

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 1501:31-23-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Special endangered wild animal regulations.

**Agency Name:** Department of Natural Resources

**Division:** Division of Wildlife

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#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 3/23/2020
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 1531.10, 1531.25, 1531.06, 1531.08
5. What statute(s) does the rule implement or amplify? 1531.08, 1531.25
6. What are the reasons for proposing the rule?

The amendments to this rule will make the appropriate changes to the current list of endangered wild animals found in Ohio. Additions and deletions are based on the biological data for each of the species' current and projected populations.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

It is proposed to amend this rule by the removing the following species listed as endangered:  
Kirtland's warbler

It is proposed to amend this rule by designating the following species as state endangered:

Little brown bat - *Myotis lucifugus*

Tri-colored bat - *Perimyotis subflavus*

Northern long-eared bat - *Myotis septentrionalis*

The Northern long-eared bat is currently listed as state threatened and the Little brown bat and Tri-colored bat are currently designated as state species of concern.

It is further proposed to amend this rule by updating the names of the following species that are listed as endangered in Ohio:

Northern Harrier, Purple Lilliput, Water Penny Beetle

8. **Does the rule incorporate material by reference?** No
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

*Not Applicable*

## **II. Fiscal Analysis**

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0

This change will not affect fees, require additional personnel, or require additional equipment. This rule modification will have no impact on the agencies revenue or expenditures.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

This change will not affect current or require additional licenses, permits, or fees. It will not require any costs for compliance.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

### **III. Common Sense Initiative (CSI) Questions**

16. Was this rule filed with the Common Sense Initiative Office? No
17. Does this rule have an adverse impact on business? No
  - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
  - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
  - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
  - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

### **IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))**

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes
  - A. How many new regulatory restrictions do you propose adding? 0
  - B. How many existing regulatory restrictions do you propose removing? 1

1501:31-23-01(G) This regulatory restriction is a duplication of rule 1501:31-1-02 and the regulatory restriction will be removed.