatchery fish. Samples from non-clipped fish are examined to determine the age of wild fish. Matt compiles the information and converts it into data that can be used to better manage the fishery and improve survival of stocked salmon and trout.

As mentioned above, the focus today is to coordinate improving the quality of the information that is produced resulting in better management of the fishery.

In the slide below, Matt compared the number of CWT returns for the DNR Creel Program and the Federal Program. Remarkably, the amount of each category of heads was similar to, or somewhat greater for the DNR Program. Currently, the DNR Creel data only can be used in some analysis but better coordinating the programs so that all the DNR data can be used in each analysis would more than double the amount of information in the calculations.

U.S. Fish & Wildlife Service

Green Bay Fish & Wildlife Conservation Office

Lake Huron Recoveries by Method (2012 – 2021)

Species	FWS Total	FWS w/CWT	Creel Total	Creel w/CWT
Atlantic Salmon	165	52	772	288
Brown Trout	34	0	102	0
Chinook Salmon	1536	565	2403	815
Coho Salmon	325	0	105	0
Lake Trout	5253	686	5048	627
Pink Salmon	122	0	62	0
Steelhead	712	54	1731	101
Total	**8,147**	**1,357**	**10,223**	**1,831**

There are differences in the methods utilized in the FWS and DNR Programs to collect the data. The ***FWS Program*** records effort as the number of sampling days, with a modifier for tournament vs. non-tournament days. This value is then modified to account for differences in angler effort among statistical districts and relative abundance is expressed as fish/sampling day/1000 angler hours.

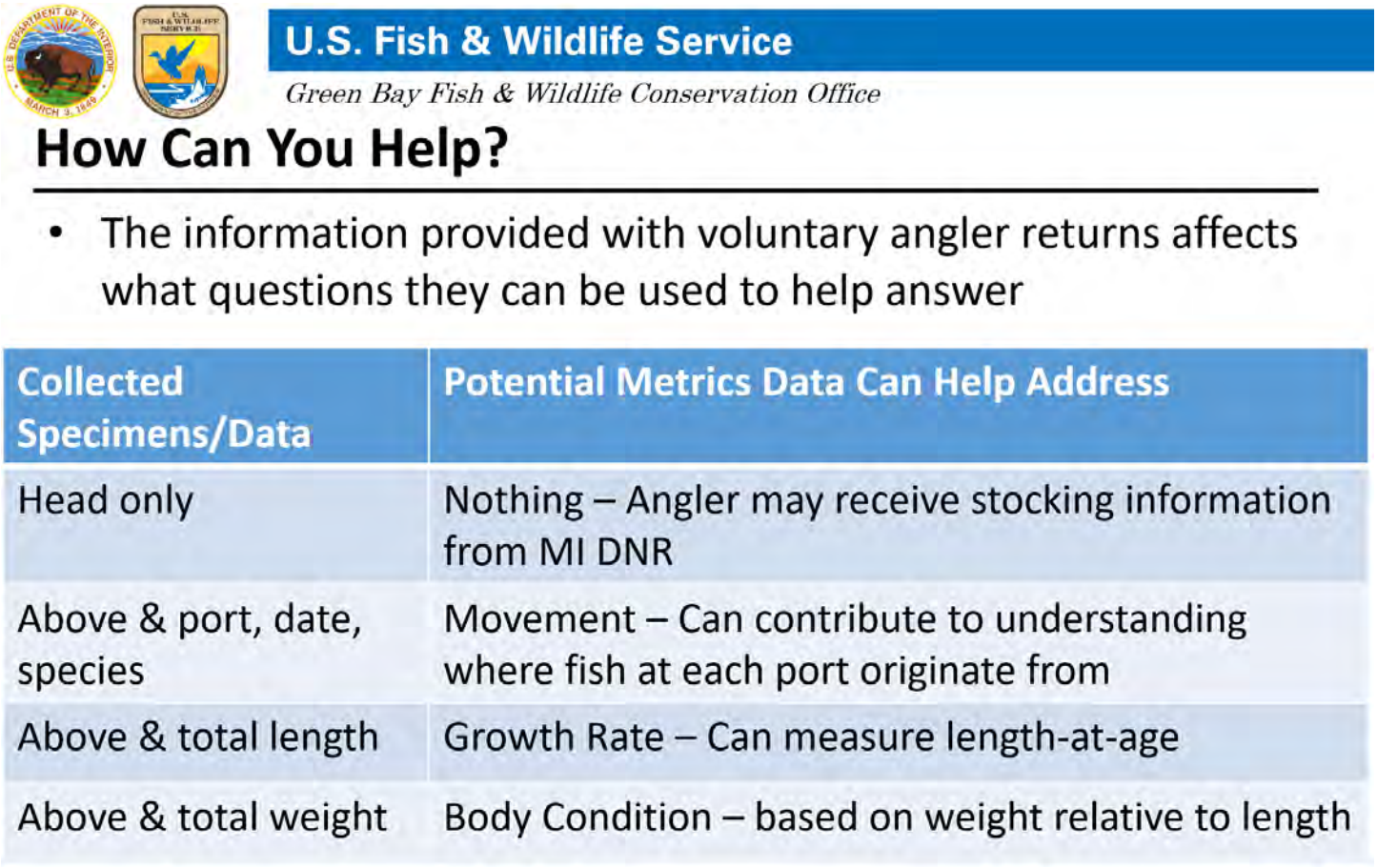
The ***DNR Creel Program*** conducts 9.5 sampling days per port each month, and estimates the number of angler hours. FWS can compute a similar metric of effort for fish observed by creel with Fish/sampling day/1000 angler hours. However, the DNR creel and FWS biotech estimates may still differ. Sampling days may measure different total hours of survey effort between FWS and DNR creel. FWS biotechs target tournaments and thus have far more tournament samples than the DNR creel obtains. In other words, while the units of catch-per-effort are the same, they may ***not*** be the same thing.

There is a method known as z-score that describes where a value falls relative to the average value in a group of samples. In other words, how often does a particular value occur. Is it rare, common, or in between? Converting both FWS and DNR Creel data into z-scores will ensure the values are an apples-to-apples comparison for analyses. This is a common method used to incorporate data from multiple sampling approaches into a joint analysis. This approach would allow all the FWS and DNR data to be incorporated into the results thus providing much more information.

Next Steps:

- Incorporate the above approach, recalculate the preliminary analyses and present the information during October Meeting.
- Incorporate the ***voluntary angler return data*** once the dataset is ready. Angler return data will not have an effort component and thus won't be used for relative abundance or survival estimates, however, angler return data could be used to track movement and growth rates depending on what data are included.
- Establish a ***Sub-group*** to track progress on CWT analyses. Members will include Randy Claramunt, Tracy Claramunt, Kendra Kozlauskos, Matt Kornis, Chuck Bronte, and Randy Terrian

There are many ways an angler can help provide data. The slide below shows the various scenarios.



Comment: Randy C. Even though volunteer Coded Wire Head returns cannot incorporate how much effort is occurring at a location the data are still very important. For example, this type of information was used to determine the number and survival of Atlantic Salmon in Lake Huron. Without this voluntary assistance, the number of Atlantic Salmon would have been vastly underestimated. Randy C also, mentioned that the immense amount of data that Randy Terrian has been collecting along the Au Sable River will be reviewed to determine if there is a statistically valid method to incorporate effort thus allowing the data to be more widely utilized.

Question: It was mentioned that the Mass Marking Program began in 2010, but it seemed like marking of fish was occurring long before that time.

Answer: Yes, there was inconsistence marking occurring before that time. Not all fish were marked so it was not possible to determine the amount of wild fish or the migration patterns throughout the seasons.

Question: How late do the FWS crews work at night? Most anglers return to port after dark especially when fishing for Chinook Salmon in northern Lake Huron.

Answer: Chuck Bronte mentioned that their field staff work 10 hour days from Thursday through Sunday and may not be working after dark to interview the late return of Chinook Salmon anglers. This is something that can be discussed.

Comment: Randy Terrian stressed that anglers receiving letters acknowledging the fish heads they provided is very important motivation since it shows that their work was counted and it would be very beneficial if some protocol could be established to send letters to all contributors no matter which agency is collecting the heads.

Response: Randy C. said the DNR is working on a digital method possibly through smart phones that would allow data provided to the DNR to be access anytime over the years without any paperwork involved. This is still in the development stage.

Response: Chuck Bronte can understand the concern and will be working with everyone to possibly reduce this issue.

Comment: The return letters that indicate that the clipped fish had no wire tag are not positive and probably some anglers may feel they wasted their time. Some fish are only clipped without CWTs just to help determine the number of wild fish in the population and those letters should explain that turning in the heads was important. For example, many Chinook Salmon are only clipped in Lake Michigan to determine the proportion that is wild which frees up tags to track other species in more detail with the insertion of Code Wire Tags in those other species.

Question: If a charter boat is checked by the FWS Techs will those fish be double counted as harvested in the Treaty Waters?

