On behalf of the signatory organizations, we provide these comments on the inadequacies of the Final Environmental Impact Statement (“FEIS”) prepared for the proposed sale of Plum Island, New York.

Our primary interest in Plum Island is assuring the conservation of its undeveloped habitat and the protection of its natural resources. To that end, we incorporate by reference all previous comments submitted by the Long Island Sound Study Citizens Advisory Committee, the U.S. Fish and Wildlife Service, the Preserve Plum Island Coalition, The Nature Conservancy, Audubon Societies of New York and Connecticut, Citizens Campaign for the Environment, and CFE/Save the Sound, as well as those comments provided by state and federal agencies and other conservation organizations.

While we continue to assert that the General Services Administration (“GSA”) has the necessary discretion to effectuate a conservation sale—pursuant to the language of the *Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009*—the FEIS clearly demonstrates that GSA has not examined, much less chosen, that protective course of action. Instead GSA ultimately examines only two options, a full and un-protective sale of Plum Island and a No Action alternative; it then foists any and all responsibility for conserving Plum Island onto New York State and the Town of Southold. We note that despite comments provided on the DEIS, the FEIS 1) failed to adequately consider a partial conservation sale which is designed to protect core government interests; 2) failed to conduct a year-long ecological assessment of natural resources on the undeveloped portions of the island and 3) failed to adequately assess hazardous waste contamination and associated health threats on the island.

As has been discussed in detail previously, the decades of limited access to Plum Island has created a 600+ acre de facto wildlife refuge, which hosts at least 187 species of birds including 57 New York State Species of Greatest Conservation Need; among them are species known to breed on the island like Osprey, American Oystercatcher, Northern Harrier, Common Eider and the federally endangered Piping Plover. The sanctuary includes nine miles of wild beach, dune and bluff, an unusual assortment of uplands, and tidal and fresh water marshes. Its surrounding marine environment features one of New England’s most important seal haul-out sites, endangered species like the Northern Right Whale and Leatherback Sea Turtle and greater concentrations of marine fish than most waters in the mid-Atlantic.

When our federal and state governments identified the 33 last great places around Long Island Sound, Plum Island and the nearby Gull Islands—which together host the western hemisphere’s largest colony of roseate terns—were recognized as an “exemplary” habitat deserving of special protection. It is of international conservation importance, and one of the very last large, undisturbed, wild coastal systems in the highly-urbanized Long Island Sound region. The widely available information regarding its ecological, historical, and cultural value, together with on-going federal and state initiatives designed to protect Plum Island and other critical areas like it, clearly demonstrate a significant government interest in protecting its undeveloped habitats.

**Plum Island and the Long Island Sound Stewardship Initiative**

The Long Island Sound Stewardship Initiative was created by a Resolution of the Policy Committee of the LISS dated September 28, 2006 (attached). One month later it was codified by an act of Congress (see the *Long Island Sound Stewardship Act of 2006*), which formally adopted the policy to achieve the permanent protection, restoration, and conservation of various critical Long Island Sound areas, and to increase public access to appropriate recreation and education. Through this action thirty-three inaugural Stewardship Areas around Sound were formally endorsed.

Plum Island, together with Little Gull and Great Gull Islands, form the *Plum-Gull Islands complex*, which was identified for protection as an inaugural stewardship site by the Long Island Sound Stewardship Initiative. This trifecta was found by scientists to possess “exemplary” ecological value and is a crown jewel filled with unspoiled habitat types and federally endangered species. (See attached Stewardship Site Atlas).

The LISS endorsement was formally signed by all the members of its Policy Committee including the Region I and II Regional EPA Administrators and the Environmental Commissioners of New York and Connecticut, and represents a strong and unequivocal government interest in ensuring the conservation of the undeveloped portions of Plum Island.

**Plum Island and the Comprehensive Conservation and Management Plan**

In addition to the Long Island Sound Stewardship Initiative, the CCMP—the Long Island Sound Management Plan adopted by federal and state governments to restore the Sound’s waters and habitats—itself highlights the need to protect areas like Plum Island.[[1]](#footnote-1)

The *Management and Conservation of Living Resources and Their Habitats* section on “Managing Habitats” states that “The destruction of coastal habitats has had a major impact on the diversity and abundance of plants and animals in the Sound,” and that,

Long Island Sound is an area that has undergone rapid industrialization and rapid diminution of areas remaining in their natural condition. It is desirable to identify areas of land and water of outstanding or exemplary scientific, educational, or biological value to reflect the regional differentiation and variety of ecosystems and address all the significant natural habitats found in Long Island Sound. These sites would be combined to form a *Long Island Sound Reserve System.* Many of these sites are already in public ownership or held for conservation purposes. Therefore, acquisition priorities should emphasize sites not currently held for conservation purposes.

This section resulted in the creation of the above described Stewardship Initiative, of which Plum Island is a recognized site. It is clear, given the current potential for those significant habitats to change from federal to private hands, that the island would be considered a priority area for conservation under the CCMP. This is bolstered by the action item list in this same section of the CCMP under “What Needs to Be Done,” which states, “Conservation of natural resources and open space is vital to the protection of the Sound.”

There are two other sections of the CCMP that support the need to protect Plum Island’s habitats. First, the *Conserve and Enhance Natural Resources and Open Spaces* section outlines “Preserv[ing] open space and natural areas” as a key objective. Second, the *Land Use and Development* provision states that “preserving environmentally sensitive habitats, such as forests, and maintaining open space minimizes runoff pollution and provides wildlife habitat.” It further states that “existing federal, state, and local open space or other land acquisition programs should support Long Island Sound water quality and habitat objectives.”

