

**DGEIS Hearing Transcripts**

1  
2 LOWER MANHATTAN DEVELOPMENT CORPORATION  
3 -and-  
4 THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY  
5 - - - - -x  
6 PUBLIC HEARING  
7 RE  
8 DRAFT GENERIC ENVIRONMENTAL IMPACT  
9 STATEMENT FOR THE WORLD TRADE CENTER  
10 MEMORIAL AND REDEVELOPMENT PLAN and  
11 on the AMENDED GENERAL PROJECT PLAN  
12 FOR LMDC'S MEMORIAL AND REDEVELOPMENT  
13 PROGRAM  
14 - - - - -x  
15 The Michael Schimmel Center  
16 for the Arts  
17 Pace University  
18 New York, New York 10038  
19 February 18, 2004  
20 6:00 p.m.  
21 B E F O R E:  
22 JOHN FERRICK, The Hearing Officer  
23 ROY ALLEN & ASSOCIATES, INC.  
24 521 FIFTH AVENUE - 17TH FLOOR, NEW YORK, NEW YORK 10175  
25 (212) 840-1167  
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A P P E A R A N C E S :

For the Lower Manhattan Development Corporation:

- Kevin Rampe, President
- Andrew Winters, Vice President and  
Director for Planning, Design and  
Development
- Irene Chang, Vice President, Legal  
Affairs and General Counsel
- Jennifer Brown, Vice President,  
Community and Government Relations
- William Kelley
- Elizabeth Kelly
- Betty Chen

For LMDC Board:

- Roland Betts
- Carl Weisbrod
- Edward Lewis
- Madelyn Wils

For Empire State Development Corporation:

- Maria Cassidy, Deputy General Counsel

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1  
2 A P P E A R A N C E S : (Continued)

3  
4 For AKRF:  
5 Anne Locke

6  
7 For Carter Ledyard & Milburn LLP:  
8 Joseph M. Ryan  
9 Stephen Kass  
10 Chris Fazio

11  
12 For LeBoeuf Lamb Greene & MacRae:  
13 Susan Golden

14  
15  
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Ann Brunetti, Reporter

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MR. RAMPE: Good evening.  
My name is Kevin Rampe and I'm the

4 President of the Lower Manhattan Development  
5 Corporation.

6 I would like to welcome all of you  
7 to this hearing on the Draft Generic  
8 Environmental Impact Statement for the World  
9 Trade Center Memorial and Redevelopment Plan  
10 and on the Amended General Project Plan for  
11 LMDC's Memorial and Redevelopment Program  
12 included in that plan.

13 We have with us tonight the  
14 Chairman of LMDC's site working group, Roland  
15 Betts.

16 Thank you, Roland, for coming  
17 tonight.

18 As well as members of LMDC senior  
19 staff and consultants, senior executives from  
20 The Port Authority of New York and New Jersey  
21 and the Empire State Development Corporation,  
22 which is LMDC's corporate parent, are also  
23 present to hear your comments.

24 ESDC may be assisting LMDC with  
25 certain aspects of implementing the proposed  
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1  
2 project, including property acquisitions, and  
3 will receive a transcript of the hearings.  
4 John Ferrick, the former Dean of  
5 the Fordham University School of Law, will  
6 serve as the Hearing Officer for the hearing.  
7 Dean Ferrick also served as  
8 Hearing Officer for LMDC's public comment  
9 period -- meeting, I'm sorry, on the Draft  
10 Scope for the DGEIS.  
11 It is my pleasure to introduce  
12 you. Thank you, Dean.  
13 HEARING OFFICER FERRICK: Thank  
14 you very much.  
15 Good evening -- is this  
16 resonating?

17 THE AUDIENCE: No.  
18 HEARING OFFICER FERRICK: Good  
19 evening.  
20 My name is, as you know, John  
21 Ferrick and I will be serving as the Hearing  
22 Officer tonight.  
23 I would like to formally open this  
24 hearing on the Draft Generic Environmental  
25 Impact Statement for the World Trade Center  
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1  
2 Memorial and Redevelopment Plan and on the  
3 Amended General Project Plan for the World  
4 Trade Center Memorial and Redevelopment  
5 Program.

6           The proposed action is intended to  
7 provide a permanent memorial that will allow  
8 future generations to remember and honor the  
9 people who died on September 11, 2001 in New  
10 York City, in Shanksville, Pennsylvania and at  
11 the Pentagon, as well as those who died in the  
12 terrorist bombing of February 26, 1993.

13           And I would like to ask for a  
14 moment of silence in memory of all those who  
15 died in those tragedies.

16           Thank you.

17           The purpose of this hearing is to  
18 provide you with information on the World  
19 Trade Center Memorial and Redevelopment Plan  
20 and most especially to receive comments on the  
21 proposed plan.

22           We look forward to hearing from  
23 you. If you are interested in speaking at  
24 this hearing, you will need to register to  
25 speak. If you have not already done so, you

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1  
2 may register to speak at the table located  
3 outside this auditorium.

4           This evening's session follows an  
5 afternoon session which ran from 1:00 p.m. to  
6 5:00 p.m. This session will run until all  
7 comments have been received.

8           Translators for hearing impaired  
9 individuals are present and will periodically  
10 be asking if anyone in the audience needs  
11 continuous sign language translation. In  
12 addition, Spanish and Chinese translators are  
13 available.

14           LMDC prepared the Draft Generic  
15 Environmental Impact Statement as the lead  
16 agency under both the National Environmental  
17 Policy Act and the New York State Environment  
18 Quality Review Act and their implementing  
19 regulations.

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

24           Copies of the Draft Generic  
25 Environmental Impact Statement and the Amended  
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General Project Plan are available for reference outside this auditorium.

On June 20, 2003, LMDC released and circulated a draft scope for the Draft Generic Environmental Impact Statement and its original General Project Plan for the World Trade Center 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 improved 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  
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1  
2 January 20, 2004 and released for public  
3 comment on January 22, 2004.

4 In addition to any oral or written  
5 comments received at the hearings today,  
6 written comments on the Draft Generic  
7 Environmental Impact Statement may be  
8 submitted to LMDC officially in writing by  
9 mail or through the Website.

10 Such comments must be received by  
11 LMDC on or before 5:00 p.m. on Monday,  
12 March 15, 2004.

13 The public comment period for the  
14 Amended General Project Plan will remain until  
15 5:00 p.m. on Friday, March 19, 2004.

16 Written comments may be submitted  
17 either directly through LMDC's Website, which  
18 is [www.renewnyc.com](http://www.renewnyc.com), or by mailing them to the  
19 Lower Manhattan Development Corporation at  
20 One Liberty Plaza, New York, New York 10006,  
21 attention WTC public comment.

