
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.

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