

**Calendar No. 453**112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2018****[Report No. 112-184]**

To amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2011

Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. LIEBERMAN, and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JULY 16, 2012

Reported by Mrs. BOXER, without amendment

**A BILL**

To amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship.

**1 SECTION 1. SHORT TITLE.**

- 2 This Act may be cited as the “Long Island Sound  
3 Restoration and Stewardship Act”.

1 **SEC. 2. AMENDMENTS.**

2 (a) LONG ISLAND SOUND RESTORATION PRO-  
3 GRAM.—Section 119 of the Federal Water Pollution Con-  
4 trol Act (33 U.S.C. 1269) is amended—

5 (1) in subsection (b), by striking the subsection  
6 designation and heading and all that follows through  
7 “The Office shall” and inserting the following:

8 “(b) OFFICE.—

9 “(1) ESTABLISHMENT.—The Administrator  
10 shall—

11 “(A) continue to carry out the conference  
12 study; and

13 “(B) establish an office, to be located on  
14 or near Long Island Sound.

15 “(2) ADMINISTRATION AND STAFFING.—The  
16 Office shall”;

17 (2) in subsection (c)—

18 (A) in the matter preceding paragraph (1),  
19 by striking “Management Conference of the  
20 Long Island Sound Study” and inserting “con-  
21 ference study”;

22 (B) in paragraph (2)—

23 (i) in each of subparagraphs (A)  
24 through (G), by striking the commas at  
25 the end of the subparagraphs and inserting  
26 semicolons;

1 (ii) in subparagraph (H), by striking  
2 “, and” and inserting a semicolon;

3 (iii) in subparagraph (I), by striking  
4 the period at the end and inserting a semi-  
5 colon; and

6 (iv) by adding at the end the fol-  
7 lowing:

8 “(J) the impacts of changing temperatures  
9 and sea levels on the Long Island Sound water-  
10 shed, including—

11 “(i) the identification and assessment  
12 of vulnerabilities in the watershed;

13 “(ii) the development and implementa-  
14 tion of adaptation strategies to reduce  
15 those vulnerabilities; and

16 “(iii) the identification and assess-  
17 ment of the impacts of sea level rise on  
18 water quality, habitat, and infrastructure  
19 in Long Island Sound; and

20 “(K) planning initiatives for Long Island  
21 Sound that identify the areas that are most  
22 suitable for various types or classes of activities  
23 in order to reduce conflicts among uses, reduce  
24 environmental impacts, facilitate compatible  
25 uses, or preserve critical ecosystem services to

1 meet economic, environmental, security, or so-  
2 cial objectives;”;

3 (C) by striking paragraph (4) and insert-  
4 ing the following:

5 “(4) develop and implement strategies to in-  
6 crease public education and awareness with respect  
7 to the ecological health and water quality conditions  
8 of Long Island Sound;”;

9 (D) in paragraph (5), by inserting “study”  
10 after “conference”;

11 (E) in paragraph (6)—

12 (i) by inserting “(including on the  
13 Internet)” after “the public”; and

14 (ii) by inserting “study” after “con-  
15 ference”; and

16 (F) by striking paragraph (7) and insert-  
17 ing the following:

18 “(7) monitor the progress made toward meeting  
19 the identified goals, actions, and schedules of the  
20 Comprehensive Conservation and Management Plan,  
21 including through the implementation and support  
22 of a monitoring system for the ecological health and  
23 water quality conditions of Long Island Sound;  
24 and”;

1           (3) in subsection (d)(3), in the second sentence,  
2           by striking “50 per centum” and inserting “60 per-  
3           cent”;

4           (4) by redesignating subsection (f) as sub-  
5           section (i); and

6           (5) by inserting after subsection (e) the fol-  
7           lowing:

8           “(f) REPORT.—

9           “(1) IN GENERAL.—Not later than 2 years  
10          after the date of enactment of the Long Island  
11          Sound Restoration and Stewardship Act, and bienni-  
12          ally thereafter, the Director of the Office, in con-  
13          sultation with the Governor of each Long Island  
14          Sound State, shall submit to Congress a report  
15          that—

16                 “(A) summarizes and assesses the progress  
17                 made by the Office and the Long Island Sound  
18                 States in implementing the Long Island Sound  
19                 Comprehensive Conservation and Management  
20                 Plan, including an assessment of the progress  
21                 made toward meeting the performance goals  
22                 and milestones contained in the Plan;

23                 “(B) assesses the key ecological attributes  
24                 that reflect the health of the ecosystem of the  
25                 Long Island Sound watershed;

1           “(C) describes any substantive modifica-  
2           tions to the Long Island Sound Comprehensive  
3           Conservation and Management Plan made dur-  
4           ing the 2-year period preceding the date of sub-  
5           mission of the report;

6           “(D) provides specific recommendations to  
7           improve progress in restoring and protecting  
8           the Long Island Sound watershed, including, as  
9           appropriate, proposed modifications to the Long  
10          Island Sound Comprehensive Conservation and  
11          Management Plan;

12          “(E) identifies priority actions for imple-  
13          mentation of the Long Island Sound Com-  
14          prehensive Conservation and Management Plan  
15          for the 2-year period following the date of sub-  
16          mission of the report; and

17          “(F) describes the means by which Federal  
18          funding and actions will be coordinated with the  
19          actions of the Long Island Sound States and  
20          other entities.

21          “(2) PUBLIC AVAILABILITY.—The Adminis-  
22          trator shall make the report described in paragraph  
23          (1) available to the public, including on the Internet.

