

Organization Charter
**SUSQUEHANNA RIVER ANADROMOUS
FISH RESTORATION COOPERATIVE**

Introduction

The Susquehanna River Anadromous Fish Restoration Cooperative (SRAFRC) is an organization comprised of fishery agencies from the three basin states, the Susquehanna River Basin Commission (SRBC), and the federal government working together to restore self-sustaining anadromous fishery resources and their habitats in the Susquehanna River Basin. This cooperative activity recognizes the need for a unified approach to planning, management, stock enhancement, and evaluation of inter-jurisdictional fishery resources and its purposes are (1) to provide a forum for information exchange; (2) to plan and implement anadromous fishery stock rebuilding programs; (3) to coordinate research activities aimed at collection of scientific data necessary to effect and assess the fishery restoration program; (4) to establish and maintain a comprehensive database and to report on progress; and, (5) to coordinate agencies involvement with construction, operation, and evaluation of passage facilities at dams in the Susquehanna River Basin.

Background

Fishery resource agencies from Maryland, Pennsylvania, and New York, the U. S. Fish and Wildlife Service (formerly Bureau of Sportfisheries and Wildlife), and the National Marine Fisheries Service (formerly Bureau of Commercial Fisheries) have been actively involved in anadromous fish restoration in the Susquehanna River since 1963. Initially these five agencies joined to form the Susquehanna Shad Advisory Committee (SSAC) and directed utility-sponsored studies of shad habitat suitability, construction and operation of an experimental trapping device at the first mainstem dam (Conowingo), collection and stocking of shad eggs in the lower basin, and other studies.

In 1976, SSAC reorganized into the Susquehanna River Anadromous Fish Restoration Committee, adding two utility partners with full member privileges. One utility member represented the Conowingo project licensee (Philadelphia Electric Co.) and the other represented the three upstream project licensees (PA Power & Light Co., Safe Harbor Water Power Corp., and York Haven Power Co.). Under the guidance of the initial SRAFRC, the restoration program expanded to include trap and transfer of adult shad from Conowingo and out-of-basin sources to spawning waters in the Susquehanna; replacement of egg stocking with intensive culture and release of shad fry; development of mass-marking capability for cultured shad; juvenile recovery and stock assessment; annual estimation of adult shad population size returning to the upper Chesapeake Bay; studies of in-river migrations (adult and juvenile shad); downstream passage and turbine mortality assessment at hydroelectric dams, and more. The U. S. Fish and Wildlife Service (USFWS) has contributed a full-time program coordinator and secretary to the SRAFRC Policy and Technical committees since 1979.

SRAFRC reorganized again in 1984 in response to conditions in a 10-year settlement agreement with upstream licensees. National Marine Fisheries Service (NMFS) was dropped as a member but retained liaison status on both committees. SRBC and each of the individual upstream project licensees were added to the membership - now totalling nine agencies and companies. The Federal Energy Regulatory Commission (FERC) was invited to participate in a liaison role. Throughout this history, USFWS retained chairmanship of the committees.

In 1988, Philadelphia Electric Company reached a settlement with Conowingo license interveners which, among other things, led to construction of a permanent fish lift at that project site. The new East lift began springtime operations in 1991 - the original West lift has operated each year since 1972. Conowingo fish passage operations are under the direction of the Susquehanna River Technical Committee, a FERC-ordered group whose members consist of Maryland DNR, PA Fish and Boat Commission, SRBC, USFWS, and the Susquehanna Electric Company. The Conowingo agreement prompted upstream licensees to initiate design and construction of permanent passage facilities for Holtwood, Safe Harbor, and York Haven projects as required in their separate 1984 settlement with interveners.

The 1984 agreement provided almost \$4 million for restoration studies and activities over the 10-year period 1985-1994. A new fish passage settlement agreement among upstream licensees and interveners was signed in 1993 and approved by FERC in 1994. This agreement provides for design, construction, and operation of permanent fish passage facilities at all projects; establishes Fish Passage Technical Advisory Committees for each project; continues trap and transfer of shad from Conowingo until facilities are operational at Holtwood and Safe Harbor (1997); and provides limited funding for shad hatchery operations and related activities until York Haven completes its fish passage project (2000). With their agreement to provide permanent fish passage at Susquehanna River dams, hydroelectric project licensees recommended that all further stock enhancement, fishery management, and restoration evaluation functions be handled by fishery resource agencies. At their request direct utility participation in SRAFRFC is terminated.

