

1501:31-23-01

Special endangered wild animal regulations.

(A) Notwithstanding any other provision of this or any other wildlife order, or Chapters 1531. and 1533. of the Revised Code, the following native species and subspecies of wild animals shall be designated as endangered in accordance with section 1531.25 of the Revised Code:

(1) Mammals

Bobcat, *Lynx rufus*

Indiana bat, , *Myotis sodalis*

Allegheny woodrat, *Neotoma magister*

Black bear, *Ursus americanus*

Snowshoe hare, *Lepus americanus*

(2) Birds

Cattle Egret, *Bubulcus ibis*

King rail, *Rallus elegans*

Kirtland's warbler, *Dendroica kirtlandii*

Common tern, *Sterna hirundo*

American bittern, *Botaurus lentiginosus*

Northern harrier, *Circus cyaneus*

Sandhill crane, *Grus canadensis*

Piping plover, *Charadrius melodus*

Black tern, *Chlidonias niger*

Yellow-bellied sapsucker, *Sphyrapicus varius*

Bewick's wren, *Thryomanes bewickii*

Loggerhead shrike, *Lanius ludovicianus*

Golden-winged warbler, *Vermivora chrysoptera*

Lark sparrow, *Chondestes grammacus*

Trumpeter swan, *Cygnus buccinator*

Snowy Egret, *Egretta thula*

(3) Reptiles

~~Plains~~~~Eastern plains~~ garter snake, *Thamnophis radix radix*

~~Copper-bellied~~~~Copperbelly~~ water snake, *Nerodia erythrogaster neglecta*

Timber rattlesnake, *Crotalus horridus*

~~Eastern massasauga, Massasauga rattlesnake,~~ *Sistrurus catenatus catenatus*

Lake Erie ~~watersnake~~~~water snake~~, *Nerodia sipedon insularum*

(4) Amphibians

~~Eastern~~ Hellbender, *Cryptobranchus alleganiensis alleganiensis*

Blue-spotted salamander, *Ambystoma laterale*

Green salamander, *Aneides aeneus*

Cave salamander, *Eurycea lucifuga*

Eastern spadefoot, *Scaphiopus holbrookii*

(5) Fish

Ohio lamprey, *Ichthyomyzon bdellium*

Northern brook lamprey, *Ichthyomyzon fossor*

Mountain brook lamprey, *Ichthyomyzon greeleyi*

Lake sturgeon, *Acipenser fulvescens*

Shovelnose sturgeon, *Scaphirhynchus platyrhynchus*

Spotted gar, *Lepisosteus oculatus*

Cisco or lake Herring, *Coregonus artedii*

Pugnose minnow, *Opsopoeodus emiliae*
Blackchin shiner, *Notropis heterodon*
Popeye shiner, *Notropis ariommus*
Blacknose shiner, *Notropis heterolepis*
Longnose sucker, *Catostomus catostomus*
Blue sucker, *Cycleptus elongatus*
Scioto madtom, *Noturus trautmani*
Northern madtom, *Noturus stigmosus*
Mountain madtom, *Noturus eleutherus*
Pirate perch, *Aphredoderus sayanus*
Western banded killifish, *Fundulus diaphanus menona*
Spotted darter, *Etheostoma maculatum*
Mississippi silvery minnow, *Hybognathus nuchalis*
Speckled chub, *Macrhybopsis aestivalis*
Shortnose gar, *Lepisosteus platostomus*
Goldeye, *Hiodon alosoides*

(6) Mollusks

Clubshell, *Pleurobema clava*
Fanshell, *Cyprogenia stegaria*
White catpaw, *Epioblasma obliquata perobliqua*
Northern riffleshell, *Epioblasma torulosa rangiana*
Yellow sandshell, *Lampsilis teres*
Monkeyface, *Quadrula metanevra*
Butterfly, *Ellipsaria lineolata*

Long-solid, *Fusconaia maculata maculata*
Ohio pigtoe, *Pleurobema cordatum*
Elephant-ear, *Elliptio crassidens crassidens*
Pink mucket, *Lampsilis orbiculata*
Pocketbook, *Lampsilis ovata*
Eastern pondmussel, *Ligumia nasuta*
Washboard, *Megaloniais nervosa*
Sheepnose, *Plethobasus cyphus*
Pyramid pigtoe, *Pleurobema rubrum*
Rabbitsfoot, *Quadrula cylindrica cylindrica*
Wartyback, *Quadrula nodulata*
Purple lilliput, *Toxolasma lividus*
Rayed bean, *Villosa fabilis*
Little spectaclecase, *Villosa lienosa*
Purple catspaw, *Epioblasma o. obliquata*
Ebony Shell, *Fusconaia ebena*
Snuffbox, *Epioblasma triquetra*

(7) Butterflies

Persius dusky wing, *Erynnis persius*
Frosted elfin, *Incisalia Irus*
Karner blue, *Lycaeides melissa samuelis*
Purplish copper, *Epidemia helloides*
Swamp metalmark, *Calephelis muticum*
Regal fritillary, *Speyeria idalia*