**Plum Island and the U.S. Fish and Wildlife Service**

Preserving Plum Island also aligns with the United States Fish and Wildlife Service (“USFWS”) assessment. It identified a host of important habitat functions and federal designations recognizing the ecological value of Plum Island and its adjacent waters. Specifically, the USFWS recognized the ecological importance of the site as part of the Orient Point – Islands Complex of *regionally significant fish and wildlife habitat* (USFWS 1991)[[2]](#footnote-2) and a part of the USFWS Coastal Barrier Resource system, unit numbers NY-24 and NY-25.

The value of the ecologically interconnected chain of islands in this area of Long Island Sound has been recognized as providing unique opportunities for collaborative natural resource management. As the USFWS presented to the GSA: the Long Island National Wildlife Refuge Complex was founded in order to “conserve, manage, and where appropriate, restore wildlife and plant species and their habitat for the benefit of present and future Americans.”[[3]](#footnote-3) In that same letter, the USFWS noted their ongoing efforts to encourage Least and Roseate Tern nesting at the recently acquired Gardiners Point Island, referring to that island’s proximate location to both Plum and Gardiners Island and underscoring the tremendous wildlife and habitat potential of all three islands.[[4]](#footnote-4) While we believe the best way to conserve Plum Island is for it to remain in federal hands and to be incorporated into the USFWS Refuge system, a conservation sale alternative that protects crucial areas of the island could provide a viable alternative.

**Plum Island and SoundVision**

In 2011, the CAC recognized that there had been significant progress in the implementation of the 1994 CCMP but noted that the region’s heritage—which is centered on appreciating beautiful views of the coast, enjoying our beaches, sailing and kayaking, clamming and fishing—remained threatened. In an effort to protect the watershed landscape, not only for the birds, fish and other animals that depend on special habitats, but also to re-build the economically vibrant legacy of shoreline industries and neighborhoods, the CAC, advised by the best Long Island Sound scientists and experts, developed a practical and attainable Action Plan to heal and restore the Sound.

The SoundVision Plan identifies four priority areas, one of which is “Creating Safe and Thriving Places for All Sound Creatures.” A key Action Step for this priority area is to “Improve management and acquisition of key coastal and island wildlife refuges” by “Protect[ing] Plum Island from unfettered development and encourage[ing] the US Fish and Wildlife Service to add it to its network of preserved habitats.”[[5]](#footnote-5)

**Plum Island and LISS Action Agenda**

In addition to the SoundVision Action Plan, the LISS adopted its 2011–2013 Action Agenda for Long Island Sound. Similar to SoundVision, it contains a goal to “Restore and maintain Long Island Sound in a healthy, productive and resilient condition so that it can provide the services humans want and need*.”* One of the top priorities is to“Protect 820 acres of coastal habitat” by 2013.[[6]](#footnote-6) Plum Island is one such coastal habitat, as identified by the Stewardship Initiative.

According to the Agenda,

Healthy coastal habitats provide critical feeding, breeding, and migratory stopover sites for the diverse abundance of plants and animals that use LIS. In 1996, the LISS established the Habitat Restoration Initiative, and in 1998 established a goal of restoring and protecting 12 priority LIS habitat types around the Sound. The Initiative uses partnerships to accomplish the restoration objectives and leverage limited state, local, and federal funds. In addition, the LISS established the Stewardship Initiative in 2006 to conserve natural areas, increase access to the Sound, protect important habitats, and plan for multiple uses. The Stewardship Initiative identified places with significant ecological or recreational value throughout the Sound and developed a strategy to protect and enhance these special places. In 2006, the LISS adopted thirty-three inaugural Stewardship Areas that represent lands of outstanding or exemplary scientific, recreational, educational, or biological value for protection, management. These areas provide opportunities around the Sound to enhance the public’s awareness and personal connection with our special estuary.

In addition to our comments, we extend a resource as well. The Long Island Sound Study Stewardship Work Group, which has previously provided GSA with information on the rare wildlife and habitats found on Plum Island, is willing to provide a wide variety of resources and expertise should GSA need additional factual information moving forward.  The Working Group can be reached by email at David.Kozak@ct.gov (David Kozak, CT DEEP) and Georgia\_Basso@fws.gov (Georgia Basso, U.S. Environmental Protection Agency and U.S. Fish and Wildlife Service).

We appreciate the opportunity to comment and ask that you correct the FEIS and take the necessary steps to conserve the undeveloped portions of Plum Island.

Sincerely.

1. See <http://longislandsoundstudy.net/wp-content/uploads/2011/10/management_plan.pdf> pp.104-107; pp.126; and pp.132-133. [↑](#footnote-ref-1)
2. The USFWS highlighted that this Habitat Complex possesses “high value for nesting colonies of piping plover and least tern . . . and colonial wading bird rookeries of black-crowned night heron . . . and great egret.” USFWS Letter to GSA dated June 16, 2010. [↑](#footnote-ref-2)
3. USFWS Letter to GSA dated June 16, 2010 [↑](#footnote-ref-3)
4. USFWS Letter to GSA dated June 16, 2010, pp.4-5 [↑](#footnote-ref-4)
5. See <http://www.lisoundvision.org//pdf/Sound-Vision-Final.pdf> pp.14-16. [↑](#footnote-ref-5)
6. See <http://longislandsoundstudy.net/wp-content/uploads/2011/09/Final-LISS-Action-Agenda_2011_20131-1.pdf> pp.8-10. [↑](#footnote-ref-6)