

Chapter NR 23

WISCONSIN-MICHIGAN BOUNDARY WATERS

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Note: Chapter NR 23 as it existed on March 31, 1986 was repealed and a new chapter NR 23 was created effective April 1, 1986.

NR 23.01 Purpose. The provisions of this chapter, along with other applicable rules and statutes, regulate fishing in Wisconsin-Michigan boundary waters.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; CR 08-010: am. Register November 2008 No. 635, eff. 4-1-09.

NR 23.015 License waiver. On the first Saturday and consecutive Sunday in June and the third Saturday and consecutive Sunday of January each year, no fishing license is required to fish the Wisconsin-Michigan boundary waters.

History: Cr. Register, April, 1987, No. 376, eff. 5-1-87; am. Register, April, 1989, No. 400, eff. 5-1-89; am. Register, May, 1995, No. 473, eff. 6-1-95; CR 13-001: am. Register August 2013 No. 692, eff. 9-1-13.

NR 23.02 Definitions. The following definitions apply to terms used in this chapter:

c1md XBag limitY or Xdaily bag limitY has the meaning given in s. NR 20.03 c8d.

c2d XDip netY means a piece of netting suspended from a frame designed to be raised and lowered vertically when fishing.

c3d XFisherY means any person engaged in fishing.

c4d XLength of fishY means the distance measured in a straight line from the tip of the snout of the fish to the end of its tail with the tail or caudal fin fully extended.

c4md XMenominee riverY means the Menominee river, all impoundments downstream to its confluence with Green Bay, and that portion of Green Bay bounded by the mouth of the Menominee river on the west, the Xgovernment pierY or breakwall on the south, the Xlighthouse pierY or breakwall on the

north, and a line connecting the eastern-most points of those breakwalls on the east.

c5d XMinnowY has the meaning given it in s. 29.001 c54d, Stats.

c6d XOpen seasonY means that period of the year established in s. NR 23.04 when a specific species of fish is allowed to be taken.

c7d XPossession limitY has the meaning given in s. NR 20.03 c31d.

c8d XRough fishY has the meaning given it in s. 29.001 c74d, Stats., and also includes amur carp cTtenopharyngodon idellad.

c8md XSafe harvestY means a level of harvest that incorporates an appropriate margin of safety, estimates of the population and acceptable exploitation rates which will reasonably prevent harvest of more than 35% of the population of adult walleyes or 27% of the population of adult muskellunge. The margin of safety assures that the true safe harvest is not exceeded in more than 1 of 40 cases. For waters where a population estimate has not been made, a regression model based upon population estimates from other waters will be used. The margin of safety used depends upon the age of the population estimate and whether a regression model was used.

c8nd XSecretaryY means secretary of the department of natural resources.

c9d XSport fishingY means fishing, when authorized, with hook and line, spearing and the use of a dip net.

c10d XWisconsin-Michigan boundary watersY means the following waters that form the interstate boundary water between the states of Wisconsin and Michigan:

Name	Location
cad BASIN LAKE.....	T45N, R43W, Sec. 34..... Gogebic co. - Mich. T44N, R7E, Sec. 30..... Vilas co. - Wis.
cbd BIG LAKE.....	T44N, R41W, Secs. 16 & 17..... Gogebic co. - Mich. T43N, R8E, Secs. 13, 14, 23 & 24..... Vilas co. - Wis.
ccd BIG BAD WATER LAKE.....	Dickenson co. - Mich. Florence co. - Wisconsin
cdd BIG BATEAU LAKE.....	T44N, R40W, Secs. 26 & 27..... Gogebic co. - Mich. T43N, R10E, Sec. 30..... Vilas Co. - Wis.
ced BRULE RIVER.....	Iron co. - Michigan Florence & Forest cos. - Wisconsin
cfcd CRAMPTON LAKE.....	T44N, R41W, Sec. 18..... Gogebic co. - Mich. T43N, R8E, Secs. 10, 14 & 15..... Vilas co. - Wis.

