

DGEIS Hearing Transcripts

LOWER MANHATTAN DEVELOPMENT CORPORATION

-and-

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

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PUBLIC HEARING :

RE :

DRAFT GENERIC ENVIRONMENTAL IMPACT :
STATEMENT FOR THE WORLD TRADE CENTER :
MEMORIAL AND REDEVELOPMENT PLAN and :
on the AMENDED GENERAL PROJECT PLAN :
FOR LMDC'S MEMORIAL AND REDEVELOPMENT :
PROGRAM :

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The Michael Schimmel Center
for the Arts
Pace University
Spruce Street
New York, New York 10038

February 18, 2004
1:05 p.m.

B e f o r e :

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The Hearing Officers

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I N D E X O F S P E A K E R S

Speaker
Page

ANDREW WINTERS
Vice President/Planning, Design
and Development, LMDC.....15

IRENE CHANG
Vice President, Legal Affairs and
Counsel, LMDC.....24

PATRICIA NOONAN
Partnership for New York City.....30

THOMAS MESSINA

—
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Electrician, Local 3, IBEW.....	34
JOSEPH LLANOS	
Electrician, Local 3, IBEW.....	39
LOUIS COLETTI	
Building Trades Employers Association.....	42
DR. ROBERT JARVIK	
Entrant to Memorial Competition.....	46
JOSEPH RAYDER	
Electrician, Local 3, IBEW.....	50
KEVIN FLYNN	
Electrician, Local 3, IBEW.....	51
DIANE DREYFUS	
Urban Planner.....	54
CAROLINE MARTIN.....	56
MARIE CHRISTOPHER	
Good Old Lower East Side.....	61
DAN SLIPPEN	
Director, Government and Community Affairs and the Center for Downtown New York, Pace University.....	64

I N D E X O F S P E A K E R S

Speaker
Page

LOUIS EPSTEIN	
World Trade Center Restoration Movement.....	68

—
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JENNA ORKIN	
9/11 Environmental Action and Concerned	
Stuyvesant Community.....	71
BARBARA CAPORALE	
Rebuild With a Spotlight on the Poor	
Coalition.....	74
DEBORAH LESTER	
Representing Assembly Speaker Sheldon	
Silver.....	78
SADIE DYER	
Representing Assemblymember Deborah	
Glick.....	82
E. J. McADAMS	
Executive Director	
New York City Audubon.....	86
LARRY LAZAR	
Electrician, Local 3, IBEW.....	90
JOHN RICHARDSON	
Electrician, Local 3, IBEW.....	93
CARRIE SULLIVAN	
World Trade Center Survivors Network.....	95
HOLLY HAFF	
World Trade Center Survivors Network.....	98
JONATHAN HAKALA	
Team Twin Towers.....	102
ADRIENNE AUSTERMANN.....	105

I N D E X O F S P E A K E R S

—
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<u>Speaker</u>	<u>Page</u>
BARBARA LYONS-DILLIE.....	106
JEFF JOHNS Chairperson, World Trade Center Memorial Focus Group.....	109
CARLTON CHEW Electrician, Local 3, IBEW.....	112
JENNIFER HENSLEY Director of Intergovernmental and Community Affairs Downtown Alliance.....	114
GLENN PASANEN Political scientist.....	118
MILDRED CENTER From the Ground Up.....	121
GEORGE THURSTON Faculty/NYU School of Medicine.....	123
CATHERINE McVAY HUGHES Resident.....	127
MICHAEL EDELSTEIN Professor of Environmental Psychology Ramapo College of New Jersey.....	131
BERNARD GOETZ Resident.....	136
JULIE MENIN President/Founder Wall Street Rising.....	137

ANDREW ORLIFF.....	141
RACHEL SNYDER Team Twin Towers.....	145

I N D E X O F S P E A K E R S

Speaker
Page

BRETT CUVIN Team Twin Towers.....	147
THOMAS DUNNE Representing Verizon and Empire City Subway Company.....	150
JOY GOLBERG Resident.....	154
LARRY RUSSO.....	158
GEORGE HAIKALIS President Institute for Rational Urban Mobility.....	161
ALLISON TUPPER Resident.....	164
KEN LUSTBADER Lower Manhattan Emergency Preservation Fund.....	166

COCO GORDON
Resident.....16

9

ALBERT PAPP
New Jersey Association of Railroad
Passengers, Empire State Passengers
Association, Committee for Better
Transit.....172

JEAN SILLIMAN
Resident, Battery Park
City.....175

RICK MULLER
Representing Manhattan Borough President,
C. Virginia
Fields.....178

BETTY HELLER
Resident.....18

2

I N D E X O F S P E A K E R S

Speaker

Page

MARCY BENSTOCK
Executive Director
Clean Air
Campaign.....184

SAM YOUNG
Construction
Worker.....187

—

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JOHN DRISCOLL
Construction
Worker.....190

PETRA TODOROVICH
Civic Alliance to Rebuild Downtown
New
York.....191

GLENN
GOLDSTEIN.....196

BILL
HOUGH.....200

SCOTT LAMB
Principal Project Manager
Ramapo Neighborhood
Assessment.....204

JEFF GALLOWAY
Gateway Plaza Tenants
Association.....206

* * *

P R O C E E D I N G S

PRESIDENT RAMPE: Good afternoon.
If everyone would just take their seats, I think we
are ready to get started.

My name is Kevin Rampe and I'm the
President of the Lower Manhattan Development
Corporation.

I would like to welcome you to this
hearing on the Draft Generic Environmental Impact
Statement for the World Trade Center Memorial and
Redevelopment Plan and on the Amended General Project
Plan for LMDC's Memorial and Redevelopment Program
included in that Plan.

Board Members of the LMDC as well
as LMDC senior staff and consultants are present at
this hearing. Senior executives from the Port
Authority of New York and New Jersey and the Empire
State Development Corporation, LMDC's corporate
parent, are also present to hear your comments.

ESDC may be assisting LMDC with
certain aspects of implementing the proposed project
including any necessary property acquisitions and

will receive a transcript of the hearings.

Dean Ferrick, the former head of Fordham University's School of Law, and Professor Jacqueline Nolan Haley will serve as the Hearing Officers for this hearing. Dean Ferrick also served as the Hearing Officer for LMDC's public comment meeting on the Draft Scope for the DGEIS.

It's my pleasure to introduce him to you.

Dean.

HEARING OFFICER FERRICK: Thank you very much.

My name is John Ferrick and as you already know I will be serving as the Hearing Officer this afternoon and also this evening.

I would like to formally open this hearing on the Draft Generic Environmental Impact Statement for the World Trade Center Memorial and Redevelopment Plan and on the Amended General Project Plan for the World Trade Center Memorial and Redevelopment Program.

The proposed action is intended to provide a permanent memorial that will allow future

generations to remember and honor the people who died on September 11, 2001 in New York City, in Shanksville, Pennsylvania and at The Pentagon, as well as those who died in the terrorist bombing of February 26, 1993.

I would just like to ask for a moment of silence in memory of all those who lost their lives in those tragedies.

(Moment of silence observed.)

HEARING OFFICER FERRICK: Thank you.

The purpose of this hearing is to provide you with information on the WTC Memorial and Redevelopment Plan and, most especially, to receive comments on the proposed plan. We look forward to hearing from you.

If you are interested in speaking at this hearing, you will need to register to speak. If you have not already done so, you may register to speak at the table located outside of this auditorium.

The afternoon session will run from one p.m. until five p.m. The evening session will

begin promptly at six p.m. and continue hopefully until all those wishing to speak have had a chance to do so.

Translators for hearing impaired individuals are present and will periodically be asking if anyone in the audience needs continuous sign language translation.

In addition, Spanish and Chinese translators are available.

LMDC prepared the Draft Generic Environmental Impact Statement as the lead agency under both the National Environmental Policy Act and the New York State Environmental Quality Review Act and their implementing regulations.

In addition, LMDC prepared an Amended General Project Plan pursuant to the New York State Urban Development Corporation Act.

Copies of these various documents are available for reference outside.

On June 20, 2003, LMDC released and circulated a Draft Scope for the Draft Generic Environmental Impact Statement and its original Amended General Project Plan for the WTC site.

On July 23, 2003, LMDC held two public scoping meetings in order to receive public comment on the Draft Scope. That public comment period remained open until August 4, 2003.

Based on the substantive comments received, the Final Scope for the Generic Environmental Impact Statement was prepared and then approved by LMDC's Board on September 16, 2003, and made available to the public, interested parties and cooperating agencies.

At the same time LMDC approved and made available an Amended General Project Plan.

The Draft Generic Environmental Impact Statement was approved by the Board on January 20, 2004 and released for public comment on January 22, 2004.

In addition to any oral or written comments received at today's hearings, written comments on the Draft Generic Environmental Impact Statement may be submitted to LMDC officially in writing by mail or through the website. Such comments must be received by LMDC on or before 5 p.m. on Monday, March 15, 2004.

The public comment period for the Amended General Project Plan will remain until 5 p.m. on Friday, March 19, 2004.

Written comments may be submitted either directly through LMDC's website, which is www.renewnyc.com, or by mailing them to the Lower Manhattan Development Corporation at One Liberty Plaza, New York, New York 10006, Attention WTC Public Comment.

Additional information on submitting written comments may be found on LMDC's website.

Following receipts of comments, LMDC will prepare a Final Generic Environmental Impact Statement which will then be made available for public comments for a period of thirty days. LMDC will also consider all public comments on the Amended General Project Plan before finally acting on that Plan.

With me on this particular stage is Andrew Winters, LMDC's Vice President and Director for Planning, Design and Development, and I anticipate this afternoon present to my right William

Wong, Program Manager for Port Authority's Downtown Restoration Program.

I would now like to call on Andrew Winters who will provide a brief update on the proposed plan.

He will be followed by Irene Chang, LMDC's Vice President for Legal Affairs and Counsel, who will speak briefly regarding the public comment process.

After that, we will begin the public comment portion of this hearing.

MR. ANDREW WINTERS: Thank you very much.

LMDC was created by the State and the City of New York to coordinate the remembrance and revitalization efforts in Lower Manhattan following the attacks of September 11th.

From the beginning, LMDC has been committed to public outreach and involvement guiding the redevelopment of the World Trade Center site: from the Preliminary Blueprint for Lower Manhattan and World Trade Center Design Concepts to the Listening to the City and Plan in Progress dialogues,

which resulted in the selection of Studio Daniel Libeskind's Memory Foundations.

Memory Foundations is the basis for the General Project Plan and the proposed Memorial and Redevelopment Plan analyzed in the Draft Generic Environmental Impact Statement.

And community involvement and briefings are ongoing in this process.

The original General Project Plan envisioned development on the 16-acre World Trade Center site which is bounded by Vesey Street on the north, Church Street on the east, Liberty Street on the south and West Street/Route 9A on the west.

Over the past year, in response to public sentiment and engineering considerations, LMDC has amended the original General Project Plan to include the southern site bounded by Liberty, Greenwich, Albany, Washington and Cedar Streets. It's just south of Liberty Street, the two parcels, one in green and one in blue, that you see south of Liberty Street on the Plan.

The Empire State Development Corporation may assist LMDC with property acquisition

of the southern site, and the General Project Plan, when finally adopted, will reflect this possibility.

The Plan itself is innovative in the way it strikes a balance between memorializing the events of September 11th while at the same time encouraging the revitalization of Lower Manhattan.

The memorial lies at the heart of the Plan. You can see it at the very center with the two footprints shown as dotted lines as squares and all of the green space surrounding those squares.

It recognizes the footprints of the former towers with deep pools and it surrounds them with an at-grade public plaza with lush plantings.

A series of below-grade spaces, both at the footprints and at a portion of the preserved slurry wall will allow visitors to descend all the way to bedrock within the site and will also house original artifacts from the World Trade Center.

The streets and open spaces are another key component of the plan. The reintroduction of Greenwich Street, which you see going north/south through the center of the Plan, linking Tribeca North with the area south of Greenwich Street, as well as

Fulton Street, which goes east/west - you can see it just above the memorial space and above the transit hall in yellow, goes east/west across the site - these two streets assure that the new World Trade Center will provide both pedestrian and vehicular connections to and through the site.

Tying this important site back to the surrounding city will help create a spillover effect to other areas in Lower Manhattan supporting revitalization efforts beyond the site.

The creation of a significant public realm with an array of public spaces, including sidewalks, plazas and parks, will help ensure that this dense urban site will be able to accommodate the large number of workers and visitors in a manner that will enhance its role as a central gathering space for Lower Manhattan.

With proper design the plazas at the rail station, the Liberty Park, and, of course, the memorial itself, will take their place among New York's most beloved spaces.

Outside of the memorial district and across the new streets are sites for rebuilding

the office, retail and hotel space that was lost on September 11th. You can see the five blue squares shown starting at the northwest corner and on around in a spiral down to that site south of Liberty Street.

These five towers will contain up to 10,000,000 square feet of office space. Their bases, combined with the below-grade network of spaces, will contain up to 1,000,000 square feet of retail space.

And a hotel and conference center, once located at the southwestern corner of the site will be housed on the northeastern corner of the site.

Prior to September 11th, the World Trade Center site hosted concerts and cultural events on a temporary seasonal basis. A central element of the memorial and redevelopment plan is the introduction of at least two permanent cultural buildings on the site: a performing arts center, which will be located near the top of the plan, the parallelogram that you see in red, as well as a second building which you see actually shown in this

diagram as two buildings sitting within the memorial district itself. And that building could include a variety of different cultural uses.

Increasing the diversity of uses at the site will bring people in the evenings. It will serve the local residential community and it will be supportive of the overall revitalization efforts of Lower Manhattan.

And, finally, a series of below-grade service and infrastructure elements allow the site to function properly. You can't see them on this diagram except for their entrances, one at Liberty Street and one on Vesey Street. But without these the site would not work. They range from PATH circulation spaces in the terminal building to truck ramps, utilities, parking and more.

The Amended General Project Plan program, the one I just described, is the same as that analyzed in the DGEIS. Since the approval of the Amended General Project Plan in September of 2003, a number of refinements to the Plan have been announced.

First and most significant is the

memorial. In the original conception of the plan the memorial would be about thirty feet below street level in the same area that you see here. The memorial plan that was selected by the jury raises the memorial area primarily to an at-grade plaza as I discussed before with two very large pools and a series of landscaping devices including trees and walkways and benches and plantings that will really make it into a civic plaza.

At the two areas that you see shown as the pools, it goes about thirty feet down and people can circulate down in those areas beneath the pools where the names of those who died are displayed.

A separate set of experiences associated with the memorial will be to a memorial center, which is an enclosed museum type space below-grade on the western edge of the site within the bathtub that will house some of the original artifacts from September 11th.

A second change in the plan that you can see shown here is the Freedom Tower. The footprint of the Freedom Tower has been modified to

accommodate the pedestrian circulation at the site, the office program required in the building, the public program including restaurants, observation spaces and other public uses, as well as the unique design of this building.

The cultural buildings are a third element of the Plan that has changed. Originally in the Plan there were two cultural buildings that sat one along Greenwich Street and one along Fulton Street, as well as a building at the center.

At this point, because of the change in the memorial plan, those two buildings, the ones along Greenwich and Fulton Streets, have been pulled back so that most of the cultural programming now is housed in one building that sits at the corner of Greenwich and Fulton Streets.

In addition, the memorial center, which I mentioned before, sits below the western side of the plaza, houses a piece of the cultural program.

And, finally, let me comment on the PATH terminal. This is a change from what was seen back in the plan in September. The project is separate from the Memorial and Redevelopment Plan,

but it does occupy a central place on the site.

Two major changes have occurred.

One is that the building itself, shown in yellow on this plan, has been separated from Tower 3, that central tower. In the original plan in order to conserve space the two buildings were put together. Now they have been separated apart.

A second change is that, rather than a single large public open space on the north side known as the Wedge of Light, there's been added a public space on the south side as well. So two public plazas rather than one and the separation of the PATH station from the commercial building, which has also allowed the introduction, the potential introduction, of Dey Street, which would be a continuation from where you see it on the eastern side of Church Street.

Over the next few months the LMDC will continue to work with the memorial designers, the Port Authority and the State Department of Transportation and the City of New York to advance the plan.

As we do so, we will continue our

outreach efforts and as always will review and consider all comments shared with us through this effort.

I would now like to introduce Irene Chang, Vice President of Legal Affairs and Counsel for the LMDC, who will further speak about the public process.

MS. IRENE CHANG: Thank you, Andrew and Dean Ferrick. Good afternoon.

First, I have a few technical items I would like to introduce for the record, the formal notices of both this Draft Generic Environmental Impact Statement hearing and the Amended General Project Plan hearing.

The public notice for the General Project Plan hearing was published on January 16th in The New York Times, The New York Daily News, The New York Post and Newsday.

Public notice for the Draft Generic Environmental Impact Statement hearings were published the later part of the week of January 20th in The New York Times, The New York Daily News, The New York Post and Newsday.

Notices relating to the DGEIS were also published in The Federal Register on January 23rd and January 30th, 2004, and in The New York State Environmental Notice Bulletin on January 28, 2004.

The week after that, the notices for both hearings were also published in neighborhood newspapers as well as two Spanish language and three Chinese language daily newspapers.

Second, in addition to the environmental review process under the National Environmental Policy Act and the State Environmental Quality Review Act, which includes the review of historic resources, LMDC is conducting a parallel review under Section 106 of the National Historic Preservation Act.

Section 106 requires Federal agencies to identify historic properties listed in or eligible for inclusion in The National Register of Historic Places that may be affected by a proposed undertaking, in this case, the World Trade Center Memorial and Redevelopment Plan.

LMDC commenced this process for the

proposed Plan by consulting with the New York State Historic Preservation Officer to identify historic properties as well as potentially eligible consulting parties.

LMDC is coordinating the Section 106 review with the Federal Transit Administration and the Federal Highway Administration for their proposed undertakings on or adjacent to the World Trade Center site, including the permanent World Trade Center PATH terminal, which you heard a little bit about today, and the Route 9A reconstruction project.

LMDC, the Federal Transit Administration and Federal Highway Administration hosted meetings with the New York State Historic Preservation Officer and other consulting parties on January 6, 2004 and February 2, 2004, to review the potential eligibility of the World Trade Center site for listing in The National Register of Historic Places.

Following the meetings and receipt of written comments, LMDC and the Federal agencies issued a coordinated determination of eligibility on

February 6, 2004.

On February 9, 2004 LMDC issued a Proposed Finding of No Adverse Effect for review by the consulting parties and the public.

LMDC will meet next week with the consulting parties to further review that proposed finding.

Both of those documents are available on the website - again, that's www.renewnyc.com - and also outside of this auditorium.

