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## **OLR Bill Analysis**

### **sHB 5520**

#### ***AN ACT CONCERNING FISH PASSAGES.***

#### **SUMMARY**

This bill allows any person to petition the Department of Energy and Environmental Protection (DEEP) commissioner to require a safe, timely, and effective fish passage be installed at any hydroelectric dam that is not subject to federal regulation. (Currently, three such dams exist in the state.) Under the bill, a fish passage is considered safe, timely, and effective if it meets or exceeds the Connecticut River Migratory Fish Restoration Cooperative's existing standards.

Within 180 days after receiving a petition, the commissioner must (1) determine if a safe, timely, and effective passage exists upstream and downstream of the dam and associated reservoir for migratory fish at all life stages and (2) publish notice of her tentative determination and a draft order for any action to ensure an adequate passage, if applicable (see below), on DEEP's website. The commissioner must allow at least 30 days for public comment on the tentative determination, and DEEP must hold a public hearing before making a final determination on the petition. Under the bill, the entity that owns or controls the applicable dam is deemed a party to the hearing.

If the DEEP commissioner determines a dam does not have an adequate fish passage, she must issue an order to the entity that owns or controls the dam prescribing conditions to ensure a safe, timely, and effective fish passage both upstream of the reservoir and downstream of the dam. The order may require, among other things, (1) constructing, rebuilding, and operating fishways; (2) removing any artificial obstructions; and (3) maintaining minimum water flows. If the commissioner determines an existing fish passage structure is ineffective or harmful to aquatic life, she must also include conditions for remediating the harm, including removing or reconstructing the

structure.

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 34 Nay 0 (03/18/2026)