

LEGAL NOTICE

STATE OF OHIO
DEPARTMENT OF NATURAL RESOURCESNOTICE OF INTENTION TO AMEND AND HOLD A PUBLIC HEARING
ON DIVISION OF PARKS AND WATERCRAFT RULES
IN CONJUNCTION WITH A DIVISION OF NATURAL AREAS AND PRESERVES RULE

The Ohio Department of Natural Resources, in accordance with sections 119.03, 1517.02, and 1546.04 of the Ohio Revised Code, hereby gives notice of intention to amend or rescind the following rules:

Amend the following rules:

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| 1501:46-1-02 | Interpretation. | 1501:46-9-04 | Removal of personal property on expiration of rental period. |
| 1501:46-2-03 | Heavy equipment fees. | 1501:46-9-05 | Juvenile use of overnight facilities restricted. |
| 1501:46-2-04 | Private channel fee. | 1501:46-9-07 | Trailer plumbing requirements. |
| 1501:46-2-20 | "Golden Buckeye Card" fees. | 1501:46-9-08 | Subleasing of campsite, cabin, lodge room, prohibited. |
| 1501:46-2-27 | Duck blind permit fees. | 1501:46-9-09 | Use of backpack trails. |
| 1501:46-2-31 | Lake Milton and Buckeye lake state parks permit fee. | 1501:46-9-10 | Camping area zones permitting pets. |
| 1501:46-2-39 | Special interpretive program fees. | 1501:46-12-03 | Subleasing, transfer, assignment, or unauthorized use of dock prohibited. |
| 1501:46-2-40 | Disabled veterans and former prisoner of war free camping requirements. | 1501:46-12-06 | Display of dock tags on private docks. |
| 1501:46-2-41 | Private breakwater license fee. | 1501:46-12-07 | Expiration of dock permit. |
| 1501:46-3-07 | Animals in cabin, lodge, golf courses, beach, and camp, facilities prohibited, exceptions. | 1501:46-12-09 | Securing of stored watercraft. |
| 1501:46-3-10 | Plants. | 1501:46-12-10 | Boat docking restrictions. |
| 1501:46-3-11 | Geological features. | 1501:46-12-14 | Dock maintenance required. |
| 1501:46-3-13 | Littering, importing of rubbish and trash prohibited. | 1501:46-12-15 | Removal of watercraft. |
| 1501:46-3-18 | Firewood, chain, saws. | 1501:46-12-17 | Seawall construction, permit required. |
| 1501:46-3-23 | Throwing objects over cliffs, dams, or other structures prohibited. | 1501:46-12-19 | Obstruction of the launching or retrieval of vessels. |
| 1501:46-3-27 | Collecting prohibited without permit. | 1501:46-12-18 | Transporting gas on docks prohibited. |
| 1501:46-3-29 | Private channel construction. | 1501:46-13-01 | Incorporation of state traffic laws. |
| 1501:46-3-30 | Off-trail use prohibited. | 1501:46-13-05 | Motor vehicles, bicycles required to stay on roads. |
| 1501:46-3-33 | Feeding of wildlife. | 1501:46-13-13 | Riding in boat and boat trailer prohibited on park roads. |
| 1501:46-3-34 | Dog exercise areas. | 1501:46-15-01 | Wildlife definitions. |
| 1501:46-7-01 | Open hours, closed hours, duties; exemptions. | 1501:46-15-05 | Public hunting areas. |
| 1501:46-7-02 | Hours for swimming. | 1501:46-15-06 | Hunting and trapping prohibited; exceptions. |
| 1501:46-7-03 | Swimming prohibited; exceptions. | 1501:46-15-08 | Parks wherein all legal game may be hunted. |
| 1501:46-7-04 | Flotation devices prohibited; exceptions. | 1501:46-15-13 | Duck blind, permit required. |
| 1501:46-7-06 | Snorkel and scuba diving prohibited; exceptions. | 1501:46-15-17 | Special management hunts. |
| 1501:46-7-07 | Snorkel and S.C.U.B.A. diving prohibited near dam sites. | 1501:47-1-07.1 | Contingent registration. |
| 1501:46-7-08 | Metal detectors prohibited. | 1501:47-7-09 | On the waters of Nettle lake: Williams county, Ohio. |
| 1501:46-7-09 | Rappelling. | 1501:47-7-17 | Lakengren lakes, Preble county. |
| 1501:46-7-10 | Rockclimbing. | | |
| 1501:46-7-11 | Playing golf. | | |
| 1501:46-7-12 | Entrance by permit only. | | |
| 1501:46-9-01 | Camping permitted in designated areas. | | |
| 1501:46-9-02 | Use of campground facilities; permit required. | | |

And rescind the following rules:

- 1501:17-11-07 Failure to obey.
1501:46-12-08 Securing of docked watercraft.

