

103D CONGRESS
1ST SESSION

H. R. 1035

To authorize the Administrator of the Environmental Protection Agency to make grants to the States of New York and Connecticut for the purpose of demonstrating methods of improving water quality in Long Island Sound.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 1993

Mr. ACKERMAN (for himself, Mr. SHAYS, Mr. HOCHBRUECKNER, Mr. GEJD-ENSON, Mrs. LOWEY, Mr. ENGEL, Ms. DELAURO, Mrs. KENNELLY, Mr. KING, Mr. MANTON, Mr. SCHUMER, Mr. TOWNS) introduced the following bill; which was referred jointly to the Committees on Public Works and Transportation and Merchant Marine and Fisheries

A BILL

To authorize the Administrator of the Environmental Protection Agency to make grants to the States of New York and Connecticut for the purpose of demonstrating methods of improving water quality in Long Island Sound.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Long Island Sound
5 Restoration Act”.

1 **SEC. 2. LONG ISLAND SOUND DEMONSTRATION PROGRAM.**

2 (a) IN GENERAL.—The Administrator shall carry out
3 a demonstration program under which the Administrator
4 may make grants on an annual basis to the States of New
5 York and Connecticut in accordance with this section.

6 (b) PURPOSES.—The Administrator shall carry out
7 the program under subsection (a)—

8 (1) to demonstrate methods of restoring and
9 maintaining the water quality of designated bays
10 and harbors of Long Island Sound at which water
11 quality standards adopted pursuant to section 303
12 of the Federal Water Pollution Control Act have not
13 been achieved or at which other significant water
14 quality degradation has occurred;

15 (2) to demonstrate the importance of control-
16 ling nonpoint sources of pollution in restoring and
17 maintaining water quality;

18 (3) to enhance opportunities for water-depend-
19 ent recreational activities, maintain a healthy eco-
20 system, protect and enhance marine life, minimize
21 health risks associated with human consumption of
22 shellfish and finfish, and ensure that social and eco-
23 nomic benefits to the general public associated with
24 Long Island Sound are advanced; and

25 (4) to advance goals and recommendations con-
26 tained in the Comprehensive Conservation and Man-

1 agement Plan of the Long Island Sound Study de-
2 veloped pursuant to section 320 of the Federal
3 Water Pollution Control Act.

4 (c) DESIGNATION OF BAYS AND HARBORS.—

5 (1) IN GENERAL.—In order to be eligible to re-
6 ceive grants under subsection (a), the States of New
7 York and Connecticut shall each designate in accord-
8 ance with paragraphs (2) and (3) bays and harbors
9 of Long Island Sound at which the State plans to
10 carry out eligible activities with amounts of such
11 grants and transmit such designations to the Admin-
12 istrator.

13 (2) DESIGNATIONS BY STATE OF NEW YORK.—

14 The State of New York shall designate pursuant to
15 paragraph (1) one bay or harbor in each of the fol-
16 lowing 4 political subdivisions of the State of New
17 York: Westchester County, Nassau County, Suffolk
18 County, and New York City.

19 (3) DESIGNATIONS BY STATE OF CONNECTI-

20 CUT.—The State of Connecticut shall designate pur-
21 suant to paragraph (1) one bay or harbor in 2 of the
22 following 4 political subdivisions of the State of Con-
23 necticut: Fairfield County, New Haven County, Mid-
24 dlesex County, and New London County.

1 (4) PARTICIPATION OF MANAGEMENT COMMIT-
2 TEE.—The States of New York and Connecticut
3 shall each make designations pursuant to paragraph
4 (1) in cooperation with the Management Committee
5 of the Long Island Sound Study established pursu-
6 ant to section 320 of the Federal Water Pollution
7 Control Act.

8 (5) PARTICIPATION OF NEW YORK CITY.—The
9 State of New York shall designate a bay or harbor
10 in New York City pursuant to paragraph (1) in co-
11 operation with the Mayor of New York City (or the
12 designee of the Mayor).

13 (d) TERMS AND CONDITIONS.—The Administrator
14 may make a grant to a State under subsection (a) only
15 if the State enters into an agreement with the Adminis-
16 trator which contains the following terms and conditions
17 for receipt of the grant:

18 (1) USE OF GRANT.—Except as provided in
19 paragraph (3), all amounts of the grant shall be
20 used by the State—

21 (A) to carry out eligible activities and a
22 monitoring program pursuant to paragraph (4)
23 at bays and harbors designated by the State
24 pursuant to subsection (c); and

1 (B) to educate the public, in coordination
2 with the office established pursuant to section
3 119 of the Federal Water Pollution Control
4 Act, on the implementation and results of such
5 eligible activities.

6 (2) DISTRIBUTION OF GRANTS AMOUNTS.—
7 Equal amounts of the grant shall be used by the
8 State for conducting eligible activities at each bay
9 and harbor designated pursuant to subsection (c).

10 (3) ADMINISTRATIVE EXPENSES.—Not to ex-
11 ceed 1.5 percent of the amount of the grant may be
12 used by the State for staff salaries and other admin-
13 istrative expenses incurred by the State in carrying
14 out activities with the grant.

15 (4) MONITORING.—The State shall design and
16 carry out a program for monitoring water quality at
17 bays and harbors designated pursuant to paragraph
18 (c) in order to determine the effectiveness of eligible
19 activities being conducted by the State using
20 amounts of the grant. Activities under such program
21 shall be reviewed and evaluated by the Long Island
22 Sound Study Scientific and Technical Advisory Com-
23 mittee and by the Long Island Sound Monitoring
24 Work Group.

1 (5) REPORTING.—The State shall comply with
2 reporting requirements contained in subsection (f).

3 (e) DISTRIBUTION OF GRANTS.—The Administrator
4 shall use $\frac{2}{3}$ of the amounts appropriated in a fiscal year
5 to carry out this Act for making grants to the State of
6 New York under subsection (a) and $\frac{1}{3}$ of such amounts
7 for making grants to the State of Connecticut under sub-
8 section (a).

9 (f) REPORTS.—

10 (1) REPORTS TO THE ADMINISTRATOR.—A
11 State receiving a grant under subsection (a) shall
12 transmit to the Administrator, not later than 18
13 months after the date of receipt of the grant and bi-
14 ennially thereafter for the term of the program
15 under subsection (a), a report on eligible activities
16 carried out by the State using amounts of the grant
17 and on the results of the monitoring program car-
18 ried out by the State pursuant to subsection (d)(4),
19 including a summary of evaluations conducted pur-
20 suant to subsection (d)(4). Any such report may be
21 transmitted as part of a report submitted by the
22 State pursuant to section 320(h) of the Federal
23 Water Pollution Control Act.

24 (2) REPORT TO CONGRESS.—On or before the
25 last day of the 5th fiscal year beginning after the

1 date of the enactment of this Act, the Administrator
2 shall transmit to Congress a report on the results of
3 the program conducted under subsection (a), to-
4 gether with an analysis on the extent to which the
5 purposes described in subsection (b)(3) have been
6 realized and recommendations for appropriate ad-
7 ministrative and legislative actions.

8 (g) NON-FEDERAL SHARE.—The non-Federal share
9 of the cost of activities carried out with amounts from
10 grants under subsection (a) in a fiscal year shall be 30
11 percent. One-sixth of such non-Federal share shall be pro-
12 vided by sources in the locality in which such activities
13 are carried out.

14 (h) DEFINITIONS.—For the purposes of this Act, the
15 following definitions apply:

16 (1) ADMINISTRATOR.—The term “Adminis-
17 trator” means the Administrator of the Environ-
18 mental Protection Agency.

19 (2) ELIGIBLE ACTIVITY.—The term “eligible
20 activity” means an activity conducted for the pur-
21 pose of addressing one or more of the following
22 problems:

23 (A) POLLUTANTS FROM NONPOINT
24 SOURCES.—Urban and suburban runoff of pol-
25 lutants into Long Island Sound from forestry,

1 agriculture, and other land uses. Such pollut-
2 ants include sediments associated with logging,
3 pesticides, fertilizers, animal waste, litter, over-
4 flows from failing septic systems, leaching of
5 contaminants from landfills, and discharges
6 from coastal development and construction
7 sites.

8 (B) WASTE FROM RECREATIONAL
9 BOATS.—The discharge of waste into Long Is-
10 land Sound from recreational boats and the
11 leaching of antifouling paints.

12 (C) POLLUTANTS CARRIED BY RIVERS.—
13 Pollutants which are carried by rivers into Long
14 Island Sound.

15 (D) AIRBORNE POLLUTANTS.—Airborne
16 pollutants which are emitted and attached to or
17 absorbed by moisture and particles in the envi-
18 ronment and which enter Long Island Sound.

19 (E) WETLANDS DEGRADATION.—The dete-
20 rioration of tidal wetlands of Long Island
21 Sound from their natural state and the adverse
22 effects of such deterioration on near-shore habi-
23 tat.

24 (F) POLLUTANTS FROM POINT SOURCES.—
25 Pollutants discharged into Long Island Sound

1 from a discharge pipe, sewage treatment plant,
2 or industrial facility.

3 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this Act
5 \$50,000,000 per fiscal year for each of the first 5 fiscal
6 years beginning after the date of the enactment of this
7 Act.

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