

Long Island Sound Stewardship Act
Testimony before the House Sub-Committee on Fisheries and Oceans
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Mr. Chairman, thank you for the opportunity to testify today in strong support of the Long Island Sound Stewardship Act of 2005. Thank you also for taking the time from your busy schedules to come and visit the Sound and to hopefully get a better sense of why we believe this nationally significant estuary is worthy of your support.

My name is David J. Miller and I am the Executive Director of Audubon New York, the state program of the National Audubon Society, which incidentally, is celebrating its 100 th Anniversary this year. I am a member of the Citizens Advisory Committee of the Long Island Sound Study and was its New York Co-chair for thirteen years (1989 – 2002). After Audubon's Listen to the Sound program in 1990, I founded the Long Island Sound Watershed Alliance and a founder of the Clean Water/Jobs Coalition, a unique alliance of conservation organizations, labor and the construction industry, which is dedicated to restoring Long Island Sound for both the environment and the economy. I have also chaired Governor George E. Pataki's Long Island Sound Coastal Commission.

The Long Island Sound was one of the first estuaries designated under the National Estuary Program in 1985. I am certain that today you will hear much about the importance of this resource to the 28 million people that live within 50 miles of its shores. It is a critical ecosystem of marine life and provides essential migratory and breeding bird habitats and is home to 125 species of birds, including the endangered Piping Plover. It is also an incredible recreational resource not only to the residents of New York and Connecticut but for tourists from around the country, and indeed, around the world. As important as it is to recreation and to the region's ecology, it is equally important for it's nearly \$6 billion annual impact on the regional economy.

It is with the above in mind that Audubon has participated in an unprecedented partnership among federal, state and local agencies, conservation organizations, academic institutions and private sector interests over the past 17 years. What you will hear about today is not a recent concept but rather the result of a nearly two-decade evolution that has concentrated on the restoration of the water quality, the protection of the ecological and recreational resources and improvement of access to the Sound.

In your invitation to testify you asked for information on how Audubon New York participated in the restoration and stewardship of the Long Island Sound. First, let me say that I have worked for Audubon for some 17 years and have been involved with Long Island Sound issues for that entire period of time. Audubon's mission is to conserve and restore natural ecosystems focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity. Audubon New York has nearly 50 employees who are dedicated to accomplishing our mission through science, education centers and programs as well as advocacy. We also enjoy the support and assistance of some 30 affiliated Audubon Chapters and a grassroots membership which totals nearly 50,000 in New York alone. In addition to New York's people resources we have joined forces with Audubon Connecticut and our National Policy office in Washington DC to concentrate specifically on a Long Island Sound campaign.

In 1990, Audubon initiated the Listen to the Sound program to gather public input and to mobilize efforts to develop a strategy to protect and clean up this valuable estuary. Fifteen citizens hearings were held from right here in Groton to New York City to Southold on eastern Long Island during the period from Memorial Day to the 4 th of July 1990. Testimony was received from close to 500 citizens and over 200 local, state, regional and national organizations cosponsored the citizens hearing and provided valuable insight into the needs of the Sound. In 1991, and based on the results of the public meetings. Audubon published a citizens agenda and helped to create the Long Island Sound Watershed Alliance which was formed to link the 200 plus organizations to work together to implement the plan. This alliance and agenda helped influence the federally funded Long Island Sound Study and over the next few years the Study's Comprehensive Conservation and Management Plan (CCMP), the governmental blueprint for the Sound cleanup, incorporated most of the Listen to the Sound recommendations and was thus supported by citizens and elected officials alike.

Again, working in partnerships at every conceivable level, Audubon has worked for the past decade to achieve the goals identified in the CCMP, which was formally adopted by the U.S. E.P.A. and the states. We advocated in Connecticut and New York for money to address water quality issues especially those concerned with the hypoxia, which is robbing the Sound of the oxygen it needs to survive. In 1996, the Governors' of Connecticut and New York signed a new agreement to further implement the CCMP and Connecticut announced its Long Island Sound Clean Water Fund that allocated \$225 million for the Sound. New York State voters passed its 1996 Clean Water/Clean Air Bond Act, which allocated \$200 million for

the Sound. Working with the Clean Water/Jobs Coalition, which I previously mentioned, we encouraged counties, cities and other municipal entities around the Sound to leverage these state funds to address these water quality issues resulting from the nitrogen that was being released from their sewage treatment plants directly into the Sound. Hundreds of millions of dollars have been committed by New York City, Westchester County and numerous other municipalities to rehabilitate the sewage treatment plants that are the major source of nitrogen pollution.