In addition to any comments made at today's hearings, written comments on the proposed Finding of No Adverse Effect will be accepted by LMDC until March 15, 2004 at 5 o'clock, the same date that is the deadline for written comments on the Draft Generic Environmental Impact Statement.

Again, the documents and information regarding how to submit written comments both by mail or through the website may be found on LMDC's website, www.renewnyc.com.

I will now turn you back to our Hearing Officer, Dean Ferrick, who will begin the

public comment portion of today's meeting.

HEARING OFFICER FERRICK: Thank you very much.

I have now received almost fifty cards filled out by those wishing to comment during this hearing.

Anyone wishing to speak who has not already submitted a card may do so by registering at the tables outside during the course of this hearing.

Copies of the Draft Generic Environmental Impact Statement and the Amended General Project Plan are also available outside and on LMDC's website, www.renewnyc.com.

Due to the large number of speakers anticipated this afternoon, and this will also be the procedure tonight, each speaker will be allowed three minutes.

Any written comments, including the text of any comments made during this hearing, will be accepted by the stenographer at the front of this auditorium. He's right here to my left.

Additionally, as I stated earlier, written comments on the Draft Generic Environmental

Impact Statement will be accepted until 5 p.m. on Monday, March 15, 2004. Written comments on the Amended General Project Plan will be accepted until 5 p.m. on Friday, March 19, 2004.

There are microphones on both sides of the auditorium. Please approach as I call your name. What I will try to do as best as I can is to announce the order of speakers in groups of five.

And I ask your understanding when the three minutes are up, when I sort of have to close out your time and to go the next speaker in order to accommodate everyone who wants to speak today. And written comments, once again, can be left with the stenographer. And I certainly ask your understanding when the three minutes are up if I sort of encourage you to conclude.

It's also mentioned that up on the screen there will be an aid so-to-speak for each speaker to indicate that thirty seconds are left. And I will try to help it along too.

The first, in the order in which they will have an opportunity to speak, the first five people to register are:

Patty Noonan;
Thomas Messina;
Joseph Llanos;
Louis Coletti;
Robert Jarvik, M.D.

And why don't we then begin with
Patty Noonan.

MS. PATTY NOONAN: Good afternoon.

I'm pleased to testify here today
on behalf of the Partnership for New York City. Our
President and CEO, Kathryn Wylde, was unable to
attend so I'm representing her here today.

The Partnership is an organization
comprised of the chief executives of the City's
largest employers. It is committed to working in
partnership with government, labor and the non-profit
sector to enhance the economy and maintain New York
City's position as the global center of commerce,
culture and innovation.

Eight weeks after the terrorist
attack, the Partnership issued its economic impact
analysis of 9/11. One of the study's central findings
was that the fortune of Downtown Manhattan would be

determined by the clarity and the pace of the rebuilding effort.

Urban recovery efforts after several major earthquakes provided us with an invaluable lesson. Those cities that quickly agreed on a recovery plan, even though it may have taken years to implement, maintained their economic strength.

A plan helps to create new business and stimulate investor confidence.

Today's hearing, roughly two-and-a-half years after that terrible day, is proof that New York City is on the right track. We have a plan and we are now in the process of implementing it.

The business community commends the Lower Manhattan Development Corporation and its partners in the EIS. They have set forth a balanced approach to expedite construction while minimizing the impacts on businesses, residents and workers in Lower Manhattan.

A host of Lower Manhattan businesses will soon be faced with renewing their leases. They will be making location decisions within

the decade. In order to remain in Lower Manhattan, they must be confident about its future.

If they decide not to stay in Lower Manhattan, there is no guarantee that they will stay in the City at all. Once they begin evaluating alternative locations, it is possible that they will choose to locate elsewhere, someplace where rents are lower and labor costs are less.

Neither Lower Manhattan nor the City at large can afford to let these firms relocate.

The business community believes that it is important to expedite the rebuilding of the commercial sites in order to maintain the commercial character of Lower Manhattan and support this important business district which is the third largest CBD in the country.

The same sense of urgency and focus that drove the cleanup of the World Trade Center site, which took nine months rather than one year, and cost \$750 million, not the projected \$2.5 billion, must continue to drive the rebuilding process.

Obviously, we cannot afford the

kind of three-decade timetable that eventually produced new Times Square and the buildout of Battery Park City and the World Financial Center. A twenty or thirty-year process is not acceptable for the businesses, workers or residents of Lower Manhattan, nor is it acceptable for the millions of people worldwide who want a place to come to pay their respects.

Therefore, we must make every effort to keep to Governor Pataki's aggressive timetable for redevelopment.

Efforts to date to improve the quality of life for workers and residents have helped to make a difference and some of the proposals in the DGEIS will help minimize disruption during the critical construction period.

The business community applauds LMDC and its efforts to move forward in rebuilding because it recognizes the significance of this project to the economic health of Lower Manhattan, the City and the nation.

The Partnership for New York City supports LMDC's findings in the DGEIS.

Thank you.

HEARING OFFICER FERRICK: Thank
you very much.

Thomas Messina.

MR. THOMAS MESSINA: Good
afternoon.

I'm a Local 3 electrician. I am now
in my 35th year and proud to be a member of this
great union, one of many from the building trades
that built this great City.

The loss of life from 9/11 was such
a difficult tragedy that many of us in this room, I
for one, find it incomprehensible at times to cope
with, not just for the organized labor that was lost,
but for all who have perished in that horrific act of
cowardice.

The innocent people who went to
work or whatever they had to do that day were there
and paid the ultimate price for our freedom. But this
City needs to cope and survive, which we have
demonstrated from the minutes after the attack at the
World Trade Center site.

It has to be rebuilt immediately,

which is why I'm speaking today. If not for anything else, the jobs that it would create immediately for the middle-class construction worker is a major step; to create 85,000 jobs over the next ten years, over 75,000 jobs when the project is operational.

The number of taxes to the City's coffers is mindboggling. The construction phase would generate approximately \$150 million a year and another \$450 million when completed. And that is just to the City.

The State has even a larger stake, \$250 million construction taxes, \$460 million when it's completed.

We are here in one of the worst construction periods that the City has ever endured. The project should and must be started to ease the economic crunch on not just the organized labor pool but to make New York City a viable place for the tourism and for us, the regular citizens of this great place, the greatest on the face of the earth, on the map, the financial world and so on.

The redevelopment of this magnitude is essential to the benefit to New York City,

especially its financial status. Think of the fantastic burden of relief to the merchants of the area. Just the construction workers alone would create large amounts of cash from what they would buy and spend, never mind the food retailers.

This project must move forward not backwards. Look at what happened to the City dwellers like myself. The eighteen-and-a-half property taxes is such a hardship to deal with. The sales tax went from eight-and-a-quarter to 8.62. The bridges, mass transit, waterfronts and so on. When will it stop? When we all desert the City because we can't afford to live here and are sent packing to the suburbs?

I was born, raised and still reside in the Bronx with my wife and four children and grandchild. We must take a stand and unite this town.

I know there are a lot of people, organizations and committees, that are against this in going forward, and they have their valid points. But the benefits greatly outweigh the disadvantages.

But the big picture here has to be viewed and the viability of New York City is at stake here. A lot of what has been put to this undertaking

and the overall impact to the community has been viewed and studied.

Any other traffic will come from sightseers, the memorial and the developments in the area, other developments in the area.

Once again I state that the construction jobs alone that would generate an incredible amounts of tax dollars for the City is beyond comprehension.

We must band together and work together and build together. This City's survival has plenty to reap off the benefits of this great plan and prove to the world to be one that has proved without a shadow of a doubt to be strong enough to withstand anything.

Let's not make anything or --

HEARING OFFICER FERRICK: Thank you very much. I have to -- --

MR. THOMAS MESSINA: In closing, I would like to say God Bless New York City and God bless America.

And I implore you that we do not procrastinate on this redevelopment.

HEARING OFFICER FERRICK: Thank
you very much.

Joseph Llanos.

We would be happy to receive your
statement and that goes for any witness who
testifies.

MR. JOSEPH LLANOS: Good
afternoon.

HEARING OFFICER FERRICK: Good
afternoon.

MR. JOSEPH LLANOS: My name is
Joseph Llanos. I'm a member of Local 3, IBEW,
electrical workers.

A VOICE: Want to speak a little
closer to the mike.

MR. JOSEPH LLANOS: My name is
Joseph Llanos. I'm a member of IBEW, Local 3, New
York City.

On September 11th organized labor
also suffered the loss of many of its members. The
tragedy has been difficult to deal with and the time
has come to cut through the red tape and start
rebuilding the site.

The construction industry is an important part of New York's middle class workforce and it needs to get back to work. New York City will be revitalized by ending the delays and starting this project now. It will boost our economy and create much needed jobs.

8,500 new jobs for each year of construction over the next ten years is projected and 75,000 new jobs in and around the World Trade site once the project is completed.

The construction phase will generate over \$150 million in tax revenues annually and \$425 million annually when it's completed.

This project will model civic participation and collaboration and also show would be terrorists that New York City and our country will not be shut down.

The environmental impact is also of great -- of the utmost importance equal to the importance of rebuilding the World Trade Center site. We are and will continue to make every effort to ensure the safety and health of our children attending school and the men and women living and

working in and around the construction site.

A perfect example is the efforts taken in rebuilding 7 World Trade Center. As I'm speaking to you now, new, aggressive and innovative programs have been put in place to minimize the negative environmental impact at this construction site. The use of cleaner fuels and equipment outfitted with state-of-the-art air pollution controls have proven so successful that the City Council and the Mayor are mandating these innovative programs to be used on all City construction projects in the future.

For example, recycling rainwater for irrigating landscaping and flushing toilets, using steam to generate electricity as well as installing wind turbines to generate even more electric power are just a few of the environmentally-friendly innovations in the plans.

I am confident in saying that we are all committed to a healthy and safe reconstruction of the World Trade Center site ensuring that the negative impact be as minimal as possible.

With all of us pulling together, as we did on that tragic day, the result will be something that New Yorkers and our entire country will be proud of for years to come.

Thank you for the opportunity to address you.

HEARING OFFICER FERRICK: Thank you very much.

And I would say to you and the previous speakers, if you have a written statement, we would ask, if you wish, to leave it with the stenographer.

And anyone who hasn't registered who wishes to offer some comments this afternoon, may I suggest that there are cards outside, if you fill out the cards, they'll get up to me and I'll make sure that you have an opportunity to put your views on the record.

The next five speakers are:

Louis Coletti;

Robert Jarvik;

Joseph Rayder;

Kevin Flynn;

Diane Dreyfus.

Louis Coletti.

MR. LOUIS COLETTI: Thank you.

I'm here this afternoon representing the Building Trades Employers Association, an organization that represents 1500 contractors and employs over 125,000 people, including 100,000 members of the Building Construction Trades Council who cleaned up the site of the World Trade Center.

We come here today in strong support of the scope of the redevelopment initiative that is before us and urge you to expedite the process and begin the building process right now.

There are many reasons for it.

The first basic one is economics. The benefits are unparalleled: 8500 jobs for each year of construction, 75,000 jobs once the development or plan is fully built out and operating, in the construction phase alone over \$400 million in tax revenues to the City and State, over \$885 million a year when it's complete and operating.

But another reason to move forward

with the entire development process, not only the memorial, which obviously is the first priority, but the commercial end of it, we quickly need to restore the commercial office space that we lost in the tragedy of 9/11. Remember all the predictions of about how companies would desert downtown for New Jersey and Connecticut? Well, guess what? They didn't.

But that threat is still there because New York City does not have an adequate supply of Class A office space that those firms need to locate in the City. And if we fail to provide it and we fail to provide it in a timely way, we are going to lose it and those economic benefits will be lost to New York City forever.

Building these projects quickly will also present us tremendous opportunities for New Yorkers to rebuild New York. The construction industry workforce today is forty percent minority. The new workforce entering our apprenticeship system through our Construction Skills 2000 Program, which is done in partnership with the New York City Department of Education, is eighty-five percent

African-American, Latino and women, forty-three percent coming from Brooklyn, twenty-four percent from the Bronx, eighteen percent from Queens.

In addition, our contractors have subcontracted over \$2 billion worth of construction work to minority and women-owned businesses.

These projects will provide an incredible amount of job creation, business expansion, an increase in tax revenues that will benefit not just Manhattan but every single borough in our great City.

And, finally, this redevelopment plan will incorporate some of the most innovative environmental issues in terms of building construction that the world has seen.

In closing, let me say that there is every reason to move forward ahead with this project. The LMDC should be commended for just conducting a remarkable public process in getting us to this point.

The environmental impact statements by their very nature seek to define the worst case scenarios. Let's not let that dominate the debate

because the worst case scenario for New York City will be to delay, defer or deter the redevelopment project.

Thank you.

HEARING OFFICER FERRICK: Thank you very much.

And we would be happy to receive your written statement as well.

Robert Jarvik.

DR. ROBERT JARVIK: Good afternoon.

My name is Dr. Robert Jarvik, and I submitted an entry to the Memorial Competition.

I make these comments intended in a positive, constructive spirit for the memorial process, although I recognize that my criticism is fairly severe.

Many of you know me as an artificial heart inventor. In my work I've become an expert on miniature axial flow pumps, the same type of pumps needed for the proposed memorial waterfalls, only much larger.

Huge axial flow pumps used for

flood control can do the job, but who appreciates how immense these waterfalls would be?

Added together, the eight waterfall walls of both footprints are over 1600 feet long and far exceed the length of Niagara's American Falls which is about 1000 feet long.

With the memorial falls a curtain of water only one-half inch thick would require a flow of 15,000 gallons per second, equal to twenty percent of American Falls. Like Niagara, the waterfalls would throw up a cloud of mist that would spread with the wind. Chemicals added to the pools to prevent growth of slime would shower visitors even beyond the site.

5,000,000 tons of water a day would roar over the memorial falls, almost two billion tons a year.

The energy required to pump this much water would exceed 10 megawatts, twice the energy the Empire State Building consumes and would cost over \$6 million per year.

This design should never be built.

How many of you realize that LMDC

did not have the legal authority to build any memorial at the World Trade Center site when it conducted the competition? LMDC is a political subdivision of the State of New York. The World Trade Center is owned by the Port Authority and is not subject to the jurisdiction of the City or State of New York.

Absent a legitimate contract with the Port Authority, the LMDC has no control over the World Trade Center site.

The Amended General Project Plan evidences the lack of a contract with the Port Authority granting the LMDC the right to conduct the memorial program as of September 16, 2003. Paragraph 1 of the Amended Project Plan states: the LMDC and Port Authority will plan these programs together pursuant to a Memorandum of Understanding to be entered into between them. Note the future tense "to be entered." There was no contract.

The LMDC has no legal right to design and construct a memorial at the World Trade Center site and misled the public to believe that it did.

The LMDC promoted the Memorial Competition process to the world as a model of our democracy and as a transparent public process. But this wasn't a democratic process at all and --

(Applause.)

DR. ROBERT JARVIK: -- in fact, the LMDC was attempting to usurp the process of representative government through which the Port Authority exercised legal control of the World Center site.

The LMDC was deceptive and betrayed the public trust. The representatives of so many --

HEARING OFFICER FERRICK: I have to say thank you.

(Audience participation.)

DR. ROBERT JARVIK: -- rightful interest groups, firemen and police, families and private citizens alike should refuse to deal with LMDC and should take their concerns directly to the Port Authority and to the United States Congress.

To restore the integrity of the memorial process the LMDC must be excluded from further participation.

HEARING OFFICER FERRICK: Thank you very much.

And as I've said to prior speakers, we would be happy to receive a written statement as well.

Just one announcement. Apparently there's a lost watch that can be reclaimed by going to the registration desk. So I just would call that to your attention.

The next speaker is Joseph Rayder.

MR. JOSEPH RAYDER: Good afternoon.

HEARING OFFICER FERRICK: Good afternoon.

MR. JOSEPH RAYDER: Thank you.

Like my fellow brothers, I am a member of Local 3, International Brotherhood of Electrical Workers.

I am here on behalf of the work that is going to be developed down at the Trade Center site.

I, like a lot of my fellow brothers, was there on the day that it happened. We helped in the cleanup. It's something that doesn't

come easy for me talking about.

One of the things I'm really interested in is the jobs creation that it's going to create down there. Since 9/11, I spent approximately three months out of the year unemployed because of the downturn in the construction industry.

That's really all I have to say. I wish everyone here well and I hope this project goes through as fast as possible.

Thank you.

HEARING OFFICER FERRICK: Thank you very much.

The next speaker is Kevin Flynn.

MR. KEVIN FLYNN: Good afternoon.

HEARING OFFICER FERRICK: Good afternoon.

MR. KEVIN FLYNN: My name is Kevin Flynn and I'm also an electrician. And I'm happy to be here and I would like to read just briefly some prepared thoughts in a statement.

Acknowledged as a chief reason for the economic boom realized in the Port City of Seattle, Washington is the current revitalization of

its transportation infrastructure and all that goes along with those improvements.

Recently vast improvements in infrastructure have been made in Boston, Massachusetts. Currently vast improvements are being conceptualized and actuated in Baltimore, Maryland and Norfolk, Virginia.

In the opinion of most experts vast improvements in our infrastructure are necessary and critical for our future if we are to remain relevant in the 21st century.

We are clearly at the crossroads of our future.

Early in the 19th century, we were in a similar position. The building of the Erie Canal made New York the world city of the future that we know today. This was due in large part to dynamic, dramatic leaps of faith, that Yankee spirit of know-how, started with engineering and then moved to construction.

Between these two great achievements were skyscrapers and subways which made New York the place to be.

In very many regards there is no close second to New York City in greatness. At the center of our greatness is our dynamism and our ability to dramatically move forward. Eight million people realize this, thirty million tourists a year realize this, Ken Burns, noted filmmaker realizes this. PBS continually speaks to our civic pride, our practical application of what is available to us.

I urge all to stay true to the mission, to stay the course, to build upon what we have been given, and to remake our town in the model of progress which is our legacy.

Thank you.

HEARING OFFICER FERRICK: Thank you.

And once again we are happy to receive written statements.

And anyone who is not registered to speak that would like to speak, let me suggest that there is a card outside to be filled out and that will get up here and I will make sure that you have an opportunity.

The next five speakers are:

Diane Dreyfus;
Mark Hansen;
Caroline Martin;
Marie Christopher; and
Dan Slippen.

Diane Dreyfus.

MS. DIANE DREYFUS: Right here.

I have a graphic. I don't know how
I'm going to present it.

A VOICE: Hold it up.

MS. DIANE DREYFUS: Hold it up.

Yes, but how are you going to see it? Okay.

My name is Diane Dreyfus and I'm an
urban planner.

