

Chapter NR 23

WISCONSIN-MICHIGAN BOUNDARY WATERS

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(Sections 29.085 and 29.174, Wis. Stats.)

NR 23.01 Waters classified. The interstate inland boundary waters covered by this chapter are as follows:

Name	Location
(1) MENOMINEE RIVER (including the entire Twin Falls Dam impoundment in Dickinson co., Michigan, and Florence co., Wisconsin)	Menominee, Dickinson & Iron counties—Michigan—Florence & Marinette counties—Wisconsin
(2) BRULE RIVER	Iron Co.—Michigan Florence & Forest Cos.—Wisconsin
(2a) BIG BAD WATER LAKE	Dickinson Co.—Michigan Florence Co.—Wisconsin
(3) SMOKY LAKE	T43N, R37W, Secs. 21, 28, 29, 32 & 33 Iron Co.—Mich. T42N, R12E, Secs. 35 & 36 Vilas Co.—Wis.
(4) NORWOOD LAKE	T43N, R38W, Secs. 23 & 24 Gogebic Co.—Mich. T42N, R12E, Sec. 20 Vilas Co.—Wis.
(5) LAC VIEUX DESERT	T43N, R38 & 39W Gogebic Co.—Mich. T42N, R11E, Secs. 4, 10, 11, 12 & 15 Vilas Co.—Wis.
(6) CRYSTAL LAKE	T43N, R39W, Secs. 3 & 4 Gogebic Co.—Mich. T43N, R10 & 11E, Secs. 36 & 31 Vilas Co.—Wis.
(7) MILL LAKE	T44N, R40W, Sec. 36 Gogebic Co.—Mich. T43N, R10E, Sec. 33 Vilas Co.—Wis.
(8) BIG BATBAU LAKE	T44N, R40W, Secs. 26 & 27 Gogebic Co.—Mich. T43N, R10E, Sec. 30 Vilas Co.—Wis.
(9) MAMIE LAKE	T44N, R41W, Sec. 23 Gogebic Co.—Mich. T43N, R9E, Secs. 17, 20 & 21 Vilas Co.—Wis.
(10) WEST BAY LAKE	T44N, R41W, Secs. 15, 16 & 22 Gogebic Co.—Mich. T43N, R8 & 9E, Secs. 13 & 18 Vilas Co.—Wis.
(11) BIG LAKE	T44N, R41W, Secs. 16 & 17 Gogebic Co.—Mich. T43N, R8E, Secs. 13, 14, 23 & 24 Vilas Co.—Wis.
(12) CRAMPTON LAKE	T44N, R41W, Sec. 18 Gogebic Co.—Mich. T43N, R8E, Secs. 10, 14 & 15 Vilas Co.—Wis.
(13) PLUM LAKE	T44N, R42W, Secs. 11, 12 & 13 Gogebic Co.—Mich. T43N, R8E, Sec. 9 Vilas Co.—Wis.
(14) TENDERFOOT LAKE	T44N, R42W, Secs. 10 & 11 Gogebic Co.—Mich. T43N, R8E, Secs. 7 & 8 Vilas Co.—Wis.
(15) ROACH LAKE	T44N, R42W, Secs. 3, 4, 9 & 10 Gogebic Co.—Mich. T43N, R8E, Sec. 7 Vilas Co.—Wis.
(16) LITTLE PRESQUE ISLE LAKE	T44N, R42W, Sec. 6 Gogebic Co.—Mich. T43N, R7E, Sec. 3 Vilas Co.—Wis.
(17) CYRUS LAKE	T45N, R43W, Sec. 35 Gogebic Co.—Mich. T44N, R7E, Sec. 32 Vilas Co.—Wis.

Name	Location
(18) BASIN LAKE.....	T45N, R43W, Sec. 34..... Gogebic Co.—Mich. T44N, R7E, Sec. 30..... Vilas Co.—Wis.
(19) STATE LINE LAKE.....	T45N, R43W, Secs. 29 & 32..... Gogebic Co.—Mich. T44N, R6E, Sec. 26..... Vilas Co.—Wis.
(20) MONTREAL RIVER.....	Gogebic Co.—Mich. Iron Co.—Wis.

History: 1-2-56; r. (18), Register, December, 1961, No. 72, eff. 1-1-62; am. Register, December, 1962, No. 84, eff. 1-1-63; cr. (2a), Register, December, 1967, No. 144, eff. 1-1-68; renum. from WCD 23.01 to be NR 23.01, Register, April, 1971, No. 184, eff. 5-1-71.

NR 23.02 Seasons; limits. There are provided and established the following open and closed seasons, bag limits, size limits, possession limits and other fishing regulations for the several varieties and species of fish in the waters herein designated. A closed season is established for each variety of fish named herein extending during all the time of the year except the open season period embraced within the specified dates, both inclusive, and except as otherwise expressly provided, no person or persons shall take, catch or kill fish of any variety, or fish by any means other than with hook and line; nor at any time other than the open season therefor; nor have in his possession or under his control any fish in excess of the daily creel or possession limit, or fish of less than the legal minimum size during the open season.

