

TITLE 312 NATURAL RESOURCES COMMISSION
LSA Document #26-99

I. Description of Rule

a. History and Background of the Rule

The purpose of the proposed permanent rule is to reduce and streamline regulations for fish and wildlife for compliance with Executive Order #25-17, as well as to update provisions regarding muzzleloaders as prescribed by the Natural Resources Commission (commission) following a citizen petition in 2025. A citizen petition was submitted to allow a firestick to be used in a breech loaded muzzleloader. A committee was formed including staff from the Division of Fish and Wildlife, Division of Law Enforcement, and Legal Division. The information was reviewed by the committee. The equipment would allow the charge and the primer to be loaded in the breech end of a muzzleloader, but the bullet is still loaded from the muzzle. The Department of Natural Resources (department) was able to include questions related to how hunters' opinions on using breech loading muzzleloaders in the Indiana Deer Management Survey distributed to hunters earlier in 2025. There were sixteen thousand sixty-seven (16,067) responses, with forty-four percent (44%) neutral on allowing the equipment, thirty-three percent (33%) in favor of allowing the equipment, and nineteen percent (19%) expressing varying degrees of opposition. The department does not see any safety issues related to breech loading muzzleloaders. The equipment may be considered safer during loading and unloading and the powder stays dry. The department does not see any issues with the overharvest of deer with the use of breech-loading muzzleloaders. The breech loading muzzleloaders are already legal during youth and firearms seasons and a rule amendment would allow them to be used during muzzleloader season.

312 IAC 9-1-5.5: The department is proposing a regulatory reduction by repealing the definition of "disability" to comply with the Americans with Disabilities Act for who is eligible for the permit under IC 14-22-12-6 and 312 IAC 9-10-10. This allows those who are disabled as the result of age to be eligible for the permit. This rule has not been updated since it was first adopted in 2010 under LSA #09-479.

312 IAC 9-1-7.5: The department is proposing a regulatory reduction by removing grouse from the list of what is considered a game bird and clarifying the species of pheasant and quail for which the rule applies. There is no hunting season for grouse in Indiana, and thus, they are no longer a game bird. This rule has not been updated since it was first adopted in 2010 under LSA #09-479.

312 IAC 9-1-9.7: The department is proposing a regulatory reduction by removing the definition of "inland water" in rule since the same definition can be found in IC 14-8-2-131.7. This rule has not been updated since it was first adopted in 2013 under LSA #12-381.

312 IAC 9-1-13.2: The department is proposing a regulatory reduction by proposing to repeal the definition of "relaxing snare lock." This provision has been added to the definition of "snare lock" in 312 IAC 9-1-13.7. This rule has not been updated since it was first adopted in 2020 under LSA #20-69.

312 IAC 9-1-13.7: The department is proposing to add a relaxing snare lock to the definition of "snare lock". This clarifies what a relaxing snare lock means to help trappers understand the

requirements for foot-hold traps in 312 IAC 9-3-18. This rule has not been updated since it was first adopted in 2020 under LSA #20-69.

312 IAC 9-1-14.5: The department is proposing a regulatory reduction by amending the definition of “venomous reptile” to only include those that have venom that causes a serious illness, injury, or death to an individual. The current definition creates confusion by referring to a definition (“serious bodily injury”) in the Indiana Code that was not intended for this purpose and is not able to be determined by testing done on some species of venomous snakes. The proposed changes are a regulatory reduction because the term “venomous reptile” includes fewer reptiles, which decreases the regulations regarding those reptiles no longer included. This rule has not been updated since it was first adopted in 1999.

312 IAC 9-3-3: The department is proposing a regulatory reduction by changing the rule language in 312 IAC 9-3-3(d) to comply with IC 14-22-2-8 and removing the minimum bullet diameter and cartridge length specifications for rifles used for deer hunting. During the 2025 legislative session, the Indiana General Assembly passed SEA 280 (P.L.76-2025), which sets forth the requirements for rifles used for deer hunting and prohibits the department from placing additional restrictions on rifles. In light of the statutory change for rifles permitted for deer hunting, the language in 312 IAC 9-3-3(d)(2)(D) governing handguns is removed because the language is no longer necessary and provides an additional regulatory reduction. This rule was last updated in 2024 under LSA #24-49.

Additionally, the department is proposing an additional regulatory reduction by amending 312 IAC 9-3-3(d). The changes result from a citizen petition to the commission to allow use of muzzleloaders that allow the primer and powder to be loaded from the breach end during the muzzleloader season; the bullet is still loaded from the muzzle. Most muzzleloaders on the market currently require that the bullet/sabot and powder be manually loaded through the muzzle, and the primer be loaded from the breech end. However, newer technology has been developed with a system that allows both the powder and primer to be safely loaded from the breech end, while the bullet is loaded from the muzzle. This allows the powder to stay dry, as well as help ensure a consistent and reliable source of powder. Because the powder is protected inside a vessel, it could also increase the number of days an individual can hunt, because they are not affected by rainy conditions. The encapsulated powder charge is a factory-manufactured, precision-measured plastic vessel that contains a pre-measured quantity of black powder substitute. This option still only allows one (1) bullet/sabot to be fired at a time, and the powder, primer, and bullet must be re-loaded to fire another shot. This change would not affect the muzzleloader season but would allow additional types of muzzleloaders to be used during the muzzleloader season under 312 IAC 9-3-4. Muzzleloaders with this system do not increase the range that many other fifty (50) caliber in-line muzzleloaders are currently capable of shooting already in Indiana. Additionally, this muzzleloader is currently already permitted during the special youth deer season, firearms season, and reduction zone season when firearms are allowed to be used under 312 IAC 9-3-3. Many consider this muzzleloader system to be less primitive, which some believe to be the intent of the muzzleloader season. However, “in-line” muzzleloaders are already allowed during the muzzleloader season, which are less primitive than the traditional flintlock or percussion muzzleloaders. All muzzleloaders considered for use during the muzzleloader season fire only one (1) sabot/ball at a time before needing to be reloaded, but the more primitive muzzleloaders require both the powder and bullet to be loaded from the muzzle and don’t have the same effectiveness at a longer distance. The department included questions about this equipment in the 2024-25 Indiana Deer Management Survey that was distributed in 2025. Some who responded to the survey mentioned that these breech-loading muzzleloaders might improve safety during loading and

unloading. This data is referenced in the first paragraph of this section. There were ten thousand nine hundred ten (10,910) individuals who responded to the survey who indicated they hunt with a muzzleloader presently. Of those who indicated they hunt with a muzzleloader presently, fifty percent (50%) indicated that it would not change their behavior, twenty-eight percent (28%) indicated that they would be unlikely to use the equipment, and twenty-two percent (22%) indicated they would likely use the equipment. By allowing the use of the new muzzleloader during the muzzleloader season, it could increase sales of this equipment for those who want to participate in this season and do not currently have a muzzleloader. The cost of this muzzleloader is approximately five hundred dollars (\$500). However, it will more likely encourage those who already have this equipment to use it during this season. The department does not have any concerns regarding deer population by allowing this muzzleloader during the muzzleloader season, and there are no additional safety concerns regarding the equipment. However, some survey respondents expressed concerns that allowing breech-loading muzzleloaders might negatively impact deer populations by making it easier to harvest more deer, thereby reducing the quality of hunting.

