

**SUBCHAPTER 48F - PLANT CONSERVATION**

**SUBCHAPTER 48F OF TITLE 2 OF THE NORTH CAROLINA ADMINISTRATION CODE (2 NCAC 48F) WAS TRANSFERRED AND RECODIFIED FROM SUBCHAPTER 10G OF TITLE 2 OF THE NORTH CAROLINA ADMINISTRATIVE CODE (2 NCAC 10G), EFFECTIVE OCTOBER 3, 1990.**

**SECTION .0100 - ORGANIZATIONAL RULES**

- 02 NCAC 48F .0101      POLICIES OF THE PLANT SPECIES CONSERVATION PROGRAM**
- 02 NCAC 48F .0102      DEFINITIONS**
- 02 NCAC 48F .0103      BOARD ORGANIZATION**
- 02 NCAC 48F .0104      POWERS AND DUTIES OF THE BOARD**
- 02 NCAC 48F .0105      ORGANIZATION OF THE SCIENTIFIC COMMITTEE**
- 02 NCAC 48F .0106      POWERS AND DUTIES OF THE SCIENTIFIC COMMITTEE**

*History Note:*      *Authority G.S. 106-202.1 through 106-202.8;*  
*Eff. July 1, 1980;*  
*Repealed Eff. May 1, 1984.*

**SECTION .0200 - PROCEDURES FOR PLACING ON PROTECTED PLANT LISTS: PENALTIES AND ENFORCEMENT**

- 02 NCAC 48F .0201      PROCEDURES FOR PLACING ON PROTECTED PLANT LISTS**
- 02 NCAC 48F .0202      UNLAWFUL ACTS: PENALTIES AND ENFORCEMENT**

*History Note:*      *Authority G.S. 106-202.1 through 106-202.8;*  
*Eff. July 1, 1980;*  
*Repealed Eff. May 1, 1984.*

**SECTION .0300 - ENDANGERED PLANT SPECIES LIST: THREATENED PLANT SPECIES LIST: LIST OF SPECIES OF SPECIAL CONCERN**

**02 NCAC 48F .0301      PROTECTED PLANT SPECIES LIST**

The North Carolina Plant Conservation Board hereby establishes the following list of protected plant species (\*\* indicates federally listed):

	Species	Status
(1)	Acmispon helleri Carolina Prairie-trefoil;	Threatened
(2)	Acrobolbus ciliatus A liverwort;	Special Concern, Vulnerable
(3)	Adiantum capillus-veneris Venus Hair Fern;	Threatened
(4)	Adlumia fungosa Climbing Fumitory;	Special Concern, Vulnerable
(5)	Aeschynomene virginica** Sensitive Jointvetch;	Threatened
(6)	Agalinis virgata Branched Gerardia;	Threatened
(7)	Agrostis mertensii Arctic Bentgrass;	Endangered
(8)	Aletris lutea Yellow Colic-root;	Threatened

(9)	<i>Allium allegheniense</i> Allegheny Onion;	Special Concern, Vulnerable
(10)	<i>Allium keeverae</i> Keever's Onion;	Special Concern, Vulnerable
(11)	<i>Alnus crispa</i> Green Alder;	Special Concern, Vulnerable
(12)	<i>Amaranthus pumilus</i> ** Seabeach Amaranth;	Threatened
(13)	<i>Amorpha confusa</i> Savanna Indigo-bush;	Threatened
(14)	<i>Amorpha georgiana</i> Georgia Indigo-bush;	Endangered
(15)	<i>Amphicarpum muhlenbergianum</i> Florida Goober Grass, Blue Maidencane;	Endangered
(16)	<i>Anemone berlandieri</i> Southern Anemone;	Endangered
(17)	<i>Anemone caroliniana</i> Prairie Anemone;	Endangered
(18)	<i>Arabis adpressipilis</i> Hairy Rockcress;	Endangered
(19)	<i>Arethusa bulbosa</i> Bog Rose;	Endangered
(20)	<i>Aristida condensata</i> Big Three-awn Grass;	Threatened
(21)	<i>Aristida simpliciflora</i> Chapman's Three-awn;	Endangered
(22)	<i>Arnoglossum ovatum</i> var. <i>lanceolatum</i> Savanna Indian-plantain;	Endangered
(23)	<i>Asclepias cinerea</i> Carolina Milkweed;	Special Concern, Historical
(24)	<i>Asclepias pedicellata</i> Savanna Milkweed;	Special Concern, Vulnerable
(25)	<i>Asplenium heteroresiliens</i> Carolina Spleenwort;	Endangered
(26)	<i>Asplenium monanthes</i> Single-sorus Spleenwort;	Endangered
(27)	<i>Asplenium ruta-muraria</i> var. <i>cryptolepis</i> American Wall-rue;	Special Concern, Vulnerable
(28)	<i>Astragalus michauxii</i> Sandhills Milkvetch;	Special Concern, Vulnerable
(29)	<i>Baccharis glomeruliflora</i> Silverling;	Endangered
(30)	<i>Bacopa caroliniana</i> Blue Water-hyssop;	Threatened
(31)	<i>Bacopa innominata</i> Tropical Water-hyssop;	Special Concern, Historical
(32)	<i>Balduina atropurpurea</i> Purple-disk Honeycomb-head;	Endangered
(33)	<i>Baptista aberrans</i> Eastern Prairie Blue Wild Indigo	Endangered
(34)	<i>Baptisia alba</i> Thick-pod White Wild Indigo;	Threatened
(35)	<i>Baptisia bracteata</i> Creamy Wild Indigo;	Special Concern, Historical
(36)	<i>Berberis canadensis</i>	Special Concern, Vulnerable

(37)	American Barberry; <i>Betula cordifolia</i> Mountain Paper Birch;	Special Concern, Vulnerable
(38)	<i>Bouteloua curtipendula</i> var. <i>curtipendula</i> Sideoats Grama;	Threatened
(39)	<i>Bromus ciliatus</i> Fringed Brome;	Special Concern, Vulnerable
(40)	<i>Buchnera americana</i> American Bluehearts;	Endangered
(41)	<i>Buckleya distichophylla</i> Piratebush;	Threatened
(42)	<i>Bulbostylis warei</i> Ware's Hair Sedge;	Special Concern, Historical
(43)	<i>Calamagrostis cainii</i> Cain's Reedgrass;	Endangered
(44)	<i>Calamagrostis canadensis</i> var. <i>canadensis</i> Canada Reedgrass;	Special Concern, Vulnerable
(45)	<i>Calopogon multiflorus</i> Many-flowered Grass-pink;	Endangered
(46)	<i>Caltha palustris</i> var. <i>palustris</i> Marsh Marigold;	Endangered
(47)	<i>Camassia scilloides</i> Wild Hyacinth;	Threatened
(48)	<i>Campanula rotundifolia</i> Bluebells;	Endangered
(49)	<i>Campylium stellatum</i> Yellow Starry Fen Moss;	Special Concern, Vulnerable
(50)	<i>Cardamine dissecta</i> Dissected Toothwort;	Special Concern, Vulnerable
(51)	<i>Cardamine longii</i> Long's Bittercress;	Special Concern, Vulnerable
(52)	<i>Cardamine micranthera</i> ** Small-anthered Bittercress;	Endangered
(53)	<i>Carex arctata</i> Black Sedge;	Special Concern, Vulnerable
(54)	<i>Carex argyrantha</i> Hay Sedge;	Endangered
(55)	<i>Carex barrattii</i> Barratt's Sedge;	Special Concern, Historical
(56)	<i>Carex basiantha</i> Widow Sedge;	Endangered
(57)	<i>Carex buxbaumii</i> Brown Bog Sedge;	Special Concern, Vulnerable
(58)	<i>Carex calcifugens</i> Calcium-fleeing Sedge;	Special Concern, Vulnerable
(59)	<i>Carex careyana</i> Carey's Sedge;	Threatened
(60)	<i>Carex cherokeensis</i> Cherokee Sedge;	Threatened
(61)	<i>Carex conoidea</i> Cone-shaped Sedge, Field Sedge;	Threatened
(62)	<i>Carex cristatella</i> Crested Sedge;	Special Concern, Vulnerable
(63)	<i>Carex eburnea</i> Bristle-leaf Sedge;	Threatened