22 Additional information on  
23 submitting written comments may be found on  
24 LMDC's Website.

25 Following the receipt of comments,  
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1  
2 LMDC will prepare a Final Generic  
3 Environmental Impact Statement which will then  
4 be made available for public comments for a  
5 period of 30 days.

6 LMDC will also consider all public  
7 comments on the Amended General Project Plan  
8 before finally acting on that plan.

9 With me on this platform is Andrew  
10 Winters, LMDC's Vice President and Director  
11 for Planning, Design and Development, and I  
12 believe I may be joined tonight by William  
13 Wong on my right, who is the Project Manager  
14 for the Port Authority's Downtown Restoration  
15 Program.

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

19 He will be followed by Irene  
20 Chang, LMDC's Vice President for Legal Affairs

21 and Counsel, who will speak briefly regarding  
22 the public comment process.

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

25 MR. WINTERS: Thank you, Dean  
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Ferrick.

LMDC was created by the State and 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 preliminary blueprint for Lower Manhattan and World Trade Center design concepts, to the Listening to the City and Plans in Progress dialogues, which resulted in the selection of the Studio Daniel Libeskind plan Memory Foundations.

Memory Foundations is the basis for the General Project Plan and the proposed Memorial and Redevelopment Plan analyzed in the DGEIS and community involvement and briefings are ongoing in this process.

The original General Project Plan envisioned development on the 16-acre site of the World Trade Center bounded at the north by Vesey Street, on the east by Church Street, on the south by Liberty Street and on the west by

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1  
2 West Street and Route 9A, which is the wide  
3 boulevard that you see on the left-hand side  
4 of the screen.

5 Over this past year, in response  
6 to public sentiment and engineering  
7 considerations, LMDC has amended the original  
8 General Project Plan to include a southern  
9 site that you see south of Liberty Street,  
10 which is near the bottom of the plan,  
11 including the two blocks, one shown in green  
12 and one shown in blue, near the very bottom of  
13 the plan.

14 That site, which is bounded by  
15 Liberty, Greenwich, Albany, Washington and  
16 Cedar streets, and a possible underground bus  
17 garage at Site 26 in Battery Park City are  
18 additional components of the plan.

19 The Empire State Development  
20 Corporation may assist LMDC with property  
21 acquisition of the southern site, and the  
22 General Project Plan when finally adopted will  
23 reflect this possibility.

24 The plan itself is innovative in  
25 the way it strikes a balance between

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1  
2 memorializing the events of September 11 while  
3 at the same time encouraging the  
4 revitalization of Lower Manhattan.

5 The memorial lies at the heart of  
6 the plan. You can see it in the very center  
7 shown in green stripes with the two footprints  
8 that are dotted in as squares.

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

13 A series of below-grade spaces  
14 both at the footprints and at a portion of the  
15 preserved slurry wall will allow visitors to  
16 descend to bedrock within the site and will  
17 also house original artifacts of the World  
18 Trade Center.

19 The streets and open spaces are  
20 another key component of the plan. The  
21 reintroduction of Greenwich Street, which runs  
22 north-south right through the middle of the  
23 plan linking Tribeca in the north to the new  
24 Greenwich Street south residential area to the  
25 south, runs north-south, and Fulton Street,

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1  
2 which runs east-west, as you can see near the  
3 top of the plan, connecting the areas on the  
4 east side of Broadway to the areas at the  
5 World Financial Center and the waterfront.

6 The reintroduction of these two  
7 streets assures that the new World Trade  
8 Center site will provide both pedestrian and  
9 vehicular connections to and through the site.

10 Tying this important site back to  
11 the surrounding city will help create a  
12 spill-over effect to other areas of Lower  
13 Manhattan, supporting revitalization efforts  
14 beyond the site.

15 The creation of a significant  
16 public realm with an array of public spaces,  
17 including sidewalks, plazas and parks, will  
18 help to ensure that this dense urban site will  
19 be able to accommodate a large number of  
20 workers and visitors in a manner that will  
21 enhance its role as a central meeting place in  
22 Lower Manhattan.

23 With proper design, the plazas at  
24 the rail station, the Liberty Park and, of  
25 course, the memorial itself will take their

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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 in this diagram arrayed in blue sites starting at the north, the Freedom Tower, on over to the other side of Church Street the three sites there and finally on the southern site tower number five.

These five towers will contain up to 10 million square feet of office space. Their bases, combined with a below-grade network of spaces, will contain up to one million square feet of retail space, and a hotel and conference center, once located at the southwestern corner of the site, will be housed at the northeastern corner of the site.

Prior to September 11th, the World Trade Center site hosted concerts and cultural events on a temporary basis. A central element of the Memorial and Redevelopment Plan is the introduction of at least two permanent

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1  
2 cultural buildings on the site. You see them  
3 both shown in red.

4 North of Fulton Street on the  
5 larger site you see what we're considering at  
6 the moment a potential performing arts center.

7 What you see south of the Fulton  
8 Street within the memorial district, shown  
9 here as two separate buildings, could, in  
10 fact, be one building. This building could  
11 include a variety of cultural uses yet to be  
12 defined.

13 The introduction of these cultural  
14 uses will increase the diversity at the site,  
15 bringing people in the evenings, serving the  
16 local residential community and it will be  
17 supportive of the overall revitalization  
18 efforts in Lower Manhattan.

19 Finally, a series of below-grade  
20 service and infrastructure elements allow the  
21 site to function properly. You can only see  
22 elements of them on the site plan, including a  
23 ramp on Liberty Street and a car entrance on  
24 Vesey Street, but these are entrances to a  
25 critical underground network that allows the

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1  
2 site to function.

3           The uses in this underground  
4 network include the PATH circulation spaces  
5 and the terminal building and, of course,  
6 truck ramps, utilities, parking and more, all  
7 of which serve the site.

8           The Amended General Project Plan  
9 Program, that is, the one I just described, is  
10 the same as that analyzed in the DGEIS.

11           Since the approval of the Amended  
12 General Project Plan in September 2003, a  
13 number of refinements to the plan have been  
14 announced. I'd like to discuss four of them  
15 here today.

16           The first is the memorial. As I  
17 mentioned previously, the memorial is centered  
18 on the idea of the two footprints as voids  
19 which are marked by these pools, which include  
20 not just the waterfalls and the circulation  
21 space at grade but a series of ramps and  
22 underground spaces that you can circulate down  
23 behind the waterfalls to be about 30 feet  
24 below the plaza to see the names of those who  
25 died inscribed around the footprints of the

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towers themselves.

At grade you see the plaza lush with plantings, trees, landscape elements, grass, other sorts of plantings, steps, benches, sort of a civic plaza which is tied in not only with the rest of the site but with the memorial as well.

And finally, I mentioned on the southwestern corner of the site where you see the big plaza, beneath that space the memorial center, part of the memorial but also part of the cultural buildings, this houses some of the artifacts from September 11th.

