

**Department of State
Division of Publications**

312 Rosa L. Parks, 8th Floor Snodgrass/TN Tower
Nashville, TN 37243
Phone: 615.741.2650
Email: publications.information@tn.gov

For Department of State Use Only

Sequence Number: 10-09-17
Notice ID(s): 2759
File Date: 10/6/17

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:	Tennessee Wildlife Resources Agency
Division:	Biodiversity
Contact Person:	Lisa Crawford
Address:	TWRA, PO Box 40747, Nashville, TN 37204-0747
Phone:	615-781-6606
Email:	Lisa.Crawford@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:	Rick Pharris
Address:	TWRA, PO Box 40747, Nashville, TN 37204-0747
Phone:	615-781-6594
Email:	Rick.Pharris@tn.gov

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

Address 1:	Lone Oaks Farm
Address 2:	10000 Lake Hardeman Road
City:	Middleton, TN
Zip:	38052
Hearing Date :	12/08/2017
Hearing Time:	9:00 a.m. <input checked="" type="checkbox"/> CST/CDT <input type="checkbox"/> EST/EDT

Additional Hearing Information:

www.loneoaksfarm.com

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
1660-01-32	Rules and Regulations for In Need of Management, Threatened, and Endangered Species
Rule Number	Rule Title
1660-01-32-.01	Adoption of Federal Endangered Species Act
1660-01-32-.02	Threatened and Endangered Species Lists and Rules
1660-01-32-.03	Wildlife In Need of Management List and Rules

New Rules

1660-01-32-.01, Adoption of Federal Endangered Species Act, is added as a new rule to read as follows:

- (1) The Tennessee Wildlife Resources Agency hereby adopts by reference the species and subspecies protected by the Federal Endangered Species Act of 1973, as amended, 16 USCA, Ch. 35. A list of Tennessee's Federally threatened and endangered species under the Endangered Species Act may be found at 50 C.F.R. §17.11.

Authority: T.C.A. §§70-1-206, 70-8-104, 70-8-106 and 70-8-107. **Administrative History:**

Original rule filed _____; effective _____.

1660-01-32-.02, Threatened and Endangered Species Lists and Rules, is added as a new rule to read as follows:

- (1) The following species or subspecies are listed as state endangered.

(a) Crayfish

Common Name	Scientific Name
Big South Fork Crayfish	<i>Cambarus bouchardi</i>
Mountain Crayfish	<i>Cambarus conasaugaensis</i>
Conasauga Blue Burrower	<i>Cambarus cymatilis</i>
Valley Flame Crayfish	<i>Cambarus deweesae</i>
Chickamauga Crayfish	<i>Cambarus extraneus</i>
Obey Crayfish	<i>Cambarus obeyensis</i>
Pristine Crayfish	<i>Cambarus pristinus</i>
Speckled Crayfish	<i>Cambarus lentiginosus</i>
Hatchie Burrowing Crayfish	<i>Creaserinus hortonii</i>
Blood River Crayfish	<i>Faxonius burri</i>
Flint River Crayfish	<i>Faxonius cooperi</i>
Tennessee Cave Crayfish	<i>Orconectes incomptus</i>
Hardin Crayfish	<i>Faxonius wrighti</i>

(b) Fish

Common Name	Scientific Name
Lake Sturgeon	<i>Acipenser fulvescens</i>
Ashy Darter	<i>Etheostoma cinereum</i>
Crown Darter	<i>Etheostoma corona</i>
Barrens Darter	<i>Etheostoma forbesi</i>
Tuckasegee Darter	<i>Etheostoma gutselli</i>
Egg-mimic Darter	<i>Etheostoma pseudovulatum</i>
Barrens Topminnow	<i>Fundulus julisia</i>
Coosa Chub	<i>Macrhybopsis sp. 1</i>
Silverjaw minnow	<i>Notropis buccatus</i>

(c) Amphibians

Common Name	Scientific Name
Streamside Salamander	<i>Ambystoma barbouri</i>
Hellbender	<i>Cryptobranchus alleganiensis</i>

(d) Birds

Common Name	Scientific Name
Bachman's Sparrow	<i>Peucaea aestivalis</i>

(2) The following species or subspecies are listed as state threatened.

