



NEW YORK STATE LEGISLATURE

May 10, 2019

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Dear Governor Cuomo:

We write to you today to urge your active support for, and participation in, the preservation of Plum Island, a federally-owned property that is currently on a path to be sold to the private sector based on legislation passed by Congress in 2009. This legislation authorized the Department of Homeland Security and the General Services Administration to dispose of the island. While conservationists, and our offices, strongly disagree with the interpretation of these federal agencies that they have no discretion other than to sell the island, these agencies are nevertheless proceeding with the sale.

As you are aware Plum Island, an 843-acre property located off the tip of Long Island's North Fork, has been an open space priority for New York State, having been included as an eligible acquisition in several updates to the Comprehensive New York State Open Space Plan; it is included in the most recent iteration of the Plan.

The island is rich in ecological and cultural resources. For example, more than 220 bird species have been recorded on Plum Island, approximately 25% of all the bird species found in North America. The eastern end of the island serves as an important seal haul out site for harbor and grey seals, involving several hundred animals making it one of the largest seal congregations in southern New England. Moreover, several species of state and federally endangered and threatened bird species such as the piping plover and roseate tern occur on the island with plovers nesting on the island's beaches. With regard to island's flora state ecologists and botanists have discovered more than a dozen and a half rare plant species, a few of which are found nowhere else in New York, and delineated several rare natural communities including a rare maritime dune community.

The cultural and historical features of Plum Island are every bit as impressive. Plum Island lighthouse, placed on the National Register of Historic Places in 2011, is situated on the western edge of the island. The remains of Fort Terry, a fortification built in response to the Spanish-

American War which includes barracks and gun batteries, are scattered throughout island. Fort Terry eminently qualifies for placement on the National Register of Historic Places.

A key role that you could play is to inform the federal government in New York State's formal interest in purchasing Plum Island as a state park/preserve. There is precedent for this approach as evidenced, for example, by the role the state played in preserving Governor's Island

Another key role you could play is through the Coastal Zone Management Act of 1972. Through this statute your administration implements and advances New York State's 44 policies in the New York State Coastal Management Program (NYSCMP), and, more specifically, the 13 NYS policies in the Long Island Sound Coastal Management Program (LISCMP).

Federal actions that would have an impact or effect on our coastal resources must be reviewed for consistency with the state's coastal policies. Changes of use, such as from a research facility to private, residential development, also are within your purview under the NYSCMP and the LISCMP. Even actions involving federal properties currently outside the state's "coastal area" must be evaluated for consistency with state policies if the actions, such as a federal sale into private hands, have any reasonably foreseeable effects on any the state's coastal resources or uses.

Given all this you have a critical, indeed definitive, role in determining the consistency of the proposed sale with the state's enumerated coastal policies. We urge that you do not concur with any determination by the federal government that states the sale of Plum Island is consistent with New York's coastal policies. It is our hope that you might express your concern about the inconsistency of the sale as it relates to these policies. The timing is ideal because the environmental review process has been re-opened and a Supplemental Environmental Impact Statement on the sale is going to be prepared in the coming year.

We respectfully urge that you exercise all of your authority as Governor to help stop the sale of this precious island. Our good offices stand ready and willing to assist your administration in achieving the permanent protection of this high priority open space asset.

Sincerely,



Assemblyman Steven Engelbright



Senator Todd Kaminsky