The second key modification has to do with the cultural buildings themselves. Originally in the General Project Plan cultural buildings were shown along the axis of Greenwich Street and also the axis of Fulton Street providing a buffer zone between the memorial and the life of the rest of the city.

Due to bringing the memorial up to grade and reconceiving it as a civic plaza, those buildings have been pulled back to the

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1  
2 center of the site where you see at the corner  
3 of Fulton and Greenwich Street becomes the  
4 real cultural nexus of the site with large one  
5 or two cultural buildings. And, again, as I  
6 mentioned, that will be tied in potentially to  
7 the memorial center which is located beneath  
8 the memorial site itself.

9 A third modification has to do  
10 with the footprint of the Freedom Tower. You  
11 can see the tower shown in its design at the  
12 very top of that rendering over there.

13 The footprint was modified to  
14 accommodate pedestrian circulation, the office  
15 program, the public program at the building,  
16 which includes observation decks, restaurants  
17 and possibly other public elements, and, of  
18 course, the unique design of the building.

19 Finally, if we can go back to  
20 the -- I'd like to mention a change at the  
21 Port Authority's project, which is the PATH  
22 Terminal. Of course, this project is separate  
23 from the Memorial and Redevelopment Plan but  
24 it does occupy a central space on the site.

25 As you see, the yellow building  
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1  
2 roughly in the center of the plan, that's the  
3 new footprint of the PATH Terminal as proposed  
4 by The Port Authority several weeks ago.

5 The important differences from the  
6 original General Project Plan are that it is  
7 able to be separated from tower three, the  
8 tower just south of it, as an independent  
9 building which one can circulate all the way  
10 around, which allows for greater opportunity  
11 both for architectural expression but also  
12 usefulness in terms of the circulation  
13 patterns of the pedestrians.

14 Finally, it allows for the  
15 opportunity to introduce Dey Street either as  
16 a pedestrian or as a vehicular street into the  
17 site, which, again, adds to the connectivity  
18 and the general connection of the site to the  
19 area around.

20 Over the past few months -- over  
21 the next few months, LMDC will continue to  
22 work with the memorial designers, The Port  
23 Authority, the State Department of  
24 Transportation and the City of New York to  
25 advance this plan.

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As we do so, we will continue our outreach efforts and 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 LMDC, who will speak further about the public process.

MS. CHANG: Thank you, Andrew and Dean Ferrick.

I'm here to introduce a few formalities.

The first is 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.

Notices relating to the Draft Generic Environmental Impact Statement hearing were also published in the Federal Register on  
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1  
2 January 23rd and January 30th, 2004 and in the  
3 New York State Environmental Notice Bulletin  
4 on January 28th.

5 The public notice for the DGEIS  
6 hearings were published first in the latter  
7 part of the week of January 20th in The New  
8 York Times, New York Daily News, the New York  
9 Post and Newsday.

10 At the end of January and the  
11 beginning of February, we also published  
12 notices for both hearings in neighborhood  
13 newspapers, as well as two Spanish language  
14 and three Chinese language daily newspapers.

15 In addition to the environmental  
16 review process under the National  
17 Environmental Policy Act and the State  
18 Environmental Quality Review Act, which  
19 includes the review of historic resources,  
20 LMDC is conducting a parallel review under  
21 Section 106 of the National Historic  
22 Preservation Act.

23 Section 106 requires that federal  
24 agencies identify historic properties listed  
25 in or eligible for inclusion in the National

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1  
2 Register of Historic Places that may be  
3 affected by a proposed undertaking.  
4 LMDC in this case is looking at  
5 the World Trade Center Memorial and  
6 Redevelopment Plan and commenced this process  
7 for that proposed plan by consulting with the  
8 New York State Historic Preservation officer  
9 to identify historic properties as well as  
10 potentially eligible consulting parties.  
11 LMDC is coordinating the  
12 Section 106 review with the Federal Transit  
13 Administration and the Federal Highway  
14 Administration for their proposed undertakings  
15 on or adjacent to the World Trade Center site,  
16 including the Permanent World Trade Center  
17 PATH Terminal, the Port Authority's project,  
18 and the New York State DOT's Route 9A  
19 reconstruction project.  
20 LMDC, FTA and FHWA hosted meetings  
21 with the New York State Historic Preservation  
22 office and other consulting parties on  
23 January 6th, 2004 and February 2, 2004 to  
24 review the potential eligibility of the World  
25 Trade Center site for listing in the National  
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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 9th, 2004, LMDC issued a proposed finding of no adverse effect for review by the consulting parties and the public.

Both of those documents are available on the Website and at your request outside of this auditorium.

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

In addition to the comments that are made at today's hearings, written comments on the proposed finding of no adverse effect will also be accepted by LMDC until 5:00 p.m. on Monday, March 15th, 2004, the same day and time as the deadline for comments on the Draft Generic Environmental Impact Statement.

Additional information on submitting written comments may be found on  
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LMDC's Website, [www.renewnyc.com](http://www.renewnyc.com).

I will now turn you back to our Hearing Officer, Dean Ferrick, who will begin the public comment portion of this hearing.

HEARING OFFICER FERRICK: Thank you.

I have now received all of the 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 and any time 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](http://www.renewnyc.com).

Due to the possibility I would say of a large number of speakers, we have followed throughout the day an allotment for each speaker of three minutes.

Any written comments, including the text of any comments made during this

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1  
2 hearing, will be accepted by the stenographer  
3 who's at the front of this auditorium.

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

6 Environmental Impact Statement will be  
7 accepted until 5:00 p.m. on Monday, March 15,  
8 2004.

9           Written comments on the Amended  
10 General Project Plan will be accepted until  
11 5:00 p.m. on Friday, March 19, 2004.

12           There are microphones on both  
13 sides of the auditorium. Please approach as I  
14 call your name and I will from time to time  
15 announce the speakers in groups of five.

16           And let me just mention that as an  
17 aid to the process, the screen will indicate  
18 when 30 seconds of the allotted three minutes  
19 remain, and my task is to try to stay within  
20 that framework so that everyone who wants to  
21 speak is able to do so.

22           And once again, I would say if  
23 anybody decides during the course of the  
24 hearing that they want to speak, even though  
25 they came in not to speak, please feel free to

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1  
2 do so just by going outside, sign your name on  
3 a card, I will get the card and I'll put the  
4 card in the order in which requests to speak  
5 reach me.

6                   The first five names that I have  
7 in the order in which I will call them are  
8 Lawrence Provost;

9                   Ernie Hutton;  
10                   Jordan Gruzen.

11                   And I apologize in advance for any  
12 names I don't get 100 percent.

13                   Marcie Kesner;  
14                   Ethel Sheffer.

15                   And I'll be doing that as we move  
16 along, and I would just say again to the  
17 speakers that you may run out of time before  
18 you finish your statement. If you have a  
19 statement with you, please do leave it with  
20 the reporter so that we have everything you  
21 want to say.

