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GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: August 17, 2009
RESUBMITTED: September 14, 2009

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Michigan-Wisconsin Boundary Waters Regulations (FO-205)

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director to provide for better protection and preservation of fish, game and birds.

Discussion and Background:

Currently, ice shanties are required to be removed from all Upper Peninsula waters by midnight on March 31 of each year. This proposal would change that date to March 15 in the Michigan-Wisconsin boundary waters only, which would align the date with Wisconsin boundary water rules. Benefits include improved angler safety due to late season unsafe ice conditions and simplification of regulations for anglers using these waters. The change would also make law enforcement efforts more simple and effective.

Law Enforcement Division is supportive of the earlier shanty removal date. A press release concerning the date change was distributed locally followed by a three week comment period. This resulted in several supportive calls and no opposition.

Another change involves updating the lake sturgeon tag reference which now involves a new lake sturgeon tag available at all retail license vendors. This new tag replaces a plastic locking tag which was only available at a few locations. There is no cost for the lake sturgeon tag and the tag is not a substitute for a fishing license. Anglers will need at least a restricted license to use the tag. Law Enforcement Division is supportive of the new tag. More information about this tag is available online at: www.michigan.gov/dnrfishing.com.

NATURAL RESOURCES COMMISSION
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Recommendation:

This order was submitted for information and consideration at the August 13, 2009, Natural Resources Commission meeting. This item appeared on the Department's August 2009 calendar and may be eligible for approval on October 8, 2009.

Kelley D. Smith, Chief
Fisheries Division

Russ Mason, Ph.D., Chief
Wildlife Division

David E. Freed, Chief
Land and Facilities

Ronald A. Olson, Chief
Parks and Recreation Division

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management Division

Gary Hagler, Chief
Law Enforcement Division

Arminda S. Koch
Resource Management Deputy

I approve the staff recommendation.

Rebecca A. Humphries
Director

Date Approved

ORDER

MICHIGAN-WISCONSIN BOUNDARY WATERS

By authority conferred on the Department of Natural Resources by sections 49101 through 324.49103 of 1994 PA 451, as amended, being MCL 324.49101 through 324.49103, the Director of the Department of Natural Resources on October 8, 2009, ordered that the following regulations shall apply on the Michigan-Wisconsin boundary waters to provide uniform regulations for common waters shared with Wisconsin.

The following rules and regulations govern fishing in the waters which form a common boundary between the States of Michigan and Wisconsin. These rules and regulations supersede all others governing fishing on Michigan-Wisconsin boundary waters that in any way conflict. Where regulations of Michigan and Wisconsin differ, persons shall comply with the regulations of the state in whose territorial waters they are fishing.

The interstate boundary waters in which fishing is to be governed by the special regulations are:

The Lake Michigan waters between the breakwalls at the mouth of the Menominee River beginning at an imaginary line drawn between the most lakeward point of each breakwall: Menominee County, Michigan; Marinette County, Wisconsin.

Menominee River, its Sloughs and Impoundments: Menominee, Dickinson, Iron Counties, Michigan; Florence, Marinette Counties, Wisconsin; Brule River, Iron County, Michigan; Florence and Forest Counties, Wisconsin; Brule Island Impoundment, upstream to a line running east-west through the first island upstream from the junction of the Brule and Paint Rivers, Iron County, Michigan; Florence County, Wisconsin; Smoky Lake, Iron County, Michigan; Vilas County, Wisconsin; Norwood Lake, Lac Vieux Desert, Crystal Lake, Mill Lake, Big Bateau Lake, Mamie Lake, West Bay Lake, Big Lake, Crampton Lake, Plum Lake, Tenderfoot Lake, Roach Lake, Little Presque Isle Lake, Cyrus Lake, Basin Lake, Stateline Lake, Gogebic County, Michigan; Vilas County, Wisconsin; East Fork Montreal River up to the mouth of Layman Creek, Gogebic County, Michigan; Iron County, Wisconsin; Montreal River, Gogebic County, Michigan; Iron County, Wisconsin.