Response: No, the charter boat system is entirely separate and the FWS Techs results do not count towards the number of fish harvested. Also, DNR creel clerks would not add charter harvest to their data. The FWS Techs when introducing themselves will be letting the captains know that they are only interested in the biodata not the number of fish onboard.

Note: There was a consensus that reviewing the progress of updating the CWT Program and clipping data at the October meeting would be timely and will be added to the agenda. There was much enthusiasm that this new approach to analyzing the data will provide significantly more quality results.

Discussion of various issues with extra time available

There was strong support for having the ***agency updates*** provided about a week before the meetings which will allow for a much more effective discussion of the issues. Also, it was mentioned that it is very important to continue having a participant roundtable in the fall to provide a few minutes for each participant to comment on the fishery that they experienced during the season. This should provide a very informative overview of the fishery up and down the lake.

Question: Was there any evidence of ***cisco returning to Saginaw Bay*** to spawn this fall?

Response: Randy C. said that special surveys were done this fall to target specifically midwater cisco and about 50 adults were taken. This is very significant because it shows that not only spawning fish were found but they were returning to the stocking sites. This positive news will be expanded at upcoming meetings and workshops this spring.

Question: There was a recent workshop on ***cisco*** living in Lake Michigan and there is evidence that those fish do ***eat some small fish*** like goby. What are the chances that cisco stocked in Saginaw Bay will eat small fish?

Response: The cisco stocked in Saginaw Bay are not from Lake Michigan but they originate from northern Lake Huron. Research over the coming years will reveal the cisco feeding habits in Saginaw Bay but it is likely that these fish may be less dependent on small fish for their food source.

Comment: PFAS and PFOS have often been in the news lately and it would be helpful to know more about how much contaminated fish can be safely eaten. There have been several news releases about these chemicals in smelt. It seems like these chemicals are concentrated in the smaller fish lower in the food web instead of in predators.

Response: The Michigan ***Department of Health and Human Services*** has an excellent website discussing these chemicals and other toxins along with providing guidelines on the amount of fish caught in certain waters can be safely eaten. This information is being constantly updated and can be reached through this link, https://www.michigan.gov/pfasresponse/fishandwildlife/fish. It is true that these chemicals do not seem to be accumulating in larger fish and it has been proposed that because small fish have much more surface area compared to their weight than larger fish, this allows more toxin to be absorbed. There are indications that because babies also have more surface area compared to their weight they are more vulnerable to PFAS.

Preparations for opening the Lower Saginaw River to walleye fishing year-around during 2023 (Dr Jeff Jolley, DNR Southern Lake Huron Unit Manager; Dr. Dave Fielder, Research Biologist and Modeler; Jason Gostiaux, DNR Fishery Biologist and April Simmons, DNR Fishery Biologist).

Jeff and the staff have been meeting with representatives from the nearby townships, counties, cities and organizations to help them prepare for a substantial increase of visitors that will be participating and viewing the increase in quality fishing activity. Opening the Lower Saginaw River year-round will add an additional 6 weeks of walleye fishing when the fish are available to shore and small boat anglers. The fishery will be monitored throughout the season to measure the impacts. Creel clerks are already interviewing the anglers and will continue through the year. Jeff and the staff along with law enforcement officers occasionally will visit the river during the new season to better understand how the anglers, public, businesses and others are responding to this new opportunity. Jeff prepared the fact sheet below to explain the changes and how the fishery is being monitored along with encouraging anglers to utilize this excellent quality walleye fishing opportunity.

Saginaw River Walleye Year-Round Fishing Opener

A New Fishing Opportunity in the Saginaw Bay Area

Saginaw Bay, Lake Huron currently has one of the highest quality walleye fisheries in the country after recovering from a historic fishery collapse. Former management strategies were recovery-focused; the current population is robust and can sustainably support new harvest opportunities. Therefore, beginning in 2023 the Saginaw River will be open year-round to walleye harvest where it previously was closed from March 16 to the last Friday in April, a day before the statewide opener.

Contact Jeff Jolley (JolleyJ1@michigan.gov) for more information

Opening the river year-round provides increased fishing opportunities, especially for small watercraft and shore fishing. Expanded opportunities may generate increased fishing interest and attract anglers to the region in the spring.

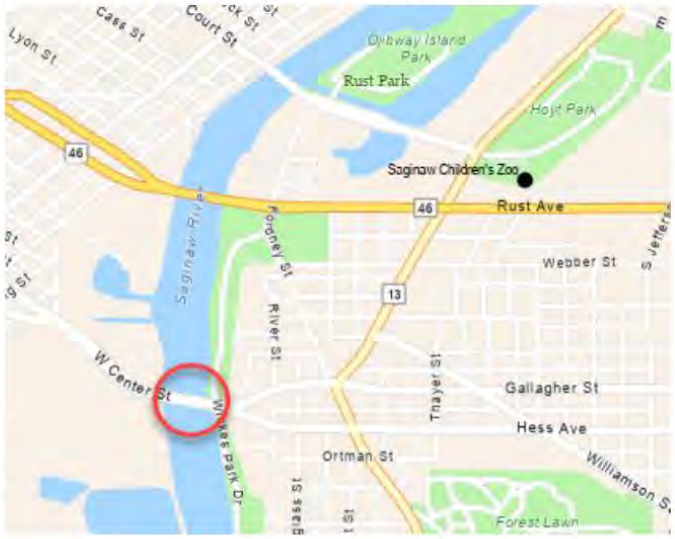
When: Beginning in 2023

What: The harvest regulations are the same as Saginaw Bay: **8 fish daily possession limit, and 13" minimum size.** Gear restrictions in that section of river have been **removed**.

Where: The change applies to the river mouth, upstream to West Center Street (Douglas G. Schenk) Bridge in Saginaw. All other regulations remain for walleye *outside* of that area (refer to the Michigan Fishing Guide at Michigan.gov/DNRDigests).

The entire Saginaw Bay is intensively monitored so timely management actions can be taken. Fishery effort and harvest in the river will be monitored.

Upper Boundary of Year-Round Walleye Fishery (Saginaw, MI)



Walleye with a Jaw Tag

Report tagged fish at Michigan.gov/TaggedFish

Scan or visit Michigan.gov/DNRDigests for current regulations

Saginaw River Walleye Year-Round Fishing Opener

Frequently Asked Questions

Q. Why haven't other rivers been opened year-round?

A. Other rivers are likely all spawning grounds, and we take measures to protect fish when they are on their spawning grounds. We have a research project that is tracking adult walleye in Saginaw Bay to investigate important spawning areas.

Q. Are 8 fish per day and 13" too liberal – shouldn't we reduce the bag limit?

A. Monitoring data indicates that the walleye population **can sustain additional harvest**, and strong year classes continue to be produced.

Q. Why would we allow harvest on spawning fish?

A. The reach of the river open to fishing on the Saginaw River is **not the spawning grounds**. The main spawning grounds are upstream on the Tittabawassee River, and that area is closed to fishing during walleye spawning times. We have a research project that is tracking adult walleye in Saginaw Bay to investigate other important spawning areas.

Q. Why can't we have slot limits to protect larger fish?

A. Monitoring data does not indicate that larger fish need any special protections. Large fish are present in the bay but are not commonly caught. The Saginaw Bay population of walleye has been developing over the past several years and the number of memorable and trophy-sized fish should increase over time.

Q. Are there too many walleye in Saginaw Bay? They are damaging the perch population.

A. There are not too many walleye in Saginaw Bay. The walleye fishery is one of the best in the state and the country and brings tremendous value to the area. There is a multitude of harvest opportunities for walleye. It is true that the once abundant yellow perch population has greatly declined from its former abundance and that decline began in the 1990s. A combination of food web changes and predation by walleye on small yellow perch have likely caused this decline. Anglers that are willing to adapt their techniques, try new tactics, and move often can have very successful yellow perch angling trips. A new management plan for walleye and perch is currently being developed.

Q. The decision to open the river to walleye harvest was made in 2021. Why did it take so long to enact the change?

A. Adequate time was needed to provide public outreach opportunities and increase awareness. Time was also needed to prepare for expected increases in angling effort.

REPORT ALL POACHING (RAP) CALL OR TEXT: 800-292-7800

Jeff has a formal communication program with assistance from Meaghan Gass and Sierra Williams, member of the DNR Communications Team. There has been news releases and interviews with reporters. The spring Sea Grant Workshops and Conservation and Coffee Sessions have been

spreading the word. Of course, this Advisory Committee has provided much support and assistance throughout the process and we are always looking for input from this group.

The Walleye and Yellow Perch Workgroup is close to completing a draft Walleye and Yellow Perch Management Plan for the bay that will be shared with the DNR staff and then brought to this Advisory Committee for additional input. The next meeting of the Workgroup will take place after the new season opener so the group will be able to possibly incorporate information learned from the opening.

Questions and Comments:

Comment: Jeff said that the ***creel clerks*** have been discussing the opening with the anglers and there has been support with some caution being expressed. This has provided an opportunity to reassure the anglers that the fishery is being carefully monitored and changes can be made if needed.