22                   Thank you.

23                   Mr. Provost.

24                   MR. PROVOST: Yes. Is this the  
25 right tone?

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Okay. Yes, I'm Lawrence Provost,  
I'm 25 years old, a little nervous right now.

HEARING OFFICER FERRICK: Just  
relax.

MR. PROVOST: Thanks.

Well, it's been quite an  
interesting past couple of years. On the 11th  
I was down here, I was a search and rescue  
worker for the first seven days and I'm also a  
military reservist. I was called up and we  
landed on September 11th, 2002 in Afghanistan.

And just came back this summer and  
really haven't been expressed to too much  
that's been going on.

I know everybody here at the LMDC  
has worked really, really hard on this and has  
put in a lot of personal time and effort. As  
a rescue worker, as a friend of one of the  
families, close friend, I really appreciate  
that and I thank you for it.

But I really and honestly believe  
that this is a process that has been rushed.

This is a process that we're not taking into  
the concerns, the long-term concerns of the

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1  
2 people of the City of New York, the people of  
3 America.

4 I mean I never liked those  
5 buildings in the first place. I didn't. I  
6 thought they were the ugliest thing in the  
7 world.

8 But part of my job and I go  
9 overseas and I see these people that did this,  
10 they think they've won if we don't have those  
11 buildings back up just the way they are. They  
12 say look, we can make them alter fundamentally  
13 their way of life.

14 And I know this is a process, it's  
15 not set in stone, but I just hope that's  
16 something that you can remember.

17 And this memorial design as well,  
18 I mean you see people now going to the World  
19 Trade Center, there's no reverence for it.  
20 People eat hotdogs around there and, you know,  
21 it's just --

22 I'm ashamed to go down when I need  
23 to go down because, you know, people -- it's  
24 just not a place of reverence and I hope  
25 that's something that we do create with the

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1  
2 memorial and I hope that we have those -- that  
3 we do have those objects there such as the  
4 facade that we were told in the beginning was  
5 going to be there, that facade that will make  
6 us remember.

7           Because I'll tell you what, as a  
8 25-year-old man but also as a 25-year-old punk  
9 kid, a hundred years from now people are going  
10 to go down and see it and they're going be  
11 like okay, yes, names, whatever.

12           This needs to be something that is  
13 real and just something that is there for all  
14 generations and I just -- I hope that you can  
15 keep that in mind so.

16           Thank you.

17           HEARING OFFICER FERRICK: Thank  
18 you very much.

19           Ernie Hutton.

20           MR. HUTTON: Thank you.

21           I'm Ernie Hutton, Cochair of New  
22 York New Visions, and with me today are Jordan  
23 Gruzen, FAIA, and Marcie Kesner, AICP, also  
24 Cochairs with me of New York New Visions and  
25 respective heads for Site Committee and

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1  
2 Context Committee, and also Ethel Sheffer, a  
3 member of our Executive Committee and  
4 President of the Metro Chapter of American  
5 Planning Association.

6 New York New Visions is responding  
7 today to both the Master Plan and to the  
8 DGEIS.

9 The American Institute of  
10 Architects New York Chapter and Metro Chapter  
11 of the American Planning Association concur in  
12 this statement in lieu of making separate  
13 statements.

14 In terms of our response to the  
15 plan, although we're technically responding as  
16 requested to the September plan of Daniel  
17 Libeskind, we're doing so within the context  
18 of changes that occurred over the last six  
19 months.

20 These include the expanded site,  
21 the proposed Freedom Tower, the proposed  
22 Permanent PATH Station and the proposed  
23 memorial.

24 Our purpose here is to delineate  
25 many unresolved issues among these disparate

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2 elements and to call for their resolution  
3 according to the principles that we at New  
4 York New Visions, the AIA and the APA have  
5 consistently advocated.  
6 We're also responding to the Draft  
7 Generic Environmental Impact Statement, the  
8 DGEIS, for the proposed development, the  
9 proposed action and CEQR-ese which is  
10 represented by the plan as presented within  
11 the DGEIS.

12 A Generic Environmental Impact  
13 Statement is intended to present the potential  
14 impacts resulting from the proposed  
15 development, to consider alternatives and to  
16 propose mitigations where possible.

17 It's structured as a generic EIS  
18 so as to serve as a framework for future  
19 development that takes place within its  
20 parameters, obviating the need for future  
21 Environmental Impact Statements.

22 First, an Environmental Impact  
23 Statement is not a master planning document  
24 and does not reflect a comprehensive planning  
25 analysis. It's not a coordinated and complete

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review of the full range of public activities and private actions within a defined geographic area.

The World Trade Center DGEIS before us may fulfill the legal and administrative requirements set forth in federal, state and city regulations, but its scope is limited to the areas required by environmental law.

The DGEIS can't and doesn't look at the full planning context, the proposed site plan, nor the plan's relationship to the many other planned improvements within Lower Manhattan.

For example, due to scheduling with associated studies, a variety of significant closely related contextual actions are not included in this review.

These include West Street, Fulton Street from East River to Broadway, Greenwich Street south of Liberty, the South Ferry plan or the recently proposed air train link to JFK Airport.

In addition, the analysis  
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2 contained within the DGEIS is only as good as  
3 the clarity and accuracy of its proposed  
4 action. The gaps and questions that we  
5 perceive in the description of the proposed  
6 actions call into question the validity of the  
7 DGEIS as a framework for future actions.

8 Our general concerns are,  
9 therefore, the following:

10 One, the definition of proposed  
11 action, a plan being made up of independently  
12 created component parts is still unresolved  
13 and incomplete and is not yet a plan.

14 Two, the glue to hold the master  
15 plan together is the design guidelines which  
16 still do not exist in a publicly accessible  
17 forum.

18 And three, it is therefore  
19 difficult for any member of the public to  
20 access the possible effects that would be  
21 derived from the plan and its implementation  
22 mechanisms such as the design guidelines.

23 HEARING OFFICER FERRICK: Are you  
24 almost --

25 MR. HUTTON: Yes, I'm finished.

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1  
2 The following testimony therefore  
3 details our initial review of these problems,  
4 and as always, we look forward to working with  
5 the LMDC and others in search of a solution.

6 Thank you.

7 HEARING OFFICER FERRICK: Thank  
8 you.

9 And if you're able to leave that  
10 statement, we'll make sure everything is the  
11 way it should be in the record.

12 Mr. Jordan Gruzen.

13 MR. GRUZEN: I'm Jordan Gruzen, an  
14 architect speaking both as representative of  
15 the New York Chapter of the American Institute  
16 of Architects and Cochair of the New York New  
17 Visions and its Site Committee.

