



SB 1911 - HB 1965

February 24, 2020

SUMMARY OF ORIGINAL BILL: Establishes that the Department of Environment and Conservation (TDEC) may administer federal farm service agency and natural resources conservation programs only to the extent authorized by federal law or regulation. Requires the Commissioner of the TDEC to adopt rules to effectuate such purposes.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015270): Deletes all language after the enacting clause. Makes changes to the Water Quality Control Act by no longer requiring compensatory mitigation in association with watershed activities that are:

- Conducted in accordance with a site-specific design developed through full application of the Natural Resource Conservation Service (NRCS) Conservation Practice Standard 580 (Tennessee);
- Conducted in accordance to the NRCS Engineering Field Handbook, Chapter 16 Streambank and Shoreline Protection; and
- Subject to NRCS oversight as a federal action.

Requires the Commissioner of the Department of Environment and Conservation (TDEC) to draft an initial permit authorizing such watershed activities, conduct public notice in accordance with rules promulgated by the Board of Water Quality, Oil, and Gas, and issue the initial general permit no later than December 31, 2020. Requires the Commissioner to ensure timely renewal of the general permit.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- TDEC would develop a general permit, which would be subject to public review.
- Upon the issuance of such permit, applicants would apply for coverage under such permit.

- If the activity proposed falls within the parameters of the permit, the applicant would be issued a notice of coverage under the existing general permit, which would allow for expedited coverage, relative to an individual permit.
- Based on information from the TDEC, the NRCS license to be placed under the general permit would cost \$50 apiece.
- Based on information provided by the TDEC, this permit fee would equal the same amount paid for identical coverage under current law; therefore, this legislation will have a net not significant impact on current license revenue to the Division of Water Resources.
- Based on information provided by the TDEC, this legislation will not affect current staffing levels.
- Any impact upon costs to public notice or public hearings is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/jdb