The department is also reducing regulations by proposing increases to the county antlerless bag limits for Fayette and Franklin Counties as the result of the deer population recovering from the impact of epizootic hemorrhagic disease (EHD). In 2023, the department began receiving reports of deer found dead in Fayette and Franklin Counties. Because it has been two (2) years since this major outbreak, the department would like to increase the antlerless quotas in Fayette and Franklin Counties to a number that will help manage the population and give hunters more opportunities to take deer. EHD is transmitted by biting midges (genus *Culicoides*), known as “no-see-ums,” or gnats that breed and live in small pools of standing water. EHD is not known to spread to humans. Symptoms of the disease in deer may include reduced appetite, weakness, loss of fear of humans, circling, as well as other neurological signs. Deer that die from EHD may have swollen tongues, eyelids, necks, or heads. EHD is often fatal, but some deer survive and develop immunity. EHD is diagnosed by a qualified laboratory using blood or internal tissues. EHD occurs naturally in the deer population and affects small numbers of deer each year. EHD is not normally found in domestic animals, other than farmed white-tailed deer, but antibodies have been detected in sheep, pigs, and cattle. EHD can be found in domestic white-tailed deer. After the insect population is reduced by cold weather in the fall, the spread of the disease reduces. Therefore, one should expect new infections to stop shortly after the first hard freeze in the fall. However, hot, dry weather with little rain, often characterized by prolonged summer conditions extending into the fall, may increase the occurrence and duration of an EHD outbreak. As usual water sources become scarce, more deer use any water that is available. As deer gather around these limited water sources, more deer in the population may become exposed to infected biting midges. Large deer populations can further exacerbate an outbreak as more deer frequent the same watering holes.

In 2023, the department received nine hundred and eighty-one (981) verified reports of EHD cases involving 1,016 sick or dead deer observed. Two hundred ninety-four (294) of these reports originated in the western half of Franklin County and forty-six (46) reports originated from the southern portion of Fayette County. Testing for EHD requires fresh samples of the spleen, liver, kidney, or blood. The department tested twenty-two (22) deer from seventeen (17) counties. The EHD virus identified included two (2) serotypes - EHDV-6 and EHDV-2. The department expects counties to have a number of EHD reports each year. Reports can be spread across the county or can be limited to small areas where an intense, but localized outbreak occurred.

In sum, the proposed changes are a regulatory reduction by: (1) allowing additional equipment during the muzzleloader season; and (2) allowing the taking of two (2) additional two (2) deer during hunting season in two (2) counties.

312 IAC 9-3-18.5: The department is proposing a regulatory reduction by eliminating the family “Dasypodidae” from the list of mammal families that cannot be taken except by resident landowners and tenants while causing substantial damage to property. Nine-banded armadillos are a member of this family and are now living and breeding in Indiana; therefore, they are no longer an exotic mammal as defined in state law in IC 14-8-2-87. The proposed changes are a regulatory reduction because they allow the species to now be taken, removing prior restrictions. This rule was last updated in 2018 under LSA #17-436.

312 IAC 9-4-2: The proposed changes are necessary to comply with federal law that sets forth the methods, shooting hours, season dates, and bag limits for migratory birds and waterfowl each year. Since the department does not have any of the methods, shooting hours, dates, or bag limits in state law, these changes are necessary to ensure that hunters comply with federal law in 50 CFR 20 when hunting migratory birds and waterfowl. By placing the department in line with federal requirements, the proposed changes do not add to regulations. Additional changes remove the reference to the migratory bird depredation permit because the permit is being repealed and allows the nuisance wild animal control permit to be used for taking wild animals that are causing damage or posing a health or safety risk, including birds, mammals, and reptiles. An additional regulatory reduction provides an exemption for individuals to take live migratory birds with a permit or written authorization from the U.S. Fish and Wildlife Service under 50 CFR 21. Some businesses may get a migratory bird depredation permit from the U.S. Fish and Wildlife Service, and this will exempt them from the need for a state permit. The change in subsection (t) complies with federal law for taking the nest and eggs of Canadian geese without a permit from the department and the change in subsection (u) allows individuals to either have the state permit as authorized under federal law or have the federal permit or federal authorization. The change in subsection (x) for the youth license is needed to comply with IC 14-22-12-1(a)(24). This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-4-7.1: The proposed change to the date is needed to comply with federal law. The date the crow hunting season ends needs to be changed to February 28th because 50 CFR 20.133 limits the season to no more than one hundred twenty-four (124) days each calendar year. By placing the department in line with federal requirements, the proposed changes do not add to regulations. This rule has not been updated since it was first adopted in 2010 under LSA #09-479.

312 IAC 9-4-14: The department is proposing a regulatory reduction by removing the Kirtland’s warbler from the state’s list of endangered species of birds. Kirtland’s warbler was first added to the state’s list of endangered species in 1967 to fulfill requirements of IC 14-22-34-1 that defines an “endangered species” as “any species or subspecies of fish or wildlife appearing on the United States list of endangered and threatened native fish and wildlife (50 CFR 17, Appendix D).” Simply, all federally listed species that have been observed in Indiana must be included on the State’s Endangered list. In November 2019, Kirtland’s warbler was removed from the federal Endangered Species List and declared to be fully recovered by the U.S. Fish and Wildlife Service. This change in its federal status warrants its removal as a state endangered species because: (1) Indiana cannot significantly contribute to the conservation and management of this species as it is an accidental species in the state; and (2) Indiana does not provide suitable breeding or wintering habitat or frequented stopover sites for this species where conservation action can be most effective. The current range of the Kirtland’s warbler extends from the jack pine forests of Michigan, Wisconsin, and