18 New York New Visions is a pro bono  
19 consortium of 21 architectural, planning and  
20 engineering organizations that has for the  
21 last two and a half years since September 11th  
22 been actively participating in the  
23 reconstruction effort.

24 Today we wish to offer our  
25 reactions to the master plan as it is

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1  
2 considered in the general Environmental Impact  
3 Statement.

4           The general Environmental Impact  
5 Statement is a sound and thoughtful document  
6 and it covers aspects of the plan in great  
7 detail. Nevertheless, there are issues that  
8 we believe need greater attention and  
9 significantly increased design action.

10           Each part of the plan is being  
11 developed by a separate group of design  
12 professionals, each working for a different  
13 client, whether it be for LMDC, The Port  
14 Authority, MTA, New York State DOT or  
15 Silverstein.

16           In examining these plans, we have  
17 observed an opportunity to increase the  
18 continuity between adjacent elements. These  
19 ideas are now just emerging in physical form  
20 and can now be measured and evaluated when  
21 seen in the light of the overall master plan.

22           This master plan conceived by  
23 Daniel Libeskind has had many evolutionary  
24 changes since its introduction but still  
25 remains the dominant concept. New York New

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1  
2 Visions has been very supportive of this  
3 overriding vision.

4           We encourage LMDC and the other  
5 controlling authorities to work closely  
6 together so that we do not end up with  
7 powerfully expressive individual solutions to  
8 the parts without the connectivity that makes  
9 for an integrated urban fabric.

10           Examples: We believe the plan  
11 should have an overriding system of pedestrian  
12 movement that leads neighbors, workers,  
13 visitors through the various above grade and  
14 underground passages.

15           All four sides of the memorial  
16 site should be integrated with adjacent uses  
17 and provide for auto, bus and pedestrian  
18 access.

19           For the west side of the memorial,  
20 if New York State DOT determines that West  
21 Street will be a raised street over a  
22 depressed through-highway, then this service  
23 road will allow easier pedestrian access from  
24 the World Financial Center and Battery Park  
25 City to the memorial plaza.

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West Street's elevation will affect the availability of drive-by viewing into the site from automobiles and buses on the service road.

For the south edge of the memorial site, we have great concern that the solution currently shown for the access ramp leading from Liberty Street to the below-grade vehicle inspection station does damage to the pedestrian flow, the appearance of the street and the character of the memorial. Stacking of vehicles on the ramp can cause a problem at the intersection of Liberty and West streets.

A large open park surrounding the new Greek Orthodox church may not be the best massing solution to the southern boundary of the memorial plaza. A third low cultural building with proper blast protection below it could be a preferred solution.

On Greenwich Street, the meeting of the memorial with the PATH Terminal, the cultural buildings and several office buildings is the least developed part of the plan and requires collaboration between the

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1  
2 four owner groups to improve pedestrian flow.

3 The memorial design should evolve  
4 with significantly added penetrations from  
5 grade to the subterranean spaces below to  
6 allow visual and physical connectivity between  
7 levels.

8 The slurry wall should have  
9 substantial visibility from areas other than  
10 the lower levels of the memorial.

11 The GEIS speaks on several  
12 occasions to the importance of retail space at  
13 grade to animate the streets and the newly  
14 created plazas. We understand the need to  
15 protect the memorial space from distracting  
16 retail activity, but in examining the plans we  
17 see an absence of retail space in several of  
18 the elements that front on the new public  
19 space.

20 As the plans proceed beyond this  
21 stage, we hope that each designer will  
22 discover the full potential to enliven the  
23 street activity.

24 HEARING OFFICER FERRICK: I'm  
25 going to have to thank you for your statement.

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We've gone over a little bit --

MR. GRUZEN: Thank you very much.

HEARING OFFICER FERRICK: -- but I hope you leave the full statement with the court reporter.

Thank you.

Marcie Kesner.

MS. KESNER: I'm Marcie Kesner, AICP, Cochair of New York New Visions and a member of the Metro Chapter of the American Planning Association. These remarks are being delivered on behalf of both organizations.

As we said in our August comments on the EIS scope, the redevelopment of the site must be driven by a broad conception of the public interest, not by private interest, nor by the parochial goals of individual public agencies.

In addition, I want to restate our position that an EIS, no matter how skillful, does not replace the need for comprehensive planning.

In addition to the overall comments, the following are specific comments  
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on the DGEIS before us:

The proposed action is incomplete as described in the DGEIS.

The location of uses is unclear from the sketchy description and incomplete diagrams.

The location of retail uses, particularly as they relate to the ground plane, is not clear.

The amount and location of below-grade retail use is not specified.

There's a lack of clarity as to pedestrian and vehicular connections to the surrounding community.

For example, one DGEIS section refers to reopening the east-west and north-south sections, while other sections mention, for example, that "streets may be closed."

The proposed action does not include treatment of Route 9A or of the PATH Terminal, both of which are inextricably linked to the site plan.

The Arad/Walker Memorial Plan is  
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1  
2 illustrated in the DGEIS but the text refers  
3 to an LMDC competition as underway.

4           The design guidelines are not  
5 included. As we know, the devil is in the  
6 details and it is these guidelines that will  
7 be the key to defining the generic framework  
8 for future development which is key to the EIS  
9 strategy.

10           How will the buildings on the site  
11 relate to each other, their context and the  
12 open spaces?

13           "Should" and "would" are used to  
14 describe site design treatments within the  
15 DGEIS.

16           The office program is defined as  
17 still too large, and as New York New Visions  
18 stated in its comments on the proposed EIS  
19 scope in August 2003, is not based upon  
20 objective market analysis.

21           The stated public policy goal is  
22 to retain Lower Manhattan as a major office  
23 hub and the DGEIS accepts the premise that  
24 10 million square feet on the expanded project  
25 site is the only manner in which to do so.

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1  
2           No objective analysis is presented  
3 of truly reduced office density, nor any  
4 analysis as to what is the real impact of  
5 putting 10 million square feet of office space  
6 onto the market by 2015, nor the reality of  
7 that assumption.

8           Similarly, with the retail  
9 program, the DGEIS mentions that 2.3 million  
10 square feet in Downtown is currently vacant  
11 and catalogs difficulties that Downtown  
12 retailers are already having.

13           What would be the effect of adding  
14 the additional one million?

15           I'm going to skip ahead.

16           The DGEIS does not satisfactorily  
17 address these concerns, in large part due to  
18 the form of the EIS. This once again  
19 underlines the need for truly comprehensive  
20 planning that exams in a less structured  
21 format the interrelationships among wide range  
22 planned and proposed actions within the large  
23 geographic area.

