

**DRAFT 5/27/26**

The statement of scope for this rule, SS 015-26, was approved by the Governor on 03/12/26, published in Register No. 843 A3 on 3/16/26, and approved by the Natural Resources Board on 5/27/26. This rule was approved by the Governor on [insert date].

**ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD  
CREATING RULES**

The Wisconsin Natural Resources Board proposes an order to **create** NR 20.35 (3) (a) 2. e. and 3. (b.) 5. relating to changes to s. NR 20.35 to allow for alternate size and bag limits for walleye under specific conditions for the rehabilitation of walleye fisheries and affecting small business.

**FH-20-25**

**Analysis Prepared by the Department of Natural Resources**

**1. Statute Interpreted:**

Sections 29.014, and 29.041, Stats., have been interpreted as authorizing the department to conserve and regulate the fish supply in waters of the state while continuing to provide opportunities for good fishing.

**2. Statutory Authority:**

Sections 29.014, and 29.041, Stats., authorize this rule.

**3. Explanation of Agency Authority:**

Section 29.014, Stats., “rule-making for this chapter,” grants the department the authority to establish and maintain open and closed seasons, bag limits, size limits and other conditions that will conserve fish populations and provide good fishing opportunities for the citizens of the state.

Section 29.041, Stats., provides that the department may regulate fishing on and in all interstate boundary waters and outlying waters.

**4. Related Statutes or Rules:**

None.

**5. Plain Language Analysis:**

This rule will amend s. NR 20.35 “alternate size and bag limits” to outline specific conditions that, if met, will allow the department to implement alternate size and bag limits for walleye on specific waters where a quick regulation change is needed to preserve or rehabilitate a walleye fishery without sufficient natural reproduction.

Section NR 20.35 outlines the conditions and process by which the department may apply the alternative size limits, bag limits or both for fish species in order to provide for better use and management of the fishery resource of the water to which the proposed alternate limit would apply. The proposed rules are compatible with existing policies that aim to regulate fish harvest for conservation purposes. This rule will primarily affect recreational anglers, but the impacts will

be relatively minor.

**6. Summary of, and Comparison with, Existing or Proposed Federal Statutes and Regulations:**

No federal regulations apply. States possess inherent authority to manage the fishery and wildlife resources within their boundaries, except insofar as preempted by federal treaties and laws, including regulations established in the Federal Register.

**7. If Held, Summary of Comments Received During Preliminary Comment Period and at Public Hearing on the Statement of Scope:**

A preliminary public hearing on the scope statement was held on 04/29/26. Zero people registered in support of the scope statement, zero registered in opposition, and one person stated they were attending the hearing for information only. No people provided public testimony.

The department received zero written comments on the proposed statement of scope.

**8. Comparison with Similar Rules in Adjacent States:**

Fisheries management rules are generally similar in the states surrounding Wisconsin. Each bordering state regulates fishing by the use of seasons, bag limits and size limits. Specific seasons and bag and size limits may differ for species among the surrounding states, but the general principles are the same.

**9. Summary of Factual Data and Analytical Methodologies Used and How Any Related Findings Support the Regulatory Approach Chosen:**

This rule includes minor changes to administrative code that support logical policies and are consistent with fisheries management goals.

**10. Analysis and Supporting Documents Used to Determine the Effect on Small Business or in Preparation of an Economic Impact Report:**

Economic impacts are expected to be minimal, if any. The regulation changes proposed in this rule will change the bag and/or size limit for walleye on specific waters when certain criteria are met. The rule is mainly applicable to individual anglers and imposes no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.

**11. Effect on Small Business (final regulatory flexibility analysis):**

The proposed rule is not expected to have any economic impact on sport anglers or commercial fishers. As with any change in regulations, there will be a requirement for anglers to learn the new rules. The department works to notify the public of new regulations via press releases, the internet, and fishing regulations pamphlets.

**12. Agency Contact Person:** Kari Lee-Zimmermann, 608-316-0080,  
[Kari.LeeZimmermann@Wisconsin.gov](mailto:Kari.LeeZimmermann@Wisconsin.gov)

**13. Place where comments are to be submitted and deadline for submission:**

Written comments may be submitted at the public hearings, by regular mail, or email to:

Kari Lee-Zimmermann  
Department of Natural Resources  
101 S. Webster Street, Madison, WI 53703  
608-316-0080, [Kari.LeeZimmermann@Wisconsin.gov](mailto:Kari.LeeZimmermann@Wisconsin.gov)

Comments may be submitted to the department contact person listed above or to [DNRAAdministrativeRulesComments@wisconsin.gov](mailto:DNRAAdministrativeRulesComments@wisconsin.gov) until the deadline given in the upcoming notice of public hearing. The notice of public hearing and deadline for submitting comments will be published in the Wisconsin Administrative Register and on the department's Hearings and Meetings Calendar. [Access the Wisconsin Administrative Register \(https://docs.legis.wisconsin.gov/code/register\)](https://docs.legis.wisconsin.gov/code/register). [Access the department's Hearings and Meetings Calendar \(https://dnr.wisconsin.gov/calendar\)](https://dnr.wisconsin.gov/calendar). [Submit comments through the Wisconsin Administrative Rules Website \(https://docs.legis.wisconsin.gov/code/chr/active\)](https://docs.legis.wisconsin.gov/code/chr/active).

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**RULE TEXT**

**SECTION 1. NR 20.35 (3) (a) 2. e. is created to read:**

**NR 20.35 (3) (a) 2. e.** The department finds that there are less than 15 young-of-year walleye per mile of shoreline shocked in 3 of the previous 5 years of fall electrofishing surveys in a lake where the walleye population has been sustained by natural reproduction or the department may consider if there is a decline in density to below 2 adult walleye per acre. The department shall apply the following size limit for walleye: 18-inch minimum length limit, but fish from 22-inches to 28-inches may not be kept.

**SECTION 2. NR 20.35 (3) (b) 5. is created to read:**

**NR 20.35 (3) (b) 5.** The department finds that there are less than 15 young-of-year walleye per mile of shoreline shocked in 3 of the previous 5 years of fall electrofishing surveys in a lake where the walleye population has been sustained by natural reproduction or there is a decline in density to below 2 adult walleye per acre. The department shall apply the following daily bag limit for walleye: 1 walleye

**SECTION 3. EFFECTIVE DATE.** This rule takes effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

**SECTION 4. BOARD ADOPTION.** This rule was approved and adopted by the State of Wisconsin Natural Resources Board on [DATE].

Dated at Madison, Wisconsin \_\_\_\_\_

State of Wisconsin  
Department of Natural Resources

BY \_\_\_\_\_  
Steven Little, Deputy Secretary  
For Karen Hyun, Ph.D., Secretary