Ontario to early successional habitats of the Bahamas. Only rarely does it pass through Indiana during spring or fall migration. Hence, the species has an accidental occurrence in Indiana with a maximum of a couple Kirtland's warblers seen annually. Because of its extreme rarity in the state, the department's Nongame Bird Technical Advisory Committee that is comprised of the division's ornithologist, a representative from the Indiana Audubon Society, and professors specializing in bird research from several universities, unanimously recommended delisting the Kirtland's warbler as a fully recovered species based primarily on its recovered federal status and Indiana's minor role in its conservation due to its rarity in the state. The proposed changes remove an animal from an endangered species list and place the department in line with federal regulations and guidelines, which is a regulatory reduction. Additional changes in the rule for the common and scientific names of the birds are needed to comply with the taxonomic list managed by the American Ornithological Society and are consistent with the terms used in federal regulations. This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-5-4: The department is proposing technical changes by updating the names of the species of endangered reptiles and amphibians to match the 9th edition of the Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico, published in March of 2025 by the Society for the Study of Amphibians and Reptiles. Because the copperbelly watersnake and eastern massasauga are also federally endangered, the names need to match federal law to be clear that these are the same species of snakes. The proposed changes put the department in line with federal regulations. This rule was last updated in 2011 under LSA #11-196.

312 IAC 9-5-6: The department is proposing a regulatory reduction by allowing additional frog gigs, air rifles, and dip nets to take frogs. Changes are proposed to the specifications for frog gigs in subsection (j) to allow for gigs that do not have a single row of tines. This proposed change would allow any number of tines or design (single row, square, cone, etc.). By using a gig with four (4) prongs, frog retrieval may be easier, meaning that fewer might be injured and escape. The proposed changes were the result of a petition to the commission last year. Kentucky, Ohio, Michigan, and Illinois all allow gigs to be used to take frogs without specifying their size or number of tines. The change in subsection (j)(7) would allow air rifles to be used that don't have lead shot, allowing for other types of ammunition to be used. Lead can cause illness or death in birds that ingest lead by eating the frogs; therefore, this change could help provide for less lead used to take frogs (since not every frog that is shot is likely to be retrieved). Allowing dipnets to take frogs will also allow children and others to collect frogs with this method, which is commonly used to collect crayfish and other aquatic species. A person must still comply with the season dates and bag limits for taking frogs but would have additional options for taking frogs. The proposed changes are a regulatory reduction because they permit more equipment for taking frogs. This rule was last updated in 2015 under LSA #14-453.

312 IAC 9-5-7: The department is proposing technical changes by changing the names of the species of endangered reptiles and amphibians for the same reasons set forth above for 312 IAC 9-5-4. This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-5-9: The department is proposing a regulatory reduction by removing the fee in subsection (d). The fee was changed and is now found under 312 IAC 1.5. The department is also changing the common and scientific name for the gray ratsnake, now central ratsnake, to match the 9th edition of the Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico. This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-10-11: The department is proposing a reduction in the regulations by allowing migratory birds such as Canadian geese and mallard ducks that are causing damage or posing a health or safety risks to be taken under this permit, rather than obtaining another permit for that purpose. This rule was last updated in 2022 under LSA #21-451.

312 IAC 9-10-18: The department is proposing a regulatory reduction by allowing limited take permits to be issued for endangered species that are state endangered and not federally endangered and removing the requirement of a Habitat Conservation Plan. This will provide a permit option for businesses that inadvertently take state endangered bats or other state endangered species during the normal course of operation or when they are unable to prevent the take. It also removes the requirement that a Habitat Conservation Plan be submitted because the plan is available online for federally endangered species permits through the U.S. Fish and Wildlife Service. For applicants that also need a permit for construction in a floodway from the department, they will have already submitted a mitigation plan or provided funds in lieu of on-site mitigation that may involve taking an endangered species. This rule has not been updated since it was first adopted in 1997.

312 IAC 9-10-23: The department is proposing a reduction in regulations by repealing this rule. Language has been proposed to be removed in 312 IAC 9-10-11 to allow nuisance wild animal control permits to be issued to take migratory birds that are causing damage or posing a health or safety threat to people or domestic animals. This rule was last updated in 2020 under LSA #20-69.

312 IAC 9-10-25: The department is proposing a regulatory reduction by allowing deer control permits to be issued for more than ninety (90) days, which will help landowners and tenants that are experiencing damage to their crops and other vegetation throughout the growing season. This will eliminate the need for the permit holder to renew or obtain an additional permit during the growing season when damage is still occurring. This will save time for both permit holders and staff that issue the permits and permit amendments. This rule has not been updated since it was first adopted in 2018 under LSA #17-436.

312 IAC 9-11-2: The department is proposing a regulatory reduction by removing the requirement that an animal be examined by a veterinarian within forty-five (45) days of the issuance of a permit. Individuals have difficulty getting an animal examined by a veterinarian within this timeframe and may already have a health certificate signed by a veterinarian that was provided by the breeder when the animal was purchased. The department does not believe this is necessary since the animal must be examined by a veterinarian every calendar year to renew a permit under 312 IAC 9-11-3(c). The fee is being removed in subsection (g) because the fee was changed and is under 312 IAC 1.5. This rule was last updated in 2018 under LSA #17-436.

b. Scope of the Rule –

The proposed rules govern a number of areas under the department's jurisdiction of fish and wildlife. The covered areas include deer hunting, lists of endangered species, hunting of migratory birds and waterfowl, the crow hunting season, frog hunting season, and limited take permits for certain endangered species. The rules also update certain definitions and species' names.

c. Statement of Need –

Executive Order 25-17 establishes a twenty-five percent (25%) regulatory reduction requirement by January 1, 2029. The proposed permanent rule changes create regulatory reductions in almost every section to put the department closer to the regulatory reduction requirement and also put the department in line with federal rules and regulations.

d. Statutory Authority for the Proposed Rule – The department has the authority under IC 14-22-2-6 to establish the methods, means, and time of taking and transporting wild animals in Indiana. The department has the authority under IC 14-22-2-4 to write and issue licenses and permits required by this article. The department has the authority to adopt rules for the nuisance wild animal control permits under IC 14-22-28-2. The department has the authority to establish rules governing endangered species under IC 14-22-34-17. The department has the authority to adopt rules governing the wild animal possession permit under IC 14-22-26-3. The department is also required to develop rules based upon the: (A) welfare of the wild animal; (B) relationship of the wild animal to other animals; and (C) welfare of the people in IC 14-22-2-6. “Wild animal” is defined in IC 14-8-2-318 and includes mammals. The commission has the statutory authority to adopt rules under IC 14-10-2-4.

e. Fees, Fines, and Civil Penalties – The proposed rule changes do not change or add a fee, fine, or civil penalty, so an analysis under IC 4-22-2-19.6 is not required.