Name	Location	
cgd CRYSTAL LAKE.....	T43N, R39W, Secs. 3 & 4..... T43N, R10 & 11E, Secs. 36 & 31.....	Gogebic co. - Mich. Vilas co. - Wis.
chd CYRUS LAKE.....	T45N, R43W, Sec. 35..... T44N, R7E, Sec. 32.....	Gogebic co. - Mich. Vilas co. - Wis.
cid LAC VIEUX DESERT.....	T43N, R38 and 39W..... T42N, R11E, Secs. 4, 10, 11, 12 & 15.....	Gogebic co. - Mich. Vilas co. - Wis.
cjd LITTLE PRESQUE ISLE LAKE.....	T44N, R42W, Sec. 6..... T43N, R7E, Sec. 3.....	Gogebic co. - Mich. Vilas co. - Wis.
ckd MAMIE LAKE.....	T44N, R41W, Sec. 23..... T43N, R9E, Secs. 17, 10 & 21.....	Gogebic co. - Mich. Vilas co. - Wis.
cld MENOMINEE RIVER.....	Menominee, Dickinson & Iron cos.- Michigan Florence & Marinette cos. - Wisconsin	
cmd MILL LAKE.....	T44N, R40W, Sec. 36..... T43N, R10E, Sec. 33.....	-Gogebic co. - Mich. -Vilas co. - Wis.
cnd MONTREAL RIVER..... cIncluding the East Fork up to the mouth of Layman Creekd	Gogebic co. - Mich. Iron co. - Wis.	
cod NORWOOD LAKE.....	T43N, R38W, Secs. 23 & 24..... T42N, R12E, Sec. 20.....	Gogebic co. - Mich. Vilas co. - Wis.
cpd PLUM LAKE.....	T44N, R42W, Secs. 11, 12 & 13..... T43N, R8E, Sec. 9.....	Gogebic co. - Mich. Vilas co. - Wis.
cqd ROACH LAKE.....	T44N, R42W, Secs. 3, 4, 9 & 10..... T43N, R8E, Sec. 7.....	Gogebic co. - Mich. Vilas co. - Wis.
crd SMOKY LAKE.....	T43N, R37W, Secs. 21, 28, 29, 32 & 33..... T42N, R12E, Secs. 35 & 36.....	Gogebic co. - Mich. Vilas co. - Wis.
csd STATE LINE LAKE.....	T45N, R43W, Secs. 29 & 32..... T44N, R6E, Sec. 26.....	Gogebic co. - Mich. Vilas co. - Wis.
ctd TENDERFOOT LAKE.....	T44N, R42W, Secs. 10 & 11..... T43N, R8E, Secs. 7 & 8.....	Gogebic co. - Mich. Vilas co. - Wis.
cud WEST BAY LAKE.....	T44N, R41, Secs. 15, 16 & 22..... T43N, R8 & 9E, Secs. 13 & 18.....	Gogebic co. - Mich. Vilas co. - Wis.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; emerg. cr. c8md, eff. 5-5-89; cr. c8md and c8nd, Register, November, 1989, No. 407, eff. 12-1-89; correction in c5d and c8d made under s. 13.93 c2md cbd 7., Stats., Register, January, 1999, No. 517; cr. c4md, am. c10d cld, Register, June, 1999, No. 522, eff. 7-1-99; CR 04-024: am. c1d and c7d Register December 2004 No. 588, eff. 1-1-05; CR 09-051: renum. c1d to be c1md, cr. c1d Register June 2010 No. 654, eff. 7-1-10; CR 17-061: r. c1d Register February 2018 No. 746, eff. 3-1-18.

NR 23.03 General restriction. Except as specifically allowed by this chapter, fishing in and possession of fishing equipment on the Wisconsin-Michigan boundary waters is prohibited.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86.

NR 23.04 Reciprocity. Residents of Wisconsin and Michigan holding a resident fishing license from their respective states, or residents of other states holding a non-resident fishing license issued by Wisconsin or Michigan, may, in conformity with this chapter, fish by hook and line; spear and use dip nets to take minnows and rough fish in the Wisconsin-Michigan boundary waters.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86.