And what I did was I looked at the
amenities that were going to be available in the open
space at the new World Trade Center. And what I found
is that you are going to be less than sixty percent
of the open space you had prior to the World Trade
disaster.

You had 8.13 feet -- acres of open
space and right now you are going to get 4.85; or if
you follow the LMDC's erroneous figure, you'll be

getting 5.5. And I'll go into how these figures are arrived at.

What I'm going to tell you is that the LMDC has chosen to settle for the SEQRA standard, which is not really conducive to Class A office space, and, in fact, because they are going to be giving the workers and visitors fifty percent of that SEQRA, each person will be allotted three square feet to walk through the space.

You cannot reduce that any further. This is an amenity that people base their bond ratings on.

The parkland that these people are calling open space are literally road shoulders and median strips. And the things that are called parks in the World Trade Center Plan, located here in the grey, are merely sidewalks with fancy names.

I tell you, as Robert Moses says, once they get their shovels in the ground, no court can stop them.

People, you need to know your urban space has been vastly, vastly impacted by this.

(Applause.)

HEARING OFFICER FERRICK: Thank
you.

A question to the speaker. Can we
make arrangements to get a copy of that document?

MS. DIANE DREYFUS: You have one.

HEARING OFFICER FERRICK: Thank
you.

Mark Hansen.

(No response.)

HEARING OFFICER FERRICK: The next
speaker after Mark Hansen, who doesn't appear to be
here, is Caroline Martin.

MS. CAROLINE MARTIN: This Draft
EIS appears to be rushed, inaccurate and predictive
of an outcome that, according to NEPA, should not
have been decided at this stage.

Although the Draft EIS was not
approved by the Board of LMDC until January the 20th
and made available to the public until January 22nd,
HUD put a notice signed January 16th in The Federal
Register. This is a contravention of the NEPA rules
and it seems rushed.

In the Catskills an EIS is being

prepared and due to public pressure the time for comment is being extended an additional two months. I formally request that the public comment period for this Draft EIS be extended from the minimum of forty-five days by an additional two months, e.g., until May the 15th.

(Applause.)

MS. CAROLINE MARTIN: The Draft EIS says 13,000 public comments were received through Plans in Progress. There were also seven community workshops. The Final EIS must include proof of affirmative solicitation of these people who comment on the Draft EIS as required by NEPA.

Although the proposed action includes cultural and retail buildings and claims to be planning a 24-7 community, I can find no reference to traffic or pedestrians that relates to activities in these buildings.

The Final EIS must recalculate all the numbers for the traffic and pedestrians to reflect this group.

The Final EIS should also include Fitterman Hall and Deutsche Bank demolitions. It

should include a thorough study of conditions without the four additional towers. And Mr. Silverstein's insurance payment is \$3.55 billion (sic) instead of seven.

The Final EIS should study the effect of loss of rental tenants when the LMDC grants run out on May 5 and the tenants will see the effect of construction on their quality of life.

The Port Authority of New York and New Jersey must commit in the Final EIS to follow best practices during design and construction. They should also agree to following the recommendations of the New York City Department of Buildings' World Trade Center Building Code now before the City Council.

The Port Authority seems to be planning new towers with no roof egress. They and anyone else in charge of building on the site should include fire engineers, fire marshals and National Institute of Technology representatives in their design team.

The Final EIS should include a Memorandum of Understanding specifically agreeing to

make the site subject to New York City Building Codes.

The Final EIS should include a detailed plan for air and sound monitoring around the periphery of the site during construction with all their readings posted on a publicly accessible and publicly announced website.

In Europe it is being discovered that people living closer than --

HEARING OFFICER FERRICK: I have to say thank you. But we would be happy to receive your written statement.

MS. CAROLINE MARTIN: Can I just make a final thing?

I just want to say if you've made comments on the Draft EIS, you are entitled to a copy of the Final EIS under NEPA rules, no mention of it only being available electronically or having to pay for the privilege.

I would like to go on record as stating I want a free hard copy on the day the Final EIS is made available to the public, and I want to be affirmatively informed when that date is and where I

can pick up my copy.

HEARING OFFICER FERRICK: Thank
you.

Let me just say, since we could run into a problem as the afternoon goes on not being able to provide everyone an opportunity, if at the very end of the hearing this afternoon there's some time left and there's somebody that obviously wanted to say something but didn't have the time to finish, I'd be happy to fit such a person in.

And even tonight at the end of anybody who hasn't spoken today, when all the speakers are concluded, if we have any time before ten o'clock, somebody that felt that they didn't have enough time this afternoon, I'll try to work out some process to accommodate you. But I have to be the enforcer so-to-speak of the three-minute rule.

The next speaker is Marie
Christopher;

Dan Slippen.

And then we go to:

Louis Epstein;

Barbara Caporale;

Deborah Lester.

And if I've mispronounced any names, I apologize in advance.

Marie.

MS. MARIE CHRISTOPHER: Marie Christopher, on behalf of the Good Old Lower East Side.

Good afternoon.

My name is Marie Christopher. I live on the Lower East Side and I witnessed the tragic events of September 11th and lived through, as many of us did, the difficult days in the frozen zone and the toxic air we breathed.

I call upon the LMDC to take seriously the environmental impact of the decisions they make. GOLES wishes to join the comments of the Regional Planning Association and the Civic Alliance on the Draft Generic Impact Statement.

In the interest of time we will not repeat these points on the need for a review of the impact of other alternatives, particularly in light of the economical realities of fulfilling the stated goal of 10,000,000 square feet of office space and

1,000,000 square feet of retail space.

The Lower Manhattan Development Corporation states that there will be no adverse socioeconomic impact on the community. We feel that the development of 10,000,000 square feet of office space and 1,000,000 square feet of retail space will have many rippling impacts on the area, on the community of the Lower East Side/Chinatown.

Gentrification of Lower Manhattan impacts the very ability of people to remain in the communities they live in. There has already been a rippling effect from the residential attraction grants that the LMDC gave out.

Much of the Lower Manhattan office space has already been converted to residential space. The LMDC has not taken these conversions into account and their impact on the cost of rent.

Low-income people have essentially no housing options in Lower Manhattan. Meanwhile, the need in the communities of Chinatown and the Lower East Side is dramatic.

According to the 2000 census figures almost twenty-five percent of the residents

of Community Board #3, comprising much of Chinatown and the Lower East Side, receive public assistance, SSI and Medicaid, almost forty percent of people in that community alone.

The median income rose in nearly every part of Manhattan according to the 2000 census except in Chinatown where the median income of Asians dropped to \$18,629.

In nineteen of the thirty-one census districts comprising the Community Board, more than twenty-five percent of the residents fall below the poverty line as do thirty percent of the people over 65 years of age.

Citywide, the number of homeless people increased in record numbers during 2003 and the number of non-payment filings in Housing Court rose sharply.

In order to afford a two-bedroom apartment at the City fair market rate, a worker must earn \$19.83 per hour or work 154 hours a week at minimum wage.

The truly --

HEARING OFFICER FERRICK: Thank

you very much.

We would be happy to receive a written statement.

Let me just mention again that the next five people, I missed somebody who should have been called previously:

Dan Slippen;

Louis Epstein;

Jenna Orkin;

Barbara Caporale; and

Deborah Lester.

So our next speaker is Dan Slippen.

MR. DAN SLIPPEN: Hello and good afternoon.

My name is Dan Slippen. I'm the Director of Government and Community Affairs and the Center for Downtown New York at Pace University.

Many months ago, CEOs from many of New York's top financial industry firms wrote to Governor Pataki strongly encouraging him to move swiftly in redeveloping downtown. They indicated that a failure to do so could result in their difficult but necessary decision to move their offices out of

Lower Manhattan.

The Governor heard that plea and similar concerns expressed by others with an interest in the revitalization of this community.

Thankfully we have seen an expedited planning and development schedule downtown. This is evidenced in the return to near normalcy along Wall Street, the process to finalize construction plans for the World Trade Center site, the selection of a memorial design, the opening of new parks and green space and the reopening of the PATH terminal.

But today I am here to address specifically my university's interest in swift progress on our redevelopment efforts and why I believe the university's interests mirror those of many in the downtown community.

Pace is the largest private educational institution downtown. It is a community of some 10,000 people living, working, learning, spending and adding quality of life value to downtown.

You know that the university has

made a major commitment to downtown by taking part in the Job Creation and Retention Program, creating our Center for Downtown New York and harnessing many of Pace's considerable resources to enhance this community.

We have been a force here for nearly one hundred years. We are here to stay. The issue for Pace and much of downtown is whether we will be able to grow and thrive in a vibrant, renewed environment or suffer the dire consequences of delay and indecision.

Our agenda here at Pace is to grow into a worldclass institution of higher ed, one that Lower Manhattan, all of New York and, indeed, the entire region can take pride in and continue to benefit from.

A vibrant and vigorous Pace University translates to a sophisticated and job-ready workforce for downtown and beyond, a community of individuals who volunteer their talents and time to social, cultural and educational enterprises here, an institution and its thousands of individuals spending their resources here and the added value a

strong, international university brings to a place like Lower Manhattan.

We have our plans to grow the university. The success of those plans, however, is in part dependent on the ability of Lower Manhattan to rebound quickly from the devastating events of 9/11.

We need the City and State to make a strong commitment to expedite the largest and most ambitious reconstruction project New York has ever seen.

It is incumbent on all parties' interest, public officials, the business community, residents and environmentalists alike, to resolve outstanding issues promptly and intelligently. Together we possess the social, political and environmental talent to do so.

Yes, it is important that we bring normalcy and, to the greatest extent possible, closure to our community here in Lower Manhattan.

But allow me to also direct your attention to political realities of the next two years. 2005 and 2006 will host mayoral and

gubernatorial contests respectively.

HEARING OFFICER FERRICK: Thank
you.

MR. DAN SLIPPEN: I see my time is
up.

HEARING OFFICER FERRICK: But we
will be happy to receive the statement so everything
is in the record.

Thank you very much and I
appreciate your working with me.

Louis Epstein.

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

With every step that it has taken,
the official planning process to rebuild the World
Trade Center has demonstrated its incompetence and
the urgent need to discard the inadequate designs it
has insisted upon.

The Daniel Libeskind site plan that
we are being asked to move forward with finished last
in the official public poll. What finished --

(Applause.)

MR. LOUIS EPSTEIN: What finished first was to build neither of the two recognized to be inadequate finalists that were offered and that is what we would proceed with. We must build instead the restorational alternative. We must build back what was taken from us on the scale that was taken from us, reincarnated through technologies of our new century.

As my sticker says, yes, I would work on the 110th floor. We cannot allow fear to be a design constraint, nor should those who are opponents of the basic urban design principles that gave us the World Trade Center see this as something to drool over, capitalizing on the murder of thousands to implement their tastes.

They should have the decency to realize that whatever they prefer, this is not the time, this is not the place to destroy the distinctive character of this site and neighborhood as it was before the attacks, but rather to commit to bringing it back.

The construction trades should certainly get their jobs and move forward with

building, but they need to build new towers that are at least as tall as the old ones by every measurement.

The proposed Freedom Tower has a roof hundreds of feet lower and dozens fewer office floors. We are being asked to use the murders of thousands as our urban planners.

We cannot proceed on this course of action. We must reject it.

We must proceed as fast as we can with building new Twin Towers.

The Environmental Impact Statement in Chapter 23 under subhead after subhead admits that there are no disadvantages to doing this instead of the Libeskind eyesore, but it whitewashes all the reasons why going ahead with Libeskind is worse than going back to the Twin Towers.

All of these admissions that there is no reason not to go to the Twin Towers in a new form are distilled into three badly supported paragraphs of dismissal in the seventy-two page Executive Summary.

But we must proceed with the best

Twin Towers, at least as tall as the old, that our ingenuity can build. Nothing else properly honors those who died, least of all enshrining the emptiness that their killers wanted to create.

HEARING OFFICER FERRICK: Thank you.

Jenna Orkin.

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

This is a rush job. Although this rebuilding at Ground Zero is one of the largest construction projects in the world, the usual three-year EIS period has been condensed to one for reasons that have nothing to do with protection of the environment or people's health.

In this respect, as in others, the rebuilding process shows signs of repeating the recklessly dangerous behavior of the cleanup operation following 9/11.

The EIS is flawed because it does not discuss how all the 9/11 CDBG money, which has been or will be approved by HUD, will be disbursed.

This omission is in violation of NEPA and SEQRA.

It does not discuss the so-called Hudson River Park Trust which both the Friends of the Earth and Sierra Club have said will be damaging to the environment and fisheries.

It does not discuss better uses for the money which will be cleanup of the contaminants that remain in people's houses and offices and public buildings, money that can be used for health care for the people whose health has suffered as a result of 9/11, for the transit system and for affordable housing.

The EIS consists in large part of sanguine projections into the future and reassurances that where there are problems they will be handled appropriately.

However, they will be handled appropriately only when practical. Who determines that? Who defines it and by what criteria?

During the cleanup it was often seen as impractical to wet down the dust during the winter for fear the water would freeze. Is that going to happen again?

Will other actions protective of human health be considered impractical because they require too much time or money?

We would like to request incidentally that if chemical foams are used on the dust, that material safety data sheets for each foam be available to the public and press no later than six weeks before application begins.

Will it be considered impractical to enforce rules against truck and bus idling and how will those rules be enforced? Simply with fines? Bus and truck companies have been known to consider fines a necessary business expense and to incorporate the cost into their contracts.

If LMDC's predictions about the future are anything like their comments about the past, we're in trouble. About the cleanup they relied on EPA data although EPA was found by its own inspector general to have misled the public about the air quality after 9/11.

For instance, they rely on EPA's discussion of their cleanup program. Well, that cleanup program was on a voluntary basis and cleaned

up less than twenty percent of available and eligible residences.

Dioxin, the LMDC document says, is not expected to cause serious, long-term health problems. Not expected by whom? There are plenty of excellent scientists who do expect it.

And they rely on comments by the EPA about PM2.5 which they said was not high outside Ground Zero. That is false. It was higher at Stuyvesant High School than at Ground Zero.

Finally, we would like to endorse the Skyscraper Safety Campaign's recommendations that the Port Authority be subject to New York City and all other relevant regulations.

HEARING OFFICER FERRICK: Thank you.

And we would be happy to receive your written statement.

Barbara Caporale.

MS. BARBARA CAPORALE: Hi! My name is Barbara Caporale. I'm speaking on behalf of Rebuild With a Spotlight on the Poor Coalition, which is a group of over twenty-five community-based

organizations, legal advocacy groups, housing organizations and residents that came together after September 11th to assure that there was social, economic and environmental justice in the monies and the programs that were set up to help New York City recover after September 11th.

It's very exciting to think about what we would be doing with this site, with the former World Trade Center site, but we must truly consider what are we trading.

I agree that it's very difficult to wrap our minds around such a lengthy legal document as this and that we need more time.

It would also be nice if some group like the New York Environmental Law and Justice Project received some money from the Lower Manhattan Development Corporation to look at this document on behalf of residents because, as we know, one of the victims of September 11th was the death of trust in those who were entrusted with the public well-being.

We know the EPA lied to us. We know that the Department of Health, we know that the White House covered up a bunch of things. And all this took

years to come out and we know that the cleanup has been done with our lungs.

I who live way above the zone where the air was said not to move know that the children in the day cares there were showing symptoms over a year later and they still do when the air conditioners are turned on every year.

The biggest problem is that the best way to memorialize this event is by leaving a living legacy and how do we rebuild.

We need to send a message to the world. We know what predicated this attack on our City. We need to lessen our footprint on this planet by looking at how we generate power and how we remove the waste.

How we generate power, okay. Here's a problem. The participatory process when 5000 people told the LMDC at Listening to the City that we rejected the plans and wanted an open competition, we had an open competition

Daniel Libeskind was selected, and the problem being that when private interests become involved in making public urban development

decisions, who suffers? It is our future that is at stake.

I think that the fact that we put air turbines on top of a Freedom Tower that was designed by Libeskind who was selected by us, that Larry Silverstein could pick another architect, slam wind turbines on top of the tower -- there's other places to put that, there's other ways to generate alternative energy. We should look at new economic engines to lead this City. And we don't need 10,000,000 square feet of office space.

We need housing for the people in this City. And we need to get Larry Silverstein out of the World Trade Center site. Take all of your insurance money, we'll use whatever the insurance company gives him, the money, and put it into control of the people of New York City, our local elected officials so that we can plan a future for the people of New York City.

HEARING OFFICER FERRICK: Thank you.

We would be happy to receive a written statement.

Let me just identify the next five speakers:

Deborah Lester;

Sadie Dyer;

E. J. McAdams;

Larry Lazar; and

John Richardson.

Deborah Lester.

If there is anyone here who would like to speak, all you have to do is fill out a card at the registration table and it will come up to me and I'll make sure that you will have an opportunity to put your views on the record.

Thank you.

Yes, Deborah.

MS. DEBORAH LESTER: Good afternoon.

My name is Deborah Lester and I am here representing New York State Assembly Speaker Sheldon Silver, whose Assembly District includes Ground Zero as well as several of the neighborhoods that will be affected by the redevelopment: Battery Park City, the Financial District, Chinatown and the

Lower East Side.

Speaker Silver thanks the LMDC for the opportunity to speak today on the Draft Generic Environmental Impact Statement for the World Trade Center Redevelopment Plan. He'll be submitting more comprehensive written comments.

In the past the Speaker has asked the LMDC to consider several issues in the Environmental Impact Statement and is pleased that the DGEIS now includes the effects that potentially strong winds might have on pedestrians once the rebuilding is complete, cultural institutions, performance arts building and at-ground retail shops.

Speaker Silver is disappointed, however, that the DGEIS does not analyze the effects of the expected population increase in Lower Manhattan. It is important that the LMDC consider the expected increase of approximately 25,000 people by 2005 in Community Board #1 alone.

The Speaker is very concerned that this added population will place additional strain on public resources such as schools, parks and other open spaces, youth programs, neighborhood centers,

parking and pedestrian walkways which are already at a premium in Lower Manhattan.

Speaker Silver also stresses the importance of including the effects of the Second Avenue Subway line in a secondary study area and urges the LMDC to include this project in the DGEIS.

While the LMDC includes the effect of other projects it is not responsible for constructing, such as the new PATH station, the Fulton Street Subway, and the Route 9A Project, it did not, however, include the analysis of the Second Avenue Subway Project.

The Second Avenue Subway line is currently in the MTA Capital Plan and construction is expected to commence in the near future. The new subway will alleviate congestion on the East Side of Manhattan and improve the much-needed transportation service to underserved areas such as Chinatown and the Lower East Side.

The Second Avenue Subway will provide connections to Lower Manhattan and it may one day be expanded to Brooklyn, which would significantly improve the transportation to Lower

Manhattan.

