



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



M. SCOTT BOWEN  
DIRECTOR

SUBMITTED: July 17, 2023  
RESUBMITTED: August 14, 2023

**APPROVED**  
**September 14, 2023**  
MICHIGAN NATURAL RESOURCES COMMISSION  
*Brooke Parmelee*  
(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

**Subject:** Fisheries Order 215.23A  
Statewide Warmwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes, and White Bass

Authority:

The Natural Resources and Environmental Protection Act, PA 451 of 1994, authorizes the Director and the Commission to issue orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

Fisheries Order 215 governs statewide fishing regulations for warmwater gamefish species. The Department recommends amending the walleye regulations on the lower Saginaw River by including the tributary streams from the mouth of the lower Saginaw River up to the West Center Street (Douglas G. Schenk) Bridge. The changes will result in increased walleye angling opportunities in tributary streams connected to the lower Saginaw River. The Department has determined that the tributaries are not spawning locations, so there is no biological risk associated with including these connecting tributaries.

Given that the proposed change will liberalize fishing regulations, the recommendation is to implement the change for immediate effect. If supported, the Department will increase angler awareness by adding the change to the online digital version of the Fishing Guide and through a prerecorded message for the Regulation Hotline at 888-367-7060.

*Issue Pros and Cons*

Expanding the waters open to year-round walleye harvest will increase angler opportunities. No cons have been identified.

*Biological*

There is no biological reason for not allowing the tributary waters to be open on the lower Saginaw River to the year-round walleye harvest opportunity. The tributary waters are not spawning habitat.

Fisheries Order FO-215.23A

Statewide Warmwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes, and White Bass

Page 2

August 14, 2023

*Social*

Anglers will benefit from the new opportunity to fish for and harvest walleye during the spring spawning run on the lower Saginaw River tributaries.

*Economic*

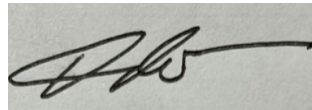
The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

Recommendation:

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information and consideration on August 10, 2023, at the Natural Resources Commission meeting. This item appeared on the Department's August 1, 2023, calendar and is eligible for approval on September 14, 2023.



Randy Claramunt, Chief  
Fisheries Division



David Shaw, Chief  
Law Enforcement Division



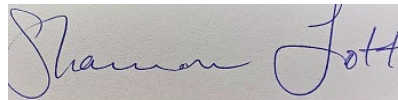
Sara Thompson, Chief  
Wildlife Division



Jeffery J. Stampfly, Chief  
Forest Resources Division

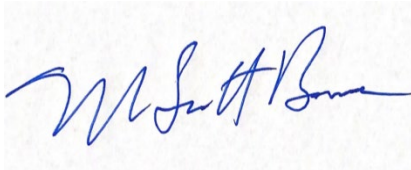


Ronald A. Olson, Chief  
Parks and Recreation Division



Shannon Lott  
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.



M. Scott Bowen, Director

Date: September 14, 2023

# FISHERIES ORDER

## Statewide Warmwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes, and White Bass Order 215.23A

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 of 1994 PA 451, MCL 324.48701 to 324.48740, ordered on September 14, 2023, the following section(s) of the Fisheries Order shall read effective September 15, 2023, as follows:

### A. For the purpose of this order the following definitions are provided:

- 1) Catch-and-Immediate-Release (CIR): means the act of returning fish immediately to the water without injury and without holding in livewell or like object.
- 2) MH-4: is a Lake Trout management unit which is bounded on the north by a line beginning on the shore on Au Sable Point in Iosco County at Latitude 44°20'N and extending eastward along said latitude to Longitude 083°10'W, then southward along said longitude to Latitude 44°10'N, then eastward along said latitude to Longitude 082°40'W, then southward along said line to Latitude 44°00'N, then westward along said line to shore about 2.6 miles southeast of Point aux Barques Light in Huron County.

The statewide seasons, size limits, and daily possession limits on all state waters shall be as listed below, except as otherwise ordered:

### B. Statewide Seasons

A person shall not take, catch, or kill or attempt to take, catch or kill any of the species of fish named in this order except during the seasons that are specified below for each species of fish named in this order.

- 1) Largemouth Bass and Smallmouth Bass:
  - a) CIR fishing shall be permitted all year.
  - b) On Lake St. Clair, St. Clair River, and Detroit River:
    - i) The possession season shall be the third Saturday in June - December 31.
  - c) On Lake Michigan within one-half mile of the following islands of the Beaver Island Archipelago – Beaver, Garden, High, and Hog, Charlevoix County:
    - i) The possession season shall be July 1 - December 31.
  - d) All other waters not otherwise closed to fishing:
    - i) The possession season shall be the Saturday before Memorial Day - December 31.
- 2) Walleye, Northern Pike, and Muskellunge:
  - a) CIR fishing for Muskellunge shall be permitted all year.
  - b) An area in the Green Bay portion of Lake Michigan, Menominee County, beginning at the intersection of the north boundary line of Menominee County with the west shoreline of the Bay in Section 3, T36N, R24W or approximate latitude/longitude (45.5505, -87.2637); thence east approximately 8 miles to latitude/longitude (45.5505, -87.101); thence south approximately 10 miles to the intersection with the state boundary at approximate

latitude/longitude (45.444, -87.101); thence southwesterly and westerly approximately 36 miles along the state boundary in Green Bay, between the mainland of Michigan and the Door Peninsula of Wisconsin, to the mouth of the Menominee River, thence northeasterly along the shoreline of Green Bay to the point of beginning:

- i) The possession season for Walleye shall be open for the entire year.
  - ii) The possession season for Northern Pike shall be May 15 - March 15.
  - iii) The possession season for Muskellunge shall be from the first Saturday in June - March 15.
- c) All other inland, Great Lakes, and connecting waters of the Upper Peninsula not otherwise closed to fishing:
- i) The possession season for Walleye and Northern Pike shall be from May 15 - March 15.
  - ii) The possession season for Muskellunge shall be from the first Saturday in June - March 15.
- d) Inland waters of the Lower Peninsula not otherwise closed to fishing:
- i) The possession season for Walleye and Northern Pike shall be from the last Saturday in April - March 15.
  - ii) The possession season for Muskellunge shall be from the first Saturday in June - March 15.
- e) Lake St. Clair, the St. Clair River, and Detroit River:
- i) The possession season for Muskellunge shall be the first Saturday in June - December 31.
  - ii) The possession season for Walleye and Northern Pike shall be open for the entire year.
- f) All other Great Lakes and connecting waters of the Lower Peninsula not otherwise closed to fishing:
- i) The possession season for Walleye and Northern Pike shall be open for the entire year.
  - ii) The possession season for Muskellunge shall be from the first Saturday in June - March 15.
- 3) Flathead Catfish, Channel Catfish, Yellow Perch, Sunfishes, and White Bass:
- a) All waters not otherwise closed to fishing:
    - i) The possession season shall be open for the entire year.

### C. Statewide Warmwater Regulations; Size and Possession Limits

Species	Minimum Size Limit	Daily Possession Limit
Largemouth Bass and Smallmouth Bass	14 inches	Five (5) per day in any combination
Walleye (See <b>Note 1</b> )	15 inches	Five (5) per day
Northern Pike (See <b>Note 2</b> )	24 inches	Two (2) per day
Flathead Catfish	15 inches	Five (5) per day
Muskellunge (including Tiger Muskellunge) (See <b>Note 3</b> )	42 inches	One (1) per angling season
Channel Catfish	12 inches	Ten (10) per day
Yellow Perch (See <b>Note 4</b> )	No size limit	Twenty-five (25) per day
Sunfishes: Black Crappie, Bluegill, Green Sunfish, Hybrid Sunfish, Longear Sunfish, Pumpkinseed, Redear, Rock Bass, Warmouth, White Crappie	No size limit	Twenty-five (25) per day in any combination
White Bass	No size limit	Twenty-five (25) per day on Great Lakes, Lake St. Clair, St. Marys River, St. Clair River, and Detroit River;  Ten (10) per day on inland waters

#### NOTES

1. **Walleye** - the following waters have regulations that differ from the statewide regulations:
  - a) Lake Michigan waters of Little Bay de Noc: that portion north of a line drawn from Peninsula Point Lighthouse to the mouth of the Bark River in Delta County.
    - i) The daily possession limit shall not include more than one (1) Walleye 23" or greater.
  - b) Lake Michigan waters of Green Bay: An area in the Green Bay portion of Menominee County, beginning at the intersection of latitude 45 degrees 30 minutes north with the west shoreline of the Bay in Section 24, T36N, R24W, thence east approximately 6 miles to the intersection of latitude 45 degrees 30 minutes north with longitude 87 degrees 10 minutes west, thence south approximately 10 miles to the intersection of longitude 87 degrees 10 minutes west with the state boundary, thence southwesterly and westerly approximately 36 miles along the state boundary in Green Bay, between the mainland of Michigan and the Door Peninsula of Wisconsin, to the mouth of the Menominee River, thence northeasterly along the shoreline of Green Bay to the point of beginning:
    - i) March 2 - the Friday before the first Saturday in May the daily possession limit shall be one (1) Walleye; and
    - ii) The first Saturday in May - March 1 the daily possession limit shall be five (5) Walleyes.
  - c) Lake Huron waters of MH-4 including Saginaw Bay and the lower Saginaw River (including tributaries) from the mouth of the river, upstream to the West Center Street (Douglas G. Schenk) Bridge (Bay and Saginaw Counties):
    - i) The possession season for Walleye shall be open for the entire year.
    - ii) The minimum size limit for Walleye shall be 13 inches.
    - iii) The daily possession limit for Walleye shall be eight (8).

- d) Lake Erie, Detroit River, Lake St. Clair, and St. Clair River (beginning at the Ft. Gratiot Light):
- i) The daily possession limit for Walleye will be based on Michigan's share of the annual total allowable catch (TAC) for Walleye pursuant to the categories in the table below. The TAC is reported in March of each year by the Lake Erie Committee, which is under the aegis of the Great Lakes Fishery Commission.
    - (1) The daily possession limit for Walleye will take effect on May 1 of each year and will be in place through April 30 of the following year.
    - (2) Prior to May 1 each year, a notice of the daily possession limit will be posted on the DNR's website ([www.michigan.gov/fishing](http://www.michigan.gov/fishing)) and noted in a statewide news release.

