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Sequence Number: 12-07-08
Rule ID(s): 3906
File Date: 12/16/2008
Effective Date: 03/01/2009

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing. TCA Section 4-5-205

Agency/Board/Commission:	Tennessee Wildlife Resources Agency
Division:	Region I
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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) Revised (for additional chapters, copy and paste table)

Chapter Number	Chapter Title
1660-01-14	Rules And Regulations For Refuges, Wildlife Management Areas, And Public Hunting Areas
Rule Number	Rule Title
1660-01-14-.18	Reelfoot Lake Wildlife Management Area – Navigational or Location Aids

Rules and Regulations for Refuges,
Wildlife Management Areas, And Public Hunting Areas

New Rule

1660-01-14-.18 Reelfoot Lake Wildlife Management Area – Navigational or Location Aids

- (1) Permission to establish private navigational or location aids, markers, poles, rods, or stakes on Reelfoot Lake Wildlife Management Area by an individual, municipality or any group must be obtained by written request to the executive director of the Tennessee Wildlife Resources Agency or his representative.
- (2) This shall not include stakes or poles associated with permanent blind sites permitted by 1660-1-2-.02(2)(c) or any other legal manner and means associated with hunting, fishing and trapping activities.
- (3) Any unauthorized navigational or location aid, marker, pole, rod or stake is subject to immediate removal by the Wildlife Resources Agency.

Authority: T.C.A. §70-1-206(a)(6).
SS-7039 (August, 2008)

Regulatory Flexibility Addendum

Pursuant to Public Chapter 464 of the 105th General Assembly, prior to initiating the rule making process as described in § 4-5-202(a)(3) and § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

ECONOMIC IMPACT STATEMENT

1660-1-14-.17

- 1.) The Agency is uncertain as to the exact number of small businesses in the area that may be affected by the proposed rule, however, the rule should decrease damage to boats that are rented out by small businesses, resulting in potential benefit by decreasing costs.
- 2.) The Agency does not foresee an increase in costs for small businesses to comply with the proposed rule.
- 3.) The Agency is uncertain as to the exact number of small businesses in the area that may be affected by the proposed rule, however, the rule should decrease damage to boats that are rented out by small businesses, resulting in potential benefit by decreasing costs.
- 4.) As the Agency has not foreseen an increase in costs or in burden to small businesses, it is believed that the proposed rule is the least intrusive means of effectuating the purpose of the rule.
- 5.) The language contained in the proposed amendment mirrors language found at Regulation 1660-2-6-.01 with regard to navigation aids. This proposed amendment is specifically targeted to the Reelfoot area because of a proliferation of unauthorized markers that can potentially cause damage to small watercraft utilizing the area.
- 6.) The Agency does not foresee exemption of any small businesses that are affected by the potential rule.

Additional Information Required

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

Legislative Oversight

1. This rule would prohibit any individual, municipality or any group from placing any private navigational or location, markers, poles, rods, or stakes on Reelfoot Lake Wildlife Management Area without permission from the executive director of the agency or his representative.
2. Statutory Authority: T.C.A. §70-1-206(a)(6).
3. The Department of Environment and Conservation would likely be affected by the proposed rule. The Agency is unaware of any position, either for or against, held by the Department of Environment and Conservation.
4. The Agency is unaware of any opinions that would impact this proposed rule.
5. The Agency is unaware of any increase or decrease in funding as a result of the proposed rule.
6. Gary Cook, Region I Manager, TWRA
7. Nat Johnson, Assistant Director, TWRA
8. Nat Johnson, Assistant Director, TWRA P.O. Box 40747, Nashville, TN 37204 (615) 781-6555
9. Request from small business owners on Reelfoot Lake who received complaints.