

**Establishment of the  
Cross Sound Cable/1385 Cable Settlement Fund**

**Long Island Sound Study Policy Committee  
September 28, 2006**

In a 2004 *Memorandum of Understanding Among the Members of the Policy Committee of the Long Island Sound Study Management Conference Regarding the Administration of a Fund for Research and Restoration for Projects Enhancing the Waters and Related Natural Resources of Long Island Sound* (MOU), the Long Island Sound Study (LISS) Policy Committee agreed to "...establish goals and targets for the use of the Fund..." and charged the LISS Management Committee with the development of "...criteria for such use and a process by which decisions regarding the use of funds will be made consistent with said settlement agreement." Therefore, the goal of the Regional Administrators from EPA Regions 1 and 2 and the Commissioners of the Connecticut Department of Environmental Protection (CTDEP) and the New York State Department of Environmental Conservation (NYSDEC) who constitute the LISS Policy Committee is to agree upon a framework to use the \$6 million provided by the Fund for research and restoration opportunities for the greater Long Island Sound community consistent with the intent of the settlement in an expeditious and effective manner.

Therefore, the LISS Policy Committee agrees that the Fund will be used to:

- Support new projects and activities that enhance Long Island Sound rather than for the Fund's administration or to supplement LISS base or ongoing program activities (In accordance with Federal law and consistent with paragraph 6 of the MOU, the Fund may not be used for the expenses of the U.S. Environmental Protection Agency or to satisfy the financial obligations of the U.S. Environmental Protection Agency);
- Promote improved scientific understanding of the biological, chemical and physical effects of existing or potential cable and pipeline crossings and mitigation of their impacts; and
- Emphasize benthic mapping as a priority need, essential to an improved scientific basis for management and mitigation decisions.

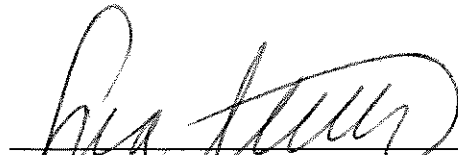
Further, the LISS Policy Committee agrees that a Cable Fund Steering Committee be formed to manage the fund and that the Steering Committee:

- Be composed of representatives from Policy Committee Agencies (EPA Regions I and II, CTDEP and NYSDEC) and the directors of the Connecticut and New York Sea Grant Programs, or their designees;
- Develop a comprehensive list of energy-related research and restoration projects consistent with the uses and benthic-mapping priority identified above and with consideration to the *Long Island Sound Bottom Land Symposium: Study of Benthic Habitats* (July 2004) and the Long Island Sound Task Force (CT Public Act 02-95 and Executive Order Number 26) to supplement identification of potential projects;
- Provide assistance with respect to non-financial, non-managerial administration of the Fund, including issuing requests for proposals that identify eligible projects, providing technical and/or peer review of proposals, and making funding recommendations to the Commissioners of CTDEP and NYSDEC for their review and approval; and
- Provide project information and oversight through their respective agencies to facilitate operations of the Fund to CTDEP who will be responsible for contractual compliance and financial management, including tracking tasks, ensuring adequacy and disposition of all outputs, including maps and data, and payments.

Nothing herein shall be construed to require EPA to perform services or to obligate or expend funds on behalf of goals, objectives, or responsibilities set forth herein, or give rise to a claim for compensation for services performed to further the goals of this agreement.



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