

**CITY OF CHICAGO
DEPARTMENT OF ENVIRONMENT**

**ARTICLE XXI, INVASIVE SPECIES CONTROL
DRAFT RULES AND REGULATIONS**

Whereas, pursuant to Chapters 2-30 and 11-4 of the Municipal Code of Chicago (the “Code”), the Department of Environment (the “Department”) is charged with enforcement of City environmental laws, including those regulating invasive species; and

Whereas, pursuant to the authority granted by Section 2-30-030 of the Code, the Commissioner of the Department of Environment (the “Commissioner”), is authorized to issue rules and regulations necessary or proper to accomplish the purposes of Chapter 11-4 of the Code, and is further authorized to make reasonable administrative and procedural regulations or rules interpreting or clarifying the requirements which are specifically prescribed in Chapter 11-4 of the Code; and

Whereas, this general rule-making authority includes any rules necessary to implement the provisions of Article XXI of the Code, Sections 11-4-2710 through 11-4-2740, “Invasive Species Control”; and

Whereas, Section 11-4-2720 of the Code gives the Commissioner authority to promulgate a list of regulated invasive species; and

Whereas, Section 11-4-2740(a) of the Code gives the Commissioner the additional authority to promulgate rules and regulations as he or she may deem appropriate for the proper administration and enforcement of the provisions of Article XXI of the Code; and

Whereas, in addition to the Commissioner, the Executive Director of Animal Care and Control (“Director”) is authorized, by Sections 11-4-2740(a) and 7-12-020, to enforce City invasive species laws; and

Whereas, the Department has solicited the opinions of numerous experts in the field of invasive species and has consulted with the Director; and

Whereas, after receiving comments from the experts and the Director, the Department has concluded that the species listed below (1) cause or threaten to cause significant economic harm if they are introduced into the ecosystem; (2) cause or threaten to cause significant hazards to wildlife or wildlife resources in the City; (3) in the case of the “regulated animal species” and the “regulated plant species” listed below, have limited value as food or as commercial products; (4) in the case of the “live transport species” listed below, have some value as food or commercial products but do not lose that value if they are sold dead; and (5) in the case of *Neogobius fluviatilis* (Monkey goby); *Xenopus laevis* (African clawed frog), *Cipangopaludina chinensis* (Chinese mysterysnail), and *Phoxinus phoxinus* (Eurasian minnow) carry or threaten to carry detrimental diseases or parasites; now, therefore,

I, Sadhu A. Johnston, Commissioner, Department of Environment, City of Chicago, issue the following rules and regulations pursuant to the authority granted to me by Sections 2-30-030, 11-4-2720, and 11-4-2740 of the Municipal Code of Chicago.

1.0 **Scope and Purpose.** The purpose of these rules and regulations is to provide standards and guidance for the enforcement of Article XXI, Section 11-4-2710 through 11-4-2740 of the Municipal Code of Chicago (“Invasive Species Control”).

2.0 **Listed Species.** In accordance with Section 11-4-2720 of the Municipal Code of Chicago (the “Code”), the following plants and animals are hereby listed as regulated invasive species:

(a) **Regulated animal species**, as that term is defined by Section 11-4-2710(e) of the Code, shall include any of the following:

- (i) Hypophthalmichthys nobilis (Bighead carp);
- (ii) Neogobius fluviatilis fluviatilis (Monkey goby);
- (iii) Perca fluviatilis (European perch);
- (iv) Phoxinus phoxinus (Eurasian minnow);
- (v) Anodonta woodiana;
- (vi) Xenopus laevis (African clawed frog);
- (vii) Cipangopaludina chinensis (Chinese mysterysnail);
- (viii) Misgurnus anguillicaudatus (Oriental waterloach);
- (ix) All species from the genera *Channa* and *Parachanna*, from the family *Channidae* (Snakehead).

(b) **Live transport species**, as that term is defined by Section 11-4-2710(c) of the Code, shall include any of the following:

- (i) Mylopharyngodon piceus (Black carp);
- (ii) Hypophthalmichthys molitrix (Silver carp);
- (iii) Ctenopharyngodon idella (Grass carp/White amur);
- (iv) Orconectes rusticus (Rusty crayfish).

(c) **Regulated plant species**, as that term is defined by Section 11-4-2710(f) of the Code, shall include any of the following:

- (i) Trapa natans (Water chestnut);
- (ii) Egeria densa (Brazilian elodea);
- (iii) Ranunculus lingua (Greater spearwort);
- (iv) Houttuynia cordata (Chameleon);
- (v) Myriophyllum aquaticum (Parrot feather watermilfoil);
- (vi) Hydrilla verticillata (Hydrilla or water thyme);
- (vii) Eichhornia crassipes (Water hyacinth);
- (viii) Ipomoea aquatica (Water spinach);

- (ix) *Lythrum salicaria* (Purple loosestrife);
- (x) *Iris pseudacorus* (Pale yellow iris);
- (xi) *Myriophyllum spicatum* (Eurasian watermilfoil);
- (xii) *Hydrocharis morsus-ranae* (European frog-bit);
- (xiii) *Butomus umbellatus* (flowering rush).

3.0 **Photographic References.** For ease of reference, the Department of Environment (“Department”) may publish photographs of listed invasive/regulated species on the City of Chicago’s website, www.cityofchicago.org, on the Department’s homepage.

4.0 **Regulation of Listed Species.** The regulated animal species, live transport species, and regulated plant species listed above shall be regulated by the Department and the Department of Animal Care and Control in the manner specified by Sections 11-4-2730 and 11-4-2740 of the Code.