

LOWER MANHATTAN DEVELOPMENT CORPORATION

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PUBLIC MEETING :
RE: Draft Scope :
World Trade Center Memorial :
and Redevelopment Plan :
Generic Environmental Impact :
Statement :
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Tribeca Performing Arts
Center
Chambers Street
New York, New York

July 23, 2003
2:10 p.m.

B e f o r e:

JOHN FEERICK, ESQ.

The Hearing Officer

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P R O C E E D I N G S

PRESIDENT RAMPE: Good afternoon.

I'd like to welcome everyone to our first public comment meeting in the environmental process for the World Trade Plan.

As we enter this pivotal phase in the rebuilding process, I am pleased to see so many individuals interested in participating in the redevelopment of Downtown's future.

Rebuilding the World Trade Center site is going to be a tremendous undertaking and require the collaboration and coordination of many agencies and individuals. It will also require collaboration from you, the business owners, residents and employees of Lower Manhattan.

It has been your participation that has enabled the rebuilding process to reach this point and your input will continue to be one of the guiding forces that push this process forward. And I want to say thank you for being here today.

Last month, the LMDC released the Draft Scope of the Generic Environmental Impact Statement. This document was created to serve as a guide for the environmental review of potential environmental impacts that could arise from the plan for the sixteen-acre World Trade Center site.

Today, we invite you to make public comments on the Draft Scope. Your comments are part of the scoping process that identifies the issues and alternatives to be evaluated in the Generic Environmental Impact Statement itself. This GEIS will examine several areas including the construction of a World Trade Center Memorial, the placement of retail, commercial and facility spaces, the changing street grid and other components of the World Trade Center Master Plan.

The scoping process will be fluid and changes will be made as we go forward.

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For example, since the Draft was released, another alternative for analysis that would expand the redevelopment site to include one or more adjacent parcels has already been added.

Today, we are here to listen to your comments and suggestions on the Draft Scope.

Joining us in our listening efforts are members of the planning team at the Port Authority of New York and New Jersey, Chris Zeppie.

Going forward, I encourage everyone to continue to participate by visiting our website, www.renewnyc.com, for the latest news and mail in your written comments to the LMDC. We will continue to accept comments on the Draft Scope through August 4th.

I want to thank you once again for attending this public comment meeting.

To take us through today's meeting we have -- we are very fortunate to have a distinguished member of the legal community and former Dean of Fordham Law School, John D. Feerick. And I am pleased to introduce you.

Thank you, Dean Feerick.

THE HEARING OFFICER: Thank you.

My name is John Feerick and I will serving as The Hearing Officer for today's public comment meeting.

There are two identical sessions. This session lasts until approximately five p.m. this afternoon and the second session will begin promptly at six p.m. this evening.

As Kevin Rampe mentioned, the purpose of this meeting is to solicit the public comments on the Draft Scope of the Generic Environmental Impact Statement for the World Trade Center Memorial and Redevelopment Plan which was released on June 20, 2003.

Copies of the Draft Scope are available at the registration table at the entrance to this theatre and on LMDC's website, www.renewnyc.com.

In a few minutes Andrew Winters, Vice President and Director of Planning, Design and Development for the Lower Manhattan Development Corporation, will give you a short presentation of the Draft Scope. The same presentation will be made at the evening session that starts at six p.m.

After Andrew is finished, we will begin the public comment portion of this meeting which, as I mentioned, will last until about five p.m.,

and then we will pick up the second session at six p.m.

Anyone who wants to provide comments at this meeting must register to do so at the registration desk at the entrance to the theatre.

Let me just read that again.

Anyone who wants to provide comments at this meeting must register to do so at the registration desk at the entrance to this theatre.

If we reach the maximum number of speakers for this session, we will close registration and I will notify you when registration is closed. In that case you may return at six p.m. to register to comment during the second session.

Thank you.

I now introduce Andrew Winters, Vice President/Director of Planning, Design and Development.

MR. WINTERS: Thank you.

Hello. My name is Andrew Winters and I am the Vice President and Director for Planning, Design and Development at the LMDC.

Today, at this public comment meeting on the Draft Scope of the Generic Environmental Impact Statement, also known as the GEIS, for the World Trade Center Memorial and Redevelopment Plan I am going to outline briefly the two programs that form that plan.

The two programs for the World Trade Center site that work together and combined form the site plan are:

First, a Memorial and Cultural Program developed by the Lower Manhattan Development Corporation that introduces new uses to the site;

And, second, a redevelopment program created jointly by the Port Authority and the Lower Manhattan Development Corporation that restores the uses on the site that existed prior to September 11, 2001.

The World Trade Center Memorial and Redevelopment Plan provides for the construction of a memorial and memorial-related improvements, a museum and cultural facilities, new open space areas, up to 10,000,000 square feet of commercial office space, up to 1,000,000 square feet of retail space, up to 1,000,000 square feet of conference center and hotel facilities and related infrastructure improvement.

This slide shows the World Trade Center site and the location of the Lower Manhattan station and permanent PATH terminal. The construction of a permanent PATH terminal and its related pedestrian concourses, which form the public transportation infrastructure for the site, are subject to a separate environmental review process and are not part of this project.

This slide shows the new memorial and cultural uses that will be introduced to the site. The LMDC is committed to building an appropriate memorial to the victims of the terrorist attacks of September 11, 2001 and February 26, 1993.

To this end we designated a 4.7 acre area shown here in the green hatch that forms the setting for the World Trade Center memorial competition that is currently underway.

We expect that the memorial jury will have identified a winning design for that memorial by the fall. The selected memorial design will be described in more detail in the GEIS.

Surrounding the memorial site on two sides will be new buildings housing cultural uses, -- they're shown here in light red -- a new type of site use that did not exist previously at the World Trade Center.

A third site for cultural uses, including a possible performing arts center, is located just north of Fulton Street.

The Lower Manhattan Development Corporation has extended an invitation to cultural institutions and organizations interested in locating a museum, performing arts center and/or other cultural facilities at the site.

Together the memorial and these cultural uses form a new program use for the site.

The overall plan also introduces a new street network and new public open spaces shown here in green that connect the site with the surrounding neighborhood. The proposed plan introduces Greenwich Street and Fulton Street both for vehicular and pedestrian use in locations that did not exist at the World Trade Center prior to September 11th although both streets existed prior to the construction of the original World Trade Center in the 1960s.

Two new open spaces form a bow tie that connect Fulton Street through the site: the Wedge of Light Plaza that fronts on the permanent PATH

terminal, and the Park of Heroes which connects cultural facilities and extends the public space along Fulton Street west towards the Winter Garden.

In addition, the Liberty Street Park provides an at-grade public space just south of the memorial site.

As you'll see in the next few slides, the proposed site plan also includes the replacement of uses that existed at the site prior to September 11, 2001 based on a program established by the Port Authority of New York and New Jersey that honors its obligation towards its leaseholders.

Here we see on the northwest block the 1776 Freedom Tower where the tallest building on the site will be located.

Here we see on the northeast block what would be a hotel and conference center as well as an office building with ground floor retail.

Here on the southeast corner two office buildings will be separated by Cortlandt Way, a pedestrian street which would go through the site having retail stores on both sides and may be covered by a glass canopy.

The LMDC and Port Authority are working together with Studio David Libeskind and the Port Authority's lessee to develop design guidelines consistent with the overall Master Plan for the commercial, office and retail structures. The development will be staged over time.

These two programs together form the World Trade Center Memorial and Redevelopment Plan.

The plan that I just reviewed forms the Proposed Action that will be reviewed and analyzed in the GEIS, a draft of which will be available for public consideration in the fall.

The Draft Scope of this GEIS is the subject of today's meeting.

The standard practice in an environmental review is to create a baseline condition, describing what we call existing conditions and future conditions without the Proposed Action. Due to the unique historical circumstances at the World Trade Center site as well as the complexity of the planning effort and the context and scale of this project, two baseline conditions will be established and used to measure the impact of the Proposed Action, as shown here and described on this slide.

The current conditions scenario will create a baseline of conditions with the site in its current condition in 2003, while the pre-September 11th scenario will be a baseline that reflects conditions at the site and in the surrounding study area as they would have been absent the events of September 11, 2001.

The impact of the Proposed Action will be compared to each of these baseline conditions.

The Draft Scope contemplates that the GEIS will contain, in addition to a project description, analyses of a broad array of potential environmental impacts, including the following:

- Project description;
- Land use and public policy;
- Socioeconomic conditions;
- Community facilities and services;
- Open space area and recreational facilities;
- Shadows;
- Historic resources;
- Urban design and visual resources;
- Neighborhood character;
- Hazardous materials;
- Infrastructure, Solid Waste and Sanitation and Energy;
- Traffic and Parking/Transit and Pedestrian;
- Air Quality;
- Noise;
- Coastal Zone;
- Construction Impacts;
- Environmental Justice;
- Mitigation; and
- Alternatives.

The GEIS will consider a broad range of alternatives to the Proposed Action. These alternatives will include the following:

A No Action Alternative, which would leave the World Trade Center site in approximately its present condition, after completion of the permanent World Trade Center PATH Terminal and interim improvements;

A Restoration Alternative, restoring the World Trade Center site substantially as it existed before September 11, 2001;

Rebuilding Alternatives - these alternatives would be drawn from the plan previously considered by LMDC during the final

stages of LMDC's Innovative Design Study and would likely include an alternative plan similar to the "tower of culture" proposal considered during that study, as well as a Memorial-only alternative;

Distributed Bulk Alternative - this would be similar to the Proposed Action, except that the office space to be located along the east side of the World Trade Center site would be distributed into four slimmer buildings rather than the three towers identified in the Proposed Action;

Redistributed Retail - this alternative would consider the alternative configurations for the retail uses to be included as part of the Proposed Action;

A Reduced Impact or No Impact Alternative - this alternative would vary uses, density or other major components of the Proposed Action in order to eliminate or reduce to the bare minimum any significant adverse impacts of the Proposed Action;

Design Alternatives - these alternatives would vary major design components of project uses in order to reduce any visual, shadow, wind or similar environmental impacts;

Enhanced Green Construction Alternative - this alternative would consider the environmental benefits and costs of feasible construction, waste disposal and other project environmental management practices not already incorporated into the Proposed Action; and finally

An Expanded Site Alternative - this is a new alternative that would expand the project site to include one or more adjacent parcels that would permit distribution of the bulk of the proposed development and below-grade transportation and servicing infrastructure.

The last chapter of the GEIS will be an Executive Summary.

We look forward to hearing your comments on the Draft Scope for the Generic Environmental Impact Statement on the World Trade Center Memorial and Redevelopment Plan.

After we complete our review of all comments on the Draft Scope received by five p.m. through August 4, 2003, we will release the final scope of the GEIS for this plan.

Thank you.

And at this time I would like to turn it back over to our Hearing Officer.

THE HEARING OFFICER: Thank you very much.

We open the public comment session and let me just say preliminarily that we have developed a framework for this session so as to maximize the opportunities for people who want to offer some comments to be able to do so.

Not knowing in advance how many people would like to make comments, we anticipated that there could be many people who would like to offer comments and wanted to provide such an opportunity for anyone.

