

Department of State  
Division of Publications  
312 Rosa L. Parks Ave. 8th Floor, Snodgrass/TN Tower  
Nashville, TN 37243  
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For Department of State Use Only

Sequence Number: 02-05-21  
Rule ID(s): 9459  
File Date: 2/2/2021  
Effective Date: 5/3/2021

## Rulemaking Hearing Rule(s) Filing Form

*Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205)*

*Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).*

**Agency/Board/Commission:** Tennessee Wildlife Resources Agency  
**Division:** Biological Diversity & Environmental Services  
**Contact Person:** Chris Richardson  
**Address:** 5107 Edmondson Pike, Nashville, TN  
**Zip:** 37211  
**Phone:** 615-308-0477  
**Email:** [chris.richardson@tn.gov](mailto:chris.richardson@tn.gov)

**Revision Type (check all that apply):**

Amendment  
 New  
 Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1660-02-07	Rule and Regulations Governing Operations of Vessels
Rule Number	Rule Title
1660-02-07-.04	Old Hickory Lake

Amendment

Rule 1660-02-07-.04, paragraph (11) is deleted in its entirety and replaced with the following:

- (11) Vessels being operated on Old Hickory Lake within the area adjacent to Creekwood Marina and the Mallard Point Access located in Drakes Creek in Sumner County, as delineated by a line of informational buoys, spanning the entire width of the waterway, shall be operated as follows:
- (a) Motorboats shall operate at a "Slow-No Wake" speed.
  - (b) Motorboats shall not tow a person on water skis, surfboard, inner tube, or similar devices.

**Authority:** T.C.A. § 69-9-209.

\* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Angie Box	✓				
Dennis Gardner	✓				
Jimmy Granbery	✓				
Kurt Holbert	✓				
Steve Jones	✓				
Connie King	✓				
Brian McLerran	✓				
Jim Ripley	✓				
Tony Sanders	✓				
James Stroud	✓				
Kent Woods	✓				
Tommy Woods	✓				
Hank Wright	✓				

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Fish and Wildlife Commission (board/commission/other authority) on 12/11/2020, and is in compliance with the provisions of T.C.A. § 4-5-222

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on 10/08/2020

Rulemaking Hearing(s) Conducted on (add more dates) 12/11/2020

Date 12-11-20

Signature Bobby Wilson

Name of Officer Bobby Wilson

Title of Officer Executive Director

Agency/Board/Commission Tennessee Fish and Wildlife Commission

Rule Chapter Number(s) 1660-02-07

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5

Herbert H. Slatery III  
Herbert H. Slatery III  
Attorney General and Reporter

1/25/2021  
Date

Department of State Use Only

Filed with the Department of State on: 2/2/2021

Effective on: 5/3/2021



Tre Hargett  
Secretary of State

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SECRETARY OF STATE  
PUBLICATIONS

**Public Hearing Comments**

One copy of a document that satisfies T.C.A. § 4-5-222 must accompany the filing.

There were no public comments to the above-described rule.

Attached hereto are the responses to public comments.

**Regulatory Flexibility Addendum**

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

**There are no businesses, small or otherwise, that would bear the cost of or directly benefit from the proposed rule.**

### **Impact on Local Governments**

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 "any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments." (See Public Chapter Number 1070 (<http://publications.tnsosfiles.com/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly )

**The Agency does not believe that the rule amendment/repeal will have any impact on local governments.**

**Additional Information Required by Joint Government Operations Committee**

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

This rule expands the no wake zone around the Mallard Point Access on Old Hickory Lake.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

None.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

None.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

None.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

The proposed rule amendment will not impact state or local revenues or expenditures.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Chris Richardson, Assistant Director, TWRA

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Chris Richardson, Assistant Director, TWRA

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

5107 Edmondson Pike, Nashville, TN 37211; 615-308-0477; chris.richardson@tn.gov

- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None.



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<b>Division:</b>	Biological Diversity & Environmental Services
<b>Contact Person:</b>	Chris Richardson
<b>Address:</b>	5107 Edmondson Pike, Nashville, TN
<b>Zip:</b>	37211
<b>Phone:</b>	615-308-0477
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I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 10/06/2020

Rulemaking Hearing(s) Conducted on: (add more dates). 12/11/2020

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of Officer: Bobby Wilson

Title of Officer: Executive Director

---

Agency/Board/Commission: Tennessee Fish and Wildlife Commission

Rule Chapter Number(s): 1660-02-07

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

\_\_\_\_\_  
Herbert H. Slatery III  
Attorney General and Reporter

\_\_\_\_\_  
Date

**Department of State Use Only**

Filed with the Department of State on: \_\_\_\_\_

Effective on: \_\_\_\_\_



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- (I)** Any additional information relevant to the rule proposed for continuation that the committee requests.

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