



TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM: Cliff Lippard *Cliff*
Executive Director

DATE: 15 December 2022

SUBJECT: Public Chapter 497, Acts of 2021 (Water Recreation Resources)—Final Report for Approval

The attached Commission report is submitted for your approval. It was prepared in response to Public Chapter 497, Acts of 2021, which directs the Commission to study ten questions addressing the procedural and financial measures necessary to accommodate the evolving recreational use of the state's waterways. The Commission is required to report its findings and recommendations no later than December 31, 2022.

Since the draft report was presented at the last meeting, staff have added and revised language in the report, including two recommendations, based on new information from the Tennessee Wildlife Resources Agency (TWRA), Tennessee Paddlesports Association, Tennessee Chapter of the American Canoe Association, Harpeth Conservancy, and West Tennessee Canoe and Kayak Club. Written comments from the Tennessee Paddlesports Association are included in this tab along with comments jointly submitted by Tennessee Chapter of the American Canoe Association, Harpeth Conservancy, and West Tennessee Canoe and Kayak Club. The changes are highlighted in yellow in the report.

One of the original recommendations included language that the state should "consider a statewide task force to address water recreation issues and work through conflicts, which could potentially be accomplished by transitioning the existing commercial paddlecraft advisory committee to a permanent statewide boating advisory board with representation and objectives for all affected stakeholder groups or by establishing a state office of outdoor recreation." The Tennessee Paddlesports Association is concerned the non-motorized outfitters' input could be diluted if the commercial

paddlecraft advisory committee is transitioned to a boating advisory board. Acknowledging the validity of this concern, staff has revised the language in the recommendation to say the commercial paddlecraft advisory committee should be augmented by a boating advisory board or office of outdoor recreation rather than transitioned to a board or office. Staff also changed “state agencies with jurisdiction over public waterways in Tennessee” to “the state” to include any state agency that could potentially be involved.

Additionally, the final recommendation originally said, “the Tennessee Fish and Wildlife Commission (TFWC), which regulates commercial non-motorized vessel outfitters, should consider including a member of the commercial non-motorized vessel outfitter community.” TWRA expressed concern that if they dedicated a seat to a particular interest group then the TFWC “would eventually move to a scenario in which all the thirteen seats on the Commission are dedicated to a particular special interest; rather than the current, more representative, statutory framework of defined demographic and regional representation.” They recommended instead amending the statute setting membership qualifications for TFWC commissioners to include knowledge of boating as a requirement. TACIR staff has amended the recommendation to say, “Additionally, the General Assembly should add motorized and non-motorized boating to the list of subjects of which a Tennessee Fish and Wildlife Commission (TFWC) commissioner should be well informed.” However, because there is a strong argument to make for including representatives of regulated groups to regulatory bodies, TACIR staff notes that including representation of all groups regulated by the TFWC, including commercial boating, fishing, and hunting, is an option.

The final report recommends that the state

- **gather more robust data on the recreational use of water resources across the state and use the data for strategic planning;**
- **continue to take a collaborative approach to strategic planning with multiple agencies and consider a statewide task force to address water recreation issues and work through conflicts, which could potentially be accomplished by augmenting the commercial paddlecraft advisory committee with a permanent statewide boating advisory board with representation and objectives for all affected stakeholder groups or by establishing a state office of outdoor recreation; and**
- **continue to develop existing and new partnerships to improve access to waterways. For example, new relationships between government agencies and non-profit organizations that are already building and maintaining access**

areas and doing education and training activities could be developed, and existing partnerships could be strengthened or formalized.

Additionally, the General Assembly should add motorized and non-motorized boating to the list of subjects of which a Tennessee Fish and Wildlife Commission (TFWC) commissioner should be well informed.