Comment: Laura Ogar said Jeff's outreach program has been working well and the response from around the ***community is very positive***. There is some caution being expressed but there is much enthusiasm for the new opportunity.

Question: The ***Dow Dam*** has been a huge source of walleye spawning and reproduction. Will more walleye now be able to move above the Dam and spawn upstream?

Response: The DNR is working with Dow and it is anticipated that reproduction will likely increase at the Dam and above. The future of this walleye spawning habitat in this area looks very good.

Comment: The river has been without ice the entire winter with only open water fishing occurring. There will be some freezing over the next few days but there may be little ice forming. It appears this should contribute to a ***less dramatic opening*** because it will be just a continuation of the fishery. In the past when the season opened after the spring closure, anglers came out in huge numbers similar to the excitement of the deer hunting opener. The monitoring of the harvest and fishery is very important in assuring the public that the fishery will be protected.

Comment: The opening is being well received and a ***walleye tournament*** has been scheduled during the opener.

Question: Will the walleye size and age be monitored in the Lower Saginaw River during the entire new open season?

Response: Dave Fielder said that he will be monitoring the size and age of the fish being caught not only during the new opening but has begun earlier in January. From January 1 through March at least 50 aging samples will be taken, and another 40 samples will be taken during April. This will show if the fish being caught are mostly mature larger fish or a mixture with many younger fish. It is well established that nearly all walleye on the spawning grounds like at the Dow Dam site are larger mature fish. It is generally thought that spawning walleye do not bite well prior to spawning but begin to feed more aggressively after spawning. There is some evidence that once the walleye spawn they quickly scatter into the bay. This age sampling program will help show how long the larger walleye are in the river when they are feeding.

Frank: Frank acknowledged that Natural Resources Commissioners David Cozad and Carol Rose were present. Frank thanked them for working with the Committee and the DNR to extend the Lower Saginaw River walleye opening until 2023 so there was an additional year to educate the public and prepare for the anticipated increase in visitors to the area.

Response: Commissioner Cozad commended Jeff Jolley and staff for the outreach program and it is encouraging to learn that overall there is much support in the area for the new walleye fishing opportunity. He will be following closely how the season progresses and how many anglers utilize this new early season shore and small boat fishery.

Response: Commissioner Rose agreed with Commissioner Cozad's comments and stressed this was worth waiting for. Being married to someone that grew up in the Saginaw Bay area, he is convinced this will be a very popular fishery. It is exceptional where someone can just walk up to the edge of the water and participate in a quality fishery. Thank you for all the work that has gone into this project.

Question: From the previous meeting it was noted that an ***access site inventory*** along the banks of the Lower Saginaw River was being compiled, so will this information be available to assist others in applying for grants and making improvements?

Response: Jeff Jolley mentioned that the Walleye and Yellow Perch Workgroup will make their inventory of access sites available as part of the final report. The inventory reviewed and noted many aspects of the existing and potential sites including the condition of the following, parking space, boat launch capabilities, fishing docks, picnic tables, maintenance and amenities along with other items. This information can be used by others to apply for grants and over time make improvements.

Comment: The newly updated DNR boat launch at the mouth of Saginaw River has many improvements and will be much appreciated by anglers. Possibly, installing a YouTube camera at this site would be very useful for anglers to determine if the fish are biting. Upstream along the river at Smith Park, a very popular camera is installed that shows the boat launch and the conditions on the river. This link will take you to the camera, https://www.youtube.com/watch?v=YekaJUBVZPY

Comment: It was mentioned by several persons when the weather was decent there were people fishing the river regularly and catching fish all winter. There were lots of smaller fish but some good ones were taken. The river never was safe enough for ice fishing so only shore and boat fishing took place. One key factor that will determine the success of the additional fishing opportunity will be the condition of the river. For example, if the ***water is muddy and high*** it will not be fishable.

Update on investigating the extent and reasons for the wild Lake Huron brown trout fishery in the Au Gres area. (Randy Claramunt and April Simmons MDNR Fishery Biologist)

Randy Claramunt provided an overview of brown trout in Saginaw Bay. Over a decade ago when over 100,000 brown trout were stocked in Lake Huron the returns were extremely low. Recently, a limited fishery has been developing offshore in Saginaw Bay. There is much interest in learning where these fish are originating from and if they are wild or stocked fish. After the brown trout stocking in Lake Huron was terminated low numbers of these fish were stocked in a few rivers draining into Saginaw Bay to create a stream fishery.

To assist in determining the origin of these brown trout, 9 genetic samples were taken from fish caught in Lake Huron and analyzed. The results showed that these fish were related to the Sturgeon River and Gilcrest Creek strains of brown trout with a few more Sturgeon River fish represented. These results point toward the Rifle River stocking where the fish out migrated to Lake Huron. This is significant and worth paying attention to. When over 150,000 browns were stocked in Lake Huron almost none were caught but in spite of the low number being stocked in Rifle River enough are being taken offshore to provide a limited fishery. April Simmons will be surveying the fish in the Rifle this spring to try to determine why the fish are leaving the river. Possibly, there is a high density of young fish in the river. Work will be continuing on this project, and it is important for anglers to report brown trout that are being caught in the open waters of Lake Huron.

Questions and Comments:

Comment: Tom Keerl indicated that before the ***Harrisville Harbor froze over about 6 to 7 brown trout*** were caught with the largest around 28 inches long. This was a new experience this fall and winter. If additional brown trout are caught he will furnish that information.

Question: When the original brown trout study was conducted during the heavy stocking rates, was it possible that the early and late season runs of the brown trout were missed especially in the Saginaw Bay area?

Response: The creel survey in Saginaw Bay is extended to 10 months and the late and early runs of brown trout should have been recorded. In addition, there were few reports provided independently from any anglers during the study.

Comment: It would seem that the brown trout stocked further upstream are surviving better because they probably slowly enter the lake and attract fewer hungry walleyes and lake trout. In the past when there were heavy stocking events near the river mouths, walleye, lake trout and other predators often show up in large numbers to feast on the newly stocked fish.

Comment: Jim Johnson, retired DNR Fisheries Biologist noted that the Sturgeon River Strain was not available during the large brown trout study so it is possible that it may be better adapted to Lake Huron than the other strains that were tested. The Sturgeon River strain actually is not a pure river strain since it migrates into both Burt and Mullett Lakes producing a quality lake fishery. The Southern Lake Huron team deserve much credit for investigating the potential of this strain. Jim also agreed strongly that the brown trout moving from the upper Rifle River to the Lake Huron slowly no doubt attracts fewer predators.

Discussion, questions and comments on the *Proposed New Consent Decree* that will provide the rules for managing and sharing the Great Lakes Fisheries in the 1836 Treaty Waters of Lakes Superior, Michigan and Huron, Tony Radjenovich President of the Coalition to Protect Michigan Resources and Jim Johnson retired Great Lakes Research Biologist from the Coalition. David Caroffino from the MDNR Tribal Coordination Unit will be present to provide comments if needed from the State's position.

Frank began the discussion with background information. The Coalition to Protect Michigan Resources has been participating in negotiations to develop a new Consent Decree that would provide the rules to share the Great Lakes Fishery between Tribal commercial fisheries, and the state recreational and commercial fisheries throughout 1836 Treaty Waters from Alpena in Lake Huron to Grand Haven in Lake Michigan and about the eastern half of Lake Superior. There are 7 full Parties participating in the negotiations including 5 Tribes, the State of Michigan and the United States. The Coalition is not a full party but provided comments through the State. The members of the Coalition include, MUCC, Michigan Steelheaders, Michigan Charter Boat Association and the Hammond Bay Area Anglers Association. Frank is a member of the Hammond Bay Area Anglers Association.

The negotiations have been continuing for over 3 years and of course, Covid slowed the discussions. Negotiations, however, intensified this spring and by the end of June it became clear that the Coalition's concerns differed greatly from the State's approach. The Coalition filed in the Federal District Court in Kalamazoo during July to become a full Party in the discussions. The Judge denied the request but did allow the Coalition to Protect Michigan Resources to file by January 20, 2023, its objections to the Proposed Decree that has been approved by 6 of the 7 Parties. After the Judge reviews the Coalition's concerns and additional input by the full Parties, he will make a decision on what will be incorporated into a new Consent Decree. The 2000 Consent Decree was due to expire in August 2020 but has been extended indefinitely until a new Consent Decree is approved.

Frank stressed that the organizations in the Coalition have strongly supported Tribal fishing rights for decades and continue to do so. The Coalition is concerned that the proposed fishery management approach in the Proposed Consent Decree is not biologically sound and it will not ensure sustainable fisheries that can be shared over the coming years. Frank noted that some Tribal representatives were viewing the meeting and he encouraged them to participate. Dave Caroffino from the MDNR Tribal Coordination Unit declined to provide a presentation but would be commenting if needed

after presentations by Tony Radjenovich, President of the Coalition to Protect Michigan Resources and Jim Johnson retired MDNR Lake Huron Fisheries Manager and Researcher

Tony Radjenovich, President of the Coalition to Protect Michigan Resources Presentation:

Tony thanked the Advisors for their service and introduced himself. In his role as President of Coalition to Protect Michigan Resources he is an advocate to protect the resources of the Great Lakes, its tributaries, inland lakes, and waterways. The Coalition's mission is to work with the US Government, Tribes, and the State of Michigan as an "amicus curiae" in the federal court case governing Tribal fishing rights in the 1836 Treaty areas. He also has a full-time job and operates a recreational charter boat in the summer during vacations and weekends.

