

## **IX. Continuing the Management Conference**

### **A. Who will Implement the Plan?**

The states of Connecticut and New York, local governments, and the EPA have primary responsibility for implementing the plan. However, protection of the Sound is the responsibility of all sectors of government, the private sector, and individual citizens. A framework is needed for coordinating and redirecting efforts. Extending the Long Island Sound Study Management Conference to continue this cooperative effort will provide the long-term commitment necessary to oversee implementation.

Continuing the Management Conference recognizes the fact that, for an ecosystem as large and complex as Long Island Sound, a framework is needed to coordinate action among the many government agencies and private organizations with distinct authority and jurisdiction over activities effecting the Sound. It also recognizes the fact that over the past 20 years, environmental legislation has established and expanded the environmental protection programs on the federal, state, and local level. Private conservation and education organizations have also proliferated. As a result, in almost all cases, existing agencies and organizations have the authority and tools to protect and preserve the Sound. Many programs are very successful in managing and improving environmental conditions. A framework for coordinating and redirecting these efforts is needed to address specific Long Island Sound issues rather than creating a new layer of bureaucracy.

The Management Conference has served as the institutional framework for coordinating development of the management plan. The Management Conference can also provide an effective framework for coordinating and enhancing implementation of the plan. Such a long-term commitment is absolutely necessary. The failure of a 1975 plan for Long Island Sound prepared by the New England River Basins Commission was not in its content or recommendations. It languished because the program ended with the plan. Extending the Management Conference into implementation reflects the reality that a cooperative long-term commitment is necessary to protect and improve the quality of Long Island Sound. It also provides for continuing direct public involvement in managing the Sound.

Therefore, the Long Island Sound Study Policy Committee has formally requested that the EPA Administrator extend the Management Conference. To accommodate this need, the Congress passed the Long Island Sound Improvement Act of 1990, which gave the EPA authority to extend the Management Conference upon plan completion and directed the EPA to establish an office to provide continued support to an extended Management Conference. The EPA should, upon plan approval, extend the Management Conference for a minimum of five years to oversee implementation of the plan.

### **B. What is the New Role of the Management Conference?**

With adoption of the plan, the role of the Management Conference will shift from plan development to program implementation. Specifically, continuation of the Management Conference will provide a management framework to:

- Track, monitor, and report on program implementation;
- Incorporate new information to enhance implementation of actions;
- Develop additional commitments for implementation from participating agencies;
- Seek and advocate adequate funding; and
- Continue public involvement.

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These efforts will be summarized in a report every two years. The report will: identify progress in implementing the plan, as well as any delays or obstacles to implementation; describe water quality conditions in the Sound and the effectiveness of management efforts to improve them; and recommend the redirection of efforts to meet the goals of the program. The Management Conference will continue to prepare fact sheets, articles, and newsletters to report on different aspects of the program.

Throughout the plan, a number of high priority activities to enhance implementation have been identified. These activities, rather than forestalling cleanup actions, are intrinsic to improving the effectiveness of those actions over the long term. By applying the knowledge gained from restoration efforts, the Management Conference will ultimately improve the effectiveness of actions in achieving environmental results.

In this vision, the plan becomes more of a fluid document, incorporating the lessons learned from implementation. The pace of government action is monitored, potential delays are identified, and new approaches developed in response. The involvement of citizen groups and local government is maintained and expanded. The health of the Sound is monitored to assess the effectiveness of actions. And new information is synthesized to update and redirect the action plan on a regular basis.

Meeting this vision is a challenge. Regional coordination and planning is time consuming, often longer than the attention span of the public and government. The focus of citizens and government too often moves from crisis to crisis. Long-term and complex issues, such as protecting Long Island Sound, often get pushed aside.

### **C. What are the Core Needs to Coordinate Implementation and Report on Progress?**

As part of the Long Island Sound Improvement Act, Congress directed the EPA to establish an office to provide continuing support for an extended Management Conference. To serve the bi-state community, the EPA established a Long Island Sound Office with two facilities, one located in Stamford, Connecticut and the other in Stony Brook, New York. The basic activities of the Long Island Sound Office are to:

- Provide administrative support to the Management Conference and coordinate the EPA with other federal agency involvement in Long Island Sound issues.
- Support state program coordination and involvement in the Management Conference; and
- Maintain public education and involvement efforts with an added focus on local government involvement.

Space and basic services are being provided for the office, at no extra charge to the federal government, by the City of Stamford and by the State University of New York at Stony Brook. Using existing program resources, the EPA is staffing the office with a director and technical staff person and providing for associated travel and support expenses. The operational costs of the office, such as secretarial support, office supplies, equipment, telephone service, equipment maintenance, and production of publications have been supported in the past by direct federal appropriation for the office.

Each year, the Management Conference has funded program coordinator positions within the NYSDEC and the CTDEP. Each coordinator provides full-time staff support to the Management

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Conference and is the primary conduit for broader state program information and involvement in the Management Conference. The cost of continuing this basic coordination function is \$150,000.

Since 1992, the Management Conference has funded a public outreach coordinator stationed within each Long Island Sound Office facility to support the educational and outreach activities of the Management Conference. The program can be maintained at a cost of \$150,000 per year. The outreach coordinators develop scientifically based information on issues related to the Sound and provide support to the Citizens Advisory Committee.

In summary, the cost associated with this base level of effort for the Management Conference is approximately \$475,000 per year. This includes \$175,000 for maintaining the Long Island Sound Office and for providing administrative and technical support to the Management Conference, \$150,000 for state program coordination of implementation, and \$150,000 is for public involvement and education. Funding is available for these programs in fiscal year 1994, but will be required in future years.

### **D. How Will Information from Existing and Future Monitoring Activity be Managed?**

The Management Conference must develop a continuing monitoring program to assess the effectiveness of implemented management actions. While the Management Conference has already implemented a number of monitoring enhancements, a series of workshops were held to identify the components of a comprehensive plan for monitoring the Sound. The workshop focused on developing a monitoring program that maximizes the value of ongoing monitoring programs and identifies critical enhancements. The components of the monitoring plan have been presented in the action tables within Chapter's III-VII.

Management of monitoring data and information is an integral component of the long-term monitoring strategy. Because the New York-New Jersey Harbor and Long Island Sound are interconnected systems, management of monitoring data from both systems must be coordinated. As a result, both programs have adopted the EPA's Ocean Data Evaluation System (ODES) as a common repository for monitoring data. Both programs have also combined resources to hire a data manager to ensure that data are organized and stored in ODES. However, because electronic data management is a quickly evolving field, the Management Conference must remain flexible in the type of system or process that is used to manage data.

The two programs have identified the following data management needs to guide efforts:

- Provide for storage, retrieval, editing, and Quality Assurance/Quality Control (QA/QC) of Long Island Sound and New York-New Jersey Harbor data, including physical, chemical, and biological components;
- Fully integrate LISS and HEP data relevant to systemwide analysis;
- Provide access to these data to the EPA, the states, other agencies, and investigators;
- Provide full description of data sets including QA/QC documentation;
- Provide appropriate tools to users including data entry package, statistical package, Geographic Information System (GIS) interface, and STORET interface; and
- Provide real-time data access and analysis.

**E. How Will the Management Conference be Funded Now That the Plan is Done?**

The Management Conference recommends that part of the funding be provided through Section 320 of the Clean Water Act. The Management Conference is expected to receive approximately \$300,000 per year from the EPA for four years for activities such as monitoring and reporting on plan implementation. The Management Conference further recommends that additional funding be provided through Section 119 of the Clean Water Act, created by the Long Island Sound Improvement Act. These funds can be used for all the activities cited above and any additional activities that would be instrumental in enhancing implementation of the plan. Section 320 of the Clean Water Act requires a non-federal match of 25 percent on all funds and Section 119 of the Clean Water Act requires a non-federal match of 50 percent. The states of Connecticut and New York should, at a minimum, ensure the availability of matching funds for all available federal grants.

Throughout the Management Conference, the states of Connecticut and New York have provided support by making program staff available to assist in developing and implementing the plan. This support is expected to continue.

During the past three years, the state of Connecticut has also funded Long Island Sound-related research and education in Connecticut secondary schools, colleges, and universities through general obligation bonds. This program has committed approximately \$1 million per year on research topics ranging from water quality and sediment transport to living resource population dynamics. In 1992, Connecticut established a Long Island Sound motor vehicle registration plate with funds dedicated to public access improvements, estuarine and aquatic habitat restoration and preservation, education, public outreach, and research for Long Island Sound. Both programs are guided by advisory committees. In future years, Connecticut will continue to evaluate and recommend, as appropriate, the planning and research needs identified in the Management conference for inclusion in calls for proposals and in funding future research. The NYSDEC will seek to identify a source of New York state funding to support a portion of the continuing planning needs of the Management Conference.

There are also continuing planning process actions funded by municipalities such as the monitoring of the East River and western Sound conducted by the City of New York as part of its New York Harbor Monitoring Program. This monitoring contributes valuable data on Long Island Sound. Other local governments have also contributed data useful in assessing the Long Island Sound ecosystem.

**F. How Will the Management Conference Ensure That Other Federal Programs are Consistent With the Management Plan?**

**1. Federal Consistency Review Requirements**

One of the basic requirements of the Long Island Sound Study is to review all federal programs for consistency with its management plan. The purpose of this requirement, which is outlined in Section 320(b)(7) of the Clean Water Act, is to ensure that federally sponsored activities do not work at cross purposes with the objectives of the Management Conference. The *federal consistency review* requirement recognizes the need to coordinate government programs and program goals that can affect the success of coastal resource protection.

