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**Testimony of David Sutherland – Director of Government Relations
before the Environment Committee - March 7th, 2014**

**In Support of S.B. No. 312 - AAC A LONG ISLAND SOUND RESOURCE AND USE
INVENTORY AND A LONG ISLAND SOUND BLUE PLAN**

- **Long Island Sound has been the scene of several protracted battles over the past decade, regarding cables, pipelines, and industrial energy facilities.**
- **Conceptual plans for new offshore development proposals are in the news regularly.**
- **Without a pro-active plan for compatible uses of the Sound, we remain vulnerable to the next Broadwater-type battle.**
- **A comprehensive and inclusive planning process will take a few years, so it is imperative that we begin the process now before the next threat emerges.**

On behalf of The Nature Conservancy, I would like to express our strong support for S.B. Bill 312. This legislation would direct OPM, within available resources, to convene relevant state agencies, academic institutions, and stakeholders to compile an inventory of the natural resources in, and the human uses of, Long Island Sound and to use that information to develop a plan to guide future uses of the Sound's waters and submerged lands.

Long Island Sound is the Northeast's largest estuary, and it includes some of Earth's most productive natural habitats. It is crucial to the way of life of more than 20 million people who live within 50 miles of it, generating billions of dollars annually for local economies through tourism, fishing, boating, and other uses.

This legislature has spent considerable time over the past few years discussing the communities and natural habitats **on land along our shoreline**. This legislation addresses the **waters and the submerged bottom lands** of the Sound, which support the commercial industries and recreational activities we depend on and provide critical habitat for countless aquatic species.

Unlike Massachusetts and Rhode Island, which have adopted spatial guidance plans for their ocean waters, Connecticut has no existing authority to plan future uses of the Sound on an overall basis. Currently, project applicants set the agenda, in an ad-hoc way, for proposed uses of public trust waters and lands, and the public and DEEP can only respond through the regulatory process, which while important, has proven to be a very costly and inefficient way to protect the Sound's environmental, cultural, and economic values.

For the past 18 months, a working group of representatives of Connecticut, New York, and federal agencies, industries, user groups, and conservation organizations has been meeting to determine what types of natural resource and human use information about the Sound already exist, what work is underway on other types of data, and what important data gaps exist. Bill 312 would enhance and expand the work of this group and enable the resulting inventory to be incorporated into a plan that could ensure future or new uses of the Sound are compatible with traditional uses, minimize conflicts among users and balance use with resource protection.

The State of New York already has the authority in its statutes to develop and utilize a marine plan in its portion of Long Island Sound, but Connecticut does not. Without legislative authority, a plan developed here for Connecticut's half of the Sound would not be legally binding. For a Long Island Sound Blue Plan to legally influence federal agency projects and permitting, for example, the plan would need to be incorporated through legislation into Connecticut's federally approved coastal management program.

Statutory authorization would also highlight the importance of the Inventory and Blue Plan and legitimize its purpose, creating an authoritative source of data, a single focus for partnerships, and cooperation among stakeholders and other regional marine planning and management initiatives such as Northeast Regional Ocean Council, the Northeast Regional Planning Body, and the Long Island Sound Study.

The plan would be the outcome of a science-based process, with the collaboration of the public and stakeholders for recognizing existing uses and environmental resources. It would be coordinated with, but not contingent upon, New York's efforts.

A Blue Plan would help reduce conflicts among those who use the Sound and save all of us time and resources otherwise used to resolve conflict. Communities, activists, agencies and project applicants have spent enormous time and resources in the past decade fighting over proposed uses of Long Island Sound. The Plan would allow Connecticut and New York to work together in determining which uses we want to encourage and provide better guidance to project developers to identify where various uses would least conflict with other activities and natural resource protection.

We recommend the following changes to the language of the bill:

1. In Section 1(a), item (M), which starts on line 48, should be amended to read "be coordinated with local, regional and federal planning entities and agencies, including, but not limited to, the [National Ocean Policy's] Long Island Sound Study and **THE NATIONAL OCEAN POLICY'S** Northeast Regional Planning Body", since the Long Island Sound Study is not affiliated with the National Ocean Policy, whereas the Northeast Regional Planning Body is.
2. We recommend that the language in Section 1(c) that establishes the advisory committee be amended to allow additional members beyond those listed to be appointed if necessary. In order for the Blue Plan itself and the process by which it is developed to be as well-informed and well-received as possible, it will be essential to develop it through an inclusive process that ensures key stakeholders provide and feel that they have been able to provide meaningful input. We recommend that that section be amended to read:

(c) There is established a Long Island Sound Resource and Use Inventory and Blue Plan Advisory Committee that shall assist the Secretary of the Office of Policy and Management with

the drafting of the Long Island Sound Resource and Use Inventory and the Long Island Sound Blue Plan, described in subsection (a) of this section. Said advisory committee shall consist of the following members: (1) The Commissioner of Energy and Environmental Protection, or the commissioner's designee, (2) a member from a marine-related program at The University of Connecticut, (3) a representative of the Office of Maritime Affairs within the Department of Transportation, (4) a representative of the Bureau of Aquaculture within the Department of Agriculture, (5) the Commissioner of Economic and Community Development, or the commissioner's designee, (6) a representative of the marine trades industry, (7) a representative of a conservation organization that specializes in coastal issues, (8) a representative of the gas and electric distribution industries, (9) a representative of the telecommunications industry, (10) a representative of the commercial shellfish [and finfish] industries, (11) a representative of the recreation[al]-**RELATED** fishing community **APPOINTED FROM THE MARINE ADVISORY GROUP OF THE DEEP'S FISHERIES ADVISORY COMMITTEE**, (12) a representative of a nonprofit organization with expertise in marine assessments and planning, [and] (13) a chief elected official of a coastal municipality, or such official's designee; **(14) A REPRESENTATIVE OF THE COMMERCIAL FISHING INDUSTRY; (15) A REPRESENTATIVE OF THE SHELLFISH INDUSTRY; (16) A REPRESENTATIVE OF THE RECREATION OR TOURISM INDUSTRIES; AND ADDITIONAL MEMBERS AS DETERMINED BY THE SECRETARY.** Each appointed member shall be appointed by the Secretary of the Office of Policy and Management and shall serve at the pleasure of the secretary. The secretary shall convene the first meeting of such advisory committee not later than sixty days after the effective date of this section and shall serve as the chairperson of such advisory committee. The secretary may request members of the advisory committee to assist with administrative functions of the advisory committee, including, but not limited to, convening and noticing meetings and drafting assessments and reports. The advisory committee shall be located in the Office of Policy and Management for administrative purposes only.

3. In Section 1(a), lines 2 and 3 should read "The Secretary of the Office of Policy and Management, in conjunction with the Long Island **SOUND** Resource and Use Inventory and Blue Plan Advisory Committee..."
4. In Section 1(a)(1)(E)(i), we recommend line 12 be amended to read: "(E) uses of such waters and substrates, including, but not limited to: (i) Commercial and recreational **BOATING AND COMMERCIAL AND RECREATIONAL** fishing...."
5. Similarly, In Section 1(a)(2)(E), we recommend that line 32 be amended to read "(E) reflect the importance of the waters 30 of Long Island Sound to the citizens of this state who derive livelihoods and recreational benefits from **BOATING AND** fishing;..."