

The statement of scope for this rule, SS 009-26, was approved by the Governor on February 6, 2026, published in Register No. 842A2 on February 9, 2026, and approved by the Natural Resources Board on April 15, 2026. This rule was approved by the Governor on June 11, 2026.

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
AMENDING RULES.

The Wisconsin Natural Resources Board proposes an order to **amend** NR 20.18 (10) and 20.19 (1) and **create** NR 20.18 (10m) and (10s) relating to changes to the bag and possession limit for round goby on Lake Winnebago system area waters.

FH-21-25(E)

Analysis Prepared by the Department of Natural Resources

1. Statute Interpreted:

Sections 23.22 (2) (a), 23.22 (2) (b) 6., 29.014 (1), 29.041, 29.053 (2), 29.424, and 29.519 (1m) (b), 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 23.22 (2) (a), 23.22 (2) (b) 6., 29.014 (1), 29.041, 29.053 (2), 29.424, and 29.519 (1m) (b), Stats., authorize this rule.

3. Explanation of Agency Authority:

Section 23.22 (2) (a), Stats., grants the department authority to establish a program to control invasive species.

Section 23.22 (2) (b) 6., Stats., grants the department authority to promulgate rules to identify, classify, and control invasive species and the ability to consider permits or procedures associated with that.

Section 29.014 (1), 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.

Section 29.053 (2), Stats., provides that the department may establish conditions governing the taking of fish for the state as a whole, for counties or parts of counties, or for waterbodies or parts of waterbodies.

Section 29.424 (1), Stats., grants the department the authority to identify and control detrimental species of fish.

Section 29.519 (1m) (b), Stats., grants the department the authority to limit and allocate commercial fishing licenses, establish species harvest limits, restrict fishing areas and designate the kind, size and amount of gear used in outlying waters.

4. Related Statutes or Rules:

The department will permanently incorporate the emergency rule changes with a related permanent rule, DNR number FH-22-25. The department also has another in-progress rule package, DNR number FH-10-25, which affects possession limits of other species of fish, however the possession limits for round goby will be addressed through this emergency rule and the related permanent rule.

5. Plain Language Analysis:

These rules will allow anglers to keep in their possession any harvested round gobies provided that the fish are eviscerated or decapitated or their gills removed. Since a round goby population has not been established in these waters, angler harvest and reporting of all gobies taken will serve as a critical tool for the tracking of the round goby invasion into the Winnebago System. Allowing anglers to keep any round goby that has been eviscerated or decapitated or had its gills removed following harvest from the Winnebago system waters, will align with management goals to control their spread and will allow the department to provide a logical and consistent message to the public about those goals. Requiring anglers to return goby to the water is inconsistent with efforts to control the spread of these fish and is an unintended consequence of the current regulation.

Not implementing these changes will result in continued inconsistencies in the management goals and illogical messaging to the public since efforts are being taken to stop or slow the spread of round gobies in waters where they are not established. Under this proposed rule, the department intends to remove the current possession limit of one round goby to eliminate the need to throw back any if the catch exceeds that number.

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:

Zero people registered in support of or in opposition to the scope statement, and zero people stated they were attending the hearing for information only. One person provided public testimony. The attendee asked if an angler caught a sculpin and misidentified it as a goby, would they be in violation of the law and also asked if people eat these fish. No written comments were received.

Response: There is no bag limit on sculpin, so an individual possessing them would not be a violation. To our knowledge, round gobies are not often consumed in the US.

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:

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.

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

The department expects no economic impact directly related to these rule changes. The proposed rule does not impose any compliance or reporting requirements on small businesses nor are any design or operational standards contained in the rule.