(64)	<i>Carex exilis</i> Coastal Sedge;	Endangered
(65)	<i>Carex hormathodes</i> Marsh Straw Sedge;	Threatened
(66)	<i>Carex impressinervia</i> Ravine Sedge;	Special Concern, Vulnerable
(67)	<i>Carex jamesii</i> James's Sedge;	Special Concern, Vulnerable
(68)	<i>Carex lasiocarpa</i> var. <i>americana</i> Slender Sedge;	Special Concern, Vulnerable
(69)	<i>Carex lutea</i> ** Golden Sedge;	Endangered
(70)	<i>Carex meadii</i> Mead's Sedge;	Endangered
(71)	<i>Carex oligocarpa</i> Rich-woods Sedge;	Threatened
(72)	<i>Carex oligosperma</i> Few-seeded Sedge;	Endangered
(73)	<i>Carex pedunculata</i> var. <i>pedunculata</i> Longstalk Sedge;	Special Concern, Vulnerable
(74)	<i>Carex radfordii</i> Radford's Sedge;	Threatened
(75)	<i>Carex reniformis</i> Kidney Sedge;	Threatened
(76)	<i>Carex superata</i> Limestone Forest Sedge;	Threatened
(77)	<i>Carex tenax</i> Wire Sedge;	Endangered
(78)	<i>Carex trichocarpa</i> Hairy-fruited Sedge;	Special Concern, Vulnerable
(79)	<i>Carex trisperma</i> Three-seeded Sedge;	Endangered
(80)	<i>Carex utriculata</i> Beaked Sedge;	Endangered
(81)	<i>Carex vesicaria</i> Inflated Sedge;	Endangered
(82)	<i>Carex vestita</i> Velvet Sedge;	Threatened
(83)	<i>Carya laciniosa</i> Big Shellbark Hickory;	Threatened
(84)	<i>Carya myristiciformis</i> Nutmeg Hickory;	Endangered
(85)	<i>Caulophyllum giganteum</i> Northern Blue Cohosh;	Special Concern, Vulnerable
(86)	<i>Celastrus scandens</i> American Bittersweet;	Endangered
(87)	<i>Cetraria arenaria</i> Sand-loving Iceland Lichen;	Special Concern, Vulnerable
(88)	<i>Chamerion angustifolium</i> ssp. <i>circumvagum</i> Fireweed;	Endangered
(89)	<i>Chasmanthium nitidum</i> Shiny Spanglegrass;	Threatened
(90)	<i>Chelone cuthbertii</i> Cuthbert's Turtlehead;	Special Concern, Vulnerable
(91)	<i>Chenopodium simplex</i>	Threatened

(92)	Mapleleaf Goosefoot; <i>Chiloscyphus appalachianus</i> A liverwort;	Special Concern, Vulnerable
(93)	<i>Chiloscyphus muricatus</i> A liverwort;	Special Concern, Vulnerable
(94)	<i>Chrysoma pauciflosculosa</i> Woody Goldenrod;	Endangered
(95)	<i>Cirsium carolinianum</i> Carolina Thistle;	Endangered
(96)	<i>Cirsium lecontei</i> LeConte's Thistle;	Special Concern, Vulnerable
(97)	<i>Clematis occidentalis</i> var. <i>occidentalis</i> Mountain Clematis;	Special Concern, Vulnerable
(98)	<i>Clinopodium georgianum</i> Georgia Calamint;	Endangered
(99)	<i>Collinsonia verticillata</i> Whorled Horsebalm;	Threatened
(100)	<i>Conioselinum chinense</i> Hemlock-parsley;	Threatened
(101)	<i>Coptis trifolia</i> Goldthread;	Threatened
(102)	<i>Coreopsis aristulata</i> Short-awned Coreopsis;	Threatened
(103)	<i>Corydalis micrantha</i> Slender Corydalis;	Threatened
(104)	<i>Coryphopteris simulata</i> Bog Fern;	Endangered
(105)	<i>Crataegus pallens</i> Pale Hawthorn;	Threatened
(106)	<i>Crinum americanum</i> var. <i>americanum</i> Swamp-lily;	Special Concern, Historical
(107)	<i>Crocanthemum bicknellii</i> Plains Sunrose;	Special Concern, Vulnerable
(108)	<i>Crocanthemum carolinianum</i> Carolina Sunrose;	Endangered
(109)	<i>Crocanthemum corymbosum</i> Pinebarren Sunrose;	Threatened
(110)	<i>Crocanthemum georgianum</i> Georgia Sunrose;	Endangered
(111)	<i>Crocanthemum nashii</i> Florida Scrub Sunrose, Florida Scrub Frostweed;	Endangered
(112)	<i>Crocanthemum propinquum</i> Creeping Sunrose;	Threatened
(113)	<i>Crocanthemum rosmarinifolium</i> Rosemary Sunrose;	Threatened
(114)	<i>Croton monanthogynus</i> Prairie-tea Croton;	Endangered
(115)	<i>Cyperus dentatus</i> Toothed Flatsedge;	Special Concern, Historical
(116)	<i>Cyperus granitophilus</i> Granite Flatsedge;	Threatened
(117)	<i>Cyperus lecontei</i> LeConte's Flatsedge;	Threatened
(118)	<i>Cyperus subsquarrosus</i>	Special Concern, Historical

(119)	Small-flowered Halfchaff; Cyperus tetragonus Four-angled Flatsedge;	Special Concern, Vulnerable
(120)	Cyperus virens Greens Flatsedge;	Special Concern, Vulnerable
(121)	Cystopteris tennesseensis Tennessee Bladder-fern;	Endangered
(122)	Dactylorhiza viridis Long-bracted Frog Orchid;	Threatened
(123)	Dalibarda repens Robin Runaway;	Endangered
(124)	Delphinium exaltatum Tall Larkspur;	Threatened
(125)	Deschampsia cespitosa ssp. glauca Tufted Hairgrass;	Threatened
(126)	Desmodium ochroleucum White Tick-trefoil, Creamy Tick-trefoil;	Special Concern, Historical
(127)	Desmodium sessilifolium Sessile Tick-trefoil;	Special Concern, Historical
(128)	Diarrhena americana Eastern Beakgrain;	Threatened
(129)	Dichanthelium annulum Ringed Witchgrass;	Endangered
(130)	Dichanthelium caerulescens Blue Witchgrass;	Threatened
(131)	Dichanthelium hirstii Hirst Brothers' Witchgrass;	Endangered
(132)	Dichanthelium spretum Eaton's Witchgrass;	Endangered
(133)	Dichanthelium strigosum var. glabrescens Hairless Witchgrass;	Threatened
(134)	Diervilla rivularis Riverbank Bush-honeysuckle;	Threatened
(135)	Dionaea muscipula Venus Flytrap;	Threatened
(136)	Diplachne maritima Salt-meadow Grass;	Endangered
(137)	Drosera filiformis var. filiformis Threadleaf Sundew;	Special Concern, Vulnerable
(138)	Echinacea laevigata** Smooth Coneflower;	Endangered
(139)	Eleocharis cellulosa Gulfcoast Spikerush;	Threatened
(140)	Eleocharis elongata Florida Spikerush;	Endangered
(141)	Eleocharis parvula Dwarf Spikerush;	Threatened
(142)	Eleocharis robbinsii Robbins' Spikerush;	Special Concern, Vulnerable
(143)	Eleocharis vivipara Viviparous Spikerush;	Threatened
(144)	Elymus trachycaulus ssp. trachycaulus Slender Wheatgrass;	Threatened
(145)	Enemion biternatum Eastern Isopyrun;	Special Concern, Vulnerable