II. Fiscal Impact Analysis

a. Anticipated Effective Date of the Rule – The anticipated effective date of the proposed rule is September of 2026.

b. Estimated Fiscal Impact on State and Local Government – The department anticipates that there will be no fiscal impact to local governments or regulated entities. There will be fewer costs to the department by eliminating the need for the separate migratory bird depredation permits to take migratory birds and only requiring the permit for endangered species, Canadian geese, and mallard ducks. This will save the issuance of approximately thirty (30) permits a year and allow businesses that have damage from non-endangered species like gulls to obtain only the federal permit. This will result in cost savings of approximately two hundred dollars (\$200) each year for staff to issue these permits. There will be some additional administrative costs for department staff to notify permit holders and deer hunters of the proposed changes, but the notification will be made by email, news releases, and the new Hunting & Trapping Guidebook, and is in the ordinary course of business for the department.

There are expected to be minimal expenditures of approximately three hundred seventy-two dollars and fifty cents (\$372.50) for approximately five (5) hours of staff time out of the Fish and Wildlife Fund (39745) for the administrative work required of the department regarding: (1) updating the department’s website and Hunting & Trapping Guidebook; (2) notifying regulated entities (i.e. permit holders and deer hunters) via email; and (3) sending news releases. The required administrative work, which will be primarily by email, is part of the ordinary course of business. Administrative duties are paid for out of the Fish and Wildlife Fund (39745) and are considered part of normal operating costs. An additional three (3) hours of time is needed in the first year to update the permit regulations and website, and to notify permit holders of the changes to 312 IAC 9-4-2, 9-10-18, 9-10-25, and 9-11-2. This will cost the department an estimated two hundred twenty-three dollars and fifty cents (\$223.50) for the first year. Administrative expenses imposed by the rules will be approximately five hundred

ninety-six dollars (\$596) the first year the rules are effective. There are no expected changes to revenue.

c. Sources of Expenditures or Revenues Affected by the Rule – There will be no need for an appropriation from the General Assembly, and no changes in the distribution of revenue resulting from the proposed rule changes. The anticipated effective date of the proposed rules is September 15, 2026, and the 2026-2027 deer hunting seasons will be impacted. There should be no additional fiscal impact.

III. Impacted Parties

The proposed rule changes will likely affect at least twenty-one thousand (21,000) deer hunters who hunt with a rifle and muzzleloader. The proposed changes to 312 IAC 9-3-4 will likely affect approximately four thousand eight hundred and seventeen (4,817) deer hunters in the two (2) counties. They will have one (1) additional antlerless deer they may take in these counties during the 2026-2027 deer hunting seasons, as well as two (2) additional deer that they can take in Franklin County starting in October of 2027. Deer processors may be indirectly affected by having more deer to process; approximately seven (7) deer processors are registered in these counties.

The changes to 312 IAC 9-10-11 will likely impact approximately thirty (30) nuisance wild animal control permit holders. The changes in 312 IAC 9-10-25 will impact about three hundred and fifty (350) deer control permit holders. The changes to 312 IAC 9-10-18 governing limited take permits will affect approximately five (5) businesses each year. The changes to 312 IAC 9-10-23 governing migratory bird depredation permits will likely affect about thirty (30) businesses that have been required to get a state permit and will no longer need one. The changes to 312 IAC 9-11-2 will likely affect approximately two hundred and fifty (250) new wild animal possession permit holders.

Farmers and others impacted by deer causing damage to their crops or other vegetation may experience relief through the authorization of increased deer harvesting in Fayette and Franklin Counties. Farmers and other landowners experiencing damage will have more time to take deer that are causing damage without the need for additional paperwork or permits during the growing season.

IV. Changes in Proposed Rule

<u>Subsection</u>	<u>Changes to the rule</u>	<u>Reason for the Change</u>
312 IAC 9-1-5.5	Repeals the definition of “disability” in 312 IAC 9-1-5.5	Allows individuals that have a disability as the result of age to be eligible for a special permit under 312 IAC 9-10-10 to comply with the Americans with Disabilities Act
312 IAC 9-1-7.5	Removes grouse from the definition of “game bird”	Grouse cannot be hunted in Indiana
312 IAC 9-1-9.7	Repeals the definition of “inland water” in 312 IAC 9-1-9.7	Duplicative of IC 14-8-2-131.7.
312 IAC 9-1-13.2	Repeals the definition of “relaxing snare lock” in 312 IAC 9-1-13.2	The language for “snare lock” is being amended to include the description of a relaxing snare lock
312 IAC 9-1-13.7	Adds Language referring to a relaxing snare lock	Combines information about snare locks into one (1) rule to

		eliminate confusion and another rule
312 IAC 9-1-14.5	Removes the reference to another state law (IC 35-31.5-2-292) regarding serious bodily and uses the term medically significant instead	Clarifies the venomous reptiles for which a permit is required by the department and simplifies what is meant by significant bodily injury
312 IAC 9-3-3(d)	Allows deer hunters to use a handgun that has a longer barrel, additional muzzleloaders during the muzzleloader season, and additional rifles	Compliance with IC 14-22-2-8 for rifles, as well as to allow deer hunters the ability to use additional handguns and muzzleloaders
312 IAC 9-3-4(d)	Changes number to 3 deer in Fayette and Franklin Counties in 2026 and 4 deer in Franklin County beginning Oct. 1, 2027	See description in the History and Background of the Rule in Section I; deer population has recovered from EHD
312 IAC 9-3-18.5	Removes the mammal family Dasypodidae from the list of exotic mammals	Nine-banded armadillos are now living and breeding in Indiana and no longer meet the definition of exotic mammal in IC 14-8-2-87
312 IAC 9-4-2	Clarifies that hunting methods, equipment, and shooting hours are set forth in federal law. Sets forth the age of youth hunters since the age is not specified in 50 CFR 20.105; removes the term “fishing” in subsection (l)(F) and (y)(2) since fishing is no longer listed under that license; changes the date for which the eggs and nests of Canada geese can be taken under federal law; provides exemption in subsection (u) for migratory birds taken under a federal permit or authorization.	Needed to clarify the federal law for season dates, hours, and equipment for hunting migratory birds and waterfowl, eliminates the need for a duplicate state permit when the entity already has a federal permit or authorization. The resident youth license change is needed to match state law in IC 14-22-12-1(a)(24)
312 IAC 9-4-7.1	Changes the closing date of the crow hunting season	To comply with federal law in 50 CFR 21.133 for the last day of the crow season on leap years
312 IAC 9-4-14	Removes the Kirtland’s warbler from the endangered species of birds list and changes the scientific names of seven (7) other species	The Kirtland’s warbler is no longer a federally endangered species, and the scientific names are needed to be consistent with the Checklist of North and Middle American Birds from the American Ornithological Society