Michigan TAC	Walleye Possession Limit
greater than 108,364	six (6)
96,958 to 108,364	five (5)
85,551 to 96,957	four (4)
74,144 to 85,550	three (3)
62,737 to 74,143	two (2)
less than 62,737	one (1)

2. **Northern Pike** - the following waters have daily possession limits that differ from the statewide daily possession limit:
  - a) Lake St. Clair, St. Clair River, and Detroit River:
    - i) The daily possession limit for Northern Pike shall be five (5).
3. **Muskellunge** –anglers are required to register Muskellunge (including Tiger Muskellunge) harvest within 24 hours online at [www.michigan.gov/fishing](http://www.michigan.gov/fishing).
  - a) Statewide:
    - i) Muskellunge harvest is limited to one (1) Muskellunge per angler per year (April 1 – March 31).
4. **Yellow Perch** – the following waters have daily possession limits that differ from the statewide daily possession limit:
  - a) Lake Erie:
    - i) The daily possession limit for Yellow Perch shall be fifty (50).
  - b) Lake Gogebic:
    - i) The daily possession limit for Yellow Perch shall be twenty-five (25), with no more than five (5) Yellow Perch 12 inches or greater.

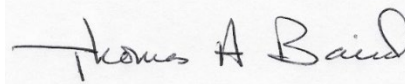
This order shall be assigned number FO-215.23A, and is titled "Statewide Warmwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes, and White Bass."

This order supersedes the order titled "Statewide Coolwater Regulations for Largemouth Bass, Smallmouth Bass, Northern Pike, Walleye, Muskellunge, Channel Catfish, Flathead Catfish, Yellow Perch, Sunfishes, and White Bass," which became effective April 1, 2023 and was assigned number FO-215.23.

This order shall take effect on September 15, 2023 and shall remain in effect until amended/rescinded.

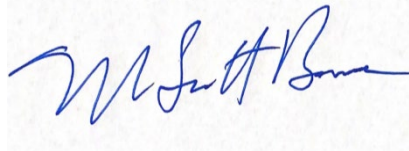
Issued on this 14th day of September 2023.

Approved as to matters over which the Natural Resources Commission has authority.

A handwritten signature in black ink that reads "Thomas A Baird". The signature is written in a cursive style with a prominent initial 'T'.

Thomas Baird, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.

A handwritten signature in blue ink that reads "M. Scott Bowen". The signature is written in a cursive style with a prominent initial 'M'.

M. Scott Bowen  
Director





GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



M. SCOTT BOWEN  
DIRECTOR

SUBMITTED: July 17, 2023  
RESUBMITTED: August 14, 2023



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 219.23  
Bow, Spear, and Crossbow Fishing Regulations

Authority:

The Natural Resources and Environmental Protection Act, PA 451 of 1994, authorizes the Director and the Commission to issue orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

Fisheries Order 219 establishes fishing regulations for bow, spear, and crossbows throughout Michigan. The Department proposes one minor edit to the regulatory boundary for Hoban Creek (Mackinac) because of a recent change in the road name. As such, the Department recommends replacing "US-2" with "State Street". Hoban Creek is a designated trout stream that is open to spring spearing. This change will add clarity to anglers that are trying to identify the regulatory boundary.

Given that the proposed change will clarify fishing regulations, the recommendation is to implement the change for immediate effect. If supported, the Department will increase angler awareness by adding the change to the online digital version of the Fishing Guide and through a prerecorded message for the Regulation Hotline at 888-367-7060.

*Issue Pros and Cons*

The change will help anglers by replacing a road name which is no longer associated with the stream. There are no cons.

*Biological*

This is not a biological issue.

*Social*

This will help inform anglers and clarify potential confusion.

*Economic*

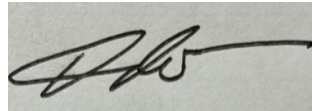
The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

Recommendation:

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information and consideration on August 10, 2023, at the Natural Resources Commission meeting. This item appeared on the Department's August 1, 2023, calendar and is eligible for approval on September 14, 2023.



Randy Claramunt, Chief  
Fisheries Division



David Shaw, Chief  
Law Enforcement Division



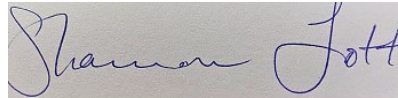
Sara Thompson, Chief  
Wildlife Division



Jeffery J. Stampfly, Chief  
Forest Resources Division

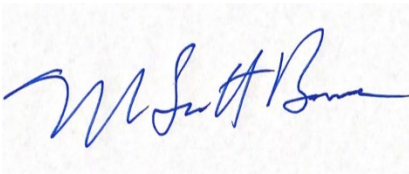


Ronald A. Olson, Chief  
Parks and Recreation Division



Shannon Lott  
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.



M. Scott Bowen, Director

Date: September 14, 2023

# FISHERIES ORDER

## Bow, Spear, and Crossbow Fishing Regulations Order 219.23

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 and Part 491 of 1994 PA 451, MCL 324.48701 to 324.48740, ordered on September 14, 2023, the following section(s) of the Fisheries Order shall read effective September 15, 2023, as follows:

The seasons, gear, waters, and species where a spear, bow and arrow, or crossbow may be used are as specified in the table below and lists which follow (except as otherwise prohibited). Spearfishing gear shall be limited to: hand-propelled spear, rubber-propelled spear, and spring-propelled spear. In addition, bow and arrow, and crossbow may be used in accordance with this order. Artificial lights may be used. It shall be unlawful to use a rubber-propelled spear or a spring-propelled spear without being submerged and have the spear under control by means of an attached line not exceeding 20 feet in length. It is unlawful to spear any fish in a waterbody closed to fishing, except as noted in the spearfishing exceptions list.