(146)	<i>Epidendrum conopseum</i> Green-fly Orchid;	Threatened
(147)	<i>Erigenia bulbosa</i> Harbinger-of-spring;	Threatened
(148)	<i>Eriocaulon aquaticum</i> Seven-angled Pipewort;	Special Concern, Vulnerable
(149)	<i>Eriocaulon parkeri</i> Estuary Pipewort;	Threatened
(150)	<i>Eriocaulon texense</i> Texas Hatpins;	Endangered
(151)	<i>Eriogonum tomentosum</i> Southern Wild-buckwheat	Special Concern, Historical
(152)	<i>Erythrina herbacea</i> Coralbean;	Endangered
(153)	<i>Eupatorium leptophyllum</i> Limesink Dog-fennel;	Endangered
(154)	<i>Eupatorium paludicola</i> Bay Boneset;	Endangered
(155)	<i>Euphorbia commutata</i> Cliff Spurge;	Threatened
(156)	<i>Euphorbia cordifolia</i> Heartleaf Sandmat;	Threatened
(157)	<i>Euphorbia mercurialina</i> Cumberland Spurge;	Special Concern, Vulnerable
(158)	<i>Filipendula rubra</i> Queen-of-the-Prairie;	Endangered
(159)	<i>Fimbristylis perpusilla</i> Harper's Fimbry;	Threatened
(160)	<i>Gaillardia aestivalis</i> var. <i>aestivalis</i> Sandhills Blanket-flower;	Endangered
(161)	<i>Galactia mollis</i> Soft Milk-pea;	Threatened
(162)	<i>Gaylussacia brachycera</i> Box Huckleberry;	Endangered
(163)	<i>Gaylussacia nana</i> Dwarf Dangleberry;	Endangered
(164)	<i>Gaylussacia orocola</i> Appalachian Dwarf Huckleberry;	Endangered
(165)	<i>Gelsemium rankinii</i> Swamp Jessamine;	Special Concern, Vulnerable
(166)	<i>Gentiana alba</i> Pale Gentian;	Special Concern, Historical
(167)	<i>Gentiana latidens</i> Balsalm Mountain Gentian;	Threatened
(168)	<i>Gentianopsis crinita</i> Eastern Fringed Gentian;	Endangered
(169)	<i>Geum aleppicum</i> Yellow Avens;	Endangered
(170)	<i>Geum geniculatum</i> Bent Avens;	Special Concern, Vulnerable
(171)	<i>Geum laciniatum</i> Rough Avens;	Endangered
(172)	<i>Geum radiatum</i> ** Spreading Avens;	Endangered
(173)	<i>Gillenia stipulata</i>	Threatened

(174)	Indian Physic; Glyceria laxa Lax Mannagrass;	Special Concern, Vulnerable
(175)	Gratiola lutea Golden Hedge-hyssop;	Special Concern, Vulnerable
(176)	Gymnocarpium appalachianum Appalachian Oak Fern;	Threatened
(177)	Gymnoderma lineare** Rock Gnome Lichen;	Endangered
(178)	Harperella nodosa [Ptilimnium nodosum]** Harperella;	Endangered
(179)	Helanthium tenellum Dwarf Burhead;	Endangered
(180)	Helenium brevifolium Littleleaf Sneezeweed;	Endangered
(181)	Helenium vernale Spring Sneezeweed;	Endangered
(182)	Helianthus floridanus Florida Sunflower;	Threatened
(183)	Helianthus laevigatus Smooth Sunflower;	Special Concern, Vulnerable
(184)	Helianthus occidentalis ssp. occidentalis Naked-stem Sunflower;	Special Concern, Historical
(185)	Helianthus schweinitzii** Schweinitz's Sunflower;	Endangered
(186)	Helonias bullata** Swamp Pink;	Threatened
(187)	Hexastylis contracta Mountain Heartleaf;	Endangered
(188)	Hexastylis naniflora** Dwarf-flowered Heartleaf;	Threatened
(189)	Hibiscus aculeatus Comfortroot;	Threatened
(190)	Hottonia inflata Featherfoil;	Special Concern, Vulnerable
(191)	Houstonia montana** Roan Mountain Bluet;	Endangered
(192)	Hudsonia montana** Mountain Golden-heather;	Threatened
(193)	Hudsonia tomentosa Sand Heather;	Threatened
(194)	Hydrastis canadensis Goldenseal;	Special Concern, Vulnerable
(195)	Hymenocallis occidentalis var. occidentalis Hillside Spider-lily;	Special Concern, Historical
(196)	Hymenocallis pygmaea Waccamaw River Spiderlily;	Special Concern, Vulnerable
(197)	Hypericum adpressum Bog St. John's-wort;	Special Concern, Historical
(198)	Hypericum brachyphyllum Coastal Plain St. John's-wort;	Special Concern, Vulnerable
(199)	Hypericum fasciculatum Peelbark St. John's-wort;	Endangered
(200)	Hypericum radfordiorum Radford's St. John's-wort;	Special Concern, Vulnerable

(201)	<i>Hypericum suffruticosum</i> Pineland St. John's-wort;	Special Concern, Historical
(202)	<i>Hypotrachyna virginica</i> Virginia Loop Lichen;	Special Concern, Vulnerable
(203)	<i>Ilex collina</i> Long-stalked Holly;	Special Concern, Vulnerable
(204)	<i>Ipomoea imperati</i> Beach Morning-glory;	Special Concern, Vulnerable
(205)	<i>Ipomoea macrorhiza</i> Manroot;	Special Concern, Historical
(206)	<i>Isoetes microvela</i> Thin-wall Quillwort;	Threatened
(207)	<i>Isoetes piedmontana</i> Piedmont Quillwort;	Threatened
(208)	<i>Isotria medeoloides**</i> Small Whorled Pogonia;	Threatened
(209)	<i>Iva microcephala</i> Small-headed Marsh Elder;	Threatened
(210)	<i>Jeffersonia diphylla</i> Twinleaf;	Threatened
(211)	<i>Juncus articulatus</i> Jointleafed Rush;	Special Concern, Historical
(212)	<i>Juncus caesariensis</i> New Jersey Rush;	Endangered
(213)	<i>Juniperus communis</i> var. <i>depressa</i> Dwarf Juniper;	Threatened
(214)	<i>Kalmia angustifolia</i> Sheep-laurel;	Threatened
(215)	<i>Koeleria spicata</i> Spike Trisetum;	Special Concern, Historical
(216)	<i>Lachnocaulon minus</i> Brown Bogbutton;	Threatened
(217)	<i>Lechea maritima</i> var. <i>virginica</i> Maritime Pinweed;	Threatened
(218)	<i>Lechea torreyi</i> var. <i>congesta</i> Torrey's Pinweed;	Endangered
(219)	<i>Lejeunea blomquistii</i> A liverwort;	Special Concern, Vulnerable
(220)	<i>Liatris aspera</i> Rough Blazing-star;	Special Concern, Vulnerable
(221)	<i>Liatris helleri**</i> Heller's Blazing-star;	Threatened
(222)	<i>Liatris microcephala</i> Small-head Blazing-star;	Special Concern, Vulnerable
(223)	<i>Lilium canadense</i> Canada Lily;	Endangered
(224)	<i>Lilium grayi</i> Gray's Lily;	Threatened
(225)	<i>Lilium philadelphicum</i> var. <i>philadelphicum</i> Wood Lily;	Endangered
(226)	<i>Lilium pyrophilum</i> Sandhills Lily;	Endangered
(227)	<i>Limosella australis</i> Awl-leaf, Mudwort;	Threatened
(228)	<i>Lindera melissifolia**</i>	Endangered

