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Sequence Number: 02-03-13
Notice ID(s): 1932
File Date: 2/1/13

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:	Natural Areas
Contact Person:	Todd Crabtree
Address:	7th Floor, L & C Annex 401 Church Street Nashville, TN 37243-0447
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:	12th Floor L&C Tower 401 Church Street 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:	5th Floor Large Conference Room L&C Annex		
Address 2:	401 Church Street		
City:	Nashville, Tennessee		
Zip:	37243-1535		
Hearing Date :	04/12/13		
Hearing Time:	1 p.m.	X CST/CDT ___EST/EDT	

Additional Hearing Information:

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/na/ppo/.

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

Tennessee Department of Environment and Conservation
Resource Management Division
7th Floor, L&C Annex
401 Church Street
Nashville, Tennessee 37243
(615) 532-0431

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, 7th Floor, L & C Annex; 401 Church Street; Nashville, Tennessee 37243-0447; telephone 615-532-1378 or fax 615-532-0046. However, such written comments must be received by 4:30 PM CDT, April 12, 2013, 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.)

Chapter Number	**Chapter Title**
0400-06-02	Rare Plant Protection and Conservation Regulations
Rule Number	**Rule Title**
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:

0040-06-02-.04 List of Endangered Species.

The endangered plant list of Tennessee includes the following:

Latin Name	Common Name
Aconitum reclinatum A. Gray	trailing white monkshood
Agalinis auriculata (Michx.) Blake	ear-leaved false-foxglove
Agalinis heterophylla (Nutt.) Small ex Britton	prairie false foxglove
Agalinis oligophylla Pennell	ridge-stem false foxglove
Agalinis plukenetii (Ell.) Raf	purple gerardia
Allium stellatum Fraser	glade onion
Anemone caroliniana Walt.	Carolina anemone
Apios priceana Robbins	Price's potato-bean
Arenaria lanuginosa (Michx.) Rohrback	wooly sandwort
Aristida ramosissima Engelm. ex Gray	branched three-awn grass
Asplenium scolopendrium L. var. *americanum* (Fern.) Kartesz & Gandhi	Hart's-tongue fern
Astragalus bibullatus Barneby and Bridges	Pyne's ground-plum
Betula papyrifera Marsh var. *cordifolia* (Regel) Fern.	heart-leaved paper birch
Boechera patens (Sull.) Al-Shehbaz	spreading rockcress
Boechera perstellata (E. L. Braun) Al-Shehbaz	Braun's rockcress
Brachydontium trichodes (Web.) Milde	peak moss
Botrychium simplex E. Hitchc.	least moonwort
Bulbostylis ciliatifolia (Ell.) Fern. var. *coarctata* (Ell.) Kral	capillary hairsedge
Calamagrostis cainii Hitchcock	Cain's reedgrass

