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: 312 Rosa L. Parks Avenue, 2nd Floor
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
Address: 312 Rosa L. Parks Avenue, 22nd Floor
Phone: 1-866-253-5827 (toll free) or (615) 532-0200
Email: Beverly.Evans@tn.gov

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

<table>
<thead>
<tr>
<th>Address 1</th>
<th>Conference Room H</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address 2</td>
<td>William R. Snodgrass Tennessee Tower</td>
</tr>
<tr>
<td>City</td>
<td>Nashville, Tennessee</td>
</tr>
<tr>
<td>Zip</td>
<td>37243</td>
</tr>
<tr>
<td>Hearing Date</td>
<td>03/18/16</td>
</tr>
<tr>
<td>Hearing Time</td>
<td>1:00 p.m.</td>
</tr>
</tbody>
</table>

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
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):

X 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.)

<table>
<thead>
<tr>
<th>Chapter Number</th>
<th>Chapter Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>0400-06-02</td>
<td>Rare Plant Protection and Conservation Regulations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>0400-06-02-.03</td>
<td>Promulgation of Lists</td>
</tr>
<tr>
<td>0400-06-02-.04</td>
<td>List of Endangered Species</td>
</tr>
</tbody>
</table>
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:

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

SS-7037 (July 2014) RDA 1693
Coreopsis latifolia Michx.
Crataegus harbisonii Beadle
Cypripedium kentuckiense Reed
Cypripedium reginae Walt.
Dalea foliosa (A. Gray) Barneby
Dalea purpurea Vent.
Delphinium exaltatum
Desmodium ochroleucum M.A. Curtis ex Canby
Dichanthelium acuminatum ssp. spretum (Schult.) Freckmann & Lelong
Dichanthelium ensifolium ssp. curtifolium (Nash) Freckmann & Lelong
Echinacea pallida (Nutt.) Nutt.
Eleocharis elliptica Kunth
Eleocharis equisetoides (Ell.) Torr.
Eleocharis intermedia J.A. Schultes
Eleocharis woffii A. Gray
Eriocaulon decangulare L.
Eriogonum harperi Goodman
Eriophorum virgincum L.
Erythrina capitatum (Dougl.) Greene
Eupatorium leucolepis (DC.) Torr. and A. Gray
Eurybia saxicasteri (J. J. N. Campbell & Medley) G. L. Nesom
Euthamia gymnoptermoides Green
Fimbristylis perpusilla Harper
Gentiana puberulenta J.S. Pringle
Geum aleppicum Jacq.
Geum geniculatum Michx.
Geum radiatum Michx.
Glyceria laxa (Scribn.) Scribn.
Gratiola floridana Nutt.
Hedyotis purpurea (L.) Torr. & A.Gray var. montana (Small) Hosberg
Helenium brevifolium (Nutt.) Wood
Helianthemum propinquum E.P. Bicknell
Helianthus verticillatus Small
Homaliaelphus sharpii (Williams) Sharp
Hydrocotyle americana L.
Hypericum adpressum Barton
Hypericum ellipticum Hook.
Hypericum graveolens Bickl.
Iris brevicaulis Raf.
Isoetes appalachiana D.F.Brunton & D.M.Britton
Isoetes melanopoda Gay and Durieu
Isoetes tennesseensis N.T. Luebke & J.M. Budke
Isotria medeoloides (Pursh) Raf.
Lachmannthes carolina (Lam.)
Lechea pulchella Raf.
Lejeunea sharpii (Schust.) Schust.
Leptodontium viticulosoides var. sulphureum (Müller Hal.) R. H. Zander
Leptothyrium montanus (Crum & Anders.) Buck & Crum
Leptoscyphus cuneiformis (Hook.) Mitt.
Lilium grayi S. Wats.
Lilium philadelphicum L.
Listera australis Lindl.
Lithospermum parviflorum Weakley, Witsell & D. Estes
Lithospermum subsetosum (Mack. & Bush) Weakley, Witsell, & D. Estes

broad-leaved tickseed
Harbison's hawthorn
southern lady's-slipper
showy lady's-slipper
leafy prairie-clover
purple prairie-clover
tall larkspur
creamflower tick-trefoil
Small's stonecrop
Eaton's witchgrass
short-leaved panic grass
pale purple coneflower
elliptic spike rush
horse-tail spike-rush
matted spike rush
Wolf's spike rush
ten-angle pipewort
Harper's umbrella-plant
tawny cotton grass
western wallflower
white-bracted thoroughwort
Rockcastle aster
Great Plains goldentop
Harper's fimbrytis
prairie gentian
yellow avens
bent avens
spreading avens
limp manna grass
Florida hedge-hyssop
Roan Mountain bluet
shortleaf sneezeweed
low frostweed
whorled sunflower
Sharp's homaliaelphus moss
American water-pennywort
creeping St. John's-wort
pale St. John's-wort
mountain St. John's-wort
Lamance iris
Appalachian quillwort
blackfoot quillwort
Hiwassee quillwort
small whorled pogonia
Carolina redroot
Leggett's pinweed
Sharp's lejeunia
Grandfather Mountain leptodontium
Mount Le Conte moss
a liverwort
Gray's lily
wood lily
southern twayblade
softhair marbleseed
smooth false gromwell