(229)	Pondberry; <i>Lindera subcoriacea</i>	Special Concern, Vulnerable
(230)	Bog Spicebush; <i>Linum floridanum</i> var. <i>chrysocarpum</i>	Threatened
(231)	Yellow-fruited Flax; <i>Linum sulcatum</i>	Special Concern, Historical
(232)	Glade Flax; <i>Liparis loeselii</i>	Endangered
(233)	Fen Orchid; <i>Lithospermum canescens</i>	Threatened
(234)	Hoary Puccoon; <i>Litsea aestivalis</i>	Special Concern, Vulnerable
(235)	Pondspice; <i>Lobelia boykinii</i>	Endangered
(236)	Boykin's Lobelia; <i>Lophiola aurea</i>	Endangered
(237)	Golden-crest; <i>Ludwigia lanceolata</i>	Endangered
(238)	Lanceleaf Seedbox; <i>Ludwigia linifolia</i>	Threatened
(239)	Flaxleaf Seedbox; <i>Ludwigia ravenii</i>	Endangered
(240)	Raven's Seedbox; <i>Ludwigia sphaerocarpa</i>	Endangered
(241)	Globe-fruit Seedbox; <i>Ludwigia suffruticosa</i>	Threatened
(242)	Shrubby Seedbox; <i>Lupinus villosus</i>	Endangered
(243)	Pink Sandhill Lupine; <i>Lycopodiella inundata</i>	Endangered
(244)	Northern Bog Clubmoss; <i>Lysimachia asperulifolia</i> **	Endangered
(245)	Rough-leaf Loosestrife; <i>Lysimachia borealis</i>	Threatened
(246)	Northern Starflower; <i>Lysimachia fraseri</i>	Endangered
(247)	Fraser's Loosestrife; <i>Macbridea caroliniana</i>	Endangered
(248)	Carolina Birds-in-a-Nest, Carolina Bogmint; <i>Magnolia macrophylla</i>	Special Concern, Vulnerable
(249)	Bigleaf Magnolia; <i>Malaxis spicata</i>	Special Concern, Vulnerable
(250)	Florida Adder's-mouth; <i>Marshallia grandiflora</i>	Special Concern, Historical
(251)	Large-flowered Barbara's-buttons; <i>Marshallia legrandii</i>	Endangered
(252)	Oak Barrens Barbara's-buttons; <i>Marshallia trinervia</i>	Special Concern, Historical
(253)	Broadleaf Barbara's-buttons; <i>Melanthium woodii</i>	Threatened
(254)	Ozark Bunchflower; <i>Melica nitens</i>	Endangered
(255)	Three-flowered Melic; <i>Menyanthes trifoliata</i>	Threatened

	Buckbean;	
(256)	<i>Micranthes pensylvanica</i> Swamp Saxifrage;	Endangered
(257)	<i>Mnesithea cylindrica</i> Carolina Jointgrass;	Special Concern, Historical
(258)	<i>Mononeuria groenlandica</i> Greenland Sandwort;	Threatened
(259)	<i>Mononeuria paludicola</i> Godfrey's Sandwort;	Endangered
(260)	<i>Mononeuria uniflora</i> Single-flowered Sandwort;	Endangered
(261)	<i>Moranopteris nimbata</i> West Indian Dwarf Polypody;	Threatened
(262)	<i>Muhlenbergia glomerata</i> Spiked Muhly;	Special Concern, Vulnerable
(263)	<i>Muhlenbergia sobolifera</i> Rock Muhly;	Threatened
(264)	<i>Muhlenbergia torreyana</i> Pinebarren Smokegrass;	Special Concern, Vulnerable
(265)	<i>Myrica gale</i> Sweet Gale;	Endangered
(266)	<i>Myriophyllum laxum</i> Loose Water-milfoil;	Endangered
(267)	<i>Myriophyllum tenellum</i> Leafless Water-milfoil;	Endangered
(268)	<i>Nabalus albus</i> White Rattlesnakeroot;	Special Concern, Vulnerable
(269)	<i>Nartheccium montanum</i> Appalachian Yellow Asphodel;	Special Concern, Historical
(270)	<i>Oenothera perennis</i> Perennial Sundrops;	Special Concern, Vulnerable
(271)	<i>Oldenlandia boscii</i> Bosc's Bluet;	Threatened
(272)	<i>Oligoneuron album</i> Prairie Goldenrod;	Endangered
(273)	<i>Oligoneuron jacksonii</i> Southeastern Bold Goldenrod;	Special Concern, Vulnerable
(274)	<i>Oligoneuron rigidum</i> Midwestern Bold Goldenrod;	Threatened
(275)	<i>Orbexilum macrophyllum</i> Bigleaf Scurfpea;	Special Concern, Historical
(276)	<i>Orbexilum onobrychis</i> Lanceleaf Scurfpea;	Special Concern, Historical
(277)	<i>Orbexilum pedunculatum</i> Western Sampson's Snakeroot;	Endangered
(278)	<i>Oreojuncus trifidus</i> Highland Rush;	Threatened
(279)	<i>Orthochilus ecristatus</i> Spiked Medusa;	Endangered
(280)	<i>Pachysandra procumbens</i> Allegheny Spurge;	Endangered
(281)	<i>Packera crawfordii</i> Crawford's Ragwort;	Endangered
(282)	<i>Packera millefolium</i> Blue Ridge Ragwort;	Special Concern, Vulnerable

(283)	<i>Packera paupercula</i> var. <i>appalachiana</i> Appalachian Ragwort;	Threatened
(284)	<i>Packera paupercula</i> var. <i>paupercula</i> Balsam Ragwort;	Special Concern, Vulnerable
(285)	<i>Packera schweinitziana</i> New England Ragwort;	Threatened
(286)	<i>Packera serpenticola</i> Buck Creek Ragwort;	Threatened
(287)	<i>Palustricodon aparinoides</i> var. <i>aparinoides</i> Marsh Bellflower;	Threatened
(288)	<i>Panicum flexile</i> Wiry Panic Grass;	Threatened
(289)	<i>Parnassia caroliniana</i> Carolina Grass-of-parnassus;	Threatened
(290)	<i>Parnassia grandifolia</i> Bigleaf Grass-of-parnassus;	Threatened
(291)	<i>Paronychia herniarioides</i> Michaux's Whitlow-wort;	Endangered
(292)	<i>Paspalum dissectum</i> Mudbank Crown Grass;	Endangered
(293)	<i>Pedicularis lanceolata</i> Swamp Lousewort;	Threatened
(294)	<i>Pellaea wrightiana</i> Wright's Cliff-brake;	Endangered
(295)	<i>Persicaria hirsuta</i> Hairy Smartweed;	Endangered
(296)	<i>Phacelia maculata</i> Flatrock Phacelia;	Endangered
(297)	<i>Phegopteris connectilis</i> Northern Beech Fern;	Endangered
(298)	<i>Phemeranthus piedmontanus</i> Piedmont Rock-pink;	Endangered
(299)	<i>Pinguicula lutea</i> Yellow Butterwort;	Special Concern, Vulnerable
(300)	<i>Pinguicula pumila</i> Small Butterwort;	Threatened
(301)	<i>Pityopsis graminifolia</i> A Silkgrass;	Endangered
(302)	<i>Plantago cordata</i> Heart-leaf Plantain;	Endangered
(303)	<i>Plantago sparsiflora</i> Pineland Plantain;	Threatened
(304)	<i>Platanthera herbiola</i> Tuberclad Rein Orchid;	Special Concern, Vulnerable
(305)	<i>Platanthera integra</i> Yellow Fringeless Orchid;	Threatened
(306)	<i>Platanthera integrilabia</i> ** White Fringeless Orchid;	Threatened
(307)	<i>Platanthera nivea</i> Snowy Orchid;	Endangered
(308)	<i>Platanthera peramoena</i> Purple Fringeless Orchid;	Threatened
(309)	<i>Platanthera shriveri</i> Shriver's Purple Fringed Orchid;	Endangered
(310)	<i>Poa saltuensis</i>	Threatened

(311)	Old-pasture Bluegrass; Polemonium reptans var. reptans Spreading Jacob's Ladder;	Threatened
(312)	Polygala hookeri Hooker's Milkwort;	Special Concern, Vulnerable
(313)	Polygala senega Seneca Snakeroot;	Special Concern, Vulnerable
(314)	Polygonella articulata Northern Wireweed, Coast Jointweed;	Special Concern, Historical
(315)	Polygonum glaucum Seabeach Knotweed;	Endangered
(316)	Ponthieva racemosa Shadow-witch;	Threatened
(317)	Portulaca smallii Small's Portulaca;	Threatened
(318)	Potamogeton illinoensis Illinois Pondweed;	Endangered
(319)	Primula meadia Eastern Shooting-star;	Special Concern, Vulnerable
(320)	Pseudognaphalium helleri Heller's Rabbit-tobacco;	Endangered
(321)	Ptilimnium costatum Big Bishop-weed;	Threatened
(322)	Pyrola elliptica Elliptic Shinleaf;	Threatened
(323)	Pyxidantha brevifolia Sandhills Pyxie-moss;	Threatened
(324)	Quercus elliotii Running Oak;	Endangered
(325)	Quercus ilicifolia Bear Oak	Endangered
(326)	Quercus minima Dwarf Live Oak;	Endangered
(327)	Quercus prinoides Dwarf Chinquapin Oak;	Endangered
(328)	Ranunculus ambigens Water-plantain Spearwort;	Special Concern, Historical
(329)	Ranunculus hederaceus Ivy-leaved Water Crowfoot;	Threatened
(330)	Rhexia aristosa Awned Meadow-beauty;	Special Concern, Vulnerable
(331)	Rhodiola rosea Roseroot;	Endangered
(332)	Rhododendron prinophyllum Election Pink;	Threatened
(333)	Rhus michauxii** Michaux's Sumac;	Endangered
(334)	Rhynchospora crinipes Alabama Beaksedge;	Threatened
(335)	Rhynchospora decurrens Swamp Forest Beaksedge;	Threatened
(336)	Rhynchospora harperi Harper's Beaksedge:	Special Concern, Vulnerable
(337)	Rhynchospora macra Southern White Beaksedge;	Threatened

