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Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Environment and Conservation
Division:	Division of Natural Areas
Contact Person:	Todd Crabtree
Address:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 2nd Floor Nashville, Tennessee 37243
Phone:	(615) 532-1378
Email:	Todd.Crabtree@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	ADA Coordinator William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 22nd Floor
Address:	Nashville, Tennessee 37243
Phone:	1-866-253-5827 (toll free) or (615) 532-0200 Hearing impaired callers may use the TN Relay Service at 1-800-848-0298.
Email:	Beverly.Evans@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Conference Room H		
Address 2:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 3 rd Floor		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date :	03/18/16		
Hearing Time:	1:00 p.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

The purpose of this rulemaking is to update the endangered plant list in Rule 0400-06-02-.04 by removing, adding and correcting names that appear on the current list.

The Department prepared an initial set of draft rules for public review and comment. Copies of these initial draft rules are available for review at <http://tn.gov/environment/topic/ppo-natural-areas>.

Draft copies are also available for review at the following address:

Tennessee Department of Environment and Conservation
 Division of Natural Areas
 William R. Snodgrass Tennessee Tower
 312 Rosa L. Parks Avenue, 2nd Floor

Nashville, Tennessee 37243
(615) 532-1378

Office hours are from 8:00 AM to 4:30 PM, Monday through Friday (excluding holidays).

Oral or written comments are invited at the hearing. In addition, written comments may be submitted prior to or after the public hearing to: Tennessee Department of Environment and Conservation, Division of Natural Areas; Attention: Todd Crabtree, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 2nd Floor Nashville, Tennessee 37243; telephone 615-532-1378 or fax 615-532-0046. However, such written comments must be received by 4:30 PM CDT, March 18, 2016, in order to assure consideration. For further information, please contact Todd Crabtree at the above address or telephone number or by e-mail at Todd.Crabtree@tn.gov.

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0400-06-02	Rare Plant Protection and Conservation Regulations
Rule Number	Rule Title
0400-06-02-.03	Promulgation of Lists
0400-06-02-.04	List of Endangered Species

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Chapter 0400-06-02
Rare Plant Protection and Conservation Regulations

Amendment

Rule 0400-06-02-.04 List of Endangered Species is amended by deleting it in its entirety and replacing it with the following new Rule 0400-06-02-.04 List of Endangered Species to read as follows:

0400-06-02-.04 List of Endangered Species.

The endangered plant list of Tennessee includes the following:

Latin Name	Common Name
<i>Aconitum reclinatum</i> A. Gray	trailing white monkshood
<i>Agalinis auriculata</i> (Michx.) Blake	ear-leaved false-foxglove
<i>Agalinis decemloba</i> (Greene) Pennel	ten lobe false foxglove
<i>Agalinis heterophylla</i> (Nutt.) Small ex Britton	prairie false foxglove
<i>Agalinis oligophylla</i> Pennell	ridge-stem false foxglove
<i>Agalinis plukenetii</i> (Ell.) Raf	purple gerardia
<i>Allium stellatum</i> Fraser	glade onion
<i>Anemone caroliniana</i> Walt.	Carolina anemone
<i>Apios priceana</i> Robbins	Price's potato-bean
<i>Arenaria lanuginosa</i> (Michx.) Rohrback	wooly sandwort
<i>Aristida ramosissima</i> Engelm. ex Gray	branched three-awn grass
<i>Asplenium scolopendrium</i> L. var. <i>americanum</i> (Fern.) Kartesz & Gandhi	Hart's-tongue fern
<i>Astragalus bibullatus</i> Barneby and Bridges	Pyne's ground-plum
<i>Betula papyrifera</i> Marsh var. <i>cordifolia</i> (Regel) Fern.	heart-leaved paper birch
<i>Boechera patens</i> (Sull.) Al-Shehbaz	spreading rockcress
<i>Boechera perstellata</i> (E. L. Braun) Al-Shehbaz	Braun's rockcress
<i>Brachydontium trichodes</i> (Web.) Milde	peak moss
<i>Botrychium simplex</i> E. Hitchc.	least moonwort
<i>Bulbostylis ciliatifolia</i> (Ell.) Fern. var. <i>coarctata</i> (Ell.) Kral	capillary hairsedge
<i>Calamagrostis cainii</i> Hitchcock	Cain's reedgrass
<i>Calamagrostis porteri</i> A. Gray	Porter's reedgrass
<i>Caltha palustris</i> L.	marsh marigold
<i>Carex barrattii</i> Schweinitz and Torr.	Barratt's sedge
<i>Carex buxbaumii</i> Wahlenb.	Buxbaum's sedge
<i>Carex canescens</i> L. ssp. <i>disjuncta</i> Fern.	hoary sedge
<i>Carex fumosimontana</i> Estes	Smoky Mountain sedge
<i>Carex interior</i> L. H. Bailey	inland sedge
<i>Carex lonchocarpa</i> Willd. ex Spreng.	southern long sedge
<i>Carex manhartii</i> Bryson	Manhart's sedge
<i>Carex muskingumensis</i> Schweinitz	Muskingum sedge
<i>Carex pellita</i> Willd.	woolly sedge
<i>Carex tetanica</i> Schkuhr	rigid sedge
<i>Cephaloziella messalongi</i> (Spruce) K. Muell.	a liverwort
<i>Cerastium velutinum</i> Raf.	velvety cerastium
<i>Clematis fremontii</i> S. Wats.	Fremont's Leather Flower
<i>Clematis yinacea</i> Floden	wine colored leatherflower
<i>Clematis morefieldii</i> Kral	Huntsville vasevine
<i>Clethra alnifolia</i> L.	coastal pepperbush
<i>Coeloglossum viride</i> (L.) Hartman var. <i>virescens</i> (Muhl. ex Willd.) Luer	long-bracted green orchis
<i>Collinsia verna</i> Nutt.	blue-eyed Mary
<i>Comptonia peregrina</i> (L.) Coulter	sweet-fern