Kind of Fish and Locality	Open season (both dates inclusive)	Bag and possession limit	
		Number each day	Minimum length (in.)
(1) LARGEMOUTH BASS AND SMALLMOUTH BASS	June 1 to December 31	5	No size limit
(2) WALLEYE AND SAUGER			
In the Menominee river, Bad Water lake, the Montreal river from the power dam in section 15, township 48 north, range 49 west, Gogebic county, Michigan, and section 7, township 47 north, range 1 east, Iron county, Wisconsin, downstream to its mouth, and in the Brule river from U. S. highway #2 bridge in section 9, township 41 north, range 32 west, Iron county, Michigan, and in section 12, township 40 north, range 17 east, Florence county, Wisconsin, downstream to its mouth.....	No closed season	5	13
In all other waters.....	Second Saturday in May to February 15	5	13
(3) NORTHERN PIKE			
In the Menominee river, Bad Water lake, the Montreal river from the power dam in section 15, township 48 north, range 49 west, Gogebic county, Michigan, and section 7, township 47 north, range 1 east, Iron county, Wisconsin, downstream to its mouth, and in the Brule river from U. S. highway #2 bridge in section 9, township 41 north, range 32 west, Iron county, Michigan, and in section 12, township 40 north, range 17 east, Florence county, Wisconsin, downstream to its mouth.....	No closed season	5	No size limit

Kind of Fish and Locality	Open season (both dates inclusive)	Bag and possession limit	
		Number each day	Minimum length (in.)
In all other waters.....	Second Saturday in May to February 15	5	No size limit
(4) MUSKELLUNGE.....	Second Saturday in May to November 15	1	30
(5) TROUT AND SALMON (any variety except lake trout) (Bag limit means total of all). All boundary waters except Montreal river from Lake Superior upstream to the Super- ior Falls dam.....	Saturday nearest May 1 to September 7	10	7
Montreal river—from Lake Superior up- stream to the Superior Falls dam.....	Saturday nearest April 1 to November 15	10	7
Menominee river—from its mouth up to the first dam.....	Continuous	5	10
(6) ROCK OR LAKE STURGEON.....	First Saturday in September to November 1	2 per sea- son	50
(7) BLUEGILLS, BUFFALO FISH, BULLHEADS, CARP, CHUBS, CRAPPIES, DACE, DOGFISH, GARFISH, GOLDFISH, LAWYERS, PERCH, REDHORSE, ROCK BASS, SMELT, SUCKERS AND SUNFISH.....	No closed season	No limit	No size limit

MEASUREMENT OF FISH. The measurement of all fish taken shall be in a straight line from the tip of the snout to the utmost end of the tail fin fully extended.

History: 1-2-56; r. and recr. Register, December, 1959, No. 48, eff. 1-1-60; r. and recr. Register, December, 1961, No. 72, eff. 1-1-62; r. and recr. Register, December, 1962, No. 84, eff. 1-1-63; am. (2) (3) and (4), Register, December, 1964, No. 108, eff. 1-1-65; r. and recr. (6), Register, November, 1965, No. 119, eff. 1-1-66; am. (6), Register, December, 1966, No. 132, eff. 1-1-67; am. (5) and (6), Register, December, 1967, No. 144, eff. 1-1-68; am. (5), Register, October, 1969, No. 166, eff. 1-1-70; am. (5), Register, June, 1970, No. 174, eff. 7-1-70; renum. from WCD 23.02 to be NR 23.02, Register, April, 1971, No. 184, eff. 5-1-71; am. (6), Register, October, 1973, No. 214, eff. 1-1-74.

NR 23.03 Hook and line fishing. (1) It shall be unlawful for any person to use or operate more than 2 lines or 2 poles with one line attached to each pole, and with an aggregate total not to exceed 4 hooks or to leave any fish line or lines unattended in any waters or to take any fish by snagging or fouling in any manner.

(2) It shall be unlawful for any person to take, capture, or kill fish or fish for fish of any variety at any time in Lac Vieux Desert, Mamie, West Bay, Big and Tenderfoot lakes from a motor-driven boat when the motor is running or from any boat in tow of a motor-driven boat when the motor is running or from any sailboat when in motion.

(3) It shall be unlawful for any person to take, catch, or kill fish, or fish for fish of any variety during the closed season for trout in streams and creeks containing trout. For the purpose of this rule the Montreal river upstream from the power dam in section 15, township 48 north, range 49 west, Gogebic county, Michigan, and section 7, township 47 north, range 1 east, Iron county, Wisconsin, and that portion of the Brule river upstream from U. S. Highway #2 bridge in

section 9, township 41 north, range 32 west, Iron county, Michigan, and in section 12, township 40 north, range 17 east, Florence county, Wisconsin, shall be considered trout waters.

History: 1-2-56; am. (3), Register, December, 1959, No. 48, eff. 1-1-60; am. (2), Register, December, 1961, No. 72, eff. 1-1-62; am. (1) and (2), Register, December, 1962, No. 84, eff. 1-1-63; am. (1), Register, December, 1968, No. 156, eff. 1-1-69; renum. from WCD 23.03 to be NR 23.03, Register, April, 1971, No. 184, eff. 5-1-71.