24           We at New York New Visions and the  
25 American Planning Association would look

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1  
2 forward to working with LMDC and the other  
3 involved government agencies in performing  
4 this comprehensive planning review.

5 HEARING OFFICER FERRICK: Thank  
6 you very much and I'm glad you're leaving your  
7 statement here.

8 Let me just say again I'm going to  
9 read out the next five names. If there's  
10 anybody here who hasn't filled out a card that  
11 would like to share their views, get a card  
12 outside and it will get up to me and we'll  
13 give you that opportunity certainly, as stated  
14 here, anyone who wants to set their views out.

15 So the next five speakers are  
16 Ethel Sheffer;

17 Matt Viggiano;  
18 Tal Barzilai;  
19 Cherie Fernandez;  
20 Janno Lieber.  
21 Ethel Sheffer.

22 MS. SHEFFER: I'm Ethel Sheffer,  
23 member of the New York New Visions Executive  
24 Committee and President of the Metro Chapter  
25 of the American Planning Association.

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I'm going to speak briefly on two issues, sustainable development and historic preservation.

We appreciate the effort that's been made to incorporate guidelines for sustainability. While recognizing that this is a work in progress, it is important to note that what has been proposed is focused primarily on the individual development projects and makes no call for a comprehensive master plan for sustainability.

What is needed instead is a study of the entire site and its environs that sets forth sustainability measures that will be common to all projects and allocates responsibility for those measures.

The fact that tenants, the occupants of 80 to 85 percent of the above-grade floor space are not mandated to comply with the guidelines suggests business as usual.

A couple of other issues.

Shadow analysis: The analysis acknowledges that there will be a negative

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1  
2 impact on open space toward the north and east  
3 of the site. What is not addressed is the  
4 impact and shadows that the five towers will  
5 have on existing buildings and neighborhoods  
6 beyond the site.

7 Wind power: There is some  
8 reference to wind power in the proposed  
9 Freedom Tower but it's not mentioned as a  
10 possible alternative energy source in  
11 Appendix A.

12 There are five key issues that  
13 need to be addressed in this regard: Safety,  
14 noise, vibration, icing and bird mortality,  
15 not to mention approval by the city.

16 On the question of historic  
17 preservation, there is a most important  
18 argument to be made that the World Trade  
19 Center site should be regarded as a ruin,  
20 thereby bringing into place the ability to  
21 declare existing fragments as significant.

22 The document Coordinated  
23 Determination of National Register  
24 Eligibility, which in its final form will  
25 constitute the determination of historic

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1  
2 resources for the purposes of FGEIS, lists the  
3 resources but then dismisses them as  
4 insignificant.

5 For instance, the slurry wall,  
6 statements were made at the Section 106  
7 hearings that the slurry walls cannot be  
8 considered as significant because they have  
9 been repaired and would require stabilization  
10 in order to be displayed.

11 This begs the question of whether  
12 with stabilization both features could be  
13 preserved.

14 Basically the report says there's  
15 no point in keeping these or other last  
16 remnants of the towers since we can photograph  
17 them.

18 We find the statement "None of  
19 these remnants are considered character  
20 defining in relation to the World Trade Center  
21 as a symbol of American commerce or to the  
22 attacks or to the rescue and recovery efforts"  
23 as peculiar.

24 By this standard, most of the  
25 remnants in the Forum in Rome aren't worth

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saving.

Of course they don't relate to the World Trade Center as a symbol, they relate to the World Trade Center as buildings, the actual structures that were attacked.

To end, we are concerned about the analysis that led to this conclusion and we believe that the public equally will be concerned with this reasoning.

Thank you.

HEARING OFFICER FERRICK: Thank you very much and could you leave your statement as well --

MS. SHEFFER: Yes.

HEARING OFFICER FERRICK: -- with the reporter.

Thank you.

Matt Viggiano.

MR. VIGGIANO: I'm Matt Viggiano for Senator Martin Connor.

Would like me to read this testimony?

I would like to take this opportunity to thank you for taking the time

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1  
2 to listen to the other elected officials who  
3 have been represented here today and also the  
4 important and thoughtful comments of the  
5 people of the community whose Lower Manhattan  
6 neighborhoods we represent.

7         As their lives are unalterably  
8 changed by the horrible effects of  
9 September 11, it is imperative that the  
10 wonderful changes that are soon to occur do  
11 not impose any additional hardship.

12         As the State Senator who  
13 represents this vital area of New York City,  
14 it is important to keep in mind the many lives  
15 that will be greatly affected by this  
16 monumental project.

17         Based on the feelings of the  
18 community as expressed in the Community  
19 Board 1 meeting just one week ago, I would  
20 like to register my own reservations about the  
21 Environmental Impact Statement in its current  
22 form relating specifically to three main  
23 points.

24         The first point that I would like  
25 to address concerns the environment. One of  
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1  
2 the most significant issues that came about  
3 post-September 11th was that of air quality.  
4 Due to the collapse of the twin  
5 towers, Manhattan, indeed all of New York  
6 City, was showered in particulate matter that  
7 caused tremendous problems for the residents,  
8 students and businesses in the area.

9 We now have an opportunity to  
10 ensure that the air quality around the site  
11 and the rest of Lower Manhattan be preserved.

12 There have been several  
13 suggestions made which help to ensure that the  
14 rebuilding process is done safely and at  
15 minimal risk to those who live and work in  
16 this area.

17 One such example would be to  
18 install monitoring systems that measure the  
19 amount of particulate matter impacting the  
20 site and the surrounding area.

21 Another such example would be to  
22 install HEPA filters at fresh air inlets in  
23 hotels, offices and residential buildings in  
24 the area.

25 Further, requiring any  
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2 construction vehicles at or leaving the site  
3 to use ultra-low sulphur fuel would help to  
4 cut down on the amount of pollutants released  
5 into the air.

6           Taking these measures into account  
7 would make it possible to constantly monitor  
8 the air quality of the area and keep safe the  
9 great number of residents, workers and  
10 tourists that come to Lower Manhattan.

11           The second issue I would like to  
12 address concerns the proposed traffic  
13 projections for the site.

14           The World Trade Center has always  
15 been a high traffic area. With the coming  
16 construction projects, it is hard to believe  
17 the amount of pedestrian and large  
18 construction vehicle traffic will not far  
19 exceed estimates that have been published.

20           Furthermore, once the construction  
21 is complete, the volume of tourists, motorists  
22 and commercial traffic that will be traversing  
23 the Downtown area will be astronomical. In  
24 fact, it is believed that even without the  
25 construction traffic congestion would approach

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1  
2 unacceptable levels.

3           The final issue that I would like  
4 to urge you to consider is that of noise and  
5 its impact on Downtown residents. As with any  
6 construction project, it is expected that  
7 noise will be generated on and around the  
8 site. This is especially true with a project  
9 of this magnitude.