312 IAC 9-5-4	Changes the common names of four (4) common names of reptiles and amphibians	To comply with the latest taxonomic research in the 9 th publication of the Society for the Study of Reptiles and Amphibians
312 IAC 9-5-6	Removes the language of “a single row of tines” for frog gigs, removes the requirement for lead shot in air rifles, and adds dip nets	Allows additional frog gigs by not limiting them to a single row of tines, allows additional air rifles that don’t fire lead shot, and adds dip nets as a legal method to take frogs
312 IAC 9-5-7	Changes the common and scientific names of twenty-one (21) amphibians and reptiles	To comply with the latest taxonomic research in the 9 th publication of the Society for the Study of Reptiles and Amphibians
312 IAC 9-5-9	Removes the annual fee for a license in subsection (c). Changes the common and scientific name of the gray ratsnake to the central ratsnake, Pantherophis alleghaniensis	The fee was changed under a previous rulemaking and is now found in 312 IAC 1.5-4-18. The name of the gray ratsnake was changed to comply with the latest taxonomic research in the 9 th publication of the Society for the Study of Reptiles and Amphibians
312 IAC 9-10-11	Removes the prohibition in subsection (o) to be able to issue a permit for migratory birds such as Canada geese and mallard ducks	Eliminates the need for a separate migratory bird depredation permit to take migratory birds such as Canada geese and mallard ducks.
312 IAC 9-10-18	Removes the language that the permit only be available for state endangered species that are federally proposed or federally listed species and requires a habitat conservation plan only if the species is federally endangered. Also changes subsection (b) by eliminating the requirement for the department to provide information for the Habitat Conservation Plan and clarifies the information needed on an application	Businesses have requested a permit for state endangered species that are not federally listed and there is not a need to submit a Habitat Conservation Plan for species that are not federally endangered, since that is a federal permit requirement. The change in subsection (b) is needed to eliminate the requirement for the department to provide information for the habitat conservation plan to save staff time and clarify the information needed on an application since a habitat conservation plan won’t be required for all species
312 IAC 9-10-23	Repeals migratory bird depredation permit	Eliminates the need for businesses and individuals to get

		a permit to take a migratory bird that is causing damage or posing a health or safety threat except for endangered species, and this has been moved under the nuisance wild animal control permit in 312 IAC 9-10-11. This change also saves time for applicants and department staff by eliminating the need for a state permit in most cases. A federal permit would still be required under federal law for federally protected migratory birds.
312 IAC 9-10-25	Changes the timeframe for deer control permits to outside the season instead of ninety (90) days; specifies that the permit to take deer during the hunting season may only be issued for one hundred eighty (180) days instead of ninety (90) days; removes permit renewal option	Eliminates the need to renew or amend a permit during the growing season when permits are issued for only ninety (90) days. Also saves time for applicants (i.e. farmers) and department staff.
312 IAC 9-11-2	Removes the requirement that an animal be examined by a veterinarian within forty-five (45) days of receiving a permit and removes the language specifying the fee in subsection (g)	Eliminates this unnecessary burden and cost to the permit holder for the veterinarian's examination and potential for a violation.

Code Cite	Direct Effects	Indirect Effect	Fiscal Impact to the department	Business Impacts
312 IAC 9-1-5.5	Repeals the definition of "disability" to comply with the Americans with Disabilities Act and allow those who are disabled due to other factor such as age to be eligible for a permit	Allows those who are disabled due to age to be eligible for a special permit for disabled hunter in 312 IAC 9-10-10	Insignificant. May slightly increase the number of permits issued	None known. Only affects permits issued to individuals who are disabled.
312 IAC 9-1-7.5	Removes grouse from the list of birds	None known.	None known. There has not been a hunting	None known. This does not affect the

	considered to be a game bird in Indiana		season for grouse since 2020.	hunting, sale, or possession of grouse in Indiana.
312 IAC 9-1-9.7	Repeals the definition of “inland water” since it is already defined in IC 14-8-2-131.7	None known.	None known.	None known since the definition is still in state law.
312 IAC 9-1-13.2	Repeals the definition of “relaxing snare lock” since it is being combined with the definition of “snare lock”	None known.	None known.	None known since this definition is being combined with the definition of snare lock.
312 IAC 9-1-13.7	Combines the definition of “relaxing snare lock” with “snare lock.” The term of relaxing snare lock is needed for trappers to comply with requirements in 312 IAC 9-3-18.	None known.	None known since there are no changes to what is meant by relaxing snare lock.	None known. This does not change the definition or the requirements for a relaxing snare lock.
312 IAC 9-1-14.5	Clarifies what is meant by a “venomous reptile”, affecting the need for a permit and restrictions on the sale of venomous reptiles under 312 IAC 9-5-8 and 312 IAC 9-11-8	May reduce the number of wild animal possession permits that are needed to possess a venomous reptile.	Insignificant. May reduce the number of wild animal possession permits required for venomous snakes.	None known. Permits are issued to individuals to possess a venomous snake, and the snakes cannot be sold under 312 IAC 9-11-14.
312 IAC 9-3-3(d)(2) (governing handguns)	Allows deer hunters to use a handgun that has a longer barrel	May increase the use and sales of these handguns	Insignificant	Insignificant. May increase the sales of these handguns
312 IAC 9-3-3(d)(3) (governing muzzleloading long guns)	Allows deer hunters to use muzzleloaders that can be loaded from the breech end, both powder and bullet, in the muzzleloader season	May increase the use and sales of these muzzleloaders	Insignificant	May increase the sales of these muzzleloaders
312 IAC 9-3-3(d)(4) (governing rifles)	Allows deer hunters to use any rifles	May increase the use of	Insignificant	May increase the sales of