(338)	<i>Rhynchospora microcarpa</i> Southern Beaksedge;	Threatened
(339)	<i>Rhynchospora odorata</i> Fragrant Beaksedge;	Special Concern, Vulnerable
(340)	<i>Rhynchospora pleiantha</i> Coastal Beaksedge;	Threatened
(341)	<i>Rhynchospora thornei</i> Thorne's Beaksedge;	Special Concern, Vulnerable
(342)	<i>Rhynchospora tracyi</i> Tracy's Beaksedge;	Threatened
(343)	<i>Rubus strigosus</i> American Red Raspberry;	Threatened
(344)	<i>Rudbeckia heliopsidis</i> Sun-facing Coneflower;	Endangered
(345)	<i>Ruellia ciliosa</i> Sandhills Wild-petunia;	Threatened
(346)	<i>Ruellia humilis</i> Low Wild-petunia;	Threatened
(347)	<i>Ruellia purshiana</i> Pursh's Wild-petunia;	Special Concern, Vulnerable
(348)	<i>Ruellia strepens</i> Limestone Wild-petunia;	Endangered
(349)	<i>Sabal palmetto</i> Cabbage Palmetto;	Threatened
(350)	<i>Sabatia kennedyana</i> Plymouth Gentian;	Threatened
(351)	<i>Sageretia minutiflora</i> Small-flowered Buckthorn;	Threatened
(352)	<i>Sagittaria chapmanii</i> Chapman's Arrowhead;	Threatened
(353)	<i>Sagittaria fasciculata</i> ** Bunched Arrowhead;	Endangered
(354)	<i>Sagittaria isoetiformis</i> Quillwort Arrowhead;	Threatened
(355)	<i>Sagittaria macrocarpa</i> Streamhead Arrowhead;	Threatened
(356)	<i>Sagittaria weatherbiana</i> Grassleaf Weatherby's Arrowhead;	Endangered
(357)	<i>Sarracenia jonesii</i> ** Mountain Sweet Pitcher Plant;	Endangered
(358)	<i>Sarracenia minor</i> var. <i>minor</i> Hooded Pitcher Plant;	Endangered
(359)	<i>Sarracenia oreophila</i> ** Green Pitcher Plant;	Endangered
(360)	<i>Sarracenia purpurea</i> var. <i>montana</i> Southern Appalachian Purple Pitcher Plant;	Endangered
(361)	<i>Sceptridium jenmanii</i> Alabama Grape-fern;	Special Concern, Vulnerable
(362)	<i>Schisandra glabra</i> Magnolia Vine;	Threatened
(363)	<i>Schwalbea americana</i> ** Chaffseed;	Endangered
(364)	<i>Scirpus flaccidifolius</i> Reclining Bulrush;	Endangered
(365)	<i>Scirpus lineatus</i>	Threatened

(366)	Drooping Bulrush; Scleria baldwinii	Threatened
(367)	Baldwin's Nutrush; Scleria bellii	Endangered
(368)	Smooth-seeded Hairy Nutrush; Scleria reticularis	Special Concern, Vulnerable
(369)	Netted Nutrush; Sclerolepis uniflora	Threatened
(370)	Sclerolepis; Scutellaria australis	Endangered
(371)	Southern Skullcap; Scutellaria galericulata	Special Concern, Historical
(372)	Hooded Skullcap; Scutellaria leonardii	Endangered
(373)	Shale-barren Skullcap; Scutellaria nervosa	Endangered
(374)	Veined Skullcap; Sedum pusillum	Endangered
(375)	Puck's Orpine; Senecio suaveolens	Endangered
(376)	Sweet Indian-plantain; Sesuvium maritimum	Endangered
(377)	Slender Sea-purslane; Sesuvium portulacastrum	Endangered
(378)	Shoreline Sea-purslane; Seymeria pectinata ssp.pectinata	Special Concern, Historical
(379)	Comb Seymeria; Shortia brevistyla	Threatened
(380)	Northern Oconee Bells; Shortia galacifolia	Special Concern, Vulnerable
(381)	Southern Oconee Bells; Sideroxylon tenax	Threatened
(382)	Tough Bumelia; Silene ovata	Special Concern, Vulnerable
(383)	Mountain Catchfly; Silphium connatum	Special Concern, Vulnerable
(384)	Virginia Cup-plant; Silphium perfoliatum	Special Concern, Vulnerable
(385)	Common Cup-plant; Sisyrinchium dichotomum**	Endangered
(386)	White Irisette; Solidago leavenworthii	Endangered
(387)	Leavenworth's Goldenrod; Solidago plumosa	Threatened
(388)	Yadkin River Goldenrod; Solidago radula	Endangered
(389)	Western Rough Goldenrod; Solidago spithamea**	Threatened
(390)	Blue Ridge Goldenrod; Solidago tortifolia	Endangered
(391)	Leafy Pineywoods Goldenrod; Solidago verna	Threatened
(392)	Spring-flowering Goldenrod; Solidago villosicarpa	Threatened
	Carolina Maritime Goldenrod:	

(393)	<i>Sparganium acaule</i> Greenfruit Bur-reed;	Endangered
(394)	<i>Spartina pectinata</i> Freshwater Cordgrass;	Threatened
(395)	<i>Sphagnum contortum</i> Contorted Peatmoss;	Threatened
(396)	<i>Sphagnum warnstorffii</i> Fen Peatmoss;	Special Concern, Vulnerable
(397)	<i>Spigelia marilandica</i> Pink-root;	Threatened
(398)	<i>Spiraea corymbosa</i> Rock Spiraea;	Endangered
(399)	<i>Spiraea virginiana</i> ** Virginia Spiraea;	Threatened
(400)	<i>Spiranthes lacera</i> var. <i>lacera</i> Northern Slender Ladies'-tresses;	Endangered
(401)	<i>Spiranthes laciniata</i> Lace-lip Ladies'-tresses;	Special Concern, Vulnerable
(402)	<i>Spiranthes longilabris</i> Giant Spiral Orchid;	Endangered
(403)	<i>Spiranthes lucida</i> Shining Ladies'-tresses;	Endangered
(404)	<i>Spiranthes ochroleuca</i> Yellow Nodding Ladies'-tresses;	Threatened
(405)	<i>Sporobolus heterolepis</i> Prairie Dropseed;	Threatened
(406)	<i>Sporobolus teretifolius</i> Wireleaf Dropseed;	Endangered
(407)	<i>Sporobolus virginicus</i> Seashore Dropseed;	Threatened
(408)	<i>Stachys appalachiana</i> Appalachian Hedge-nettle;	Endangered
(409)	<i>Stachys eplingii</i> Epling's Hedge-nettle;	Endangered
(410)	<i>Stachys matthewsii</i> Yadkin Hedge-nettle;	Endangered
(411)	<i>Stenanthium gramineum</i> Featherbells;	Endangered
(412)	<i>Stenanthium leimanthoides</i> Pinebarrens Death-camas;	Threatened
(413)	<i>Stylisma aquatica</i> Water Dawnflower;	Endangered
(414)	<i>Stylisma pickeringii</i> var. <i>pickeringii</i> Pickering's Dawnflower;	Special Concern, Vulnerable
(415)	<i>Swida asperifolia</i> Roughleaf Dogwood;	Endangered
(416)	<i>Swida racemose</i> Gray Dogwood;	Special Concern, Vulnerable
(417)	<i>Symphyotrichum concinnum</i> Narrow-leaved Smooth Aster;	Endangered
(418)	<i>Symphyotrichum depauperatum</i> Serpentine Aster;	Endangered
(419)	<i>Symphyotrichum georgianum</i> Georgia Aster;	Threatened
(420)	<i>Symphyotrichum oblongifolium</i>	Threatened