And hence we worked out the following framework.

I will be calling the names of those who have registered outside to speak in the order that they registered. I will read out the person who is first and several names on a list that follow that name so that everyone will be aware of the order in which they will be speaking within moments of their having the opportunity to offer some comments.

If I can make this suggestion, when it is a person's turn to speak, if that person could use one of the microphones. We have two microphones which you can probably see. When you come forward to offer comments, I would ask if you would identify yourself, give your name and your organizational affiliation for the record.

Because we don't know how many want to offer comment, we've worked out a limit of three minutes for comment from those who wish to comment. When the three-minute mark approaches, the slide will indicate thirty seconds left, and I believe there will be perhaps a second flash of just a few seconds are left and a thank you will go up.

I must say I found that jarring when I had to make my first argument in a court to work with the clock, but it becomes important so that everyone who wants to offer comments can do so.

If you have a written version of your comments, please hand it to the court reporter here who is recording all of the presentations and comments received today. The court reporter - and it's hard for me to see from here - is sitting right to my right in front of the first row over here.

Let me also say that, aside from the oral and written comments that might be provided at this meeting, the Lower Manhattan Development

Corporation is also accepting public comments on the Draft Scope by regular mail or through its website.

Information on how to submit comments is provided on the back sheet that is available at the registration table outside the auditorium.

And to go back to what was said at the very beginning, all comments on the Draft Scope must be received by five p.m. on August 4, 2003.

And if I could just say, again, that as public comment goes along, even if you had not registered coming in and you decide that you would like to have some comments, I would encourage you to register because I will be receiving throughout the next two-and-a-half hours and also this evening the names of people in the order in which they registered and I will be calling out the names.

So that everyone will know the order in which they'll have the opportunity to offer comments.

So with that in mind, why don't we proceed.

The first four names in the order in which they will have an opportunity to comment is:

Rick Bell is the first to register;

And Marcie Kesner - and I apologize if I don't accurately capture the pronunciation of your name;

Next would be Mark Ginsberg;

And Hugh Hardy.

So I'll just start with the first four names. And I go along, I'll call other names in advance of the moment that you have the opportunity so you'll know exactly what that opportunity is going to be available.

Rick Bell.

MR. RICK BELL: Good afternoon.

My name is Rick Bell and I'm Executive Director of the American Institute of Architects New York Chapter.

I am speaking today on behalf of the AIA New York Chapter and its 34000 members, including many architects who have formally and informally advised the Lower Manhattan Development Corporation on the formulation and development of some of the Proposed Actions being discussed today.

The AIA New York Chapter would like to thank the LMDC for taking the lead in the Environmental Impact Statement process and also for

conducting an unprecedented open competition for a site memorial.

I am especially pleased to announce that the LMDC will receive the Community Development Award from AIA New York State when we gather in Albany in early October. The award commends the work described in the EIS as the Proposed Action, realizing that the expectations of many in this City of sharp elbows was that prolonged action was the likely result of conflicts of bickering interests and the context of differing intents.

That tongue twister said, the AIA New York Chapter expresses its strong support for the New York New Visions' analysis which will be presented shortly, an analysis of what works and what doesn't work in the Studio Daniel Libeskind site plan.

The AIA helped create New York New Visions and participated in drafting its reports and documents, including today's EIS response document which will be presented by Marcie Kesner, Mark Ginsberg and Hugh Hardy shortly.

So what works in the Proposed Action? What listed tasks may cause one or more significant positive environmental impact? What are some of the unchangeable or immutable elements in the Studio Libeskind plan?

I've just listed three by task number.

Task five, for instance, calls for providing qualitatively improved and linked open space at the World Trade Center site and throughout Lower Manhattan. We are confident that this will happen.

Task 7 suggests that the use of existing historic resources and cultural facilities in Lower Manhattan can help link the World Trade Center site back into a more connected urban context. This is also a critical issue.

Task eleven proposes that we utilize green building and sustainability principles to help create the most visible symbol of New York as a twenty-first century city, a leader in energy efficiency and enhanced environmental quality. This goes beyond mere amenity.

What does not work? What enumerated tasks contain development options that may cause significant adverse impact on the World Trade Center site and the surrounding area?

We suggest looking to the following

three tasks, among others, for areas of possible enhanced scrutiny.

Task three speaks to housing development in the Socioeconomic and Residential Analysis section as something to be studied, not advocated. We propose that an enhanced mixed-use, 24/7 neighborhood in Lower Manhattan requires the active creation of significant numbers of affordable housing units as called for in Mayor Bloomberg's Vision Plan for Lower Manhattan. And that has been the subject of some news analysis this week.

Task twelve notes, almost in passing, the large number of tour buses bringing visitors to the World Trade Center Memorial. And I'm heartened also to read in the newspaper today that alternative locations for a bus garage are to be seriously considered.

And, lastly, task twenty allows for alternatives for distributing bulk on the World Trade Center site. This can be described as rearranging the deck chairs on a TITANIC ocean liner. The EIS should require a serious consideration of reduction, not redistribution of the office and retail space on the World Trade Center site.

Two more sentences.

The site plan developed by Studio Libeskind works well as a careful balance of memorial setting, plaza, transit and office structures. We support leaving the key elements of the site plan, including the location of the proposed very tall building as set forth by Daniel Libeskind.

Look rather at how a diminishment of density might enhance urban design quality on the site. Less is more.

Thank you.

THE HEARING OFFICER: Thank you very much.

It is painful to me to restrain speakers who have so much to say and I thank you for your cooperation.

Marcie -- is it Kesnek or Kesner?

MS. MARCIE KESNER: Kesner.

My name is Marcie Kesner. I'm an urban planner representing New York New Visions, a pro bono coalition of professional organizations of architects, planners, landscape architects, engineers and other design professionals.

And I also represent the New York Metro Chapter of the American Planning Association on the Executive Board of New York New Visions. And with me to speak on behalf of the twenty-one constituent organizations of New York New Visions are Mark Ginsberg and Hugh Hardy.

It was very soon after September 11th that New York New Visions has worked to provide an independent professional perspective on issues surrounding the redevelopment of the World Trade Center site and Lower Manhattan, offering planning and design principles to guide redevelopment, as well as analyses of the process and plans through which the redevelopment is being carried out.

We welcome this opportunity today to comment on the overall approach to the redevelopment of the World Trade Center site at this critical point.

We believe it is crucial at this juncture in the planning and development process to restate emphatically that the redevelopment of the site must be driven by a broad conception of public interest, not by private interests nor by parochial goals and interests of individual public agencies.

The redevelopment of this site is not a standard real estate transaction. The World Trade Center site was not built originally to guarantee a revenue stream to the Port Authority, nor to maximize return to private investors in a real estate deal. It was built in an effort to rejuvenate Lower Manhattan and to build the City's and the region's economic health. And it was built with public money and the exercise of public powers.

The magnitude and urgency of the public interest in the World Trade Center site has only increased with the events of September 11th. How well redevelopment plans serve the public interest, how well they contribute to rebuilding the economic health of New York and the region, and how powerfully they memorialize the lives lost and the lives changed through the events of September 11th is the standard by which the redevelopment process and plans must be judged.

With this overarching concern in mind, we offer the following comments on the proposed EIS that is the subject of this hearing.

We commend LMDC, the Port Authority and the City for undertaking this EIS process, but we

urge them to take it seriously rather than as a political proforma. The EIS process should be used as a way to realistically examine options that can better inform and justify the final program and design decisions, thereby ensuring that the right decisions are made for the right reasons.

Specifically, we urge LMDC, as lead agency for the EIS, to make sure that real alternatives are defined and evaluated, and that the results make their way into the final plan itself.

We also urge that no construction of buildings on the site should begin until the entire environmental review and a final master plan and design guidelines are completed.

While recent events seem to have worked out for the best, the selected Libeskind scheme is an excellent framework for development, this resolution has emerged from a unclear process based on an unrealistic program and an undefined context.

At no time were true options examined to the given density, infrastructure or use. The EIS process now represents the last best hope to examine alternatives to those disputed assumptions that underline the preferred scheme.

Looked at in the cold light of day, these disputed assumptions include too much density, too rigid a program, and too small of a site.

I'm going to stop now in the interest of time and allow my colleagues to complete the analysis for New York New Visions.

Thank you.

THE HEARING OFFICER: Thank you.

And let me just say that if somebody stops because of the "thank you" there and they have some written comments, please let us have the written comments if it's not complete. We certainly want to be sure we have that.

The next four names in the order in which they will have an opportunity is Mark Ginsberg, Hugh Hardy, D. Kenneth Patton and E. J. McAdams.

MR. MARK GINSBERG: Thank you.

I am Mark Ginsberg speaking for New York New Visions. I am a member of the Executive Committee representing the American Institute of Architects.

Civic and professional groups have

called since the beginning of the redevelopment process for an economic analysis and public discussion to determine a viable and desirable program for the site.

This call for public discussion was heard at Listening to the City last July. However, this analysis and discussion has never been carried out. Instead, the Port Authority appears to have persisted throughout the process in a program of replacement plus: 10,000,000 square feet of office commercial use, 1,000,000 square feet of retail as opposed to pre-existing 400,000, 1,000,000 square feet of conference/hotel. These commercial uses are in addition to the preservation of the footprints, the memorial and cultural uses that have been added to the site, and to the transit and infrastructure uses, including reopening of several streets, all of which reduce the buildable area of the site.

This is too much office, commercial and retail space for this site both in terms of sheer density of the buildings and in relation to the need for development in other areas of Lower Manhattan.

We calculate that this would represent a density of over 30 FAR, Floor Area Ratio. This is out of proportion for even this high density area. The density of the original World Trade Center complex was 27.

And as a basis of comparison, Rockefeller Center has allowable density of 12 to 15 FAR.

This arbitrary density, selected without any justification as to need or market distort the planning and design for this site.

In the proposed Scope for the EIS, no alternative that suggests lower density is offered. At a minimum we urge LMDC and Port Authority to follow Mayor Bloomberg's call for 10,000,000 square feet of new office space in Lower Manhattan rather than just on the site.

We were glad to hear that a reduced density alternative is now being considered.

The definition of the site boundary, potentially including sites beyond the sixteen acres, such as the Deutsche Bank site, can be part of this relaxation of density on the immediate site as was shown in the original Studio Daniel Libeskind proposal.

Further, we question the addition of

400,000 square feet of retail space on the site beyond the 600,000 that existed and was planned at the time that the World Trade Center was destroyed. Whatever retail space is built on the site needs to serve the interest of the City, not solely a developer's bottomline.

It needs to be street-based, not located in largely underground malls.

The EIS must detail the impact of the addition of retail space on the site and consider the economic impact and site planning implications of a smaller amount of retail.

The EIS should provide a wider scope of alternatives to investigate the feasibility and impacts of other locations for off-street bus parking for both commuters and the visitors to the site. This is an issue of great emotional, symbolic and practical importance. It may be that there is no feasible alternative, but to date no studies have been made to document this.

The EIS represents the best and perhaps the last opportunity to put this issue to rest.

