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**TITLE 312 NATURAL RESOURCES COMMISSION**

**Emergency Rule**  
LSA Document #06-447(E)

DIGEST

Temporarily amends [312 IAC 18-3](#) to regulate Hydrilla (*Hydrilla verticillata*) as a pest or pathogen. Effective September 29, 2006.

**SECTION 1. (a) Hydrilla (*Hydrilla verticillata*) is an exotic weed that has infested lakes, rivers and other waterways in Indiana.**

**(b) Hydrilla is a pest or pathogen regulated under this SECTION. This regulation applies to any part or life stage of Hydrilla.**

**(c) Except as provided in subsection (e), a person must not:**

**(1) Possess, sell, offer for sale, gift, barter, exchange, or distribute Hydrilla.**

**(2) Allow Hydrilla to infest any:**

- (A) lake;**
- (B) river;**
- (C) pond;**
- (D) outdoor water garden; or**
- (E) waterway.**

**(3) Transport Hydrilla on or within any:**

- (A) boat;**
- (B) trailer;**
- (C) motor vehicle;**
- (D) bait bucket;**
- (E) fishing gear;**
- (F) creel;**
- (G) tackle;**
- (H) tackle box; or**
- (I) other aquatic appurtenance.**

**(d) A person who owns property that is infested with Hydrilla must take lawful efforts to eliminate the species.**

**(e) Exempted from this SECTION are the following:**

**(1) A person who possesses Hydrilla under a permit issued by the state entomologist for scientific research, a contained use, or education.**

**(2) A person engaged in a project approved by the state entomologist for the destruction of Hydrilla.**

**(f) Any lake, river, or other waterway in which Hydrilla is located is regulated to prevent the dissemination of Hydrilla to other waterways.**

**(g) A person who discovers Hydrilla in a lake, river, or other waterway must report the discovery to a department conservation officer or at the following address:**

**Department of Natural Resources  
Division of Fish and Wildlife  
Aquatic Nuisance Species Coordinator  
402 West Washington, Room W-273  
Indianapolis, IN 46204**

**(h) The report required under subsection (g) must include each of the following:**

- (1) A sample that is sufficient for verification.**
- (2) The location where the sample was taken, including the name of the county and the waterway.**
- (3) The date on which the sample was taken.**

**(i) After preliminary review of a sample submitted under subsection (h), the department may forward the sample to an expert identifier for confirmation.**

**(j) The state entomologist or his designee may issue a compliance agreement to establish the means by which a person achieves compliance with this document.**

**(k) The state entomologist may issue a permit to a qualified applicant to engage in scientific research, a contained use, or education. If appropriate to the purposes of this document, the state entomologist may issue an order to modify a permit issued under this subsection.**

*LSA Document #06-447(E)*

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