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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) 306-6292
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:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 22nd Floor Nashville, Tennessee 37243
Phone:	615-532-0200 Hearing-impaired callers may use the TN Relay Service 1-800-848-0298
Email:	kathryn.reitz@tn.gov

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

Address 1:	Multimedia Room, 3 rd Floor		
Address 2:	William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date:	03/26/2024		
Hearing Time:	10:30 AM	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Alternate Hearing Option

Method 1:	Microsoft Teams meeting Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 276 814 710 052 Passcode: 2pxZcZ Download Teams Join on the web
Method 2:	Join with a video conferencing device stateoftn@m.webex.com

	Video Conference ID: 115 071 631 1 Alternate VTC instructions
Method 3:	Or call in (audio only) +1 629-209-4396,,674036075# United States, Nashville Phone Conference ID: 674 036 075# Find a local number Reset PIN Learn More Meeting options

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 Rachael Maitland at (423) 836-8925 or tdec.titlevi@tn.gov for more information. Si le resulta difícil leer, hablar o entender inglés, TDEC puede proporcionar servicios de traducción o interpretación sin cargo. Comuníquese con Rachael Maitland al (423) 836-8925 o tdec.titlevi@tn.gov para obtener más información.

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 615-306-6292 or by email at Todd.Crabtree@tn.gov. However, such written comments must be received by 4:30 PM CDT, March 28, 2024, to ensure 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 <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

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

Amendments

Paragraph (6) of Rule 0400-06-02-.03 Promulgation of Lists is amended by deleting it in its entirety and substituting instead the following:

- (6) Copies of the current list of endangered species or the list of threatened or special concern species shall be made available, upon request, by the Department of Environment and Conservation, Division of Natural Areas, 312 Rosa L. Parks Avenue, Nashville, Tennessee 37243.

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

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) Pennell	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>Anemone caroliniana</i> Walt.	Carolina anemone
<i>Anthoxanthum hirtum</i> (Schrank) Y. Schouten & Veldkamp	hairy sweetgrass
<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>Blephilia subnuda</i> Simmers & Kral	Cumberland pagoda-plant
<i>Blephilia woffordii</i> Floden	Caney Fork woodmint
<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>Campanula rotundifolia</i> L.	bluebell bellflower
<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 pallescens</i> L.	pale sedge
<i>Carex pellita</i> Willd.	woolly sedge
<i>Carex tetanica</i> Schkuhr	rigid sedge
<i>Carex utriculata</i> Boott	Northwest Territory sedge
<i>Cephaloziella messalongi</i> (Spruce) K. Muell.	a liverwort
<i>Cerastium velutinum</i> Raf.	velvety cerastium
<i>Chelone obliqua</i> L.	red turtlehead
<i>Clematis fremontii</i> S. Wats.	Fremont's Leather Flower
<i>Clematis vinacea</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>Dichantheium acuminatum</i> ssp. <i>spretum</i> (Schult.) Freckmann & Lelong	Eaton's witchgrass
<i>Dichantheium 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 canadense</i> (L.) Michx.	Canada frostweed
<i>Helianthemum propinquum</i> E.P. Bicknell	low frostweed
<i>Helianthus verticillatus</i> Small	whorled sunflower
<i>Heteranthera missouriensis</i> C.N. Horn	bouquet mud plantain
<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>Lachnocaulon anceps</i> (Walter) Morong	whitehead bogbutton
<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>Leptohymenium 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>Lithospermum parviflorum</i> Weakley, Witsell & D. Estes	softhair marbleseed
<i>Lithospermum subsetosum</i> (Mack. & Bush) Weakley, Witsell, & D. Estes	smooth false growwell
<i>Lonicera prolifera</i> (Kirchner) Rehder	grape honeysuckle
<i>Lysimachia fraseri</i> Duby	Fraser's loosestrife
<i>Lysimachia quadriflora</i> Sims	fourflower yellow loosestrife
<i>Lysimachia terrestris</i> (L.) BSP.	swamp loosestrife
<i>Maianthemum stellatum</i> (L.) Link	starflower false solomom's-seal
<i>Marshallia grandiflora</i> Beadle and Boynton	large-flowered Barbara's-buttons
<i>Marshallia obovata</i> (Walt.) Beadle & F.E. Boynton	spoonshape Barbara's buttons
<i>Marsipella funckii</i> (Web. & Mohr) Dumort.	a liverwort
<i>Melanthium latifolium</i> Desr.	broadleaf bunchflower
<i>Melanthium virginicum</i> L.	Virginia bunchflower
<i>Minuartia cumberlandensis</i> (Wofford & Kral) McNeill	Cumberland sandwort
<i>Minuartia godfreyi</i> (Shinners) McNeill	Godfrey's stitchwort
<i>Minuartia groenlandica</i> (Retzius) Ostenfeld	mountain sandwort
<i>Muhlenbergia cuspidata</i> (Torr.) Rydb.	plains muhly
<i>Muhlenbergia torreyana</i> (Shult.) Hitchcock	Torrey's dropseed
<i>Myriophyllum pinnatum</i> (Walt.) B.S.P.	cutleaf Watermilfoil
<i>Nabalisp asper</i> (Michx.) Torr. & A. Gray	rough rattlesnake root
<i>Nestronia umbellula</i> Raf.	conjurer's nut
<i>Packeria crawfordii</i> (Britt.) A.M. Mahoney & R.R. Lowal	Crawford's ragwort
<i>Patis racemosa</i> (Sm.) Romasch., P.M. Peterson & R. J. Soreng	mountain ricegrass
<i>Paxistima canbyi</i> A. Gray	Canby's mountain-lover
<i>Paysonia perforata</i> (Rollins) O'Kane & Al-Shehbaz	Spring Creek bladderpod
<i>Paysonia stonensis</i> (Rollins) O'Kane & Al-Shehbaz	Stones River bladderpod
<i>Penstemon kralii</i> D. Estes	Kral's beardtongue
<i>Penstemon tubiflorus</i> Nutt.	white wand beard tongue
<i>Perideridia americana</i> (Nutt. ex DC.) Reichenb.	thicket parsley
<i>Phegopteris connectilis</i> (Michx.) Watt	long beech fern
<i>Physaria globosa</i> (Desv.) O'Kane	globe bladderpod
<i>Pityopsis ruthii</i> (Small) Small	Ruth's golden-aster
<i>Plantago cordata</i> Lam.	heart-leaved plantain
<i>Platanthera grandiflora</i> (Bigelow) Lindl.	large purple fringed orchid
<i>Platanthera integra</i> (Nutt.) A. Gray ex Beck	yellow fringeless orchid
<i>Platanthera integrilabia</i> (Correll) Luer	white fringeless orchid
<i>Platanthera nivea</i> (Nutt.) Luer	snowy orchid
<i>Poa palustris</i> L.	owl bluegrass
<i>Pogonia ophioglossoides</i> (L.) Ker-Gawl.	rose pogonia
<i>Polygala nana</i> (Michx.) DC.	dwarf milkwort
<i>Polygala nuttallii</i> Torr. and A. Gray	Nuttall's milkwort
<i>Polygonella americana</i> (Fisch. and Mey)	small southern jointweed
<i>Ponthieva racemosa</i> (Walt.) Mohr	shadow-witch
<i>Porella gracillima</i>	hot porella
<i>Prunus pumila</i> L.	sand cherry