NR 23.04 Fishing near dams. It shall be unlawful for any person to take, catch, or kill fish by any means other than with hook and line within 200 feet below any dam.

History: 1-2-56; renum. from WCD 23.04 to be NR 23.04, Register, April, 1971, No. 184, eff. 5-1-71.

NR 23.05 Spears. (1) It shall be unlawful for any person to have in his possession or under his control from 8:00 p.m. to 6:00 a.m., central standard time, on any waters specified herein, except as otherwise provided herein, any spear, similar device or bow and arrow that might be used to take, catch or kill fish, or at any time on any waters containing trout or in which trout have been planted.

(2) Northern pike or pickerel, but no other species of fish, may be taken by means of spears through the ice from January 1 to February 15, inclusive, from 6:00 a.m. to 8:00 p.m., central standard time, subject to the bag, possession and size limits prescribed for northern pike.

(3) Suckers, redborse, carp, buffalo fish, dogfish, garpike, sheepshead, smelt and burbot may be taken by means of spears from 6:00 a.m. to 8:00 p.m., central standard time, only from May 1 to May 31, inclusive, in the waters of Menominee river above the Nathan Bridge.

(4) Cisco and whitefish may be taken by means of spears from October 15 to December 31, inclusive of each year, in the waters of Smoky lake. Such spearing may be done in either the daytime or at night and with the aid of artificial lights.

History: 1-2-56; am. (1) and (3); cr. (4), Register, August, 1957, No. 20, eff. 9-1-57; r. and recr. Register, December, 1959, No. 48, eff. 1-1-60; am. (2), (3), (4), Register, December, 1961, No. 72, eff. 1-1-62; r. and recr. Register, December, 1962, No. 84, eff. 1-1-63; am. (3), Register, December, 1967, No. 144, eff. 1-1-68; renum. from WCD 23.05 to be NR 23.05, Register, April, 1971, No. 184, eff. 5-1-71.

NR 23.06 Dip nets. (1) Dip nets may be used for taking suckers, redborse, carp, buffalo fish, dogfish, garpike, sheepshead, smelt and lawyers or burbot from April 1 to May 14, inclusive, in the Menominee river, except that it shall be unlawful to use any dip net in that part of the Menominee river beginning at the upstream side of the Hattie Street Bridge in Marinette-Menominee and extending upstream to the first dam and within 200 feet below all other dams.

(2) Such dip nets used for taking, catching, and killing rough fish and smelt shall be defined as follows:

A piece of netting suspended from a square or round frame not exceeding 9 feet square or 9 feet in diameter making a bag when lifted not more than 4 feet deep.

(3) It shall be unlawful for any person to use or operate any dip net in any manner other than by raising and lowering vertically when fishing.

History: 1-2-56; am. (1), Register, December, 1961, No. 72, eff. 1-1-62; am. (1), Register, December, 1962, No. 84, eff. 1-1-63; renum. from WCD 23.06 to be NR 23.06, Register, April, 1971, No. 184, eff. 5-1-71.

NR 23.07 Ice fishing. (1) **NIGHT ICE FISHING.** No person shall take, catch or kill fish, or fish for fish of any variety through the ice from 8:00 p.m. to 6:00 a.m., central standard time, with hook and line in any of the inland boundary waters specified in this chapter.

(2) **FISH SHANTIES.** Buildings, vehicles, tents, fish shanties or similar enclosures may be used on the ice for fishing purposes in the waters specified in this chapter. The door of any such enclosure or shelter shall be equipped with a latch which will permit the door to be readily opened from the outside at all times while enclosure or shelter is occupied. All such shelters shall be removed from the ice on or before the close of the ice fishing season each year on all waters listed in this chapter, or previous to that time by the order of the department or by its agents when they feel that the ice has become unsafe for travel thereon.

(3) **NAME OF OWNER.** All buildings, tents, fish shanties and similar enclosures or shelters maintained, occupied, or used for fishing purposes on the ice of any inland boundary waters shall have the name and address of the person owning or using the same painted on the outside thereof in such manner as to be readily visible at all times.

History: 1-2-56; am. (1), Register, December, 1959, No. 48, eff. 1-1-60; am. (3), Register, December, 1962, No. 84, eff. 1-1-63; renum. from WCD 23.07 to be NR 23.07, and am. (2), Register, April, 1971, No. 184, eff. 5-1-71.

NR 23.08 Reciprocity. All residents of Wisconsin and Michigan holding a resident fishing license from their respective states, or residents of states other than Wisconsin and Michigan holding an angling license issued by either state, may fish in any of the waters listed in section NR 23.01. This reciprocity applies only to hook and line fishing and the taking of minnows for such fishing, but minnows so taken shall not be sold, traded or bartered.

History: 1-2-56; renum. from WCD 23.08 to be NR 23.08 and am., Register, April, 1971, No. 184, eff. 5-1-71.