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The Coastal Zone Management Act also recognizes the significance of federal actions on the coast. It also requires that a federal consistency review be performed to ensure that federal programs affecting the coastal zone be consistent with a state's approved Coastal Zone Management Plan. These reviews have been conducted effectively for more than a decade by the New York State Department of State and the Connecticut Department of Environmental Protection, as part of the state coastal zone management programs. Both agencies sit on the Management Conference Management Committee.

In 1988, the EPA and the NOAA entered into an agreement designed to avoid conflicts and duplication of effort between the National Estuary Program and the Coastal Zone Management Program. The agreement provides an opportunity to build upon the strengths of the individual programs by integrating their federal consistency review requirements.

### 2. The LISS Federal Consistency Process

The ongoing review programs in the states of Connecticut and New York have the staff, experience, and facilities necessary to perform consistency reviews. By incorporating relevant parts of the LISS management plan into the state coastal zone management plan, the Clean Water Act requirements can be met on an ongoing basis. Building upon the federal consistency review conducted under the state coastal zone management program offers a number of advantages:

- The duplication and redundancy of multiple reviews are avoided.
- Activities requiring a federal permit or license are included in the reviews.
- Responses to comments are mandatory and the states have veto power over federal actions.
- The state programs have demonstrated the capacity to perform the consistency reviews for over a decade and will provide for long-term consistency and coordination of efforts.
- Coordination of coastal resource protection efforts between the Management Conference and the state coastal zone management programs are enhanced.

Therefore, the Management Conference will build upon the existing federal consistency reviews conducted by the state coastal zone management programs. The states will incorporate relevant actions of the Management Conference into the coastal zone management programs.

### G. Overview of Specific Management Actions

The Management Conference should be extended to coordinate implementation. The actions summarized in Table 50 focus on maintaining an effective program.

<b>COMMITMENTS</b>	<b>Responsible Parties</b>	<b>Time Frame</b>	<b>Estimated Cost</b>
Formally extend the Management Conference for a minimum of five years to continue coordination and oversee implementation of the management plan. The Citizens Advisory Committee will remain part of the Management Conference structure.	EPA Administrator	Initiated upon approval of the plan. Completion date July 1, 1994.	Redirection of base program

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Continue and expand the role of the EPA Long Island Sound Office, consistent with the requirements of the LIS Improvement Act of 1990. Funding is available in FY 1994, but will be required in future years.	EPA Regions I and II.	Ongoing. The office has facilities in Stamford, CT and Stony Brook, NY.	Operational costs approximately \$175,000 per year.
Continue state program coordination and involvement in the Management Conference. Funding is available in FY 1994, but will be required in future years.	EPA-LIS Office	Ongoing starting in FY 1994.	\$150,000 per year
Maintain public involvement and education efforts with an added focus on local government involvement. Funding is available in FY 1994, but will be required in future years.	EPA-LIS Office	Ongoing starting in FY 1994.	\$150,00 per year
Establish delegation of authority to allow the EPA Long Island Sound Office to support projects of studies as authorized by the Long Island Sound Improvement Act.	EPA-Headquarters	Upon approval of the plan.	Redirection of base program
Advocate modification to Clean Water Act Section 320(g)(2) to allow the EPA to provide base funding through cooperative agreements to National Estuary Programs that complete their management plans.	CTDEP NYSDEC	Ongoing.	Redirection of base program
Develop a coordinated monitoring plan to assess the effectiveness of implementation, considering innovative approaches and building upon existing programs.	LISS	Completed in early 1994.	\$25,000
Coordinate data management efforts between Long Island Sound and New York-New Jersey Harbor Estuary Program (HEP), including support for a systemwide data manager.	LISS and HEP Management Conferences	Funded for 1994.	\$25,000 per year from each program
Modify the current structure of the LISS as needed to oversee implementation of the plan.	LISS Management Committee	Complete by the end of 1994.	Redirection of base program
Ensure that the LISS is consistent with existing state coastal zone management (CZM) policies.	EPA	Concurrent with the submittal of the plan to the Governors of New York state and Connecticut.	Redirection of base program
Incorporate relevant elements of the plan into the state CZM program for federal consistency reviews.	CTDEP NYSDOS	Complete by the end of 1994.	Redirection of base program
<b>RECOMMENDATIONS</b>	<b>Responsible Parties</b>	<b>Time Frame</b>	<b>Estimated Cost</b>
Continue to support and enhance data management, analysis, and reporting.	LISS Management Conference	Ongoing	\$200,000 per year
Prepare an annual progress report on implementation including recommendations to redirect efforts.	LISS Management Conference	Annually, starting one year after the plan is approved.	\$35,000 per issue; included under operational costs of LIS Office.