The Coalition started working with the MDNR about this time 4 years ago. The Coalitions has been consistent on its positions for a successor consent decree during the entire time. To better understand why the Coalition to Protect Michigan Resources is objecting to the Proposed Consent Decree the following link will provide an overview of the reasons why https://protectmiresources.com/news-update/

Tony stressed that the Coalition has been extremely careful not to violate the confidentiality agreement and any confidential information that was filed was placed under seal so it could only be viewed by the Court.

The Coalition has always recognized:

- The treaty right of the tribes to fish with nets.
- The consent decree must protect the resource.
- The resource is shared roughly 50/50 between the Tribes and state fishers.

The Coalition has advocated and supports a zonal management approach to share the resource amongst the user groups. This approach has been the foundation of the successful 1985 and 2000 Consent Decrees over the last 37 years that have served all the parties well.

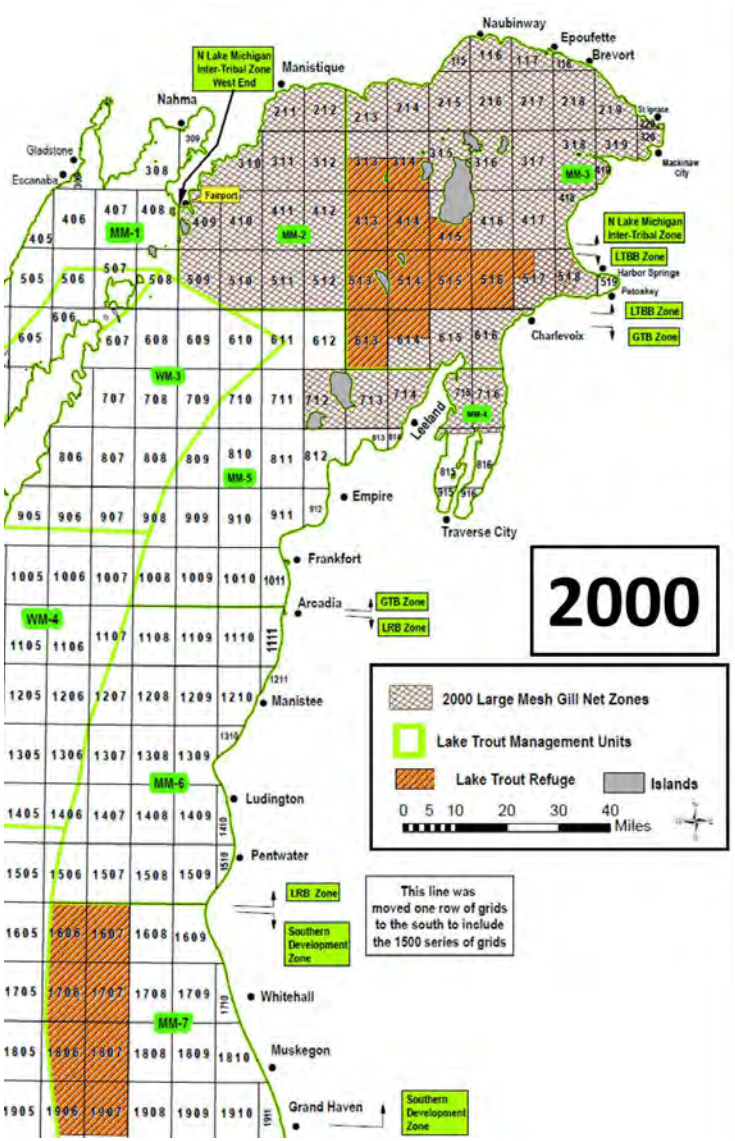
The Coalition believes that a zonal management plan will allow the Tribal commercial fishers a fair share of the fishery with gillnets while providing opportunities for the recreational fishery to take a fair share.

As a recreational angler, Tony was always interested in understanding the science basis of the fishery resource and as an advocate involved in the consent decree negotiations he sought the science that supports the management decisions of the resource. As the Coalition became aware that the parties were considering an expansion of gillnets, requests were made to the State asking for studies and other data that supported an expansion of these gillnets. No studies or reports have been provided to the Coalition, however, the Coalition cited 44 scientific sources supporting its position.

Tony indicated he wanted to discuss the concerns of the Proposed Consent Decree through his experience as a recreational angler.

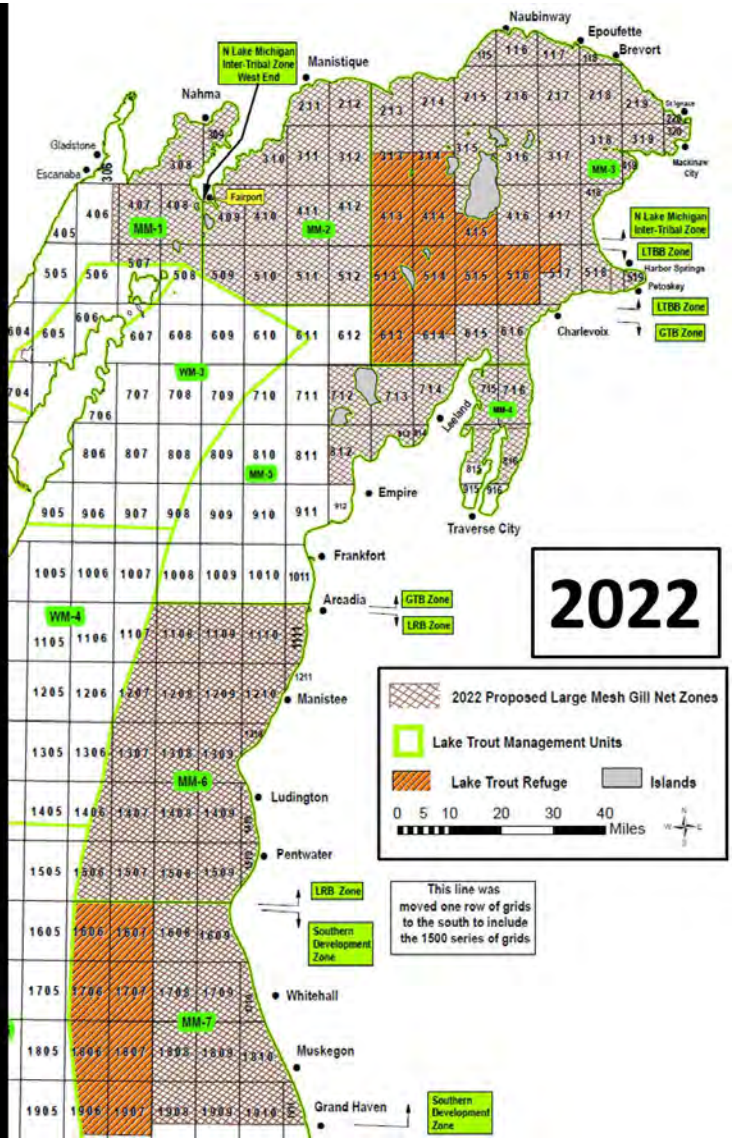
The maps below on pages 12 and 13 comparing the 2000 Consent Decree gillnet locations with the Proposed Consent Decree locations will be used by Tony to illustrate why the proposed massive expansion of gillnets threaten the fishery resource and greatly reduce the recreational fishery share of the resource.