SUMMARY:

- Administrative rules 1501:46-1-02, 1501:46-2-03, 1501:46-2-31, 1501:46-2-39, 1501:46-2-41, 1501:46-3-10, 1501:46-3-11, 1501:46-3-13, 1501:46-3-30, 1501:46-3-34, 1501:46-7-02, 1501:46-7-07, 1501:46-7-08, 1501:46-7-11, 1501:46-7-12, 1501:46-9-01, 1501:46-9-02, 1501:46-9-07, 1501:46-9-08, 1501:46-12-09, 1501:46-12-18, 1501:46-13-01, 1501:46-13-05, 1501:46-15-17 and 1501:47-7-17 are being amended to update the references to the Revised Code that are implemented or amplified by the rule and references that provide the Division of Parks and Watercraft with the authority to adopt rules; no changes to the existing rule language are being proposed.
- Administrative rules 1501:46-2-04, 1501:46-2-20, 1501:46-2-27, 1501:46-2-40, 1501:46-3-18, 1501:46-3-23, 1501:46-3-27, 1501:46-3-29, 1501:46-3-33, 1501:46-7-01, 1501:46-7-03, 1501:46-7-04, 1501:46-7-06, 1501:46-7-09, 1501:46-7-10, 1501:46-9-04, 1501:46-9-05, 1501:46-9-09, 1501:46-12-03, 1501:46-12-06, 1501:46-12-07, 1501:46-12-10, 1501:46-12-14, 1501:46-12-15, 1501:46-12-17, 1501:46-12-19, 1501:46-13-13, 1501:46-15-01, 1501:46-15-13, and 1501:46-15-06 are being amended to update the references to the Revised Code that are implemented or amplified by the rule and references that provide the Division of Parks and Watercraft with the authority to adopt rules, as well as correct gender references, grammatical errors, update terminology, clarify provisions, and correct references to other rules within the Administrative code that were renumbered as a result of the enactment of SB 293.
- Administrative rules 1501:46-3-07 and 1501:46-9-10 are being amended to correct references to other rules within the Administrative code that were renumbered as a result of the enactment of SB 293, update the references to the Revised Code that are implemented or amplified by the rule and references that provide the Division of Parks and Watercraft with the authority to adopt rules, remove a gender reference, clarify terminology, and incorporate the federal definition of “service animal”.
- Administrative rule 1501:46-15-05 is being amended to update the references to the Revised Code that are implemented or amplified by the rule and references that provide the Division of Parks and Watercraft with the authority to adopt rules as well as incorporate Division of Wildlife language prohibiting the 'baiting' of wildlife for hunting on state park lands
- Administrative rule 1501:46-15-08 is being amended to update the references to the Revised Code that are implemented or amplified by the rule and references that provide the Division of Parks and Watercraft with the authority to adopt rules as well as add Jesse Owen's State park to areas where public hunting is permitted.
- Administrative rule 1501:47-1-07.1 is being amended to expand authority to authorized registration agents to issue contingent registration decals (currently restricted to only Natural Resource Officers or the chief)
- Administrative rule 1501:47-7-09 is being amended to codify existing activity zones adopted under the provisions of ORC 1547.08 including delineating such lake zones with GPS coordinates for clarification, remove the prohibition of towed watersports at any time in specific areas, and allows for such activities during designated timeframes,
- Administrative rule 1501:17-11-07 is being rescinded because the position of preserve officer no longer exists within the Department of Natural Resources and the provisions of the rule are addressed within Chapter 2921 of the Revised Code.
- Administrative rule 1501:46-12-08 is being rescinded because it duplicates provisions in the Administrative rule 1501:47-1-13.

A public hearing on the proposed amendments, adoptions, and rescission of these rules will be held at 2:00 p.m. on Thursday, March 26th, 2020 in the Poverty Room on the first floor of building C at the Department of Natural Resources located at 2045 Morse Road in Columbus, Ohio. At the public hearing, any person affected by these rule proposals may appear and be heard in person, or by an attorney, or both, and may present testimony, orally or in writing, and present evidence tending to show that these rules, if adopted, amended, or rescinded, will be unreasonable or unlawful.

Electronic copies of the proposed rules are available at the Ohio Legislative Service Commission's internet web site at: <http://www.registrofohio.state.oh.us/>. Hard copies of the proposed rule are available through the Ohio Department of Natural Resources at 2045 Morse Road, Columbus, Ohio 43229. For additional information, contact the Department of Natural Resources at (614) 265-6500.