



Occupational Licensing Review

Board Questionnaire

Board Name ODNR - Division of Wildlife

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Describe the board's primary purpose and its various goals and objectives

ODNR ensures a balance between wise use and protection of our natural resources for the benefit of all. The Division of Wildlife mission is to conserve and improve fish and wildlife resources and their habitats for sustainable use and appreciation by all.

The Division manages or cooperates in managing over three-quarters of a million acres of diverse wildlife lands throughout the state, plus more than 2 1/4 million acres of water. On the basis of biological data and public input, it issues regulations that supplement long-term statutes to protect wildlife and to provide the public with opportunities to benefit from wildlife for recreational, scientific, and other purposes.

The Division of Wildlife is a direct descendant of the Ohio Fish Commission, which was created by the General Assembly in 1873 to deal with declining fish populations in Ohio's inland lakes and streams. In 1949 the Division was joined with other state conservation agencies under the mantle of the newly created Department of Natural Resources. By that time the original Fish Commission's duties had expanded to include law enforcement, fish and wildlife management, propagation, research, stream improvement, and pollution investigation. Its mission was broadened in 1973 by the statutory addition of several hundred more species of wild animals to its care, and two years later by the legal mandate to identify, manage, and protect all endangered species in Ohio.

From the Division of Wildlife Strategic Plan:

Vision for the Future

- Our healthy ecosystems support thriving fish and wildlife populations for all to enjoy.
- We are recognized as the authority on all fish and wildlife-related issues in Ohio through science-based management with strong support from sportsmen and women, fish and wildlife enthusiasts, and conservation partners.
- We receive stable funding through multiple sources representing all who value fish and wildlife conservation.
- Our agency is comprised of highly qualified, well trained, and dedicated staff that understands and respects Ohio's fish and wildlife heritage and seeks to build upon it to create a better future.

Core Values

- Input from constituents and open lines of communication with the public are essential.
- Fish and wildlife recreation is socially and economically important to Ohio.
- Sustainable consumptive use of fish and wildlife through hunting, fishing, and trapping is at the heart of effective conservation.
- Fish and wildlife management must be based on the best available science.
- Partnerships are necessary for effective fish and wildlife conservation.
- Conservation is our priority when managing lands and waters.
- The right to own and use firearms is essential to continue our hunting and shooting sports traditions.
- A dedicated and professional workforce is key to achieving long-term success.
- Effective fish and wildlife conservation requires integration of a unified wildlife agency (i.e., one that effectively works across agency organizational units, districts and groups).
- Diverse fish and wildlife populations benefit everyone.
- Providing quality customer service is critical to achieving our mission.
- Diverse and dedicated funding is necessary for fish and wildlife conservation.
- Fiscal responsibility is crucial to the future of Ohio's fish and wildlife management.

Fundamental Goals of our Five Cornerstones of Conservation:

- Stewardship. Foster healthy ecosystems for the benefit of fish and wildlife.
- Opportunities. Improve opportunities for fish and wildlife recreation.
- Connections. Create, expand, and improve public awareness, understanding and appreciation of Ohio's fish and wildlife.
- Traditions. Preserve and promote Ohio's tradition of conservation.
- Excellence. Maintain effective and professional agency operations.

Describe and identify the board's past and anticipated workload, number of staff required to complete workload, and total number of staff

Division of Wildlife projects are carried out by a team of nearly 400 trained personnel.

Staff oversee hatcheries that produce more than 40 million fish that are stocked in Ohio's public waterways annually. They manage habitats that have generated record harvests in deer and walleye in recent years. Populations of bald eagles and peregrine falcons have rebounded, bringing these and other species back from the brink of extinction, ensuring their place among Ohio's rich diversity of wildlife.

Native wildlife species continue to be stressed by non-native invasive species. Because of international commerce on Lake Erie and its variety of habitats, this region is particularly vulnerable to invasions. Staff will continue to engage in science-based stewardship projects and management that foster healthy ecosystems for the benefit of fish, wildlife and Ohioans.