The Second Avenue Subway Project will undoubtedly affect residents and businesses in Lower Manhattan which is why Speaker Silver finds it imperative that this project be considered for the Final EIS.

While Assembly Speaker Sheldon Silver is pleased with the LMDC for including several of his earlier suggestions, he strongly recommends that the LMDC take the population increase and the Second Avenue Subway Project into consideration for the Final Draft of the EIS.

Speaker Silver also urges the LMDC to include suggestions made by Community Board #1 in their resolution for the World Trade Center Redevelopment Plan.

Thank you.

HEARING OFFICER FERRICK: Thank you very much.

Sadie Dyer.

Once again, if there are statements from witnesses, we would hope that they would leave them with the stenographer so that we can be sure we

had every word exactly the way you wanted it.

Sadie Dyer.

MS. SADIE DYER: Hi! I'm Sadie.

I'm here for Assemblymember Deborah Glick who represents a lot of the district that Silver doesn't.

She wishes she could be here. She couldn't, but she asked me to read this testimony. And I have many copies if anybody would like it afterwards.

Since the tragic events of September 11th, the residents in this community have triumphed over numerous challenges. They've endured hardships and yet they have stayed because they are truly committed to rebuilding Lower Manhattan.

While I understand the stake that all Americans have in this project, we must not forget that, in addition to being the site of an enormous tragedy, this is a residential neighborhood. We can't lose sight of the needs and concerns of the residents.

Today I will address some of these issues.

As expected, the GEIS documents the staggering impact on the welfare of the surrounding community that the redevelopment of the World Trade Center will have.

I'm particularly concerned about the effects that will result from the rebuilding of this site combined with the simultaneous reconstruction of the Fulton Street Transit Hub, the South Ferry Terminal, Route 9A, the new PATH station, Houston Street, Chamber Street, Fitterman Hall and Deutsche Bank.

While the GEIS takes some of these projects into account, it fails to include the impact of work on Fitterman Hall, Deutsche Bank, Houston and Chamber Streets, all of which are expected to be in progress during the peak construction year of 2006.

I urge you to include the effects of these projects on the noise, traffic and air quality in Lower Manhattan in the Final EIS.

I've noticed that the GEIS's predicted increase of traffic levels in this community is overly optimistic. The EIS states that after the site is operational, traffic levels will

only be five percent higher than they would have been had the terrorist attacks never happened.

While there will indeed be fewer office workers in the new towers, the memorial, new museums, hotels, retail spaces and increased residential buildings will attract hundreds of thousands of additional visitors and new residents.

Unlike residents and daily commuters who are likely to take public transportation, tourists often drive, take cabs or use tour buses. It is my hope that the final EIS will present a more realistic prediction of traffic changes.

In addition, I ask that you also seriously consider ways to reduce the adverse effect of construction on air quality. Although the three-minute idling law is a positive step to reducing harmful emissions that may affect people's health, deplete the ozone layer and lead to acid rain, this law is effective only if followed. Some drivers may not be aware of the idling law and others may simply ignore it.

There must be people at the

construction site with specific responsibility and authority to ensure that drivers are aware of and abide by the law and that there are consequences for non-compliance.

Finally, I urge you to consider the pleas of the community and appoint a coordinating team to oversee all of the projects that will be in progress during the next five to ten years. In this way the group can ensure that agencies act in concert and, to the extent possible, try to eliminate redundant work.

In addition, it's crucial that the residents be kept abreast of progress that has been made and any changes in construction schedules so that they may anticipate and try to avoid any associated inconveniences.

The phone number of the appropriate contact person should be in the hands of every community member.

Thank you.

HEARING OFFICER FERRICK: Thank you very much.

Once again I'm happy to receive

that written statement.

The next speaker is E. J. McAdams.

MR. E. J. McADAMS: Good

afternoon.

My name is E. J. McAdams and I'm the Executive Director of New York City Audubon.

With over 10,000 members New York City Audubon is the City's bird conservation leader.

We have read the DGEIS and appreciate your attempt to incorporate birds into the final plan of the Freedom Tower. We encourage you to follow through on the suggestions from Chapter 18 for glass and light reduction measures and urge you to go further by making decreased bird mortality one of the Sustainability Design Objectives in Appendix A.

Long before we ever thought about building skyscrapers on Manhattan, thousands of small songbirds were migrating through this region as part of their ancient life cycle. Now many of these migratory birds are in decline, a decline caused in great part by our glass-clad buildings with their alluring lights.

The DGEIS proposes to mitigate this

loss by a reduction in the amount of above-ground vertical exterior surface, sixty-three percent less than the World Trade Center.

However, suggesting that the number of collisions will be reduced by sixty-three percent reflects a grave and fundamental misunderstanding of bird collisions at man-made structures. Surface area above 500 feet is largely irrelevant.

There are other problematic aspects of the DGEIS that New York City Audubon will take up in our written comments. But I want to focus on three promising directions that need to be expanded and mandated.

One, the DGEIS proposes a reduction in reflective glass surfaces. New York City Audubon applauds this action and suggests that you look into a creative glass design that will mitigate bird collisions, for example, this fritted glass that's proposed for the Swarthmore College's new science center.

The second, the DGEIS proposes a reduction of interior lights visible from the outside. This measure, if mandatory for tenants

during the spring and fall migration, has tremendous potential. A study in Chicago found that turning off lights at the McCormick Place led to an eighty-three percent decline in bird collisions.

Three, the DGEIS proposes a reduction in the duration of nighttime decorative lighting. If mandatory for building management during migration, birds would not be attracted to hazardous glass, cables and wind turbines.

In addition to benefitting migrating birds, fritted glass and mandatory policies for reducing interior and exterior lights will lead to marked reductions in energy use, which is a goal of the design.

Safe passage for migrating birds is a sustainability issue for the Freedom Tower. That is why New York City Audubon insists that significant reduction in bird collisions should be part of the Sustainable Design Objectives in Appendix A.

If it is an objective, New York City Audubon can be sure that the proposed action will have a bird-friendly glass design, interior and exterior light reduction and a reassessment of the

decorative lighting of cables and wind turbines.

Naturalist Scott Weidensaul has written that bird migration is the one truly unifying natural phenomenon in the world. Certainly the Freedom Tower is the opportunity to ensure that future generations will see the nightly cascades of migrant birds knitting them together with other cities, states, countries and times.

New York City Audubon would like the LMDC to create this future.

Thank you.

HEARING OFFICER FERRICK: Thank you very much.

Larry Lazar.

MR. LARRY LAZAR: Thank you for the opportunity.

HEARING OFFICER FERRICK: Thank you.

MR. LARRY LAZAR: I've lived in this City my entire life. I'm sixty. I've been in construction for forty years. I'm a member of Local 3 Electricians Union.

In my forty years of construction

I've never seen more energetic or hard work in any site to be built. I would like to thank you for your efforts and your efforts for the environment.

I wish you were around forty years ago when I started and I was breathing in asbestos. But after watching this impact that you have and the thoughts that you put into it, I know the people that will work here will not be impacted.

As far as jobs are concerned, of course I'm very concerned about construction jobs. I'm concerned about everybody's job in this City.

When I listen to affordable housing, I think you people say it backwards. Give a man a job and he can afford housing. And that's what you should look for.

This country, unfortunately, if you let this time pass by, the money allowed for this project will slowly disappear as I've seen many allocations - the Second Avenue Subway and other jobs, power houses and so forth - disappear as time goes on and government changes hands and money becomes less and less, until we forget why we're here.

If you attend the Veterans parades, you'll see less and less attendance. We all forget. 9/11 is very much in our minds today. Ten years from now it probably won't be anything like it is today.

I'm working at 55 Water Street and every day I make it a point to go to the wall and see the names of the people who gave their lives for this country. It's a small wall, but the names are on it.

And I think your idea of putting names on it means an awful lot to me. It means a lot to the people I personally have lost. And I thank you for incorporating that idea in your projects.

What is happening to this country is outsourcing of jobs. You see it all the time on TV. Many of those corporations, the financial corporations who worked at the Trade Center, are now outsourced out of this country. Those jobs will never come back here. I wish they could.

The longer you take to build this project and the longer that money disappears, these outsourcing jobs will go further and further away.

So unless people want to work in India or some far off place, I wish you would get

this project started as soon as possible.

I realize this project is not perfect. I've worked, as I said, for forty years in construction. No project that I've ever seen is perfect. If you renovate your house, by the time you're finished, you don't like the way the doors are up, you don't like the way the lighting is. Minor things can change.

I'm sure this project is not so set that you are not willing to make minor changes as time goes on. But, for God's sake, please start this project.

Thank you.

HEARING OFFICER FERRICK: Thank you.

The next five speakers are:

John Richardson;

Carrie Sullivan;

Holly Haff;

Jonathan Hakala; and

Adrienne Austermann.

Mr. Richardson.

MR. JOHN RICHARDSON: Like Larry,

I'm a construction electrician. I'm only here thirty-five years. I had the good fortune to see the first piece of steel laid for the Trade Center and worked on the 110th floor myself during the course of the building, which I'm very sad to see it's gone. I lost a lot of friends and I'm sure a lot of people lost family there too.

If Robert Moses was here today, he wouldn't wait for the smoke to stop. He would have put the shovel in. He made that comment himself. He had a way of doing things and not asking the people.

But here we have somebody that's incorporating and asking the people what they want and how they want to do it. And I think the project is good and it should go on.

Every life here has been touched in some way by a loss of life on September 11th. We will never again see our friends and family members who were taken from us on that day.

New York City, our home, was violated and we can never bring our loved ones back. What we can do is rebuild.

Work, work for our future, make

something special in this area, a place where many people can come together to heal the wounds that we have suffered.

Our cities, towns and communities suffer when there is no work. By rebuilding the great area in this great City, the healing will continue and we are a family. Putting people to work will generate revenue.

When construction in the City is in full swing, everyone benefits, the tax base goes up, workers spend money, neighborhoods come alive and people are employed after the construction is finished.

I would like to thank this committee, thank the City of New York, and God bless America.

HEARING OFFICER FERRICK: Thank you.

Carrie Sullivan.

MS. CARRIE SULLIVAN: Hi! Good afternoon.

My name is Carrie Sullivan and I am here representing the World Trade Center Survivors

Network. We are a newly-formed organization comprised of survivors of the attacks on the World Trade Center.

We ardently feel that because survivors were not organized soon after the attacks that our voice has not been adequately included in the rebuilding of the World Trade Center site or in the formation of the memorial up to this point.

Since we are now a formal organization, we are hoping that it is not too late for the voice of survivors to be valued and included in the decisions currently being made.

Today I will be speaking about an interpretive center within the memorial, specifically concerning what our organization would like to see happen at the interpretive center relating to survivors.

We would like to see created a separate space in the interpretive center for which access will be exclusively restricted to survivors. Currently when survivors visit the site, we are surrounded by photographing tourists who are often unaware of the feelings and the needs of survivors.

We can only imagine that once the new World Trade Center site, the memorial and the interpretive center are constructed, that even more people will be visiting the area worsening the situation for survivors.

We are asking for your consideration for including a space for survivors of the attacks on the World Trade Center in the new site plan.

We feel this space will allow us to come together as survivors to remember, to repair and respect for all that was lost that day and to move forward in our healing process.

The World Trade Center Survivors Network could be deemed accountable for the survivors area and we would enthusiastically accept that role. Our Network has the potential to ensure that the voice of the 20,000 plus living victims - and I stress that, we are living victims - that our voice will be included in the formation of the new World Trade Center site.

We urge the LMDC, the Port Authority, HUD, the Governor's Office of New York,

the Office of the Mayor of New York City and Mr. Silverstein to reserve and create a separate space for survivors of the attacks within the interpretive center plan.

The World Trade Center Survivors Network will work to assist in the creation of this space in any way possible. Specifically, we ask that representatives of the Survivors Network be appointed to the World Trade Center Site Memorial Foundation.

In summary, there are three issues that we would like you to consider.

First, that survivors are ensured a private space within the interpretive center;

Second, that the Survivors Network is given a lead role in designing the space;

And, lastly, that representatives from our Network be appointed to the Memorial Foundation so that the voice of survivors will finally be heard and will be heard forever.

We will be sending letters to the Memorial Foundation and LMDC finalizing these requests in the near future. And I and the World Trade Center Survivors Network just want to thank you

for all of the work that you have done to this point and for the opportunity to speak today.

HEARING OFFICER FERRICK: Thank you very much.

Holly Haff.

MS. HOLLY HAFF: Good afternoon.

My name is Holly Haff and I am here today as a member of the World Trade Center Survivors Network. The Survivors Network is made up of some of the thousands of workers who courageously evacuated, whose desks were their second homes, some for as many as twenty-five years.

We are workers from adjacent buildings who looked out on the towers everyday. We are nearby residents, like my family two blocks to the north of Building #7.

While attention has been focused over the past two-and-a-half years on replacing the iconic value of the Trade Towers, the infrastructure and memorializing our lost loved ones, there has been a void of attention to those who survived.

The proposed plans do not provide for survivors.

The World Trade Center was a village to us. We lost our friends, work colleagues, and a way of life on 9/11. We shared meals in the Concourse, coffee on the elevators and hellos through the revolving doors. We walked through these buildings as gateways to our offices, to shop, to our subways and ferries, and even on Sundays to church.

We bought our vegetables at the farmer's market, our theatre tickets on the mezzanine at Tkts.

For my son's birthday we walked two blocks to go to the observation desk to celebrate his entry into double digit figures.

We lived our lives in the Towers and around it, and today have difficulty with the tourists and flashing cameras at the site that was so intimately a part of our lives.

The Survivors Network implores the Governor, the Port Authority, LMDC and the Mayor that the plans at Ground Zero provide a special place and space for survivors.

In the structuring of the Memorial Foundation we seek to have members of the Survivors

Network included in the decisionmaking to help formulate the exhibits, the quiet space, the events, to ensure that the survivors' tale is told.

We seek to ensure that survivors and their families can visit the site with appropriate facilities to accommodate our need for contemplation, reverence and reflection.

We want the richness of the culture and the life of the World Trade Center told and respected. It had energy, energy of a talented workforce, excitement of the financial and government worlds, glamour of the Windows on the World and the observation desk, and the beauty and softness of a surrounding residential community.

Let's pay tribute to the World Trade Center by telling the stories not only of who died, but those who live on to retell the life of the Towers. We want to cherish our roots in Lower Manhattan by honoring the life and times, the culture and the people who made the World Trade Center a vibrant part of life.

The Survivors Network stands ready to be accountable in making this happen.

Thank you.

HEARING OFFICER FERRICK: Thank
you very much.

Jonathan Hakala.

MR. JONATHAN HAKALA: I speak for
Team Twin Towers, an organization that strongly
supports the restoration alternative.

In the Environmental Impact
Statement the question was asked: a significant
question raised by this alternative is its potential
financial uncertainty, namely whether tenants could
be found to occupy the top floors of the redeveloped
towers in light of the events of September 11th.

The reality is the LMDC never
tried. They never reached out to Team Twin Towers,
they never reached out to the World Trade Center
Restoration Movement or any other group that supports
the restoration alternative. And we are capable of
presenting a far superior restoration alternative
than the bogus one that is found in this
Environmental Impact Statement.

Furthermore, we do need jobs for
our friends in the International Brotherhood of

Electrical Workers and other labor unions. But this is a twelve-year plan that does not have the financing in place to get it done.

Larry Silverstein is getting annihilated in a court of law. His own lead attorney confessed that with the single occurrence limit they don't have the money to rebuild what the Governor wants, what the Port Authority wants.

And The Wall Street Journal has confirmed this.

Larry does not have even a single major private sector tenant for either 7 World Trade Center or for the so-called Freedom Tower. And you simply are not going to attract private financing or taxpayer subsidies to projects that don't have that.

So all of this is a fantasy. It's simply not going to happen unless and until a lot of things change.

It's becoming highly likely that Silverstein is not going to have anywhere near enough money to rebuild our World Trade Center site. And with Governor Pataki, Governor McGreevey and Mayor Bloomberg all facing multi-billion dollar budget

deficits in the years ahead, they can't be expected to make up the difference.

We need something much, much better than the so-called Freedom Tower to give the private sector and the American taxpaying public the motivation to help finance the rebuilding of our World Trade Center, get it done in three or four years, get all of these people back to work, instead of fantasizing that maybe if everything goes just right, maybe they'll get it done in twelve, but more likely they'll get it done in twenty or thirty years.

And thankfully I am happy to report that on live national television this morning we indeed laid out a full-blown \$100,000 architectural model of just what such a restoration alternative would look like. That can be reality. This is fantasy. Let's get on with something much better.

HEARING OFFICER FERRICK: Thank you.

The next five speakers are:

Adrienne Austermann;

Barbara Lyons-Dillie;

Jeff Johns;

Carlton Chew; and

Jennifer Hensley.

MS. ADRIENNE AUSTERMANN: Hi!

I'm Adrienne Austermann and I am here to speak on behalf of the competitors I've been in touch with from around the world regarding the memorial process.

When the eight finalists were announced, it was very clear to all of us that something went wrong in the process. There was an amazing Mission Statement, charge to the jury and somewhere along the line the jury aborted that mission for whatever their reasons were.

With all the information that has come to light regarding the process, I have to wonder how the LMDC can stand behind the process as being fair and unbiased.

The cost of building a memorial with such a low public approval rating reaches far beyond dollars and cents. I keep hearing that we can't please everybody, but it seems apparent that you haven't pleased anybody.

The LMDC has amazing designs that

would garner much higher public approval and they need to be shown and looked at.

Thank you.

HEARING OFFICER FERRICK: Thank you.

Barbara Lyons-Dillie.

MS. BARBARA LYONS-DILLIE: My name is Barbara Lyons-Dillie. I too was a competitor.

In the beginning of this today the LMDC said a change in plan. Indeed, the change in plan happened after the submission date closed. A jury of thirteen appointed individuals convened last summer to judge the World Trade Center Memorial Competition. They were bound by the rules and regulations in Section 11.2 of the guidelines and to use the Memorial Mission Statement and Program as a criteria for judging.

Instead many jury members are reported to have used the issue of access and competition boundaries as a criteria. In Section 9.2 of the Mission -- of the guidelines, "The LMDC staff will examine...." Who are the LMDC staff? The jury was to examine these submissions. The LMDC staff will

examine submissions prior to the jury review to ascertain whether they comply with the Mission Statement and rules and regulation requirements. And then they will report them to the jury.

Who are these people? What gave them the right to say what submission went through and what didn't?

Obviously they pushed eight of them.

The jury is preoccupied with redefining the memorial boundaries, has resulted in the wholesale exchanges to the Amended GPP. Through the guise of this memorial selection process, the jury has changed the Amended GPP to suit themselves.

The jury has subverted the work of the LMDC and the public's input into the planning process and created a tyranny of planning by thirteen individuals.

To quote a juror, Mr. Van Valkenburgh, Libeskind's big hole in the ground as a memorial was a cruel joke to perpetrate the future of this City.

We, as competitors, abided by the

rules. These eight didn't.

Mr. Van Valkenburgh also stated he believes the rules of the competition were cruelly proscriptive. Nice to hear a jury member say that after the competition closed.

Further, along with this decision of the selection process, the jury directed the finalists to make changes that the jury felt were necessary. Who's designing this thing? The jury? I don't think so.

I do think so. They interjected their designs.

The one thing -- I know I have thirty seconds left -- and that is, I would like to know how Mr. Walker got on Mr. Arad's team when Mr. Walker was a competitor and it says in the guidelines that no person can be on two teams during this competition.

From the outset this competition has been a fallacy. It has not been an open, transparent communication with the LMDC and the jury.

HEARING OFFICER FERRICK: Thank you.

MS. BARBARA LYONS-DILLIE: Thank you.

HEARING OFFICER FERRICK: Once again I would mention that we are happy to receive written statements. And if there is anybody who is not signed up and wishes to have to some comments, there is a card outside that can be signed and that will get up to me.

The next speaker is Jeff Johns.

MR. JEFF JOHNS: Good afternoon.

HEARING OFFICER FERRICK: Good afternoon.

MR. JEFF JOHNS: My name is Jeff Jones. I was a rescue worker, a memorial competitor and am now proud to say that I am the chairperson of the World Trade Center Memorial Focus Group.

I am deeply saddened by the jury's chosen design and I feel that this entire process has been rushed to the point of forgetting what is truly important.

From the daunting infeasibility, overwhelming cost and lack of iconic vision of Mr. Arad's design, to the locked doors and

confidentiality agreements imposed on the jury, I submit to you that this has been anything but an open process.

Simply put, the jury has failed us, all of us, and we, the people of New York, and everyone around the world now look to you, the officers of the LMDC, for guidance in fixing the problems with the memorial that has caused so many of us so much more pain.

Although I can only speak for myself, my view of the proposed memorial as being the wrong choice is shared by many, many who wish to restore the skyline of Lower Manhattan, many who feel this process has been corrupt from the start.

I beseech you to disqualify the jury and reject their selection of finalists.

I also challenge Governor Pataki and Mayor Bloomberg to publicly deny that they are personal friends with Michael Arad's father and have been for years.

When Governor Pataki expanded government and appointed you, as officers of the LMDC, it was my hope that your love of money or

controlling interests would not come before the victims' families' requests, and I long for the day that you will restore the integrity of the LMDC that has been lost in the disingenuous motives shown by this body from the start.

By your own statement the memorial process being an open and fair competition, you, the officers of the LMDC, have failed us and have failed to provide what New Yorkers really want, a soaring memorial that honors the victims with beauty and love.

I look forward to seeing this panel cut the strings being pulled from Albany and start correcting the many problems that plague this process, a process built by the political machine that you are sadly a part of.

For political appointees to appoint a politically-charged jury is a mistake, a mistake that will haunt the City for decades. All of this money, all of this power, all of these people who have worked for the greater good of society, and we are left with two intangible holes in the ground costing \$350 million. It's just not right.

HEARING OFFICER FERRICK: I want to say thank you very much.

And we would be happy to receive your written statement.

The next five speakers are:

Jennifer Hensley;

Glenn Pasanen;

Mildred Center; and

George Thurston.

Ms. Hensley.

Carlton Chew. Thank you for that correction.

MR. CARLTON CHEW: Good afternoon, Mr. Chair.

HEARING OFFICER FERRICK: Good afternoon.

MR. CARLTON CHEW: That was a misprint, right?

HEARING OFFICER FERRICK: Okay.

MR. CARLTON CHEW: Good afternoon, everyone.

Carlton Chew. I'm a member of Local 3, IBEW, and a life-long resident of New York City.

Following destruction of the World Trade Center complex and the tremendous loss of life there, our City has been in an economic slump. This has especially impacted on the construction industry.

The rebuilding of the World Trade Center will create thousands of jobs for the building trades people of New York City.

New construction will also lead to renovation work throughout the whole Downtown area and encourage the return of small businesses which have been reluctant to make any new investments.

New construction will also bring about better and more efficient and environmentally-friendly transportation for the thousands of commuters, residents and visitors who use these services twenty-four hours a day.

These much-needed jobs and businesses would generate millions of dollars in annual tax revenues that would be used to maintain and improve our infrastructure, schools and services.

As a building tradesman, I urge the LMDC, the EPA, the Port Authority and all involved agencies to go forward and immediately begin to

rebuild the World Trade Center complex and bring back the jobs and businesses which have left the City to New Jersey, Westchester and Connecticut.

Thank you for the opportunity to speak.

HEARING OFFICER FERRICK: Thank you.

And Jennifer.

MS. JENNIFER HENSLEY: My name is Jennifer Hensley. I'm Director of Intergovernmental and Community Affairs for the Downtown Alliance.

I would first like to commend the State and the City, LMDC, the Port Authority and the MTA for your dedication and ongoing commitment to rebuilding Lower Manhattan. The progress made to date is extraordinary.

The DGEIS is a major step towards a revitalized Lower Manhattan. But I do want to emphasize the importance of moving construction of the site forward as rapidly as possible.

In this regard I want to underscore that, despite the unprecedented support of \$21 billion from the Federal government, the available

public funds alone simply will not cover the cost of rebuilding. Timely and complete Downtown revitalization is dependent upon the extent and availability of private money.

All of us must recognize the significant impact that the amount of available insurance premiums will have on the rebuilding process. Though it is not our place to pass judgement regarding the legal merits of the World Trade Center insurance case, it is clear that the larger the settlement, the speedier the rebuilding process will be and the more public money available for use on other important Lower Manhattan projects.

The DGEIS goes a long way toward assessing the impacts of the enormous construction project on the Lower Manhattan community. However, we are particularly concerned about some of the construction and post-construction impacts.

First, it is important that the EIS assess the traffic patterns on streets adjacent to and running through the World Trade Center site within the context of the heightened security environment in which we all now live.

While we recognize that at this time it may be impossible to state specifically what security measures will be in place at the completed World Trade Center site, it is important to analyze the traffic and pedestrian patterns with the likelihood of new measures in mind.

Further, the DGEIS asserts that parking facilities currently in the plans will be adequate to serve the projected needs. The Downtown Alliance is concerned that the number of tour buses bringing visitors to the site may exceed expectations and we need to be sure that there is an adequate plan for off-street storage.

We are also concerned about the proposed routing plan. Specifically, we believe that the LMDC should evaluate how this program will be enforced and develop a contingency plan for peak times such as a 9/11 anniversary when the number of buses could easily exceed the capacity of the facilities.

Moreover, the DGEIS does not address the broader issue of the increase in commuter bus traffic that will be necessitated by the

dramatically increased worker population at the site once it is completed.

An important issue for Lower Manhattan is where commuter buses will be stored in between the morning and evening rush hours.

During the period of construction on the World Trade Center site there also will be several other major construction projects happening throughout Lower Manhattan. This activity will cause an influx of huge construction crews into the area each day. Despite predictions that many of these workers will take public transportation, we believe that if given permits or allowed to park, many will actually drive in cluttering our narrow streets and sidewalks.

We ask for strict enforcement of parking rules at or near all Lower Manhattan construction sites and urge you to consider severely limiting the number of vehicle permits you distribute to contractors.

I'll submit the rest.

HEARING OFFICER FERRICK: Thank you very much.

I appreciate your working with me. It's hard for me, you know, not work with you a little bit more.

Glenn Pasanen.

MR. GLENN PASANEN: Good afternoon.

My name is Glenn Pasanen. I'm a political scientist, public finance columnist for the gothamgazette.com and a resident of Battery Park City.

I am here to object strongly to the flawed nature of this Draft Generic EIS and particularly its failure to include a thorough analysis of the fiscal and environmental costs of the proposed bypass tunnel on Route 9A.

The proposed bypass tunnel is a fiscal and environmental disaster. Neither Battery Park City nor the World Trade Center development plan needs a \$1 to \$2 billion or more tunnel plan that further tears up our neighborhood and takes monies for more reasonable environmentally-sound transportation alternatives.

The failure to include a comprehensive analysis of the Route 9A question and

alternative uses of its financing looks like an attempt on the part of Governor George Pataki and the LMDC to fragment the process and obfuscate the real goal of building a tunnel.

The EIS says that Route 9A questions will be addressed in a separate EIS. Why is that? In fact, this EIS does in several places allude to the bypass tunnel and the major sewer line that would need to be moved and in many ways makes a good case that there is no need for such a tunnel.

For instance, the EIS says that congestion in the year 2000 at Route 9A and Vesey Street, Route 9A and Liberty Street, and at the entrance to the Brooklyn Battery Tunnel would, quote, not be appreciably different from the congestion with the at-grade alternative; Chapter 13A.

In a neighborhood already besieged by a monstrous disaster and years of reconstruction, why would any reasonable person want to dig up a Route 9A that only a few years ago was rebuilt quite reasonably and quite attractively? We've dug up and moved enough earth in this neighborhood.

Furthermore, the EIS also suggests

that we are being set up. The mitigation chapter, Chapter 22, in effect warns us that the State Department of Transportation's forthcoming separate EIS on the tunnel option will paint a much happier picture of traffic congestion with a tunnel. This is because the DOT EIS will be based on a different model showing much less traffic in the area.

In the face of a segmented plan, incomplete information and inadequate analysis of the Route 9A questions, I urge the Governor and LMDC to acknowledge the inadequacies of this EIS and certainly reject any idea of building a boondoggle tunnel.

Thank you.

HEARING OFFICER FERRICK: Thank you.

Mildred Center.

MS. MILDRED CENTER: Good afternoon.

My name is Mildred Center. I'm an officer of the Lower Manhattan small business advocacy group From the Ground Up.

I'm also the principal and creative

director of Center Design, an eight-year old graphic design, multimedia and web development firm located one block east of the World Trade Center site.

And I'm a ten-year resident of Battery Park City.

On September 11, 2001, my neighborhood was one of the fastest growing neighborhoods in New York. Today my neighborhood is facing a new grim reality. In the two-and-a-half years since the terrorist attacks, the economy of Lower Manhattan has shrunk by nearly forty percent.

Lower Manhattan's small business community has borne the brunt of this economic downturn. Since 9/11, our members reports that approximately fifteen percent of Lower Manhattan's small businesses have closed their doors for good. Of the businesses that have managed to stay open, seventy-five percent of them are barely breaking even or are operating in the red.

The economic outlook specifically for retail small businesses is even worse.

Small business is universally acknowledged to be the backbone of the U.S. economy.

But the only way that Lower Manhattan's small business community will ever recover from the 9/11 attacks is if the World Trade Center is redeveloped and redeveloped responsibly, quickly.

Mere words cannot express how desperately Lower Manhattan needs the memorial and redevelopment programs we are discussing here today. These programs represent a practical balancing of memorial, commercial, retail, cultural, transportation and open space elements that will restore Lower Manhattan to its pre-9/11 vitality.

On behalf of the six hundred members of From the Ground Up, I urge the LMDC and Port Authority to move ahead with these programs with all dispatch. Lower Manhattan's small businesses cannot afford to wait any longer.

Thank you.

HEARING OFFICER FERRICK: Thank you.

The next five speakers are:

George Thurston;

Catherine Hughes;

Michael Edelstein;

Bernard Goetz;
and Julie Menin.
George Thurston.

MR. GEORGE THURSTON: Good
afternoon. I'm George Thurston. I'm on the faculty at
the NYU School of Medicine and I am very familiar
with the pollution associated with the World Trade
Center disaster.

We on September 14th set up an air
monitoring station across the street here at the NYU
Downtown Hospital and monitored the particle air
pollution levels there to the end of the year because
there was no monitoring station in Lower Manhattan.
And I think that we need to have a permanent
monitoring station in Lower Manhattan to monitor the
implications of this development that does not
presently exist.

And the one that's mentioned in the
report, Mabel Dean is - what? - a mile away and
that's no longer operational it's my understanding.

So we need documentation of the
pollution levels here and we need a permanent
monitoring station to find that out.

I actually was one of the speakers and some of my co-workers at the forum that was held here October 11, 2001 and we were the first to note that the dust was causing -- was associated with the World Trade Center. And why? Because it was so caustic.

One of the effects that we found in research of the dust is that it causes airways to become more reactive in individuals exposed. So the population around the World Trade Center is an especially susceptible population. That's what that indicates.

So the pollution levels are probably going to affect this population more than it would if you were to do the development somewhere else in terms of respiratory problems.

One of the things -- the air quality documentation that you have there, it makes it difficult to evaluate. It's so limited.

But one of my conclusions is that the population -- you know, I have reviewed the EIS and the development will -- they conclude that the development will not have a significant impact on the

air pollution, which I disagree with.

And really the disagreement comes down to the way they've defined significant impact as only if you get a violation above the air quality standards. And this just is in contrast and conflict with what we know from the science, which is that if you increase the pollution, there will be increased health effects, adverse health effects.

So there will be more doctors' visits, more asthma attacks, more hospital admissions and so forth if you increase the pollution, which the EIS does indicate there will be impacts on air pollution, although it's very difficult to evaluate exactly how they came up with those numbers. I mean I personally have written dispersion models and have evaluated EIS's before, and it's -- this is a very limited amount of information to try to evaluate. I don't know how people can evaluate this. You need to really document more what you've done and what you're assuming in terms of the dust that's generated by cars, the break linings. I don't know if that's in there in the estimates.

So it's very difficult to evaluate.

But it is clear that there will be significant adverse health effects that need to be addressed.

And I would just say one last thing, which is, that we don't just need mitigation. We need offsets. And I think we've got to think about how to get perhaps like changing all the buses to natural gas. That would be a good offset. In other words, don't just try and reduce the pollution that is being caused, but offset it so that there is a net zero impact if possible.

HEARING OFFICER FERRICK: Thank you.

And if you have a written statement, please leave it with the stenographer.

MR. GEORGE THURSTON: I will submit one.

HEARING OFFICER FERRICK: That would be great.

Let me just say again that if there is anybody here that would like to speak who I don't have a card here from, cards are outside. And if you fill out the card, it will get up to me and in the time that is left we will make sure that you have an

opportunity to put your views on the record.

Catherine Hughes.

MS. CATHERINE HUGHES: Good afternoon.

My name is Catherine McVay Hughes, a fifteen-year Financial District resident. Our family of four owns an apartment one block east overlooking the World Trade Center site.

I'm here today to urge you to minimize air pollution as much as possible, including dust and machinery exhaust during the ten to fifteen years of construction at and around the World Trade Center site.

I'm going to talk about that there is a need to calculate the cumulative impact, air quality, sustainable design guidelines, hazardous substances and another point.

First of all, the statement does not address the cumulative impact beyond the immediate World Trade Center site. It does not talk about 130 Liberty Street, which is the Deutsche Bank, the deconstruction, and the site will have to be reconstructed. That will take years. It's a

contaminated and exposed building which covers over two City blocks.

Nor does it address 30 West Street, the Borough of Manhattan Community College's Fitterman Hall. That building has to be deconstructed and then reconstructed.

Nor does it include the South Ferry Subway Station.

Nor does it include the 7 World Trade Center. Construction is already in progress.

Nor does it include 90 West Street. Renovation conversion of this building to a residential building has already begun.

Nor does it include the infrastructure repair due to September 11th which consists of digging up many streets to access cables, pipes and wires.

I roughly took the job upon myself to go through Appendix J to see how many trucks will be increased. Your estimates, excluding those above projects, is 176,000 trucks over the next ten years.

I'm surprised that you didn't come up with a total calculation yourself.

I would like to quickly address air quality. You state that the EPA has designated Manhattan as a moderate non-attainment for PM10. In addition, you also state that there is a severe non-attainment for ozone here in Manhattan as well.

So it is very important that you follow the following guidelines. I hope that you will incorporate A-191 law into all contracts relating to the World Trade Center redevelopment and enforce it.

The law also has to be extended to include contracts with the Metropolitan Transportation Authority and the Port Authority of New York and New Jersey and the law has to be extended to include all contracts with the utilities, such as Con Edison and Verizon. This is not currently taking place at the World Trade Center site.

In addition, we have to reduce vehicular emissions by extending the law A-191 to include moving vehicles immediately. As I stated earlier, we are expecting over 176,000 trucks to be coming to the site.

We also have to enforce New York City's three-minute consecutive idling law for

trucks. I have yet to see that happen here in the last two-and-a-half years.

We also need to provide funding or to install the Hepa filters at fresh air intakes in nearby residential/commercial buildings.

In addition, we need to develop an air monitoring program along the perimeter of the entire World Trade Center site.

And we need to improve the public transportation infrastructure such as including airport access to the airports.

And I have the rest of my comments in here and I'll submit it.

Thank you very much.

HEARING OFFICER FERRICK: Thank you for working with me as I said before.

The next speaker is Michael Edelstein.

And if my colleague, Professor Haley is here, perhaps she could come up here.

Mr. Edelstein.

MR. MICHAEL EDELSTEIN: Thank you.

I'm Michael Edelstein. I'm a

professor of environmental psychology at Ramapo College of New Jersey. I'm also the President of a non-profit organization, Orange Environment. And I'm the author of a book "Contaminated Communities."

As an environmental psychologist, I study communities that have experienced disaster, particularly disaster with contamination involved. And it's that perspective that I bring to looking at this issue today.

I would laud the LMDC for moving very quickly through an Impact Statement process. And yet as we look closely, we see some of the costs of that fast movement.

One that has been noted already is the burden on the public to absorb a massive amount of information in a short amount of period. And, in fact, I think that the provision of the Impact Statement to the public was insufficient for this hearing to be held.

Second of all, if you look closely at the design of the Impact Study, which is actually very clever, when it is comparing post 9/11 with pre-9/11, and then extending that to two points in the

future, that design is a serviceable design, but it has a number of faults.

One is that the study lacks an adequate baseline. It lacks an adequate baseline constructing what this community was like prior to the disaster and the existing disaster.

And, in fact, one doesn't move from pre-9/11, 9/11, to post-9/11 as isolated events. They are connected events. And their current status is certainly affected by the disaster and all the changes that have happened.

This raises a question of what public this document is being addressed to. And there are many publics. But the public that seems to have not been adequately included in the process or the study is the residential community that has been living continuously with events as they have changed since the pre-disaster and to the current frame of time, and will be living with those events as we move to some kind of new construction.

