

## 2011-K196

LEGISLATIVE RESOLUTION urging the New York State Congressional delegation to repeal those provisions of Public Law 110-329 requiring the sale of Plum Island and to oppose any sale of Plum Island for any purpose

WHEREAS, Plum Island, so named due to the abundance of beach plums growing there, is an 843-acre island situated off Long Island's North Fork in the Town of Southold; and

WHEREAS, Plum Island is owned by the U.S. Government and is the site of the Plum Island Animal Disease Control Laboratory at which research is conducted on contagious animal diseases, first under the aegis of the Department of Agriculture but since 2003, under the supervision of the Department of Homeland Security; and

WHEREAS, The facilities of the laboratory take up approximately 10-15% of the Island, entirely in the northwestern corner of the Island, with the remaining areas of the Island occurring in its natural state; and

WHEREAS, Plum Island contains nationally significant natural, cultural, historic, and scenic features and resources; and

WHEREAS, More particularly, these natural resources include over 140 bird species which occur in and around Plum Island including federally endangered and threatened species such as the federally endangered Roseate Tern and federally threatened Piping Plover; and

WHEREAS, The fields, forests, wetlands, and shoreline habitats of Plum Island provide habitat essential to migratory songbirds, waterbirds, and birds-of-prey including the presence of an active Bank Swallow colony and eight active Osprey nests; and

WHEREAS, Plum Island contains the largest winter haul out site for marine pinnipeds in southern New England, typically involving several hundred harbor and grey seals that utilize the rocky coastline of the Island's east end for this purpose; and

WHEREAS, Plum Island contains significant natural communities and plant species including an extensive wooded freshwater wetland in the southwestern section of the Island and a maritime dune community, a New York State Natural Heritage Program ranked community which collectively

provides habitat for a number of rare and endangered plant species including seabeach and slender knotweed, blackjack oak, and spring ladies' tresses; and

WHEREAS, More particularly, these cultural and historic resources include the Plum Island Lighthouse situated on the western edge of the Island, serving to warn mariners of the dangers in traversing Plum Gut and Fort Terry, a fortification built for the Spanish-American War and for which remains are scattered throughout the Island including several extant batteries and a toy gauge railroad system once used to move armaments to these batteries; and

WHEREAS, Due to Plum Island's existing network of trails and roads and extensively undeveloped character and remoteness and location of the North Fork at the point where the Peconic Estuary, Long Island Sound, and Atlantic Ocean meet, the Island provides unparalleled opportunities to the general public for passive recreational activities such as bird-watching and hiking and enjoying the scenic landscapes of the East End; and

WHEREAS, Plum Island is situated where the Long Island Sound and Peconic Bay meet, each being estuaries that are part of the National Estuary Program, thereby reflecting each natural system's nationally-significant environmental and economic values to the region, and into which the federal government has invested hundreds of millions of feder-

al dollars over the last two decades for long-term improvements in the conservation and management needs of each; and

WHEREAS, Despite all of the nationally significant natural, ecological, historic, cultural, scenic, and recreational values elaborated above, in 2008 Congress approved and the President signed P.L. 110-329, part of the Consolidated Security, Disaster Assistance and Continuing Appropriations Act, a provision of which (Section 540) authorized the Secretary of the Department of Homeland Security to "liquidate the Plum Island asset" if he determines the National Bio and Agro-defense facility (NBAF) be located at a site other than Plum Island; and

WHEREAS, Part of the rationale for disposing of Plum Island is to use proceeds from the sale of the Island, after decommissioning costs, to help reduce the costs of site acquisition and construction of the new proposed NBAF facility proposed to be sited in Manhattan, Kansas; and

WHEREAS, The Federal Department of Homeland Security Secretary has

made the requisite determination, thus initiating the process of disposal of this publicly-owned Island, that at the current time, involves the General Services Administration preparing an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA); and

WHEREAS, The proposed disposition of Plum Island runs counter to past dispositions of federal property which have led to the creation of several National Wildlife Refuges in proximity to Plum Island including No Mans Island National Wildlife Refuge in coastal Massachusetts, and Block Island and Satchuest Point National Wildlife Refuge in coastal Rhode Island; and

WHEREAS, This proposed disposition runs counter to the several decade long effort by state and local government on Long Island expending nearly \$1 billion to acquire parkland possessing ecological, environmental, cultural, historic, recreational and scenic value in the New York metropolitan area; now, therefore, be it

RESOLVED, That the New York State Congressional delegation be and hereby is respectfully memorialized by this Legislative Body to repeal those provisions of Public Law 110-329 requiring the sale of Plum Island and to oppose any sale of Plum Island for any purpose, in recognition of the extraordinary ecological, wildlife habitat, environmental, cultural, historic, recreational and scenic values possessed by Plum Island; and be it further

RESOLVED, That this Legislative Body pause further to support transferring the underdeveloped portions of Plum Island to the National Wildlife Refuge system and dedicated as "Plum Island National Wildlife Refuge", or in the event the Plum Island Animal Disease Control Facility is permanently closed and the buildings and associated infrastructures are not adaptively re-used the entire Island be so dedicated; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to each member of the Congressional delegation from the State of New York.