<i>Coreopsis latifolia</i> Michx.	broad-leaved tickseed
<i>Crataegus harbisonii</i> Beadle	Harbison's hawthorn
<i>Cypripedium kentuckiense</i> Reed	southern lady's-slipper
<i>Cypripedium reginae</i> Walt.	showy lady's-slipper
<i>Dalea foliosa</i> (A. Gray) Barneby	leafy prairie-clover
<i>Dalea purpurea</i> Vent.	purple prairie-clover
<i>Delphinium exaltatum</i> Ait.	tall larkspur
<i>Desmodium ochroleucum</i> M.A. Curtis ex Canby	creamflower tick-trefoil
<i>Diamorpha smallii</i> Britt.	Small's stonecrop
<i>Dichantherium acuminatum</i> ssp. <i>spretum</i> (Schult.) Freckmann & Lelong	Eaton's witchgrass
<i>Dichantherium ensifolium</i> ssp. <i>curtifolium</i> (Nash) Freckmann & Lelong	short-leaved panic grass
<i>Echinacea pallida</i> (Nutt.) Nutt.	pale purple coneflower
<i>Eleocharis elliptica</i> Kunth	elliptic spike rush
<i>Eleocharis equisetoides</i> (Ell.) Torr.	horse-tail spike-rush
<i>Eleocharis intermedia</i> J.A. Schultes	matted spike rush
<i>Eleocharis wolfii</i> A. Gray	Wolf's spike rush
<i>Eriocaulon decangulare</i> L.	ten-angle pipewort
<i>Eriogonum harperi</i> Goodman	Harper's umbrella-plant
<i>Eriophorum virginicum</i> L.	tawny cotton grass
<i>Erysimum capitatum</i> (Dougl.) Greene	western wallflower
<i>Eupatorium leucolepis</i> (DC.) Torr. and A. Gray	white-bracted thoroughwort
<i>Eurybia saxicastelli</i> (J. J. N. Campbell & Medley) G. L. Nesom	Rockcastle aster
<i>Euthamia gymnospermoides</i> Green	Great Plains goldentop
<i>Fimbristylis perpusilla</i> Harper	Harper's fimbristylis
<i>Gentiana puberulenta</i> J.S. Pringle	prairie gentian
<i>Geum aleppicum</i> Jacq.	yellow avens
<i>Geum geniculatum</i> Michx.	bent avens
<i>Geum radiatum</i> Michx.	spreading avens
<i>Glyceria laxa</i> (Scribn.) Scribn.	limp manna grass
<i>Gratiola floridana</i> Nutt.	Florida hedge-hyssop
<i>Hedyotis purpurea</i> (L.) Torr. & A. Gray var. <i>montana</i> (Small) Fosberg	Roan Mountain bluet
<i>Helenium brevifolium</i> (Nutt.) Wood	shortleaf sneezeweed
<i>Helianthemum propinquum</i> E.P. Bicknell	low frostweed
<i>Helianthus verticillatus</i> Small	whorled sunflower
<i>Homaliadelphus sharpii</i> (Williams) Sharp	Sharp's homaliadelphus moss
<i>Hydrocotyle americana</i> L.	American water-pennywort
<i>Hypericum adpressum</i> Barton	creeping St. John's-wort
<i>Hypericum ellipticum</i> Hook.	pale St. John's-wort
<i>Hypericum graveolens</i> Bickl.	mountain St. John's-wort
<i>Iris brevicaulis</i> Raf.	Lamance iris
<i>Isoetes appalachiana</i> D.F. Brunton & D.M. Britton	Appalachian quillwort
<i>Isoetes melanopoda</i> Gay and Durieu	blackfoot quillwort
<i>Isoetes tennesseensis</i> N.T. Luebke & J.M. Budke	Hiwassee quillwort
<i>Isotria medeoloides</i> (Pursh) Raf.	small whorled pogonia
<i>Lachnanthes carolina</i> (Lam.)	Carolina redroot
<i>Lechea pulchella</i> Raf.	Leggett's pinweed
<i>Lejeunea sharpii</i> (Schust.) Schust.	Sharp's lejeunia
<i>Leptodontium viticulosoides</i> var. <i>sulphureum</i> (Müller Hal.) R. H. Zander	Grandfather Mountain leptodontium
<i>Leptohymerium sharpii</i> (Crum & Anders.) Buck & Crum	Mount Le Conte moss
<i>Leptoscyphus cuneifolius</i> (Hook.) Mitt.	a liverwort
<i>Lilium grayi</i> S. Wats.	Gray's lily
<i>Lilium philadelphicum</i> L.	wood lily
<i>Listera australis</i> Lindl.	southern twayblade
<i>Lithospermum parviflorum</i> Weakley, Witsell & D. Estes	softhair marblesed
<i>Lithospermum subsetosum</i> (Mack. & Bush) Weakley, Witsell, & D. Estes	smooth false gromwell