Licenses that the division oversees:

PERMIT/LICENSE	ORC	Federal Requirement
Aquaculture	1533.632	
Bait Dealer	1533.40	
Captive White-tailed deer	1533.71	
Commercial Bird Shooting Preserve	1533.72	
Dog Training Grounds	1533.19	
Falconry	1533.05	Yes
Fur Dealer-resident	1533.23	
Fur Dealer - nonresident	1533.23	
Ginseng Dealer	1533.88	Yes
Nuisance Wild Animal Control Operator	1531.40	
Lake Erie Fishing Guide	1533.51	
Wild Animal Collecting	1533.08	
Wild Animal Propagation-commercial	1533.71	
Wild Animal Propagation - noncommercial	1533.71	
Wild Animal Rehabilitation	1533.08	
Wild Animal Hunting Preserve	1533.72	
Fish Wholesale Permit	1533.63	
Fish Transportation Permit	1533.30	
Raptor propagation Permit	1533.05	Yes
Field Trial Club Permit	1533.19	
Commercial Fishing License - trap net	1533.35	
Commercial Fishing - seine	1533.35	
Commercial Fishing - carp net	1533.35	
Commercial Fishing - trotline	1533.35	
Experimental Fishing Device	1533.35	
Tag Fishing Tournament Permit	1533.92	

Hunter Education Instructor and Trapper Education Instructor are not issued licenses.

Describe and identify the board's past and anticipated budgets and its sources of funding

Division of Wildlife programs and projects are primarily supported by license fees, permits for hunting, fishing and trapping in Ohio and federal aid (Sport Fish Restoration (Dingell-Johnson Act) and Wildlife Restoration (Pittman-Robertson Act)). The balance of support, about 10%, is derived from fines, donations to the Wildlife Diversity Fund, motor vehicle fuel tax and other sources, including less than \$2 M per year from the General Revenue Fund.

Identify the number of members of its governing board or other governing entity and their compensation, if any

The DOW Wildlife Council is established in ORC 1531.03 which states in-part, "There is hereby created within the department of natural resources a division of wildlife and a wildlife council. The council shall have eight members, not more than four of whom shall be of the same political party, who shall be appointed by the governor with the advice and consent of the senate and shall be persons interested in the conservation of the natural resources of the state. At least two of the eight members shall be engaged in farming as their principal means of support. Terms of office shall be for four years, commencing on the first day of February and ending on the thirty-first day of January. ...

The council shall hold at least four regular quarterly meetings each year. Special meetings may be held at the behest of the chairman or a majority of the members. The council shall annually select from among its members a chairman, a vice-chairman, and a secretary to keep a record of its proceedings.

All division rules relating to establishment of seasons, bag limits, size, species, method of taking, and possession shall be adopted only upon approval of the wildlife council. The wildlife council shall not approve or disapprove such rules prior to fifteen days following a public hearing held upon the rules in accordance with Chapter 119. of the Revised Code. "

The wildlife council shall do all of the following:

(A) Be represented by not less than three of its members at all public hearings held pursuant to Chapter 119. of the Revised Code for the purpose of establishment of seasons, bag limits, size, species, methods of taking, and possession;

(B) Advise on policies of the division and the planning, development, and institution of programs and policies of the division;

(C) Investigate, consider, and make recommendations in all matters pertaining to the protection, preservation, propagation, possession, and management of wild animals throughout the state, as provided in this chapter and Chapter 1533. of the Revised Code;

(D) Report to the governor from time to time the results of its investigations concerning the wildlife resources of the state with recommendations of such measures as it considers necessary or suitable to conserve or develop those resources and preserve them as far as practicable.

The members of the wildlife council shall receive no compensation for their services, but shall be paid the actual and necessary expenses incurred in the performance of their official duties.