Hugh Hardy now will talk about mutable and immutable elements of the plan as far as we're concerned.

Thank you.

THE HEARING OFFICER: Thank you.

And I really thank all the speakers for -- you've got a lot to say and you are saying a lot. You are helping the process by working with the three minutes. I thank you very much.

Hugh Hardy.

MR. HUGH HARDY: I'm Chairman of the Review Task Force for New York New Visions. And we believe a Master Plan is a roadmap for development. It should lead to the development of design guidelines and establish a framework for decisions.

These will then ensure individual buildings and structures comply with the underlying planning vision for the site.

Development of the guidelines by Studio Libeskind is a healthy dialogue with client and stakeholder interests, including the public, and it must be completed before detailed design work can begin.

There are seven elements to consider.

First, the memorial setting.

There is an immutable need to provide a memorial precinct separated from the world around,

placed thirty feet below grade.

Two, an immutable element is in open space, is a series of open spaces centered on Fulton Street connected to St. Paul's Chapel, City Hall Park and the Brooklyn Bridge Civic Center, together with the Winter Garden and the Hudson River.

Mutable elements are specific treatment of open space which would be a response to the design guidelines.

Three, location of high rise towers.

Immutable elements, the 1776 foot tower belongs on the northwest corner as part of a spiralling composition of four different height towers that frame the site.

Mutable elements, building programs and architectural design.

Four, connections.

The immutable elements are bringing Greenwich Street and Fulton Street through the site, and it has been key to New York New Vision principles.

Mutable elements: underground connections that require careful study to mitigate their negative effect on streetlife and public safety.

Five, West Street.

Immutable elements: depressing West Street at least along the western boundary of the site is essential to joining Battery Park City and the World Trade Center.

Mutable elements: this premise requires thoughtful study to balance disruption costs and convenience. Many variations are possible.

Six, street retail level.

Immutable elements: a balance must be struck between street level retail and entry to below-grade retail.

Seven, sustainability.

Consideration of sustainability is missing from the plan so far. There are over twenty different methods for limiting energy use and environmental impact and they have yet to be considered.

Most important of all is the inclusion of the public in this development process.

Thank you.

THE HEARING OFFICER: Thank you very much.

The next four speakers:

D. Kenneth Patton;

E. J. McAdams;

Louis Epstein; and

Michael Levine.

So D. Kenneth Patton.

MR. D. KENNETH PATTON: Thank you.

My name is Kenneth Patton. I'm the Dean of the Real Estate Institute of New York University. And by way of historic footnote, I was the First Deputy Mayor for Economic Development in New York City, an old job, responsible for managing the economy, attracting jobs and producing opportunities.

I would like to set the framework involving the economy, the demand for space, global competition for business in a knowledge-based economy by describing some of the observations that we at NYU made in the aftermath of September 2001.

One of our faculty described it uncomfortably as if it were an experiment in particle physics in which we dissolve a molecular structure and are able to observe the forces at work and the behavior of the economy as it rearranged itself.

When that unfortunate event happened, many people, in fact, most predicted that the world would become more decentralized and people would go to outer places.

The exact opposite is true according to Professor Kelly who did the analysis for the Civic Alliance. Over eighty-two percent of the businesses came back to the Island of Manhattan, and of those leaving Manhattan only fourteen percent went to New Jersey, of which ninety percent went to the concentrated area of Jersey City.

Concentration won the day. The outer suburbs were left in the lurch even though costs were a fraction of what they are here and vacancy rates were three times what they still are in the City.

Secondly, and those relocating according to our studies opted for east and west Midtown between Grand Central, Penn Station and the Port Authority gateways as well as Lower Manhattan, thus placing a high premium on proximity to transportation.

Thirdly, these firms overwhelmingly selected at much higher prices modern, high

performance buildings over less expensive buildings such as those you could find in the older areas of midtown south.

Now, this tendency raises an important challenge to Lower Manhattan because over a third of the post-War building inventory was destroyed in the incident leaving Lower Manhattan to compete in global markets with essentially an aging, pre-War housing stock.

So I think the LMDC, the Mayor and the Governor, in recognizing the priority to create modern, high performance office space is making an important statement to the economy.

Secondly, recognizing the tendency for business to want to cluster in the modern post-industrial society is an equally important consideration. We cannot tell business where it wants to go. If we want job opportunities, we have to accommodate it in ways that they find competitive.

Now, to quantify this, let me -- look at the story of AT&T who moved out of the now SONY building to Basking Ridge. If you would like to buy the Basking Ridge building in an area where there is virtually no demand, you can buy it for less than a warehouse.

The SONY building in its old location is worth ten times that which the suburb office building is worth.

Now, this is not a question of economics. This is a question of recognizing how efficient markets are valuing the location of New York City.

So in the planning for this I think it is important from an economic development perspective to recognize the desire to concentrate, the need for a competitive, high performance building inventory to restore Lower Manhattan to its global competitive position and to bring back this part of New York City.

With that I have some other remarks that I'll put in the record.

Thank you.

THE HEARING OFFICER: Thank you very much, Dean Patton, and we do want all your remarks and I thank you for being here.

E. J. McAdams.

MR. E. J. McADAMS: Good afternoon.

My name is E. J. McAdams and I am the

Executive Director of the New York City Audubon. With over 10,000 members the New York City Audubon is the City's leading environmental organization.

We are delighted the proposal for the World Trade Center site will be a green building design. We encourage you to expand the concept behind solar panels, reused materials and waste water recycling to address a major bird conservation problem, the astounding number of migrating birds killed each year by colliding with buildings.

Birds' inability to recognize glass as a solid obstacle is well-known. For six years the New York City Audubon through its Project Safe Flight Program has been documenting collisions at select buildings. During that time volunteers have found over 3,000 dead or injured birds of ninety-three different species, many of which are sustaining population decline.

In cities the problem of glass is compounded by tall lit-up buildings. Many birds migrate at night and can be disoriented by illuminated structures, particularly when weather conditions force them to fly at lower altitudes.

A conservative estimate puts the number of birds killed by striking windows in the U.S. at hundred million a year, one bird for every building.

Between April 1997 and September 10, 2001, New York City Audubon's Project Safe Flight volunteers found 2,016 dead and 524 injured birds at the World Trade Center complex.

These numbers represent just a fraction of the total because on-site staff had reported collisions that occurred during volunteers' absence. And we saw evidence of scavenging by such predators as gulls and rats.

Two organizations have acted on our data. In August 2000 the Port Authority covered groundfloor windows with netting that physically prevents birds from crashing into windows. These barriers successfully minimized collisions along affected walls in the complex.

In May 2001, Marsh & McLennan significantly reduced lighting near the top of 1 World Trade thereby minimizing the likelihood of night migrating birds becoming disoriented by glare.

With the rebuilding of Lower Manhattan,

we have an opportunity to significantly reduce the number of birds killed at this site. We are beginning to learn more about this complex issue and we have seen that small changes in management design have resulted in substantial reductions in Chicago and Toronto.

Birds have a large and growing constituency. Birdwatching is America's fastest growing outdoor pasttime, second only to gardening.

New York is one of the foremost bird cities in the world. It is at the crossroads of hundreds of species' migratory routes. It boasts within its limits two world-renown birding hotspots, Central Park and Jamaica Bay. And 325 different species of birds, one-third of the North American avifauna can be seen within its boundaries.

We believe the Lower Manhattan Redevelopment Corporation with its renowned designers and developers should take a leadership role on this issue to make Lower Manhattan a showcase for bird-friendly building design.

The first step is to convene a conference of architects, designers, engineers, scientists and developers to create solutions to the problem, improving the City for both people and birds alike.

Thank you.

THE HEARING OFFICER: Thank you very much.

Louis Epstein.

MR. LOUIS EPSTEIN: I'm Louie Epstein, World Trade Center Restoration Movement.

I know this meeting is not about why the Proposed Action is a symbolic disaster or economic disaster or whether it's an environmental disaster. And I know that a lot of the things that are wrong with it are not particularly the fault of the designers but were required of them by the officials, such as these single-minded obsessions with completely carrying Greenwich Street all the way through the site, which carves it into two areas of vastly different use and makes a mockery of trying to have integrated design for the whole site.

I note that the restoration of Greenwich Street was unanimously opposed by everybody who bothered commenting on the issue, on the board open for comments on this project's open spaces.

But the civic interests, lobbies have their mind made up on what public opinion is supposed to be and they treat that as what it really is.

And running more traffic through what was one of the largest open spaces in Downtown Manhattan is touted by the Mayor and others as a means of encouraging the increase of already rapid population growth, which is certainly not an environmentally friendly way of developing a site.

And, of course, this represents the risk of destroying the distinctive character of the financial district as a quiet, low density residential area and thus eradicates diversity in the name of promoting it by making the 24/7ness spread everywhere with no alternative to it available anywhere.

I hope that the GEIS will pay due attention to the problems caused by the depressed pit and all the weather-related issues that this depressed area causes, as well as the human movement areas that it presents an obstacle to. Because you can look at this past winter and the snow drifts that would inevitably be there, you can think of all the heavier than air pollutants that would settle into it.

There shouldn't be any soft peddling of the problems that developing in the proposed fashion would cause.

Likewise, I am certainly very grateful that they have finally put a restoration alternative on the table as something to be considered in opposition to the Proposed Action.

And I hope that the obvious preferability of this will not be disguised by effort turned to a straw man. We must remember that putting things back substantially the way they were means using the last thirty-five years of technology to develop new breathtakingly huge towers for the new millennium that will be every bit as energy efficient and otherwise resource efficient as we can make them.

And allowing fewer, taller buildings gives us more open space and is really the best way to go.

THE HEARING OFFICER: Thank you very much.

After the next speaker, we will have:
Caroline Martin; and

Ellie King.

MR. MICHAEL LEVINE: My name is Michael Levine. And it is pronounced Levine.

I'm pleased to present the following statement on behalf of the President of the Executive Committee of the New York Metro Chapter of the American Planning Association.

The coming months are critical in the rebuilding process. The memorial competition is underway and the vision and the results of the second World Trade Center site competition now face the realities of implementation.

Certain aspects of the development plan have come to be seen by the public as not so much more important than others but less mutable, less subject to modification without losing the essence of what drew the public to the selected Libeskind plan.

While some elements, such as the design of the buildings may change without damage, changing or eliminating others would destroy what made this plan special and appealing to the public.

In the view of the American Planning Association those items that should be considered immutable are not subject to compromise nor are they subject to change in alternatives as a result of the EIS process in order to satisfy any interest groups or commercial interests.

Those elements are:

The slurry wall and memorial pit -- and you've heard some of these earlier from my colleagues from New York New Visions -- the slurry wall and memorial pit, the dramatic sunken memorial area has already been compromised from seventy feet to thirty feet. It should not be sacrificed to make it less inconvenient.

The 1776 foot tower, participants in every public forum and every civic group and neighborhood residents organization had agreed that some iconic image needs to be placed in the downtown skyline to replace the drama of what we lost.

The tower, like the pit, are the two most noted elements of the Libeskind plan that caused people to endorse it.