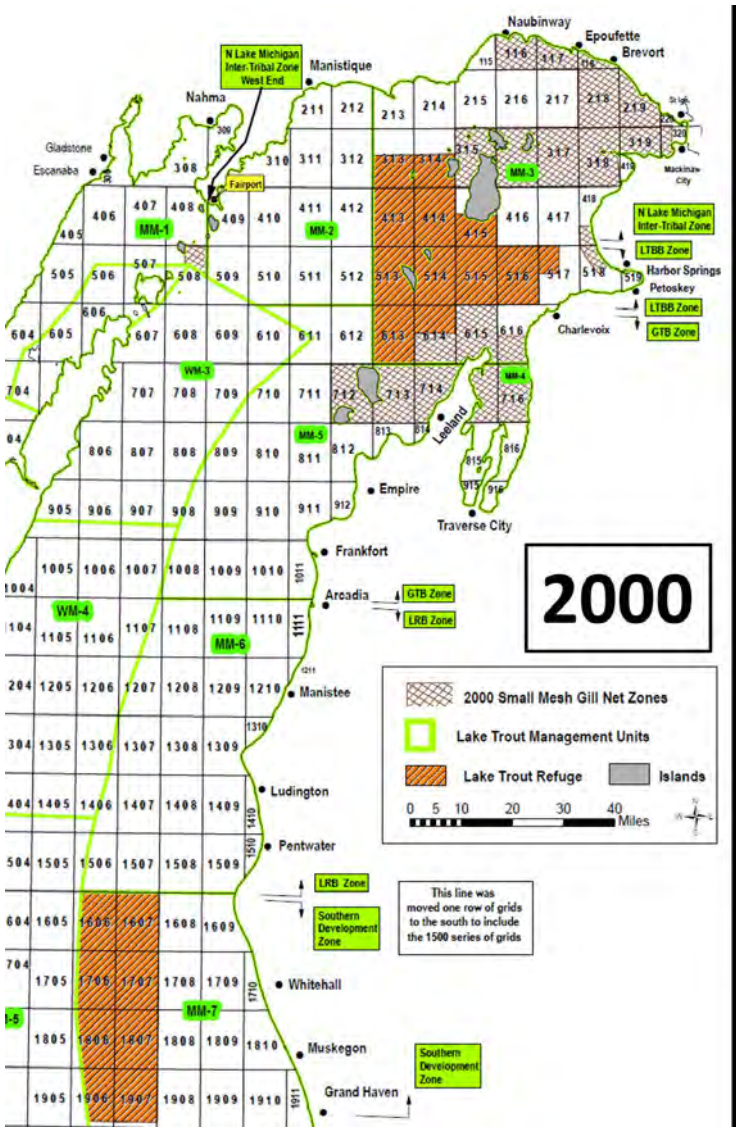
- The area where gillnets are not allowed on the 2000 Consent Decree map of Lake Michigan are currently considered by most recreational fishermen and women recreational fishing zones. This is where most of the recreational fishing in the treaty ceded waters happens.



Lake Michigan

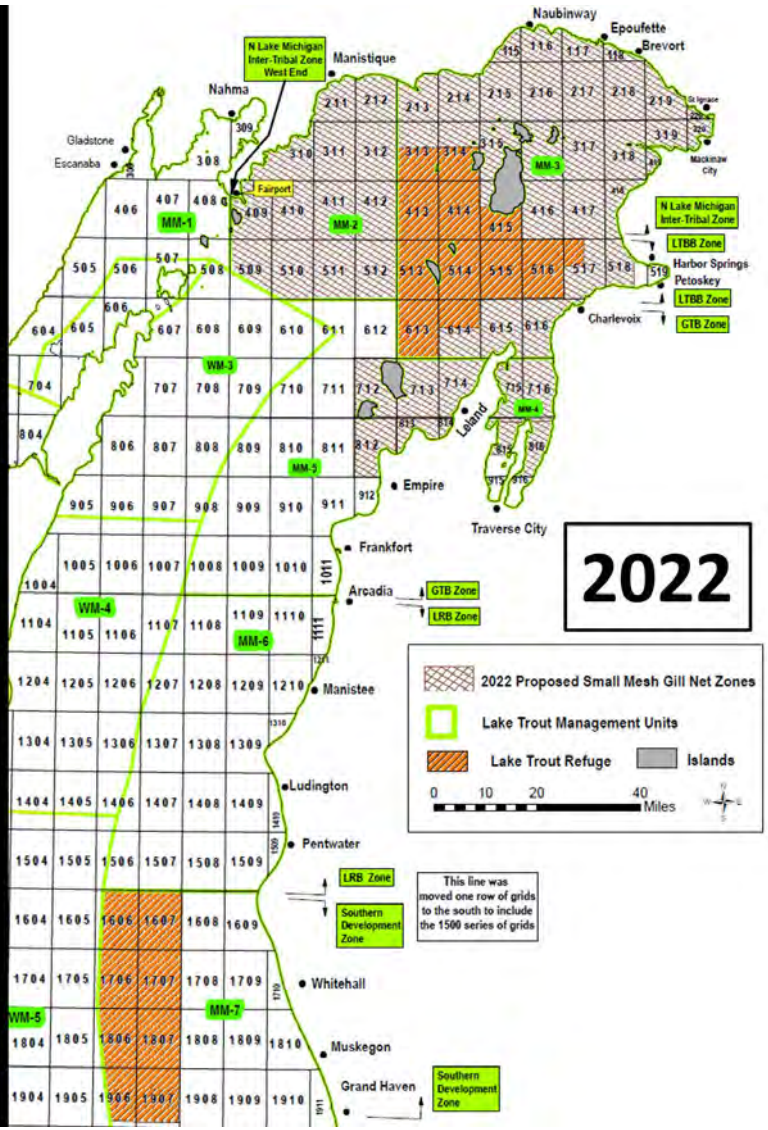
Large Mesh Gillnets





Lake Michigan

Small Mesh Gillnets



- Recreational fishermen and women don't like to fish near nets for mainly two reasons.
    - It is dangerous to fish near nets. Entanglement in a net is dangerous and could be fatal.
    - Gillnets are much more efficient at catching fish than fishermen and fisherwomen. With much fewer fish in the area anglers become discouraged and fish elsewhere.
- As mentioned above a recreational fishery needs to have a higher concentration of fish to be a successful when compared to a gillnet fishery. This is because of the relatively inefficient nature of hook and line fishing compared to gillnet fishing. Fishermen and women understand that when the nets are set in their favorite fishing spot it is time to find a new spot, or unfortunately stop fishing.

Living in and fishing along Leelanau County, Tony discussed the expansion of gillnets in Grand Traverse Bay and near the port of Leland. He indicated that his discussion here is similar for Hammond Bay or other areas of the treaty ceded waters.

- The Proposed expansion of gillnets allows for nets to be set in traditional recreational fishing areas in Grand Traverse Bays from the day after Labor Day to the Friday before Memorial Day.
- The issue is the fish congregate closer to shore in early spring as the water warms and the food web produces more food. This attracts the lake trout and other sport fish to the drop-offs near shore where they are very vulnerable to gillnet fishing.
- Similarly in the fall, after Labor Day, the sport fish begin to congregate in these areas prior to spawning. In the fall there is again a high concentration of sport fish in these newly expanded gillnet areas.
- The issue is there is a good chance that the stocks of fish the recreational fishery has relied on for the last 37 years will be greatly diminished or gone, because the fish will be caught in the highly efficient gillnets before anglers had a chance to fish for them.
- Another example is from the port of Leland where the Proposed Decree allows the entire Lake Trout Harvest Limit to be taken from Management Unit 5 in just 3 recreational fishing grids. This unit contains over 22 grids. These grids are adjacent to shore and are very popular recreational fishing zones. From the day after Labor Day to April 30 there are no specific Harvest Limits on how much of the entire Management Unit 5 Harvest Limit can be taken in these grids. From May 1 to the Day before Memorial Day up to 40% of the total Management Unit Harvest Limit can be taken in these 3 grids only. This type of management where gillnets can be fished heavily in recreational fishing zones during or directly before the recreational fishing season begins can lead to localized depletion of fish stocks to the point that the recreational fisher will lose interest and catch few or no fish.

This expansion of gill nets creates a perception that the business of commercial fishing can be saved by fishing more gill nets. This is the classic example of "Fishing Up" which results in setting more gillnets until the fishery eventually collapses. Jim Jonson has discussed this principle in the Coalition's Objections.

The expansion of gill nets is creating unreasonable expectations. The resource needs to be protected for fishers of today and tomorrow. The resource needs to be shared with all user groups.

As a recreational fisher, one thing about the proposed draft consent decree that Tony can't understand is: The world is moving away from gill nets because they are non-selective indiscriminate fishing gear that kills most of the fish caught in them. The parties to the consent decree are expanding the use of gill nets yet we have not been shown any studies or reports that show that expanding gillnets over large areas is scientifically sustainable.

The Coalition hopes the Parties will consider the objections that the Coalition to Protect Michigan Resources has filed with the court and will revise their draft consent decree.

Jim Johnson, retired MDNR Great Lakes Research Biologist

Jim Johnson is a retired DNR research biologist who spent 25 years leading research on Lake Huron. He presented the Coalition to Protect Michigan Resources' views as he contrasted the 2000 Consent Decree with the proposed new one. He focused on the biological impacts of the new proposal.

The 2000 Decree gave much more priority to conservation/stewardship than does the Proposed Decree.