SEASON	GEAR	WATERS (see Note 1)	SPECIES
Open all year	spear, bow and arrow, or crossbow	ALL WATERS <b>except:</b> Designated Trout Lakes and Designated Trout Streams	Bowfin, Bullheads, Burbot, Carp, Catfish, Drum, Gizzard Shad, Goldfish, Grass Carp, Cisco (Lake Herring), Longnose Gar, Smelt, Suckers (See Note 2), and Whitefish
In addition to year-round opportunities listed above, the following spearfishing provisions allow for the possession of additional species as indicated below:			
December 1 through March 15 (through the ice)	hand-propelled spear	ALL WATERS <b>except:</b> Designated Trout Lakes and Designated Trout Streams	Northern Pike and Muskellunge
Species and location specific  (see Note 3 for Northern Pike season exception)	underwater spear (see Note 4)	<u>Lake Michigan:</u> waters south of the southernmost pier at Grand Haven  <u>Lake Huron:</u> waters south of the southernmost pier of the Thunder Bay River, extending south to the mouth of the St. Clair River (Fort Gratiot Light)	Lake Trout, Northern Pike, Walleye

Note 1 - Check the spearing exceptions lists (below) for regulations that differ from those listed in the table above. Designated Trout Lakes are those lakes classified under Type A and Type D trout regulations (see FO-254). Designated Trout Streams are those listed in the following classifications: Type 1, 2, Gear Restricted Streams, Research Areas, and Brook Trout Restoration Areas. Most of the Type 3 and Type 4 streams are Designated Trout Streams (see FO-200 and FO-210).

Note 2 - For the purpose of this order the term suckers refers to: suckers (longnose, white, northern hog, spotted), redbhorse (silver, golden, black, greater, shorthead), buffalo (bigmouth, black), lake chubsucker, and quillback carpsucker.

Note 3 – When using an underwater spear the possession season for Northern Pike shall be July 1 to March 15.

Note 4 – For underwater spearfishing the following regulations apply:

- All recreational anglers, who intend to engage in underwater spearfishing shall request and be issued a free annual underwater spearfishing license.
- All underwater spearfishing anglers shall provide monthly effort and harvest reports to the Department using an online reporting tool provided by the Department.
- To use an underwater spear in compliance with the table within this order, the angler/diver shall be fully submerged beneath the waters surface when attempting to harvest fish.
- The location specific size limits and daily possession limits for Walleye, Northern Pike, and Lake Trout shall apply.
- Underwater spearfishing shall be prohibited daily from 30 minutes after sunset to 30 minutes before sunrise.
- This activity shall be prohibited within 150 feet of designated swimming areas, boat docks, boat access or egress sites and power intake tubes.
- This activity shall be prohibited where placement of a diver-down flag would restrict boater navigation or access to boating access site.
- All spearguns shall have the bands unloaded from the spear and the safety on when divers are moving between fishing areas and when entering and exiting the water.
- Use of artificial breathing devices such as scuba, re-breather or similar devices shall be prohibited while underwater spearfishing.
- This section shall be rescinded three years after the effective date, which is, March 31, 2025.

## SPEARING EXCEPTIONS

### LIST A – INLAND WATERS

#### WATERS CLOSED TO NORTHERN PIKE AND MUSKELLUNGE SPEARING

It shall be unlawful to fish by any means other than hook-and-line for Northern Pike or Muskellunge in the following waters:

<b>Alger County</b>	Kingston Lake
<b>Alpena and Montmorency Counties</b>	Fletcher Floodwaters
<b>Barry County</b>	Lower Crooked Lake and Thornapple Lake (from McKeown Rd T3N, R8W, S27 to Barger Rd T3N, R7W, S20)
<b>Clare County</b>	Budd Lake
<b>Clinton County</b>	Lake Ovid
<b>Delta County</b>	Dana Lake
<b>Dickinson County</b>	East Lake, Island Lake, South Lake, and West Lake (all within Groveland Mines)
<b>Iron County</b>	Brule Lake, Chicagon Lake, Lake Emily, Paint Lake, Paint Pond (Brule Isle Imp.), Stanley Lake, and Swan Lake
<b>Kent County</b>	Campau Lake and Murray Lake
<b>Keweenaw County</b>	Lake Gratiot
<b>Lenawee County</b>	Lake Hudson
<b>Schoolcraft County</b>	Grassy Lake and McKeever Lake
<b>St. Joseph County</b>	Long Lake (T6S, R12W, S7)
<b>Van Buren County</b>	Bankson Lake and Round Lake (T4S, R16W, S31)

#### WATERS WITH SPEARING AND GAFF HOOK RESTRICTIONS

##### Cheboygan County

April 1 through June 15, inclusive, it shall be unlawful to take or attempt to take any species of fish with spearing gear or gaff hook from the following waters:

Black River

Cheboygan River

Indian River

**DESIGNATED TROUT STREAMS OPEN TO SPRING SPEARING**

The following designated trout streams are open to the use of spearing gear from April 1 through May 31, inclusive, for taking Bowfin, Bullheads, Burbot, Carp, Catfish, Drum, Longnose Gar, Gizzard Shad, Goldfish, Grass Carp, Cisco (Lake Herring), Smelt, Suckers (as listed above), and Whitefish:

**Alcona County**

Bryant Creek from Vaughn Lake downstream to Little Lake

Buff Creek

Sucker Creek from confluence of Vincent Creek (T27N, R8E, S9) downstream to Hubbard Lake (T28N, R8E, S36)

**Calhoun County**

Nottawa Creek from Calhoun County line (T4S, R8W, S31) upstream to T3S, R5W, S35

Rice Creek South Branch Rice Creek from confluence of Rice Creek and Kalamazoo River (T2S, R6W, S25) upstream to Concord Road (Jackson County)