Recognizing the state and the local commitments, Audubon and the Clean Water/Job Coalition then traveled to Washington in an effort to convince Congress to remain an active member of the partnership by providing adequate federal resources to match the state and local dollars committed to implementing the CCMP. In testimony before the House Water Resources and Environment Sub-Committee on February 29 th, 2000, I maintained that the federal government had become a great cheerleader for all of the local efforts but wasn't investing in the solutions to the pollution and open space protection needs of the Long Island Sound. To its great credit the Congress agreed and enacted the Long Island Sound Restoration Act, which authorized \$40 million a year to match local clean up dollars. Although appropriations pursuant to that Act have ranged between \$5 and \$7 million, it provided critical operating funds for the federal Long Island Sound Study office within the Environmental Protection Agency as well as direct grants to localities for retrofitting sewage treatment plants to reduce nitrogen pollution around the Sound.

Later in 2000 and 2001 Audubon, Save the Sound, the RPA and others sponsored Listen to the Sound 2000 which was modeled after the initial program a decade before and concentrated on the creation of a stewardship system to enhance and protect the open spaces and the ecologically important areas where the Sound water connects to the coastal zone along the Sound's shores. While the land stewardship program specifically focuses on where the land meets the sea, the major focus of the Sound program in its first years of the CCMP was water quality. It was clear from this program and the public comments that a parallel program of coastal land stewardship needed the same attention that the major water quality improvement investments being made were given. Hence, the Long Island Sound Stewardship concept and later the Stewardship Act in Congress was developed. In discussing the difference between the Restoration Act and the Stewardship Act for the Sound it is as simple as water quality restoration and coastal land stewardship.

Again, and simply put, the Restoration Act deals with water quality issues and most specifically, hypoxia. The Stewardship Act, on the other hand, would authorize up to \$25 million a year to address the recreational, open space and significant ecological sites, while at the same time improving access for both recreational and commercial purposes. The original notion was the creation of a Long Island Sound Reserve Program that brought together all interests around the Sound. In doing so, not only did the program evolve to meet concerns from private property rights to recreational opportunities, but also its name changed to better reflect its true purpose.

The aforementioned public process resulted in a Long Island Sound Stewardship program that provided the consensus needed to start the legislative process. In 2004, the Long Island Sound Stewardship program was embraced by members of the New York and Connecticut Congressional delegations. After a luncheon held in January of 2004 in the Rayburn Building hosted by Audubon New York, Congressional staff drafted a Senate and House version of the bill, which was introduced in April. In July, on the steps of the Cannon Building, a unified bill was agreed upon by both the Senate and House sponsors and was introduced in Congress.

Since that time, much outreach has occurred for this legislation and Audubon New York again hosted a luncheon for Congressional staff this past April, including the House Resources Committee staff to provide a briefing on the bill. To date, the entire Connecticut delegation and 26 members of the New York State House delegation are co-sponsors of the bill.

The Long Island Sound Stewardship Act has truly been a bi-partisan and bi-state process that has brought all interests to the table. The Act's Advisory Committee has representation from the marine trades, environmental member groups and regional planners, among others. The program is voluntary and respects all individual property rights. The program provides matching dollars to enhance state and regional efforts to protect significant ecological resources, provide for private land stewardship, and create enhanced public access and recreational opportunities. It is important to note, as is the case in the Restoration Act, that the Stewardship Act funds will benefit both the region's ecology and economy.

As the committee is aware, the Senate passed the Stewardship Act last October and we applaud the House Resource Committee and Fisheries Sub-Committee's interest in this program. We believe that our partnership with you and your staff to better understand the program will result in positive action by your committee in the future.

Long Island Sound is a national treasure. The Long Island Sound program is a national model. Throughout its past almost two decades worth of work to restore and enhance this magnificent estuary, it has been done through partnerships. Site-specific issues facing the Sound come and go, but the major themes of water quality restoration and coastal land stewardship and enhancement are constant. We as a community have forged alliances with environmental and conservation interests, business, marine trade associations, construction industry groups, labor representatives, and the

scientific research community at large as well as local, state and federal government leaders and agencies.

Mr. Chairman, we have had Governor's Agreements, Governors' testifying before Congress and Congress itself show great leadership through your colleagues in the region. Help us continue this tradition by supporting the Long Island Sound Stewardship Act. Your action will not only support the needs of the Sound, but also support the Sound approach we pride ourselves in taking for this great resource. Our motto has been Listen to the Sound and become its voice for the people, habitats and critters of the region. We hope the passage of the Long Island Sound Stewardship Act will spark the ears of the country for the Sound and in turn hopefully reinforce the Sound approach of the partnerships and consensus building in other estuaries across this great nation.

Thank you for holding this hearing and thank you for your dedication to conservation.