Structure, Scope and Operating Protocol

The Susquehanna River Anadromous Fish Restoration Cooperative will continue most activities of the earlier SRAFRFC committee at least through the year 1999. Member agencies include:

Maryland Department of Natural Resources
New York Division of Fish and Wildlife
Pennsylvania Fish and Boat Commission
National Marine Fisheries Service
United States Fish and Wildlife Service
Susquehanna River Basin Commission

The SRAFRFC **Policy Committee** is composed of the directors of the SRBC and state fishery agencies, and federal agency Northeast Regional Directors. Non-voting liaison representatives from FERC, utility companies, or other interested parties may be added at the discretion of the Committee. The committee will meet at least once annually and each member agency has one vote on matters before the committee. Attempts will always be made to reach agreement by consensus, but final

decisions will be by majority vote of the members. The Committee will be chaired by the representative from the USFWS. The Policy Committee's purpose is to provide overall direction for the restoration program, and specifically to:

- Adopt, coordinate, and direct interstate anadromous fishery management and restoration programs for the Susquehanna River and its tributaries.
- Appoint and oversee a Technical Committee charged with development of annual work plans and providing recommendations to enhance interstate cooperation and information exchange regarding anadromous fishery matters.

The SRAFRC **Technical Committee** is composed of representatives from each of the member agencies and may also include liaison participation from FERC, utility companies, or other interested parties. As with the Policy Committee each member agency has one vote on matters before the group and decisions will be reached by majority vote of the members. The Technical Committee will meet quarterly, or as necessary, and the USFWS member will serve as chairman. Under direction from the Policy Committee the roles of the Technical Committee are to:

- Develop Annual Work Plans which define restoration program objectives, tasks, and costs.
- Design fishery research or monitoring projects, prepare requests for proposals, review contractor qualifications, recommend selection of contractors, and oversee contractor performance.
- Appoint subcommittees where specific expertise is needed to investigate fishery issues and to provide recommendations.
- Review requests from other entities proposing to use or take anadromous fishery resources from the Susquehanna River Basin and to recommend action on these requests to the Policy Committee.

- Provide direction and guidance to a USFWS Susquehanna River fishery program coordinator.
- Interface with Fish Passage Technical Advisory Committees and the Susquehanna River Technical Committee on matters relating to fish passage construction and operation at Conowingo, Holtwood, Safe Harbor, and York Haven dams.

The USFWS will provide a **Fishery Program Coordinator** whose duties shall include, but not be limited to:

- Serve as secretary to the Policy and Technical Committees, suggesting agenda items, selecting meeting sites and dates suitable to the membership, and preparing and distributing meeting minutes.
- Serve as the USFWS member and chairman of the SRAFRC Technical Committee.
- Serve as a primary point of contact regarding interstate fishery resource matters in the Susquehanna River Basin and conducting public awareness, education and outreach activities.
- Maintain a comprehensive data base and library on Susquehanna River anadromous fisheries and other issues pertaining to species of interstate significance.
- Provide fishery expertise to USFWS, other federal agencies, SRBC, and affected state offices during their review and/or approval of water development project permits and licenses regarding potential impacts on Susquehanna River Basin anadromous fishery resources.
- Assist in state, federal and contractor field operations and approve payment of contractor invoices against the utility funding account.
- Prepare and distribute progress reports during migration seasons and a comprehensive annual report of restoration program accomplishments.

It is recognized that each state agency member to this cooperative is responsible under law to manage the fishery resources and habitats within their respective jurisdictions. Nothing in this charter shall be construed as affecting or limiting those responsibilities.

This Charter and the obligations of the USFWS hereunder shall be subject to the availability of funding, and nothing contained herein shall be construed as binding the USFWS to expend in any one fiscal year any sum in excess of appropriations made by the Congress or administratively allocated for the purpose of this agreement for the fiscal year, or to involve the USFWS in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.

This Charter shall remain in effect from the date of acceptance until December 31, 1999 and may be renewed thereafter at the desire of the participants. As attested below, this new charter is accepted by the members effective March 20, 1995.