NR 23.05 Hook and line fishing. c1d No person may use more than 3 hooks, baits or lures. The line or lines shall be attended at all times.

c1md No person may set, use or operate a landing net for any purpose other than for the purpose of landing fish legally hooked

or to take fish as authorized with the use of dip nets under this chapter or ch. NR 20.

c2d Any fish taken and retained in possession that is not released freely into the water immediately after capture shall be considered part of the angler[s] daily bag limit.

c3d No person may take fish by snagging or foul hooking unless authorized by s. NR 20.06.

c4d No person may fish for fish of any variety during the closed season for trout in the Brule river upstream from the railroad bridge in section 29, township 42 north, range 34 west, Iron county, Michigan and section 25, township 41 north, range 15 east, Florence county, Wisconsin and in the Montreal river above the Saxon Falls flowage, except that rough fish may be taken by hand.

c5d The seasons, size limits and bag and possession limits for hook and line fishing in the Wisconsin-Michigan boundary waters for the species listed in this subsection, except as provided in ss. NR 23.06 and 23.085, are as follows:

Kind of fish and locality	Open season cboth dates included	Possession and daily bag limit	Minimum length cin.d
cad BLUEGILLS, CRAPPIES, PERCH, WHITE AND YELLOW BASS AND SUNFISH in all boundary waters	No closed season	25 in total	No size limit
cbd ALL OTHER SPECIES not listed in this subsection in all boundary waters	No closed season	No limit	No size limit
ccd LAKE STURGEON			
1. Menominee river, upstream from Grand Rapids dam	First Saturday in September to September 30	1 per season	60
1m. Menominee river, downstream from Grand Rapids dam	First Saturday in September to September 30	0 ccatch-and-release onlyd	Harvest prohibited
2. Basin lake, Big lake, Big Bad Water lake, Big Bateau lake, Brule river, Crampton lake, Crystal lake, Cyrus lake, Lac Vieux Desert, Little Presque Isle lake, Mamie lake, Mill lake, Montreal river, Norwood lake, Plum lake, Roach lake, Smoky lake, State Line lake, Tenderfoot lake, West Bay lake	No open season	—	—
cdd LARGEMOUTH BASS AND SMALLMOUTH BASS			
1m. Smoky lake	Third Saturday in June to December 31	5 in total	None except that possession of fish from 14 to 18 is prohibited and only one may be longer than 18
	January 1 to Friday preceding the third Saturday in June	0	None
2. Basin lake, Big lake, Big Bad Water lake, Big Bateau lake, Brule river, Crampton lake, Crystal lake, Cyrus lake, Lac Vieux Desert, Little Presque Isle lake, Mamie lake, Menominee river, Mill lake, Montreal river, Norwood lake, Plum lake, Roach lake, State Line lake, Tenderfoot lake, West Bay lake	Third Saturday in June to December 31	5 in total	14
	January 1 to Friday preceding the third Saturday in June	0	None
ced MUSKELLUNGE			
1. Menominee river from the Hattie Street dam in the city of Marinette downstream to the eastern end of the breakwalls in Green Bay	June 1 to December 31 on open water	1	54
2. Basin lake, Big lake, Big Bad Water lake, Big Bateau lake, Brule river, Crampton lake, Crystal lake, Cyrus lake, Lac Vieux Desert, Little Presque Isle lake, Mamie lake, Menominee river upstream of the Hattie Street dam in the city of Marinette, Mill lake, Montreal river, Norwood lake, Plum lake, Roach lake, Smoky lake, State Line lake, Tenderfoot lake, West Bay lake	June 1 to December 31 on open water	1	50
cfid NORTHERN PIKE	First Saturday in May to March 1	5	No size limit
cgd TROUT AND SALMON			