Is the preservation of the board necessary to protect the public's health, safety, or welfare? If so, is the authority of the board narrowly tailored to protect the public's health against present, recognizable, and significant harms to the public's health safety and welfare?

Yes. The Division of Wildlife is necessary to protect the balance of fish, wildlife and habitats for public use and enjoyment while keeping Ohio's natural resources from becoming scarce.

Could the public be protected or served in an alternate or less restrictive manner?

No.

Does the board serve a specific private interest?

No.

Are the board's rules consistent with the legislative mandate expressed in the statutes that created and empowered the board?

Yes, The DOW and the Wildlife Council conduct all programs, activities and establish regulations that are consistent with the legislative mandates that are expressed in the following statutes;

1531.02 State ownership of and title to wild animals - prohibited activities.

1531.03 Division of wildlife - wildlife council.

1531.04 Division of wildlife - powers and duties.

1531.06 Chief of division - powers and duties.

1531.08 Chief of division - powers and authority regarding wild animals.

1531.10 Publication of rules.

Further, "The ownership of and the title to all wild animals in this state, not legally confined or held by private ownership legally acquired, is in the state, which holds such title in trust for the benefit of all the people." Additionally, "In conformity with Section 36 of Article II, Ohio Constitution, providing for the passage of laws for the conservation of the natural resources of the state, including streams, lakes, submerged lands, and swamplands, and in conformity with this chapter and Chapter 1533. of the Revised Code, the chief of the division of wildlife has authority and control in all matters pertaining to the protection, preservation, propagation, possession, and management of wild animals and may adopt rules under section 1531.10 of the Revised Code for the management of wild animals."

If applicable, please identify any licenses or functions of the board that could be eliminated or consolidated

Describe the extent to which the board's jurisdiction and programs overlap or duplicate those of other boards, the extent to which the board coordinates with those other boards, and the extent to which the board's programs could be consolidated with the programs of other state departments or boards.

There is no overlap with other boards.

How many other states regulate the occupation or occupations under the board's jurisdiction? Is a license required to engage in that occupation or those occupations in other states? Are the initial licensing and license renewal requirements for the occupation or occupations substantially equivalent in every state? How does the amount of regulation exercised by the board compare to the regulation of the occupation or occupations, if any, in other states?

A total of 50 states do so through conservation agencies established during the same era as the Division of Wildlife. These agencies have similar missions, most are funded in a similar manor, and in general they operate in very similar ways. The Ohio Division of Wildlife is considered mainstream among these conservation agencies.

Would significant changes in the board's rules prevent an individual licensed in Ohio from practicing, or allow an individual licensed in Ohio to practice, the same occupation in another jurisdiction without obtaining an occupational license for that occupation in that other jurisdiction?

No. Licenses to fish, hunt and trap are specific to states of residency, thereby licenses are categorized as resident and non-resident within a specific state.

Does the board recognize national uniform licensure requirements for one or more occupations under the board's jurisdiction?

None are required for fishing licenses; however, a hunting license requires proof of hunter education, and a trapping (fur taker) permit requires proof of trapper education.

Could private contractors be used, in an effective and efficient manner, either to assist the board in the performance of its duties or to perform these duties instead of the board?

Yes. Contractors are frequently used on a project-specific basis, particularly for capital improvement projects, maintenance, and some services, data collection and research.

Has the operation of the board inhibited economic growth, reduced efficiency, or increased the cost of government?

The Division of Wildlife has not inhibited economic growth, reduced efficiency, or increased the cost of government. It has received a very small amount of annual revenue from the General Revenue Fund and this has not changed through time.

Describe the authority of the board regarding fees, inspections, enforcement, and penalties.

