

## ATTENTION ANGLERS

The following changes to fishing regulations concerning VHS are in effect beginning April 1, 2009

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Due to the recent confirmation of a fish virus known as viral hemorrhagic septicemia virus (VHSv) in Michigan waters, regulations have been put in place to slow the spread of the disease. Under the authority of sections 41101 through 41105 of 1994 PA 451, being sections 324.41101 through 324.41105 of the Michigan Compiled Laws, the Director of the Department of Natural Resources (Department) on April 1, 2009 ordered that the following regulations apply to the waters of the State.

### DEFINITIONS

As used in these regulations, specific terms are defined as follows:

**Baitfish** – live or dead species of fish, or parts of fish excluding roe, that are used by anglers to catch fish.

**Baitfish and Roe Exclusion Zone** - waters designated as critical to hatchery operations where possession and use of baitfish and roe as defined is prohibited.

**Certification Process** – a process used by the Department to grant or deny applications from individuals who want to conduct certain activities that are regulated by the Department.

**Inland Waters** – all public waters of the State except for the Great Lakes and their connecting waters.

**Pathogen** – viruses, bacteria, fungi, and parasites that cause disease in living organisms.

**Prohibited Fish Species** – baitfish and other species of fish identified by the Department as infected with VHSv.

**Roe** – eggs of fish.

**VHSv Free Management Area**-Lake Superior and all Inland Waters in the watersheds of Lake Superior are classified as a VHSv Free Management Area (VHSv has not been found in these waters). All Inland Waters in the watersheds of Lake Michigan including Grand Traverse bays and bays de Noc, and of the St. Mary's River are classified as a VHSv Free Management Area, except for those tributaries to Lake Michigan including Grand Traverse bays and bays de Noc, and to the St. Marys River that are classified as a VHSv Surveillance Area.

**VHSv Positive Management Area**-Lake Huron including Saginaw Bay, the St. Clair River, Lake St. Clair, the Detroit River, and Lake Erie are classified as a VHSv Positive Management Area (VHSv has been confirmed in these waters). All tributaries to Lake Huron including Saginaw Bay, to the St. Clair River, to Lake St. Clair, to the Detroit River, and to Lake Erie are classified as a VHSv Positive Management Area in their entirety or from their confluence upstream to the first barrier that prevents the upstream passage of fish if such a barrier exists. VHSv has been documented in Budd Lake (Clare County) resulting in its addition to the VHSv Positive Management Area.

**VHSv Surveillance Management Area**- Lake Michigan including Grand Traverse bays and bays de Noc, and the St. Marys River are classified as a VHSv Surveillance Management Area. All tributaries to Lake Michigan including Grand Traverse bays and bays de Noc, and to the St. Marys River are classified as a VHSv Surveillance Management Area in their entirety or from their confluence upstream to the first barrier that prevents the upstream passage of fish if such a barrier exists. All Inland Waters in the watersheds of Lake Huron including Saginaw Bay, of the St. Clair River, of Lake St. Clair, of the Detroit River, and of Lake Erie are classified as a VHSv Surveillance Management Area, except for those tributaries to Lake Huron including Saginaw Bay, to the St. Clair River, to Lake St. Clair, to the Detroit River, and to Lake Erie that are classified as a VHSv Positive Management Area.

### BAITFISH AND ROE EXCLUSION ZONES

The DNR has identified locations vital to the protection of hatchery operations in an effort to control or contain pathogen movement and reduce disease risks to these facilities. In these critical areas restrictions on the possession and subsequent use of baitfish and roe must be implemented. *Therefore, baitfish and roe shall not be possessed on the following waters in Benzie, Chippewa and Marquette counties:*

**Benzie County:** Brundage Creek and tributaries Kinney Creek and Stanley Creek, from its confluence with the Platte River (T26N, R13W, S7), to their headwaters, including Brundage Spring Pond.

**Chippewa County:** Pendills Lake (T47N, R4W, S25, 26) including tributary Pendills Creek downstream to its confluence with Lake Superior (T47N, R4W, S28). Sullivan Creek from its headwaters (T46N, R4W, S32) downstream to its confluence with the North Branch of the Pine River (T45N, R4W, S23). Viddian Creek from its headwaters (T47N, R4W, S32) downstream to its confluence with Pendills Creek (T47N, R4W, S28).

**Marquette County:** Cherry Creek from the location of the Cherry Creek Road (T47N, R24W, S18) to the headwaters at County Road 480 (T47N, R25W, S22).

### GENERAL STATEWIDE PROVISIONS

1. A person shall not stock baitfish or live fish that are listed as Prohibited Fish Species, or roe taken from fish that are listed as Prohibited Fish Species, in public waters of the State prior to receiving a Fish Stocking Permit from the Department permitting such activity. It shall be unlawful to import into this state any uncertified baitfish species found on the list of Prohibited Fish Species. This is also a violation of the federal order.
2. If an approved Fish Stocking Permit is issued by the Department, the permittee shall carry that Fish Stocking Permit with them when transporting and stocking baitfish or live fish that are listed as Prohibited Fish Species, or roe taken from fish that are listed as Prohibited Fish Species, in public waters of the State.
3. A retail customer shall retain and show upon request the receipt for purchases of baitfish or roe from a State-licensed baitfish retail operation. A receipt shall be valid for 14 days from the date of sale for all certified baitfish, except frozen baitfish, and 3 days from the date of sale for all uncertified bait. Receipts for certified frozen baitfish shall be good for 6 months from the date of sale and original packaging

showing certification status must be kept with the baitfish for verification. Receipts for uncertified frozen baitfish shall be valid for 3 days from the date of sale. Required only when Prohibited Fish Species are involved.

