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Signed May 12, 1992.

Joint Resolution No. 2

(Senate Joint Resolution No. 16)

A Senate Joint Resolution concerning

Construction of Fish Passage Facilities

FOR the purpose of urging certain utility companies to initiate and complete construction of certain fish passage facilities by certain dates.

WHEREAS, The Susquehanna River historically supported massive runs of migratory fish, such as shad, river herring, striped bass, hickory shad, and American eel, with some species moving as far upstream as Binghamton, New York; and

WHEREAS, These species utilized nearly 350 miles of the Susquehanna River main stem, as well as major tributaries, as spawning and nursery grounds and these species formerly supported extensive fisheries in the states of Maryland, Pennsylvania, Virginia, and New York; and

WHEREAS, The State of Maryland placed a moratorium on the harvest of all shad in the Chesapeake Bay over a decade ago and that moratorium continues; and

WHEREAS, The Susquehanna River Basin Commission, state and federal agencies, and citizens groups have negotiated with licensees of the Conowingo, Holtwood, Safe Harbor, and York Haven hydroelectric projects as a result of the Federal Energy Regulatory Commission during its relicensing considerations in an effort to require passage for migratory fish over all dams on resolve all issues related to restoration of anadromous fish to the Susquehanna River; and

WHEREAS, Settlement was reached with Pennsylvania Power and Light Company, Baltimore Gas and Electric Company, Safe Harbor Water Power Corporation, York Haven Power Company, and General Public Utilities on December 1, 1984 to fund an ongoing program for the restoration of anadromous fish runs and other technical issues which contributed to the population resurgence underway; and

WHEREAS, This agreement further required that once Philadelphia Electric Company initiates design and construction of permanent fish passage facilities at the Conowingo Project, upstream project licensees must promptly negotiate in good faith to resolve all issues concerning the design and construction of upstream and downstream passage facilities at Holtwood, Safe Harbor and York Haven Dams; and

WHEREAS, The In a separate settlement agreement, the Philadelphia Electric Company honored its commitment to stewardship of the river by investing over \$12 million in the construction of the first phase of permanent, full-scale fish passage