Allowing for few exceptions, the General Assembly establishes the vast majority of the fees for license, permits and stamps that are required by statute and issued by the DOW. The DOW chief, with the approval of the ODNR director, and Wildlife Council may establish user fees for the use of special public facilities or participation in special activities on lands and waters administered by the division. The special facilities and activities may include hunting or fishing on special designated public lands and waters intensively managed or stocked with artificially propagated game birds or fish, field trial facilities, wildlife nature centers, firearm ranges, boat mooring facilities, camping sites, and other similar special facilities and activities. The chief shall determine whether the user fees are refundable and shall ensure that that information is provided at the time the user fees are paid. Additionally, the DOW chief, with the approval of the ODNR director, may enter into lease agreements for rental of concessions or other special projects situated on state-owned or leased lands or waters or other property under the division's control. The chief shall set and collect the fees for concession rentals or other special projects; regulate through contracts between the division and concessionaires the sale of tangible objects at concessions or other special projects; and keep a record of all such fee payments showing the amount received, from whom received, and for what purpose the fee was collected.

The DOW has statutory authority to conduct both administrative and regulatory inspections of individuals and business that are subject to the regulations under the DOW's jurisdiction.

The DOW may "Enforce by proper legal action or proceeding the laws of the state and division rules for the protection, preservation, propagation, and management of wild animals and sanctuaries and refuges for the propagation of those wild animals, and adopt and carry into effect such measures as it considers necessary in the performance of its duties;" as provided for in ORC 1531.04 Division of Wildlife - powers and duties. Additional enforcement authority is provided for in ORC 1531.13 Wildlife officers, 1531.131 Enforcing dumping prohibitions and nature preserve and trail rules., and 1531.14 Right of entry on land for research or investigation.

Penalties for criminal violations are provided for in ORC 1531.99 and 1533.99. These are established by the General Assembly and are mostly misdemeanor of the fourth degree. However, some violations carry misdemeanor of the third, or first degree penalties. All licenses and permits that are issued by the DOW are subject to suspension or revocation as an operation of law, as imposed by a court or magistrate as an additional part of the penalty, or as ordered by the chief of the DOW.

Describe the extent to which the board has permitted qualified applicants to serve the public.

The Division of Wildlife offers the following permits associated with service to the public: aquaculture; commercial bird shooting preserves; fur dealer; ginseng; Lake Erie fishing guide; wild animal collection; wild animal hunting preserve; wild animal propagation; wildlife rehabilitation and others.

Describe the extent to which the board has permitted individuals to practice elements of the occupation without a license.

Exceptions for individuals to participate in hunting, fishing or trapping are found in ORC 1533.12 Hunting, fishing or trapping without a license or permit. Additionally, the establishing of "free fishing days", landowner and tenant license exemptions, and the waiving of user fees are processes available to individuals to participate in activities with out the need for a specific license.

Nuisance trappers employed by a city or local government agency are exempt from a commercial nuisance wild animal control operator's license when operating on that governments property.

Assess the cost-effectiveness of the board in terms of number of employees, services rendered, and administrative costs incurred, both past and present.

The Division of Wildlife (DOW) maintains a staff of approximately 400 full-time employees to provide services identified in the agency Strategic Plan as functions associated with core functions of managing fish and wildlife support through law enforcement, information and education, and administration. Expenses attributed to administration ranged 3-6% of total expenditures during 1998-2018 based on annual financial reports.

The DOW uses a formal business process, the Comprehensive Management System (CMS), to plan, implement and monitor all work, and communicate "how we make decisions and do business." In 1986, the DOW initiated development and practical application of the CMS as a four-part system which consists of: 1) inventory and scanning; 2) strategic and tactical plans; 3) operational plan; and, 4) control and evaluation. These components are independent, yet linked, because each informs and influences the others in a continuous cycle to answer four important questions (Figure 1). Gathering public input and formal public process are an important parts of this model. Public input is incorporated into each of the four components in varying ways and degrees.

