



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAUGH
DIRECTOR

SUBMITTED: August 10, 2012

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: Michigan-Wisconsin Boundary Waters Regulations (FO-205)
FOR INFORMATION ONLY

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

Fisheries Order 205 governs Michigan-Wisconsin boundary water fishing regulations in the shared waters of both jurisdictions. The Department manages the Michigan-Wisconsin boundary waters jointly in cooperation with the Wisconsin Department of Natural Resources. Both agencies meet annually to review regulations and discuss proposed changes as appropriate. We are proposing one regulation change for this Order involving the new muskellunge (including tiger muskellunge) statewide possession limit change from one (1) per day to one (1) per season.

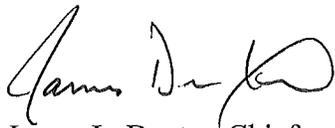
Over the past year, Fisheries Division has been working with the Warmwater Resources Steering Committee, a public advisory group, to discuss various regulations and to specifically review muskellunge regulation proposals. As a result, several regulation options were developed. From March 26 through May 25, 2012, the public was given an opportunity to comment on the proposed regulations and a muskellunge possession limit of one fish per angler per year was the most supported option. Law enforcement personnel have been involved in the process and are supportive of this recommendation. We are now implementing the change statewide and this Order is part of a suite of Orders which governs muskellunge.

A new Muskellunge Harvest Tag will be available for the next fishing season as a means to enforce the new possession limit. All anglers who would like to harvest a muskellunge will need to attain a nontransferable Muskellunge Harvest Tag (at no cost) available at all license vendors. Anglers who do not possess the tag are required to release all muskellunge that they catch. The new Muskellunge Harvest Tag will allow the department to keep track of how many tags are provided to anglers and help us monitor the level of potential harvest that occurs annually. The new information will benefit future management of the species.

Recommendation

It is our recommendation that the change proposed to Fisheries Order 205 as indicated above be approved to take effect on April 1, 2013. The recommended change will increase the protection of muskellunge populations from overharvest. This new regulation has the potential to enhance muskellunge populations and increase overall size structure for anglers to catch more and larger muskellunge in future years.

This Order is being submitted for information at the September 2012 meeting of the Natural Resources Commission. This Order will be resubmitted for action at the October 2012 meeting of the Natural Resources Commission. This item appeared on the Department's September 2012 calendar, and is eligible for approval on October 11, 2012.



James L. Dexter, Chief
Fisheries Division



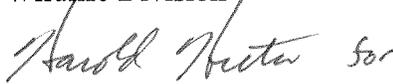
Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Bill O'Neill, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy

ORDER

MICHIGAN-WISCONSIN BOUNDARY WATERS REGULATIONS

Under the authority of section 49102 of 1994 PA 451, ~~as amended, being~~ MCL 324.49102, the Director of the Department of Natural Resources on October 11, 2012, ordered that for a period not to exceed five years, 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 through September 30	5	7 inches
	Brule River upstream from US Highway 2	Last Saturday in April through September 30	5	Brook Trout -8 inches; Brown Trout -12 inches
SM/LM Bass	All boundary waters	First Saturday in May through the Friday before the third Saturday in June	0	---
		The third Saturday in June through November 30	5 in combination	14 inches
Walleye & Sauger	All boundary waters except as otherwise provided in this paragraph	1 st Saturday in May through March 1	5 in combination	15 inches
		March 2 through the Friday before 1 st Saturday in May	1	15 inches
	Rivers and Impoundments Rivers and Impoundments	1 st Saturday in May through March 1	5 in combination	15 inches
Northern Pike	All boundary Waters	1 st Saturday in May through March 1	5	None
Bluegills, sunfish, crappies, and yellow perch	All boundary waters	No closed season	25 in combination	None
Muskellunge (including Tiger Muskellunge) (see Note 1)	All boundary waters (see Note 1)	May 15 through November 30	1 fish per angling season	40 inches (see Note 1)
Lake Sturgeon (see Note 2)	All boundary waters (see Note 3)	1 st Saturday in September through September 30	1 fish per angling season per season	60 inches
Channel Catfish	All boundary waters	No closed season	10	None

Species	Waters	Open Seasons	Possession Limit	Minimum Size Limit
Lake Whitefish & cisco (Lake Herring)	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.~~ **A nontransferable Muskellunge Harvest Tag must be obtained prior to harvesting any muskellunge. The tag has no cost and is available at all license vendors. A harvested muskellunge shall be immediately tagged with a validated Muskellunge Harvest Tag. Muskellunge harvest is limited to one (1) muskellunge per angler per year (April 1 – March 31). 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 **nontransferable** Lake Sturgeon Fishing Tag must be obtained prior to **fishing for any**-lake sturgeon ~~fishing~~. **The tag is at no cost and available at all license vendors. All harvested** 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 (**site information is** available online at www.michigan.gov/dnrfishing). **Lake sturgeon harvest is limited to one (1) lake sturgeon per angler per year (April 1 – March 31). 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 zero (0), catch-and-release only.**

~~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. A person 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. A person 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-205.12, and is entitled "Michigan-Wisconsin Boundary Waters Regulations."

This Order supersedes the Order entitled "Michigan-Wisconsin Boundary Waters," which became effective April 1, 2012, and is assigned number FO-205.12.

This Order shall take effect on April 1, 2013. This Order shall remain in effect until March 31, 2018, or until this Order is amended/rescinded, whichever comes first. Although this Order may be reviewed and amended on an annual basis, a review of this Order shall occur no later than August 1, 2017.

Issued on the _____ day of _____, 2012.

Keith Creagh, Director

The Natural Resources Commission has reviewed this Order.

Timothy L. Nichols
Chairperson

Deb Whipple
Executive Secretary