

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

King rail, *Rallus elegans*

Common tern, *Sterna hirundo*

American bittern, *Botaurus lentiginosus*

Northern harrier, *Circus 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*
Brook trout, *Salvelinus fontinalis*
Alligator gar, *Atractosteus spatula*
Blacknose shiner, *Notropis heterolepis*
Longhead darter, *Percina macrocephala*

(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*

Washboard, *Megaloniais nervosa*

Sheepnose, *Plethobasus cyphus*

Pyramid pigtoe, *Pleurobema rubrum*

Rabbitsfoot, *Theliderma cylindrica*

Wartyback, *Cycloniais nodulata*

Purple lilliput, *Toxolasma lividum*

Rayed bean, *Villosa fabilis*

Little spectaclecase, *Villosa lienosa*

Purple catspaw, *Epioblasma obliquata*

Ebony shell, *Reginaia ebena*

Snuffbox, *Epioblasma triquetra*

Round hickorynut, *Obovaria subrotunda*

(7) Butterflies

Persius dusky wing, *Erynnis persius*

Frosted elfin, *Incisalia Irus*

Karner blue, *Lycaeides melissa samuelis*

Purplish copper, *Epidemia helloides*

Swamp metalmark, *Calephelis muticum*

Grizzled skipper, *Pyrgus centaureae wyandot*

Dreamy duskywing, *Erynnis icelus*

Aphrodite fritillary, *Speyeria aphrodite aphrodite*

(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 hebardi

(9) Beetles

American burying beetle, *Nicrophorus americanus*

Pseudanophthalmus ohioensis

Water penny beetle, *Dicranopselaphus variegatus*

(10) Dragonflies and damselflies

Hines Emerald Skimmer, *Somatochlora hineana*

Canada Darner, *Aeshna canadensis*
Mottled Darner, *Aeshna clepsydra*
American Emerald, *Cordulia shurtleffi*
Uhler's Sundragon, *Helocordulia uhleri*
Frosted Whiteface, *Leucorrhinia frigida*
Elfin Skimmer, *Nannothemis bella*
Racket-tailed Emerald, *Dorocordulia libera*
Brushed-tipped Emerald, *Somatochora walshii*
Chalk-fronted Corporal, *Ladona julia*
Yellow-sided Skimmer, *Libellula flavida*
River Jewelwing, *Calopteryx aquabilis*
Taiga bluet, *Coenagrion resolutum*
Hagen's bluet, *Enallagma hageni*
Boreal bluet, *Enallagma boreale*
Northern bluet, *Enallagma cyathigerum annexum*
Marsh bluet, *Enallagma eribium*
Riffle snaketail, *Ophiogomphus carolus*
Slender baskettail, *Epithea costalis*
Little blue dragonlet, *Erythrodiplax minuscula*
Skillet clubtail, *Gomphurus ventricosus*
Golden-winged skimmer, *Libellula auripennis*
Four-spotted skimmer, *Libellula quadrimaculata*
Allegheny river cruiser, *Macromia alleghaniensis*

Smokey shadowdragon, *Neurocordulia molesta*

Stygian shadowdragon, *Neurocordulia vamaskansiensis*

(11) Caddisflies

None listed.

(12) Mayflies

None listed.

(13) Midges

None listed.

(14) Crustaceans

Fern cave isopod, *Caecidotea filicispeluncae*

Kindt's cave isopod, *Caecidotea insula*

Blue crawfish, *Cambarus monongalensis*

(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*

Grizzled skipper, *Pyrgus centaureae wyandot*

Dreamy duskywing, *Erynnis icelus*

Aphrodite fritillary, *Speyaria aphrodite aphrodite*

(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 aquabilis*

Canada Darner, *Aeshna canadensis*

Mottled Darner, *Aeshna clepsydra*

American Emerald, *Cordulia shurtleffi*
Uhler's Sundragon, *Helocordulia uhleri*
Frosted Whiteface, *Leucorrhinia frigida*
Elfin Skimmer, *Nannothemis bella*
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Brushed-tipped Emerald, *Somatochora walshii*
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Allegheny river cruiser, *Macromia alleghaniensis*
Smokey shadowdragon, *Neurocordulia molesta*
Stygian shadowdragon, *Neurocordulia vamaskansiensis*

(4) Caddisflies

None listed.

(5) Mayflies

None listed.

(6) Midges

None listed.

(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 otherwise provided by division 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 (D) 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 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 apply to this rule.

Effective:

Five Year Review (FYR) Dates: 2/9/2024

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 1531.06, 1531.08, 1531.10, 1531.25
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