



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 62

**AN ORDER ESTABLISHING THE ASIAN CARP ADVISORY COMMISSION**

**WHEREAS**, Tennessee waterways are experiencing an invasion of Asian carp species, which threaten native species and other aquatic life and present a risk to persons and property engaged in commercial and recreational water-related activities; and

**WHEREAS**, absent additional action, there is a risk that Asian carp will continue to spread throughout Tennessee's rivers and lakes; and

**WHEREAS**, the management of Asian carp is a national effort, and efforts are needed to mitigate and monitor the spread of Asian carp in Tennessee; and

**WHEREAS**, protecting and preserving the ecological and economic integrity of Tennessee's waterways is in the best interest of the state; and

**WHEREAS**, establishing a commission to study and provide advice regarding the best methods for mitigating the invasion of Asian carp into Tennessee's lakes and river systems will advance such preservation efforts and protect native fish species and aquatic life and commercial and recreational fishing and water activities in Tennessee.

**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby order the following:

1. There is hereby established the Asian Carp Advisory Commission ("Commission"), formed for the purpose of addressing and mitigating the invasion of Asian carp into Tennessee's lakes and river systems in order to protect native fish species and aquatic life and commercial and recreational fishing and water activities in Tennessee.
2. There shall be ten (10) members of the Commission, which shall include:

- a. The executive director of the Tennessee Wildlife Resources Agency or designee;
  - b. The Commissioner of Environment and Conservation or designee;
  - c. The Commissioner of Tourist Development or designee;
  - d. The Commissioner of Economic and Community Development or designee;
  - e. The chair of the Tennessee Fish and Wildlife Commission or designee;
  - f. One (1) person appointed by the Speaker of the House of Representatives;
  - g. One (1) person appointed by the Speaker of the Senate;
  - h. One (1) person appointed by the governor;
  - i. One (1) representative of the Tennessee Valley Authority, to be appointed by the governor; and
  - j. One (1) representative from the United States Army Corps of Engineers, to be appointed by the governor.
3. The appointing authorities shall consider diversity when making appointments to the Commission.
  4. The governor shall appoint one of the members to serve as chair of the Commission.
  5. In the event of a vacancy on the Commission for any reason, the chair or executive director of the Tennessee Wildlife Resources Agency shall notify the applicable appointing authority who shall then appoint an eligible person to fill such vacancy.
  6. The chair of the Commission shall call the first meeting and all subsequent meetings. The Commission shall meet at least two (2) times during each calendar year.
  7. The Commission shall be attached to the Tennessee Wildlife Resources Agency for administrative purposes, and the Tennessee Wildlife Resources Agency shall maintain the records of the Commission in accordance with applicable retention policies.
  8. No later than October 15, 2020, the Tennessee Wildlife Resources Agency shall deliver to the governor and the Commission a report regarding policies and substantial actions taken to date regarding Asian carp management.
  9. The Commission shall deliver an interim report to the governor on or before February 1, 2021, which shall, at a minimum, include findings regarding the following:
    - a. The effectiveness of current barriers in place to contain or manage Asian carp;
    - b. The effectiveness of the Asian Carp Harvest Incentive Program (“ACHIP”);
    - c. Partnerships with nonprofits and private industry with respect to Asian carp management;
    - d. Steps necessary for funding, timing, implementing, and locating barriers or other methods to contain or manage Asian carp, and the results of commercial fishing efforts related to Asian carp; and

- e. Efforts of the Mississippi Interstate Cooperative Resource Association with respect to management of inter-jurisdictional fish and other aquatic resources in the Mississippi River Basin.
10. The Commission shall deliver an annual report to the governor, Speaker of the Senate, and Speaker of the House of Representatives on or before October 1 of each year beginning in 2021; provided, that the annual report due in 2024 shall be delivered on or before June 30. The annual report shall include the following:
    - a. A summary of the Commission's work during the preceding 12 months;
    - b. An overview of the current population size and location of Asian carp in Tennessee; and
    - c. Relevant updates regarding the effectiveness of existing or potential barriers or methods to contain or manage Asian carp;
    - d. The effectiveness of ACHIP;
    - e. An overview of the collaboration opportunities with nonprofits and private industry, including funding availability and strategies; and
    - f. Other relevant updates or recommendations for policies, strategies, or methods for reducing and controlling the population and movement of Asian carp within Tennessee's water systems.
  11. Members of the Commission shall not receive any compensation for their services but shall be reimbursed for their official travel expenses pursuant to the policies and guidelines promulgated by the Department of Finance and Administration.
  12. All state departments, agencies, boards, and commissions and local governments shall cooperate with the Commission in carrying out this Order and shall provide support any other assistance as reasonably requested. The Commission may consult with other persons and organizations with expertise in the issues surrounding management of Asian carp.
  13. This Order shall expire June 30, 2024, upon which date the Commission shall terminate and cease to exist unless extended by a subsequent order.

**IN WITNESS WHEREOF**, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 23rd day of September, 2020.

  
\_\_\_\_\_  
GOVERNOR

ATTEST:

  
\_\_\_\_\_  
SECRETARY OF STATE

