7-15-2024

No. 104 An Order Continuing the Asian Carp Advisory Commission

Bill Lee
STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR
No. 104

AN ORDER CONTINUING 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, the excellent work of the Asian Carp Advisory Commission (“Commission”) established by Executive Order No. 62 to study and provide advice regarding the best methods for mitigating the invasion of Asian carp into Tennessee’s lakes and river systems has admirably advanced such preservation efforts, and protected native fish species and aquatic life and commercial and recreational fishing and water activities in Tennessee, for which the Commission is commended; and

WHEREAS, the Commission expired on June 30, 2024.

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 the laws of the State of Tennessee, do hereby order the following:

1. Because of the excellent work already performed by the Commission, the Commission is continued 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, as follows:

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 geographic diversity when making appointments to the Commission.

4. Individuals appointed as members of the Commission pursuant to Executive Order No. 62 may be appointed as members of the Commission pursuant to this Order.

5. The Governor shall appoint one of the members to serve as chair of the Commission.

6. 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.

7. 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.

8. 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.

9. The Commission shall continue to deliver an annual report to the Governor, Speaker of the Senate, and Speaker of the House of Representatives on or before June 30 of each year. 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;
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.

10. 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.

11. All state departments, agencies, boards, and commissions and local governments shall cooperate with the Commission in carrying out this Order and shall provide 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.

12. This Order shall expire December 31, 2026, 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 15th day of July, 2024.

[Signature]
GOVERNOR

ATTEST:
[Signature]
SECRETARY OF STATE