Kind of fish and locality	Open season cboth dates included	Possession and daily bag limit	Minimum length cin.d
1. Basin lake, Big lake, Big Bad Water lake, Big Bateau lake, Brule river downstream from U.S. highway 2, Crampton lake, Crystal lake, Cyrus lake, Lac Vieux Desert, Little Presque Isle lake, Mamie lake, all waters of the Menominee river not otherwise listed in this paragraph, Mill lake, Montreal river upstream of Superior falls, Norwood lake, Plum lake, Roach lake, Smoky lake, State Line lake, Tenderfoot lake, West Bay lake	Last Saturday in April to September 30	5 in total	7
2. Montreal river downstream from Superior falls, Menominee river from its mouth upstream to the first dam, Smoky Lake	No closed season	5 in total	10
3. Brule river upstream from U.S. highway 2	Last Saturday in April to September 30	5 in total	Brook trout 8 Brown trout 12
chd WALLEYE AND SAUGER			
1. In lakes outside the Ceded Territory as defined in s. NR 13.02 c1d	First Saturday in May to March 1	5 in total	15
2. In rivers & impoundments outside the Ceded Territory as defined in s. NR 13.02 c1d	March 2 to the Friday before the first Saturday in May	1 in total	15
	First Saturday in May to March 1	5 in total	15
3. In lakes within the Ceded Territory as defined in s. NR 13.02 c1d	First Saturday in May to March 1	3 in total	15
4. In rivers & impoundments within the Ceded Territory as defined in s. NR 13.02 c1d	March 2 to the Friday before the first Saturday in May	1 in total	15
	First Saturday in May to March 1	3 in total	15
cid RUFFE	No open season	—	—
cjd CATFISH	No closed season	10	No size limit
ckd CISCO clake herringd, WHITEFISH, and their hybrids	No closed season	10 in total	No size limit

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; am. c5d cdd, Register, November, 1988, No. 395, eff. 12-1-88; am. c5d chd, cr. c5d cid, Register, December, 1989, No. 408, eff. 1-1-90; am. c5d cgd, Register, January, 1991, No. 421, eff. 2-1-91; am. c1d ccd, Register, March, 1992, No. 435, eff. 4-1-92; am. c5d cintro.d, cad and cbd, r. and recr. c5d cdd, ced, cfd and chd, cr. c5d cjd, Register, November, 1993, No. 455, eff. 1-1-94; am. c2d, Register, May, 1996, No. 485, eff. 6-1-96; am. c5d cdd 1., r. c5d cdd 2., Register, January, 1999, No. 517, eff. 4-1-99; correction in c3d made under s. 13.93 c2md cbd 7., Stats., Register, June, 1999, No. 522; am. c5d ccd, Register, December, 1999, No. 528, eff. 4-1-00; reprinted to correct error in c5d cdd 1., Register November 2001 No. 551; CR 03-014: r. and recr. c5d ccd Register November 2003 No. 575, eff. 4-1-04; CR 04-012: am. c5d cintro.d and ced Register December 2004 No. 588, eff. 4-1-05; CR 06-011: am. c5d ccd 1. Register September 2006 No. 609, eff. 10-1-06; CR 08-010: cr. c1md Register November 2008 No. 635, eff. 4-1-09; CR 09-051: cr. c5d ccd 1m, Register June 2010 No. 654, eff. 7-1-10; CR 10-025: am. c5d cdd 1. Register October 2010 No. 658, eff. 11-1-10; CR 11-006: cr. c5d ckd Register October 2011 No. 670, eff. 4-1-12; CR 13-019: am. c5d cdd, ced Register December 2013 No. 696, eff. 4-1-14; EmR1511: emerg. am. chd, eff. 5-1-15; EmR1609: emerg. am. chd, eff. 2-3-16; CR 15-042: am. c5d chd 1., 2., cr. c5d chd 3., 4. Register March 2016 No. 723, eff. 4-1-16; CR 15-066: am. c5d ccd 1., 1m. Register May 2016 No. 725, eff. 6-1-16; CR 19-009: am. c5d cintro.d Register February 2020 No. 770, eff. 3-1-20; CR 19-016: cr. cdd 1m., renum. c5d cdd 1. to c5d cdd 2. and am., am. c5d ced Register March 2020 No. 771, eff. 4-1-20; CR 21-058: am. c4d, r. and recr. c5d Register March 2022 No. 795, eff. 4-1-22.