Sacredness of the footprints. From the beginning people have felt that the footprints of 1 and 2 World Trade Center must be respected in the Memorial Plan.

Street connections through the site. The old World Trade Center isolated itself from Lower Manhattan and cut downtown areas apart from one another. Restoration of that street grid is crucial and the integration of that grid with the areas outside of the World Trade Center are necessary to prevent us from making that mistake again.

Hierarchy of uses on the site. The uses on the site should reflect the desire to make Downtown a true mixed-use community. A realistic program should be developed based upon the attainment of that goal. Appropriateness not expediency should determine the amount of commercial office space, retail space, conference center and hotel facilities, new open space areas and museum and cultural facilities that can reasonably fit on the site.

Such a realistic and appropriate program has not yet been developed nor presented to the public.

Other immutable elements are that non-commercial uses must be kept away from the memorial area. 9/11 happened and it should be remembered.

Dominance of street level retail. We must make sure that if there are underground concourses for retail, that as much as possible is placed above-ground as well so that the streets are alive and vibrant.

And, finally, public open spaces. From the beginning the Libeskind plan recognized the need for public open space. The concept was cited by those who supported that plan. We must not sacrifice the network of open spaces that we have seen in the Libeskind plan.

Sound planning principles, in addition to public opinion, calls for these elements of the plan to be safeguarded in the EIS and planning process ahead.

We trust we will see them upheld throughout this difficult decision process facing you.

I thank you for the time to speak.

THE HEARING OFFICER: Thank you very much.

Caroline Martin.

MS. CAROLINE MARTIN: I'm Caroline Martin from the Association of Tribeca East.

THE HEARING OFFICER: Could you raise your voice, please?

MS. CAROLINE MARTIN: Hello! Is that better?

THE HEARING OFFICER: Better.

MS. CAROLINE MARTIN: Caroline Martin from the Association of Tribeca East.

We are assuming that the regulatory thirty days will be available for comment on the job Generic Environmental Impact Statement. I will, therefore, keep my comments now to what seems to be the main issue.

We will be submitting a line-by-line comment on the job scope in writing.

The primary and secondary study areas should be consistent throughout the EIS. Chinatown should not be constantly left out.

The EIS should address what will happen if the lawsuit brought by the Skyscraper Safety Campaign and others succeeds in making the development subject to the City building and fire codes and potentially CEQRA and City Zoning.

It is unprecedented to create a fictional scenario of the pre-9/11 World Trade Center site. The EPA has repeatedly told Lower Manhattan residents that there is no baseline data for air quality pre-9/11. This scenario should be dropped from the EIS.

Since NEPA is a Federal law, the Federal agencies should lead, not LMDC, which is a State agency.

Thirty percent of the pre-9/11 residents who are still living in the area have respiratory problems related to 9/11. People must be protected during the construction. The EIS should address what protections will be placed to stop dust and particulate matter escaping from the site.

The EIS should address safety from future terrorist attack, particularly the vulnerability of underground spaces.

Thank you.

THE HEARING OFFICER: Thank you very much.

The next group of speakers, and once again in advance, I hope we have your names right:

Ellie King;
Petra Todorovich;
Diane Horning; and
Alexander Butziger.
Ellie King.

MS. ELLIE KING: Thank you.

My name is Ellie King representing the Women's City Club.

THE HEARING OFFICER: Could you just hold for one second. There's somebody here trying to get a message up to me.

A request has been made by the reporter that if any of the speakers have also a written copy of their remarks who want to submit it, we would encourage you to do so after your verbal presentation. It would be very helpful to the reporter.

But I apologize for taking some of your time but we are not going to charge it against you.

MS. ELLIE KING: Thank you.

For the past eighty-eight years the non-partisan Women's City Club has been advocating for policies making New York City a better place in which to live and work.

The challenge of rebuilding on the World Trade Center site is among the most significant issues we have faced in all of that time. The impact of what we do there will be felt far beyond those devastated sixteen acres as we try to restore shattered neighborhoods and revitalize all of Lower Manhattan as well.

A ripple effect of hope and healing will extend throughout the City and, in fact, the country as a whole.

In rebuilding, we also have the opportunity to correct past mistakes. We can, for example, reestablish the connection with the community lost when the World Trade Center and its superblock acted as a barrier between those who worked there and the neighborhood and streetlife around it.

In a sense with its intense focus on the site itself the Draft Scope repeats the same error. It is admirably comprehensive in its listing of the tasks to be addressed - air quality, noise, traffic, green technology, et cetera - and does include primary and secondary areas that will be affected by the Proposed Action on these issues.

But environmental impact means more than measurements, chemical formulas and economic statistics. It means overall quality of life as well, the creation of a desirable atmosphere in which to live and work.

The Scope of the Draft does not include such broader considerations nor does it include the

overall impact of the proposal on much of Lower Manhattan.

What follows are a few suggested alternatives.

Customary features of Draft Scopes are statements of purpose or need. These should be included now rather than provided in the Final GEIS statement. It is a valuable tool in establishing goals and assessing whether the range of alternatives to be discussed is indeed adequate to meet them.

With the document so heavily focused on the Proposed Action, the Women's City Club believes that many more possible alternatives should be considered within that context.

However, we firmly support maintaining the integrity of the Studio Libeskind concept and design.

Our primary concern, however, is that the Proposed Action provides for up to 10,000,000 square feet of commercial space on the site, almost the same as in the original World Trade Center complex. Added to this are to be retail, hotel and open space, cultural facilities as well as the memorial. This seems overstuffed, to say the least.

But nowhere in the Draft is there even a mention of that, quote, up to 3.5 million square feet, unquote of that same commercial space to be considered offsite in Lower Manhattan as proposed in the August 2002 LMDC guidelines.

The site of the Deutsche Bank Building, as we have heard before, soon to be demolished, is a logical place to accommodate some expansion of the new complex, as would other sites in Lower Manhattan as well, surely preferable alternatives to rearranging design components within the narrow confines of sixteen acres.

Also omitted is the possibility of residential buildings on the site or contiguous to it, another option mentioned in the LMDC guidelines.

Indeed, the Proposed Action seems to defy the laws of supply and demand. Demand for commercial space is, at least for now, quite weak throughout the City while demand for housing, particularly affordable housing, is very strong.

But the housing option, withdrawn by LMDC shortly after the guidelines were issued, was deemed incompatible with the memorial. This should

be reconsidered.

Commercial activity will surely pick up again and must be encouraged. But in planning other factors need to be examined as well.

Some thought ought to be given to mixed-use buildings on or offsite, for example.

Amongst smaller but problematic details to be decided is the much discussed issue of tour bus parking. And I too was pleased to see the announcement of the Governor's study, proposed study. Visitors to the memorial and cultural institutions should be encouraged and made to feel welcomed, but there are probably places other than the site itself to park their buses.

Electrified shuttle service from offsite locations is not a new idea. One need only look to Yosemite Valley or Disneyland.

Finally, New York has always been known as a walking city. And for the pedestrians among visitors, commuters and residents alike Lower Manhattan should be made easier to navigate. Traffic-free corridors should extend from river to river and other directions as well, leading the World Trade Center memorial and cultural institutions, South Street Seaport, Battery Park and all the other landmarks to the transit stations and ferry landings that feed into them. Together the corridors will help make the new complex and Lower Manhattan as a whole what LMDC called "a destination for everybody in the world."

Thank you.

THE HEARING OFFICER: Thank you very much. If you have any written comments, we would be very happy to receive them.

Petra Todorovich.

MS. PETRA TODOROVICH: Good afternoon.

My name is Petra Todorovich. I'm representing Regional Plan Association, an eighty-year old research and planning association for the tristate region.

RPA has played an active role in the rebuilding process by convening and staffing the Civic Alliance to rebuild Downtown New York, which sponsored the Listening to the City town hall meeting last summer.

My testimony today represents the views of Regional Plan Association, but echoes the viewpoints of many Alliance members as well as that of other coalitions like the New York New Visions,

of which RPA is a member of the Executive Committee.

The Civic Alliance will submit a separate written testimony.

RPA believes that the program for the World Trade Center should be driven by a broader vision for the economic future of Lower Manhattan and the City of New York and a commitment to serve the public interest.

Accordingly, the program for office space and retail space should be developed in light of total need for office space and retail for Lower Manhattan, not leaseholder obligations to rebuild an outdated development program specified in leases that have not been made available to the public.

As part of the EIS process, we request full disclosure of all leaseholder documents.

We also view the EIS process as a place to evaluate the fiscal, socioeconomic and environmental impacts of a range of programmatic options for the World Trade Center site, starting with the Proposed Action of up to 10,000,000 square feet of office space and 1,000,000 square feet of retail space, but also including on equal footing options for significantly less amounts of office and retail and greater amounts of cultural, civic and open space.

Specifically, RPA requests that three additional alternatives be added to the Scope and be evaluated with the same analysis as the Proposed Action.

First, we recommend evaluation of an alternative that consists of half the amount of office space and retail space as the Proposed Action. Under this alternative, the remaining 5,000,000 square feet of office space could be distributed throughout the rest of Lower Manhattan.

Second, we urge the evaluation of a mixed-use alternative that examines a greater variety of programmatic activities on the World Trade Center site, including a greater amount of space for cultural, civic and educational activities, housing, green space and a reduction of office space on the site.

Third, we recommend that the enhanced green construction alternative specified in Task 20 be expanded to encompass improved environmental practices over the life cycle of buildings and infrastructure on the site, not just during

construction.

We feel there is an opportunity for implementing a centralized system of goods movement and waste disposal for the World Trade Center site complex that reduces or eliminates truck delivery. We urge that this option be evaluated in the scope of the GEIS.

Second, the scope should define an explicit analysis of how the World Trade Center Memorial and Redevelopment Plan intersects and interrelates with other important and obviously related Lower Manhattan redevelopment projects, including the Permanent PATH Station, the Fulton Street Transportation and the Route 9A Project.

We recommend the scope of the GEIS explicitly evaluate how these projects, major alternatives and impacts relate to the WTC Redevelopment Project so as to ensure that the separate EISs being conducted for these studies are not viewed as segmentation of an overall redevelopment plan for Lower Manhattan.

Third, fiscal impacts play a critical role in evaluating alternatives under what will be a program that deservedly benefits from a large public capital subsidy. Therefore, we recommend a new task in which each proposed alternative should include a full fiscal analysis that details the project cost, sources of revenue and rate of return.

This analysis should include the following:

Public and private sector costs for each component of the alternative;

Source of funds for these actions;

Estimated rate of return for public agencies, developers and property owners;

Impact on taxes and other revenues for New York City, New York State and New Jersey.

Our written statement will include specific recommendations on the geographic and analytic framework proposed for each analysis task.

In closing, let me highlight our recommendation for Task 12, traffic and parking. RPA strongly urges alternative locations for a bus garage be explored in the GEIS, including the site named in the paper today along West Street between Murray and Vesey, and the below-grade space at the Deutsche Bank site.

Thank you for this opportunity to

testify.

THE HEARING OFFICER: Thank you very much.

The next speakers will be:
Diane Horning and followed by Alexander Butziger, Jen Hensley, Jonathan Hakala.