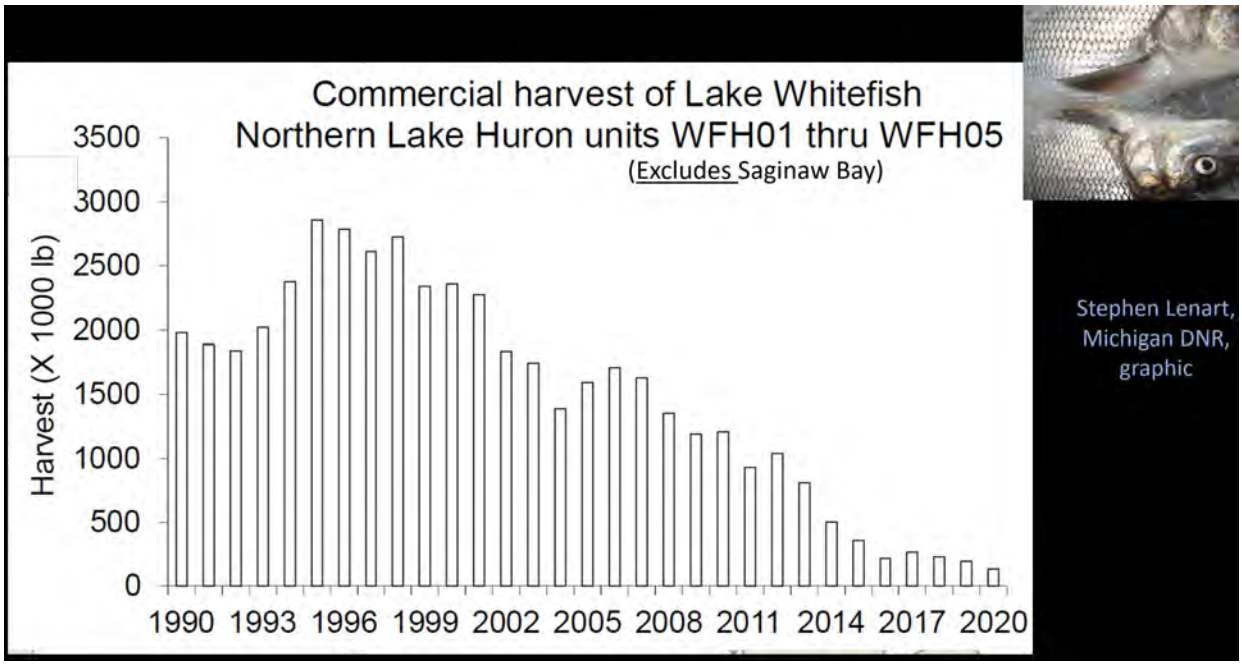
2000 Decree:

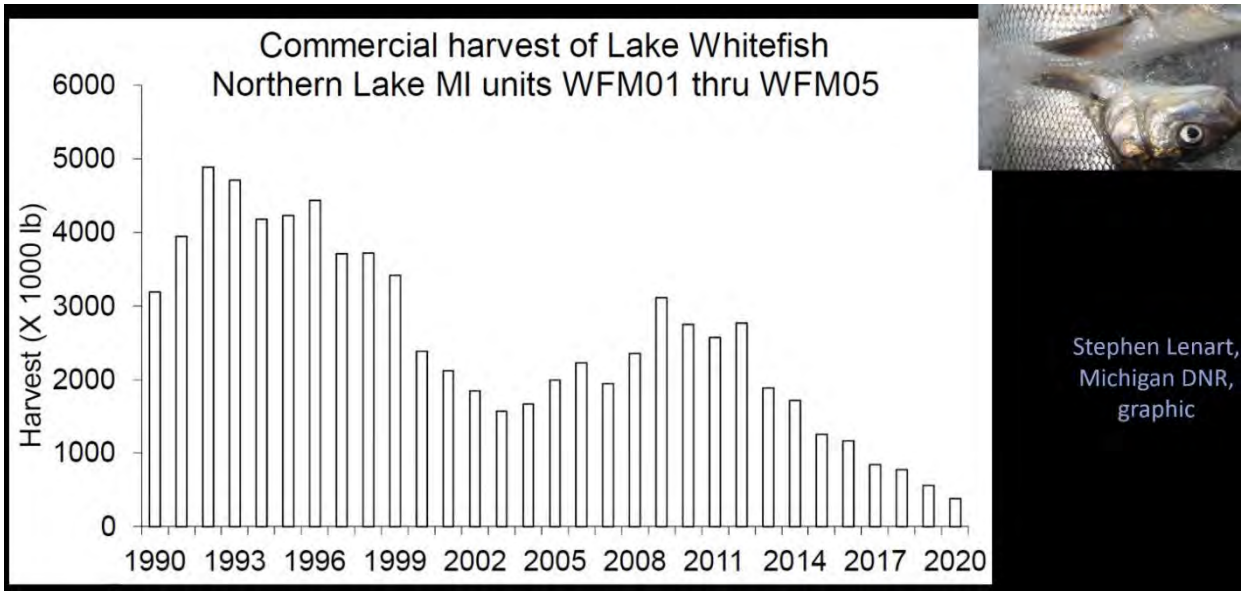
- Decreased unintentional kill of lake trout in gillnets through a gillnet to trap net conversion project at a cost of $14 million; this reduced the bycatch kill of lake trout considerably;
- Lake trout mortality targets were set in the Decree with the intention of protecting lake trout from overharvest and building broodstock so that reproduction would be favored;
- Whitefish were abundant and the principal target of all commercial fishing; Chinook salmon were abundant in lakes Huron and Michigan and were the focus of recreational fishing.

2022 Proposed Decree

- Now whitefish are scarce and lake trout are targeted by both commercial and recreational fishers (especially in L. Huron).
- The Focus of the 2022 proposal is to find new Harvest "opportunities", conservation and stewardship take a back seat.
- Rather than protect the beleaguered whitefish and recovering lake trout in lakes Huron and Michigan, gillnetting opportunities are vastly increased.
- Lake trout objectives are not clear and mortality targets not yet set.
- We are told to take as a matter of faith that the fishery models and updated reporting system will protect the stocks, but there are no specific objectives set for fishery management or models – will the models be used to offer further "opportunities" to harvest or to protect the fragile stocks?

Below Johnson displayed graphs of declining whitefish harvest in treaty waters of lakes Huron and Michigan. Harvest levels are at historic low points and continuing to decline. The increased gillnetting "opportunities" proposed, combined with fishers switching from whitefish to lake trout, are unsustainable.



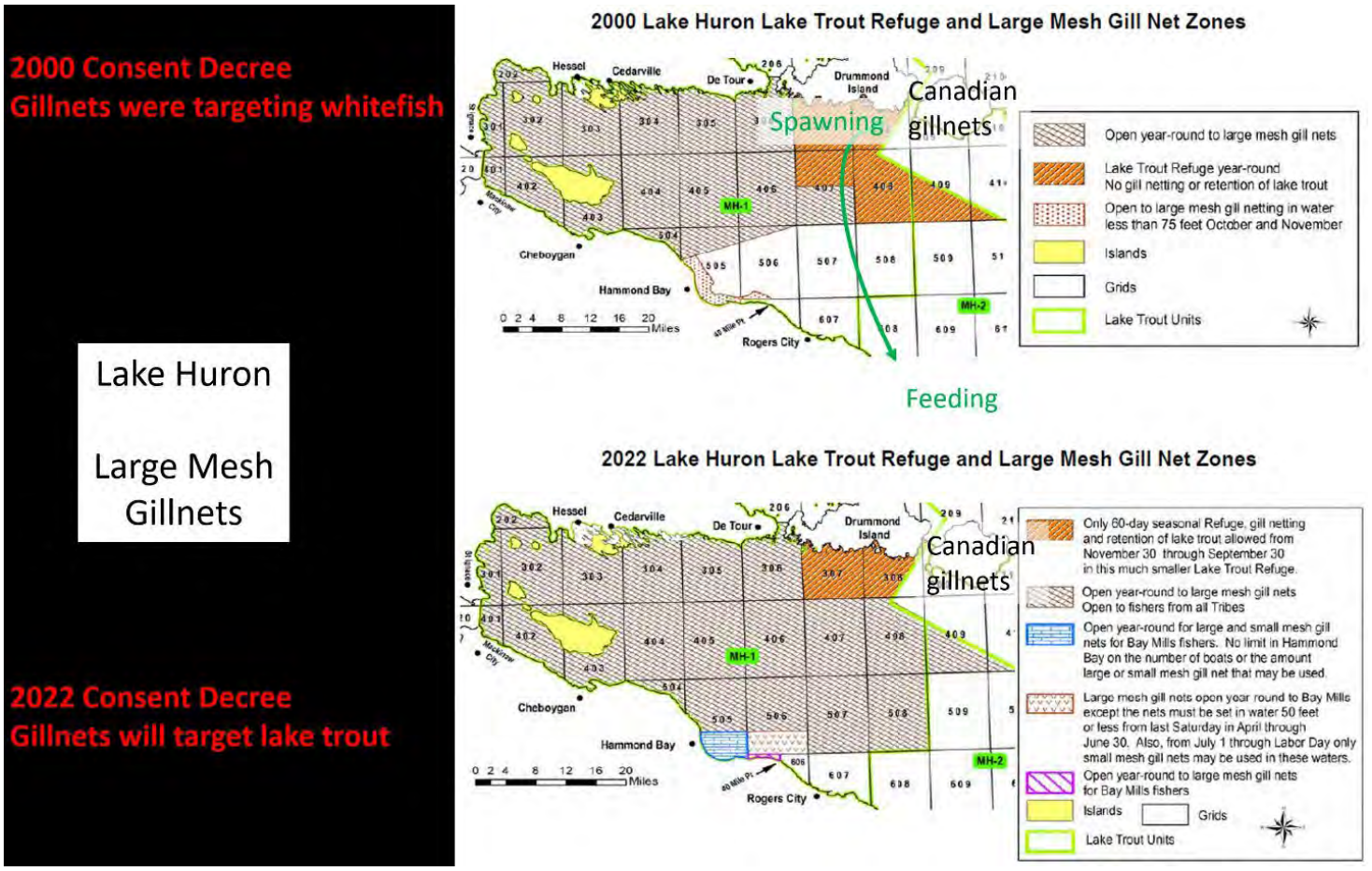


- Lake trout and walleye stocks in lakes Huron and Michigan are not sufficient to sustain the existing numbers of commercial fishers.
- The proposed "opportunities" unrealistically increase expectations that the resource cannot meet.
- Harvest limits will be reviewed at 3-year intervals. Mortality targets will be reviewed every 6 years. Past experience has shown that gillnet fisheries can seriously deplete local lake trout stocks in just a few months. Harvest limits should be subject to annual review, as during the 2000 Decree.

