



TACIR

The Tennessee Advisory Commission
on Intergovernmental Relations



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MEMORANDUM

TO: Commission Members

FROM: Cliff Lippard
Executive Director

DATE: 28 September 2022

SUBJECT: Public Chapter 497, Acts of 2021 (Water Recreation Resources)—Draft
Report for Review and Comment

The attached Commission report is submitted for your review and comment. 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.

Recreation on the state's waterways, like fishing and paddling, is a part of the overall increase in outdoor recreation in Tennessee. This benefits the state, but it also creates challenges for the Tennessee Wildlife Resource Agency (TWRA) and the Tennessee Department of Environment and Conservation (TDEC), the state agencies that manage the state's waterways. Stakeholders say the increase in water recreation has resulted in user conflicts, congestion, inadequate access to waterways, safety concerns, trespassing, littering, and property damage.

TWRA and TDEC both say they need more funding to manage the increase in water recreation, but it is not clear how much is needed and for what. In 2022, TWRA began collecting data from commercial paddlecraft outfitters about their operations including the number of trips that are made and which waterways they use. However, other user groups also affect the state's waterways, and state agencies do not collect information about them. Gathering more data about all types of water recreational users could help TWRA and TDEC better determine how to best manage Tennessee's waterways and access areas and use the state's limited resources. With more robust data these state agencies could better explore potential methods to generate any needed new revenue.

Involving the diverse stakeholders who use Tennessee's water recreation resources directly in the planning process would likely help manage user conflicts and ensure state policies better reflect evolving trends and needs. Various federal, state, and local agencies regulate Tennessee's waterways, potentially resulting in burdensome regulations and confusion for different user groups. TWRA has made an effort to include paddlecraft outfitters in the decision-making process. Public Chapter 347, Acts of 2019, established a commercial paddlecraft advisory committee to communicate the views of outfitters to TWRA and resolve issues. Other states, like Florida and Pennsylvania, have boating advisory entities with more diverse representation and broader objectives than Tennessee's advisory committee. These other states' entities help with coordination between government agencies and stakeholders and bring people together to discuss and resolve water recreation issues.

The draft report recommends that state agencies with jurisdiction over public waterways in Tennessee should

- **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 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; 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 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.