



The Honorable Jeh Johnson
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April 21, 2016

Re: Plum Island Conservation Alternatives Report

Dear Secretary Johnson:

The Preserve Plum Island Coalition (“PPIC”) writes to provide input on the forthcoming Plum Island report, requested by the Senate Appropriations Committee, subcommittee on Homeland Security and being authored by the Department of Homeland Security (“DHS”), in conjunction with the General Services Administration (“GSA”), the Environmental Protection Agency (“EPA”) and the Department of Interior (“DOI”). The PPIC, which consists of 66 conservation and historic preservation organizations, including Connecticut Fund for the Environment/Save the Sound, Audubon New York and Connecticut, Group for the East End, The Nature Conservancy, Citizens Campaign for the Environment, North Fork Environmental Council and many others, has worked for over seven years to ensure Plum Island’s critical wildlife, habitats, and historic and cultural assets are protected and that appropriate public access is maintained.

This report is an essential step forward in the effort to preserve the important resources of Plum Island and we deeply appreciate the Congressional support and commitment to this issue of national importance. We are pleased that DHS appears is moving swiftly in the assessment of critical conservation alternatives, and are grateful to EPA, DOI, and GSA for their future collaboration in the process.

Plum Island, the federally-owned 840-acre property at the eastern end of Long Island Sound, straddles two estuaries of national significance—Long Island Sound and Peconic Bay, both of which are included in the National Estuaries Program. Over 80 percent of the island is undeveloped with seven miles of natural shoreline, sandy beaches, bluffs, wetlands, meadows and forest which provides critical wildlife habitat for rare plants and animals. Over 220 species of birds use the island for nesting, foraging, breeding, and as a migration stopover and Plum Island is the location of the largest seal haul out in southern New England. The island also has a rich military and maritime history dating back to the Spanish American War with many important buildings remaining, including the Plum Island Lighthouse which is on the National Historic Register. The cultural history of Plum Island mirrors American history and prehistory,

with much research and study remaining to be done. Despite all of these assets the Island is proposed to be sold at auction.

As you know, the Senate Appropriations Committee's subcommittee on Homeland Security directed DHS to work with sister agencies on a study of options for long-term use of the island—options that include conservation opportunities and fully consider the significant environmental and historic resources, among other factors. The language states:

“As full funding for the construction of NBAF has been provided, the Committee directs the Department, in conjunction with GSA, the Department of the Interior, and the Environmental Protection Agency, to report on an analysis of alternatives for final disposition of Plum Island. The report shall consider: conservation of the island's resources including those of historic, cultural, and environmental significance; analysis of any remediation responsibilities; the need for any legislative changes; cost; and revenues from any of the alternatives. The report shall be submitted not later than 180 days after the date of enactment of this act.”

The PPIC has strongly advocated for a conservation outcome for the majority of Plum Island and believes this report provides an excellent opportunity to analyze a wide range of conservation alternatives—from 100 percent conservation by another state or federal agency to 80 percent conservation and 20 percent compatible reuse of the existing federal laboratory and its infrastructure. With that mind, we provide the following comments and recommendations:

First, there are several features of a potential alternative that the PPIC believes are important to explore, such as: achieving a maximum conservation outcome; conservation solutions that include options accomplishable under existing law; management of historic structures; compatible passive public access; and education opportunities for the public regarding the unique history/environmental nexus contained at Plum Island. A few examples of such options include the following:

- Federal + public entity: National Wildlife Refuge (“NWR”) whose lands are managed by the United States Fish and Wildlife Service (“USFWS”) and structures are managed by a historic preservation entity.
- State + state/federal: Reuse of the existing research facility footprint (20 percent of the island) for collaboration among universities with a focus on marine and veterinary sciences. Conserve the remaining land (80 percent of the island) as federal or state open space.
- Federal only: Conservation of the island as a NWR and/or National Park and/or National Monument

Second, despite assertions to the contrary, the current congressional mandate, as found in the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009, provides a pathway to conservation. Specifically, the language requires that the sale be conditioned on protecting “government interests.” The 2009 language reads:

“Should the Secretary of Homeland Security determine that the National Bio and Agro-defense facility be located at a site other than Plum Island, New York, the Secretary shall liquidate the Plum Island asset by directing the Administrator of General Services to sell through public sale all real and related personal property and transportation assets which support Plum Island operations, subject to such terms and conditions as necessary to protect government interests and meet program requirements.”

The EPA, USFWS, the Connecticut Attorney General, New York State Departments of Environmental Conservation and State, the National Estuary Programs, the Town of Southold, NY, in which the island is located, as well as numerous others, including PPIC member groups, enumerated many government interests at stake should Plum Island be auctioned. These government interests could be protected through deed restrictions or conservation easements prior to any transfer (see attached letters). We request DHS take a fresh look at the mandate and consider a conservation sale. A sale where 1) the foot print of the existing facility (approximately 20 percent of the island) is sold or transferred for compatible reuse, but the remaining 80 percent is restricted to conservation only; 2) sufficient funding is provided to address environmental cleanup, and other measures to allow for the reuse of these facilities and safe public access; and 3) other conservation alternatives are explored that ensure no unfunded liability fall on the USFWS or any federal holding entity that will receive the portions of the island that will remain undeveloped.

Third, we urge DHS to consider and incorporate the following items in the assessment and report: the environmental data developed by the New York Natural Heritage Program and compiled by the New York Department of Environmental Conservation and USFWS; the comprehensive planning and zoning intent of Southold Town to preserve 80 percent of the island as conservation land; the key conservation and cultural themes identified in the Plum Island Environmental Impact Statement record; and, the comprehensive cultural and historic frame of Southold Historical Society’s recent publication, *A World Unto Itself, The Remarkable History of Plum Island, New York*.

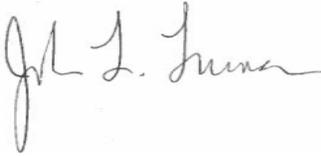
Fourth, we note that the subcommittee report language requires significant involvement by EPA and DOI (specifically USFWS and National Parks Service) in the development of the report to ensure appropriate alternatives are considered and the analysis of contamination mitigation is adequate. We request that EPA and DOI (USFWS and National Parks Service) play an *active* role in the development and production of this report. The language is very clear that the report is to be done “in conjunction with” EPA/DOI/GSA. This is more involvement than mere comment on DHS’s draft.

Fifth, we respectfully request that DHS provide actionable recommendations that ensure a conservation outcome that protects the important natural and historic assets of Plum Island.

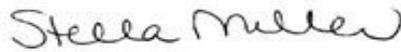
In closing, the PPIC strongly supports a report that sets a path for preservation of the island and ideally, keeps it in public ownership for future generations. If you have any comments or questions, please do not hesitate to contact Leah Schmalz (lschmalz@savethesound.org;

(203.787.0646).

Sincerely,
Members of the Preserve Plum Island Steering Committee



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Stewart Hudson, Vice President & Executive Director
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Cc: Secretary Roth, General Services Administration
Administrator McCarthy, U.S. Environmental Protection Agency
Regional Administrator Enck, U.S. Environmental Protection Agency
Regional Administrator Spalding, U.S. Environmental Protection Agency
Regional Director Weber, U.S. Fish and Wildlife Service
Director Jarvis, U.S. National Parks Service
Secretary Rosado, New York Department of State
Commissioner Seggos, New York Department of Environmental Conservation
Commissioner Klee, Connecticut Department of Energy and Environmental Protection