NR 23.055 Modifications in daily bag limit and minimum size limit in response to tribal harvest. c1d ADJUSTMENT. In order to prevent a total harvest of more than 35% of the adult walleye population or 27% of the adult muskellunge population, the secretary may lower the daily bag limit on walleye or adjust size limits for walleye or muskellunge in specific waters in response to the harvest goals or actual harvest of the Chippewa Bands for their spear, net or trap fisheries. The adjusted daily bag and size limits shall be in effect until the first Sunday in March of the year following the tribal harvest. The

safe harvest levels on individual waters shall be determined by the department.

cad *Walleyes*. The daily bag limit may be reduced in response to harvest by the Chippewa Bands[spear, net, or trap fisheries. The extent of the reduction depends upon the percent of the safe harvest taken and the age of the population estimate used to determine the safe harvest or if a regression model was used to determine the safe harvest. The daily bag limits to be used with the different percentages and for various basis of determining the safe harvest are as follows:

Reduced Daily Bag Limits for Walleye Angling Percent of Safe Harvest Speared, Trapped or Netted			
Daily bag limit	Current population estimate	Population estimate made 1-2 years ago	Population estimate made 3 years ago or more or regression model
0	69% or more	95% or more	95% or more

cbd *Muskellunge*. The minimum size limit will be increased when the department is notified by the Chippewa bands that their harvest goal on an individual water is 60% or more of the safe harvest. The minimum size limits to be used with different percentages of the safe harvest are as follows:

Increased minimum size limits for muskellunge angling

% of safe harvest to be speared, trapped or netted by tribes	Minimum size limit
60-94	45 inches
95 or more	55 inches

c2d READJUSTMENT. In response to actual tribal harvest, the secretary may raise the daily bag limit or reduce the minimum size limit to the limit specified as appropriate using the percent of the safe harvest level expected to be harvested as indicated in sub. **c1d**. If a new population estimate is made, the safe harvest level shall be changed accordingly and the daily bag limit or minimum size limit shall be adjusted according to the percentage of the new safe harvest level that is expected to be harvested as indicated in sub. **c1d**. The readjusted daily bag and size limits shall be in effect until the first Sunday in March of the year following the tribal harvest.

c3d BAG AND POSSESSION LIMITS. cad Reduced daily bag limits calculated pursuant to this section are individual lake limits and may be combined, but no person may exceed a total daily bag limit of 5 walleyes.

cbd While fishing no person may possess fish on any water in excess of the bag limit or under the size limit for that water.

c4d NOTICE. Adjustments and readjustments of bag limits and minimum size limits under subs. **c1d** and **c2d** shall become effective upon publication of the adjustment or readjustment in the official newspaper in the area affected.

History: Emerg. cr. eff. 5-5-89; cr. Register, November, 1989, No. 407, eff. 12-1-89; CR 09-051: am. c1d cintro.d and c2d Register June 2010 No. 654, eff. 7-1-10; CR 13-019: am. c2d Register December 2013 No. 696, eff. 1-1-14; EmR1511: emerg. am. c1d cintro.d, cad, eff. 5-1-15; eff. 5-1-15; EmR1609: emerg. am. c1d cintro.d, cad, eff. 2-3-16; CR 15-042: am. c1d cintro.d, cad Register March 2016 No. 723, eff. 4-1-16.

NR 23.06 Dip nets. c1d Dip nets and landing nets may be used for taking suckers, redhorse, carp, smelt and lawyers or burbot from April 1 to May 14, in the Menominee river except in that portion from the upstream side of the Hattie Street Bridge in Marinette-Menominee upstream to the next dam and within 200 feet below dams on the river.

c2d Dip nets used for taking, catching, and killing rough fish and smelt may not exceed 9 feet square or 9 feet in diameter with a bag not more than 4 feet deep when lifted.

c3d No person may use or operate any dip net in any manner other than by raising and lowering it vertically when fishing.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; renum. from NR 23.07, Register, November, 1993, No. 455, eff. 1-1-94; CR 08-010: am. c1d Register November 2008 No. 635, eff. 4-1-09.