10           Considering the number of projects  
11 that will be going on simultaneously, the  
12 strain on residents who will have to deal with  
13 the disturbances throughout the entire day and  
14 into the evening must be addressed.

15           In addition to existing means to  
16 accomplish this, as new technology becomes  
17 available, I hope that the LMDC will do  
18 everything in its power to identify these  
19 resources and use them to ameliorate these  
20 effects as much as possible.

21           In closing, I would like to remind  
22 this committee that my commitment is to the  
23 people whom I represent, and they, as well as  
24 myself, firmly believe that reconstruction  
25 will bring new, much needed growth to Lower

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1  
2 Manhattan and by extension the City of New  
3 York itself.

4           While this growth and renewal are  
5 important, we cannot forget our obligation to  
6 help bring a sense of normalcy back to the  
7 residents and the community of Lower  
8 Manhattan.

9           Thank you for your consideration  
10 in this complex and difficult process.

11           HEARING OFFICER FERRICK: Thank  
12 you and thank the Senator for those comments.  
13           Tal Barzilai.

14           MR. BARZILAI: All right. My name  
15 is Tal Barzilai. I reside in Pleasantville,  
16 New York.

17           When I looked at the Libeskind  
18 plan, I see a lot of areas in that thing that  
19 tends to fail but not just as redevelopment.  
20 Sometimes I look at it as an area that doesn't  
21 represent something that is life like.

22           For example, when I look at the  
23 memorial space, it takes up almost -- it takes  
24 up two-thirds of the site in the entire  
25 southwestern corner. It forces everything to

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1  
2 those streets do not get integrated, and  
3 instead of having to like condense everything,  
4 compress everything, was like 50- to 70-story  
5 buildings, we should instead think of building  
6 up rather than out.

7           Also, for the memorial, I feel  
8 that by not rebuilding the towers, we're only  
9 going to think of them as memories. Some  
10 think this is not even going to help in the  
11 long run and some people have claimed that the

12 Freedom Tower, besides mimicking the Statue of  
13 Liberty, has also, coincidentally, seems to  
14 remain reminiscent of the north tower just  
15 before it hit the ground.

16           Others find cultural buildings  
17 like the theater to be something that looks  
18 like someplace that has just been bombed, but  
19 others, while others see it --

20           And as for West Street Tunnel,  
21 nobody in Battery Park City has even given  
22 their support. Even the Manhattan Borough  
23 President is against this. Everybody finds  
24 it -- it's saying this isn't public support.

25 I don't see anything in it.

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1  
2                   One thing for sure is this is not,  
3 this is not something that people are going to  
4 remember in years to come, nor is it anything  
5 of life.

6                   I say that instead of just trying  
7 to remember those towers, I say we rebuild  
8 them. They will take up lesser space than  
9 those bunch of buildings there.

10                   HEARING OFFICER FERRICK: Thank  
11 you.

12                   Cherie Fernandez.

13                   MS. FERNANDEZ: Cherie Fernandez,  
14 Project Advatar, building automation start-up  
15 firm.

16                   In July 2002, we were presented  
17 with six plans for the redevelopment of the  
18 World Trade Center site. Our response was it  
19 looks likes Albany.

20                   While I appreciate the LMDC's  
21 interest in recycling, it should not apply to  
22 rejected designs. Here we are in February  
23 2004 and the site plan still looks like  
24 Albany.

25                   Also in July 2002, we asked that  
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1  
2 our skyline be restored. A 70-story building  
3 with 60 stories of scaffolding does not  
4 restore a skyline in any meaningful way.

5 Plus, there's only one of them,  
6 which offers up the symbolism that we are less  
7 than half of what we were before the attack.

8 This building is graced with a  
9 fanciful windmill in the scaffolding. It will  
10 be a hazard to birds and impose unknown  
11 dynamic loads on a structural system with no  
12 track record on the projected scale and  
13 possibly serious constructability issues.

14 This so-called Freedom Tower is  
15 also space inefficient as far as rentable  
16 square feet goes, stuck in an inconvenient  
17 corner and it will stick the neighborhood with  
18 a big white elephant.

19 The wall of stubby, odd-shaped  
20 buildings on Church Street will isolate and  
21 deaden neighborhoods, logjam pedestrian  
22 traffic, create undesirable shadowing and wind  
23 tunnel effects.

24 As a member of the civil  
25 engineering and building automation

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you.

The next five speakers are:

Janno Lieber;

Pat Dillon;

Robert Jaruik;

Matthew Jones;

And Jenna Dunne.

And if there's anyone here that hasn't filled out a card and would like to offer some comments, you can do so by getting one of the cards outside at the table and the person there will get it up to me.

Janno Lieber.

MR. LIEBER: Thank you, members of the LMDC Board and staff and friends from the neighborhood.

I'm Janno Lieber, Director of Development for Silverstein, an affiliate of World Trade Center Properties, LLC.

A PARTICIPANT: Can't hear you.

MR. LIEBER: How's that?

A PARTICIPANT: The microphone is not on.

A PARTICIPANT: Try the other

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1  
2 mike.

3 MR. LIEBER: All right. So some  
4 of the prior speakers have me on technology.

5 I'm Janno Lieber, Director of  
6 Redevelopment for Silverstein, an affiliate of  
7 World Trade Center Properties, LLC, and we  
8 welcome the opportunity to comment on the  
9 progress that has been made on the  
10 redevelopment of the World Trade Center.

11 In barely a year since the LMDC  
12 selected the Libeskind plan, we've made huge  
13 strides in the rebuilding process and we've  
14 developed a detailed blueprint that  
15 incorporates many, many of the different uses  
16 that the public pressed for, cultural and as  
17 well as office, retail and, of course, the  
18 memorial, which we hope, as the gentleman said  
19 before, will be a place of reverence for all  
20 of us.

21 We've resolved tremendous  
22 technical problems associated with this site.

23 We've seen the unveiling of  
24 acclaimed designs for key project elements,  
25 the memorial, the Freedom Tower and the

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Permanent PATH Station.

And at the Governor's instigation, we've adopted an aggressive schedule for getting the construction of the first phase of the project done.

While there is a tremendous amount more to be accomplished, I think everybody who is involved with this and particularly the LMDC leadership ought to be complimented.

You've already heard from other speakers about the economic impact that the rebuild will have on the city and the entire region, 10,000 construction jobs per year, 50,000 permanent jobs, a half a billion dollars of tax revenue over the long run.

I would like to focus for a moment on how these buildings that are being proposed for the World Trade Center will be pioneering in terms of energy efficiency, environmental impact and quality of life both for tenants and for people in the area.

