

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

Indiana bat, *Myotis sodalis*

Allegheny woodrat, *Neotoma magister*

Black bear, *Ursus americanus*

Little brown bat, *Myotis lucifugus*

Tricolored bat, *Perimyotis subflavus*

Northern long-eared bat, *Myotis septentrionalis*

(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 ~~cyanus~~ hudsonis*

Piping plover, *Charadrius melodus*

Black tern, *Chlidonias niger*

Loggerhead shrike, *Lanius ludovicianus*

Lark sparrow, *Chondestes grammacus*

Snowy Egret, *Egretta thula*

Upland sandpiper, *Bartramia longicauda*

(3) Reptiles

Plains garter snake, *Thamnophis radix*

Copper-bellied water snake, *Nerodia erythrogaster neglecta*

Timber rattlesnake, *Crotalus horridus*

Eastern massasauga, *Sistrurus catenatus*

Smooth greensnake, *Opheodrys vernalis*

(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*

Popeye shiner, *Notropis ariommus*

Longnose sucker, *Catostomus catostomus*

Scioto madtom, *Noturus trautmani*
Northern madtom, *Noturus stigmosus*
Pirate perch, *Aphredoderus sayanus*
Western banded killifish, *Fundulus diaphanus menona*
Spotted darter, *Etheostoma maculatum*
Shoal chub, *Macrhybopsis hyostoma*
Shortnose gar, *Lepisosteus platostomus*
Goldeye, *Hiodon alosoides*
Iowa darter, *Etheostoma exile*
Gilt darter, *Percina evides*
Bigeye shiner, *Notropis boops*
Tonguetied minnow, *Exoglossum laurae*

(6) Mollusks

Clubshell, *Pleurobema clava*
Fanshell, *Cyprogenia stegaria*
White catpaw, *Epioblasma perobliqua*
Northern riffleshell, *Epioblasma rangiana*
Yellow sandshell, *Lampsilis teres*
Monkeyface, *Theliderma metanevra*
Butterfly, *Ellipsaria lineolata*
Long-solid, *Fusconaia subrotunda*
Ohio pigtoe, *Pleurobema cordatum*
Elephant-ear, *Elliptio crassidens crassidens*

Pink mucket, *Lampsilis abrupta*
Pocketbook, *Lampsilis ovata*
Eastern pondmussel, *Ligumia nasuta*
Washboard, *Megaloniaias nervosa*
Sheepnose, *Plethobasus cyphus*
Pyramid pigtoe, *Pleurobema rubrum*
Rabbitsfoot, *Theliderma cylindrica*
Wartyback, *Cycloniaias nodulata*
Purple lilliput, *Toxolasma ~~lividus~~ lividum*
Rayed bean, *Villosa fabilis*
Little spectaclecase, *Villosa lienosa*
Purple catspaw, *Epioblasma obliquata*
Ebony Shell, *Reginaia 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 cynthia, *Cynthia 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 hebardi

(9) Beetles

American burying beetle, *Nicrophorus americanus*

Pseudanophthalmus ohioensis

Water penny beetle, ~~*Dicranopselaphus*~~ *Dicranopselaphus variegatus*

(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 nigrosoma

(12) Mayflies

Rhithrogena pellucida

Litobrantha recurvata

(13) Midges

Rheopelopia acra

(14) Crustaceans

Fern cave isopod, *Caecidotea filicispeluncae*

Kindt's cave isopod, *Caecidotea insula*

(15) Arachnids

Buckskin cave psuedoscorpion, *Apocchthonius hobbsi*

(16) Bees

Rusty Patched Bumble Bee, *Bombus affinis*

(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 helloides*

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

Litobranchea recurvata

(6) Midges

Rheopelopia acra

(7) Bees

Rusty Patched Bumble Bee, *Bombus affinis*

(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 service rules and regulations.
- (G) All definitions set forth in section 1531.01 of the Revised Code ~~shall~~ apply to this rule.

Effective: 7/1/2020

Five Year Review (FYR) Dates: 3/23/2020 and 07/01/2025

CERTIFIED ELECTRONICALLY

Certification

06/01/2020

Date

Promulgated Under: 119.03
Statutory Authority: 1531.10, 1531.25, 1531.06, 1531.08
Rule Amplifies: 1531.08, 1531.25
Prior Effective Dates: 05/01/1976, 06/01/1978, 06/01/1979, 07/11/1980,
06/01/1985, 04/20/1987, 06/25/1990, 10/20/1991,
05/11/1992, 10/31/1992, 06/07/1993, 05/16/1994,
08/10/1996, 11/01/1997, 06/01/1999, 05/03/2000,
07/19/2002, 06/04/2003, 07/01/2007, 07/01/2008,
07/01/2010, 07/01/2012, 07/01/2014, 07/01/2017,
01/01/2018, 07/01/2019