(421)	Eastern Aromatic Aster; Symphyotrichum rhiannon Buck Creek Aster;	Threatened
(422)	Synandra hispidula Synandra;	Threatened
(423)	Taxus canadensis Canada Yew;	Threatened
(424)	Thalictrum cooleyi** Cooley's Meadowrue;	Endangered
(425)	Thalictrum macrostylum Small-leaved Meadowrue;	Special Concern, Vulnerable
(426)	Thaspium pinnatifidum Mountain Thaspium;	Endangered
(427)	Thermopsis fraxinifolia Ash-leaved Golden-banner;	Special Concern, Vulnerable
(428)	Tiedmannia [Oxypolis] canbyi** Canby's Dropwort;	Endangered
(429)	Triantha glutinosa Sticky Bog Asphodel;	Special Concern, Vulnerable
(430)	Trichostema brachiatum Glade Bluecurls;	Endangered
(431)	Trichostema nesophilum Dune Bluecurls;	Special Concern, Vulnerable
(432)	Tridens ambiguus Pineland Triodia;	Endangered
(433)	Tridens chapmanii Chapman's Triodia;	Special Concern, Vulnerable
(434)	Tridens strictus Spike Triodia;	Special Concern, Historical
(435)	Trifolium carolinianum Carolina Clover;	Special Concern, Historical
(436)	Trifolium reflexum Buffalo Clover;	Threatened
(437)	Trillium discolor Pale Yellow Trillium;	Threatened
(438)	Trillium flexipes Bent White Trillium;	Threatened
(439)	Trillium pusillum var. ozarkanum Alabama Least Trillium;	Endangered
(440)	Trillium pusillum var. pusillum Carolina Least Trillium;	Endangered
(441)	Trillium pusillum var. virginianum Virginia Least Trillium;	Endangered
(442)	Trillium recurvatum Prairie Trillium;	Threatened
(443)	Trillium sessile Sessile-flowered Trillium;	Threatened
(444)	Trillium simile Sweet White Trillium;	Special Concern, Vulnerable
(445)	Turritis glabra Tower Mustard;	Endangered
(446)	Urtica chamaedryoides Dwarf Stinging Nettle;	Threatened
(447)	Utricularia cornuta Horned Bladderwort;	Threatened

(448)	Utricularia geminiscapa Two-flowered Bladderwort;	Special Concern, Vulnerable
(449)	Utricularia minor Small Bladderwort;	Special Concern, Historical
(450)	Utricularia olivacea Dwarf Bladderwort:	Threatened
(451)	Utricularia resupinata Northeastern Bladderwort;	Endangered
(452)	Vaccinium macrocarpon Cranberry;	Threatened
(453)	Vandenboschia boschiana Appalachian Filmy-fern;	Endangered
(454)	Veronica americana American Speedwell;	Threatened
(455)	Waldsteinia lobata Lobbed Barren-strawberry;	Endangered
(456)	Warea cuneifolia Carolina Pineland-cress;	Endangered
(457)	Woodsia ilvensis Rusty Cliff Fern;	Endangered
(458)	Xyris floridana Florida Yellow-eyed-grass;	Special Concern, Vulnerable
(459)	Xyris scabrifolia Roughleaf Yellow-eyed-grass;	Special Concern, Vulnerable
(460)	Xyris serotina Acid-swamp Yellow-eyed-grass;	Special Concern, Historical
(461)	Xyris stricta Pineland Yellow-eyed-grass;	Endangered
(462)	Zephyranthes simpsonii Florida Atamasco-lily.	Endangered

*History Note:* Authority G.S. 106-202.15;  
Eff. July 1, 1980;  
Amended Eff. December 1, 2010; August 1, 2006; March 1, 2004; July 1, 1998; April 1, 1993; December 1, 1992; September 1, 1991; August 1, 1990;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017;  
Amended Eff. May 1, 2021.

#### **02 NCAC 48F .0302 THREATENED PLANT SPECIES LIST**

*History Note:* Authority G.S. 106-202.15;  
Eff. July 1, 1980;  
Amended Eff. August 1, 2006; March 1, 2004; July 1, 1998; April 1, 1993; December 1, 1992; September 1, 1991; August 1, 1990;  
Repealed Eff. December 1, 2010.

#### **02 NCAC 48F .0303 LIST OF SPECIES OF SPECIAL CONCERN**

*History Note:* Authority G.S. 106-202.12 through 106-202.19;  
Eff. July 1, 1980;  
Repealed Eff. June 30, 1981.

#### **02 NCAC 48F .0304 PLANT SPECIES OF SPECIAL CONCERN**

*History Note: Authority G.S. 106-202.15;  
Eff. June 30, 1981;  
Amended Eff. March 1, 2004; July 1, 1998; June 1, 1991; August 1, 1990; May 1, 1984;  
Repealed Eff. December 1, 2010.*

## **02 NCAC 48F .0305 COLLECTION AND SALE OF GINSENG**

### **(a) Definitions:**

- (1) Department. The North Carolina Department of Agriculture and Consumer Services;
- (2) Ginseng. Any plant of the species *Panax quinquefolius* including cuttings, roots, fruits, seeds, propagules or any other plant part;
- (3) Ginseng Dealer. Any person who purchases or otherwise obtains ginseng roots which have been collected or cultivated in North Carolina in any quantity for commercial use. This definition does not include those persons who directly collect or cultivate ginseng roots, or who obtain ginseng roots for their own personal use;
- (4) Export Certificate. A document issued to allow the export or shipment of ginseng out of the state by certifying that the ginseng covered by the document was legally collected or grown in North Carolina;
- (5) Five Year Old Wild Ginseng Plant. Any wild ginseng plant having at least three prongs (five-leaflet leaves) or, in the absence of leaves, having at least four discernible bud scars plus a bud on the neck (rhizome);
- (6) Inspector. An employee of the Department or any other person authorized by the Commissioner to enforce the Plant Protection and Conservation Act and the rules adopted thereunder;
- (7) Person. Individual, corporation, partnership, firm, or association;
- (8) Record of Ginseng Purchases. A document completed by a ginseng dealer on a form provided by the Department to record ginseng purchases;
- (9) Record of Harvest Season Collection. A document completed and signed by a collector of wild ginseng and by an Inspector, certifying that the ginseng covered by the document was legally collected during the harvest season; and
- (10) Statement Indicating Legal Collection of Ginseng from One's Own Land. A document completed and signed by a person verifying that the wild collected ginseng being sold was collected from that person's own land.

(b) Purpose. The purpose of this Rule is to regulate trade in ginseng in North Carolina, to obtain federal approval for the export of ginseng from the state, to support the ginseng trade within the state, and to protect the species from over-collection and extinction.

### **(c) Collection of Ginseng:**

- (1) Harvest Season for the Collection of Ginseng. The ginseng harvest season shall be from September 1 through December 31;
- (2) Size of Collected Plants. Collection of any wild ginseng plant not meeting the definition of a five year old wild ginseng plant is prohibited except for the purpose of replanting;
- (3) Replanting of Ginseng. All persons collecting ginseng from the wild shall plant the seeds of collected plants within 100 feet of where the plants are located. Ginseng seeds may be collected from the wild for replanting to a different location only if the plant bearing the seeds is not also collected in the same harvest season;
- (4) Any person collecting wild ginseng on the lands of another for any purpose shall, at time of collection, have on his or her person written permission from the landowner, as required under G.S. 106-202.19(a)(1); and
- (5) Possession of freshly dug ginseng on the lands of another shall constitute prima facie evidence that the ginseng was taken from the same land on which the collector was found.

