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Boyd Rutherford, Lt. Governor
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Low Impact Hydropower Institute
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RE: Maryland Department of Natural Resource Comments on the Low-Impact Hydropower Institute certification application for the York Haven Hydroelectric Project (FERC No. 1888), dated November 2020.

The Maryland Department of Natural Resources (MDNR) supports the U.S. Fish and Wildlife Service comments to the Low Impact Hydropower Institute (LIHI) regarding recertification of the York Haven Hydroelectric Project (YHHP). Construction of the YHHP along with three additional mainstem dams on the lower Susquehanna River in the early 1900s blocked migratory fish access to the bulk of their historical habitat. MDNR is committed to restoring populations of highly migratory species such as American shad, river herring, and American eel in the Susquehanna River.

As a requirement of the Federal Energy Regulatory Commission license granted for the YHHP in 2015, a nature like fishway (NLF), meeting or exceeding specifications identified in the settlement agreement between York Haven Power Company and state and federal resource agencies, must be constructed by November 2021 to improve passage conditions for the aforementioned species. MDNR believes that recertification of the YHHP by LIHI should be contingent upon completion of the NLF.

Hydropower dam operators are currently undertaking efforts to improve both upstream and downstream fish passage conditions at both Conowingo and Holtwood dams. Given that the majority of suitable spawning and rearing habitat for migratory fish within the Susquehanna River lies upstream of the YHHP, construction of the NLF is a critical component for the restoration of these species.

Thank you for your consideration.

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