

Rule Summary and Fiscal Analysis (Part A)**Department of Natural Resources**

Agency Name

Division of Wildlife

Division

Mindy Bankey

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1501:31-23-01

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Special endangered wild animal regulations.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **1531.08, 1531.25**

5. Statute(s) the rule, as filed, amplifies or implements: **1531.08, 1531.25**

6. State the reason(s) for proposing (i.e., why are you filing,) this 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 specie??s current and projected populations.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The following species were deleted from the list: Bobcat (Felis rufus), Black bear

(Ursus americanus), Peregrine falcon (Falco peregrinus), Bald eagle (Haliaeetus leucocephalus), Osprey (Pandion haliaetus), Longnose sucker (Catostomus catostomus), Blue catfish (Ictalurus furcatus).

The following species were added to the list: River Jewelwing (Calopteryx aquabilllis),

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Removed all terrestrial wildlife from the originally filed rule;

??Bobcat

??Black Bear

??Peregrine Falcon

??Bald Eagle

This was done to allow for a lengthened review process by the US Fish and Wildlife (USFW) service dealing with some of the above species. The Division of Wildlife will look at making changes possibly later this year after the USFW have completed their review process.

03/12/2007 - Section (A)(5): Added (unstruck) Longnose sucker, *Catostomus catostomu*. It was decided to keep this species of fish on the endangered list.

12. 119.032 Rule Review Date: **2/2/2007**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

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.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

A.M. Sub HB95, line 740-701

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

This change will not affect current or require additional licenses, permits, or fees. It

will not require any costs for compliance.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**