### **(d) Purchase, Collection and Sale of Ginseng:**

- (1) Ginseng Dealer Permits. All ginseng dealers shall obtain a permit from the Plant Industry Division of the Department prior to purchasing ginseng. Permits shall be valid from July 1 or the date of issue, whichever is later, to the following June 30. No ginseng shall be purchased by a ginseng dealer without a current permit;
- (2) Fees. A ginseng dealer shall pay the following fee for a permit:
  - (A) Resident unlimited quantity - \$100.00
  - (B) Resident limited (up to 100 pounds per license period) - \$50.00
  - (C) Non-resident - \$500.00;
- (3) Buying Season for Ginseng. The buying season for wild or wild-simulated green ginseng is September 1 through March 31. The buying season for wild or wild-simulated dry ginseng is September 15 through

March 31. To buy wild collected ginseng outside of this buying season a ginseng dealer must obtain from the collector either:

- (A) a completed Statement Indicating Legal Collection of Ginseng from One's Own Land; or
  - (B) a Record of Harvest Season Collection completed by the collector and signed by an Inspector;
- (4) Purchase Records. Every ginseng dealer shall keep a record of each purchase of ginseng collected or grown in North Carolina on the applicable Record of Ginseng Purchases provided by the Department. Forms from previous years, copies, or any forms other than those provided by the Department for the current permit period shall not be used. Records of Ginseng Purchases shall be made available for inspection by an Inspector and applicable records shall be surrendered to an Inspector upon issuance of an Export Certificate or upon request. The applicable Statement Indicating Legal Collection of Ginseng from One's Own Land or Record of Harvest Season Collection shall be attached to any Record of Ginseng Purchases recording a purchase of wild collected ginseng collected outside of the harvest season or bought outside of the buying season;
- (5) Purchase of Ginseng from Other Ginseng Dealers.
- (A) All ginseng dealers who purchase ginseng from other ginseng dealers located in North Carolina shall purchase only from those ginseng dealers that have valid dealer permits. Such purchases shall be recorded in a Record of Dealer-Dealer Transactions. Ginseng purchased from ginseng dealers who lack valid permits shall not be certified for export or shipment out of the state.
  - (B) Each dealer shall submit copies of purchase records monthly between September 1 and March 31. Annual dealer reports shall be provided to the Department at the end of the purchase season. The report must be submitted no later than April 30.
  - (C) A copy of end of season weight receipt shall be provided to the Department for any ginseng roots possessed by a dealer at the end of the buying season. The receipt must be retained by the dealer and presented at the time of any future certification of the ginseng for export;
- (6) Exportation and Shipment of Ginseng. All persons who have ginseng in any quantity and wish to export or ship any amount out of the state shall obtain an export certificate from an Inspector. There shall be no charge for an export certification. To obtain an export certificate a person must have accurate records of his purchases, present and surrender the original Record of Ginseng Purchases upon issuance of an export certificate and possess a valid ginseng dealer's permit; and
- (7) Importation of Ginseng. All ginseng imported into North Carolina from other states must obtain the appropriate certificates from the state of origin, which must be presented to a Department representative at the time of inspection.
- (e) Cultivation and Sale of Cultivated Ginseng.
- (1) Buying season for Cultivated Ginseng. Cultivated Ginseng may be sold at any time during the year provided that the grower's ginseng has been certified as Cultivated Ginseng; and
  - (2) Certifying Cultivated Ginseng. Cultivated Ginseng certified by a Department representative may be dug or sold any time during the year and does not require a state export certificate, as long as a copy of the certification records accompany the ginseng.

*History Note: Authority G.S. 106-202.15; 106-202.21;  
Eff. June 30, 1981;  
Amended Eff. July 3, 2012; December 1, 2010; April 1, 2003; July 1, 1998; August 1, 1990; May 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

## **02 NCAC 48F .0306 COLLECTION AND SALE OF VENUS FLYTRAP**

- (a) Collection of flytraps:
- (1) Any person collecting Venus Flytraps on the lands of another shall, at time of collection, have on their person written permission from the landowner, as required under G.S. 106-202.19(1); and
  - (2) Possession of freshly dug Venus Flytraps on the lands of another shall constitute prima facie evidence that the plants were taken from the same land on which the collector was found.
- (b) Sale of flytraps: Lawfully collected flytraps may be sold in accordance with 02 NCAC 48F .0402.

*History Note: Authority G.S. 106-202.15;  
Eff. June 1, 1991;  
Amended Eff. December 1, 2010; July 1, 1998;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

## **SECTION .0400 - COLLECTION: PROPAGATION AND MOVEMENT OF ENDANGERED AND THREATENED PLANT SPECIES**

### **02 NCAC 48F .0401 DEFINITIONS**

- (a) "Department" means the North Carolina Department of Agriculture.
- (b) "Horticulturally" means grown from seed or by vegetative propagation of cuttings or meristem tissue.
- (c) "Inspector" means an employee of the North Carolina Department of Agriculture or any other person authorized by the Commissioner to enforce these Regulations.
- (d) "Nursery" means any place where any plants are propagated or grown to be offered.
- (e) "Nursery Certificate or Certificate of Plant Inspection" means a document issued by the North Carolina Department of Agriculture or the appropriate plant pest regulatory agency of any other state which declares that the nursery named on the certificate has been inspected and found apparently free of injurious plant pests.
- (f) "Offer" means to sell, barter, trade, exchange, export, or to offer for sale, barter, trade, exchange or export or give away for any purpose including advertising or other promotional purposes.
- (g) "Person" means an individual, corporation, partnership, firm, or association.
- (h) "Protected Plant Propagator" means a person who has obtained initial plants and has demonstrated that all plants to be offered have been propagated and grown horticulturally.
- (i) "Plant" means any member of the plant kingdom, including cuttings, roots, fruits, seeds, propagules or any other plant part.
- (j) "Protected Plant Permit" means a document authorizing the collection, movement and possession of a controlled number of any protected plant or their propagules for scientific research, conservation purposes, or for propagation and sale.
- (k) "Special Concern-Vulnerable (SC-V)" means any species or higher taxon of plant which is likely to become a threatened species within the foreseeable future.
- (l) "Special Concern-Historical (SC-H)" means any species or higher taxon of plant that occurred in North Carolina at one time, but for which all known populations are currently considered to be either historical or extirpated.
- (m) "Rescue" means the collection and movement of any endangered or threatened plant as an ultimate attempt to save the plants from being destroyed.

*History Note: Authority G.S. 106-202.15;  
Eff. April 8, 1981;  
Amended Eff. December 1, 2010; May 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

### **02 NCAC 48F .0402 PROTECTED PLANT PROPAGATION**

- (a) Persons within the State of North Carolina who wish to propagate or offer any protected plant species shall make application to the Department pursuant to 02 NCAC 48F .0407 for a permit to:
  - (1) obtain propagation stock, or
  - (2) offer propagated plants.
- (b) Applicants must meet the following criteria:
  - (1) Identify the source of the initial stock of plants used for propagation;
  - (2) Demonstrate that all protected plants to be offered have been nursery propagated and grown horticulturally;
  - (3) Allow for a yearly inspection of site and facilities where protected plants are grown or stored for offer. All applicable nursery regulations and requirements must also be met at the time of obtaining protected plant permits. In addition to the yearly inspection, the site and facilities must be made available for inspection at any other time at the request of the North Carolina Department of Agriculture;
  - (4) The person or persons offering protected plants shall maintain records of all acquisitions for the length of time these plants are in his possession. Such records shall be available for inspection by the Department and recorded on the permits or certificates of origin;
  - (5) At the time of inspection, the person who has made application to offer any protected plant or plants shall identify each species to be offered by common and scientific name as found in the current edition of "The Manual of Vascular Flora of the Carolinas" or, if not found in this edition, as identified by the American Society of Plant Taxonomists. Each species to be offered shall be listed on a protected plant permit and only those species listed shall be offered. Offering plants not listed is grounds for revocation of the protected plant permit and other remedies under the law.

*History Note:* Authority G.S. 106-202.15; 106-202.19;  
Eff. April 8, 1981;  
Amended Eff. December 1, 2010; May 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

**02 NCAC 48F .0403      MOVEMENT AND SALE OF SPECIAL CONCERN**  
**02 NCAC 48F .0404      DUPLICATION OF SPECIAL CONCERN PERMITS**

*History Note:* Authority G.S. 106-202.12 through 106-202.19;  
Eff. April 8, 1981;  
Amended Eff. May 1, 1984;  
Repealed Eff. December 1, 2010.

