

November 28, 2008

Rebecca Humphries, Director  
Michigan Department of Natural Resources  
Stevens T. Mason Building  
PO Box 30446  
Lansing, Michigan 48909

Director Humphries,

This letter is intended to bring to your attention the opinions of several angling and conservation organizations regarding the proposed new regulations for the "Trophy Waters" of the Au Sable (a section from Mio to McKinley). The Fish Division has made recommendations for new regulations on this river segment and these are before you for approval in December 2008. While we support aspects of the proposed regulation, we disagree on the details for harvest of brown trout. It is our hope that you will take these concerns into consideration in making your final decision.

We commend MDNR Fish Division on efforts to inform the public on this issue. The Status of the Fishery Report summarized the biological and creel survey data very well, and the harvest regulation simulation modeling to predict the impact of various possible regulations on the quality of this fishery was clearly presented. The public outreach was extensive.

We support the proposal to modify Type 6 regulations and to place the "Trophy Waters" under this category. Having these waters open to angling year-round, with a normal season for possession and a 10 inch possession on rainbow trout, should allow anglers a greater opportunity to enjoy these waters - and perhaps boost the local economy.

We do not support the recommendation to have a 15" minimum length for brown trout for this fishery. Rather, we favor "no-kill" regulations for just the brown trout. In this 14 mile reach, brown trout grow well enough and live long enough to make a "no-kill" fishery effective in creating more trophy-sized fish. Harvest model simulations, using the data collected from 1999 to 2005, predict that no-kill regulations would produce from 20 – 125% more trophy brown trout (20" or greater) in this water depending on the level of catch & release, effectively adding approximately 350 – 1200 more trophy brown trout to the river, a significant amount. The trophy producing characteristics of this water set it apart from other Michigan trout fisheries and should be nurtured for maximum yield. The proposed 15" minimum length does not achieve this objective.

The Fish Division also solicited public input on regulations for the Trophy Waters in several ways, nearly 400 responses were received. The largest preference recorded was for type 7 regulations (flies-only gear and no-kill for all species) followed by no-kill for brown trout in light of greater harvest opportunities for rainbow trout. Combined, 90% of respondents who cast a vote at several

DNR public meetings favored no-kill regulations for brown trout. We feel this is a uniquely strong sign of public support.

The other significant fishery affected by changing Type 6 regulations is the Escanaba River downstream of Boney Falls. It is similar to the Trophy Waters, a tail-water plagued by high summertime water temperatures, with stocked brown and rainbow trout. The trout here are in low density but grow much faster than the state average. The Escanaba trout fishery is now completely maintained through private stocking (by the Escanaba River Association "ERA"). A 2004 MDNR creel census on this privately sustained trout fishery found it to be "primarily catch-and-release." This biological and social information indicates that the regulations being advocated for here would also be appropriate and supported on the Escanaba River. The ERA has signed on to this letter in support of our position.

In summary, we believe the regulations being proposed by the Fish Division should be modified to include no-kill for brown trout instead of a 15" minimum. This request is both biologically sound and socially supported. In fact, we believe it is more defensible and supported than the current recommendation. However, we continue to also hope for any increased level of harvest protection for the trophy brown trout fishery in these waters. If we cannot obtain a catch and release designation there is a possible compromise; a bag limit of one brown trout at 18" minimum length. Two browns a day at 15" will not protect this trophy fishery.

We hope that you find our comments and suggestions rigorous, valid, fair and productive; and will consider modifying the proposal prior to enacting the change in regulation. Thank you for your consideration of this request.

Sincerely,

Thomas Buhr, President - Au Sable Big Water Preservation Association  
Bryan Burroughs, Executive Director – Michigan Trout Unlimited  
Rusty Gates, President - Anglers of the Au Sable  
Joe McDonnell, President - Escanaba River Association  
Jon Ray, President - Michigan River Guides Association  
Jim Schramm, President - Federation of Fly Fishers, Great Lakes Council

Cc:

Mindy Koch (Deputy Director)  
Kelley Smith (Fisheries Chief)  
Keith Charters (Chairman of the Natural Resource Commission)  
Kurt Newman (Lake Huron Basin Coordinator)  
John Madigan (Policy Committee Chair, NRC)