

## 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? 2/9/2024
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? 1531.06, 1531.08, 1531.10, 1531.25
5. What statute(s) does the rule implement or amplify? 1531.06, 1531.08, 1531.10, 1531.25
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
  - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

This rule designates those species of wildlife in Ohio that are endangered. 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.

- 8. 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 removing the Scioto madtom from the endangered species list. The U.S. Fish and Wildlife Service has determined this species is extinct based on rigorous reviews of the best available science.

It is proposed to amend this rule by transferring the language for bobcat hides legally acquired from outside Ohio to OAC 1501:31-15-02 since bobcats are not endangered

- 9. Does the rule incorporate material by reference? No**
- 10. 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*

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

There are no changes to the proposed rule.

This rule is being refiled for accuracy to correct a mistake in the Rule Summary Fiscal Analysis (RSFA) that summarizes the rule's changes. The prior RSFA listed the northern madtom and Scioto madtom as one species. These are two distinct species. The Scioto madtom is now extinct and will be removed from the state endangered species list. The northern madtom will remain on the state endangered species list.

## **II. Fiscal Analysis**

- 12. 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.

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

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

Not Applicable.

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

16. 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**

17. Was this rule filed with the Common Sense Initiative Office? No

18. 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 Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

**A. How many new regulatory restrictions do you propose adding to this rule?**

Not Applicable

**B. How many existing regulatory restrictions do you propose removing from this rule?**

Not Applicable

**C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

**D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable