

105TH CONGRESS
1ST SESSION

H. R. 455

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

JANUARY 21, 1997

Mr. ACKERMAN (for himself, Mr. FORBES, Mr. KING, Mr. LAZIO of New York, Mr. MANTON, Mrs. MCCARTHY of New York, Mr. SCHUMER, Mr. SHAYS, Mr. TOWNS, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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

1 (4) to advance goals and recommendations con-
2 tained in the Comprehensive Conservation and Man-
3 agement Plan of the Long Island Sound Study de-
4 veloped pursuant to section 320 of the Federal
5 Water Pollution Control Act.

6 (c) DESIGNATION OF BAYS AND HARBORS.—

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

15 (2) DESIGNATIONS BY STATE OF NEW YORK.—
16 The State of New York shall designate pursuant to
17 paragraph (1) one bay or harbor in each of the fol-
18 lowing 4 political subdivisions of the State of New
19 York: Westchester County, Nassau County, Suffolk
20 County, and New York City.

21 (3) DESIGNATIONS BY STATE OF CONNECTI-
22 CUT.—The State of Connecticut shall designate pur-
23 suant to paragraph (1) one bay or harbor in 2 of the

1 following 4 political subdivisions of the State of Con-
2 necticut: Fairfield County, New Haven County, Mid-
3 dlesex County, and New London County.

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

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

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

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

24 (A) to carry out eligible activities and a
25 monitoring program pursuant to paragraph (4)

1 at bays and harbors designated by the State
2 pursuant to subsection (c); and

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

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

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

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

1 Sound Study Scientific and Technical Advisory Com-
2 mittee and by the Long Island Sound Monitoring
3 Work Group.

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

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

12 (f) REPORTS.—

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

1 State pursuant to section 320(h) of the Federal
2 Water Pollution Control Act.

3 (2) REPORT TO CONGRESS.—On or before the
4 last day of the 5th fiscal year beginning after the
5 date of the enactment of this Act, the Administrator
6 shall transmit to Congress a report on the results of
7 the program conducted under subsection (a), to-
8 gether with an analysis on the extent to which the
9 purposes described in subsection (b)(3) have been
10 realized and recommendations for appropriate ad-
11 ministrative and legislative actions.

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

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

20 (1) ADMINISTRATOR.—The term “Adminis-
21 trator” means the Administrator of the Environ-
22 mental Protection Agency.

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

5 (A) POLLUTANTS FROM NONPOINT
6 SOURCES.—Urban and suburban runoff of pol-
7 lutants into Long Island Sound from forestry,
8 agriculture, and other land uses. Such pollut-
9 ants include sediments associated with logging,
10 pesticides, fertilizers, animal waste, litter, over-
11 flows from failing septic systems, leaching of
12 contaminants from landfills, and discharges
13 from coastal development and construction
14 sites.

15 (B) WASTE FROM RECREATIONAL
16 BOATS.—The discharge of waste into Long Is-
17 land Sound from recreational boats and the
18 leaching of antifouling paints.

19 (C) POLLUTANTS CARRIED BY RIVERS.—
20 Pollutants which are carried by rivers into Long
21 Island Sound.

22 (D) AIRBORNE POLLUTANTS.—Airborne
23 pollutants which are emitted and attached to or
24 absorbed by moisture and particles in the envi-
25 ronment and which enter Long Island Sound.

1 (E) WETLANDS DEGRADATION.—The dete-
2 rioration of tidal wetlands of Long Island
3 Sound from their natural state and the adverse
4 effects of such deterioration on near-shore habi-
5 tat.

6 (F) POLLUTANTS FROM POINT SOURCES.—
7 Pollutants discharged into Long Island Sound
8 from a discharge pipe, sewage treatment plant,
9 or industrial facility.

10 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this Act
12 \$50,000,000 per fiscal year for each of the first 5 fiscal
13 years beginning after the date of the enactment of this
14 Act.

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