Johnson displayed the maps below of Lake Huron where large and small-mesh gillnetting was permitted in the 2000 Decree contrasted with the Proposed Consent Decree.

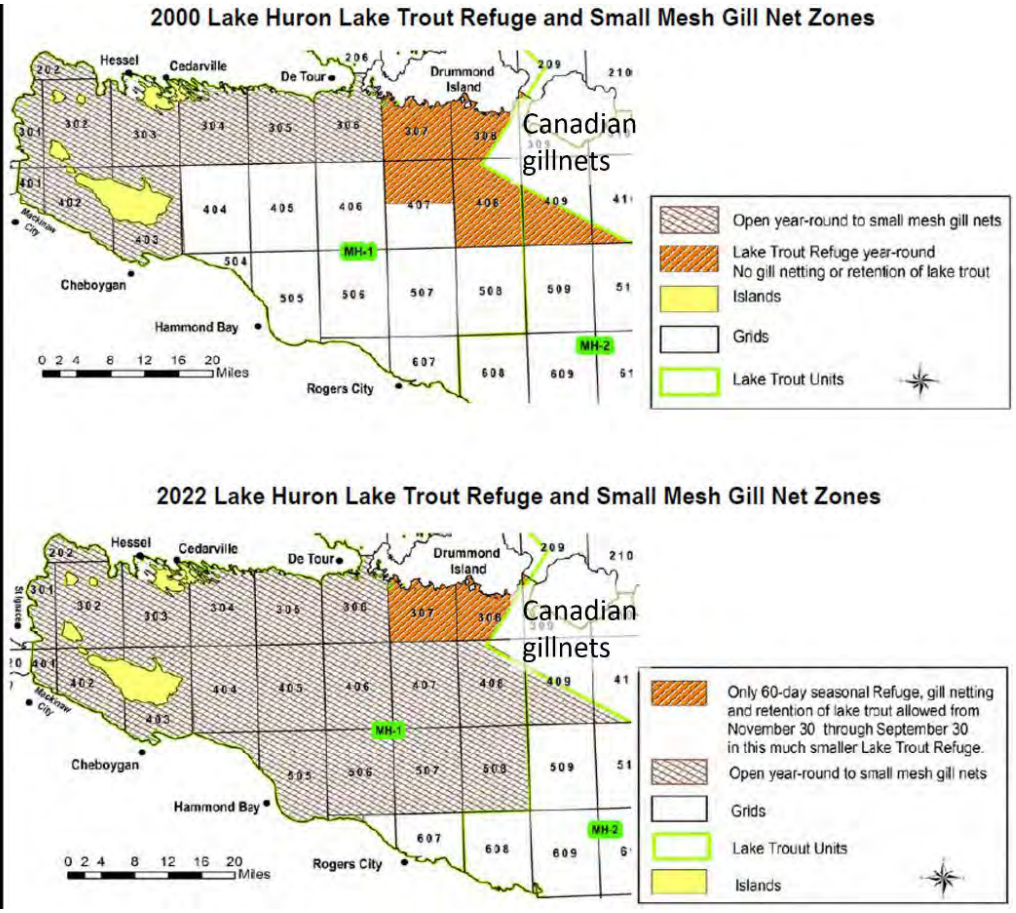
The new gillnet “opportunities” are in zones where lake trout and whitefish have been protected from gillnetting by zone management. Trap net zones and recreational fishing zones will now see gillnetting as well as the Drummond Island Lake Trout Refuge in Lake Huron. These zones and the refuge have higher densities of lake trout, which the gillnet fisheries will quickly reduce resulting in spawning lake trout (broodstock) becoming much more scarce potentially to levels too low to be attractive to recreational fishers. In addition, trap net fishing may become economically undesirable.

The Drummond Island Refuge and other spawning reefs in northern Lake Huron will suffer broodstock depletions. Lake trout reproduction in Northern Lake Huron supplies the Main Basin and North Channel with much of their lake trout recruitment. Lake trout migrate from northern spawning areas east to Ontario waters and south throughout the Main Basin for feeding, then back to the northern spawning sites each fall. Now these migratory routes and the “refuge” are ALL subject to gillnetting. The proposed agreement, therefore, risks the lake trout fisheries of most of Lake Huron.



Lake Huron

Small Mesh Gillnets



The Northern Refuge of Lake Michigan has been nearly surrounded by gillnetting even during the 2000 Decree. The stocks there are overfished and dependent on stocking. The Proposed Decree will further increase overfishing and mortality rates. Mortality rates in the Northern Refuge have been too high for decades. Rather than address this mortality issue, the new proposal will make matters even worse and guarantee that the fishery will continue to be supported by expensive put-grow-take stocking.

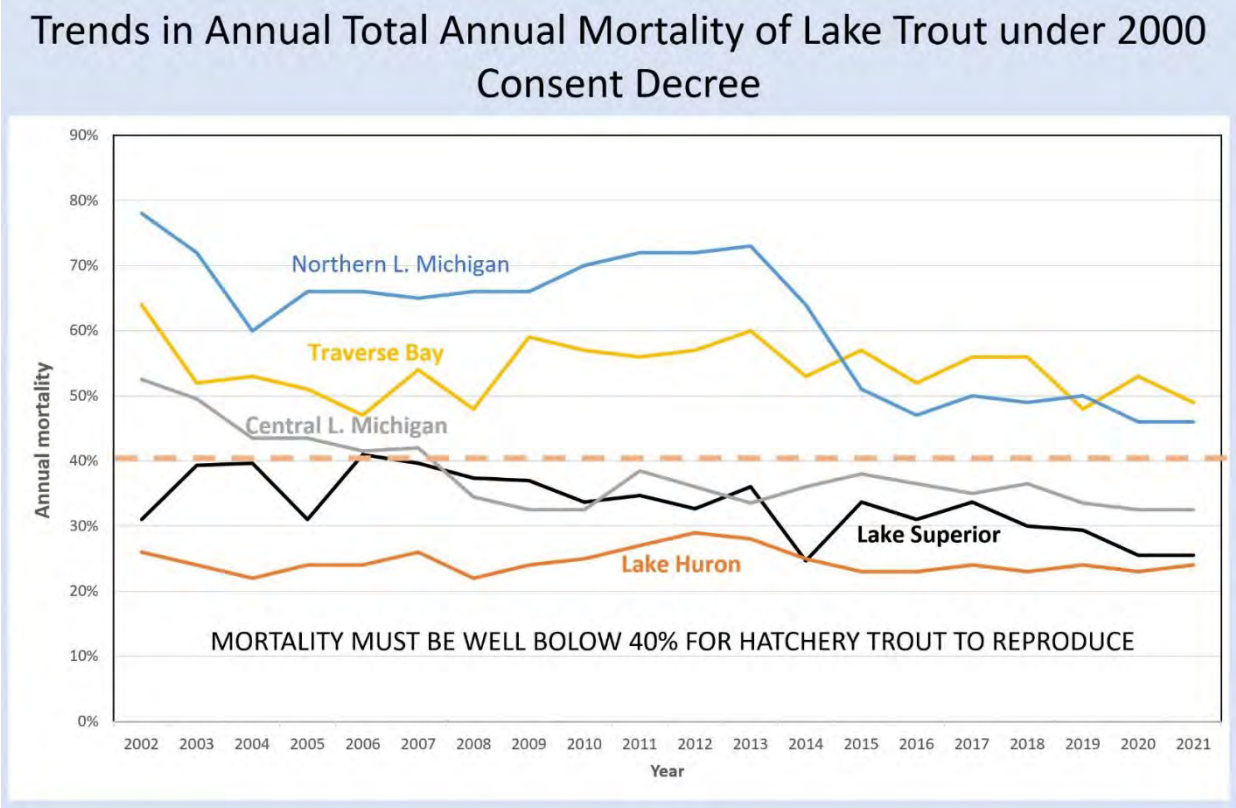
See Lake Michigan maps on pages 12 and 13 above. Lake Michigan's southern, offshore lake trout refuge has been in the center of a gillnet-free zone but will now be curtained by gillnets on its east and north sides. This area of Lake Michigan has been showing strong signs of recovery with wild lake trout becoming more and more dominant. The proposal could reverse this positive trend.