The Draft Generic Environmental Impact Statement shows that this community, in fact, is not being considered in a very important way,

which is that, if you read through the entire document and the appendices, you discover that a finding of no significant impact is if the impacts of what will be created are no greater than the original impacts that existed during the time the Twin Towers were here.

The real question that should be addressed here is how to create a sustainable community, sustainable residential community, working community, business community, one which is healthy and livable for the people who occupy it.

And that's a different question than trying to match impacts to a baseline that existed before the disaster.

So I suggest that as you move to the Final Impact Statement, that that be attended to. And any effort to talk about a finding of no adverse effect at this point in time I think is premature until that adjustment is made.

Thank you.

HEARING OFFICER FERRICK: Thank you.

And if you have a written statement

--

MR. MICHAEL EDELSTEIN: I will submit one.

HEARING OFFICER FERRICK: That will be great.

Let me read out the next five names, and then I'm going to ask my colleague, Professor Jacqueline Nolan Haley, to take over for me.

The next five speakers are:

Bernard Goetz;

Julie Menin;

Meyer Feig; and

Andrew Oliff;

And I want to say again that if there is anyone who hasn't filled out a card that would like to have his or her views on the record, the cards are outside at the table. And if you fill it out, it will come up here and you'll have an opportunity.

(There was a brief recess in the proceedings.)

HEARING OFFICER HALEY: Mr. Goetz,

Bernard Goetz.

MR. BERNARD GOETZ: Goetz.

HEARING OFFICER HALEY: Goetz.

Excuse me.

MR. BERNARD GOETZ: All set?

HEARING OFFICER HALEY: The

stenographer is ready.

MR. BERNARD GOETZ: Okay. Good
afternoon.

My statement will be about a
minute.

My name is Bernie Goetz and I'm a
long-time resident of New York.

I'm sorry, but I'm also opposed to
the official plan. I believe modern safe versions of
the Twin Towers should be rebuilt such as in the Ken
Gardner plan or other plans.

Rebuilding the Twin Towers would be
good for the morale of this City and the country and
be good for the economy of the City.

Construction could begin in a
timely manner.

In my opinion the official plan is

a step backwards. And I'm sorry to say that.

Thanks for your patience.

HEARING OFFICER HALEY: Thank you very much.

Julie Menin.

MS. JULIE MENIN: Good afternoon.

I'm Julie Menin, President and Founder of Wall Street Rising, a not-for-profit organization focused on revitalizing Downtown.

The redevelopment of the World Trade Center site is a critical component of the area's revitalization. Lower Manhattan is still deeply affected by the loss of jobs that occurred in the aftermath of September 11th, and many businesses are still struggling to recover.

Wall Street Rising supports the redevelopment of the World Trade Center site and believes it is an important and critical step towards revitalization of Lower Manhattan.

However, because residential and commercial land uses exist in the area of such proximity, it is imperative that the impacts of proposed major redevelopment projects be thoroughly

understood so that any detrimental impacts may be mitigated to the greatest extent possible.

The magnitude and length of the construction called for in the proposed action as well as the other major projects contemplated for Lower Manhattan will create significant impacts to local residents and businesses.

In the interest of time I'm going to briefly summarize some of the points in the written testimony that Wall Street Rising is submitting.

We are concerned that the increase in traffic that will ensue from the proposed action may be considerably higher than the five percent estimated in the DGEIS. The methodology employed in the DGEIS finds that traffic congestion is already unacceptable at intersections around the site of the proposed action and will remain unacceptable after the proposed action and that, therefore, no mitigation is necessary.

We question this assumption and believe mitigation measures are called for to address increasing congestion that will result.

We urge the adoption of taxi stands throughout Lower Manhattan to ease the problems regarding traffic and congestion.

The LMDC did not present a solution in the DGEIS for tour bus parking in Lower Manhattan. We urge LMDC to carefully study and address this important issue.

The large number of anticipated black cars is not addressed and there should be a designated area or some other solution regarding black cars.

I'm going to summarize a few points regarding noise and construction.

We strongly support the establishment of a Lower Manhattan Construction Command Center but request that there be representation from local community groups, the Downtown Alliance, the Community Board and residents and businesses who are in close proximity to the site.

We urge that there be clear signage to instruct customers that businesses surrounding the site are indeed open and accessible.

Regarding soundproof windows, this is a measure that we are supporting for residential units that are in close proximity to the site since it is inevitable that construction activities will result in annoyance to the occupants.

The LMDC's Draft Sustainable Design Guidelines, which are in Appendix A, concerning noise and vibration levels should be adopted. The mitigation measures listed in 22-21 and SEQ-5 with respect to noise and vibration should be adopted. An expeditious grievance procedure should be implemented to deal with complaints that arise regarding noise and construction.

Sound receptor stations should be established at various locations throughout and near the site and regularly monitored to ensure that agencies and contractors adhere to sound level guidelines.

I have a few brief comments on air quality. Since the DGEIS notes that City and Federal standards for particulate matter from diesel engines will be exceeded, we urge that all appropriate mitigation measures be adopted. And we urge that 191-

A law regarding ultra low sulfur diesel be extended to all contracts related to the proposed action.

We recommend that a detailed plan be put into place to monitor air quality in the area throughout the course of the proposed action.

The three-minute rule against idling vehicles must be vigorously enforced around the site to prevent both adverse impacts to air quality and to facilitate traffic flow.

I have a number of other points, but I'll just submit.

HEARING OFFICER HALEY: Submit written testimony.

MS. JULIE MENIN: Yes. Thank you.

HEARING OFFICER HALEY: Thank you very much.

Meyer Feig.

(No response.)

HEARING OFFICER HALEY: Mr. Meyer Feig?

(No response.)

HEARING OFFICER HALEY: Andrew Oliff.

MR. ANDREW OLIFF: Let's cut through the specious open process verbiage. The LMDC has failed its mission. You don't give a damn what the people of New York and America want for the World Trade Center site.

The LMDC has turned a rebuilding process into a corrupt sideshow in which only special interests, political and urban renewal agendas reign supreme.

The rebuilding of the World Trade Center was supposed to be about the people's aspirations for the site. But as Pataki's puppets and political cronies, all the LMDC cares about is imposing the Governor's agenda on the site so he can have bragging rights for the 2004 Republican National Convention.

Rebuilding the World Trade Center was supposed to be about listening to the City, not about listening to Pataki.

The Nazi propaganda minister, Joseph Goebels, once said if you tell a lie big enough and keep repeating it, people will eventually come to believe it.

Since February 26, 2003, when Pataki overruled the LMDC and selected Libeskind, the rebuilding of the World Trade site has degenerated into a big lie perpetrated by Pataki and the LMDC. How can you continue the big lie that Libeskind was the people's choice when by your own poll where over 32,000 people voted, 64 percent didn't like either the Think or the Libeskind Plan?

Did you ever stop to think what those two-thirds of the people wanted?

We, the people, wanted our Twin Towers back. This is why your restoration alternative must supplant the proposed, or I should say, imposed action.

The Twin Towers were targeted for their symbol, the representation of our commercial enterprise, which we, as Americans, should be proud of, not ashamed of. They were an important part of Lower Manhattan which has and always should be the financial capital of the world.

Instead, you give us an architectural mess sliced up by every street from Radio Row days, comprising an abstract memorial

disconnected from the reality of 9/11. And although it is being sold to the public as the tallest building in the world, the Freedom Tower fails to boldly restore the skyline in any way imaginable.

From its beginnings in the Libeskind plan as a hypodermic needle, pointlessly filled with various flora, to its current conception in collaboration with David Childs, where cables, windmills, cages, whirligigs and a spire are used to reach 1776 feet, it remains a seventy-story building. No human presence is allowed above the height of 1100 feet.

We would want to be able to ascend a tower and look out over the City from where we once were able to at over 1300 feet.

Do not bequeath to our future a surrender tower beholden to political and architectural self-aggrandizement. Give us back our Twin Towers as tall or taller that we in New York City, the people of America and the people of the world can be proud of.

HEARING OFFICER HALEY: Thank you.

Rachel Snyder.

MS. RACHEL SNYDER: Good afternoon.

My name is Rachel Snyder. I'm a member of Team Twin Towers. You heard from our spokesperson earlier.

This morning I had the privilege of attending the unveiling of the most beautiful WTC proposal I have seen yet. It contains space for a poignant, appropriate memorial, space for cultural activities, and most importantly, two rebuild Twin Towers. It is truly inspiring, unlike this current plan.

This is the sixth such hearing I have attended. At every single one the majority of the speakers wanted the Twin Towers rebuilt.

I am also a former World Financial Center employee. I worked there this past fall and I miss working there. I was proud to be there.

I worked in a Hallmark store and was there for the grand reopening. And it was grand. Customers came in droves to welcome us back. They were so excited to see a familiar store return to where they worked. It was one of the most remarkable

experiences I've ever had. It brought me to tears.

I love Lower Manhattan. It is so painful to think of what was done to it. And that pain is deepened when I see the official plan for the Trade Center.

While working at the Financial Center, I constantly heard people speak longingly about what they used to have. I never once heard any excitement for the new plan.

I saw many tourists visit the exhibit in the Winter Garden. These tourists were not the least bit inspired by what they saw. Most of them looked a little sick to their stomachs. I can't even begin to guess how many people asked me why they were building this instead of the original towers.

I have no illusions that rebuilding will make everything okay. As difficult as it is to accept, I know that I and none of us can ever have what they really want. None of us can ever bring any of the victims back. We can never erase the horrible memories we all have.

What we can do is ensure that the terrorists will have not have the final word. If you

build this new, unpopular plan, you will allow those horrible monsters to permanently destroy one of our most famous landmarks.

We cannot allow that. We must rebuild so that we, as a City and as a country, will have the symbol of resilience.

As I said, I have yet to see a lot of genuine excitement about the Libeskind plan. But if you had been at the unveiling this morning, you would have seen an enormous amount of excitement from the people who were there.

All of us who saw it immediately recognized its superiority to this plan or any other plan that we have seen from you.

It is the best possible memorial for those who were murdered and the best possible monument to all New Yorkers and all Americans.

HEARING OFFICER HALEY: Thank you.

Brett Cuvin.

MR. BRETT CUVIN: Good afternoon.

My name is Brett Cuvin. I am also an integral part of Team Twin Towers, however not the official spokesperson. You just heard from him

earlier.

Nearly thirty months ago, we were subject to an extremely vicious attack from which we lost close to 2750 innocent souls on that fateful September 11th morning.

The plans proffered and advanced by the LMDC since are woefully inappropriate for our hallowed World Trade Center site. For starters, there has been a push to route Greenwich Street through the site. This would inevitably result in increased noise and pollution as opposed to maintaining the superblock. Not only would this previously mentioned issue impede environmental improvement, it destroys proper site integration and, as I pointed out at a previous hearing, would disrupt the sanctity of the memorial.

Chapter 23 of the proposed General Environmental Impact Statement essentially endorses restoration of what was at the World Trade Center site pre-9/11. This would, of course, entail rebuilding New York's beloved Twin Towers with modified footprints naturally.

Taking this route as opposed to the

highly unnecessary and costly acquisition of the Deutsche Bank site would require less acreage and less footprint area.

The world's most recognized landmark would reappear at that point and during the reconstruction process, the City and State can recoup losses stemming from the attacks.

In the long run revenues and a properly restored World Trade Center under Chapter 23's restoration alternative would far exceed those as opposed to buildings proposed under the Libeskind plan.

We know that Larry Silverstein cannot afford erection of buildings such as the Freedom Tower that will not guarantee any positive returns. Why in this case is the LMDC continuing to press a plan that does not have any popular backing? We deserve an answer to this question.

Thank you.

HEARING OFFICER HALEY: Thank you.

Thomas Dunne.

(No response.)

HEARING OFFICER HALEY: Thomas

Dunne.

MR. THOMAS DUNNE: My name is Tom Dunne. I'm here representing both Verizon and its wholly-owned subsidiary, the Empire City Subway Company.

I would like to thank you for giving us the opportunity to discuss our concerns regarding the Environmental Impact Statement.

We appreciate the time, energy and effort that the Lower Manhattan Development Corporation has put into the plan for Lower Manhattan along with every other entity that participated in the preparation of the Statement.

As you know, Verizon supplies telephone and other communication services to thousands of customers in Lower Manhattan including Wall Street and government offices.

Empire City Subway owns and maintains the conduits under the streets that carry the Verizon network and the networks of other large telecommunication providers such as AT&T through the City streets to these same customers.

The terrorist attack on September

11th caused extensive damage to our facilities in Lower Manhattan. As you will recall, telephone and other communication services were cut off to large parts of Lower Manhattan when the 7 World Trade Center collapsed into our facility at 140 West Street.

Verizon suffered over \$1 billion in damages. Repair and restoration is still ongoing. We have in many cases installed new conduit and cabling, new switching equipment, the location of which was in large part based on the directives of the City and the State Departments of Transportation.

I am here today to alert the Lower Manhattan Development Corporation and other public agencies, whose decisions may be based in whole or in part on this Statement, to a serious problem that must be faced in planning for the World Trade Center site and for other public highway and transit projects in Lower Manhattan.

For example, at present we do not know whether West Street will be an at-grade boulevard or whether it will be below surface. If below surface, we don't know what the distance it

will be below grade or at what depth.

Similarly, with the transit improvements for the PATH and the MTA and the connecting concourses, there is a great deal of uncertainty. At present, because there are no definite plans and many variables depending on cost, the entire effort lacks coordination, certainty and timeliness.

In some cases, cables and equipment we have recently installed will have to be moved and reinstalled. I bring to your attention the work on Route 9A that was completed and will possibly have to be redone at great expense both in cost and inconvenience to our customers and the community.

In other cases we cannot get clear direction where to install our cables and equipment. I bring to your attention the Port Authority's project on Liberty Street. This project deals with street transportation issues. In this particular instance we cannot get any direction as to how the Port Authority wants us to proceed.

Constantly changing plans and not having a timely plan is costly, unfair to the people

who live in Lower Manhattan, and harmful to our customers.

Moving major cables and equipment is very time-consuming, expensive, requiring the design and construction of duplicate facilities before existing facilities can be abandoned.

The underground streets of Lower Manhattan are severely crowded with underground wiring for telephone, cable television, fire alarm, traffic lights as well as gas and electric, sewer system, not to mention the extensive transit system.

Unless there is a far greater degree of coordination among the public agencies and a greater degree of certainty introduced into the public planning process and Verizon given a sufficient time to plan and install their systems and networks to meet the project schedules, there is serious risk that the restoration of the project plan for Lower Manhattan will be delayed.

HEARING OFFICER HALEY: Thank you, Mr. Dunne.

MR. THOMAS DUNNE: Thank you.

HEARING OFFICER HALEY: You are

free to submit the rest of your testimony.

Mr. Dunne, you can submit the rest of your testimony, your written comments if you would like.

John Wang.

(No response.)

(Written testimony was submitted by John Wang.)

HEARING OFFICER HALEY: Don Murphy.

(No response.)

HEARING OFFICER HALEY: Don Dunphy.

(No response.)

HEARING OFFICER HALEY: Joy Golberg.

MS. JOY GOLBERG: I hope this doesn't go on my three minutes.

My name is Joy Golberg and I live in Brooklyn. I'm a private individual, one person with my family.

I'm going to quote: the proposed action is not, however, the only option considered by

or open to LMDC.

Down here: a restoration alternative that would restore the World Trade Center site substantially as it existed before 9/11 with updated technology and possibly relocated footprints for the Twin Towers.

No wonder you have all these empty spaces up here. Nobody knows about this because you hid this all the way in Chapter 23.

A lot of people think it's over and done with, that Governor Pataki and LMDC have already decided what will be built at the World Trade Center.

I know because I spoke to them. I single handed got around 3300 signatures on petitions for Twin Towers, a portion of which the LMDC mailed back to me as a so-called unsolicited proposal. Remember this?

Included in this petition were signatures from nearly every business on Fulton Street and Lower Broadway who signed it, but they still asked me, well, haven't they already decided?

Polls by USA Today, CNN, New York Magazine, before the design competition, showed the

majority want the Twin Towers rebuilt.

Governor Pataki and the LMDC know full well that if they put restoring the Twin Towers next to the so-called Freedom Tower, that the overwhelming vote would be for the Twin Towers. But they never gave the people that choice, but instead they rammed negative, visionless, soulless, spiritless, death-like and self-seeking designs down the people's throats and they called rebuilding the Twin Towers an alternative, quote and unquote, plan, and they hid this all the way in Chapter 23 of the GEIS report.

It sounds to me like they figure the average Joe isn't smart or caring enough to read past the first five pages of that big two thousand page report.

It sounds as if they are deliberately trying to force their ideas through.

The GEIS report calls two death pits filled with water where the Twin Towers stood and the erection -- yeah, I mean it like that -- of one huge, ugly meaningless building attractive, lively and inviting repeatedly, over and over. But

we're not brainwashed.

The report negatively says that economic growth would be the same with their plan as with the Towers. People will come forever, like in droves, to feel the positive message two new towers will bring. Wall Street will skyrocket. New York will never have to worry about jobs and homelessness again.

They won't keep coming back to look at a death site.

The report calls two towers off the footprints a density issue, but the towers could be built around the footprints. That would be meaningful.

And as far as shadows, we came to live under the shadows of the towers and to view and look up and see the beauty, not to see a gap because that's the open spaces, a gap that Ossama Ben Laden created and which you want to further.

Hiroshima, San Francisco and the Pentagon were all rebuilt without question. But the greatest city in the whole universe of all times there's all these issues and bickering. And we the

people are sick of it.

HEARING OFFICER HALEY: Thank you,
Ms. Golberg.

Meyer Feig?

(No response.)

HEARING OFFICER HALEY: Meyer
Feig?

(No response.)

HEARING OFFICER HALEY: John Wang?

(No response.)

HEARING OFFICER HALEY: Don
Dunphy?

(No response.)

HEARING OFFICER HALEY: Larry
Russo.

MR. LARRY RUSSO: Hi! My name is
Larry Russo. I thank for the opportunity to speak.

When I was inside before, there was
a reporter from Russian television who interviewed
me. And throughout the whole process I've been
noticing how there is international interest in
what's been going on.

In fact, of the 5000 submissions

for the memorial competition, I understand that a good number of them were from places around the world.

And I bring this up because what we are trying to do -- I think everybody really has the same goal. You know, we want to do the best thing we can do in the shortest time possible and try and do what we can.

But the fact of the matter is through different political reasons and pressures, my personal belief is that the proposal before us is way below where we should be, especially for a city like the City of New York.

We are caretakers of the City. And I believe we have responsibility to those that came before us and those that will come after us.