**Chippewa County**

Trout Creek downstream of Big Trout Lake (T42N, R3E, S31)

Prentiss Creek (T42N, R2E,)

**Delta County**

Squaw Creek downstream of County Road 513

**Mackinac County**

Doe Creek (T43N, R10W)

Foley Creek downstream of I-75

Hoban Creek downstream of State Street

Hudson Creek (T41N, R11W, S8)

Martineau Creek downstream of I-75

McClouds Creek

Milakokia River, from Milakokia Lake downstream to Heinz Lake

Norton Creek from M-135 downstream to South Manistique Lake

Nunn's Creek downstream of Highway M -134

Pearson's Creek T42N, R1W and R1E

Rabbits Back Creek downstream of Mackinac Trail

Scrams Creek (T42N, R11W, S11)

Taylor Creek (T43N, R12W, S2, 11, 12 and 13)

**Mason County**

Sable River from Freesoil Road downstream to Custer Road (T20N, R16W, S22)

**Van Buren County**

Dowagiac River and tributaries upstream of 50th Street (T45N, R15W, S35)

Lake of the Wood Outlet to confluence with Dowagiac River (T45N, R15W, S34)

**LIST B – GREAT LAKES AND CONNECTING WATERS**

**WATERS CLOSED TO MUSKELLUNGE SPEARING**

It shall be unlawful to fish by any other means other than hook-and-line for Muskellunge in the following waters:

Lake Erie

Lake St. Clair

Detroit River

St. Clair River

**WATERS OPEN TO YELLOW PERCH SPEARING**

December 1 through March 15, inclusive.

Lake St. Clair: a hand-propelled spear, bow and arrow, or crossbow may be used to harvest Yellow Perch.

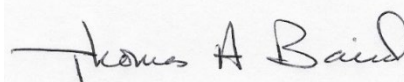
This order shall be assigned number FO-219.23 and is entitled "Bow, Spear, and Crossbow Fishing Regulations."

This order supersedes the order entitled "Bow, Spear, and Crossbow Fishing Regulations," which became effective April 1, 2022, and is assigned number FO-219.22.

This order shall take immediate effect on September 15, 2023 and shall remain in effect until amended/rescinded.

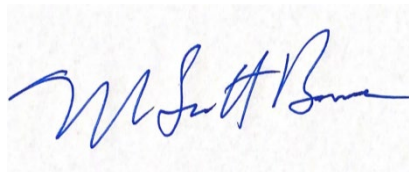
Issued on this 14th day of September 2023.

Approved as to matters over which the Natural Resources Commission has authority.

A handwritten signature in black ink that reads "Thomas A Baird". The signature is written in a cursive style with a horizontal line extending from the start of the name.

Thomas Baird, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.

A handwritten signature in blue ink that reads "M. Scott Bowen". The signature is written in a cursive style with a horizontal line extending from the start of the name.

M. Scott Bowen  
Director





GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



M. SCOTT BOWEN  
DIRECTOR

SUBMITTED: July 17, 2023  
RESUBMITTED: August 14, 2023

**APPROVED**  
**September 14, 2023**  
MICHIGAN NATURAL RESOURCES COMMISSION  
*Brooke Parmelee*  
(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Fisheries Order 229.23  
Netting Regulations

Authority:

The Natural Resources and Environmental Protection Act, PA 451 of 1994, authorizes the Director and the Commission to issue orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

This order governs the use of nets for catching fish in Michigan. The Department proposes one minor edit to the regulatory boundary for Hoban Creek (Mackinac) because of a recent change in the road name. As such, the Department recommends replacing "US-2" with "State Street". Hoban Creek is open to hand netting and this change will add clarity for anglers that are trying to identify the regulatory boundary.

Given that the proposed change will clarify fishing regulations, the recommendation is to implement the change for immediate effect. If supported, the Department will increase angler awareness by adding the change to the online digital version of the Fishing Guide and through a prerecorded message for the Regulation Hotline at 888-367-7060.

*Issue Pros and Cons*

The change will help anglers by replacing a road name which is no longer associated with the stream. There are no cons.

*Biological*

This is not a biological issue.

*Social*

This will help inform anglers and clarify potential confusion.

*Economic*

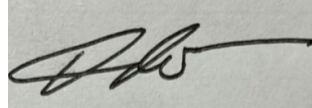
There are no anticipated significant economic gains or losses expected from the passage of this proposal.

Recommendation:

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information and consideration on August 10, 2023, at the Natural Resources Commission meeting. This item appeared on the Department's August 1, 2023, calendar and is eligible for approval on September 14, 2023.



Randy Claramunt, Chief  
Fisheries Division



David Shaw, Chief  
Law Enforcement Division



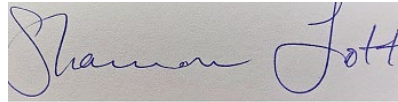
Sara Thompson, Chief  
Wildlife Division



Jeffery J. Stampfly, Chief  
Forest Resources Division

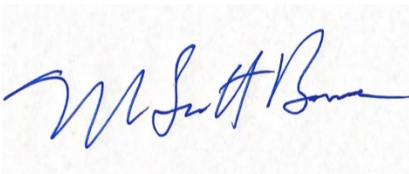


Ronald A. Olson, Chief  
Parks and Recreation Division



Shannon Lott  
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.