Three major issues have impeded Lake trout rehabilitation in lakes Huron and Michigan:

- Thiamine deficiency from diets too rich in alewives – now resolved since collapse of alewives in Huron and rise in round goby (rich in thiamine) numbers in both lakes.
- Sea lamprey depredations – Control is now meeting target levels since millions of dollars were and continue to be spent treating the St. Marys River and the Manistique River systems.
- Excessive fishing mortality. *Lake trout mortality is presently too high in northern Lake Michigan and the proposal will make it even higher.* Mortality rates elsewhere in lakes Huron and Michigan are marginal. Increasing gillnet pressure could cause these other populations to become unstable or fail.

Of the three impediments to lake trout recovery, only overfishing remains and this proposal will increase the likelihood and extent of overfishing.

On the chart below, Johnson showed trends in total annual mortality rates for lakes Superior, Huron, and Michigan. Where mortality rates were at or below about 30%, lake trout were reproducing. In Lake Superior where lake trout have recovered and in Lake Huron where they were just beginning to be self-sustaining and the mortality rate is near 30%, well below the 45% or more found in Northern Lake Michigan where little to no wild reproduction is occurring.



A better approach to a new consent decree would be to recognize the fragile and depleted state of the fishery resources of lakes Huron and Michigan and place remediation and sustainability at its foundation:

- Recognize the depleted, fragile status of fish populations.
- Pursue the opportunity to wean lakes Michigan and Huron from hatchery lake trout.
- Then allocate harvest opportunities based upon what the resource can sustain.

Questions and Comments:

Frank encouraged anyone, no matter their opinion to feel free to provide comments or ask questions but first invited Dave Caroffino Manager of the DNR Tribal Coordination to comment.

Response: Dave C. stressed that he did not provide an overview of the Proposed Consent Decree because it was still pending in Court and the State has not responded yet to the Coalition to Protect Michigan Resources Objections to the Proposed Decree that the Coalition filed in Court on January 20, 2023. The State and other Parties have until March 6, 2023 to file their objections to the

Coalition's filing. Because of these circumstances Dave C. indicated that he would only address some of the points raised.

Comment: Dave C. Mortality Rates. Dave indicated the reason mortality rates are not in the Proposed Decree is because it locks the Parties into a direction, and it is better to be flexible. That situation happened with the 2000 Consent Decree. Three years before review will be used to collect better data so the models will be more effective.

Comment: Dave. Northern Lake Huron spawning refuge. We know much more about the movement of fish and the vast majority of fish move immediately after spawning to the east into Canadian waters. The lake trout that migrate east have been subject to commercial harvest for a long period of time by Canadian commercial fishers. So, the decision to reduce the size of the refuge and only protect the fish for 60 days was scienced based.

Comment: Dave C. Maps. In the State's opinion some are a bit misleading. In southern Lake Michigan in Lake Trout Management Units 6 and 7 the Little River Band has not fished gillnets but in the last 7 years they had the opportunity but did not utilize it. In Big Bay de Noc it is not true that no large mesh gill nets can be fished there under the 2000 Consent Decree because since 2017 there was an assessment fishery. Under the Proposed Decree there will be large mesh gillnetting in Big Bay de Noc under different rules.

Comment: Dave C. A sudden collapse of a fishery not possible. Dave C. said that the sudden collapse of the fisheries that took place in 1979 and 1980 cannot happened under the Proposed Decree because today the Parties are organized and have an agreed upon set of rules, an agreed upon Management Framework, and an agreed upon Harvest Limit so overfishing will not happen. This will not be an open fishery.

Comment: Dave C. There will be Harvest Limits for all fishers. Dave C. noted that both State and Tribal Fishers will have the same Harvest Limits similar to the past. Also, the allocation between the Tribal and State fishers will not change either. What has changed is gillnets can be fished in a larger area under the Proposed Decree.

Comment: Dave C. FAQS Dave C. mentioned that the State has just published a FAQs document that addresses many of the issues that were brought up today.

Comment: Dave C. Reminder that the State and other Parties have until March 6, 2023, to respond to the Coalition to Protect Michigan Resources' filing opposing the Proposed Decree and at that time the Parties responses to the Coalition will be public.

Comment: Frank K. ***Coalition to Protect Michigan Resources filing***. Frank mentioned that the items that Dave Caroffino just mentioned were addressed in the Coalitions filing.

Comment: Frank clarification that yes there was a very limited assessment gill net fishery in Big Bay de Noc beginning in 2017 which was utilized little.

Comment: Frank clarification of the Little River Band Fish Distribution study under the 2000 Decree. The 2000 Decree provided that the Little River Band could conduct a "fish distribution" study that could be conducted with gillnets from 2015 through 2020. That 2000 Decree did not specify that any new gillnet fisheries could be established. The Little River Band did not conduct the fish distribution" study. Most scientific assessment studies are completed with gillnets or trawls even though that gear is not used by the fisheries operating in the area. Frank stressed that he was not trying to speak for the Little River Band but he was present during the 2000 Decree negotiations and

the emphasis by the Little River Band was on trap nets and charter boat fishing with the goal of working closely with the recreational fishing community.

Comment: Frank clarified that a sudden collapse of the fishery can happen. Dave Caroffino stressed that a sudden collapse of the fishery cannot happen because the Parties are organized and are coordinating management of the fishery. History has shown in Grand Traverse Bay and Hammond Bay that a fishery can collapse in less that a year but unfortunately the Harvest Limits are only reviewed every 3 years which is not soon enough to prevent an overharvest of the fishery.

Question: If anglers catch a ***fish that is too small legally*** they must return it to the water dead or alive. If a Tribal commercial fisher catches a fish that is too small or not a commercial species can they retain these fish?

Response: Dave C. said that if Tribal commercial fisher catches non-commercial recreational species there is a small amount that can be kept for family use only and the rest must be returned to the water.

Comment: There is concern that undersized commercially caught gillnetted lake trout and other species will just be returned to the lake and not be reported. This could underestimate the actual harvest.

Response: Dave C. indicated that the commercial minimum size for lake trout is 17 inches and less than 1% of these smaller fish are caught with gill nets so it should not be an issue. Also, history has shown that if the Tribes are approaching their Harvest Limit they will close the fishery.

Question: Do Tribal commercial fishers have to ***report the fish they throw back*** into the water?

Response: Dave C. There is no requirement to report fish that are thrown back into the water. Under the Proposed Decree any fish that are permitted and kept for personal use must be reported. There has never been a requirement under the 2000 Consent Decree or the Proposed Decree that requires fish thrown back to be reported.

Comment: It is very disturbing that with the whitefish stocks at low levels and lake trout just beginning to recover that the answer is a large expansion of gillnets. The State is defending the non-defensible.

Question: The ***first 3 years are going to be very critical*** and there is the potential of serious damage to the fishery. For example, how can an intense gillnet effort focused on a small area be regulated to prevent enough harvest so the recreational fishery will not be ruined?

Response: Dave C. The Parties have consulted experts and the recommendations are not to rush the model calculations like was done each year under the 2000 Decree but to spend extended time to collect more reliable data, complete more assessments and then run the models. This extended time before running the models will provide a better estimate of the size of the population. The Parties have an allocation, and they will work together not to exceed their share. During the 3 year interim period if the Parties see something where the harvest far exceeds the Harvest Limits the Parties will come together and have a conversation. Dave does not see that happening. There is an allocation percentage that cannot be exceeded, and the State will certainly take a conservative approach and not greatly increase the bag limit for lake trout to ensure the State fishers catch their allocation and Dave feels the Tribes will do the same.

Franks Final Comments: Dave C. makes a point that it takes 3 years to obtain enough reliable data and information to run the models but Frank stressed that Grand Traverse Bays, Hammond Bay,

Northern Lake Huron were fished down and nearly collapsed in the early 1979 into1980 in less than a year. The fishers at that time were using small boats and many fishers were new to the fishery. ***Waiting 3 years is most likely too long***. The problem is if the commercial fishery effort is concentrated in a small area there will be no practical way to slow the fishery down in time to prevent overfishing.

Frank stressed again that no matter what is implemented the organizations in the Coalition to Protect Michigan Resources will continue to ***support Tribal rights*** and continue to work with all Parties to implement the Consent Decree that the Judge approves.

Both Randy Claramunt and Randy Terrian agreed the Consent Decree is a difficult issue and there was a positive exchange of information today. They both stressed that the entire meeting today was very productive and we will be looking forward to the next meeting.

Meeting Adjourned at 3:00 pm

Next Meetings
Tuesday April 25, 2023
Tuesday August 8, 2023
Tuesday October 10, 2023