	allowed under IC 14-22-2-8 for deer hunting	additional rifles for deer hunting and sales of these rifles		rifles that have not been allowed in the past
312 IAC 9-3-4	Deer hunters will have more antlerless deer to harvest	Hunters will have more deer to harvest to help feed their families or donate to others, and deer processors may have more deer to process	Insignificant	Commercial deer processors may have more deer to process
312 IAC 9-3-18.5	Individuals will be able to take nine-banded armadillos at any time without a permit.	None known.	Insignificant	None known, although a business would not need a permit to take one that is causing damage
312 IAC 9-4-2	Clarifies permit requirements and federal law for migratory birds and provides an exemption from a state permit for migratory birds causing damage or posing a health or safety threat	None known	Insignificant	Allows business to have someone take Canada goose nests and eggs to be starting in January instead of March when they are causing a health or safety issue, which is already allowed under federal law. Removes requirement for state migratory bird permit if the person has a federal permit
312 IAC 9-4-7.1	Changes ending date for taking crows to February 28 to comply with federal law, so it removes	None known	Insignificant	None known. Crows cannot be sold.

	one day from the season on leap years			
312 IAC 9-4-14	Removed the Kirtland's warbler from the list of endangered species and make other technical changes to common and scientific names	None known	Insignificant	None known
312 IAC 9-5-4	Makes technical changes to the common names of several endangered species to comply with the current taxonomy in the 9 th publication of the Society for the Study of Reptiles and Amphibians	None known.	Insignificant	None known. These species already cannot be sold in Indiana.
312 IAC 9-5-6	Allows frog gigs other than those with a single row of tines, so it provides other options, allows air rifles to be used that use shot other than lead, and adds dipnets to the legal methods for taking frogs	May increase the number of game frogs taken or change the methods used by some individuals to take frogs	Insignificant	None known. Frogs taken from the wild cannot be sold in Indiana.
312 IAC 9-5-7	Corrects common and scientific names for native reptiles and amphibians to comply with current published taxonomy in the 9 th publication of the Society for the Study of Reptiles and Amphibians	May allow the possession of some ratsnakes that were previously under a different scientific name.	Insignificant	None known.
312 IAC 9-5-9	Removes the fee since that has been increased and is now in 312 IAC 1.5-4-18. Correct the scientific name of one species to comply with current taxonomy in	None known	Insignificant	None known.

	the 9 th publication of the Society for the Study of Reptiles and Amphibians			
312 IAC 9-10-11	Allows the taking of migratory birds under this permit	Removes the need for a separate permit for migratory birds that are causing damage or posing a health or safety threat	Insignificant	Insignificant. Allows businesses to only need one state permit to take nuisance wild animals, including migratory birds reducing time.
312 IAC 9-10-18	Allows businesses to obtain a limited take permit for state endangered species that are not federally threatened or endangered and removes the need for a habitat conservation plan	Businesses that accidentally take endangered species through their normal operations and are unable to avoid the taking of an endangered species	Insignificant	Businesses that accidentally take endangered species through their normal operations and are unable to avoid the take
312 IAC 9-10-23	Repeals the migratory bird depredation permit.	Eliminates the need for a separate state permit for taking migratory birds that are causing damage or posing a health or safety threat	Insignificant	Insignificant. Eliminates the need for business to get both a state and federal permit for migratory birds that are causing damage or posing a health or safety threat.
312 IAC 9-10-25	Allows deer control permits to be issued throughout the growing season instead of ninety (90) days	Reduces time spent for applicants to obtain permits or ask for an extension and for department staff to have to amend or issue as many permits	Insignificant	Insignificant. Reduces time spent requesting extensions or applying for new permits.

312 IAC 9-11-2	Eliminates the need for a wild animal to be examined by a veterinarian within 45 days of getting a permit and removes the fee since it has been changed and is now in 312 IAC 1.5-4-23.	Veterinarians may have to examine certain animals less often. The animal is still required to be examined by a veterinarian to renew the permit each year under 312 IAC 9-11-3	Insignificant	None known. Permits are issued to individuals, not businesses.
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V. Benefit Analysis

The direct and indirect effects of the proposed rule changes are described on pages one (1) through five (5) of this document in Sections I and IV.

The benefits of repealing the definition of “disability” in 312 IAC 9-1-5.5 is to allow additional hunters to be eligible for the special permit for disabled hunters to have special accommodations, regardless of whether it is due to age, illness, or injury under 312 IAC 9-10-10.

The benefit of the change in 312 IAC 9-1-9.7 is to eliminate unnecessary rules.

The benefit of the change in 312 IAC 9-1-13.2 is to eliminate confusion for trappers by having two definitions for snare locks.

The benefit of the change in 312 IAC 9-1-14.5 is to clarify the reptiles that are considered a “venomous reptile” for the purposes of clarifying permit requirements for venomous reptiles under 312 IAC 9-11-8.

The significant benefits in 312 IAC 9-3-3 are to deer hunters that will be able to use additional muzzleloaders during the muzzleloader season and comply with state law in IC 14-22-2-8 governing rifles used for deer hunting. Proposed changes also allow more antlerless deer to be taken in Fayette and Franklin Counties in future years since the deer population has recovered from EHD in those areas. Allowing additional handguns, muzzleloaders and rifles to take deer may result in more individuals hunting deer. An indirect benefit by allowing more antlerless deer to be harvested in Fayette and Franklin Counties could result in more hunters purchasing licenses as well as having more deer meat to feed their families and donate the others. These proposed changes could result in hunters purchasing new equipment and supplies to hunt deer, and deer processors having more deer to process.

The benefit of 312 IAC 9-3-18.5 is to change nine-banded armadillos to a native species and allow them to be taken from the wild by individuals other than landowners and tenants without a permit.

The benefits of the changes in 312 IAC 9-4-2 are to eliminate the need for an additional state permit to take migratory birds and waterfowl that are causing damage or posing a health or safety issue, saving money for businesses and others that have to currently get a state permit. Additional benefits clarify requirements for hunters.

The benefit of the change in 312 IAC 9-4-7.1 is to comply with federal law.

The benefit of the change in 312 IAC 9-4-14 is to eliminate unnecessary restrictions for construction or other activities as a result of the Kirtland's warbler being an endangered species and comply with the state law to review the list of endangered species under IC 14-22-34-11. The benefit of the change in 312 IAC 9-5-4 and 9-5-7 is to be consistent with terms used by herpetologists throughout the country.

The benefit of the change in 312 IAC 9-5-6 allows individuals to use additional equipment for taking frogs from the wild with additional frog gigs, allowing dip nets to take frogs, and eliminating the need to use lead shot.