M. Scott Bowen, Director

Date: September 14, 2023

# FISHERIES ORDER

## Netting Regulations Order 229.23

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 and Part 491 of 1994 PA 451, MCL 324.48701 to 324.48740, ordered on September 14, 2023, the following section(s) of the Fisheries Order shall read effective September 15, 2023, as follows:

The following netting regulations are established statewide.

SEASON	GEAR	WATERS*	SPECIES**
March 1 – May 31	Hand Net	All Great Lakes, L. St. Clair, St. Clair R., Detroit R., and St. Marys R. including all tributaries to those waters from the mouth to ½ mile upstream (except that Thompson Cr. (Schoolcraft Co.), is closed). See List A for inland streams <b>open</b> to hand netting.	Bowfin, Carp, Goldfish, Gizzard Shad, Longnose Gar, Smelt, Suckers
March 20 – May 31	Dip Net	All Lower Peninsula and Upper Peninsula streams, except Designated Trout Streams. See List B for additional streams <b>closed</b> to dip netting.	Bowfin, Carp, Goldfish, Gizzard Shad, Longnose Gar, Smelt, Suckers
December 15 – end of February	Hoop Net	Peshekee R. (Marquette Co.); Au Train R. (Alger Co.) from Au Train L. to mouth; Sturgeon R. (Baraga Co.) from M-38 bridge to mouth; Sturgeon R. (Houghton Co.).	Burbot
Open for the entire year	Seine, Hand Net, Dip Net	All waters, except Designated Trout Streams and those waters closed to minnow harvest (FO-203).	Minnows
Open for the entire year	Cast Net	Great Lakes, L. St. Clair, St. Clair R., Detroit R., and St. Marys R.	Alewife, Minnows, Smelt, Gizzard Shad

\*Review the netting exceptions list below for regulations that differ from those listed in the table above.

\*\*For the purpose of this Order the term “suckers” refers to: suckers (longnose, white, northern hog, spotted), redbreast (silver, golden, black, greater, shorthead), buffalo (bigmouth, black), Lake Chubsucker, and Quillback Carpsucker. The term “minnows” refers to small baitfish used as bait: chubs, shiners, dace, stonerollers, sculpins (muddlers), mudminnows, and suckers.

Special Provisions:

- 1) Hand Net
  - a) For the purposes of this Order, "hand net" means a mesh bag of webbing or wire suspended from a circular, oval, or rectangular frame of any size attached to a handle of any length.
  - b) Hand nets not over 8 feet square and without sides or walls may be used to take minnows for personal use.
  - c) Hand nets may not be fished within 100 feet of a dam.
- 2) Dip Net
  - a) For the purpose of this Order, "dip net" means a square net that is constructed from a piece of webbing of heavy twine, hung on heavy cord or frame so as to be without sides or walls, and suspended from the corners and attached in such a manner that when the net is lifted no part is more than 4 feet below the plane formed by the imaginary lines connecting the corners from which the net is suspended. As used in fishing, it shall be lowered and raised vertically as nearly as possible.
  - b) A free permit is required from a DNR office.
  - c) Dip nets may not exceed 9 x 9 square feet and may not have sides or walls.
  - d) Dip nets may not be erected or fished within 100 feet of a dam.
  - e) The name and address of the person setting, using, or having control over the dip net equipment, including frame, boom, supporting members, and temporary buildings, shall be plainly marked in legible English on the dip net equipment or securely fastened to it by a plate or tag. Dip net equipment and a temporary building erected and used that are located on public land or the land of another person shall be removed prior to June 10 of each year unless maintained with proper permission of the landowner. This subsection does not authorize the erection or fishing of a dip net on the land or premises of another person without proper permission from the landowner.
- 3) Hoop Net
  - a) A free permit is required from a DNR office.
  - b) Hoop nets may not be fished within 100 feet of a dam.
  - c) Hoop net size shall not exceed 36 inches in diameter and no longer than seven feet in length.
- 4) Seine

Minnow seines may not exceed 12 feet in length and 4 feet in width.  
Seines may not be fished within 100 feet of a dam.
- 5) Cast Net
  - a) Cast nets may not be fished within 100 feet of a dam.

## NETTING EXCEPTIONS

### LIST A – INLAND WATERS OPEN TO HAND NETTING

The following inland waters are open to use of hand nets from March 1– May 31 for Bowfin, Carp, Goldfish, Gizzard Shad, Longnose Gar, Smelt, and Suckers:

#### **Alger County**

Towes Creek

West Branch Whitefish River from Sea Lamprey Barrier (T44N, R21W, S29) downstream 500 feet to posted signs.

#### **Charlevoix County**

Lake Charlevoix and tributaries to one-half mile upstream.

#### **Chippewa County**

Trout Creek down from Big Trout Lake (T42N, R3E, S31)

Prentiss Creek (T42N, R2E)

#### **Delta County**

Days River from sea lamprey barrier downstream for 500 feet.

Rapid River from Rapid River Falls (T24N, R21W, S19) down to County Road (in S15).

Escanaba River from mouth to 1st dam upstream of US-2.

Ford River down from Jaeger Road.

#### **Houghton County**

Portage Lake and all tributaries thereto for one-half mile above mouth.

North and South Portage Canal and all tributaries thereto for one-half mile above mouth.

Torch Lake and all tributaries thereto for one-half mile above mouth.