12. Agency Contact Person: Kari Lee-Zimmermann, 608-316-0080,
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

Comments may be submitted to the department contact person listed above or to 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](#)

RULE TEXT

SECTION 1. NR 20.18 (10) is amended to read:

Species	Total Daily Bag Limit
(10) Ruffe, <u>and</u> white perch and gobies	0 except as authorized in s. NR 20.20, but one of each may be killed and possessed for immediate delivery to a department service center or regional office

SECTION 2. NR 20.18 (10m) and (10s) are created to read:

Species	Total Daily Bag Limit
(10m) Round gobies	
(a) Lake Winnebago system waters	No limit but each must be eviscerated or decapitated or their gills must be removed
(b) All other waters	0 except as authorized in s. NR 20.20, but one may be killed and possessed for immediate delivery to a department service center or regional office
(10s) All other gobies	0 except as authorized in s. NR 20.20, but one of each may be killed and possessed for immediate delivery to a department service center or regional office

SECTION 3. NR 20.19 is amended to read:

NR 20.19 Possession limits. (1) POSSESSION LIMIT TABLE. Except as otherwise provided in this chapter, the following possession limits are established.

Species	Possession Limit

Catfish	50 in total
Cisco (lake herring), whitefish, and their hybrids	20 in total
Lake sturgeon	2 in total
Largemouth and smallmouth bass	10 in total
Minnows	As specified in s. NR 20.14
Muskellunge	2 in total
Northern pike	10 in total
Panfish	50 in total
Rock bass, white bass, yellow bass, white perch, bullheads, and rough fish	No limit
<u>Round gobies from Lake Winnebago system waters</u>	<u>No limit but each must be eviscerated or decapitated or their gills must be removed</u>
<u>Ruffe and all other gobies except round gobies from Lake Winnebago system waters</u>	1 of each which has been killed and possessed only for immediate delivery to a department service center or regional office
Shovelnose sturgeon	6 in total
Trout and salmon	10 in total from inland waters except that only 4 may be lake trout, and 10 in total from outlying waters except that only 4 may be lake trout
Walleye, sauger, and their hybrids	10 in total

SECTION 4. STATEMENT OF EMERGENCY. Round goby (*Neogobius melanostomus*) are a non-native fish that are considered invasive. Goby are a small bottom dwelling fish that are aggressive and prolific. Where goby have become established, they have displaced other small bodied native fish, changed the invertebrate communities through predation, and preyed upon game fish eggs. They are also a carrier of botulism and are suspected in contributing to deaths of other fish (e.g., sturgeon) and birds during botulism outbreaks. They have been established in the Great Lakes since 1990 and have been present in Little Lake Butte de Morts since 2015

(immediately downstream of Lake Winnebago). However, the Lake Winnebago system does not have an established population of round gobies yet. The Lake Winnebago system is very different than the Great Lakes and is a large, shallow, productive system that has a diversity of native forage fish available as prey for game fish.

A single round goby was reported in Lake Winnebago for the first time on June 2, 2025. Follow-up DNR monitoring and angler reports yielded additional captures of round goby and the area of detection has expanded to include a small portion of the Fox River near Oshkosh. The Neenah Dam, Menasha Dam, and closed Menasha Lock continue to be viewed as a barrier to upstream movement of the established round goby population in Little Lake Butte des Morts. Results thus far do not indicate that the round goby are widespread in Winnebago System waters. The Lake Winnebago System is a significant ecological, economical, and cultural resource that makes up about 1/5 of the area of Wisconsin. Protecting this valuable ecosystem and the fisheries it supports is a high priority and the department would like to take immediate steps to help control their spread within this system. If round goby become established in the Lake Winnebago system there will be impacts and implications for the watershed, however, to what degree and how specifically they will impact other fish populations and the ecosystem remains unknown.

At this time, anglers will be an integral part of the control measures to counter the spread of round goby into the Winnebago system since there are no good alternative control measures and angling is an effective tool.

SECTION 5. EFFECTIVE DATE. This rule takes effect upon publication in the official state newspaper, as provided in s. 227.24(1)(c), Stats.

SECTION 6. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on May 27, 2026.

Dated at Madison, Wisconsin June 15, 2026

State of Wisconsin

Department of Natural Resources

BY Steven Little

Steven Little, Deputy Secretary
For Karen Hyun, Ph.D., Secretary