(a) Crayfish

Common Name	Scientific Name
Tennessee Bottlebrush Crayfish	<i>Barbicambarus simmonsii</i>
Hiwassee Crayfish	<i>Cambarus hiwasseeensis</i>
Greensaddle Crayfish	<i>Cambarus manningi</i>
Cocoa Crayfish	<i>Cambarus stockeri</i>
Brawleys Fork Crayfish	<i>Cambarus williamsi</i>
Crescent Crayfish	<i>Faxonius taylori</i>

(b) Fish

Common Name	Scientific Name
Western Sand Darter	<i>Ammocrypta clara</i>
Blue sucker	<i>Cycleptus elongatus</i>
Coppercheek Darter	<i>Etheostoma aquali</i>
Holiday Darter	<i>Etheostoma brevirostrum</i>
Coldwater Darter	<i>Etheostoma ditrema</i>
Redlips Darter	<i>Etheostoma maydeni</i>
Striated Darter	<i>Etheostoma striatulum</i>
Trispot Darter	<i>Etheostoma trisella</i>
Saddled Madtom	<i>Noturus fasciatus</i>
Frecklebelly Madtom	<i>Noturus munitus</i>
Longhead Darter	<i>Percina macrocephala</i>
Sickle Darter	<i>Percina williamsi</i>

(c) Amphibians

Common Name	Scientific Name
Berry Cave Salamander	<i>Gyrinophilus gulolineatus</i>
Tennessee Cave Salamander	<i>Gyrinophilus pallescens</i>

Pale Salamander	<i>Gyrinophilus pallescens pallescens</i>
Big Mouth Cave Salamander	<i>Gyrinophilus pallescens necturoides</i>

(d) Reptiles

Common Name	Scientific Name
Alligator Snapping Turtle	<i>Macrolemys temminckii</i>
Northern Pine Snake	<i>Pituophis melanoleucus</i>
Western Pigmy Rattlesnake	<i>Sistrurus miliarius streckeri</i>

(e) Birds

Common Name	Scientific Name
Henslow's Sparrow	<i>Ammodramus henslowii</i>
Golden-winged Warbler	<i>Vermivora chrysoptera</i>

(f) Mammals

Common Name	Scientific Name
Little Brown Bat	<i>Myotis lucifugus</i>
Tri-colored Bat	<i>Perimyotis subflavus</i>

Authority: T.C.A. §§70-1-206, 70-8-104, 70-8-106 and 70-8-107. **Administrative History:**
Original rule filed _____; effective _____.

1660-01-32-.03, Wildlife In Need of Management List and Rules, is added as a new rule to read as follows:

(1) The following species or subspecies are listed as state wildlife in need of management

(a) Crayfish

Common Name	Scientific Name
Bottlebrush Crayfish	<i>Barbicambarus cornutus</i>
Short Mountain Crayfish	<i>Cambarus clivosus</i>
Prickly Cave Crayfish	<i>Cambarus hamulatus</i>
Spiny Scale Crayfish	<i>Cambarus jezerinaci</i>
Florence Crayfish	<i>Cambarus andersoni</i>
Alabama Crayfish	<i>Faxonius alabamensis</i>
Barren River Crayfish	<i>Faxonius barrenensis</i>
Cumberland Plateau Cave	<i>Orconectes barri</i>
Mammoth Cave Crayfish	<i>Orconectes pellucidus</i>