And the fact that we are proposing and billing it as the world's tallest building, which is a 70-story building with a giant, you know, pole on the top of it, we are not Las Vegas here, you know.

And it's -- I mean I have to say I think it's shameful. And when that reporter outside

asked me what I planned to talk about, I said, well, you know, really I'm disappointed with not only the Freedom Tower, which I think is a huge misnomer, but the memorial, I mean it's quite depressing.

And I think what the City needs is something inspiring.

At the same time the reporter also asked me do you really believe that what you are going to say to the committee and out there it's going to make a difference. And I had to pause and think, yes, you know, it has to make a difference because that's what this forum is about.

And I really hope that the political interests and the commercial interests and Mr. Silverstein, who I feel has way too much influence on this process, won't allow the City and this nation to replace the World Trade Center, which was a huge icon for our nation and for our City with something that will show our capitulation and send the wrong message to the rest of the world that the United States is in decline.

HEARING OFFICER HALEY: Thank you, Mr. Russo.

George Haikalis.

MR. GEORGE HAIKALIS: My name is George Haikalis. I'm President of the Institute for Rational Urban Mobility. IRUM supports measures to reduce motor vehicle use, improve public transportation and enhance the walking environment.

IRUM presented its comments at the July 23rd scoping session that led to the preparation of this document. IRUM made several specific recommendations for transport improvements at the World Trade Center site which have not been addressed in the current Draft GEIS.

IRUM as well as a number of transit advocacy organizations made similar comments at scoping sessions for the permanent PATH World Trade Center terminal and the Fulton Transit Center.

Segmenting what should be a comprehensive planning process into several disconnected elements makes it difficult for public transit agencies to advance collective improvements that would actually ease travel.

The resulting plans call for building two trophy transit structures connected by

circuitous passageways that would actually worsen travel for transit riders.

IRUM requests that its recommended transit improvements be carefully considered in the Final Generic Environmental Impact Statement for the rebuilding of the Trade Center complex, including its PATH Terminal.

First, an important opportunity exists to greatly improve the region's transit system by linking the PATH line with the Lexington Avenue No. 6 local. Both lines were built in the early 1900s with similar dimensions and through-running of trains is feasible.

There are advantages to both passengers and transit agencies. For New Jersey residents, travel to Manhattan's East Side Union Square, East Village, Soho, Chinatown, Civic Center, will be greatly eased by eliminating long walks and multiple transfers.

Improving access will stimulate travel to these business centers.

Manhattan residents from these districts will be able to more easily reach the

rebuilt World Trade Center and also the growing job opportunities in Jersey City and Hoboken.

The number 6 local has capacity to accommodate these additional passengers.

Point two, adding 1200 automobile parking spaces at the World Trade Center will have serious negative environmental consequences. Lower Manhattan's limited street grid is already clogged with car traffic.

The Final GEIS should look at the benefits and costs associated with the complete elimination of on-site parking. Many successful office buildings in New York City, such as the Empire State Building, the Chrysler Building and the Woolworth Building do not include any parking.

In this era of concern about terrorism on-site parking imposes a heavy financial burden for security and vehicle inspection. Existing off-site parking can accommodate the small amount of essential vehicle traffic.

Third, while plans for restoring Fulton Street and Greenwich Street through the site make sense, the FGEIS should consider making these

streets auto-free. Encouraging through traffic and driveby tourism is a serious mistake.

The rest of my comments will be put in.

HEARING OFFICER HALEY: Okay.

Thank you.

Alan Mason.

(No response.)

HEARING OFFICER HALEY: Allison Tupper.

MS. ALLISON TUPPER: Hello!

I'm Allison Tupper, a resident of New York City.

The Environmental Impact Statement is not acceptable because it's not about the real proposal. The LMDC proposes to spend the whole \$2 or \$3 billion of Federal 9/11 recovery fund and it must prepare scoping documents for each project with honest cost estimates and considering alternate uses.

We need truly affordable, low-rise housing. We need adequate Class A office space. We need support for the small businesses affected by 9/11.

We need the Second Avenue Subway.

We need better screening and health care for the rescue workers, other workers in the area and residents of the site.

We need parks and open spaces all on dry land.

We don't need and we cannot afford any construction on or over the river. We must protect the valuable fisheries of which the Hudson River is an essential part.

A true EIS will deal with the whole site and all the projects.

HEARING OFFICER HALEY: Thank you.

Ken Lustbader.

MR. KEN LUSTBADER: Good afternoon.

My name is Ken Lustbader and I thank you for the opportunity to speak.

I represent the Lower Manhattan Emergency Preservation Fund, which is a coalition of five leading preservation organizations that was formed in response to the events of September 11th.

The group consists of the Municipal

Art Society, the National Trust for Historic Preservation, the New York Landmarks Conservancy, the Preservation League of New York State and the World Monuments Fund.

Each group has a successful track record in balancing preservation with economic development.

Lower Manhattan is America's most significant downtown with buildings representing various periods of the City's history and nation's history. The LMEPF commends the DGEIS for addressing historic preservation concerns and for identifying many of the numerous historic resources that contribute to the character and architectural significance of Lower Manhattan.

We offer the following specific comments for strengthening Chapter 5 of the DGEIS on Historic Resources.

We recommend that Fulton Street from Nassau Street to Water Street be considered as a Secondary Area of Potential Effect and include historic resources identified in our preliminary documentation of Fulton Street. Similar to the three

areas of Tribeca that are included in the Secondary Areas of Potential Effect, the Fulton Street corridor has the potential to be dramatically affected by the proposed action.

In our initial survey of historic resources our Coalition identified numerous important buildings that the DGEIS does not recognize in the Greenwich south corridor. We ask that the LMEPF preliminary survey be included and those buildings be identified.

The language of the final determination of eligibility for the World Trade Center site National Register nomination should also be adapted and included in Chapter 5 on Historic Resources.

As stated in Chapter 21 of the DGEIS, building the World Trade Center site was one of the largest and longest construction projects in New York City's history. With this in mind the proposed action, as well as the numerous private sector construction projects that will most likely take place, will have a dramatic and unknown impact on the area's dense inventory of historic buildings

The LMEPF is very concerned how vibrations from these cumulative construction projects spanning over fifteen years will affect the area's historic resources. We recommend that the DGEIS include specific standards on how to limit and monitor vibrations as well as explicit language on how historic resources will be protected during all phases of construction.

And, lastly, since the proposed action will be coordinated by multiple agencies, we strongly urge that a single entity be charged with monitoring the impact on historic properties during all stages of construction over this period.

Additionally, we recommend creating a civic advisory group on historic preservation to assist this entity as well as the various agencies involved in the proposed action.

We recognize the unprecedented nature of this undertaking and the importance of ensuring a meaningful public input and we appreciate your outreach to us.

Thank you.

HEARING OFFICER HALEY: Thank you,

Mr. Lustbader.

Coco Gordon.

MS. COCO GORDON: I'm Coco Gordon, local resident and artist and author of the book "Visioning Life Systems that Create Healthy Resources and Transform Waste."

And since I could walk again four months after my injuries in 9/11, I've been part of the sustainable work group of the Civic Alliance, the sustainability work group of the Civic Alliance.

I'm very hopeful of your having extensively included sustainable guidelines in your GDEIS as an expression of your heartfelt wish to have a healing effect and to start making our great City a model sustainable surplus making healthy city.

But you must know you have listed sustainable systems and practices in isolation and segmentation. They must all be interacting for greatest beneficial operability and effect.

Please see that nature does this and it works. Please see that you omit the mechanism which needs to be built into every sustainable guideline for ensuring:

One, fiscal and environmental accountability for using externalized life-cycle total costs, build it in;

Two, for upgrading as new tech proves itself, sustainability is not static. Sky filters can replace skyscrapers, build it in;

Three, ongoing monitoring and adjustments, build it in;

Four, honoring cumulative impacts, build it in;

Five, exceed the Battery Park City and Leeds guidelines as is being done in many other eco-city involvements right now, build it in.

These built-in infinite bottomline mechanisms, you've heard of the triple bottomline of ecology, economy and equity. We can go beyond that. Infinite bottomline will offer ample doability, beneficial guidance and make a permaculture model of our Ground Zero and New York City.

It would put into beautiful working order the buzz buzzing concept of sustainable surplus making. And as is currently being shown elsewhere in eco-city building, most importantly would be its

total economical and profitability, economy and profitability. It's showing that it makes money to do this.

To counteract the dying earth systems profitable sustainable surplus making is the future. Build it into the GDEIS.

And thank you for getting us started.

HEARING OFFICER HALEY: Thank you very much.

At this point let me just say that we have about eleven more speakers scheduled. So if you are sitting here and you would like to speak and you haven't filled in a card, you have the opportunity now to go out and fill in a card so that you can be in the queue.

I'm going to read the next four names so that you'll know the lineup.

Albert Papp;

Jean Silliman;

Rich Muller; and

Betty Heller will be the next four speakers.

MR. ALBERT PAPP: Good afternoon.

My name is Albert Papp and I am representing this afternoon the New Jersey Association of Railroad Passengers, the Empire State Passengers Association, the Committee for Better Transit.

Post 9/11 we formed into something called the Regional Rail Working Group to devise transportation solutions in the aftermath of the terrorist attack.

We are very, very disappointed that the LMDC has not proposed some more creative transportation improvements. One of those is one that we have promoted for about two years now, and that is a physical track connection between the downtown PATH tubes and the No. 6 Lexington Avenue subway line.

It's a once-in-a-century opportunity that's made possible only because the area where the Trade Center once was has now been uncovered.

What's been proposed by the LMDC and the Transit Authority is nothing more than a cosmetic rebuild of what was existing on 9/10. A

transportation improvement is something that shortens commuter times, makes through-running possible and makes the average daily grind a little bit more tolerable.

By physically connecting the PATH and the No. 6 Lexington Avenue subway, riders from the Upper East Side of Manhattan as well as those from the Bronx would get a direct ride to the bottom of the Liberty Tower or whatever other building is finally decided on.

Additionally, if Mayor Bloomberg's extension of the PATH that he has proposed from Newark Penn Station to the airport at Newark were built, it would allow a direct one-seat ride for all the residents of the Bronx and the Lower East Side and the Upper East Side and the Grand Central area to go directly into Newark Airport. It's a very, very enviable goal.

We hereby request that the LMDC reconsider our suggestion to link the PATH and the No. 6 Lexington Avenue subway and, most importantly, we are going to request that you meet with us so that we can give you a Powerpoint presentation of the

benefits of this particular transit improvement.

Its cost would be about \$1 billion. It would necessitate 3000 feet of track. It's not going to be able to be done once construction starts on the World Trade Center site.

We've made this presentation already to Senators Lautenberg and Corzine in New Jersey, to Secretary of Transportation, New Jersey Commissioner of Transportation, as well as New York Congressman Jerrold Nadler. In fact, it took Jerrold Nadler to get the Port Authority and the TA to the table to discuss our proposal, this after we made proposals to those two agencies as far ago as March and April of 2003. It only took Jerrold Nadler's efforts and all of a sudden they came to the table.

Again, we would like to ask the LMDC to sit down with us, let us make the proposal to you, and meet with you as soon as possible.

Thank you.

HEARING OFFICER HALEY: Thank you, Mr. Papp.

MS. JEAN SILLIMAN: My name is Jean Silliman and I'm a resident of Battery Park

City.

Here I stand at another hearing yet again to underscore my position to the LMDC regarding the major artery of 9A/West Street. The Save West Street Coalition has been lobbying for more than two years for a more beautiful, sensible, safe and humane local West Street plan.

Our local elected politicians are against the tunnel, Community Board #1 is against the tunnel, Battery Park City residents are against the tunnel, the consensus being that the end does not justify the means.

There are creative ways to link both sides of West Street with at-grade solutions.

In the EIS Draft there were four lines out of approximately 2,000 pages dismissing an at-grade alternative as involving considerably less construction activity than the bypass alternative, and the Chapter conservatively assumed that the bypass project would be selected and constructed concurrently with the proposed action.

What an assumption!

The tunnel calls for such drastic

measures:

The spending of over \$700 million on a four-block project;

The building of a new slurry wall to hold back the Hudson River from overflowing into Battery Park City;

The relocating of utilities that includes a sanitary interceptor sewer;

Years and years of snarled traffic, long shadows and a decade's worth of noise while 9A is under construction The New York Times reported the LMDC as finally admitting;

The added construction and rebuilding efforts occurring over the same periods and in close proximity to the other ongoing WTC projects with horrific cumulative effects;

Unsightly tunnel ramps that are hazardous for pedestrians to cross;

Disruption of residential neighborhoods and local businesses for years to come.

And when this construction is finally over, what is there to look forward to? We will have a short tunnel with unsightly dangerous

ramps, slower moving local traffic, increased exhaust fumes, backed-up traffic from the Battery Park Tunnel, a skinny median park with traffic on both sides, and no money for anything else.

Hardly something to smile and endure for.

The Environmental Impact Study is aptly named: impact as in collision comes to mind.

HEARING OFFICER HALEY: Thank you, Ms. Silliman.

The next speaker is Rick Muller.

MR. RICK MULLER: Good afternoon, ladies and gentlemen.

I'm Rick Muller and I'm pleased to deliver the testimony of Manhattan Borough President, C. Virginia Fields, on the Draft Generic Environmental Impact Statement for the World Trade Center Memorial and Redevelopment Plan.

Borough President Fields may wish to submit additional comments before the March 15th deadline.

Borough President Fields congratulates the LMDC on its expeditious completion

of the DGEIS and all its good and hard work towards the sorely-needed rebuilding of Lower Manhattan. With the understanding that the redevelopment of the World Trade Center site is the centerpiece of the revitalization of all of Lower Manhattan, it follows that the Generic Environmental Impact Statement should be a model document for sustainable development, using that term in its broadest sense.

In this context sustainable means not only energy efficiency, but also planning that keeps traffic and pedestrian and goods movements from seizing up, revitalization of small retail and business establishments in all of Lower Manhattan, careful and thorough analysis of alternative development scenarios that foresees appropriate mitigations at every stage and provision of enough open space for human comfort.

When we consider the other areas in various stages of development from the far west side to Jersey City, Lower Manhattan will only move forward if businesses and people want to be here because it is a better place to be and get to than elsewhere.

In order to ensure this, the GEIS must address comprehensively all impacts on life in Lower Manhattan because the redevelopment of the WTC site will indeed affect all of Lower Manhattan.

With these broad strokes in mind, Borough President Fields recognizes that the goal of this project is replacement of pre-September 11th commercial space. However, given the uncertainty regarding the insurance payment to Mr. Silverstein, it makes sense to plan now for either outcome.

The effects of the first development should be fully analyzed.

However, should the goal of full build be accomplished, the socioeconomic chapter of the GEIS should take a hard look at the possible effects of slow economic growth as well as competition from other major projects and development.

Moreover, now that the memorial is proposed to occupy an entire quadrant, consideration should be given to off-site fulfillment of the lease condition for office space.

With regard to air quality, it's

disconcerting to see that the baseline for mitigations is the condition that existed pre-September 11th. The GEIS should set a higher standard.

Borough President Fields has consistently advocated for measures that result in cleaner air and the opportunity to set a more forward-looking standard here should not be lost.

Air quality is only one of the variables to be considered when you evaluate the cumulative impacts of the numerous projects proposed for Lower Manhattan. The GEIS should include a cumulative impact analysis that incorporates the anticipated construction impacts of dust, exhaust, noise, traffic, et cetera, from the sum of projects proposed in the next eleven years.

Mechanisms for cooperative planning, coordination of mitigations of construction impacts and enforcement over many years should be spelled out.

Borough President Fields has heard the voices of her Downtown constituents and everything that can be done must be done so that when

the inevitable impacts occur, we can truly say they are unavoidable.

The rest is submitted as written testimony.

HEARING OFFICER HALEY: It will be submitted. Thank you, Mr. Muller.

Betty Heller.

MS. BETTY HELLER: Thank you.

I don't see any children here. And there weren't any children really living down here when the Twin Towers were first built. But now there are a lot of kids. And they have been ignored totally, especially as far as air pollution goes in the last few years since 9/11.

There was a barge placed for the removal of debris right next to four schools. And now the tunnel is being planned, which is near schools, and the children will suffer once again.

On top of that, there's a bus terminal being planned for right next to a soccer/softball field where the children play.

They can't speak for themselves. Somebody has to speak for them. They couldn't even

understand this report.

We have to do something about this constituency. I don't think a tunnel is a good idea. I know the bus terminal isn't. I'm an Big Apple Greeter. So I love having tourists around and I'm used to them and I enjoy them.

And one of the things that I love most of all is being able to take public transportation having the Big Apple Greeters show them how to do it.

I don't think our tourists ought to be on the buses at all. I don't think there should be a terminal, tourist buses down here. Let them take public transportation like all the rest of us do.

And thank you very much.

HEARING OFFICER HALEY: Thank you very much.

Let me go through the next four speakers:

Marcy Benstock;

Sam Young;

John Driscoll; and

Glenn Goldstein.

MS. MARCY BENSTOCK: Benstock.

HEARING OFFICER HALEY: Thank you.

I'm sorry.

MS. MARCY BENSTOCK: My name is Marcy Benstock. I'm Executive Director of Clean Air Campaign.

This Draft GEIS is fatally flawed because it was prepared on the wrong, quote, proposed action, unquote. By segmenting out three parcels proposed for 9/11 recovery funding, the Lower Manhattan Development Corporation and its consultants have prevented adequate consideration of adverse impacts from proposed uses of all the 9/11 recovery funds and prevented adequate EIS consideration of less environmentally-damaging alternatives for the uses of those funds.

The proposed action should be redefined as the one that really matters, approving the funding to build real projects with 9/11 recovery funds throughout Lower Manhattan.

At minimum all the proposed uses of funds subject to LMDC and HUD approval need to be disclosed and analyzed in a single EIS, namely, the

\$2 to \$3 billion in Federal Community Development Block Grant funds, CDBG funds.

Spending priority choices have environmental consequences. EIS's are meant to inform officials of those impacts before not after they make decisions.

For example, if \$70 million of Community Development Block Grant funding is squandered on environmentally-damaging structures and other infrastructure in the Hudson River as proposed under the guise of creating a park not only will critical habitat for coastal fisheries be harmed, but that money won't be available, for example, to make new Ground Zero buildings safer than they were on 9/11.

If a billion dollars is squandered on a tunneled West Street, Route 9A, that money won't be there to reduce traffic and pollution by improving transit and other alternatives to cars and trucks.

Honest information on costs and funding and all reasonable alternatives should be considered in a single, concise Federal EIS before not after the Governor, the Mayor, LMDC and HUD make

final decisions.

The Draft EIS not only segments such harmful and controversial projects as the misnamed Hudson River Park out of its proposed action in spite of that project's being proposed for near term CDBG funding.

