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.

<table>
<thead>
<tr>
<th>Agency/Board/Commission:</th>
<th>Environment and Conservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division:</td>
<td>Division of Natural Areas</td>
</tr>
<tr>
<td>Contact Person:</td>
<td>Todd Crabtree</td>
</tr>
</tbody>
</table>
| 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:

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

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

| Address 1: | Conference Room K  
            | 3rd Floor |
| Address 2: | William R. Snodgrass Tennessee Tower  
            | 312 Rosa L. Parks Avenue |
| City:      | Nashville, Tennessee |
| Zip:       | 37243 |
| Hearing Date: | 11/15/2019 |
| Hearing Time: | 1:00 p.m. __X CST/CDT ___EST/EDT |

Additional Hearing Information:

If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Chad Kimes at (615) 532-8739 for more 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 https://www.tn.gov/environment/ppo-public-participation/ppo-public-participation/ppo-natural-areas.html.
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, November 15, 2019, 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-.04</td>
<td>List of Endangered Species</td>
</tr>
</tbody>
</table>
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 plukenetii (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</td>
<td>Hart's-tongue fern</td>
</tr>
<tr>
<td>(Fern.) Kartesz &amp; Gandhi</td>
<td></td>
</tr>
<tr>
<td>Astragalus bibullatus 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>Botrychium simplex E. Hitchc.</td>
<td></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>Calthta 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>Coelogyne messalongi (Spruce) K. Muell.</td>
<td>a liverwort</td>
</tr>
<tr>
<td>Cerastium 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 vinacea 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>Coelogyne viride (L.) Hartman var. virescens (Muhl. ex Willd.) Luer</td>
<td>long-bracted green orchis</td>
</tr>
<tr>
<td>Collinsia verna Nutt.</td>
<td>blue-eyed Mary</td>
</tr>
</tbody>
</table>
Comptonia peregrina (L.) Coulter — sweetfern
Coreopsis latifolia Michx. — broad-leaved tickseed
Crataegus barbisonii 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 (Schult.) Freckmann & Lelong — tall larkspur
desmodium ochroleucum M.A. Curtis ex Canby — creamflower tick-trefoil
dichanthelium acuminatum ssp. spretem (Schult.) Freckmann & Lelong — Eaton's witchgrass
Dichanthelium ensifolium ssp. cipitatum (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
Eriogonum harperi Goodman — Harper's umbrella-plant
Eriophorum virginicum L. — tawny cotton grass
Eurybia saxicastelli (J. N. Campbell & Medley) G. L. Nesom — Rockcastle aster
Euthamia gymnostemoides Green — Great Plains goldentop
Fimbristylis perpusilla Harper — Harper's fimbristylis
Gentiana puberulenta J.S. Pringle — prairie gentian
Geum aleppicum Jacq. — yellow avens
Geum geniculatum 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
Helenium brevifolium (Nutt.) Mich. — Canada frostweed
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 appalachiaca 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 carolinae (Lam.) — Carolina redroot
Lechea pulchella Raf. — Legget's pinweed
Lejeunea sharpii (Schust.) Schust. — Sharp's lejeunia
Leptodontium viticulosoides var. sulphureum (Müller Hal.) R. H. Zander — Grandfather Mountain leptodontium
Leptodactylon parviflorum Weakley, Witsell & D. Estes — softhair marbleseed

Lilium philadelphicum L. — wood lily
Listera australis Lindl. — southern twayblade
Lithospermum parviflorum Weakley, Witsell & D. Estes — softhair marbleseed

SS-7037 (October 2018) RDA 1693
Lithospermum subsetosum  
(Mack. & Bush) Weakley, Witsell, & D. Estes  
smooth false gromwell

