

Environment Committee JOINT FAVORABLE REPORT

Bill No.: HJ-1

RESOLUTION PROPOSING THE ADOPTION OF THE LONG ISLAND SOUND

Title: BLUE PLAN.

Vote Date: 2/28/2020

Vote Action: Joint Favorable

PH Date: 2/21/2020

File No.:

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SPONSORS OF BILL:

Environment Committee

Rep. Robin E. Comey, 102nd Dist.

Rep. Joseph P. Gresko, 121st Dist.

Rep. David Michel, 146th Dist.

Rep. Mary M. Mushinsky, 85th Dist.

Rep. Christine Palm, 36th Dist.

REASONS FOR BILL:

Public Act 15-66 required the commissioner of the Department of Energy and Environmental Protection to (1) develop an inventory of Long Island Sound's uses and natural resources, and (2) develop a plan to preserve and protect the Sound. The Public Act also required the commissioner to submit the plan to the Environment Committee, and requires the Environment Committee to (1) hold a public hearing on the plan forty days after the beginning of the legislative session, and (2) to submit the plan to the General Assembly for approval or disapproval forty days following a public hearing.

RESPONSE FROM ADMINISTRATION/AGENCY:

Commissioner Katie S. Dykes, Department of Energy and Environmental Protection

(DEEP): Supports the bill. In accordance with Public Act 15-66, *An Act Concerning a Long Island Sound Resource Inventory and Blue Plan*, the Blue Plan is a marine spatial planning initiative incorporating a large amount of information based upon the ecology and human uses of Long Island Sound to support water-dependent uses and the marine environment. DEEP, in partnership with multiple stakeholders, provides all the same information to

interested parties to "evaluate and substantiate more and well-informed decisions" within the Blue Plan regulatory area.

Susan Merrow, Chair, Council on Environmental Quality: Supports the bill. The Blue Plan provides a foundation for both the ecological sustainment of business, recreation and marine habitats through planning, and information sources.

NATURE AND SOURCES OF SUPPORT:

Peter J. Auster, PhD, Research Professor Emeritus, University of Connecticut – Department of Marine Services: Shared personal testimony as a marine ecologist. The Blue Plan provides information as a "First Stop resource" to inform regulators and decision-makers about risk management. While the Blue Plan is not a perfect plan, it provides information to make informed decisions with a collaborative approach.

Lori Brown, Executive Director, Connecticut League of Conservation Voters: Connecticut has no authority to adequately plan for multiple future uses of Long Island Sound without the Blue Plan. The Blue Plan incorporates the contribution of 2,000 individuals to develop a tool for the 50 mile area that generates billions annually for local economies.

Alicea Charamut, Executive Director, Rivers Alliance: The Long Island Blue Plan was developed, through a rigorous stakeholder and public process, to produce a resource and use inventory that will be essential in making managerial decisions for one of Connecticut's most important ecological treasures.

Robin Comey, State Representative, 102nd Assembly District: Shared personal testimony of the beneficial impact the Long Island Blue Plan will have on the 102nd Assembly District. The comprehensive Blue Plan is a critical tool to use and guide the use of deep-water resources, for recreation, for commercial use and the ecology of Long Island Sound.

Samantha Dynowski, State Director, Sierra Club Connecticut: The Blue plan is a resource for the public, regulators, and developers to make good decisions about the Sound. This is a unique approach promotes discussion between project proponents and stakeholders.

Nathan Frohling, Director of External Affairs, The Nature Conservancy: There are insufficient information to support the needs of competing stakeholders in Long Island Sound. The Blue Plan creates an informational tool, based on the input from various stakeholders, to manage Long Island Sound at the local, state, and federal levels.

Tony Hwang, State Senator, 28th Senate District: The Blue Plan balances the needs of human uses while protecting the marine habitat of Long Island Sound. To support the aspects of the Blue Plan, twenty-nine "Significant Human Uses and associated areas in the Sound" (SHUA), were identified to include recreational fishing and maritime commerce. Fourteen "Ecologically Significant Areas" (ESA) were identified as critical marine habitats. The bipartisan Blue Plan considers the extensive account of both stakeholders and the public input. The depth of plan has never been established previously that is favorable to both the economy and the environment.

Robert LaFrance, Director of Policy, Audubon Connecticut: Audubon Connecticut appreciates the inclusion of "Criterion 9: Birds" and the examination of Seabird occurrence models in the Long Island Blue Plan. Audubon Connecticut encourages future versions of the Blue Plan to include additional data to improve seabird models and invites the advisory board and Environment Committee to look at the Audubon Society's "Birds & Climate Visualizer."

Bill Lucey, Soundkeeper, Connecticut Fund for the Environment / Save the Sound: The Blue Plan is a "common sense approach" for the management of Long Island Sound. This plan supports multiple uses of the Long Island Sound while protecting and restoring fish and wildlife habitats. The Blue Plan serves as a "cooperative tool" for transparency, conflict mitigation, and permit discussions for new and existing uses of Long Island Sound.

Alicia M. Mozian, Conservation Director, Town of Westport: Shared personal testimony as a municipal representative to the Blue Plan Advisory Committee. The Blue Plan represents a comprehensive effort to make the permit process easier while balancing the human uses and ecology of Long Island Sound. Testimony provides specific example of how the Blue Plan would have made the permitting process easier for commercial shell fishermen in the early 2000s.

Christine Nelson, Director, Land Use Department, Town of Old Saybrook: The Blue Plan provides guidance to coastal municipalities with a significant amount of information for facility planning, conservation, and development.

John Thomas Pinto, PhD, President, Connecticut Harbor Management Association (CHMA): CHMA submitted a letter originally transmitted to Long Island Sound Blue Plan Outreach on June 21st, 2019. Although CHMA shares the vision of the Blue Plan regarding beneficial use and conservation of the Long Island Sound (LIS), CHMA provided, in part, the following comments and recommendations: (1) the Blue Plan may unintentionally conflict with harbor management commissions, plans and jurisdictions, (2) the Blue Plan should be added to the existing Connecticut Coastal Management Act, and (3) an additional Blue Plan policy should be added that would call for coordinated management of LIS by Connecticut and New York.

The Environment Committee received approximately 20 written testimonies in support of the bill explaining that the plan protects marine habitats along Long Island Sound while also balancing the needs of human uses.

NATURE AND SOURCES OF OPPOSITION:

Joseph J. Gilbert, Coalition of Connecticut Shellfishers: Does not oppose the bill, but also cannot support the bill. Shared personal testimony as initially a proponent of the Blue Plan; however, cannot support the bill based on recent experiences as a member of the Commission on Environmental Standards (CES) for offshore wind procurement. CES was tasked with providing input on best practices while diminishing the impact on the environment to the Connecticut Department of Energy and Environmental Protection (DEEP); however, DEEP only considered CES recommendations as a factor in awarding the first Request for

Proposal. DEEP is a conflicted agency that "serves two masters" seeking both environmental protection and the needs of energy generation. The Blue Plan has no actual way of protecting the environment and its natural resources.

Reported by: Steve Smith / Ussawin R. Bumpen Date: 3/2/2020