4. A person who catches fish in a lake or a Great Lake shall not release those fish alive in any public waters of the State if those fish are listed as Prohibited Fish Species, except that those fish may be released alive in that lake, or that Great Lake, or in a connecting body of water to that lake, or that Great Lake, so long as those fish can freely move between the original location of capture and the location of release. This Provision does not apply to baitfish.
5. A person who catches fish in a stream shall not release those fish alive in any public waters of the State if those fish are listed as Prohibited Fish Species, except that those fish may be released alive in any part of that stream, or in a connecting body of water to that stream, so long as those fish can freely move between the original location of capture and the location of release. This Provision does not apply to baitfish.
6. A person shall not use or otherwise release baitfish that are listed as Prohibited Fish Species, or roe harvested from fish that are listed as Prohibited Fish Species, in any public waters of the State, unless that person is fishing and those baitfish or that roe are attached to a hook.
7. A person who trailers a boat over land between bodies of water shall drain all water from the live well(s) and the bilge of their boat upon leaving any body of water.

**MANAGEMENT AREA REGULATIONS FOR VIRAL HEMORRHAGIC SEPTICEMIA VIRUS (VHSv)**

VHSv Positive Management Area: On all waters designated within the VHSv Positive Management Area, the following regulations further restrict the transportation, sale, use, and release of baitfish and fish that are listed as Prohibited Fish Species, and roe taken from fish that are listed as Prohibited Fish Species, that have not been approved as required under the Department's Certification Process.

- A person who catches baitfish that are listed as Prohibited Fish Species, or harvests roe from fish that are listed as Prohibited Fish Species, in a body of water that is included in the VHSv Positive Management Area shall not use or otherwise release those baitfish or that roe in any public waters of the State, except that those baitfish or that roe may be used in any waters included in the VHSv Positive Management Area subject to Provision 6 above.
- A person who purchases baitfish that are listed as Prohibited Fish Species, or purchases roe from fish that are listed as Prohibited Fish Species, shall not use or otherwise release those baitfish or that roe in any public waters of the State, except that those baitfish or that roe may be used in any waters included in the VHSv Positive Management Area subject to Provision 6 above.

VHSv Surveillance Management Area: On all waters designated within the VHSv Surveillance Management Area, the following regulations further restrict the transportation, sale, use, and release of baitfish and fish that are listed as Prohibited Fish Species, and roe taken from fish that are listed as Prohibited Fish Species, that have not been approved as required under the Department's Certification Process.

- A person who catches baitfish that are listed as Prohibited Fish Species, or harvests roe from fish that are listed as Prohibited Fish Species in a body of water that is included in the VHSv Surveillance Management Area shall not use or otherwise release those baitfish or that roe in any public waters of the State, except that those baitfish or that roe may be used in any waters included in either the VHSv Positive Management Area or the VHSv Surveillance Management Area subject to Provision 6 above.
- A person who purchases baitfish that are listed as Prohibited Fish Species, or purchases roe from fish that are listed as Prohibited Fish Species, shall not use or otherwise release those baitfish or that roe in any public waters of the State, except that those baitfish or that roe may be used in any waters included in either the VHSv Positive Management Area or the VHSv Surveillance Management Area subject to Provision 6 above.

VHSv Free Management Area: On all waters designated within the VHSv Free Management Area, the following regulations apply to the transportation, sale, use, and release of baitfish and fish that are listed as Prohibited Fish Species, and roe taken from fish that are listed as Prohibited Fish Species, that have not been approved as required under the Department's Certification Process.

- A person who catches baitfish that are listed as Prohibited Fish Species, or harvests roe from fish that are listed as Prohibited Fish Species in a body of water that is included in the VHSv Free Management Area may use those baitfish or that roe in any public waters of the State, subject to Provision 6 above.
- A person who purchases baitfish that are listed as Prohibited Fish Species, or purchases roe from fish that are listed as Prohibited Fish Species, that has been harvested from a body of water included in the VHSv Free Management Area may use those baitfish or that roe in any public waters of the State, subject to Provision 6 above.

The following table lists the Prohibited Fish Species for VHSv as identified by the Department as of December 4, 2008.

Black crappie	Coho salmon	Pacific herring	Smallmouth bass
Bluegill	Emerald shiner	Pink salmon	Spottail shiner
Bluntnose minnow	Freshwater drum	Pumpkinseed	Trout perch
Brown bullhead	Gizzard shad	Rainbow trout	Walleye
Brown trout	Lake whitefish	Rock bass	White bass
Burbot	Largemouth bass	Round goby	White perch
Channel catfish	Muskellunge	Shorthead redhorse	Yellow perch
Chinook salmon	Northern pike	Silver redhorse	White sucker