Mitchell's satyr, *Neonympha mitchellii*

Grizzled skipper, *Pyrgus centaureae wyandot*

(8) Moths

Unexpected cycnia, *Cycnia inopinatus*

Graceful underwing, *Catocala gracilis*

Spartiniphaga inops

Hypocoena enervata

Papaipema silphii

Papaipema beeriana

Lithophane semiusta

Trichoclea artesta

Tiicholita notata

Melanchra assimilis

Pointed sallow, *Epiglaea apiata*

Ufeus plicatus

Ufeus satyricus

Erythroecia hebaridi

(9) Beetles

American burying beetle, *Nicrophorus americanus*

Pseudanophthalmus krameri

Pseudanophthalmus ohioensis

(10) Dragonflies and damselflies

Hines Emerald Skimmer, *Somatochlora hineana*

Seepage Dancer, *Argia bipunctulata*
Canada Darner, *Aeshna canadensis*
Mottled Darner, *Aeshna clepsydra*
Plains Clubtail, *Gomphus externus*
American Emerald, *Cordulia shurtleffi*
Uhler's Sunfly, *Helocordulia uhleri*
Frosted Whiteface, *Leucorrhinia frigida*
Elfin Skimmer, *Nannothemis bella*
Lilypad Forktail, *Ischnura kellicotti*
Racket-tailed Emerald, *Dorocordulia libera*
Brushed-tipped Emerald, *Somatochora walshii*
Blue Corporal, *Ladona deplanata*
Chalk-fronted Corporal, *Ladona julia*
Yellow-sided Skimmer, *Libellula flavida*
River Jewelwing, *Calopteryx aequabilis*

(11) Caddisflies

Chimarra socia
Oecetis eddlestoni
Brachycentrus numerosus

(12) Mayflies

Rhithrogena pellucida
Litobrantha recurvata

(13) Midges

Rheopelopia acra

(B) It shall be lawful for any person to collect, through approved sampling methods, and possess in a personal collection the following wild animals. It shall be unlawful to sell, barter, trade, or offer for sale any wild animal, or parts thereof, listed in this paragraph:

(1) Butterflies

Persius dusky wing, *Erynnis persius*

Two-spotted skipper, *Euphyes bimacula*

Frosted elfin, *Incisalia irus*

Purplish copper, *Epidemia helioides*

Swamp metalmark, *Calephelis muticum*

Regal fritillary, *Speyeria idalia*

Grizzled skipper, *Pyrgus centaureae wyandot*

(2) Moths

Unexpected cycnia, *Cycnia inopinatus*

Graceful underwing, *Catocala gracilis*

Spartiniphaga inops

Hypocoena enervata

Papaipema silphii

Papaipema beeriana

Lithophane semiusta

Trichoclea artesta

Tricholita notata

Melanchra assimilis

Pointed sallow, *Epiglaea apiata*

Ufeus plicatus

Ufeus satyricus

Erythroecia hebardi

(3) Dragonflies and damselflies

River jewelwing, *Catopteryx aequabilis*

Seepage Dancer, *Argia bipunctulata*

Canada Darner, *Aeshna canadensis*

Mottled Darner, *Aeshna clepsydra*

Plains Clubtail, *Gomphus externus*

American Emerald, *Cordulia shurtleffi*

Uhler's Sunfly, *Helocordulia uhleri*

Frosted Whiteface, *Leucorrhinia frigida*

Elfin Skimmer, *Nannothemis bella*

Lilypad Forktail, *Ischnura kellicotti*

Racket-tailed Emerald, *Dorocordulia libera*

Brushed-tipped Emerald, *Somatochora walshii*

Blue Corporal, *Ladona deplanata*

Chalk-fronted Corporal, *Ladona julia*

Yellow-sided Skimmer, *Libellula flavida*

(4) Caddisflies

Chimarra socia

Oecetis eddlestoni

Brachycentrus numerosus

(5) Mayflies

Rhithrogena pellucida

Litobrantha recurvata

(6) Midges

Rheopelopia acra

(C) It shall be unlawful for any person to take, transport, sell, offer for sale or possess any of the native endangered species of wild animals, applying to endangered wild animals that are either resident within or migrate into or through Ohio, or hides or parts thereof listed in this rule or any other wildlife order without first obtaining a written permit from the wildlife chief, except as provided in paragraphs (B) and (F) of this rule. Provided further, it shall be unlawful to trespass in areas posted with signs stating "Endangered Species Nesting Area, Trespassing Unlawful."

(D) All persons requesting a permit for the taking, selling, or possession of an endangered species or hide or part thereof for zoological, educational, scientific, or propagation purposes shall at the time of application for such permit provide the following information to the division of wildlife:

(1) A program or project description with a clear statement of the study objectives;

(2) Justification for the study;

(3) Duration of the study;

(4) Project location;

(5) Species and number to be collected or involved in the study;

(6) Study methods, regarding collecting gear and techniques; and

(7) Assurance that a final or annual report will be filed with the division of wildlife, containing a clear statement on the final disposition of each individual of each endangered species collected, along with a copy of any reports or publications derived from the study of these animals.

- (E) Persons failing to provide full information required in paragraph (C) of this rule to the satisfaction of the wildlife chief shall be denied a permit. Further, failure to fill the requirements at the conclusion of the project shall be reason for the chief to not issue future permits to the person failing to comply.
- (F) Persons legally obtaining any of the endangered species listed in this rule from outside the state may possess and propagate said animals in accordance with section 1533.71 of the Revised Code. Furthermore, hides of bobcats and river otters may be bought or sold with proof of purchasing a non-resident license or some other proof that the animal was acquired legally, and conforms to current United States fish and wildlife rules and regulations.
- (G) All definitions set forth in section 1531.01 of the Revised Code shall apply to this rule.

Effective: 07/01/2010

R.C. 119.032 review dates: 01/29/2010 and 06/30/2015

CERTIFIED ELECTRONICALLY

Certification

05/05/2010

Date

Promulgated Under: 119.03
Statutory Authority: 1531.08, 1531.25
Rule Amplifies: 1531.08, 1531.25
Prior Effective Dates: 5-1-76; 6-1-78; 6-1-79; 7-11-80; 6-1-85; 4-20-87;
6-25-90; 10-20-91; 5-11-92; 10-31-92; 6-7-93;
5-16-94; 8-10-96; 11-1-97; 6-1-99; 5-3-00; 7-19-02;
6-4-03, 7/1/07, 7/1/08