The DOW also uses the CMS as a structured framework to communicate with the US Fish and Wildlife Service (USFWS). The USFWS administers key federal aid programs including Wildlife and Sport Fish Restoration grants and monitors environmental review compliance. The CMS option, initiated by the DOW in 1986, has allowed the USFWS to endorse and approve the management system (CMS) rather than endorse and approve each individual project. This approach has created program efficiencies by reducing USFWS oversight of individual projects, but requires the maintenance of the process by the USFWS and DOW. The DOW fully describes the process in the CMS Manual (ODNR 2011).

The Table of Organization distributes staff in organizational units, referred to as "org-units", that are field and office-based. They include administrative units for groups in the five districts, the program groups, research units, fish hatcheries and other non-district offices. For example, the Fish Management and Research Group has 16 org-units to distribute work among staff that include: central office administration (1 org-unit); stream conservation (1 org-unit); research (3 org-units); district fisheries management (5 org-units); and fish hatcheries (6 org-units). Following the matrix structure, group administrators provide program direction to their respective groups and staffing in the districts. Ideally, group administrators, program administrators, district managers and their staffs collaboratively develop projects to support programs implemented through a combination of group and district staff members. District managers oversee daily operations within their district and supervise district org-unit supervisors across program areas of fish, wildlife, law enforcement, information and education and business staff.

DOW management of revenue, expenditures and a cash balance differs in key aspects from approaches used by state agencies that rely on annual appropriations of general revenue funds (GRF) and capital dollars. The General Assembly provides GRF that supports less than 0.5% of the DOW annual budget and, historically, capital appropriations to the DOW provide spending authority rather than financial support. Sportsmen and other conservation-minded citizens support the DOW through a "user-pay/user-benefit" program. Revenue is derived primarily from sales of fishing and hunting licenses, specialty permits, stamps and federal aid grants.

Generation of agency-supporting revenue from these sources throughout the year, as opposed to an appropriation of GRF at the beginning of the year, necessitates a cash balance to address cash flow. Accumulation and maintenance of a cash balance is essential to meet bi-weekly payroll, use federal grants that require upfront spending, and proceed on capital improvement and land opportunities. The DOW is distinguished from most other state agencies as a result of this need.

Ohio uses the State of Ohio Enterprise Business Intelligence (BI) service for financial reporting, data visualization, enterprise data warehousing, predictive analytics and decision-support solutions for all state agencies, including ODNR. The annual DOW budget is developed and tracked through a combination of the Operational Plan, Ohio Administrative Knowledge System, State of Ohio Payroll Projection System (SOPPS) and Time Accounting and Reporting System (TARS). These databases and applications are the sources of annual financial reports.

The greatest portion of the total DOW budget, both revenue and expenditures, reside in the Wildlife Fund (Fund 7015). The Wildlife Fund is the primary DOW funding source and supports nearly all payroll expenses and 67% of operating expenses each year. This represents about 90% of the annual operating budget. The DOW leverages 13 funds, of which 10 are exclusive to the DOW and included in the annual operational budget and three are shared within ODNR and serve as rotaries, holding funds or for use in contract negotiations.

Has the board's operation been impeded or enhanced by existing statutes and procedures and by budgetary, resource, and personnel practices?

Procedures and statutes associated with engineering, construction, information technology and procurement (purchasing) create delays and increase expenses associated with providing constituent service.

Has the board recommended statutory changes to the general assembly that would benefit the public as opposed to the persons regulated by the board, if any, and have those recommendations and other policies been adopted and implemented?

The 132nd General Assembly enacted HB 49 and SB 257 which both contained changes to the DOW hunting and fishing licensing structure. These changes provided for flexibility in the type, length and price structure of the licenses. The DOW is implementing these changes and providing the public the opportunity to garner the benefits of the new license structure.

Has the board required any persons it regulates to report to it the impact of board rules and decisions on the public as they affect service costs and service delivery?

The Division of Wildlife seeks public input through public involvement processes associated with changes or monitoring of Ohio Revised Code, Ohio Administrative Code, and delivery of service and programs.

