



September 28th, 2018

The Tennessee Wildlife Resources Agency

RE: Proposed Commercial Paddling Regulations

Dear Regulations Review Committee:

We are writing today to offer our comments on the Conceptual Overview for a General Permit for Commercial Paddlecraft Operations shared recently as a follow up to authorities granted under § 69-9-227 [SB1135/HB0785]. Founded in 1880, the American Canoe Association (ACA) is a national nonprofit organization serving the broader paddling public by providing education related to all aspects of paddling; stewardship support to help protect paddling environments; and sanctioning of programs and events to promote paddle sport competition, exploration and recreation. Many of our members are commercial outfitting operations that teach paddle sport through ACA instructional programs. Commercial outfitters are important to us because they introduce people to paddle sports and ACA methods of instruction.

First, we appreciate that these regulations do not affect or apply to non-commercial paddling. The legislation enabling the rulemaking authority specifically applies only to commercial operators, and grants no new authority to non-commercial paddling.¹

We understand that the goals behind the proposed rule are to require basic safety measures, fill in data gaps about commercial use of Tennessee state waters, and more specifically, to address and respond to the documented resource conflicts on the Caney Fork and Harpeth rivers.

We encourage the TWRA to think carefully about how to meet and achieve these important goals, and would like to offer some perspective on how to focus and shape the rules. In order to do this effectively, we feel strongly that an Advisory Group, comprised of industry experts from different user groups, is assembled prior to any rule making. The Advisory Group would make recommendations within a reasonable timeline to help address the issues, and ensure rule making is appropriately targeted.

The ACA understands that requiring a permit to operate a business on state waters and requiring permittees to report user-days are relatively common practices. We support the basic safety and stewardship requirements in the proposed regulation that are common-sense measures. We recommend that the TWRA carefully consider which rivers are presenting the most common commercially related paddling conflicts, and to ensure the Advisory Board

¹ See § 69-9-227(b) (1)



ACA | Canoe - Kayak - SUP - Raft - Rescue
503 Sophia St. Suite 100 | Fredericksburg, Virginia 22401
Phone: (540) 907-4460 | www.americancanoe.org



includes ACA members to provide input on any proposed fee collection requirements and mitigation.

Protecting and enhancing the experience of river users through a consensus-based approach, that includes ACA members on an Advisory Board comprised of industry professionals is important to shaping rules that work well for all user groups. We are asking that the TWRA carefully considers any economic and logistical burdens placed on small businesses that support the economy and recreational opportunities in the State of Tennessee, and that rule making is targeted toward rivers that warrant the attention.

Sincerely,

Brett Mayer
Public Policy Chief
bmayer@americancanoe.org
ACA | Canoe - Kayak - SUP - Raft - Rescue