

**MEMORANDUM**

**TO:** David Miran, Ohio Department of Agriculture

**FROM:** Jacob Ritzenthaler, Regulatory Policy Advocate

**DATE:** September 12, 2017

**RE:** **CSI Review – Voluntary Animal Damage Control Plans (OAC 901:1-24-01 through 901:1-24-03)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

This rule package contains three no-change rules and an appendix proposed by the Ohio Department of Agriculture (ODA). The rule package was submitted to the CSI Office on June 22, 2017 and the public comment period was held open through July 7, 2017.

The rules establish the process by which individuals may submit claims to ODA for the value of animals injured or killed by coyotes. Voluntary animal damage control plans require information from the individual, including the types of predation that have occurred, threat mitigation techniques, and recommendations and equipment needed to address future predation.

During early stakeholder outreach, ODA presented the rules to a variety of stakeholders listed in the BIA to provide feedback. No comments were received during this time or during the CSI public comment period.

The business community impacted by these rules includes any individual or business whose animal

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has been injured or killed by a predator. The adverse cost created by these rules is the time necessary to complete a claim with ODA, but is necessary to ensure proper compensation for animal losses. The rules were established pursuant to ORC 955.52, which requires ODA to evaluate claims and maintain voluntary animal damage control plans. After reviewing the proposed rules and the BIA, the CSI Office has determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rule package is justified.

### **Recommendations**

For the reasons described above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

Based on its review of the proposed rule package, the CSI Office recommends the Ohio Department of Agriculture should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.