**02 NCAC 48F .0405      OUT-OF-STATE SHIPMENTS: ENDANGERED AND THREATENED PLANTS**

Every carload, box package, shipment or other container of endangered and threatened plant or plants on the North Carolina list or any state or federal list originating outside of North Carolina and being moved into North Carolina for delivery or resale must be accompanied by satisfactory documentation asserting that the endangered and threatened plant or plants of each species were legally collected, propagated or grown in compliance with the regulations or laws of the state, country of origin, or U.S. Government. The shipment must bear the name and address of the shipper. Any endangered or threatened plants not meeting these requirements when found will be subject to stop-sale.

*History Note:* Authority G.S. 106-202.12 through 106-202.19;  
Eff. April 8, 1981;  
Amended Eff. May 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

**02 NCAC 48F .0406      MOVEMENT FOR CONSERVATION PURPOSES**

*History Note:* Authority G.S. 106-202.12 through 106-202.19;  
Eff. April 8, 1981;  
Amended Eff. May 1, 1984;  
Repealed Eff. December 1, 2010.

**02 NCAC 48F .0407      PROTECTED PLANT PERMITS; CERTIFICATE OF ORIGIN**

(a) Protected Plant Permits. Protected Plant Permits are required for the following activities involving plants or plant parts of any species found on the protected plant list:

- (1) collection or removal from the wild (including for scientific or rescue purposes);
- (2) propagation or offering of plants or plant parts for sale;
- (3) planting, introducing, or reintroducing protected plants or plant parts into non-garden environments.

(b) Protected plant permits may be requested from the North Carolina Department of Agriculture, Plant Industry Division.

(c) All permitted activities must be in compliance with all other state or federal laws.

(d) Exempt Activities. Protected Plant Permits are not required for the following activities:

- (1) purchase of protected plant species from nurseries or dealers who hold necessary permits;
- (2) activities allowed under other existing state laws and regulations;
- (3) collection or removal of plants from one's own land;
- (4) propagation or sale of plants covered by a current certificate of origin.

(e) Certificate of Origin. A Certificate of Origin shall be issued upon request to anyone selling or distributing any protected plant species legally acquired in-state or from out-of-state. A Certificate of Origin shall be issued only once, and shall be renewed each year at the time of the nursery inspection, as long as the holder of the certificate is maintaining the same stock of plants and as long as the conditions on the Certificate of Origin are being maintained. A new Certificate must be issued at the time of inspection if new plant stock is acquired. A Certificate may also be issued for protected plants that were originally collected from one's own land and are being propagated for sale. The Certificate shall include:

- (1) The signature of the nurseryman;

- (2) The following statement: "I hereby certify that the NC listed species in my possession are nursery propagated and not wild collected in NC, unless by permit, for sale, barter, or trade;"
  - (3) The name and address of the nursery;
  - (4) A list of protected species for sale and source(s) of plant material for each species.
- (f) Protected Plant Permit Fees. Approved permit requests to collect plants or plant parts from the wild will be assessed fees for each collection event if such collection is anticipated or is likely to have the potential to generate income. A fifty dollar (\$50.00) fee will be applied per species, or two hundred dollars (\$200.00) for each collection if Department staff make the collection on behalf of the permittee.
- (g) Information Requirements for Protected Plant Permit Applications. All applicants must provide the following information:
- (1) applicant's full name, mailing address, telephone number(s);
  - (2) if the applicant is an individual, the date of birth and any institutional affiliation related to the requested permit activity;
  - (3) if the applicant is a corporation, firm, partnership, association, institution, or public or private agency, the name and address of the president or principle officer and full names and addresses of any representatives who will serve as agents during the project;
  - (4) the scientific name of the species and the number of plants to be covered by the permit;
  - (5) the reason for the application and a description of the work to be carried out, including the proposed method of obtaining the species;
  - (6) location where the requested activity is to take place and the location where the plants or plant parts will be held;
  - (7) any additional justification and supporting documentation requested by North Carolina Department of Agriculture, Plant Industry Division representatives;
  - (8) proposed start and ending date of permit.

*History Note:* Authority G.S. 106-202.15;  
 Eff. April 8, 1981;  
 Amended Eff. December 1, 2010; May 1, 1984;  
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

**02 NCAC 48F .0408 CRITERIA FOR APPROVAL PLANT CONSERVATION PERMITS**

*History Note:* Authority G.S. 106-202.12 through 106-202.19;  
 Eff. April 8, 1981;  
 Repealed Eff. December 1, 2010.

**02 NCAC 48F .0409 EMERGENCY PROCEDURES FOR RESCUE OPERATIONS**

In emergency rescue operations a verbal permit may be acquired. This permit shall be issued when an emergency exists, there is insufficient time to issue a written permit, and the criteria for issuing and complying with a permit are followed.

*History Note:* Authority G.S. 106-202.12 through 106-202.19;  
 Eff. April 8, 1981;  
 Amended Eff. December 1, 2010;  
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.

**02 NCAC 48F .0410 CRITERIA FOR ISSUANCE OF PROTECTED PLANT PERMITS**

The proposed justification for a permit will be evaluated using the following criteria as appropriate:

- (1) the status of the species in North Carolina;
- (2) the status of the population from which the plants are to be collected or removed;
- (3) the amount of plant material to be collected;
- (4) the conditions under which the plants will be collected or removed;
- (5) the proposed use of the plant material;
- (6) known threats to the species;
- (7) where the plant material will be deposited;
- (8) the need for their rescue;
- (9) estimation of how the proposed activity is likely to affect or enhance the survival of the species;

- (10) policy set forth in the Plant Protection and Conservation Act and by previous Board decisions;
- (11) that the proponent has obtained and can document satisfactory evidence that plants can be legally obtained (for example, written permission from the owner or agent of the land from which the affected species is to be removed).

*History Note: Authority G.S. 106-202.15;  
Eff. December 1, 2010;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

**02 NCAC 48F .0411 ISSUANCE OF PROTECTED PLANT PERMITS**

Upon receipt of a properly executed application, a permit shall be issued unless:

- (1) the applicant has been assessed a penalty or convicted of any provision of any statute related to the activity for which the application is requested;
- (2) the applicant has failed to disclose information or material required or requested, or has made false statements in connection with the application;
- (3) the applicant has failed to demonstrate a valid justification for the permit and a showing of responsibility;
- (4) authorization of the permit requested potentially threatens a protected plant species population or habitat;
- (5) applicant has failed to pay any required fees;
- (6) applicant has failed to submit timely, accurate, or valid reports as required under permit; or
- (7) NCD&CS finds through further inquiry that the applicant is not qualified.

*History Note: Authority G.S. 106-202.15;  
Eff. December 1, 2010;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

**02 NCAC 48F .0412 CONDITIONS OF PERMIT ISSUANCE AND ACCEPTANCE**

- (a) Any person or entity granted a permit under these provisions acknowledges the need to maintain appropriate records related to the permitted activity, as specified on the permit.
- (b) By accepting the permit, the permittee consents to and shall allow entry by agents or employees of the Department upon the premises where the permitted activity or permitted material resides at any reasonable hour to inspect the location, records, and materials pertinent to the permit.
- (c) The permit holder agrees to abide by any terms and conditions set forth in the permit.

*History Note: Authority G.S. 106-202.15;  
Eff. December 1, 2010;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

**02 NCAC 48F .0413 AMENDMENT OF PERMITS**

- (a) Permittee request. If circumstances change, an existing permit holder can request to modify the terms and conditions of their permit. Any necessary supporting documentation and justification shall be provided to the Department to make proposed amendments.
- (b) The Department reserves the right to amend permits whenever the facts set forth in the permit application have changed or the circumstances which provided the justification for the issuance of the permit have changed.

*History Note: Authority G.S. 106-202.15;  
Eff. December 1, 2010;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 26, 2017.*

**SECTION .0500 - FORMS**

- 02 NCAC 48F .0501 DESIGNATIONS**
- 02 NCAC 48F .0502 FORM PC-1**
- 02 NCAC 48F .0503 FORM PC-2**
- 02 NCAC 48F .0504 FORM PC-3**
- 04 NCAC 48F .0505 FORM PC-4**