The Draft is also misleading in failing to disclose that most of the \$70 million plus proposed for CDBG funding for that project is for habitat-threatening, illegal, view-blocking construction in and over the water.

We hope decisionmakers will cancel plans for this misuse of 9/11 funds.

But if they don't, this wasteful, environmentally-destructive spending proposal has to be fully addressed in a new, legally-sufficient Federal EIS.

Just a little more.

I'm almost finished.

An EIS with a properly defined proposed action would also do a much better job on parks and open space alternatives.

The open waters of the Hudson River

already provide magnificent open spaces and valuable views from inland buildings for free. Leaving this irreplaceable habitat intact and building parks on dry land throughout Lower Manhattan is a wonderful alternative. It must be seriously considered in a Federal EIS before approving 9/11 funding for the piecemeal destruction of the near-shore waters of the Lower Hudson, an environmentally critical resource that, once eliminated, can never be replaced.

HEARING OFFICER HALEY: Thank you very much, Ms. Benstock.

Sam Young.

(No response.)

HEARING OFFICER HALEY: John Driscoll.

I'm sorry. Sorry. Sam Young.

MR. SAM YOUNG: Hi!

I'm Sam Young. I apologize for showing up so dirty. I'm a construction worker and naturally I'm for building the towers because we need the jobs.

But more importantly, I came here from Texas twenty-four years ago as an ironworker.

And looking at those towers always made me proud to be in the City. I think it's an immeasurable part of what this City is.

And I think we're overlooking that. I'm given an education here today, because like this woman, I had no idea that rebuilding the towers was still an option that was being considered.

But I think it's very important that we -- there's all this talk about getting the Olympics into New York. And I think it would be very important to show the world, to have the world come down and see the new towers and realize that these bastards killed an awful lot of people, but they accomplished absolutely nothing and they changed absolutely nothing.

(Applause.)

MR. SAM YOUNG: Now, I hear all this hand wringing and carrying on about the shadows and this and that, fisheries. Let me tell you something. I wouldn't eat the fish out of the water. And if you would, well, you're not going to be around long to complain about the towers. So let's be honest here.

As far as the shadows and the impact on the children, you know, I'm reminded of my partner at work who complains about how long of a drive he's got because he lives way upstate. What do I tell him? You know where your job is. Why -- I didn't tell you to buy a house way upstate.

Well, you knew the towers were here when you moved here. So there's going to be shadows. There's going to be an impact.

Now there's a big hole in the ground and I think every day that it exists is a black mark on this City. We have to build something and build it fast otherwise these bastards win.

Thank you.

(Applause.)

HEARING OFFICER HALEY: Thank you, Mr. Young.

The next lineup of three speakers would be:

John Driscoll;

Petra Todorovich; and

Glenn Goldstein.

John Driscoll.

MR. JOHN DRISCOLL: Hi!

I'm John Driscoll. Like my predecessor, I'm a construction worker too and I also would like to see it built.

I'm not as eloquent as my friend here. I think we have to build it just to show them that we can do it.

We in construction need plenty of jobs. There's no line. I'm not trying to say we are doing it for everybody else, but we are, because construction, when we're putting up the building, all the other buildings around us, all the people that run the businesses are benefiting from us. We're spending money here, we're spending money there.

Even when we go, the buildings will be filled with people and they will spend money. So we do add to the economy.

And I think, as my partner says, when we do build it, you will have some more tourists coming down too.

We have always have -- we have plenty of tourists coming down without the building out. We'll have twice as many when the buildings are

up.

Environmentally, I'm with you a hundred percent. Give us the strictest environmental protection. We didn't like to see all of that stuff floating in the air, people choking on it, people getting sick.

We had many ironworkers that were down there and other people that were down there that are terribly sick now. Let's eliminate it. I'm all for it. I think we all are.

That's about it for me.

Thank you very much.

HEARING OFFICER HALEY: Thank you, Mr. Driscoll.

Petra Todorovich. I apologize for my pronunciation.

MS. PETRA TODOROVICH: That's okay. It's Petra Todorovich.

HEARING OFFICER HALEY: Thank you.

MS. PETRA TODOROVICH: Good afternoon.

Thank you for the opportunity to testify today on behalf of the Civic Alliance to

Rebuild Downtown New York.

We offer the following summary of our written comments for your consideration which focus on the evaluation of alternatives and the mitigation of adverse environmental impacts.

A thorough analysis of all reasonable alternatives to the World Trade Center Memorial and Redevelopment Plan, the proposed action, must take place in the DGEIS.

As requested in the Civic Alliance's comments on the Draft Scope, particular attention should be devoted to an option for significantly-reduced commercial office and retail space on the project site and increased mix of other activities, such as housing, civic and cultural programming and open space.

The current reduced impact alternative presented in the Draft GEIS is not sufficiently evaluated. In fact, the treatments of all alternatives in the DGEIS are summary and dismissive. We find the current failure to include a thorough analysis of reasonable alternatives to violate both the spirit and the letter of NEPA and

SEQRA.

We urge the LMDC and the PA to consider the reduced impact alternative in order to avoid litigation, project delay and impediments to the economic recovery of Lower Manhattan.

The option of a reduced office program is particularly reasonable because of the uncertain financing for achieving the highly ambitious schedule of 10,000,000 square feet of office space by 2015.

If the leaseholder, Silverstein Properties, does not receive its desired \$7 billion insurance payment, it is unlikely that the second phase of office development could be financed by traditional methods considering the speculative nature and the weak market conditions that are projected to persist for some time.

In fact, the socioeconomic section of the DGEIS confirms that the amount of commercial office space in the proposed action is likely to be more than the market can absorb. Specifically it takes, quote, the 12.4 million square feet of total new office space anticipated in Lower Manhattan

between years 2010 and 2015 will exceed the projected absorption rate of 1.16 million square feet per year, end quote.

Without sufficient demand this glut of new space will add little new employment to New York City, and by drawing tenants from other parts to Lower Manhattan delays recovery particularly in the real estate, retail and small business sectors of the Downtown economy.

The likely delay of the second phase of office space means that the World Trade Center site will be occupied with incomplete three-story pedestals for some time. The DGEIS should evaluate the impacts of this scenario for effects on the Downtown economy, the urban design composition of the Master Plan, open space and wind conditions among other items.

While reduced office density on-site may, in fact, be a desirable outcome, this scenario should be planned for and occur by design rather than by default.

Our second major area of concern regards the cumulative environmental impacts of the

proposed action and other related Lower Manhattan projects that take place before 2015.

The finding that the construction of the proposed action will not cause adverse impacts to air quality is suspect.

Regulations for all construction and delivery vehicles and on-site diesel generators to use ultra low sulfur fuel and best available retrofit technologies as they become available, as well as operational restrictions, better maintenance and schedules for inspection and enforcement.

Regarding traffic, we do not agree that the proposed action must generate unavoidable adverse traffic impacts at eighteen of forty-nine intersections by 2009 and twenty-five of forty intersections by 2015. Increased traffic is avoidable especially considering the significant public investment in mass transit to serve this development.

Skipping to the end, in closing, the Civic Alliance wishes to commend the LMDC and the Port Authority on the inclusion of Appendix A, the commercial sustainability guidelines. These guidelines outline admirable steps towards achieving

environmental sustainability and energy efficiency and for setting a worldwide example for commercial construction techniques.

However, simply put, these guidelines have no teeth. The enforcement of these guidelines must be articulated and strengthened.

Thanks very much.

HEARING OFFICER HALEY: Thank you very much.

Glenn Goldstein.

MR. GLENN GOLDSTEIN: Thank you for the opportunity to speak before you today regarding the Draft Generic Environmental Impact Statement for the proposed World Trade Center Memorial and Redevelopment Plan.

Let me first commend you on the work LMDC continues to do in coalescing the thoughts, hopes and visions of so many into what will one day surely be the most mesmerizing landmark and humbling sanctuary in the City.

When done, the Memorial/Freedom Tower and surrounding grounds will truly be remarkable.

What may truly be unremarkable, however, is the manner in which the site is potentially reconstructed. The EIS in its current form neither addresses in any meaningful way nor provides mitigation guidelines and standards for the long-term adverse impacts from the very machines, equipment and vehicles that stand to reerect the World Trade Center complex. This must change.

As the program director for NESCAUM, I'm the lead individual responsible for implementing the diesel emission reduction initiative at 7 World Trade Center with Silverstein Properties, and an environmental scientist who has quantified first-hand the impact of mobile source air toxic emissions to public health.

In a report published in June of 2003 evaluating the occupational environmental impact of non-road diesel equipment in the northeast, NESCAUM found that diesel equipment activity substantially increased fine particulate matter exposures for workers and nearby residents in some cases by as much as sixteen times.

With our growing understanding of

the adverse health impacts associated with both acute and chronic fine particulate matter exposure, this finding raises the concern of the potential for individuals working and living near work sites like those evaluated.

At 7 World Trade Center, my work and that of my colleagues has centered around the control and mitigation of mobile source air toxics, metals and gases through the use of fuels technologies and exhaust after-treatment devices, more commonly referred to as retrofits.

In most instances we were able to achieve thirty to eighty percent reduction in fine particulate matter and seventy to ninety percent reduction in carbon monoxide, hydrocarbons using ultra low sulfur fuel, and the best retrofit technologies available to use, such as passive and active diesel particulate filters, high performance oxidation catalysts and other emerging technologies.

We have done so in a manner that neither impedes nor interferes with the routine construction operations at the site. Our work has served as a model for Governor Pataki's clean

construction mandate in September of 2002 and more recently the City Council's passing of Intro 191-A for all City-let construction projects.

If left unchecked, the emissions for construction equipment will adversely impact the local air quality for the next decade. During the height of the recovery effort we found that the inventory on-site had an equivalent diesel emission signature of a 300 megawatt gas-fired power plant or a fleet of 600 transit buses circling the site twelve hours a day seven days a week.

At peak reconstruction the total equipment population could approach, if not exceed, this estimate making the ongoing probability of adverse health impacts and public health issues from diesel air toxics very real in Lower Manhattan.

If LMDC is to indeed uphold its mission of rebuilding in an environmentally sensitive manner, the EIS must embody this principle by addressing the potentially adverse impacts to air quality from reconstruction efforts through the use of clean construction practices.

HEARING OFFICER HALEY: Thank you,

Mr. Goldstein.

Feel free to submit that testimony.

Bill Hough.

MR. BILL HOUGH: Yes. Good

afternoon.

Sorry, I have no idea how these things work.

Hello! Good afternoon.

I'm here to state that this entire process is flawed because the proposed action does not reflect the desires of a majority of New Yorkers.

At numerous LMDC public comment sessions more speakers called for rebuilding the Twin Towers than supported the Libeskind plan.

Despite this, no restoration alternative was presented to the public during any of the comment sessions.

During 2002 six preliminary design concepts were unveiled to universal disdain and nine subsequent designs were announced later in the year. During this process the restoration alternative was ignored by the policymakers despite repeated requests from the public that it be considered.

The exercise of rebuilding the World Trade Center site should not be viewed as some abstract exercise in urban planning. Rather it is a necessary response to an act of mass murder and urban vandalism on a unprecedented scale.

As such, the analysis in the EIS using the current condition scenario is inappropriate. Because the destruction of the World Trade Center was an unprovoked attack and not a planned redevelopment, the only appropriate method of analysis is the pre-9/11 scenario.

Furthermore, not replacing what the murderers destroyed is validating this horrible atrocity for generations to come. The appearance and function of Manhattan must not be dictated by criminals.

Furthermore, the Libeskind plan is significantly flawed in ways too numerous to list here.

Two examples. Restoring Fulton and Greenwich Streets to the World Trade Center site will have adverse environmental impacts because it will encourage more vehicles to enter Lower Manhattan. The

area is already too congested. Adding more roads will simply encourage more people to drive Downtown.

Also, the so-called Wedge of Light is a farce because it has been demonstrated the area in question will actually be covered in shadow during the morning of 9/11.

Therefore, all references to the Wedge of Light should be deleted from the EIS.

Another flaw is the restoration alternative as previously presented, I guess more in the Draft, did not allow for rebuilding Twin Towers closer to Church Street and, consequently, there was never presented to the public as possible to both restore the World Trade Center Twin Towers and leave the footprints of the former towers vacant for the memorial.

Since the political decision was made not to build on the footprints, the restoration alternative as originally written in the Draft EIS is basically infeasible despite its popularity.

The modified restoration alternative with the towers built away from the footprints more accurately reflects the desires of

many New Yorkers who expressed a desire to see the Twin Towers rebuilt while acknowledging the necessity of providing a memorial to the victims of terrorism.

Towers proposed under the restoration alternative must incorporate all modern safety and environmental systems rather than the mid-1960s standards of the old buildings.

The Libeskind plan's buildings are unattractive and too short to accommodate the 10,000,000 square feet of office space that must be built at the site. Not restoring all of the lost office space will result in adverse environmental impacts throughout the region as jobs are forced to move to the suburbs due to insufficient space in the City.

This will increase suburban sprawl.

Therefore, it's imperative that the Libeskind plan be discarded without further consideration and a modified restoration alternative be adopted in its place.

And I have written testimony if you wanted to take that.

HEARING OFFICER HALEY: Yes,

definitely. Submit your written testimony.

Thank you, Mr. Hough.

Our next speaker is Mr. Scott Lamb.

MR. SCOTT LAMB: I'm Scott Lamb.

I'm the principal project manager with Ramapo Neighborhood Assessment.

In reviewing the DGEIS it is apparent to me that the LMDC et al has not done a thorough enough analysis of the effect the proposed action will have in a wide enough scope.

By this I specifically mean that of the wider residential community surrounding the WTC site.

It is the responsibility of the LMDC, as lead agency, to do this in a transparent way to ensure that the environmental, physical and social health of this integral community is not just respected but promoted.

This more comprehensive analysis should be completed and a longer timeframe given for a review of the DGEIS by all persons.

While I understand the desire and need to move as quickly as possible for the interests

of business and the financial community, the residents must be incorporated in a more comprehensive manner.

So the breath must be expanded, busy citizens must be given enough opportunity to review and contemplate the appropriate documents, and all this done in a transparent way promoting citizen participation, more than may have been the case up to this point.

Let this process in the future be the model by which such processes are done, not something which we will look back on with regret and feelings of being disregarded.

Thank you.

HEARING OFFICER HALEY: Thank you, Mr. Lamb.

If there is anyone here who has not spoken and wishes to speak this afternoon, please, just go out and fill in a white postcard so we can have your name.

The next speaker is Jeff Galloway.

MR. JEFF GALLOWAY: My name is Jeff Galloway. I'm speaking here on behalf of the

Gateway Plaza Tenants Association of which I'm a member of the Executive Board.

Gateway Plaza is an apartment complex in Battery Park City with approximately 1700 units. It's the largest in Battery Park City. It is also the closest to the site of the World Trade Center.

We will be submitting written comments before the March 15th deadline. But I'm speaking here today to give a summary of one our key areas of concern, and that is how the DGEIS addresses the traffic issues.

We are concerned that the traffic impacts are understated. And that goes for cars, tour buses, delivery trucks and commuter buses. And I'm talking primarily now with respect to the as-built or to-be-build condition as opposed to construction

Moreover, there is a failure to account for the differences of impact among the different types of traffic that would be anticipated. Congestion is measured in terms of vehicles per hour without regard to whether those vehicles are cars, trucks or buses. And we all know from common

experience that being behind ten buses or ten trucks is a lot different from being behind ten cars.

In addition, the inherent tendency of the truck and bus approaches to the site is not adequately addressed in the DGEIS, and specifically the current plan calls for the entrance ramp on the Liberty side for the delivery trucks and potentially for buses as well, which would lead the approach right through a residential neighborhood south of the World Trade Center.

Similarly, the implications of routing this type of traffic, the buses and the trucks, down Greenwich Street are not adequately explored and the potential impacts on Tribeca, the Greenwich Street area and Tribeca, as well as West Broadway.

As to absolute numbers, the projected numbers of automobile trips may very well be grossly understated. The estimates of these trips are based not on any account for the number of projected employees and visitors that will come to the site, but they are based instead on rules of thumb such as vehicles per square footage of office

space and so forth.

While those may be acceptable methods of doing estimates, at the end of the day you need to do a reality check and make sure that all of the tens of thousands, if not hundreds of thousands of people who will be coming there every day, have a means to get there and whether that means will, in fact, clog the streets.

These underestimates have potential, very significant implications for decisions with regard to what to do about West Street, particularly whether to build a tunnel for West Street.

The DGEIS assumes that one-third of the West Street traffic will choose to stay over-ground if there is a bypass, whereas earlier State DOT estimates showed that fully one-half of that traffic would stay above-ground.

And if the amount of traffic that's anticipated or projected for the Trade Center is underestimated, you will also underestimate the amount of traffic that will stay above-grade in the event of a tunnel.

In addition to leading to correct conclusions regarding the benefits of the 9A tunnel, the underestimates of the vehicle traffic ignore the significantly changed geography of the new site. The old site, as we all remember, had a service road around it that absorbed a lot of the high impact traffic such as buses and black cars and cabs.

The new plans don't have any service road. We are not necessarily calling for a service road because it was ugly, but, nonetheless, that traffic will now be diverted onto neighboring streets.

And just one final point, and that is that the cumulative impact of the project is not adequately addressed. In gross terms the DGEIS says, well, all the background projects are going to make traffic terrible anyway, simply because traffic will now be terrible with the Trade Center built as well means that there won't be any adverse impacts because it's going to be adverse no matter what we do, and as a result, mitigation measures are not properly addressed.

Thank you very much.

HEARING OFFICER HALEY: Thank you,
Mr. Galloway.

I'm going to read four of the names
who we called earlier and who weren't here. Perhaps
they are here now.

John Wang?

(No response.)

HEARING OFFICER HALEY: Meyer
Feig?

(No response.)

HEARING OFFICER HALEY: Alan
Mason?

(No response.)

HEARING OFFICER HALEY: Don
Dunphy?

(No response.)

HEARING OFFICER HALEY: Well,
thank you all very much for participating. We've
finished our speakers for this afternoon's hearing.

If you wish, please give any
written comments, including the text of any comments
you have made during this hearing to the stenographer
in the front of the auditorium.

Official written comments on the DGEIS will be accepted by LMDC by mail and on their website until 5 o'clock on Monday, March 15th.

Official written comments on the Amended GPP will be accepted until 5 p.m. on Friday, March 19th.

I'm formally closing the hearing. The evening session will begin promptly at six o'clock and continue until everyone has had a chance to speak.

Thank you all for coming.

(At 4:40 o'clock p.m. the proceedings were concluded.)

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