

STATEMENT OF SCOPE

Department of Natural Resources

DNR Rule Number: FH-20-25

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.

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

This will be a permanent rule.

2. Detailed description of the objective of the proposed rule:

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.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

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. These rules will have minimal impact on anglers.

If these rule changes are not pursued, the department will not have the ability to change the size and/or bag limit in as timely a manner. The standard process to change the size and/or bag limit on a water body is approximately two years, which is not responsive enough for a struggling walleye fishery.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

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.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

An estimated 100 hours of staff time will be required to develop this rule and hold public hearings.

6. List with description of all entities that may be affected by the proposed rule:

This rule will primarily affect recreational anglers, but the impacts will be relatively minor. The adjustments proposed in this rule may change the bag and/or size limit for walleye on waters where there is concern about the health of the walleye population.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

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.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have an economic impact on small businesses):

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.

9. Anticipated number, month and locations of public hearings:

The department anticipates holding one public hearing in the month of June 2026. The hearing will be virtual.

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Date Approved