Diane Horning.

MS. DIANE HORNING: Thank you.

My name is Diane Horning. I lost my twenty-six year old son in the first tower of the World Trade Center.

I'm also here as a member of the WTC Families for Proper Burial.

I'm afraid my comments are not going to be quite as crafted as the others. I had mostly questions. I thought this might be an exchange. So I'll try to rephrase them and hope that at some point my questions can be answered.

One of the things that I think is lacking is a task number for security analysis. I didn't see anything that indicated that you would be doing an analysis for security that existed pre-September 11th and what would be done post-September 11th. Since we're discussing underground buildings, I think that's an essential part of this study.

I also looked at the immediate action plan and I had a question about the cost of the mural that is being placed at 130 Liberty Street. I want to know what that cost is and I want to know the source of that money. It seems like an enormous waste to me.

You've also mentioned using the Army Corps of Engineers and also using archeological resources. We think that the Memorial, instead of being a hallowed space, will be a hollow space if we do not properly bury our dead. Since things were removed and taken to the Freshkills Landfill, including the remains of my dead son, we would hope that the Army Corps of Engineers could help us do an engineering plan about retrieving those remains and that the archeological group could help us determine where the levels are at the Freshkills mound so that they can be easily retrieved.

We expect that to come back into the Memorial so that it is, indeed, a meaningful memorial. Otherwise, I'll have to continue to visit my son at a City garbage dump.

I want to know whether some of the

things mentioned are actually really going to be studied. Is there really under Task 20 the possibility of a memorial only under discussion? If not, we really shouldn't waste time on it.

When you are analyzing noise impact and shadowing impact, please include the effect of peripheral buildings on the memorial site and please include the noise impact if it is a ground level memorial. I think the noise would be atrocious. We need to maintain the sunken memorial.

I have other questions but I'll put them in writing and hope that they will be answered.

Thank you for your time. I appreciate it.

THE HEARING OFFICER: I would just want to, Mrs. Horning, thank you so much for your presence today and just, on behalf of myself and my colleagues here, express our sympathy on the death of your son.

MS. DIANE HORNING: Thank you very much. You have continued to be very kind.

Thank you.

THE HEARING OFFICER: Alexander Butziger.

MR. ALEXANDER BUTZIGER: Hello!

My name is Alexander Butziger. I'm with the World Trade Center Restoration Movement.

I just would like to tell you shortly what the best of your Environmental Impact Statement is, and that is, I'm glad that the Libeskind scheme will be compared with a restoration alternative.

Rebuilding some kind of twin towers with 110 or more office floors, each will solve the problem of how to fit all the rebuilt office space on the site without crowding it.

It's strange that authorities have so far paid too little attention to the most obvious solution.

The Libeskind scheme is in every respect worst than the old World Trade Center. It would create the worst traffic conditions in Manhattan on Church Street. It would increase pollution by opening Greenwich Street.

Not only is the restoration alternative environmentally superior, rebuilding our twin towers will restore a priceless symbol of America and a landmark throughout the world over.

Rebuilding 110-story twin towers

somewhere on the 16 acres is the right thing, the principled thing, the obvious thing.

No one has been duped into believing that Mr. Libeskind's 1776-foot mast on an ordinary 70-story office building is the world's tallest building. But it does not have to end this way. It is still time.

Let's take the restoration alternative seriously. Let's let New York and America stand tall again. Let's rebuild our beloved twin towers.

Thank you.

THE HEARING OFFICER: Thank you very much.

Jen Hensley.

MS. JEN HENSLEY: Good afternoon.

My name is Jen Hensley. I'm here on behalf of the Downtown Alliance, Lower Manhattan's Business Improvement District. We represent the thousands of property owners, businesses and workers of the Downtown community.

First, I'd like to commend the LMDC for the broad approach it has taken for the redevelopment of the site as evidenced by the Draft Scoping Document as has been presented.

We believe that the scope of the Generic EIS must not be used to limit the broad public discussion that will continue throughout Lower Manhattan's redevelopment process.

For more than twenty-two months now public discussions have been shaping, influencing and finetuning the plans for development on the World Trade Center site and in the surrounding area. These discussions have consistently yielded new and innovative solutions to some of the problems we have faced in the rebuilding process.

In fact, they constantly reshape our understanding of how the site can accommodate the infrastructure, memorial, retail and commercial space necessary to make Lower Manhattan the world's first truly great urban center of the twenty-first century.

We applaud the excellent site plan presented by Studio Daniel Libeskind, but also recognize that this was a plan put together under a tight timetable. It must and will evolve over time to reflect the public's input, market needs, accommodations to the final determination of the memorial jury and, of course, the ultimate objective of creating the most extraordinary urban

district in the world.

We all know this is the very best answer to the horrible tragedy that has been inflicted on our nation, our City and on this community.

As the various stakeholders as well as the agencies charged with the rebuilding continue their analysis and discussions, we are sure to uncover creative strategies for organizing the development on the site that will improve and enhance Libeskind's master plan.

Consequently, the scope of the Generic EIS must be flexible enough that most provisions can be implemented without necessitating a Supplemental EIS further delaying Downtown's revitalization.

The Generic EIS is not a site plan nor is it an implementation plan. It is a means of assessing the impacts of a wide range of site alternatives. Therefore, it must be able to accommodate the necessary adjustments as the site plan itself evolves.

We believe all the development on and around the World Trade Center site should support and enhance Lower Manhattan's role as a world-class central business district, a thriving residential neighborhood and a destination for remembrance and reflection.

This site plan and the GEIS should be able to accommodate:

Direct computer rail access to the eastern suburbs and to Kennedy and Newark Airports as part of a major transportation hub;

A bus storage facility either on or immediately proximate to the site for the influx of tourist buses;

Space for a large performing arts center;

Significant retail development both above and below-ground - particular attention should be paid to creating a vibrant streetlife at grade;

Significant extensions of the north/south and east/west street grid through the site to improve connectivity both on the site and among adjacent neighborhoods;

A high concentration of commercial development which is appropriate for an area which contains a major transportation hub.

We believe that this site can easily

accommodate ten to eleven million square feet of commercial space over time as market demand warrants and that ultimately this amount of bulk and density is appropriate to a site this size at the epicenter of the Downtown commercial district.

Sufficient flexibility to permit adjusting bulk within the site as sound planning and market conditions require.

The redevelopment of the World Trade Center site is a long-term, evolutionary process. As Downtown's various stakeholders continue to engage in public discussions, debate the priorities for rebuilding and examine Lower Manhattan's existing resources, we all learn more about how the World Trade Center site can most positively impact our community, our City and the world.

The GEIS must allow for these evolutions and not force Downtown's revitalization into paralysis or delay should it prove too inflexible for necessary adjustments that will benefit all stakeholders.

Thank you.

THE HEARING OFFICER: Thank you very much.

I'll just say again if there is anyone that would like to have some comments, please register outside the theatre.

The next group registered are:

Jonathan Hakala;
Bernard Geotz;
Diane Dreyfus; and
Gregory Brender.
Jonathan.

MR. JONATHAN HAKALA: I'm Jonathan Hakala, official spokesperson for Team Twin Towers.

Ladies and gentlemen:

The Libeskind scheme would be an environmental nightmare on what instead should be a hallowed ground. It fails to provide the open space required, is much too dense for our World Trade Center site and would turn hallowed ground into a parking lot.

Libeskind's environmental nightmare is grossly deficient in community open space. Libeskind's so-called Park of Heroes is fractured into four tiny pieces, 0.25 acre, 0.14 acre, 0.13 acre, 0.12 acre. These tiny pieces, literally smaller than many suburban front lawns, are a pathetic joke.

It would be environmentally irresponsible to settle for anything less than the amount of community open space we enjoyed before our beloved World Trade Center was destroyed in the atrocities of 9/11.

New York City's zoning resolutions exist to protect our urban environment, to guarantee life, air and open space for all.

In fact, the six Beyer Blinder Belle schemes were decisively rejected by 5,000 people at Listening to the City a year ago. And one of the biggest reasons why was they were much too dense.

Danny Libeskind obviously didn't bother to listen to the City. His environmental nightmare features a super dense wall of mediocre fifty and sixty story buildings along Church Street. Libeskind flagrantly violates the Floor Area Ratio density standard set forth in New York City's Zoning Resolutions.

Libeskind's environmental nightmare would cost irreparable damage to our urban environment by subjecting all of us to some of the worst light and air conditions in all New York City for hundreds of years to come. We cannot allow that to happen.

Should we encourage pedestrian traffic at our World Trade Center? Yes.

Encourage bicycle traffic? Yes.

Access for emergency vehicles? Of course.

But these sixteen acres are hallowed ground and must be treated as such, not as a parking lot.

Libeskind's environmental nightmare would desecrate our hallowed ground by encouraging sport utility vehicles, trucks, buses and cars to suffocate our World Trade Center site with traffic jams and air noise pollution. It would be environmental insanity to allow this when our previous beloved World Trade Center did not.

Let us all agree - victims' families and friends, neighborhood residents, survivors, environmentalists, Democrats and Republicans, conservatives and liberals - let us all agree that on these sixteen acres of hallowed ground we will not replace blood with oil.

The Libeskind scheme is deeply unpopular with the broader public and we, the people, will prevail. This City's great environmental

organizations and others will stomp Libeskind's nightmare for depriving us of the environment we deserve through the political process, if possible, in a court of law if necessary.

Thank you for listening.

THE HEARING OFFICER: Thank you.

Bernard Goetz.

MR. BERNARD GOETZ: Good afternoon.

My name is Bernie Goetz. I'm a resident of Manhattan.

THE HEARING OFFICER: Could you raise your voice, please.

MR. BERNARD GOETZ: Okay.

Is that good enough?

THE HEARING OFFICER: Yes.

MR. BERNARD GOETZ: My name is Bernie Goetz. I'm a resident of Manhattan.

I was going to talk today about trying to make the World Trade Center site more friendly to squirrels, but the person who talked about the birds stole my thunder. So, anyway, I'll change the subject slightly.

I thank you for the opportunity to speak here today. I'll keep my statement brief.

THE HEARING OFFICER: If you could keep your voice up, because the reporter wants to get everything that you are going to say.

MR. BERNARD GOETZ: Okay.

I think the Libeskind plan is a bad choice and glorified eyesore and it's not too late to scrap it.

As an example, for a sensible thing to do, I think a good way to analyze the situation is what if the Eiffel Tower had been destroyed in a terrorist attack.

First, if the White House had been destroyed with the large loss of life on September 11th, would a pit be built as a memorial? Of course not. The White House would be rebuilt and there would be a separate memorial.

And, of course, if the Pentagon had been destroyed, a pit would not be left as a memorial.

A better comparison than the White House or the Pentagon is the Eiffel Tower. A few days ago there was a news item that there was a fire in the Eiffel Tower. My first reaction and that of many others was that it could be a terrorist attack. Fortunately, it wasn't.

But if the Eiffel Tower had been

destroyed in a terrorist attack, would the French have a pit as an appropriate memorial? Of course not.

