

**RULES  
OF  
TENNESSEE WILDLIFE RESOURCES AGENCY**

**CHAPTER 1660-1-19  
RULES AND REGULATIONS GOVERNING REELFOOT WATER MANAGEMENT PERMIT**

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**1660-1-19-.01 DEFINITIONS.**

- (1) Entity of State or Local Government-Each department, commission, board, agency, council, utility district, drainage district, levee district, or other governmental unit or body created constitutionally or by enactment or action of state government, local government, or any subdivision of state or local government.
- (2) Person-Any individual, partnership, firm, corporation or association.
- (3) Project-Any activity, operation, construction, building, structure, facility or installation from which there is or may be the discharge of water.
- (4) Water-Any and all water, public or private, on or beneath the surface of the ground, which is contained within, flows through, or borders upon the watershed of Reelfoot Lake or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine or effect a junction with natural surface, sub-surface or underground waters.
- (5) Diversion-Any activity which has the effect of altering the direction of flow of a natural watercourse including a stream, ditch or wetland.
  - (a) This section will apply to any activity which disturbs the stream channel or any substrate materials including gravel, boulders or vegetation.
  - (b) Activities included under this section will include any practices which disturb the stream channel in such a way that causes the stream to change its natural flow of direction, changes the course of its meandering flow, or diverts the stream from flowing into Reelfoot Lake.
- (6) Stream-Any watercourse, including ditches, which may or may not have permanent flow, and which were in existence at the time of enactment of this rule.

**Authority:** T.C.A. §70-5-112. **Administrative History:** Original rule filed July 25, 1986; effective October 29, 1986.

**1660-1-19-.02 ACTIVITIES REQUIRING A PERMIT.**

- (1) Any activity in the watershed of Reelfoot Lake which has the effect of changing the natural course of the stream either by impounding, diverting or removing the water.

Activities subject to this provision include the construction of dams and levees or the diversion, drainage or relocation of a wetland or stream.

(Rule 1660-1-19-.02, continued)

- (2) Any activity in the Reelfoot Lake watershed that may have the effect of draining or lowering the lake elevation.
- (3) Any cleaning, dipping, channelization, removal of substrate or other disturbance of a stream channel in the Reelfoot Lake watershed.

**Authority:** T.C.A. §70-5-112. **Administrative History:** Original rule filed July 25, 1986; effective October 29, 1986.

**1660-1-19-.03 POLICIES AND PROCEDURES.** Applications for permits will be reviewed by the TWRA. The Executive Director, TWRA, has the authority under the provisions of T.C.A. §70-5-112 to grant or deny permission for any activities which may adversely affect Reelfoot Lake.

**Authority:** T.C.A. §70-5-112. **Administrative History:** Original rule filed July 25, 1986; effective October 29, 1986.

**1660-1-19-.04 APPLICATION ISSUANCE.**

- (1) Any person who plans to engage in any of the activities outlined in T.C.A. §70-5-112 (b) must take application to the Executive Director, TWRA, for a permit.
- (2) Applicants must complete the standard “Application for a TWRA Reelfoot Water Management Permit.” The Executive Director may request additional information as required in order to make the permit decision. Where an Environmental Statement is required by Federal regulation or a permit is required by a State of Federal agency, the Executive Director may request the applicant provide all the pertinent information prior to issuing the TWRA permit.
- (3) Any application submitted by a corporation, partnership, municipality or commission must be signed by a general partner, ranking elected official, or the delegated principal executive officer.

**Authority:** T.C.A. §70-5-112. **Administrative History:** Original rule filed July 25, 1986; effective October 29, 1986.

**1660-1-19-.05 TERMS OF THE PERMIT.** Each permit issued will have a fixed term of twelve (12) months or a period of time stated on the permit. Any permittee who wishes to extend this period must notify the Executive Director at least ninety (90) days prior to the expiration date on the permit.

**Authority:** T.C.A. §70-5-112. **Administrative History:** Original rule filed July 25, 1986; effective October 29, 1986.