NR 23.065 Taking rough fish, catfish and bullheads by hand. Rough fish, flathead and channel catfish, and bullheads may be taken by hand in boundary waters within Wisconsin subject to the season dates, gear restrictions, daily bag limits and size limits established in ss. **NR 20.05** and **20.20**.

History: CR 19-009: cr. Register February 2020 No. 770, eff. 3-1-20.

NR 23.07 Minnows. No person may sell, trade or barter minnows taken from Wisconsin-Michigan boundary waters. No person may take fish other than smelt with nets or traps in the Montreal river downstream from the Superior Falls dam.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; emerg. am. eff. 4-25-89; am. Register, December, 1989, No. 408, eff. 1-1-90; renum. from NR 23.08 and am. Register, November, 1993, No. 455, eff. 1-1-94; am., Register, November, 1995, No. 479, eff. 4-1-96.

NR 23.08 Motor trolling. Trolling with up to 3 hooks, baits, or lures per person is authorized on all Wisconsin-Michigan boundary waters, except that in Vilas county waters, trolling with one hook, bait, or lure per person and no more than three lines used per boat is authorized.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; renum. from NR 23.09, Register, November, 1993, No. 455, eff. 1-1-94; CR 14-029: am. Register June 2015 No. 714, eff. 7-1-15; CR 14-029: am. Register June 2015 No. 714, eff. 5-4-18; CR 21-058: am. Register March 2022 No. 795, eff. 4-1-22.

NR 23.085 Spearing. Notwithstanding seasons established in s. **NR 20.20**, no person may fish by the method of spearing on any Wisconsin-Michigan boundary waters except that rough fish, flathead and channel catfish and bullheads may be taken by bow and arrow or crossbow in boundary waters within Wisconsin subject to the season dates, daily bag limits and size limits established in ss. **NR 20.05** and **20.20**.

History: CR 13-001: cr. Register August 2013 No. 692, eff. 4-1-14; CR 19-009: am. Register February 2020 No. 770, eff. 3-1-20.

NR 23.09 Ice fishing. Buildings, vehicles, tents, fish shanties or similar enclosures may be used on the ice for fishing in the Wisconsin-Michigan boundary waters.

c1d The door of any enclosure or shelter shall be unlocked and readily opened from the outside at all times while the enclosure or shelter is occupied.

c2d All shelters shall be removed from the ice on or before March 15, or prior to that time if ordered by the department when it determines the ice has become unsafe for travel.

c3d All buildings, tents, fish shanties and similar enclosures or shelters maintained, occupied, or used for fishing on the ice of any Wisconsin-Michigan boundary waters shall have the name and residential address in the English language of the person owning or using the fishing shelter legibly painted or otherwise affixed on the outside of the fishing shelter with block lettering a minimum of one inch square and in contrasting colors. Fishing shelters that are occupied or otherwise in use are exempt from this requirement.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; renum. from NR 23.10, Register, November, 1993, No. 455, eff. 1-1-94; CR 13-001: am. c3d Register August 2013 No. 692, eff. 9-1-13.

NR 23.10 Fishing near dams. No person may fish by any means other than with hook and line within 200 feet below any dam.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; renum. from NR 23.11, Register, November, 1993, No. 455, eff. 1-1-94.

NR 23.11 Conflicting rules. Where regulations of Michigan and Wisconsin differ, fishers shall comply with the regulations of the state in whose territorial waters they are fishing.

History: Cr. Register, March, 1986, No. 363, eff. 4-1-86; renum. from NR 23.12, Register, November, 1993, No. 455, eff. 1-1-94.

NR 23.12 Special lake sturgeon hook and line fishing requirements. The hook and line fishing requirements for lake sturgeon established in s. NR 20.07 also apply to Wisconsin-Michigan boundary waters.

History: CR 09-051: cr. Register June 2010 No. 654, eff. 7-1-10; EmR1613: emerg. am. c1d, cr. c1md, c1rd, c1vd, am. c2d to c4d, cr. c5d, c6d, eff. 3-12-16; CR 17-061: r. and recr. Register February 2018 No. 746, eff. 3-1-18.