

Economic Impact Statement

LSA Document #11-4

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**Estimated Number of Small Businesses Subject to this Rule:**

Fifty businesses that are dog training ground permit holders for the requirements that a permit holder be at least 18 years of age and store the records for at least three years as proposed in [312 IAC 9-10-16](#). No small businesses will be affected by the proposed changes to the field trial permit rule in [312 IAC 9-10-7](#) and wild animal possession permit rule in [312 IAC 9-11-1](#) since they are issued to hunting dog clubs that are typically nonprofit organizations or individuals.

Estimated Average Annual Reporting, Record Keeping, and Other Administrative Costs Small Businesses Will Incur for Compliance:

Approximately one hour to complete the record keeping requirements and store them for three years, resulting in an annual cost of \$10 for permit holders who have only game birds, and approximately 10 hours a year (\$100 at \$10 per hour for labor) for the one permit holder expected to obtain a dog training ground permit for foxes and coyotes.

Estimated Total Annual Economic Impact on Small Businesses to Comply:

Ten dollars per year for holders of a dog training ground permit for gamebirds and \$100 a year for the holder of a dog training ground permit for foxes and coyotes for the labor involved in recording the information and storing the records for a minimum of three years.

Justification Statement of Requirement or Cost:

In order for DNR conservation officers to be able to enforce the record keeping requirements and review information from previous years, it is necessary to establish a time frame in which the records must be retained. The requirement of a daily record of training activities under a dog training ground permit under [312 IAC 9-10-16\(i\)](#) has been required for over 10 years for those who have dog training grounds for game birds. The new record keeping requirements are only for the holder of a dog training ground permit for foxes and coyotes in order to ensure compliance with the proposed new regulations. For all dog training ground permit holders (gamebirds, foxes, and coyotes), this proposed rule amendment only adds the addition of the three years of keeping the records and adds the requirement that the permit holder be at least 18 years of age.

Regulatory Flexibility Analysis of Alternative Methods:

- Explanation of Preliminary Determination: The additional requirements of storing the records for three years and for the holder of a dog training ground permit for foxes and coyotes to keep additional records is required in order to ensure compliance with requirements as follows:
 - How and where coyotes and foxes were obtained is needed to ensure that the coyotes and foxes were obtained from Indiana, a provision that helps ensure that the coyotes and foxes are not imported from other states where they could bring a disease into Indiana.
 - The date the coyotes and foxes were released inside the enclosure to ensure that dogs are released inside the enclosure at least seven days after the foxes and coyotes in order to provide for more of a fair chase.
 - The date of mortality and proximate cause of mortality of any foxes or coyotes is needed to help ensure that coyotes or foxes, or both, are not being consistently captured and killed by dogs.
 - The date and time of each dog training and field trial activity in order to help ensure that the foxes and coyotes are given at least eight hours of consecutive rest in a 24 hour period of time.

Without these provisions, the DNR will be unable to determine compliance with the proposed regulations and answer questions from the public and media about whether or not the welfare of the coyotes and foxes is at risk inside the enclosure. The DNR could remove these requirements, but without them, there is likely to be additional opposition to the proposed rule to allow these dog training ground enclosures for foxes and coyotes.

The DNR would not be able to exempt small businesses from this proposed rule or make any changes to the proposed rule simply for small businesses. If small businesses were exempt, enforcement of the rules would be difficult because the law would not be the same for permit holders, thereby making the rule appear to be unfair and arbitrary.

- Supporting Data, Studies, or Analyses: The DNR relied on information obtained from the Wisconsin DNR about the dog training enclosures for coyotes and foxes and from Indiana DNR staff, including conservation officers and wildlife biologists.

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