Lonicera proflora (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

Nabalis asper (Michx.) Torr. & A. Gray  
rough rattlesnake root

Nestronia umbellula Raf.  
conjurer's nut

Packera crawfordii (Britt.) A.M. Mahoney & R.R. Lowal  
Crawford's ragwort

Paysonia perforata (Rollins) O'Kane & Al-Shehbaz  
Spring Creek bladderpod

Paysonia stonensis (Rollins) O'Kane & Al-Shehbaz  
Kral's beardtongue

Paxistima canbyi A. Gray  
Canby's mountain-lover

Penstemon kralii D. Estes  
Beck's purple fringed orchid

Perideridia americana (Nutt. ex DC.) Reichenb.  
long beech fern

Physaria globosa (Desv.) O'Kane  
globe bladderpod

Platanthera integrilabia (Correll) Luer  
white fringeless orchid

Platanthera nivea (Nutt.) Luer  
snowy orchid

Poa palustris L.  
railroad ricegrass

Pogonia ophioglossoides (L.) Ker-Gawl.  
small southern jointweed

Polygala nana (Michx.) DC.  
small northern jointweed

Polygala nuttallii Torr. and A. Gray  
shadow-witch

Polyonella americana (Fisch. and Mey)  
hot porella

Polella gracilima  
sand cherry

Prunus pumila L.  
Beadle's mountain mint

Pycnanthemum beardlei (Small) Fern.  
Torrey's mountain mint

Pycnanthemum torrei Benth.  
whorled mountain-mint

Pycnanthemum verticillatum (Michx.) Pers.  
American wintergreen

Pyrola americana Sweet  
eastern white water crowfoot

Ranunculus aquatilis var. diffusus Withering  
alders leaf buckthorn

Rhamnus alnifolia L'Hér.  
horned beak-rush

Rhynchospora capillacea Torr.  
savannah beak-rush

Rhynchospora debilis Gale  
few-flowered beak-rush

Rhynchospora rariflora (Michx.) Ell.  
browneyed susan

Rudbeckia triloba var. beardlei (Small) Fernald  
Rugel's ragwort

Rutella nudicaulis Shuttlw. ex Chapman  
rose gentian

Sabatia capitata (Raf.) Blake  
 sessile-fruited arrowhead

Sagittaria rigid Pursh  
canada burnet

Sanguisorba canadensis L.  
Carolina saxifrage

Saxifraga caroliniana A. Gray  
swamp saxifrage
Schoenoplectus subterminalis (Torr.) Sojak
Sutellaria arguta Buckl.
Sedum nevii A. Gray
Silene oovata Pursh
Siphiium brachiatum Gattenger
Solidago gattengeri Chapm.
Solidago lancifolia Torr. and A. Gray
Solidago porteri Small
Solidago ptarmicoides (Nees) Bovin
Solidago rupestris Raf.
Solidago spithamaea M.A. Curtis
Sparganium androcladum (Engelm.) Moron
Sphenolobopsis pearsoni (Spruce) Shust. & Kitag.
Spiraea alba DuRoi
Spiraea virginiana Britt.
Spiranthes magnicamporum Sheviak
Spiranthes ochroleuca (Rydb.) Rydb.
Spiranthes odorata (Nutt.) Lindl.
Sporobolus junceus (P. Beauv.) Kunth
Stachys appalachiana D.B. Poindexter & J.B. Nelson
Stellaria alsine Grimm
Stellaria longifolia Muhl.
Stenanthium diffusum Wofford
Sullivania sullivantii (Torr. & Gray) Britt.
Symphyotrichum ericoides
(L.) G.L. Nesom var. ericoides
Symphyotrichum praetatum (Poirat) G.L. Nesom
Symphoeratrum prunifolium (Rafinesque) Nesom
Sympr combustion foetidus (L.) Nutt.
Taxus canadensis Marsh.
Thaspium pinnatifidum (Buckley) A. Gray
Tortula ammosiana Crum & Anders.
Tortulafragilis Tayl.
Trianthuta glutinosa (Walter) Small
Trianthuta racemosa (Walter) Small
Tridens flavus
(L.) Hitchc. var. chapmanii (Small) Shinners
Trichophorum cespitosum (L.) Hartman
Trifolium calcaricum 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 ambigua Beyr. ex. Kunth.
Xyris fimбриata Ell.
Xyris tennesseensis R. Kral
Zigadenus glaucus Nutt.

Authority:  T.C.A. §§ 4-5-201 et seq. and 70-8-301 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: September 17, 2019
Signature: ________________________________
Name of Officer: Roger McCoy
Title of Officer: Director of the Division of Natural Areas

Subscribed and sworn to before me on: ________________________________
Notary Public Signature: ________________________________
My commission expires on: ________________________________

Department of State Use Only

Filed with the Department of State on: ________________________________

_________________________________
Tre Hargett
Secretary of State