The DOW regularly communicates with all businesses that are subject to the agency's regulations. All rule changes are subject to review by the Common Sense Initiative Office, if applicable.

Are persons regulated by the board, if any, required to assess problems in their business operations that affect the public?

No.

Has the board encouraged public participation in its rule-making and decision-making?

Yes. The DOW works with sportsmen's groups, hunters, anglers and other stakeholders to encourage feedback on rule-making and decision making processes. The DOW annually hosts open houses at district offices to solicit public comment. The DOW also utilizes the ODNR public website to solicit public comment on proposed new rules, rule changes and permits. The DOW also takes public comment through the Wildlife Council. The DOW regularly communicates with all businesses that are subject to the agency's regulations. All rule changes are subject to review by the Common Sense Initiative Office, if applicable.

Assess the efficiency with which formal public complaints filed with the board have been processed to completion.

Public complaints are typically addressed expediently at the direction of the chief or assistant chiefs. When such complaints are associated with human resources (personnel), ODNR Human Resources becomes involved as well.

Has the purpose for which the board was created been fulfilled? Has it changed? Does it still exist?

Yes. It has changed slightly over the years, but it remains highly relevant.

Ohio citizens created its first conservation agency in response to similar declines in once-abundant fish and wildlife, which resulted from commercial overexploitation and habitat loss due to land conversion following settlement of the 18th Century's western frontier. Ohio established statehood by 1803 and in less than a half century later the construction of roads, canals, and other development led to rapid expansion of the population to nearly 2 million people. By 1883, Ohio's 24 million acres of hardwood forest had been reduced to 4 million acres and by 1885 the Great Black Swamp, a wetland in Northwestern Ohio that was twice the size of Rhode Island, had been largely ditched and drained for agriculture. Once-abundant populations of moose, black bear, elk, bison, mountain lion, gray wolf, bobcat and river otter were either gone or greatly diminished. By 1904, white-tailed deer were extirpated (Gilfillan et al. 1990). Commercial fisheries overexploited resources in Lake Erie and inland waters and, combined with loss of aquatic habitat, resulted in similar reductions in native fish populations that prompted creation of the Ohio Fish Commission in 1873 (Gilfillan et al. 1990).

Establishment of the Ohio Fish Commission and passage of laws protecting fish and wildlife, combined with conservation law enforcement during the second half of the 19th Century, led to the creation of the Ohio Commission of Fish and Game. In 1913, the governor abolished the Commission and reorganized it as a Division of Fish and Game within the newly-created Agricultural Commission. Following these events, sportsmen sought to establish a Department of Conservation with a director represented on the governor's cabinet. Instead, in 1929 the General Assembly replaced the Division of Fish and Game with the Division of Conservation and established an eight-member nonpartisan Conservation Council with four Democrat and four Republican appointees. During 1939, the General Assembly reorganized the agency to establish the Division of Conservation and Natural Resources that included the Natural Resources Commission and a Commissioner within the Department of Agriculture. Ten years later the legislature established the ODNR and the Natural Resources Commission became the DOW, one of the seven charter divisions within ODNR. The former commission then became the Ohio Wildlife Council (Gilfillan et al. 1990).

Today, the DOW retains broad statutory authority to manage and protect fish and wildlife statewide and the Ohio Wildlife Council retains its role in oversight and governance via ORC 1531.03. Throughout its first 100 years, the DOW focused efforts on fish and wildlife pursued by anglers, hunters and trappers. When the US Congress passed the Clean Water Act in 1972 (USEPA 2018) and Endangered Species Act in 1973 (USFWS 2018c) responsibilities broadened to include habitat protection and management of threatened and endangered species, which expanded the mission and public perception of the DOW. Anglers, hunters and trappers continue to fund more than 90% of the DOW mission. However, the DOW increasingly commits sportsmen's dollars to wildlife watching, environmental review, human-wildlife conflict, captive wildlife issues, disease monitoring and surveillance, reptile and amphibian possession and trade, ginseng certification, dam safety, and activities aimed at producing other public benefits.