The Eiffel Tower would be rebuilt and there would be a separate memorial.

Thank you.

THE HEARING OFFICER: Thank you.

Diane Dreyfus.

MS. DIANE DREYFUS: Good afternoon.

I'm Diane Dreyfus. I'm an urban planner and I represent the Little Italy Neighborhood Association and MOTHRA-NYC.

I would like to speak to the zoning.

New York City does not have a master plan and it is zoning that gives people the expectation of how their safety and health will be handled by the sanitation.

For the last twenty months zoning has been blown out the window. The dust levels and the toxic levels at the World Trade Center site and the surrounds have been off the scale for what we would allow in mixed-use zoning.

That said, I would like to know what is going to be happening regarding the performance standard zoning that is common in New York City, for all of Brooklyn and everything else where they have dust and emissions or noise and light.

I would like to know if those guidelines are going to anywhere be re-established during or after the construction phase.

Second, I think that your secondary areas of impact are conservative. As a person who lived at Houston Street and whose neighbor lost a child due to the pollution and toxins, and because we had the rumbling of the equipment and everything leading straight down to the World Trade Center, our neighborhood was very sorely impacted.

Now, we are talking about noxious uses, which is another thing covered by zoning, which is again suspended for I don't know how long in Lower Manhattan. But there has been no provision for testing for contaminants of potential concern which were listed by EPA during the last twenty months.

This is a small site in terms of what you need to test for. A simple test would give us a baseline.

There have been no mentions of financial set-asides for retrofitting equipment, that is, off-road equipment for building, that uses low-

sulfur diesel. I would like to see a provision that gives specific incentives to contractors who win the bid to put their equipment in a proper order regarding the low-sulfur diesel.

Finally, LINA and MOTHRA would like to endorse the Environmental Defense's position paper on the low-sulfur diesel and we would like to question LMDC as the lead agency being as there is no word "agency" in LMDC's title and we don't see anyone who has ever conducted an Environmental Impact Statement of this magnitude in the LMDC staff.

What happened to the environmental agency and HUD and Federal agencies that are responsible for disbursing funds being in control of this process?

Thank you.

THE HEARING OFFICER: Thank you very much.

The next four speakers in the order in which they've registered are:

Gregory Brender;
Gary Masouredis;
Jenna Orkin; and
Catherine Hughes.

MR. GREGORY BRENDER: Good afternoon.

My name is Gregory Brender. I'm here representing Assemblymember Deborah J. Glick who represents the 66th Assembly District here in Lower Manhattan.

I am going to read a statement she's prepared on the Draft Scope of the GEIS.

The members of the community have been deeply affected by the tragedy of September 11th and are strongly supportive of the efforts to build a respectful and appropriate memorial to the victims of this tragedy. We understand how profound an event this has been for all Americans and believe that a memorial will be constructed which honors the memory of the victims and heroes of the tragedy, continues the economic growth of our City and State and respects the needs and concerns of the residents of this community.

I am opposed to the construction of a below-grade tunnel for Route 9A. This long-term project would seriously hamper the quality of life of the neighborhood.

Furthermore, the plans that the Department of Transportation presented to members

of the State Legislature called for the State to spend an extraordinarily large amount of money on a project with a very limited potential for improving traffic flow in Lower Manhattan.

Because DOT did not itemize their costs, I cannot comment further on why the budget for the Route 9A tunnel is so large.

With regard to the proposed bus garage, I urge the LMDC to consider options that would mitigate the problems caused by heavy bus traffic. What we do not want to see is a large number of buses going through our neighborhood at all hours, which do not conform to the City's emission standards.

Fortunately, the reconstruction plans call for the rebuilding of the World Trade Center PATH Terminal as well as subway and MTA bus access to the site.

I urge the LMDC to find a design which encourages the use of these forms of transit as a first resort.

I am very supportive of the Park of Heroes and recognize the genuine need for more green space in Lower Manhattan. I believe than an expanded Park of Heroes would be a tremendous benefit to the residents of and visitors to Lower Manhattan and will respectfully commemorate the collective heroism that is a result of innumerable acts of courage.

Thank you for taking into account the needs of the residents of this community and I look forward to working with you to improve the future of Lower Manhattan.

Thank you.

THE HEARING OFFICER: Thank you.

Dr. Gary Masouredis.

DR. GARY MASOUREDIS: Thank you for having this forum.

My name is Dr. Masouredis. And I'm Human and Environmental Health Director of the Restoration and Redevelopment.

I have three concerns I would like to share with this group.

Number one is the long-term sustainability of the seawall or what's called the slurry wall. It's a 500 foot by thirty or maybe seventy foot wall that now is going to act as a damn against the Hudson which is a very dynamic estuary, tidal estuary.

And that whole site is a filled-in marine system. There's a lot of activity, hydrolic pressures. There's already major leakage along that wall with the phase change, the trees and, lost trees.

Long-term maintenance is going to be an issue I think we are going to regret down the road because it is going to require maintenance in a memorial site where you want it quiet, and that is going to require workmen and equipment and a lot of maintenance over the years.

Also there is a fault line down the Hudson River as we all know. And if there is a catastrophic shift in that fault line, that wall could fail. That pit would allow the sea in that wall. The pit as is designed is below sea level, and according to the Army Corps of Engineers we could have a thirty-foot storm surge above high tide in the event of a hurricane.

So it would be a shame to design and build a potential problem there.

The second issue is stormwater management. In New York because of all the hard surfaces, when it rains, the water goes into the gutter and it tends to be shipped up with the sanitary sewer, the stuff from the toilet, to the sewerage treatment plants.

And with a sixteen-inch rainfall now we have what they call combined sewer outflows. That means raw diluted sewage into our Hudson and East River estuaries.

And so whatever happens on that site I hope the stormwater management can be incorporated in green references.

And as far as infrastructure maintenance, this site could be a great example of how all the roads that are constantly being dug into in Manhattan -- anybody that lives here realizes how much noise, pollution, disruption. If possible, if these roads and the infrastructure could be maintained in an engineered vaulted system where access by the contractors, by the different workmen, allowing the traffic to pass normally and reduce noise, pollution and dust. And basically the quality of life could be maintained if the maintenance of the infrastructure could be accessed in a predetermined plan.

Thank you.

THE HEARING OFFICER: Thank you very

much.

Jenna Orkin.

MS. JENNA ORKIN: I'm Jenna Orkin with 9/11 Environmental Action and Concerned Stuyvesant Community.

We're concerned that the free-wielding attitude that prevailed towards the environment during the cleanup shows every sign of continuing.

The fast-tracking of the EIS process from three years to one is a dangerous indication that environmental concerns are going to be sacrificed in the process of, or in the desire to get ready in time for the Republican Convention next year.

We endorse the Environmental Defense Clean Air Initiative and we endorse the use of green building materials to include fire retardant paint, lighting fixtures and insulation as well as the obvious other building materials.

We wish to see the low-sulfur fuel regulations enforced. They may be enforced perhaps, for instance, by using citizen videos in court which at the moment are not permitted.

We would also urge the enforcement of the Clean Water Act so that the Hudson and the critical habitat are not sacrificed in order to further pork barrel, boondoggled projects.

We would like to see testing of the soil on the World Trade Center site in order to avoid a Love Canal South. The environmental consequences of 9/11 -- sorry, the consequences were one of the greatest environmental disasters in the world and that has been shoved under the carpet. The soil needs to be tested.

During rebuilding air should be monitored, especially for PM2.5 as well as very and ultra fine particulates.

In addition, dust must be wetted down. That's another thing that went out the window during the cleanup.

The trucks were making hundreds of trips per day and the dust was not wetted down under all kinds of excuses. This would not be allowed to continue.

Also the site itself can be, to some extent, sealed off so that the dust doesn't spread.

And as a former member of the parent body of Stuyvesant High School, we're very concerned with the use -- about the use of Pier 25

next to Stuyvesant. During the cleanup, in violation of State and Federal laws, the pier was used and Stuyvesant became a toxic dump. Please don't allow that to happen again.

THE HEARING OFFICER: Thank you very much.

I have five more registered names before me which suggests to me that we will have additional time between the conclusion of the last of the five and the scheduled time for this meeting this afternoon.

So if there is anyone here who would like to offer some comments, I would suggest that during the course of the next five presentations there is an opportunity to register right outside this theatre. We would be happy to receive your comments in the order in which you register.

The names I have now are:

Catherine Hughes;

Monica Iken;

Melissa Aase;

Darya Cowan; and

Ramon Cruz.

Catherine Hughes.

MS. CATHERINE HUGHES: I'm going to be using this mike.

Hi!

I'm a fifteen-year resident of the financial district. Our family of four owns an apartment one block east overlooking the World Trade Center site.

There are two points that I'm particularly concerned about.

One is I want to urge you to consider an expanded site alternative as you've mentioned.

And also to consider the distributed bulk alternative.

Ten million square feet of commercial space within the World Trade Center site would be just too much along Church Street. You would really create a large divide between the east side of Church Street and the west side of Church Street.

I also want to remind you that -- I happen to be a member of the Community Board, and two or three years ago we were discussing that the four blocks along Church Street in front of the World Trade Center, which was originally open, concrete space with planters and benches were going to be converted into a green area. I remember

discussing that.

With the new plan there's no -- almost no open space available for the public. Some concrete and trees and a couple of benches.

I also want to urge that you make sure that the 1776 tower stays on the northwest corner as Libeskind had originally planned.

The second concern that I have is the cumulative impact on the environment beyond those sixteen acres, beyond those twelve city blocks. There is a lot of damaged buildings and their fate still hasn't been discussed. So when -- if the Deutsche Bank gets taken down, and I can't believe we're spending \$1.5 million for a mural which indicates that it's going to take a long time for that building to even start the process of coming down, is a big concern to the residents and people who work in the neighborhood.

So you are going to have a lot of trucks hauling out the debris from the Deutsche Bank that still has not been cleaned properly.

Also, another building on the site just north is, this college has Betterman Hall, and there's a possibility that that building is going to be taken down. What is the impact of all those trucks hauling another very large building down on the residents in our community?

And we also can't forget, I heard it at another Community Board meeting, that the Post Office, because they are going to be renovating the Post Office at 34th Street, all the additional truck traffic will be coming down to our Post Office on Church Street when it reopens I believe this spring.

So we are talking about huge volumes of trucks. Now who is overseeing this? It doesn't fall within your current scope right now of the twelve City blocks or sixteen acres. But this is a huge impact. I can't forget living above and across from the Fulton Transportation Station, which is going to be starting fairly soon, the dust that's going to be impacted during that huge renovation.

So we have a lot of plans that have to be looked at in an overall, comprehensive approach.

And that leads me to my concern about air quality and dust control.

Dust control is a very basic protocol for construction jobs. I actually worked for the construction company that had built that World

Trade Center site for them, Bechtel. That is -- one of the first rules is dust control. It's very important. You have a water truck out there all the time wetting down the neighborhood.

Second of all, in terms of the air quality, I just wanted to show the level, a visual level. I had -- we have central air conditioning. And at the end of our hallway there is a basic filter. And then I decided last summer being concerned about the air quality, I just put on a basic clean filter over my vent. And as I decided what I was going to say today, I was looking at my dirty filter which had been on my vent for one week. And I just wanted to show you what it looks like.

This is one week later. I had -- last summer I decided is this really worth my time and money putting these up. So I actually had a sample similar to that tested. And it did test quite high in carbon particles and also gravel road dust. So that -- each of them composed about twenty percent.

I just wanted to share with you my concern and a lot of the residents, that you do whatever you can to minimize dust in air quality and increase air quality Downtown.

Thank you very much.

THE HEARING OFFICER: Thank you very much.

I take it, you have an opportunity if you want to provide the record with that sample as well.

Monica Iken.

MS. MONICA IKEN: Good afternoon.

I'm Monica Iken. I lost my husband Michael on 9/11. And I am the Founder of September's Mission which supports the development of a memorial at the former World Trade Center site.

I have four points that relate to the overall process and then I would want to briefly touch on two specific concerns.

First, I don't think that most citizens understand that the EIS represents the final stages of gaining approval to proceed with the project as it stands. The LMDC needs to more clearly communicate that to the public and extend the written comment period by at least one week to August 11th.

Second, the EIS is a big deal. Taking

written comments and then issuing a Final Scope without another public comment period on the revisions is unwise. Like the blueprints document, we are asking the LMDC to issue a revised scope based on the initial comments, holding one more round of hearings, and open up the public comment period one more time before the document is finalized.

Transparency has never been more critical than it is with the EIS.

Third, the Scope Draft provides a history of the public input process but provides no information on future activities where the LMDC and Port Authority will seek public comments.

The public is entitled to a schedule and timeline of when input will be sought and how the approval process with the different Federal, State and local agencies will work including related projects.

September's Mission has been asking for this for over one year and we don't understand why the LMDC and Port Authority are reluctant to provide it.

Fourth, there are a number of acronyms used in the draft, laws referred to and so forth that do not have definitions or explanations provided. For example, I do not know what a TNM model is or an L-90 value and I don't believe the majority of citizens do either.

In terms of the Proposed Action and the studies to be conducted, I have two major concerns.

First, page six of the Draft indicates that leading comments from the public called for reducing the amount of commercial space on the World Trade Center site in relation to the six concepts that were presented in July of 2002. It appears that the LMDC and the Port Authority aren't listening to the public.

Under the Proposed Action section, the first sentence indicates that the intention is to put back the same amount of commercial space and double the retail space, and somehow also add new cultural amenities. I suppose this includes the memorial but it's not mentioned until the very end of this section.

Mr. Libeskind's fine plan from December, which the public largely supports, has been butchered. We're back to Disneyland, although, now that the project is becoming even more driven by

developer interests, it's probably closer to Never Land.

September's Mission strongly objects to the Proposed Action in the Draft and I believe the general public would as well if they understood the implications. We think the public is entitled to see a scale model of the Proposed Action and comment on it before the EIS proceeds.

Second, among all the studies that are anticipated as part of this review, there is no mention of a study that would project the number of visitors anticipated at the memorial or look into the economic impact that will have on Lower Manhattan as a distinct category.

The Port Authority is claiming 5.5 million visitors will come to the memorial each year, but they have never provided documentation to support that number. How did they arrive at that number?

I need to take some more time. Do we have a little more time because I have to finish this?

THE HEARING OFFICER: Yes. I'm going to give you as much time as you need.

MS. MONICA IKEN: Thank you so much.

Prior to September 11th, over five million people visited the Statue of Liberty every year and they have to take a boat to reach it. Based on September's Mission's research and all the experts we've spoken with throughout the country and the world, the number is more likely to be between 10 and 12 million, if not more.

If true, then the space set aside for the memorial may be entirely inadequate to accommodate the influx of visitors.

I'd also like to add that September's Mission has been asking to see this study for over a year. We have repeatedly been assured by officials that we can see it and it's never materialized.

When it was clear that it wasn't forthcoming, we filed a Freedom of Information Act request with the LMDC and Port Authority in March. The LMDC did respond to our request, but none of the information provided indicates that such a study has ever been done.

I have since had conversations with the new community affairs liaison and understand the LMDC is looking into it. I'm happy about that.

As far as the Port Authority goes, nearly four months later they finally indicated they would look for it if September's Mission would send them a check for over \$17,000 to cover the so-called cost of man-hours. This is a terrible way to treat the victims' families, but I suppose we should be grateful since the Port Authority is not subject to open records laws.

Understanding how many visitors will come to the memorial and adequately accommodating them is critical to the success of the overall project. I don't think anyone, most especially the families, wants to be crammed in elbow to elbow or be herded through like cattle or should have to reserve a ticket in advance to come and pay respects.

Thank you.

THE HEARING OFFICER: Thank you very much.

I want to thank you for being here and to say you how sorry I am on the loss of your husband.

The next speaker is Melissa Aase.

MS. MELISSA AASE: Hi!

My name is Melissa Aase. I'm a social worker at University Settlement in the Lower East Side where I have worked for about ten years.

And I'm here on behalf of a coalition of twenty-five social service and advocacy organizations, many of which are in Chinatown or the Lower East Side. That coalition is called Rebuild With a Spotlight on the Poor.

In its initial Draft Scope the LMDC continues the mistake it has made over and over again during its existence by maintaining a narrow field of vision that excludes the low-income communities immediately adjacent to the World Trade Center area.

The reconstruction of the World Trade Center site and other concurrent projects throughout Lower Manhattan from the west to the east side, such as luxury residential buildings that would be financed with Liberty Bonds, will have a significant impact for years to come on the surrounding communities of Chinatown, the Lower East Side, Tribeca, SoHo/Little Italy, and even beyond those.

The Chinatown and Lower East Side communities are disproportionately low-income, non-

English speaking, and have reported severe housing, economic and health impacts since September 11th, but these issues never seem to rise to the top of the LMDC's priorities.

These are communities that have been experiencing the pressures of displacement both pre- and post-September 11th and we're very concerned that the plans for redevelopment of Lower Manhattan will only serve to increase this rate of displacement by ignoring the needs of low- and moderate-income residents.

The Draft Scope does not clearly include the study of any of these communities in its proposed Task 3, Task 11 or Task 18.

In the investigation of Socioeconomic Conditions, the study should include the potential economic and housing impacts, specifically, indirect displacement of small business and low- and moderate-income residents) on neighborhoods outside of the 1/2 mile radius that is stated in the Scope, including Chinatown and the Lower East Side up to at least 14th Street.

In the Infrastructure section, which I believe is Task 11, the GEIS must include a full investigation of the power sources that will be needed for this site and surrounding community in future years, and disclose where those could be located.

Historically, these have been sited in low-income communities of color. Lower Manhattan cannot be reconstructed on the backs or the lungs of low-income communities.

Along with the disclosure of potential or existing power sources, the study should include a primary and cumulative health assessment of communities surrounding the power source.

In the Environmental Justice section, again the geographic scope of investigation must be wider than the communities within a half-mile radius. Communities of concern that could be affected by the project must include all of Chinatown and the Lower East Side as well as other communities that have made their concerns known to the LMDC.

Outreach to these communities must be multi-lingual, kindly and truly public and accessible unlike much of the LMDC's work up to this point.

Finally, while we encourage the scope of

the GEIS to be as broad as possible, and we see that it is quite broad, we also must state that we find it ironic to talk about the possible environmental impact of redevelopment when we, as a community, have not sufficiently studied or addressed the current actual environmental devastation of the events of September 11th.

What is the environmental impact of reconstruction without a full cleanup?

Can the GEIS include this as an additional task?

Any action to move forward must include full and complete cleanup of affected communities in Manhattan, Brooklyn and any area under the cloud of World Trade Center dust. This includes residences, businesses and open areas.

It also includes studying the health impacts of 9/11 on communities and workers beyond the immediate site and providing treatment and help to those who were and continue to be affected.

THE HEARING OFFICER: Thank you very much.

I would just say again I have three more names who have registered. We will have time at the conclusion of the third of those names. If there is anyone who wishes to offer any comments, it's an opportunity to register and do so this afternoon.

The next speaker is Darya Cowan.

MS. DARYA COWAN: Good afternoon.

My name is Darya Cowan and I'm a Project Manager with the Imagine New York Project, a project of the Municipal Art Society.

The Municipal Art Society is a private, non-profit membership organization whose mission is to promote a more livable city.

Over the past eighteen months, Imagine New York has been creating opportunities for public participation in the rebuilding process. This has included 250 public workshops involving nearly 4,000 participants, in addition to over 10,000 people who have participated through our website.

In recent months, Imagine New York has hosted workshops on topics including the nine innovative designs for the World Trade Center site, transportation in Lower Manhattan, and we are currently planning workshops to discuss the memorial.

The Daniel Libeskind Master Plan ranked favorably among many participants when we asked

them to respond to the nine innovative designs last January. Of those who preferred this plan, many explained that they were drawn to its various signature elements: the below-grade memorial setting, the Wedge of Light, the glass-enclosed transportation hub, and the spiral layout of the buildings, among other key elements.

The Municipal Art Society offers the following comments on the scope of work, informed by findings from Imagine New York.

First, we would like to propose that several additional alternatives be included in the analysis.

One alternative should be a scenario in which the public subsidies for rebuilding would be transferred to other locations in Lower Manhattan to support retail, residential and commercial development in a configuration similar to what was proposed in the Mayor's Plan.

A second additional alternative should be a lower density alternative for onsite development with reduced office and retail space, but retaining the memorial and cultural spaces.

The World Trade Center Memorial is likely to be one of the most visited and widely-recognized sites in New York City and, therefore, our second point is that the EIS should consider the effects of the proposed project upon the memorial setting, similar to the way that open space or historic resources would be analyzed in another EIS.

For example, the effect of shadows, urban design, and noise upon the memorial setting should be assessed.

Thirdly, because of the significance of the site, the discussion of urban design in the EIS should not be business as usual.

Before September 11th, the World Trade Center was visible throughout New York and recognized across the world. When rebuilt, the experience of the site will take on even more significance.

A standard analysis of urban design and visual character is not appropriate. Specifically, the analysis for each alternative should describe the concept of the site plan as a whole, the interrelation of its parts, and its visual character as experienced from both near, that is, from the memorial setting, and from afar, from

Brooklyn, from Staten Island, New Jersey and other locations.

Each alternative should be fully and quantifiably analyzed from an urban design perspective.

The alternatives described in the scoping document should be fully and rigorously analyzed in the EIS as they are specifically required to be under NEPA. Where the project is assessed quantitatively, so too should be the alternatives.

And we do have a number of additional comments specifically on the scope, which I will submit in a written statement.

THE HEARING OFFICER: Thank you very much. We welcome the additional comments as well.
Ramon Cruz.

MR. RAMON CRUZ: Good afternoon and thank you for the opportunity to testify today.

My name is Ramon Cruz and I work for the Environmental Defense, previously known as Environmental Defense Fund.

Environmental Defense is a national environmental organization headquartered in New York City with over 50,000 members here in the City and more than 300,000 nationwide.

