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

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

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”.

4 **SEC. 2. AMENDMENTS.**

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

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

1 “(b) OFFICE.—

2 “(1) ESTABLISHMENT.—The Administrator
3 shall—

4 “(A) continue to carry out the conference
5 study; and

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

8 “(2) ADMINISTRATION AND STAFFING.—The
9 Office shall”;

10 (2) in subsection (c)—

11 (A) in the matter preceding paragraph (1),
12 by striking “Management Conference of the
13 Long Island Sound Study” and inserting “con-
14 ference study”;

15 (B) in paragraph (2)—

16 (i) in each of subparagraphs (A)
17 through (G), by striking the commas at
18 the end of the subparagraphs and inserting
19 semicolons;

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

22 (iii) in subparagraph (I), by striking
23 the period at the end and inserting a semi-
24 colon; and

1 (iv) by adding at the end the fol-
2 lowing:

3 “(J) the impacts of changing temperatures
4 and sea levels on the Long Island Sound water-
5 shed, including—

6 “(i) the identification and assessment
7 of vulnerabilities in the watershed;

8 “(ii) the development and implementa-
9 tion of adaptation strategies to reduce
10 those vulnerabilities; and

11 “(iii) the identification and assess-
12 ment of the impacts of sea level rise on
13 water quality, habitat, and infrastructure
14 in Long Island Sound; and

15 “(K) planning initiatives for Long Island
16 Sound that identify the areas that are most
17 suitable for various types or classes of activities
18 in order to reduce conflicts among uses, reduce
19 environmental impacts, facilitate compatible
20 uses, or preserve critical ecosystem services to
21 meet economic, environmental, security, or so-
22 cial objectives;”;

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

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

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

7 (E) in paragraph (6)—

8 (i) by inserting “(including on the
9 Internet)” after “the public”; and

10 (ii) by inserting “study” after “con-
11 ference”; and

12 (F) by striking paragraph (7) and insert-
13 ing the following:

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

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

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

1 (5) by inserting after subsection (e) the fol-
2 lowing:

3 “(f) REPORT.—

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

11 “(A) summarizes and assesses the progress
12 made by the Office and the Long Island Sound
13 States in implementing the Long Island Sound
14 Comprehensive Conservation and Management
15 Plan, including an assessment of the progress
16 made toward meeting the performance goals
17 and milestones contained in the Plan;

18 “(B) assesses the key ecological attributes
19 that reflect the health of the ecosystem of the
20 Long Island Sound watershed;

21 “(C) describes any substantive modifica-
22 tions to the Long Island Sound Comprehensive
23 Conservation and Management Plan made dur-
24 ing the 2-year period preceding the date of sub-
25 mission of the report;

1 “(D) provides specific recommendations to
2 improve progress in restoring and protecting
3 the Long Island Sound watershed, including, as
4 appropriate, proposed modifications to the Long
5 Island Sound Comprehensive Conservation and
6 Management Plan;

7 “(E) identifies priority actions for imple-
8 mentation of the Long Island Sound Com-
9 prehensive Conservation and Management Plan
10 for the 2-year period following the date of sub-
11 mission of the report; and

12 “(F) describes the means by which Federal
13 funding and actions will be coordinated with the
14 actions of the Long Island Sound States and
15 other entities.

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

19 “(g) ANNUAL BUDGET PLAN.—The President shall
20 submit, together with the annual budget of the United
21 States Government submitted under section 1105(a) of
22 title 31, United States Code, information regarding each
23 Federal department and agency involved in the protection
24 and restoration of the Long Island Sound watershed, in-
25 cluding—

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

3 “(A) the amount obligated during the pre-
4 ceding fiscal year for protection and restoration
5 projects and studies relating to the watershed;

6 “(B) the estimated budget for the current
7 fiscal year for protection and restoration
8 projects and studies relating to the watershed;
9 and

10 “(C) the proposed budget for succeeding
11 fiscal years for protection and restoration
12 projects and studies relating to the watershed;
13 and

14 “(2) a summary of any proposed modifications
15 to the Long Island Sound Comprehensive Conserva-
16 tion and Management Plan for the following fiscal
17 year.

18 “(h) FEDERAL ENTITIES.—

19 “(1) COORDINATION.—The Administrator shall
20 coordinate the actions of all Federal departments
21 and agencies that impact water quality in the Long
22 Island Sound watershed in order to improve the
23 water quality and living resources of the watershed.

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

4 “(A) enter into interagency agreements;

5 and

6 “(B) make intergovernmental personnel
7 appointments.

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

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

1 (b) LONG ISLAND SOUND STEWARDSHIP PRO-
2 GRAM.—

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

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

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

10 “(h) NONAPPLICABILITY OF FACCA.—The Federal
11 Advisory Committee Act (5 U.S.C. App.) shall not apply
12 to—

13 “(1) the Advisory Committee; or

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

16 (2) REPORTS.—Section 9(b)(1) of the Long Is-
17 land Sound Stewardship Act of 2006 (33 U.S.C.
18 1269 note; Public Law 109–359) is amended in the
19 matter preceding subparagraph (A) by striking
20 “2011” and inserting “2016”.

21 (3) AUTHORIZATION.—Section 11 of the Long
22 Island Sound Stewardship Act of 2006 (33 U.S.C.
23 1269 note; Public Law 109–359) is amended—

24 (A) by striking subsection (a);

1 (B) by redesignating subsections (b)
2 through (d) as subsections (a) through (c), re-
3 spectively; and

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

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

9 **SEC. 3. REAUTHORIZATION.**

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

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

17 (2) the Long Island Sound Stewardship Act of
18 2006 (33 U.S.C. 1269 note; Public Law 109–359).

19 (b) LONG ISLAND SOUND GRANTS.—There is author-
20 ized to be appropriated to the Administrator of the Envi-
21 ronmental Protection Agency to carry out subsection (d)
22 of section 119 of the Federal Water Pollution Control Act
23 (33 U.S.C. 1269) \$40,000,000 for each of fiscal years
24 2012 through 2016.

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

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