

SENATE BILL 185

By Jackson

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 211, relative to solid waste disposal.

WHEREAS, in addition to being physically connected to some key tracts of public land, the Swan Creek Watershed is remarkable as the home of a number of rare invertebrates and plants, the most globally rare of which is the federally endangered Tennessee yellow-eyed-grass; and

WHEREAS, the Swan Creek Watershed hosts one of the largest known populations of Tennessee yellow-eyed-grass in the southeastern United States; and

WHEREAS, Eggert's sunflower is another globally rare plant that flourishes in the Swan Creek Watershed; and

WHEREAS, several other plants that are listed as rare in Tennessee grow in the "seep-fen" habitat of the Swan Creek Watershed, including the Large-leaved grass-of-Parnassus, the Fen orchis, and the Small-headed rush; and

WHEREAS, a new species of dragonfly, the Tennessee Snaketail, has recently been described from the Swan Creek Watershed's "seep-fen" habitat, which is also particularly rare in Tennessee; and

WHEREAS, the Swan Creek Watershed provides an excellent habitat for neotropical migrant songbirds, and wetland-dependent birds such as the Great Blue Heron, Belted Kingfisher, and several duck species are dependent upon the watershed's riparian corridors; and

WHEREAS, because of the great biodiversity of the Swan Creek Watershed, the presence of several rare plants and invertebrates there, and its importance to migratory and

wetland-dependent birds, it is imperative that the watershed be preserved in a pristine state and protected from ecological damage from human-derived waste; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Section 68-211-814, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding any other provision of this chapter or any other law to the contrary, in order to protect the great biodiversity of the Swan Creek Watershed for the reasons specified in this act, no permit shall be issued for solid waste disposal within five (5) miles of Swan Creek.

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