Since we don't have enough time to present, I would like to say that we have an eight-page statement and a briefing paper on rebuilding Lower Manhattan, and I'll be at the back if anybody is interested in getting a copy.

THE HEARING OFFICER: I hope you will file one with the reporter.

MR. RAMON CRUZ: Yes.

THE HEARING OFFICER: That would be great.

MR. RAMON CRUZ: We had urged LMDC and the Port Authority to initiate a NEPA scoping process at the earliest possible opportunity so that the environmental review process could be used to shape public review of real alternatives for the rebuilding of the public spaces, the transportation systems and structures at and adjacent to the site.

Releasing a draft scope now is a useful step in that direction.

However, we are pleased to be able to submit the following general comments about the scope, the project description and the alternatives proposed. We look forward to working with you to

ensure that these concerns are addressed.

On the Proposed Action and Alternatives, our first concern is to ensure that the Proposed Action accurately describes the project with full clarity about the degree to which it reflects the site redevelopment plans that have already been extensively reviewed by the public.

According to recent news reports, it is not clear whether the City, State, private developer have accepted the proposed project as the primary proposal or the Task 20 list as the set of all of the reasonable alternatives to be the subject of a comparative impact analysis.

If negotiations on basic questions of site uses, amounts of commercial space, types of other uses, et cetera, are still ongoing, the environmental review process will need to be adapted to new decisions as they are made.

For example, recent reports suggest that a major bus terminal is to be located either on the World Trade Center site or a few blocks to the north in a residential area and near a school. This decision can have a major impact on local traffic congestion and air quality.

I am going to stress three areas that should be taken into consideration which are:

To use incentives to reduce traffic and clean the air;

Cut air pollution from construction and other non-road uses; and

The movement of goods and waste.

The scoping document should look at alternative ways to discourage use of private cars and attendant private parking spaces. Cars, like trucks, add to street congestion in Lower Manhattan, and that congestion, in turn, leads to higher levels of air pollution and carbon emissions.

We suggest that the scoping document and EIS review examine the following tools to reduce traffic congestion.

Two important steps that can cut Downtown traffic jams, ease commutes and clean downtown are:

A comprehensive system of congestion pricing for Lower Manhattan that could significantly improve traffic congestion and air quality. For example, East River Bridge tolls and other methods such as those being used today to

reduce congestion in central London.

Congestion pricing on Hudson River crossings is reported to have cut peak traffic by about seven percent, for example. Similarly, after 9/11 restrictions on single-occupant vehicles entering Lower Manhattan had tangible benefits for congestion.

Another step is the use of strong commuter choice incentives, such as TransitCheck programs that can help reduce the congestion impacts of adding new commercial space to already-crowded Lower Manhattan.

In terms of cutting air pollution from construction and other non-road uses, construction machinery is recognized as a significant source of fine particulate matter and oxides of nitrogen, the precursor to urban smog.

In September of 2002, the CEOs of each major agency involved in the redevelopment of Lower Manhattan, including the Port Authority and LMDC, committed to using ultra-low sulfur diesel fuel and best available retrofit technology in all reconstruction-related projects in Lower Manhattan. This would establish a powerful national precedent for cleaning up construction emissions.

Technology and fuels are available in this market to cut down those emissions by up to ninety percent. These include:

- The use of ultra-low sulfur fuel;
- Stop engine idling and working with other behavioral changes;
- And the use of best available retrofit technology, for example, install oxidation catalysts, the use of particulate filters and other technologies available for use on trucks that may not have been fully tested on construction vehicles.

These include, for example, selective catalytic reduction and engine gas recirculation.

Environmental Defense has prepared a briefing paper on these measures which has been mentioned earlier today and is available on our website. And I have some copies too.

Lastly, in terms of movement of goods and waste, for transport of goods and waste to and from the site, a goal should be to minimize truck vehicular miles travelled.

An efficient site waste transport system that allows for containerization on site and

movement by rail and water also has significant environmental justice implications since commercial waste in Manhattan now moves by truck to land-based, environmentally deficient commercial waste transfer stations in low-income communities in the South Bronx, Brooklyn and Newark that are dependent on trucks for movement of waste both into and out of these facilities.

A design of a waste transport system that minimizes truck dependence and maximizes use of rail and water could contribute towards the closure of these facilities.

The City is conducting currently a commercial waste study and is also rethinking its residential waste system.

The design of the World Trade Center site, including its waste management and transport systems, could make a contribution to moving these studies towards an environmentally and socially optimal outcome, planning for both residential and commercial waste streams together.

And also here you will receive a copy of the full statement.

So thanks for your attention.

THE HEARING OFFICER: Thank you very much.

The final speaker who has been registered, and we have time to receive any additional comments if anyone here would like to register to do so.

David Kupferberg.

MR. DAVID KUPFERBERG: I'm going to read an excerpt now from --

THE HEARING OFFICER: Could you just identify yourself and your affiliation, please.

MR. DAVID KUPFERBERG: My name is David Kupferberg and I am a concerned citizen.

Let me read an excerpt from the website www.teamtwintowers.org.

In Sri Lanka's capital city of Colombo resides a World Trade Center that was attacked twice by Tamil terrorists and repaired twice. The Colombo WTC consists of side-by-side twin towers, each thirty-seven stories.

The first attack occurred when a suicide bomber rammed an explosives-laden truck into the Sri Lankan Central Bank heavily damaging the neighboring towers.

On October 15, 1997, three days after

the towers were repaired and reopened, a truck filled with 880 pounds of explosives detonated almost directly under the west tower destroying a large section as well as part of the east tower and two hotels.

The Sri Lankans rebuilt their twin towers, the Central Bank and all other buildings affected by both attacks exactly as they were.

Many expressed hope that New York City will do the same.

Building anything shorter or smaller than the twin towers is tantamount to kneeling to terrorism. The twin towers were a national monument, just like the White House, Capitol, the Statue of Liberty and many other places in the U.S.

In virtually every public opinion poll either in print or on the Internet the public has shown support for rebuilding by a significant majority. The number is usually around seventy percent depending on the poll sample.

The best memorial is not a tombstone nor is it erasing what was there. The best memorial just might be a living one.

The twin towers were a part of the fabric of many people's personal lives. Rebuilding will heal the wounds of many.

Of course, the Team Twin Towers advocates that the twin towers be rebuilt as two 110-story or greater buildings offset from each other, built at a minimum of 1362 and 1368 feet tall respectively with a TV antenna placed on Tower 1 and certain enhancements and modifications:

Fireproof ceramic polymer coatings applied to all columns and members that will not be removed easily;

Sprinkler systems using foam;

I-beams or cast reinforced concrete instead of trusses for floor support;

Stairwell walls made out of concrete and reinforced with rebar rather than drywall;

Compliance exceeding the City of New York fire and building codes;

Bioterrorism sensors in the HVAC system;

More environmentally friendly construction.

Question: Working in tall buildings, no one will work there.

The Twin Towers were only part of the 9/11 plot of destruction. The Pentagon, a mere

five-stories tall, had an entire side destroyed.

Shall we abandon the Empire State Building, Sears Tower, John Hancock Tower, The Library Tower, Trans America Building and others?

Shall we build nothing higher than five or six floors?

China, more specifically Shanghai, is set to build -- is set to open its skyscraper in 2007 that will be the new tallest building in the world.

China has not stopped rebuilding just because no one will work there.

But there's also economic reasons to rebuild the Twin Towers as I will read to you from their website.

The Twin Towers will restore revenues from tourism; in fact, revenues should increase. Tourists will flock to the observation deck, bringing substantial income in the form of viewing fees, souvenirs, food and other merchandise. This is all subject to sales taxes, which will help State and City coffers as well.

On clear days, even after the attack, tourists flocked to the Empire State Building as they did before. Tourists probably wouldn't seek out four buildings that are simply an office complex.

The proposed towers will not feature an observation deck as there are taller buildings around. Even the Woolworth Building is taller than the proposed complex. The loss of observation deck revenue, as well as the loss of revenue from souvenirs and other merchandise related to the Towers is substantial. According to the Port Authority, 150,000 tourists visited the observation deck each day. Sales taxes were collected on the \$9 viewing fee. That is \$40 million per year, just on taxes from viewing fees.

I would like to see the Twin Towers rebuilt. I really would like that.

And I would like to sign their petition if I can.

Thank you.

THE HEARING OFFICER: Thank you very much.

No one else has registered. If somebody has, the name of that person hasn't arrived.

Just wait a second. It's my sense, if no one else is registered for public comment, that the

afternoon session will be closed and we will have an evening session today beginning at six o'clock and running to nine o'clock, if necessary.

And if anyone wishes to submit some comments, the Lower Manhattan Development Corporation would welcome such comments. And there is information on a fact sheet at the desk outside as to how you would communicate those comments either by web page or by address.

It's my sense, therefore, that this session is closed and I want to thank everyone who has participated, and I especially appreciate the conciseness of the presentations and those who have left written statements with us as well.

Yes.

MS. DIANE HORNING: To use some of the time, if we already spoke before, and they didn't take names, they just thought it might be open at this point. Could we just make another point or two or would you rather we didn't?

THE HEARING OFFICER: No. We have some time. And if there is anybody here who hasn't spoken --

MS. DIANE HORNING: I already have spoken.

THE HEARING OFFICER: We would certainly be happy to.

MS. DIANE HORNING: I'm Diane Horning.

And one of the things I noticed was not mentioned in terms of the parking lot garages was the use of parking space across the water and letting -- I noticed from what the Port Authority has been showing us at meetings that there is a stepped-up, an increased use of the ferry service and plans to increase it.

And I thought that might be another alternative to have some ferry service, just as we do with the Statue of Liberty, where parking takes place one place and the ferry can bring them to the location.

I also wondered, the section where you talk about historic sites, I hope that that will include looking at the fact that the World Trade Center site might indeed itself become an historic site. There is some legislation pending about that and I think that should be considered: what do we do, what do you do, if that becomes an historic site in its entirety.

And I also -- this is a question but I

hope you'll look at it. The cultural buildings that you showed in the plan near the memorial, I would hope that any cultural building you put there is directly related to the memorial and is not something different. I don't want to see an unrelated museum put there or an unrelated dance facility put there.

If you do, you will be dancing on the graves of many people. You will be visiting a museum which is sitting on the graves of many people.

And I hope you won't put anything unrelated there.

Thank you.

THE HEARING OFFICER: Thank you for your additional comments.

And I would certainly encourage anyone that has some comments that they want to reflect in writing to do so. Take advantage of this at this moment.

I thank you all again for your participation here this afternoon.

We have a session beginning at six o'clock tonight. And anyone who hasn't spoken today and wishes to speak tonight, please come back and do so.

Thank you all very much.

(At 4:20 o'clock p.m. the proceedings were concluded.)

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STATE OF NEW YORK)
) SS.
COUNTY OF NEW YORK)

I, ROY A. SELENSKE, a Certified Shorthand

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(Stenotype) Reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing pages 1 through 131 taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.
IN WITNESS WHEREOF, I have hereunto set my name this 25th day of July, 2003.

ROY A. SELENSKE, C.S.R.

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