

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1494

H. P. 1267

House of Representatives, April 11, 1977

Referred to the Committee on Fisheries and Wildlife. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Carter of Winslow.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

RESOLVE, Authorizing and Directing the Commissioner of Marine Resources, the Commissioner of Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission to Take the Steps Necessary to Assure the Construction of a Fishway on the Dam Obstructing the Kennebec River at Augusta.

Commissioners of Marine Resources and Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission are authorized and directed to exercise their respective powers to assure the construction of a fishway on the dam obstructing the Kennebec River at Augusta. Resolved: That the Commissioners of Marine Resources and Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission are authorized and directed to use their statutory powers to:

1. **Investigate.** Diligently investigate the legal issues that shall be resolved before a fishway can be constructed on the dam at Augusta and seek the assistance of the Department of the Attorney General with regard to such matters:

2. **Initiate and prosecute.** Through the Attorney General, initiate and prosecute whatever legal actions are appropriate and necessary to resolve such legal issues, including petitioning and intervening before the Federal Power Commission with regard to modification of the license of the dam issued by the Federal Power Commission;

3. **Take appropriate and necessary steps.** Take whatever other steps are appropriate and necessary to accomplish the objectives of this resolve, including negotiations with the owners of the dam at Augusta;

4. **Propose legislation.** Propose any legislation needed to aid them in carrying out objectives of this resolve; and

5. **Reports to Legislature.** On or before January 30, 1978, and at each annual session thereafter until completion of the project, the Commissioners of Marine Resources, Inland Fisheries and Wildlife and the Atlantic Sea Run Salmon Commission shall submit progress reports to the Legislature describing all actions taken pursuant to this resolve and all remaining obstacles to the construction of a fishway or the dam obstructing the Kennebec River at Augusta.

STATEMENT OF FACT

The dam at Augusta is presently preventing Atlantic salmon, shad and alewives from migrating upstream to spawning grounds. As the water quality of the river improves, the dam will thus prevent an increase in the number of anadromous fish in the river unless a fishway is provided.