Calamagrostis porteri A. Gray	Porter's reedgrass
Caltha palustris L.	marsh marigold
Carex barrattii Schweinitz and Torr.	Barratt's sedge
Carex buxbaumii Wahlenb.	Buxbaum's Sedge
Carex canescens L. ssp. *disjuncta* Fern.	hoary Sedge
Carex fumosimontana Estes	Smoky Mountain sedge
Carex lonchocarpa Willd. ex Spreng.	southern long sedge
Carex manhartii Bryson	Manhart's sedge
Carex muskingumensis Schweinitz	Muskingum sedge
Carex pellita Willd.	woolly sedge
Carex tetanica Schkuhr	rigid sedge
Cephaloziella messalongi (Spruce) K. Muell.	a liverwort
Cerastium velutinum Raf.	velvety cerastium
Clematis fremontii S. Wats.	Fremont's Leather Flower
Clematis glaucophylla Small	white-leaved leatherflower
Clematis morefieldii Kral	Huntsville vasevine
Clethra alnifolia L.	coastal pepperbush
Coeloglossum viride (L.) Hartman var. *virescens* (Muhl. ex Willd.) Luer	long-bracted green orchis
Collinsia verna Nutt.	blue-eyed Mary
Comptonia peregrina (L.) Coulter	sweet-fern
Coreopsis latifolia Michx.	broad-leaved tickseed
Coreopsis delphiniifolia Lam.	larkspur-leaved coreopsis
Corydalis sempervirens (L.) Pers.	pale corydalis
Crataegus harbisonii Beadle	Harbison's hawthorn
Cypripedium kentuckiense Reed	southern lady's-slipper
Cypripedium reginae Walt.	showy lady's-slipper
Dalea foliosa (A. Gray) Barneby	leafy prairie-clover
Dalea purpurea Vent.	purple prairie-clover
Delphinium exaltatum Ait.	tall larkspur
Desmodium ochroleucum M.A. Curtis ex Canby	creamflower tick-trefoil
Diamorpha smallii Britt.	Small's stonecrop
Dichanthelium acuminatum ssp. *spretum* (Schult.) Freckmann & Lelong	Eaton's witchgrass
Dichanthelium ensifolium ssp. *curtifolium* (Nash) Freckmann & Lelong	short-leaved panic grass
Echinacea pallida (Nutt.) Nutt.	pale purple coneflower
Eleocharis elliptica Kunth	elliptic spike rush
Eleocharis equisetoides (Ell.) Torr.	horse-tail spike-rush
Eleocharis intermedia J.A. Schultes	matted spike rush
Eleocharis wolfii A. Gray	Wolf's spike rush
Eriocaulon decangulare L.	ten-angle pipewort
Eriogonum longifolium Nutt. var. *harperi* (Goodm.) Reveal	Harper's umbrella-plant
Eriophorum virginicum L.	tawny cotton grass
Erysimum capitatum (Dougl.) Greene	western wallflower
Eupatorium leucolepis (DC.) Torr. and A. Gray	white-bracted thoroughwort
Eurybia saxicastelli (J. J. N. Campbell & Medley) G. L. Nesom	Rockcastle aster
Euthamia gymnospermoides Green	Great Plains goldentop
Fimbristylis perpusilla Harper	Harper's fimbristylis
Frullania appalachiana R. M. Schust.	a liverwort
Gentiana puberulenta J.S. Pringle	prairie gentian
Geum aleppicum Jacq.	yellow avens
Geum geniculatum Michx.	bent avens
Geum radiatum Michx.	spreading avens
Glyceria laxa (Scribn.) Scribn.	limp manna grass
Gratiola floridana Nutt.	Florida hedge-hyssop
Hedyotis purpurea (L.) Torr. & A.Gray var. *montana* (Small) Fosberg	Roan Mountain bluet
Helenium brevifolium (Nutt.) Wood	shortleaf sneezeweed