(b) Fish

Common Name	Scientific Name
Naked Sand Darter	<i>Ammocrypta beanii</i>
Scaly Sand Darter	<i>Ammocrypta vivax</i>
American Eel	<i>Anguilla rostrata</i>
Alligator Gar	<i>Atractosteus spatula</i>
Highfin Carpsucker	<i>Carpodes velifer</i>
Tennessee Dace	<i>Chrosomus tennesseensis</i>
Rugby Dace	<i>Chrosomus sp 1</i>
Smoky Dace	<i>Clinostomus funduloides ssp. 1</i>
Emerald Darter	<i>Etheostoma baileyi</i>
Teardrop Darter	<i>Etheostoma barbouri</i>
Splendid Darter	<i>Etheostoma barrenense</i>
Orangefin Darter	<i>Etheostoma bellum</i>
Chickasaw Darter	<i>Etheostoma cervus</i>
Golden Darter	<i>Etheostoma denoncourti</i>
Redband Darter	<i>Etheostoma luteovinctum</i>
Smallscale Darter	<i>Etheostoma microlepidum</i>
Lollypop Darter	<i>Etheostoma neopterum</i>
Sooty Darter	<i>Etheostoma olivaceum</i>
Firebelly Darter	<i>Etheostoma pyrrhogaster</i>
Arrow Darter	<i>Etheostoma sagitta</i>
Tippecanoe Darter	<i>Etheostoma tippecanoe</i>
Tuscumbia Darter	<i>Etheostoma tuscumbia</i>
Wounded Darter	<i>Etheostoma vulneratum</i>
Golden Topminnow	<i>Fundulus chrysotus</i>
Flame Chub	<i>Hemitremia flammea</i>
Plains Minnow	<i>Hybognathus placitus</i>
Lined Chub	<i>Hybopsis lineapunctata</i>
Southern Brook Lamprey	<i>Ichthyomyzon gagei</i>
Silver Lamprey	<i>Ichthyomyzon unicuspis</i>
Sturgeon Chub	<i>Macrhybopsis gelida</i>
Sicklefin Chub	<i>Macrhybopsis meeki</i>
Rainbow Shiner	<i>Notropis chrosomus</i>
Bigmouth Shiner	<i>Notropis dorsalis</i>
Bedrock Shiner	<i>Notropis rupestris</i>
Piebald Madtom	<i>Noturus gladiator</i>
Tangerine Darter	<i>Percina aurantiaca</i>
Blotchside Logperch	<i>Percina burtoni</i>
Slenderhead Darter	<i>Percina phoxocephala</i>
Olive Darter	<i>Percina squamata</i>
Frecklebelly Darter	<i>Percina stictogaster</i>
Riffle Minnow	<i>Phenacobius catostomus</i>
Blackfin Sucker	<i>Thoburnia atripinnis</i>
Southern Cavefish	<i>Typhlichthys subterraneus</i>

(c) Amphibians

Common Name	Scientific Name
Cumberland Dusky Salamander	<i>Desmognathus abditus</i>
Seepage Salamander	<i>Desmognathus aeneus</i>
Black Mountain Salamander	<i>Desmognathus welteri</i>
Pygmy Salamander	<i>Desmognathus wrighti</i>
Junaluska Salamander	<i>Eurycea junaluska</i>
Four-toed Salamander	<i>Hemidactylium scutatum</i>
Wehrle's Salamander	<i>Plethodon wehrlei</i>
Weller's Salamander	<i>Plethodon welleri</i>

(d) Reptiles

Common Name	Scientific Name
Mississippi Green Water Snake	<i>Nerodia cyclopion</i>
Eastern Slender Glass Lizard	<i>Ophisaurus attenuatus longicaudus</i>
Coal Skink	<i>Plestiodon anthracinus</i>

(e) Birds

Common Name	Scientific Name
Golden Eagle	<i>Aquila chrysaetos</i>
Little Blue Heron	<i>Egretta caerulea</i>
Wood Thrush	<i>Hylocichla mustelina</i>
Least Bittern	<i>Ixobrychus exilis</i>
Loggerhead Shrike	<i>Lanius ludovicianus</i>
Swainson's Warbler	<i>Limnothlypis swainsonii</i>
Black-crowned Night-heron	<i>Nycticorax nycticorax</i>
King Rail	<i>Rallus elegans</i>
Cerulean Warbler	<i>Setophaga cerulea</i>
Bewick's Wren	<i>Thryomanes bewickii</i>

(f) Mammals

Common Name	Scientific Name
Star-nosed Mole	<i>Condylura cristata</i>
Rafinesque's Big-eared Bat	<i>Corynorhinus rafinesquii</i>
Southern Rock Vole	<i>Microtus chrotorrhinus carolinensis</i>
Eastern Small-footed Bat	<i>Myotis leibii</i>
Southern Appalachian Woodrat	<i>Neotoma floridana haematorea</i>
Eastern Woodrat	<i>Neotoma floridana illinoensis</i>
Allegheny Woodrat	<i>Neotoma magister</i>
Hairy-tailed Mole	<i>Parascalops breweri</i>
Long-tailed Shrew	<i>Sorex dispar</i>
American Water Shrew	<i>Sorex palustris</i>
Southern Bog Lemming	<i>Synaptomys cooperi</i>

Authority: T.C.A. §§70-1-206, 70-8-104, 70-8-106 and 70-8-107. **Administrative History:** Original rule filed _____; effective _____.

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: 10-5-17

Signature: _____

Name of Officer: Ed Carter

Title of Officer: Executive Director

Subscribed and sworn to before me on: _____

Notary Public Signature: _____

My commission expires on: 3-10-2019

Department of State Use Only

Filed with the Department of State on: _____

10/6/17

Tre Hargett

Tre Hargett
Secretary of State

RECEIVED
2017 OCT -6 AM 11:52
SECRETARY OF STATE
PUBLICATIONS