#### **Luce County**

Little Two Hearted River from mouth upstream to bridge on County Road 412 (T50N, R9W, S25)

#### **Mackinac County**

Doe Creek (T43N, R10W)

Foley Creek down from I-75

Hoban Creek down from State Street

Hudson Creek (T41N, R11W, S8)

Martineau Creek down from I-75

McClouds Creek

Milakokia River, Milakokia Lake down to Heinz Lake

Norton Creek from M-135 down to South Manistique Lake

Nunn's Creek from Highway M -134 to mouth

Pearson's Creek (T42N, R1W and R1E)

Rabbits Back Creek down from Mackinac Trail

Scrams Creek (T42N, R11W, S11)

Taylor Creek (T43N, R12W, S2, 11, 12 and 13)

#### **Manistee County**

Little Bear Creek down from Bear Lake to trunkline Highway US-31

#### **Menominee County**

Big Cedar River down from mouth of Elwood Creek (T35N, R25W, S11).

**LIST B – INLAND STREAMS CLOSED TO DIP NETTING**

It shall be unlawful to take or attempt to take any species of fish with dip nets on the following named streams:

**Arenac County**

Au Gres River from mouth at Saginaw Bay upstream to M-65 (T22N, R5E, S26)

Rifle River from Steve's Road (T19N, R5E, S9) upstream

**Benzie County**

Cold Creek from mouth at Crystal Lake (T26N, R15W, S26) to source

**Grand Traverse County**

Unnamed Creek from source at Green Lake (T26N, R12W, S20) upstream to Bridges Lake

**Iosco County**

Au Gres River from mouth at Saginaw Bay upstream to M-65 (T22N, R5E, S26)

**Leelanau County**

Houdek Creek from mouth at North Lake Leelanau (T31N, R12W, S35) to source

**Monroe County**

Huron River from mouth at Lake Erie upstream to Belleville Dam

Stony Creek from mouth at Lake Erie upstream to Finzel Road (T5S, R8E, S23)

**Wayne County**

Huron River from mouth at Lake Erie upstream to Belleville Dam

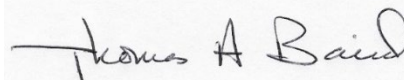
This order shall be assigned number FO-229.23, and is entitled "Netting Regulations."

This order supersedes the order entitled "Netting Regulations," which became effective September 14, 2018, and is assigned number FO-229.18A.

This order shall take immediate effect on September 15, 2023 and shall remain in effect until amended/rescinded.

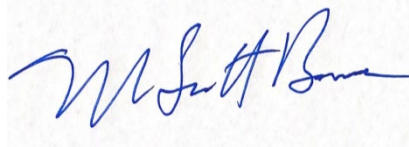
Issued on this 14th day of September 2023.

Approved as to matters over which the Natural Resources Commission has authority.

A handwritten signature in black ink that reads "Thomas A Baird". The signature is written in a cursive style with a horizontal line extending from the start of the first name.

Thomas Baird, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.

A handwritten signature in blue ink that reads "M. Scott Bowen". The signature is written in a cursive style with a large, sweeping initial "M".

M. Scott Bowen  
Director



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



M. SCOTT BOWEN  
DIRECTOR

SUBMITTED: July 17, 2023  
RESUBMITTED: August 14, 2023

**APPROVED**  
**September 14, 2023**  
MICHIGAN NATURAL RESOURCES COMMISSION  
*Brooke Parmelee*  
(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

**Subject:** Fisheries Order 240.23  
Sturgeon Regulations – Statewide

Authority:

The Natural Resources and Environmental Protection Act, PA 451 of 1994, authorizes the Director and the Commission to issue orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

Fisheries Order 240 establishes lake sturgeon fishing regulations in Michigan. The Department recommends adding a new catch-and-immediate-release (CIR) fishing opportunity for the Ontonagon River from the mouth of Lake Superior up to the Victoria Dam Road in Ontonagon County. This will allow anglers to lawfully target lake sturgeon in the lower section of the river where managers have noticed an uptick in lake sturgeon being caught. The new CIR fishing opportunity is not seen as a biological concern for this important species. This recommended amendment was presented to the public during the division’s spring coffee and conversations virtual meetings where support was received. Law Enforcement Division provided their support for change.

Given that the proposed change is a liberalization to fishing regulations, the recommendation is to implement the change for immediate effect. This action will allow anglers to utilize this opportunity during the current fishing season. In order to best inform anglers, the Department will add the change to the online digital version of the Fishing Guide and through a prerecorded message for the Regulation Hotline at 888-367-7060.

*Issue Pros and Cons*

The CIR season closure is an important regulatory tool for managers given the threats that some lake sturgeon populations are experiencing; however, not all populations require this added protection from angling. Therefore, opening a CIR season in areas where lake sturgeon populations can support a fishery benefits the angler community. One unexpected con would be a substantial increase in angling effort as a result of allowing the CIR fishing opportunities, which may increase stress or hooking mortality for the local lake sturgeon population.

*Biological*

Managers have reviewed the risks associated with opening a CIR season in the Ontonagon River and have indicated that the increased angling opportunity is not expected to negatively influence the lake sturgeon population. However, should any creel or survey information



indicate a decline or negative impact to the population, the Department would recommend the removal of the CIR season.

*Social*

Anglers have voiced their support for lake sturgeon CIR fishing opportunities in the Ontonagon River. Lake sturgeon fishing opportunities are limited in Michigan, but in locations where opportunities exist anglers primarily catch and release the fish the unharmed. Anglers value lake sturgeon fishing in Michigan and have been very supportive of the Department's management efforts on this important species. Law Enforcement Division voiced no concerns related to enforcement or elevated social conflicts.