Lonicera prolifera (Kirchner) Rehder
Lysimachia fraseri Duby
Lysimachia quadriflora Sims
Lysimachia terrestris (L.) BSP.
Maianthemum stellatum (L.) Link
Marshallia grandiflora Beadle and Boynton
Marshallia obovata (Walt.) Beadle & F.E. Boynton
Marsupella funckii (Web. & Mohr) Dumort.
Melanthium latifolium Desr.
Melanthium virginicum L.
Melanthium woodii (J.W. Robbins ex Wood) Bodkin
Minuartia cumberlandensis (Wofford & Kral) McNeill
Minuartia godfreyi (Shinners) McNeill
Minuartia groenlandica (Retzius) Ostenfeld
Muhlenbergia cuspidata (Torr.) Rydb.
Muhlenbergia torreyana (Shult.) Hitchcock
Myriophyllum pinnatum (Walt.) B.S.P.
Nabalis asper (Michx.) Torr. & A. Gray
Nestronia umbellula Raf.
Pacera crawfordii (Britt.) A.M. Mahoney & R.R. Lowal
Patis racemosa
(Sm.) Romasch., P.M. Peterson & R. J. Soreng
Paxistima canbyi A. Gray
Paysonia perforata (Rollins) O'Kane & Al-Shehbaz
Paysonia stonensis (Rollins) O'Kane & Al-Shehbaz
Penstemon kralii D. Estes
Perideridia americana (Nutt. ex DC.) Reichenb.
Phegopteris connectilis (Michx.) Watt
Physaria globosa (Desv.) O'Kane
Pityopsis ruthii (Small) Small
Plantago cordata Lam.
Platanthera grandiflora (Bigelow) Lindl.
Platanthera integra (Nutt.) A. Gray ex Beck
Platanthera integrilabia (Correll) Luer
Platanthera nivea (Nutt.) Luer
Poa palustris L.
Pogonia ophioglossoides (L.) Ker-Gawl.
Polygala nana (Michx.) DC.
Polygala nuttallii Torr. and A. Gray
Polygonella americana (Fisch. and Mey)
Ponthieva racemosa (Walt.) Mohr
Porella gracillima
Prunus pumila L.
Pycnanthemum beadleii (Small) Fern.
Pycnanthemum torrei Benth.
Pycnanthemum verticillatum (Michx.) Pers.
Pyrola americana Sweet
Ranunculus aquatilis var. *diffusus* Withering
Rhamnus alnifolia L'Hér.
Rhynchospora capillacea Torr.
Rhynchospora debilis Gale
Rhynchospora rariflora (Michx.) Eil.
Rudbeckia triloba var. *beadleii* (Small) Fernald
Rugelia nudicaulis Shuttlw. ex Chapman
Sabatia capitata (Raf.) Blake
Sagittaria rigida Pursh
Sanguisorba canadensis L.
Saxifraga caroliniana A. Gray
Saxifraga pensylvanica L.
Scutellaria arguta Buckl.
Sedum nevii A. Gray
grape honeysuckle
Fraser's loosestrife
fourflower yellow loosestrife
swamp loosestrife
starflower false solomom's-seal
large-flowered Barbara's-buttons
spoonshape Barbara's buttons
a liverwort
broadleaf bunchflower
Virginia bunchflower
Ozark bunchflower
Cumberland sandwort
Godfrey's stitchwort
mountain sandwort
plains muhly
Torrey's dropseed
cutleaf Watermilfoil
rough rattlesnake root
conjurer's nut
Crawford's ragwort
mountain ricegrass
Canby's mountain-lover
Spring Creek bladderpod
Stones River bladderpod
Kral's beardtongue
thicket parsley
long beech fern
globe bladderpod
Ruth's golden-aster
heart-leaved plantain
large purple fringed orchid
yellow fringeless orchid
white fringeless orchid
snowy orchid
owl bluegrass
rose pogonia
dwarf milkwort
Nuttall's milkwort
small southern jointweed
shadow-witch
hot porella
sand cherry
Beadle's mountain mint
Torrey's mountain mint
whorled mountain-mint
American wintergreen
eastern white water crowfoot
alderleaf buckthorn
horned beak-rush
savannah beak-rush
few-flowered beak-rush
brown-eyed susan
Rugel's ragwort
rose gentian
sessile-fruited arrowhead
canada burnet
Carolina saxifrage
swamp saxifrage
hairy scullcap
Nevius' stonecrop

