

facilities which began operating at Conowingo Dam in 1991 and this first phase fish lift has the capacity to pass 750,000 American shad and 5 million river herring per year over Conowingo Dam, with an ultimate passage capability of 3 million shad and 20 million river herring per year; and

WHEREAS, Based upon the December 1, 1984 "Susquehanna River Settlement Agreement", achievement of fish passage imposes a commitment on the operators of the dams upstream of Conowingo to promptly negotiate in good faith to resolve all issues concerning the design and construction of upstream and downstream fish passage facilities; and

WHEREAS, The absence of fish passage facilities at the 3 dams located upstream of Conowingo prevents access to virtually all spawning and nursery habitat for migratory fish; and

WHEREAS, American shad and river herring now taken in the lift must be sorted from other species, placed in trucks, and transported to spawning areas upstream of those 3 dams and it is recognized that trucking, transport, and associated handling may adversely affect reproductive capability of the transported fish; and

WHEREAS, There are logistical limits to trucking which may interfere with stock rebuilding by limiting the number of spawning fish migrating upstream beyond the Conowingo Dam; and

WHEREAS, Continued restoration of the Susquehanna stocks of American shad and river herring requires that all fish, including nontarget species, returning to Conowingo Dam have access to their historical spawning and nursery areas; and

WHEREAS, The operators of the Holtwood, Safe Harbor, and York Haven dams have begun the planning and design phases, but have not yet initiated construction of fish passage facilities at their respective hydroelectric projects; and

WHEREAS, The sequential construction of fish passage facilities at these dams on an individual basis will unnecessarily delay efforts to restore migratory fish to the entirety of their historical spawning grounds; now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Maryland General Assembly joins with the Chesapeake Bay Commission and conservationists in the Bay states in urging the Baltimore Gas and Electric Company, Safe Harbor Water Power Corporation, York Haven Power Company, the Pennsylvania Power & Light Company, and General Public Utilities to:

(1) move as expeditiously as possible toward construction of fish passage facilities at their respective dams;

~~(2) coordinate activities so that fish passage facilities are constructed concurrently at all 3 dams; and~~

~~(3) initiate construction so that all facilities will be completed in time to accommodate the spring 1995 run of migratory fish; and be further~~