*Economic*

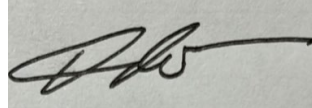
The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

Recommendation:

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information and consideration on August 10, 2023, at the Natural Resources Commission meeting. This item appeared on the Department's August 1, 2023, calendar and is eligible for approval on September 14, 2023.



Randy Claramunt, Chief  
Fisheries Division



David Shaw, Chief  
Law Enforcement Division



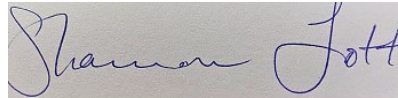
Sara Thompson, Chief  
Wildlife Division



Jeffery J. Stampfly, Chief  
Forest Resources Division

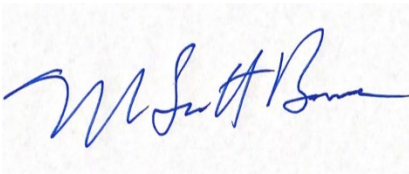


Ronald A. Olson, Chief  
Parks and Recreation Division



Shannon Lott  
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.



M. Scott Bowen, Director

Date: September 14, 2023

# FISHERIES ORDER

## STURGEON REGULATIONS - STATEWIDE

### Order 240.23

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 and Part 491 of 1994 PA 451, MCL 324.48701 to 324.48740, ordered on September 14, 2023, the following section(s) of the Fisheries Order shall read effective September 15, 2023, as follows:

1) Fishing for Lake Sturgeon

- A) Except on waters where specific regulations are in place, as identified in paragraph 4) Special Provisions, fishing for lake sturgeon on all waters of the State shall be prohibited.

2) Mandatory Registration of Harvested Lake Sturgeon

- A) On waters where harvest of lake sturgeon is allowed as specifically identified in paragraph 4) Special Provisions:
- i) Except as otherwise specifically provided in paragraph 4) Special Provisions, anglers are required to register lake sturgeon harvest within 24 hours. Anglers must report their harvest online ([www.michigan.gov/registerfish](http://www.michigan.gov/registerfish)), toll-free by calling 844-345-FISH(3474), or in person at any DNR Customer Service Center during normal state business hours with advanced notice of arrival.

3) Harvest Limit

- A) On waters where harvest of lake sturgeon is allowed as specifically identified in paragraph 4) Special Provisions, an angler shall not harvest more than one (1) lake sturgeon per year.

4) Special Provisions:

- A) Lake St. Clair and the St. Clair River (St. Clair, Macomb, and Wayne Counties)
- i) Fishing seasons
- a) The hook-and-line harvest season for lake sturgeon shall be July 16 - September 30, inclusive.
- b) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.
- ii) Size Limit
- a) Between 42 and 50 inches, inclusive.
- B) Detroit River (Wayne County)
- i) Fishing season
- a) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.
- C) St. Marys River from Soo Locks/Compensating Works downstream to the De Tour Village and Drummond Island ferry terminals to the south, and from Hay Point to Cherry Island then north to the International boundary for the northeast (Chippewa County)
- i) Fishing season
- a) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.
- D) Portage and Torch Lakes, all waters including Portage River, Portage Canal, and north and south entry (Houghton County)
- i) Fishing season

- a) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.
- E) Ontonagon River (Ontonagon County), from the mouth of Lake Superior up to the Victoria Dam Road
  - i) Fishing season
    - a) The hook-and-line, catch-and-immediate-release season for lake sturgeon shall be July 16 - March 15, inclusive.
- F) Otsego Lake (Otsego County)
  - i) Fishing seasons
    - a) The hook-and-line harvest season for lake sturgeon shall be July 16 - March 15, inclusive.
    - b) Fishing for lake sturgeon shall be prohibited from March 16 - July 15, inclusive.
  - ii) Size Limit
    - a) 50 inches minimum.
- G) Black Lake (Cheboygan/Presque Isle County) – the Director and the Commission will set conditions for the fishing season no later than January 15 each year and will be posted on the DNR website.
- H) Menominee River
  - i) All regulations governing fishing for lake sturgeon and the take of lake sturgeon in the Menominee River system are established in Fisheries Order 205: Michigan-Wisconsin Boundary Water Regulations.
- I) All Other Waters of the State not specifically identified in this Paragraph 4) Special Provisions
  - i) Fishing season
    - a) No fishing season for lake sturgeon.

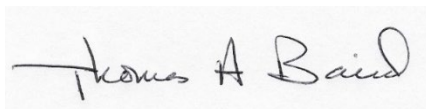
This order shall be assigned number FO-240.23 and is entitled "Sturgeon Regulations - Statewide."

This order supersedes the order entitled "Sturgeon Regulations - Statewide," which became effective September 13, 2019, and is assigned number FO-240.19.

This order shall take immediate effect on September 15, 2023 and shall remain in effect until amended/rescinded.

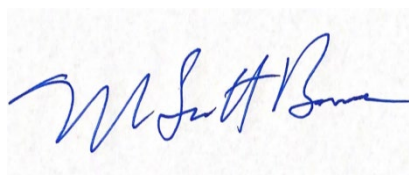
Issued on this 14th day of September 2023.

Approved as to matters over which the Natural Resources Commission has authority.

A handwritten signature in black ink that reads "Thomas A Baird". The signature is written in a cursive style with a horizontal line extending from the start of the name.

Thomas Baird, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.

A handwritten signature in blue ink that reads "M. Scott Bowen". The signature is written in a cursive style with a horizontal line extending from the start of the name.

M. Scott Bowen  
Director