The benefit of the change in 312 IAC 9-5-9 is to eliminate confusion from having a different name listed in this rule than is in 312 IAC 1.5-4-18 and being consistent with terms used by herpetologists for the snakes allowed under this license.

The benefit of the change in 312 IAC 9-10-11 is to eliminate the need for a separate permit to take a migratory bird that is causing damage or posing a health or safety threat, saving time and money by reducing administrative work for entities needing a permit for multiple species.

The benefit of the change in 312 IAC 9-10-18 is to allow state endangered species to be taken in a limited manner by businesses and reduce requirements when applying for the limited take permit, reducing the time needed to apply for the permit.

The benefit of the change in 312 IAC 9-10-25 is to deer control permit holders by reducing the need to request an amendment or apply for an additional permit after ninety (90) days.

The benefit of the change in 312 IAC 9-11-2 is to wild animal possession permit holders that will not need to take their animal to a veterinarian within forty-five (45) days of obtaining the permit, saving money to have the animal examined by a veterinarian and time needed to submit the paperwork to the department.

There are no changes or additions to fees, fines, or civil penalties.

a. Estimate of Primary and Direct Benefits of the Rule – The primary benefits of the proposed changes are to reduce regulations related to hunting and other interactions with wildlife and are outlined in Sections IV and V. Examples include:

- (1) allowing deer hunters to use additional muzzleloaders during the muzzleloader season;
- (2) allowing individual deer hunters to take more antlerless deer in Fayette and Franklin Counties;
- (3) reducing regulations for deer control permits, nuisance wild animal control permits, wild animal possession permits, and hunters with disability permits;
- (4) allowing businesses to take migratory birds without a state permit in some circumstances; and
- (5) providing more options to take frogs from the wild.

The direct and primary benefit of the change in 312 IAC 9-1-7.5 for the definition of "Game bird" is to clarify species that are included in the term. The direct benefit of the change in the definition of "snare lock" in 312 IAC 9-1-13.7 is to eliminate confusion regarding legal snare locks and reduce the number of rules. The direct benefit of the change in the definition of venomous reptile in 312 IAC 9-1-14.5 is to clarify and reduce permit requirements for venomous reptiles. A direct benefit of the proposed rule changes in 312 IAC 9-3-3 and 312 IAC 9-3-4 is to individual deer hunters who hunt deer with handguns, rifles and muzzleloaders, as well as deer hunters who hunt in Fayette and Franklin Counties. The direct benefit of the change in 312 IAC 9-3-18.5 is to allow nine-banded armadillos to be taken from the wild by individuals other than landowners or tenants and remove

them from the list of “exotic mammals.” The changes in 312 IAC 9-4-2 governing requirements for migratory birds and waterfowl are to clarify the federal law for season dates, hours, and equipment for hunting migratory birds and waterfowl, eliminate the need for a duplicative state permit when the entity already has a federal permit or authorization, and comply with state law regarding the resident youth license. The primary and direct benefit of the change in 312 IAC 9-4-7.1 governing the season for taking American crows is to comply with federal law. The primary and direct benefits of the changes in 312 IAC 9-4-14 governing endangered species of birds are to establish consistency with the names used by the American Ornithological Society to eliminate confusion with the species and remove the Kirtland’s warbler from the list of endangered species, which will reduce restrictions for construction in an area where they are found. The primary and direct benefit of the changes to the names of endangered species of reptiles and amphibians in 312 IAC 9-5-4 is to comply with taxonomic research in the 9th publication of the Society for the Study of Reptiles and Amphibians and reduce confusion for the species on the list. The primary and direct benefits of the proposed changes in 312 IAC 9-5-6 are to individuals who want to use additional frog gigs, use additional air rifles to take game frogs, and use dip nets to take frogs. The primary and direct benefit of the proposed changes in 312 IAC 9-5-7 is to comply with taxonomic research in the 9th publication of the Society for the Study of Reptiles and Amphibians and reduce confusion of the species on the list. The primary and direct benefits of the changes in 312 IAC 9-5-9 governing the reptile captive breeding license are to comply with the rule in 312 IAC 1.5-4-18 and reduce confusion regarding the fee as well as comply with taxonomic research in the 9th publication of the Society for the Study of Reptiles and Amphibians regarding the species listed in the rule. The primary and direct benefit of the change in 312 IAC 9-10-11 governing the nuisance wild animal control permit is to allow migratory birds to be taken under this permit. The primary and direct benefits of the changes in 312 IAC 9-10-18 governing limited take permits for state endangered species are to allow for additional species to be taken under this permit (species that are state endangered, but not federally endangered) and reduce the administrative burden to apply for the permit with the elimination of the requirement for a habitat conservation plan. The primary and direct benefits of the proposed rule change governing the deer control permit in 312 IAC 9-10-25 are to permit holders by reducing the need to renew or amend a permit every ninety (90) days and reduce administrative work by department staff to issue a renewal or amendment. The primary and direct benefit of the change in 312 IAC 9-11-2 is to eliminate an unnecessary burden and cost to permit holders for the veterinarian’s examination of the animal within forty-five (45) days of the issuance of a permit. The primary and direct benefit of repealing the definition of “disability” in 312 IAC 9-1-5.5 is to allow individuals that have a disability as the result of age to be eligible for a special permit for hunting under 312 IAC 9-10-10. The primary and direct benefit of repealing the migratory bird depredation permit rule in 312 IAC 9-10-23 is to eliminate the need for businesses and individuals to get a permit to take a migratory bird that is causing damage or posing a health or safety threat. The primary and direct benefit of repealing the definition of “Inland water” in 312 IAC 9-1-9.7 is to remove the duplication in administrative code since it is in IC 14-8-131.7. The primary and direct benefit of repealing the definition of “relaxing snare lock” in 312 IAC 9-1-13.7 is to combine information about snare locks into one (1) rule and eliminate confusion and another rule.

b. Estimate of Secondary or Indirect Benefits of the Rule - Indirect benefits of the proposed rule are to the department to maintain a healthy deer population and have deer hunters who regularly purchase licenses to hunt deer, providing revenue for the department. Deer hunters also purchase rifles, muzzleloaders, ammunition, gas, and food, positively affecting nearby businesses that provide these goods and services. There may be an increase in fuel, food, and lodging revenue for nearby businesses by allowing hunters to take more deer in Franklin and Fayette Counties, as well as more business for local deer processors. Also, there is an indirect effect on commercial deer processors who may be impacted by having more deer to process in Fayette and Franklin counties.