Helianthemum propinquum E.P. Bicknell	low frostweed
Helianthus verticillatus Small	whorled sunflower
Homaliadelphus sharpii (Williams) Sharp	Sharp's homaliadelphus moss
Hydrocotyle americana L.	American water-pennywort
Hypericum adpressum Barton	creeping St. John's-wort
Hypericum ellipticum Hook.	pale St. John's-wort
Hypericum graveolens Bickl.	mountain St. John's-wort
Iris brevicaulis Raf.	Lamance iris
Isoetes appalachiana D.F.Brunton & D.M.Britton	Appalachian quillwort
Isoetes melanopoda Gay and Durieu	blackfoot quillwort
Isoetes tennesseensis N.T. Luebke & J.M. Budke	Hiwassee quillwort
Isotria medeoloides (Pursh) Raf.	small whorled pogonia
Lachnanthes caroliana (Lam.)	Carolina redroot
Lechea pulchella Raf.	Leggett's pinweed
Lejeunea sharpii (Schust.) Schust.	Sharp's lejeunia
Leptodontium viticulosoides var. *sulphureum* (Müller Hal.) R. H. Zander	Grandfather Mountain leptodontium
Leptohymenium sharpii (Crum & Anders.) Buck & Crum	Mount Le Conte moss
Leptoscyphus cuneifolius (Hook.) Mitt.	a liverwort
Lilium grayi S. Wats.	Gray's lily
Lilium philadelphicum L.	wood lily
Listera australis Lindl.	southern twayblade
Lonicera prolifera (Kirchner) Rehder	grape honeysuckle
Lysimachia fraseri Duby	Fraser's loosestrife
Lysimachia quadriflora Sims	fourflower yellow loosestrife
Lysimachia terrestris (L.) BSP.	swamp loosestrife
Maianthemum stellatum (L.) Link	starflower false solomom's-seal
Marshallia grandiflora Beadle and Boynton	large-flowered Barbara's-buttons
Marshallia obovata (Walt.) Beadle & F.E. Boynton	spoonshape Barbara's buttons
Marsupella funckii (Web. & Mohr) Dumort.	a liverwort
Melanthium latifolium Desr.	broadleaf bunchflower
Melanthium virginicum L.	Virginia bunchflower
Melanthium woodii (J.W. Robbins ex Wood) Bodkin	Ozark bunchflower
Minuartia cumberlandensis (Wofford & Kral) McNeill	Cumberland sandwort
Minuartia godfreyi (Shinners) McNeill	Godfrey's stitchwort
Minuartia groenlandica (Retzius) Ostenfeld	mountain sandwort
Muhlenbergia cuspidata (Torr.) Rydb.	plains muhly
Muhlenbergia torreyana (Shult.) Hitchcock	Torrey's dropseed
Myriophyllum pinnatum (Walt.) B.S.P.	cutleaf Watermilfoil
Nestronia umbellula Raf.	conjurer's nut
Onosmodium hispidissimum Mack.	shaggy false gromwell
Onosmodium molle Michx. ssp. *subsetosum* (Mack & Bush) Cochrane	smooth false gromwell
Patis racemoss (Sm.) Romasch., P.M. Peterson & R. J. Soreng	mountain ricegrass
Paxistima canbyi A. Gray	Canby's mountain-lover
Paysonia perforata (Rollins) O'Kane & Al-Shehbaz	Spring Creek bladderpod
Paysonia stonensis (Rollins) O'Kane & Al-Shehbaz	Stones River bladderpod
Perideridia americana (Nutt. ex DC.) Reichenb.	thicket parsley
Phegopteris connectilis (Michx.) Watt	long beech fern
Physaria globosa (Desv.) O'Kane	globe bladderpod
Pityopsis ruthii (Small) Small	Ruth's golden-aster
Plantago cordata Lam.	heart-leaved plantain
Platanthera grandiflora (Bigelow) Lindl.	large purple fringed orchid
Platanthera integra (Nutt.) A. Gray ex Beck	yellow fringeless orchid
Platanthera integrilabia (Correll) Luer	white fringeless orchid
Platanthera nivea (Nutt.) Luer	snowy orchid
Poa palustris L.	owl bluegrass
Pogonia ophioglossoides (L.)Ker-Gawl.	rose pogonia
Polygala nana (Michx.) DC.	dwarf milkwort
Polygala nuttallii Torr. and A. Gray	Nuttall's milkwort