<i>Silene ovata</i> Pursh	ovate catchfly
<i>Silphium brachiatum</i> Gattinger	Cumberland rosinweed
<i>Solidago gattingeri</i> Chapm.	Gattinger's goldenrod
<i>Solidago lancifolia</i> Torr. and A. Gray	broadleaf goldenrod
<i>Solidago porteri</i> Small	Porter's goldenrod
<i>Solidago ptarmicoides</i> (Nees) Bovin	prairie goldenrod
<i>Solidago rupestris</i> Raf.	rock goldenrod
<i>Solidago spithamea</i> M.A. Curtis	Blue Ridge goldenrod
<i>Sparganium androcladum</i> (Engelm.) Morong	branching bur-reed
<i>Sphenolobopsis pearsoni</i> (Spruce) Shust. & Kitag.	a liverwort
<i>Spiraea alba</i> DuRoi	narrow-leaved meadow-sweet
<i>Spiraea virginiana</i> Britt.	Virginia spiraea
<i>Spiranthes magnicamporum</i> Sheviak	Great Plains ladies'-tresses
<i>Spiranthes ochroleuca</i> (Rydb.) Rydb.	yellow nodding ladies'-tresses
<i>Spiranthes odorata</i> (Nutt.) Lindl.	sweetscent ladies'-tresses
<i>Sporobolus junceus</i> (P.Beauv.) Kunth	Piney-woods dropseed
<i>Stellaria alsine</i> Grimm	trailing stitchwort
<i>Stellaria longifolia</i> Muhl.	longleaf stitchwort
<i>Stenanthium diffusum</i> Wofford	Cumberland featherbells
<i>Sullivantia sullivantii</i> (Torr. & Gray) Britt.	Sullivan's coolwort
<i>Symphotrichum ericoides</i>	bushy aster
(L.) G.L. Nesom var. <i>ericoides</i>	
<i>Symphotrichum praealtum</i> (Poiret) G. L. Nesom	willow aster
<i>Symphotrichum pratense</i> (Rafinesque) Nesom	barrens silky aster
<i>Symplocarpus foetidus</i> (L.) Nutt.	skunk-cabbage
<i>Taxus canadensis</i> Marsh.	American yew
<i>Thaspium pinnatifidum</i> (Buckley) A. Gray	cutleaf meadow parsnip
<i>Tortula ammoniana</i> Crum & Anders.	Ammon's tortula
<i>Tortula fragilis</i> Tayl.	fragile tortula
<i>Triantha glutinosa</i> (Walter) Small	sticky false asphodel
<i>Triantha racemosa</i> (Walter) Small	coastal false-asphodel
<i>Tridens flavus</i>	purpletop tridens
(L.) Hitchc. var. <i>chapmanii</i> (Small) Shinnars	
<i>Trichophorum cespitosum</i> (L.) Hartman	tufted club-rush
<i>Trifolium calcaricum</i> J.L. Collins & Wieboldt	running glade clover
<i>Trifolium reflexum</i> L.	buffalo clover
<i>Trillium decumbens</i> Harbison	trailing trillium
<i>Trillium lancifolium</i> Raf.	narrow-leaved trillium
<i>Trillium pusillum</i> Michx.	least trillium
<i>Trillium rugelii</i> Rendle	southern nodding trillium
<i>Trillium tennesseeense</i> E.E. Schill. & Floden	Tennessee trillium
<i>Utricularia cornuta</i> Michx.	horned bladderwort
<i>Vaccinium elliotii</i> Chapm.	mayberry
<i>Veronica catenata</i> Pennell	sessile water-speedwell
<i>Veronica scutellata</i> L.	marsh-speedwell
<i>Viburnum molle</i> Michx.	softleaf arrow-wood
<i>Vitis rupestris</i> Scheele	rock grape
<i>Xyris ambigua</i> Beyr. ex. Kunth.	coastal-plain yellow-eyed-grass
<i>Xyris fimbriata</i> Ell.	fringed yellow-eyed-grass
<i>Xyris tennesseensis</i> R. Kral	Tennessee yellow-eyed-grass
<i>Zigadenus glaucus</i> Nutt.	white camas

Authority: T.C.A. §§ 70-8-301 et seq., and 4-5-201 et seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: January 13, 2016

Signature: Roger A. McCoy

Name of Officer: Roger A. McCoy

Title of Officer: Director, Division of Natural Areas

Subscribed and sworn to before me on: January 13, 2016

Notary Public Signature: Kati Hicks

My commission expires on: 11/5/18

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Tre Hargett

Tre Hargett
Secretary of State



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