Current agency challenges prominently reside at the interface of managing people, wildlife and habitat and public choices about fish and wildlife. People increasingly live in urban or suburban environments, as opposed to rural areas, and thus are less connected to the natural world. Overall perspectives of fish and wildlife are less consumption-oriented than in the past. Animal welfare and animal rights groups increasingly oppose use of fish and wildlife, consumptive or otherwise, and at times their views are in direct conflict with certain types of resource management practices. Views of future generations may continue to change and diversify as children experience different and fewer outdoor experiences than in the past in what has been referred to as "nature deficit disorder" (Louv 2008). Fish and wildlife are directly influenced by diseases and exotic and invasive species that can compromise native populations and their habitats, and are not readily controlled or eliminated. Likewise, chemical pesticides and fertilizers used for a variety of purposes (e.g., agriculture, landscaping, residential lawn care, disease control, etc.) promote and exacerbate landscape-level impacts such as harmful algal blooms, bee colony collapse disorder, and universal concerns such as climate change. These challenges compromise effective conservation activities and the public benefits derived from fish and wildlife.

Does federal law require that the board be renewed in some form?

No.

Assess the administrative hearing process of a board if the board has an administrative hearing process, and whether or not the hearing process is consistent with due process rights.

The Division of Wildlife follows the Chapter 119 process for promulgation of changes in Ohio Administrative Code. Due process rights are not applicable to this process.

Is the requirement for the occupational license or licenses under the board's jurisdiction consistent with the policies expressed in section 4798.02 of the Revised Code? Does the license serve a meaningful, defined public interest? Does it provide the least restrictive form of regulation that adequately protects the public interest?

Yes, Licenses and permits issued by the DOW support services provided to license holders and all Ohioans. These licenses and permits are minimally restrictive and are a means of:

- * benefiting all wild animals
- * fish or game management, preservation, propagation, and protection
- * public fishing and hunting grounds protection
- * flora and fauna preservation
- * the protection of state-owned or leased lands and waters and property under the control of the DOW

Assess the extent to which licensing ensures that practitioners have occupational skill sets or competencies that are substantially related to protecting consumers from present, significant, and substantiated harms that threaten public health, safety, or welfare, and the impact that those criteria have on applicants for a license, particularly those with moderate or low incomes, seeking to enter the occupation or profession.

A person serving as a fishing guide in the Lake Erie fishing district must have a Ohio fishing guide license from the DOW. Additionally, any individual operating on Lake Erie as an Ohio fishing guide must have valid US Coast Guard charter boat captain's license. Licenses are required in order to legally carry passengers for hire. This includes charters for fishing which is considered a "passenger for hire" situation. All USCG licenses must be renewed every 5 years and requirements include an application, a physical and an approved drug test.

A person or businesses that provides Commercial Nuisance Wild Animal Control services must be licensed. Individuals performing Nuisance Wild Animal Control for hire under the authority of the licenses must review the Nuisance Wild Animal Control Certification Manual and complete and pass an online test to be certified.

Assess the extent to which the requirement for the occupational license stimulates or restricts competition, affects consumer choice, and affects the cost of services.

Competitive products (e.g., pay lakes, private hunting clubs, privately run shooting ranges) are consistently more expensive to consumers than similar offerings from the Division of Wildlife. However, these products offer different recreational fishing or hunting experiences that can appeal to specific segments of society.

Are changes needed in the enabling laws of the board in order for it to comply with the criteria suggested by the considerations listed in this questionnaire?

Adjustments in Ohio Revised Code and Ohio Administrative Code are a common practice in the management of fish and wildlife resources. These are based on management at the nexus of people, wildlife and habitat required to provide sustainable fish and wildlife populations for the benefit of all citizens.

Additional Notes