24          “(g) ANNUAL BUDGET PLAN.—The President shall  
25          submit, together with the annual budget of the United

1 States Government submitted under section 1105(a) of  
2 title 31, United States Code, information regarding each  
3 Federal department and agency involved in the protection  
4 and restoration of the Long Island Sound watershed, in-  
5 cluding—

6           “(1) an interagency crosscut budget that dis-  
7           plays for each department and agency—

8                   “(A) the amount obligated during the pre-  
9                   ceding fiscal year for protection and restoration  
10                  projects and studies relating to the watershed;

11                  “(B) the estimated budget for the current  
12                  fiscal year for protection and restoration  
13                  projects and studies relating to the watershed;  
14                  and

15                  “(C) the proposed budget for succeeding  
16                  fiscal years for protection and restoration  
17                  projects and studies relating to the watershed;  
18                  and

19           “(2) a summary of any proposed modifications  
20           to the Long Island Sound Comprehensive Conserva-  
21           tion and Management Plan for the following fiscal  
22           year.

23           “(h) FEDERAL ENTITIES.—

24                   “(1) COORDINATION.—The Administrator shall  
25           coordinate the actions of all Federal departments

1 and agencies that impact water quality in the Long  
2 Island Sound watershed in order to improve the  
3 water quality and living resources of the watershed.

4 “(2) METHODS.—In carrying out this section,  
5 the Administrator, acting through the Director of  
6 the Office, may—

7 “(A) enter into interagency agreements;

8 and

9 “(B) make intergovernmental personnel  
10 appointments.

11 “(3) FEDERAL PARTICIPATION IN WATERSHED  
12 PLANNING.—A Federal department or agency that  
13 owns or occupies real property, or carries out activi-  
14 ties, within the Long Island Sound watershed shall  
15 participate in regional and subwatershed planning,  
16 protection, and restoration activities with respect to  
17 the watershed.

18 “(4) CONSISTENCY WITH COMPREHENSIVE CON-  
19 SERVATION AND MANAGEMENT PLAN.—To the max-  
20 imum extent practicable, the head of each Federal  
21 department and agency that owns or occupies real  
22 property, or carries out activities, within the Long  
23 Island Sound watershed shall ensure that the prop-  
24 erty and all activities carried out by the department  
25 or agency are consistent with the Long Island Sound



1 Comprehensive Conservation and Management Plan  
2 (including any related subsequent agreements and  
3 plans).”.

4 (b) LONG ISLAND SOUND STEWARDSHIP PRO-  
5 GRAM.—

6 (1) LONG ISLAND SOUND STEWARDSHIP ADVI-  
7 SORY COMMITTEE.—Section 8 of the Long Island  
8 Sound Stewardship Act of 2006 (33 U.S.C. 1269  
9 note; Public Law 109–359) is amended—

10 (A) in subsection (g), by striking “2011”  
11 and inserting “2016”; and

12 (B) by adding at the end the following:

13 “(h) NONAPPLICABILITY OF FACA.—The Federal  
14 Advisory Committee Act (5 U.S.C. App.) shall not apply  
15 to—

16 “(1) the Advisory Committee; or

17 “(2) any board, committee, or other group es-  
18 tablished under this Act.”.

19 (2) REPORTS.—Section 9(b)(1) of the Long Is-  
20 land Sound Stewardship Act of 2006 (33 U.S.C.  
21 1269 note; Public Law 109–359) is amended in the  
22 matter preceding subparagraph (A) by striking  
23 “2011” and inserting “2016”.

1           (3) AUTHORIZATION.—Section 11 of the Long  
2           Island Sound Stewardship Act of 2006 (33 U.S.C.  
3           1269 note; Public Law 109–359) is amended—

4                   (A) by striking subsection (a);

5                   (B) by redesignating subsections (b)  
6           through (d) as subsections (a) through (c), re-  
7           spectively; and

8                   (C) in subsection (a) (as so redesignated),  
9           by striking “under this section each” and in-  
10          serting “to carry out this Act for a”.

11          (4) EFFECTIVE DATE.—The amendments made  
12          by this subsection take effect on October 1, 2011.

13 **SEC. 3. REAUTHORIZATION.**

14          (a) IN GENERAL.—There are authorized to be appro-  
15          priated to the Administrator of the Environmental Protec-  
16          tion Agency such sums as are necessary for each of fiscal  
17          years 2012 through 2016 for the implementation of—

18                   (1) section 119 of the Federal Water Pollution  
19          Control Act (33 U.S.C. 1269), other than subsection  
20          (d) of that section; and

21                   (2) the Long Island Sound Stewardship Act of  
22          2006 (33 U.S.C. 1269 note; Public Law 109–359).

23          (b) LONG ISLAND SOUND GRANTS.—There is author-  
24          ized to be appropriated to the Administrator of the Envi-  
25          ronmental Protection Agency to carry out subsection (d)

1 of section 119 of the Federal Water Pollution Control Act  
2 (33 U.S.C. 1269) \$40,000,000 for each of fiscal years  
3 2012 through 2016.

4 (c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—  
5 There is authorized to be appropriated to the Adminis-  
6 trator of the Environmental Protection Agency to carry  
7 out the Long Island Sound Stewardship Act of 2006 (33  
8 U.S.C. 1269 note; Public Law 109–359) \$25,000,000 for  
9 each of fiscal years 2012 through 2016.

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