c. Estimate of Any Cost Savings to Regulated Industries – There will be some cost savings for regulated industries from the proposed rule changes. There are fewer compliance costs to take migratory birds that are causing damage by exempting the entity from needing a state permit if they have a federal depredation permit under 312 IAC 9-4-2(u). This will result in a savings of approximately twenty-five dollars (\$25) each year for one (1) hour of time to complete and submit the required documents. With thirty (30) applicants each year, this is a cost savings of approximately seven hundred fifty dollars (\$750) each year. The limited take permit for endangered species has fewer compliance costs by removing the requirement of a habitat conservation plan, reducing the amount of time and compliance costs to obtain the permit by approximately two hundred dollars (\$200) every five (5) years. The department estimated one (1) permit each year. However, the habitat conservation plan is still required by the U.S. Fish and Wildlife Service for a federal incidental take permit to take federally listed species. Deer control permit holders will have fewer compliance costs by not needing to request an amendment or extension to their permit during the growing season; this will save them approximately twenty dollars (\$20) each year. There are approximately four hundred (400) permit holders each year, times fifty dollars (\$50) in labor, equals a savings of twenty thousand dollars (\$20,000) each year. There are fewer compliance costs with the change in 312 IAC 9-11-2 since an individual will not need to have the animal examined by a licensed veterinarian within forty-five (45) days of obtaining a wild animal possession permit and submitting the paperwork to the department. This will save the applicant approximately one hundred dollars (\$100) in the year the permit is obtained. With two hundred ninety (290) new permit holders, this is an annual cost savings of twenty-nine thousand dollars (\$29,000). Total annual compliance savings resulting from the rules are an average of approximately forty-nine thousand nine hundred fifty dollars (\$49,950) each year.

VI. Cost Analysis

Compliance costs are not increased. There will be no additional money to pay based on the proposed rule changes. The proposed rule changes do not require individuals or businesses to change behaviors. The changes should not require regulated entities to purchase new equipment or software, dedicate additional time to completing tasks, hire workers, complete new trainings, establish new procedures, provide additional information, or take additional actions. Costs have not increased; indeed, they should decrease for the reasons provided above. The regulations should not make it more difficult to enter the market, and do not increase the price of goods.

a. Estimate of Compliance Costs for Regulated Entities – There are no new compliance costs for regulated entities or businesses to comply with the proposed rule changes, See Section V above.

b. Estimate of Administrative Expenses Imposed by the Rules – There are fewer administrative expenses to regulated parties as a result of these rule changes as described in Section IV (b). There are no additional administrative expenses to comply with the requirements in these rules. There are no legal, consulting, reporting, or accounting fees imposed by the requirements of these rules.

c. The fees, fines, and civil penalties analysis required by IC 4-22-2-19.6 – The proposed rule changes do not add or change a fee, fine, or civil penalty so an analysis is not required under IC 4-22-2-19.6.

d. If the implementation costs of the proposed rule are expected to exceed the threshold set in IC 4-22-2-22.7(c)(6) – The proposed rule changes do not have implementation or compliance costs

that are expected to be at least one million dollars (\$1,000,000) over any two (2) year period for businesses, units, or individuals. Any costs associated with the proposed rule are expected to be well below the threshold set in IC 4-22-2-22.7(c)(6).

VII. Sources of Information

a. Independent Verifications or Studies - The number of deer hunters was obtained from the number of deer harvested in Fayette and Franklin Counties and number of licenses sold. The number of deer control permit holders and wild animal possession permit holders was obtained from the department's database of permit holders.

The initial testing which resulted in the detection of EHD in the deer in the state was performed by the Southeastern Cooperative Wildlife Disease Study in Athens, Georgia.

b. Sources Relied Upon in Determining and Calculating Costs and Benefits – The benefits and costs of the proposed rule changes were obtained from staff of the division of fish and wildlife.

VIII. Regulatory Analysis

Compliance and implementation costs for regulated entities and the department are as follows:

- Eliminating the need for the state migratory bird depredation permit in 312 IAC 9-10-23: reduction of one (1) hour of time each year for an annual cost of approximately twenty-five dollars (\$25) each year multiplied by 30 permit holders = \$750
- Eliminating the need for a habitat conservation plan in 312 IAC 9-10-18. However, it will likely take approximately two (2) hours to apply for the permit. The permit is required only once every five (5) years, costing approximately two hundred dollars (\$200) every five (5) years to submit the application. The DNR estimates one permit applicant per year, so the total savings is \$200 per year.
- Eliminating the need for an extension for a deer control permit by removing the 90-day timeframe in 312 IAC 9-10-25: average cost of one (1) hour of time to apply for the permit and submit the required report, costing approximately fifty dollars (\$50) in labor costs each year if a person applies for and obtains a permit. The applicant will have fewer costs than in the past since they will not need to request an amendment or extension to their permit during the growing season. There are approximately 400 permit holders each year multiplied by \$50 in labor means a savings of \$20,000.00
- Eliminating the need for the animal examined by a licensed veterinarian within forty-five (45) days of obtaining a wild animal possession permit and submitting the paperwork to the department under 312 IAC 9-11-2 11-2. There are approximately two hundred ninety new permits each year, and with an estimated veterinarian cost of \$100 per animal, the cost savings is \$29,000.
- There are no new costs for regulated entities.
- The costs for the DNR are estimated at \$596 the first year the rules are in effect.
- Therefore, a total cost savings for permit holders of \$49,950 (adding up all of the cost savings listed above), minus the costs to the DNR of \$596, with a total benefit of \$49,354. Therefore, the benefits outweigh the costs.

This amount includes compliance costs for regulated entities and the administrative work required of the department regarding: (1) updating the department's website and Hunting & Trapping Guidebook; (2) notifying deer hunters and permit holders; and (3) sending news releases and

electronic newsletters. Notifying hunters and permit holders will be done by regular mail in the normal course of business with permit renewals or via email. No other agency, federal, state, or local should be affected. The benefits of the proposed rule will preserve the deer population in Indiana, which will outweigh the harm of a significantly reduced deer population in future hunting seasons. The benefits are also to reduced administrative work for the department by removing a state permit requirement for migratory birds that are causing damage when the person has a federal permit and removing the need for an extension or permit amendment for a deer control permit during the growing season. The benefits outweigh costs associated with the rules.

IX. Contact Information of Staff to Answer Substantive Questions

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