

HOUSE BILL 613

By Vaughan

AN ACT to amend Tennessee Code Annotated, Title 69,
relative to mitigation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 69-3-108(g), is amended by adding the following new subdivision:

(6) On or before July 1, 2025, and on or before July 1 of each year thereafter, the division of water resources in the department, in collaboration with United States army corps of engineers, as necessary, shall report the following information to the governor, the comptroller of the treasury, the chair of the committee of the house of representatives having jurisdiction over commerce, and the chair of the commerce and labor committee of the senate the following information for the preceding twelve (12) months:

(A) The number of applications for permits filed pursuant to this section;

and

(B) For permits required to have a provision for adequate compensatory mitigation pursuant to subdivision (g)(4)(E), the mechanism of compensatory mitigation provided for in the permit, including mitigation banking, permittee-responsible mitigation, or in-lieu fee payments as approved by the department. If the mechanism of compensatory mitigation is:

(i) An in-lieu fee program, then the report must include the in-lieu fee instrument sponsor, the number of mitigation credits sold for the

permitted project, and the amount of money received by the sponsor for such credits; and

(ii) Mitigation banking, then the report must include the mitigation bank sponsor, the number of mitigation credits sold for the permitted project, and the amount of money received by the sponsor for such credits.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.