Polygonella americana (Fisch. and Mey)	small southern jointweed
Ponthieva racemosa (Walt.) Mohr	shadow-witch
Porella gracillima	hot porella
Prunus pumila L.	sand cherry
Pycnanthemum beadlei (Small) Fern.	Beadle's mountain mint
Prenanthes crepidinea Michx.	nodding rattlesnake-root
Pycnanthemum verticillatum (Michx.) Pers.	whorled mountain-mint
Pyrola americana Sweet	American wintergreen
Ranunculus aquatilis var. *diffusus* Withering	eastern white water crowfoot
Rhamnus alnifolia L'Hér.	alderleaf buckthorn
Rhynchospora capillacea Torr.	horned beak-rush
Rhynchospora debilis Gale	savannah beak-rush
Rhynchospora rariflora (Michx.) Ell.	few-flowered beak-rush
Rudbeckia triloba L. var. *pinnatiloba* Torrey & A. Gray	browneyed susan
Rugelia nudicaulis Shuttlw. ex Chapman	Rugel's ragwort
Sabatia capitata (Raf.) Blake	rose gentian
Sagittaria rigida Pursh	sessile-fruited arrowhead
Sanguisorba canadensis L.	canada burnet
Saxifraga caroliniana A. Gray	Carolina saxifrage
Saxifraga pensylvanica L.	swamp saxifrage
Scutellaria arguta Buckl.	hairy scullcap
Sedum nevii A. Gray	Nevius' stonecrop
Silene ovata Pursh	ovate catchfly
Silphium brachiatum Gattinger	Cumberland rosinweed
Solidago gattingeri Chapm.	Gattinger's goldenrod
Solidago lancifolia Torr. and A. Gray	broadleaf goldenrod
Solidago porteri Small	Porter's goldenrod
Solidago ptarmicoides (Nees) Bovin	prairie goldenrod
Solidago rupestris Raf.	rock goldenrod
Solidago spithamaea M.A. Curtis	Blue Ridge goldenrod
Sparganium androcladum (Engelm.) Morong	branching bur-reed
Sphenolobopsis pearsoni (Spruce) Shust. & Kitag.	a liverwort
Spiraea alba DuRoi	narrow-leaved meadow-sweet
Spiraea virginiana Britt.	Virginia spiraea
Spiranthes magnicamporum Sheviak	Great Plains ladies'-tresses
Spiranthes ochroleuca (Rydb.) Rydb.	yellow nodding ladies'-tresses
Spiranthes odorata (Nutt.) Lindl.	sweetscent ladies'-tresses
Sporobolus junceus (P.Beauv.) Kunth	Piney-woods dropseed
Stellaria alsine Grimm	trailing stitchwort
Stellaria longifolia Muhl.	longleaf stitchwort
Stenanthium diffusum Wofford	Cumberland featherbells
Sullivantia sullivantii (Torr. & Gray) Britt.	Sullivan's coolwort
Symphyotrichum ericoides (L.) G.L. Nesom var. *ericoides*	bushy aster
Symphyotrichum praealtum (Poiret) G. L. Nesom	willow aster
Symphyotrichum pratense (Rafinesque) Nesom	barrens silky aster
Symplocarpus foetidus (L.) Nutt.	skunk-cabbage
Taxus canadensis Marsh.	American yew
Thaspium pinnatifidum (Buckley) A. Gray	cutleaf meadow parsnip
Tortula ammonsiana Crum & Anders.	Ammon's tortula
Tortula fragilis Tayl.	fragile tortula
Triantha glutinosa (Walter) Small	sticky false asphodel
Triantha racemosa (Walter) Small	coastal false-asphodel
Tridens flavus (L.) Hitchc. var. *chapmanii* (Small) Shinners	purpletop tridens
Trichophorum cespitosum (L.) Hartman	tufted club-rush
Trifolium calcaricum J.L. Collins & Wieboldt	running glade clover
Trifolium reflexum L.	buffalo clover
Trillium decumbens Harbison	trailing trillium
Trillium lancifolium Raf.	narrow-leaved trillium
Trillium pusillum Michx.	least trillium

Trillium rugelii Rendle	southern nodding trillium
Utricularia cornuta Michx.	horned bladderwort
Vaccinium elliottii Chapm.	mayberry
Veronica catenata Pennell	sessile water-speedwell
Veronica scutellata L.	marsh-speedwell
Viburnum bracteatum Rehd.	limerock arrow-wood
Viburnum molle Michx.	softleaf arrow-wood
Vitis rupestris Scheele	rock grape
Xyris ambigua Beyr. ex. Kunth.	coastal-plain yellow-eyed-grass
Xyris fimbriata Ell.	fringed yellow-eyed-grass
Xyris tennesseensis R. Kral	Tennessee yellow-eyed-grass
Zigadenus glaucus 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.

CAROL L. GRICE
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

Date: February 1, 2013

Signature: Roger McCoy

Name of Officer: Roger McCoy

Title of Officer: Director

Subscribed and sworn to before me on: February 1, 2013

Notary Public Signature: Carol L. Grice

My commission expires on: June 21, 2016

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Filed with the Department of State on: 2/1/13

Tre Hargett
Secretary of State

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