

TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule
LSA Document #18-508

DIGEST

Amends [312 IAC 18-3-23](#) to add two plants, *Nitellopsis obtusa* (starry stonewort) and *Stratiotes aloides* (water soldier), to the published list of prohibited invasive aquatic plants. Repeals [312 IAC 18-3-21](#). Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[312 IAC 18-3-21](#); [312 IAC 18-3-23](#)

SECTION 1. [312 IAC 18-3-23](#) IS AMENDED TO READ AS FOLLOWS:

[312 IAC 18-3-23](#) Prohibited invasive aquatic plants

Authority: [IC 14-10-2-4](#); [IC 14-24-3](#)

Affected: [IC 14-24](#)

Sec. 23. (a) The following are prohibited invasive aquatic plants and are declared pests or pathogens regulated under this section:

- (1) *Azolla pinnata* (mosquito fern).
- (2) *Butomus umbellatus* (flowering rush).
- (3) *Caulerpa taxifolia* (caulerpa or Mediterranean killer algae).
- (4) *Egeria densa* (Brazilian elodea, Brazilian waterweed, Anacharis, or Egeria).
- (5) *Eichhornia azurea* (anchored water hyacinth).
- (6) *Hydrilla verticillata* (Hydrilla or water thyme).
- (7) *Hydrocharis morsus-ranae* (European frogbit or common frogbit).
- (8) *Hygrophilia polysperma* (miramar weed, Indian swampweed, or hygro).
- (9) *Ipomoea aquatica* (Chinese waterspinach or swamp morning-glory).
- (10) *Iris pseudacorus* (yellow flag iris or tall yellow iris).
- (11) *Lagarosiphon major* (oxygen weed or African elodea).
- (12) *Limnophila sessiliflora* (Asian marshweed or ambulia).
- (13) *Monochoria hastata* (monochoria, arrowleaf, or false pickerelweed).
- (14) *Monochoria vaginalis* (heartshape or false pickerelweed).
- (15) *Myriophyllum aquaticum* (parrot feather or parrot feather watermilfoil).
- (16) *Myriophyllum spicatum* (Eurasian watermilfoil).
- (17) *Najas minor* (brittle naiad or brittle water nymph).
- (18) *Nitellopsis obtusa* (starry stonewort).**
- ~~(18)~~ **(19) *Nymphoides peltata* (yellow floating heart).**
- ~~(19)~~ **(20) *Ottelia alismoides* (duck lettuce).**
- ~~(20)~~ **(21) *Potamogeton crispus* (curlyleaf pondweed).**
- ~~(21)~~ **(22) *Sagittaria sagittifolia* (arrowhead).**
- ~~(22)~~ **(23) *Salvinia auriculata* (giant salvinia).**
- ~~(23)~~ **(24) *Salvinia biloba* (giant salvinia).**
- ~~(24)~~ **(25) *Salvinia herzogii* (giant salvinia).**
- ~~(25)~~ **(26) *Salvinia molesta* (giant salvinia).**
- ~~(26)~~ **(27) *Sparganium erectum* (exotic bur-reed).**
- (28) *Stratiotes aloides* (water soldier).**
- ~~(27)~~ **(29) *Trapa natans* (water chestnut).**
- ~~(28)~~ **(30) *Typha angustifolia* (narrow-leaf cattail).**

(b) This section applies to any part or life stage of the species identified in subsection (a).

(c) Except as provided in subsection (d), a person must not do the following with respect to any species identified in subsection (a):

- (1) Sell, offer for sale, gift, barter, exchange, or distribute a species.

(2) Transport a species 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 means.

(d) Exempted from this section are the following:

- (1) A person who possesses a species identified in subsection (a) under a permit issued by the state entomologist.
- (2) A person engaged in a project approved by the state entomologist for the destruction of a species.

(e) The division may regulate an area infested by a species identified in subsection (a) to prevent its movement.

(f) A person who discovers a species identified in subsection (a) may do the following:

- (1) Report the discovery to a department fisheries biologist or to the following address:
Department of Natural Resources
Division of Fish and Wildlife
Aquatic Invasive Species Coordinator
402 West Washington Street, Room W273
Indianapolis, IN 46204
- (2) Include in the report provided under subdivision (1):
 - (A) The location of the discovery, including the name of the county and the waterway.
 - (B) The date of the discovery.
 - (C) Contact information for the person making the report, including telephone number and address.

(Natural Resources Commission; [312 IAC 18-3-23](#); filed Aug 1, 2012, 10:57 a.m.: [20120829-IR-312120050FRA](#); readopted filed Jul 17, 2014, 3:48 p.m.: [20140813-IR-312140105RFA](#))

SECTION 2. [312 IAC 18-3-21](#) IS REPEALED.

[Notice of Public Hearing](#)

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