<i>Pycnanthemum beadlei</i> (Small) Fern.	Beadle's mountain mint
<i>Pycnanthemum torrei</i> Benth.	Torrey's mountain mint
<i>Pycnanthemum verticillatum</i> (Michx.) Pers.	whorled mountain-mint
<i>Pyrola americana</i> Sweet	American wintergreen
<i>Ranunculus aquatilis</i> var. <i>diffusus</i> Withering	eastern white water crowfoot
<i>Rhamnus alnifolia</i> L'Hér.	alderleaf buckthorn
<i>Rhynchosia latifolia</i> Nutt.	prairie snoutbean
<i>Rhynchospora capillacea</i> Torr.	horned beak-rush
<i>Rhynchospora debilis</i> Gale	savannah beak-rush
<i>Rhynchospora rariflora</i> (Michx.) Ell.	few-flowered beak-rush
<i>Rudbeckia triloba</i> var. <i>beadlei</i> (Small) Fernald	browneyed susan
<i>Rugelia nudicaulis</i> Shuttlw. ex Chapman	Rugel's ragwort
<i>Sabatia capitata</i> (Raf.) Blake	rose gentian
<i>Sagittaria rigida</i> Pursh	sessile-fruited arrowhead
<i>Sanguisorba canadensis</i> L.	canada burnet
<i>Saxifraga caroliniana</i> A. Gray	Carolina saxifrage
<i>Saxifraga pennsylvanica</i> L.	swamp saxifrage
<i>Schoenoplectus subterminalis</i> (Torr.) Soják	swaying bulrush
<i>Scutellaria arguta</i> Buckl.	hairy scullcap
<i>Sedum nevii</i> A. Gray	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>Stachys appalachiana</i> D.B. Poind. & J.B. Nelson	Appalachian hedge-nettle
<i>Stellaria alsine</i> Grimm	trailing stitchwort
<i>Stenanthium diffusum</i> Wofford	Cumberland featherbells
<i>Sullivantia sullivantii</i> (Torr. & Gray) Britt.	Sullivan's coolwort
<i>Symphotrichum ericoides</i> (L.) G.L. Nesom var. <i>ericoides</i>	bushy 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 ammonsiana</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> (L.) Hitchc. var. <i>chapmanii</i> (Small) Shinnery	purpletop tridens
<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 17, 2024

Signature: *Roger McCoy*

Name of Officer: Roger McCoy

Title of Officer: Director of the Division of Natural Areas

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Filed with the Department of State on: 1/17/2024

Tre Hargett

Tre Hargett
Secretary of State

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