

TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #02-129(E)

DIGEST

Temporarily modifies 312 IAC 5-9-2 that governs restricted boating zones on Geist Reservoir. The modification reconfigures the idle speed zone at Devil's Elbow in Marion County. The modification mirrors a permanent rule change given final adoption by the natural resources commission but not expected to be implemented before the beginning of the 2002 boating season. Effective May 1, 2002.

SECTION 1. Effective May 1, 2002, this document amends the idle speed zone established by 312 IAC 5-9-2(b)(3) so the zone is described as follows: In an area known as Devil's Elbow and more particularly described as east, south, and upstream from a line extended shoreline to shoreline beginning at a point described as latitude 39° 54' 42.0021756" north and longitude 85° 58' 12.826398" west; extending east northeasterly to a point described as latitude 39° 54' 43.20567" north and 85° 58' 5.5123356" west; and, extending north northeasterly to a point described as latitude 39° 54' 47.1218976" north and 85° 58' 2.3784852" west.

SECTION 2. SECTION 1 of this document expires October 1, 2002.

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Filed with Secretary of State: April 30, 2002, 3:21 p.m.

TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #02-130(E)

DIGEST

Temporarily modifies 312 IAC 5-9 that governs restricted boating zones on designated reservoirs to establish zones on Prairie Creek Reservoir in Delaware County. A speed limit of 20 miles per hour is established for all watercraft. Motorboats are prohibited from towing water skis and similar objects north of a line extending westerly from the bridge over Huffman Creek on County Road 560 East (also known as Gates Road). These provisions mirror a new rule section (proposed 312 IAC 5-9-4) given final adoption by the natural resources commission but not expected to be implemented before the beginning of the 2002 boating season. Effective May 1, 2002.

SECTION 1. (a) This document establishes special watercraft restrictions on Prairie Creek Reservoir in Delaware County.

(b) A person must not operate a watercraft in excess of twenty (20) miles per hour.

(c) A person operating a motorboat must not tow a water ski, a water sled, an aquaplane, or a similar object north of a line extending westerly from the bridge over Huffman Creek on County Road 560 East (also known as Gates Road).

SECTION 2. SECTION 1 of this document expires October 1, 2002.

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TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH

LSA Document #02-125(E)

DIGEST

Temporarily adds provisions to prohibit the movement of all cervids into Indiana. Authority: IC 15-2.1-18-21. Effective April 18, 2002.

SECTION 1. (a) For the purpose of this document, the following apply:

- (1) "Board" means the Indiana state board of animal health created under IC 15-2.1-3.**
- (2) "Chronic wasting disease" and "CWD" mean a transmissible spongiform encephalopathy of cervids.**
- (3) "State veterinarian" means the state veterinarian appointed under IC 15-2.1-4 and all authorized agents.**

(b) Chronic wasting disease is not known to exist in the state. CWD has been diagnosed in captive and wild cervids in other states and Canadian provinces. CWD presents a health hazard to the animals of the state that could result in substantial damage to the domestic cervid industry in the state and the state's wild cervid population. Preventing the spread of CWD from cervids in other states is the best currently available method for addressing the CWD thread to animals in the state. The state veterinarian shall continue to evaluate the risks associated with CWD and the available methods for protecting animals in the state from CWD. The state veterinarian shall update the board on his findings. In the interim, because of the current CWD thread, the board temporarily adopts the restrictions in subsection (c) of this document to protect the animals of the state from CWD.

(c) Notwithstanding 345 IAC 1-3, a person may not move a cervid into the state. A person may not move cervid semen or cervid embryos into the state. But, the following apply:

Emergency Rules

(1) A person may transport a cervid, cervid semen, and cervid embryos directly through the state without stopping and unloading the animal, semen, or embryos in the state.

(2) Cervid semen and cervid embryos sent out of the state for processing and storage may be brought back into the state if the following conditions are met:

(A) The person must first apply to the state veterinarian for a preentry permit to bring the cervid semen or embryos into the state. The state veterinarian may require from the applicant any information that is relevant to evaluating the disease risk associated with the movement. The state veterinarian may require that the application for a permit be in writing and be submitted not less than forty-eight (48) hours prior to the movement date. The cervid semen or embryos may not be moved into the state unless the state veterinarian issues a preentry permit for the movement. The state veterinarian may issue a preentry permit to move cervid semen and cervid embryos into the state if the epidemiology as it relates to CWD indicates that the proposed movement is consistent with reasonable animal health precautions.

(3) The state veterinarian may permit the movement of any animal, semen, or embryo into the state for the purpose of research or to facilitate the diagnosis, treatment, prevention, or control of disease.

SECTION 2. SECTION 1 of this document expires July 15, 2002.

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