

# Environment Committee JOINT FAVORABLE REPORT

**Bill No:** HB-5520 / [Bill Status](#) / [Public Hearing Testimony](#)

**Title:** AN ACT CONCERNING FISH PASSAGES.

**Vote Date:** 3/18/2026

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/13/2026

**File No.:**

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## **SPONSORS OF BILL:**

Environment Committee

## **Co-sponsors:**

Rep. Aundre Bumgardner, 41<sup>st</sup> Dist.

Rep. Mark W. Anderson, 62<sup>nd</sup> Dist.

Rep. Patricia A. Dillon, 92<sup>nd</sup> Dist.

## **REASONS FOR BILL:**

To provide additional means by which fish passages may be provided for on dams and reservoirs and establish standards for such fish passages.

## **SUBSTITUTE LANGUAGE:**

This language allows the Commissioner of Energy and Environmental Protection to require safe, timely, and effective fish passages at dams, including hydroelectric dams not regulated by the Federal Energy Regulatory Commission, and sets procedures for petitions, public notice, hearings, and orders to construct maintain or improve fishways to protect fisheries and aquatic life. It also maintains earlier provisions allowing petitions and permitting requirements of other dams or obstructions to ensure fish passage.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

### **Katie Dykes, Commissioner, CT Department of Energy & Environmental Protection**

DEEP supports HB 5520. HB 5520 will authorize the Commissioner to issue an order requiring safe, timely, and effective fish passage both upstream and downstream of certain dams upon receipt of a petition seeking a determination of whether fish passage meets the standards developed by the Connecticut river Migratory Fish Restoration Cooperative. These petitions would apply to hydroelectric dams not currently subject to FERC jurisdiction. There are 3 operational hydroelectric dams in Connecticut that are not under FERC jurisdiction, although FERC is currently reviewing a Petition for Jurisdictional Review for 2 of these dams. If FERC determines it has jurisdiction over one or both facilities, HB 5520 as written would not apply. DEEP supports efforts to improve fish passage because many rivers remain fragmented by historic dams and water control structures, limiting access to upstream

spawning and rearing habitat. Improving fish passage helps restore access to upstream habitat, supports recovery of migratory fish populations, and enhance overall river ecosystem function.

#### **NATURE AND SOURCES OF SUPPORT:**

##### **Bill Lucey, Long Island Soundkeeper, Save the Sound**

Save the Sound supports HB 5520 with modifications. HB 5520 will allow any member of the public to petition for fish passage at hydropower dams that not subject to regulation by FERC. It would allow DEEP to issue orders to ensure safe, timely, and effective fish passage and remediate any harm the existing fish passage structures may be causing. It will also set a stringent standard for “safe, timely, and effective” fish passage, based upon the passage criteria developed by the Connecticut River Atlantic Salmon Commission. Save the Sound’s suggested language modifications to clarify who the commissioner’s order would be issued to: Section (b) insert into lines 47-48. (b) If the commissioner determines that there is not a safe, timely and effective fish passage, the commissioner shall prescribe, by order **issued to the person, firm, corporation or municipality or political subdivision thereof owning or controlling the dam** the conditions to ensure such a safe, timely, and effective fish passage. Section (c)lines 64-69 add the following sentence. (c)...The commissioner shall provide a public comment period on such tentative determination of not less than thirty days following publication of such tentative determination and the Department of Energy and Environmental Protection shall hold a public hearing before making any final determination on such petition. **The person, firm, corporation or municipality or political subdivision thereof owning or controlling the dam shall be a party to the hearing.**

##### **Tom Carpenter, The Connecticut Fisheries Advisory Council**

The Connecticut Fisheries Advisory Council support HB 5520. Most hydroelectrical projects in Connecticut are licensed by the Federal Energy Regulatory Commission, which gives the CT DEEP and US Fish & Wildlife Service authority to require such mitigation, as the provision of effective fish passage (e.g. fish ladders). But there are a small number of hydro projects in Connecticut that are not licensed by FERC and that allows them to avoid such requirements. HB 5520 will require all hydro projects, whether FERC-licensed or not, to be subject to environmentally protective measures by the CT DEEP. Fish passage facilities at these dams will restore the fish migratory routes, allow the fish access to historical spawning habitat, and once again provide upstream citizens access to these fish or recreation and food.

##### **Alicea Charamut, Executive Director, Rivers Alliance of Connecticut**

Rivers Alliance of Connecticut supports HB 5520 because it reinforces a fundamental principle of river stewardship: rivers function as connected systems. Restoring the connectivity is essential not only for migratory fish, but also for improving water quality, strengthening ecosystem resilience, and sustaining the ecological integrity of Connecticut’s watersheds.

##### **Nathan Frohling, Director of External Affairs, The Nature Conservancy**

The Nature Conservancy supports HB 5520 because the bill provides a necessary, science-based tool to ensure all hydropower facilities, regardless of regulatory pathway, meet the ecological and public-trust responsibilities. This is part of Connecticut’s progress in restoring its rivers and rebuilding migratory fish populations.

The following Organizations Support HB 5520:

**Maggie Favretti, Co-Leadership Board Chair, Alliance for Mystic**

**Richard Landau, Ash Creek Conservation Association**

**Aimee Petras, Executive Director, Farmington River Watershed Association**

**Richard Mette, Chairperson, CT Trout Unlimited**

**24 Residents sent in Testimony in Support of HB5520**

**NATURE AND SOURCES OF OPPOSITION:**

None Expressed

**Reported by: Judy Ganswindt**

**Date: 03/25/2026**