Regulations: Except as otherwise expressly provided, no person shall take fish by any means other than with hook and line; nor at any time other than the open season; nor have in his or her possession any fish in excess of the daily creel or possession limit, or fish of less than the legal minimum size.

Species	Waters	Open Seasons	Possession Limit	Minimum Size Limit
Trout & Salmon	Montreal & Menominee Rivers from their mouths to first dam upstream and Smoky Lake	No closed season	5	10 inches
	Menominee & Montreal Rivers above the first dam and Brule River from its mouth to the US Highway 2 Bridge	Last Saturday in April thru September 30	5	7 inches
	Brule River upstream from US Highway 2	Last Saturday in April thru September 30	5	Brook Trout-8 inches Brown Trout-12 inches
SM/LM Bass	All boundary waters except as otherwise provided in this paragraph	First Sat. in May-Friday before the third Saturday in June	0	---
		The third Saturday in June – November 30	5/comb.	14 inches
Walleye & Sauger	All boundary waters except as otherwise provided in this paragraph	1st Saturday in May thru March 1	5/comb.	15 inches
	Rivers and Impoundments	March 2 - Friday before 1st Saturday in May	1	15 inches
	Rivers and Impoundments	1st Saturday in May thru March 1	5/comb.	15 inches
Northern Pike	All boundary Waters	1st Saturday in May thru March 1	5	None
Bluegills, sunfish, crappies, and yellow perch	All boundary waters	No closed season	25/comb.	None
Muskellunge	All boundary waters (see Note 1)	May 15-November 30	1	40 inches (see Note 1)

Lake Sturgeon (see Note 2)	All boundary waters (see Note 3)	1st Saturday in September-September 30	1/season	60 inches
Channel Catfish	All boundary waters	No closed season	10	None
All others	All boundary waters	No closed season	None	None

Note 1 - For the Menominee River, from Hattie Street Dam downstream to the end of the breakwalls in Green Bay, the minimum size limit for Muskellunge is 50 inches.

Note 2 - A lake sturgeon fishing tag must be obtained prior to any lake sturgeon fishing. All lake sturgeon harvested shall be immediately tagged with a validated lake sturgeon harvest tag and be registered within 24 hours at a designated registration site (available online at www.michigan.gov/dnrfishing).

Note 3 - For the Menominee River, from Hattie Street Dam downstream to the end of the breakwalls in Green Bay, the daily possession limit for lake sturgeon is (0), catch and release only.

LEGAL FISHING METHODS:

1. Up to three lines with a total of three (3) hooks or baits may be used.

2. Lines must be attended at all times.

3. You may not fish for any fish by any means during the closed season on trout in the Brule River upstream from US Highway 2 bridge (T41N, R32W, S9) Iron County, Michigan, and the Montreal River above the Superior Falls Flowage.

4. Dip nets not exceeding nine (9) feet square or in diameter without walls may be used in the Menominee River (except from Hattie Street Bridge in Marinette-Menominee to the first dam upstream and within 200 feet of all other dams) from April 1 - May 14 for taking of suckers, redhorse, carp, smelt, and burbot.

5. Fish shanties used in ice fishing must be legibly marked with the name and address of owner. Persons placing a shanty on these waters shall remove the shanty by midnight of March 15.

6. You may fish from a motorboat with the motor running or a sailboat under sail except in Wisconsin boundary waters of Vilas County.

7. All residents of Michigan and Wisconsin holding a resident sport fishing license from their respective state, or residents of states other than Michigan and Wisconsin holding a sport fishing license issued by either Michigan or Wisconsin, may fish in the boundary waters.

8. Crayfish may not be possessed or used for bait on Michigan-Wisconsin boundary waters.

This order shall be assigned number FO-205.10, and is entitled "Michigan-Wisconsin Boundary Waters."

This order supersedes the order entitled "Michigan-Wisconsin Boundary Waters," effective April 1, 2006, and assigned number FO-205.06.

This order shall take effect April 1, 2010, and shall remain effective through March 31, 2015.

Issued on the _____ day of _____, 2009.

Rebecca A. Humphries
Director

The Natural Resources Commission has reviewed this order.

Keith J. Charters
Chairperson

Teresa Gloden
Executive Secretary