SS-7037 (July 2014)

RDA 1693
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 cumberlancedensis (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 racemoss (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
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 nuttalii Torr. and A. Gray
Polygona americana (Fisch. and Mey)
Ponthieva racemosa (Walt.) Mohr
Porella gracillima
Prunus pumila L.
Pycnanthemum beardlei (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.) Ell.
Rudbeckia trioba var. beadlei (Small) Fernald
Rugelia nudicaulis Shuttlw. ex Chapman
Sabatia capitata (Raf.) Blake
Sagittaria rigida Pursh
Sangisorba 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 muhy
Torrey’s dropseed
cutleaf Watermilfoil
rough rattlesnake root
conjuror’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
savanahe beak-rush
few-flowered beak-rush
browneyed susan
Rugel’s ragwort
rose gentian
sessile-fruited arrowhead
canada burnet
Carolina saxifrage
swamp saxifrage
hairy scullcap
Nevius’ stonecrop
Silene ovata Pursh
Silphium brachiatum Gattinger
Solidago gattingeri Chapm.
Solidago lancifolia Torr. and A. Gray
Solidago porteri Small
Solidago ptarmicoides (Nees) Bovin
Solidago rupestris Raf.
Solidago spithamaeae M.A. Curtis
Sparganium androcladium (Engelm.) Moreng
Sphenolobopsis pearsonii (Spruce) Shust. & Kitag.
Spiraea alba DuRoi
Spiraea virginiana Britt.
Spiranthes magnicamporum Sheviak
Spiranthes ochroleuca (Ryd.) Rydb.
Spiranthes odorata (Nutt.) Lindl.
Sporobolus junceus (P.Beauv.) Kunth
Stellaria alamine Grimm
Stellaria longifolia Muhl.
Stenanthium diffusum Wofford
Sullivantia sullivantii (Torr. & Gray) Britt.
Symphyotrichum ericoides
   (L.) G.L. Nesom var. ericoides
Symphyotrichum praealtum (Poiret) G. L. Nesom
Symphyotrichum pratense (Rafinesque) Nesom
Symplocarpus foetidus (L.) Nutt.
Taxus canadensis Marsh.
Thaspium pinnatifidum (Buckley) A. Gray
Tortula ammoniana Crum & Anders.
Tortula fragilis Tayl.
Trianta glatiosa (Walter) Small
Trianta racemosa (Walter) Small
Tridens flavus
   (L.) Hitchc. var. chapmani (Small) Shinners
Trichophorum cespitosum (L.) Hartman
Trifolium calcariicum J.L. Collins & Wieboldt
Trifolium reflexum L.
Trillium decumbens Harbison
Trillium lancifolium Raf.
Trillium pusillum Michx.
Trillium rugelii Rendle
Trillium tennesseense E.E. Schill. & Floden
Utricularia cornuta Michx.
Vaccinium elliottii Chapm.
Veronica catenata Pennell
Veronica scutellata L.
Viburnum molle Michx.
Vitis rupestris Scheele
Xyris ambiguus Beyr. ex. Kunth.
Xyris fimbriata Ell.
Xyris tennesseensis R. Kral
Zigadenus glaucus Nutt.
ovate catchfly
Cumberland rosinweed
Gattinger's goldenrod
broadleaf goldenrod
Porter's goldenrod
prairie goldenrod
rock goldenrod
Blue Ridge goldenrod
branching bur-reed
a liverwort
narrow-leaved meadow-sweet
Virginia spiraea
Great Plains ladies'-tresses
yellow nodding ladies'-tresses
sweetscent ladies'-tresses
Pinney-woods dropseed
trailing stitchwort
longleaf stitchwort
Cumberland featherbells
Sullivan's coolwort
busky aster
willow aster
barrens silky aster
skunk-cabbage
American yew
cutleaf meadow parsnp
Ammon's tortula
fragile tortula
sticky false asphodel
coastal false-asphodel
purpletop tridens
tufted club-rush
running glade clover
buffalo clover
trailing trillium
narrow-leaved trillium
least trillium
southern nodding trillium
Tennessee trillium
horned bladderwort
mayberry
sessile water-speedwell
marsh-speedwell
softleaf arrow-wood
rock grape
coastal-plain yellow-eyed-grass
fringed yellow-eyed-grass
Tennesse yellow-eyed-grass
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

Department of State Use Only

Filed with the Department of State on: 1/13/16

Tre Hargett
Secretary of State