The Freedom Tower and the other buildings at the site will track the many innovations we've put in place in the 7 World

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1  
2 Trade Center project which is now rising.  
3         These include capturing rainwater  
4 for use in toilets and in landscape  
5 irritation, ultra filtration of indoor air,  
6 installing state-of-the-art exterior glass to  
7 maximize natural light and minimize energy  
8 consumption from artificial light, generating  
9 electricity by capturing energy from steam  
10 that would otherwise be wasted and, of course,  
11 we plan to generate still more electricity by  
12 installing wind turbines at the top of the  
13 Freedom Tower.

14         These and other innovative design  
15 features will be developed according to the  
16 sustainable design guidelines that have been  
17 crafted under LMDC's leadership and in  
18 cooperation with leading environmental  
19 advocates and planners which are included in  
20 the DGEIS.

21         To achieve these goals, we've  
22 hired some of the world's greenest architects  
23 and builders. Our aim is to create buildings  
24 that achieve and exceed the U.S. Green  
25 Building Council's leadership in energy and  
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1  
2 environmental design awards which have become  
3 the green standard and generally to create a  
4 standard for the 21st Century and beyond.

5 Building the World Trade Center  
6 will undoubtedly require patience and resolve,  
7 most of all from the residents of Lower  
8 Manhattan who have had to endure so much.

9 But in closing, I want to assure  
10 everyone that we will work closely with this  
11 community to assure that the impacts of the  
12 construction are mitigated.

13 We've already proven our  
14 willingness to do so on 7 World Trade where  
15 we've installed an innovative pilot program on  
16 low-sulphur fuels which has now been adopted  
17 by the city.

18 We're going to do that and much,  
19 much more with cooperation from the LMDC and  
20 the community on the rest of the rebuild.

21 Thank you.

22 HEARING OFFICER FERRICK: Thank  
23 you.

24 And if you have a statement,  
25 please do leave it with the reporter.

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Pat Dillon.

MS. DILLON: Hi, I'm Chair of the Environment Committee of the Independence Plaza Tenants Association and I'm here on their behalf.

For more than eight months after the barbaric attack on the World Trade Center, residents of Lower Manhattan continued to be assaulted at the hands of our own government.

The air in our neighborhoods was filled with toxic fumes from diesel trucks and demolition equipment and uncontrolled contaminated dust from the trucks carrying World Trade Center waste to Pier 25 in the Hudson.

The suspension by New York State of regulations governing the transport of toxic waste enabled the recovery and cleanup to be completed ahead of schedule and under budget but the citizens of Lower Manhattan paid a very heavy price.

Now we face 10-plus years of possibly even greater assaults on our air quality. The DGEIS indicates that particulate

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matter emitted from diesel engines will substantially exceed EPA's air quality standards.

The DGEIS contains many well-intentioned statements about planned efforts to mitigate these terrible impacts but it makes no real commitments in this regard.

The language regarding such mitigation is filled with loopholes. The most frequent of which is that the use of ultra-low sulphur diesel ULSD fuel and retrofitting equipment with emissions reduction devices are required only "when practicable."

Governor Pataki, Silverstein Properties and others have gotten much favorable press coverage by stating that ULSD and the best available emissions reduction devices are being used in World Trade Center reconstruction.

But we have information from air quality consultants and low-sulphur fuel suppliers that the reality on the ground is somewhat different.

At number 7 World Trade Center  
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1  
2 site, for example, only three out of seven  
3 pieces of large permanent diesel equipment  
4 were able to be retrofitted to reduce harmful  
5 emissions.

6 Much more than good intentions is  
7 needed if citizens are not to be subjected for  
8 many years to the dangerous air pollutants  
9 that will be generated by this massive  
10 reconstruction.

11 We understand the DGEIS cannot  
12 absolutely mandate these toxic emissions  
13 measures since there are factors which  
14 sometimes make them not practicable.

15 However, the DGEIS can do much  
16 more than it currently does to ensure that  
17 contractors cannot so easily evade their  
18 responsibility to protect our air quality.

19 Independence tenants request the  
20 following be added to the EIS:

21 Require that contracts with and by  
22 the MTA, The Port Authority, Con Edison,  
23 Verizon and all other quasi and nongovernment  
24 entities contain the same provisions regarding  
25 diesel emissions regulations as our included

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1  
2 diesel emissions requirements, the report  
3 should include noncompliance with dust control  
4 measures, such as wetting down debris, and the  
5 reasons for same.

6 Thank you.

7 HEARING OFFICER FERRICK: Thank  
8 you very much.

9 Robert Jaruik.

10 MR. JARUIK: Good evening.

11 My name is Dr. Jaruik. I spoke  
12 this morning and pointed out that the  
13 waterfalls for the memorial would require a  
14 flow of 15,000 gallons per second, would carry  
15 windborne chemicals for purification of that  
16 water over wide areas, would require two  
17 billion tons per year of water to be pumped  
18 over the falls at an energy cost of ten  
19 megawatts, twice the Empire State Building  
20 power consumption, and \$6 million per year  
21 cost.

22 It's amazing that phase two  
23 engineering studies of the memorial proposal  
24 could overlook the fact that the waterfalls  
25 are so vastly energy inefficient and so far

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1  
2 out of line with any green planning.

3           Also this morning I pointed out  
4 that the Lower Manhattan Development  
5 Corporation does not appear to have a legal  
6 contract with The Port Authority giving it,  
7 giving Lower Manhattan Development Corporation  
8 the authority to build anything at the World  
9 Trade Center site.

10           And when I asked your attorney if  
11 this is true, she would not answer my question  
12 and referred me to the Freedom of Information  
13 Act.

14           The memorial competition mission  
15 statement and guidelines were a wonderful,  
16 hard worked on, meaningful document, an  
17 inspiring document that many throughout the  
18 world felt should be achieved.

19           But the public wisdom judges that  
20 the competition results did not achieve an  
21 inspiring memorial and I think it's time to  
22 recognize that our nation and the brave young  
23 men who died for our freedom deserve more than  
24 this memorial plan presently has.

25           I think the Lower Manhattan  
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1  
2 Development Corporation should seriously  
3 consider that the public may know that they do  
4 not have the authority to build this memorial,  
5 that Port Authority may be able to grant it to  
6 them and probably will, but that it would be a  
7 far wiser act for the Lower Manhattan  
8 Development Corporation to gain public trust  
9 and to gain the honor necessary to proceed  
10 with the rest of the Lower Manhattan  
11 development by bowing out of the competition  
12 and allowing some other public process to  
13 create a befitting memorial for this very  
14 horrendous and very important event.

15 Please seriously consider this.

16 Thank you.

17 HEARING OFFICER FERRICK: Thank  
18 you.

19 Matthew Jones.

20 MR. JONES: Hello, my name is  
21 Matthew Jones. I'm a current student of  
22 environment studies and after reading the  
23 Environmental Impact Statement I had some  
24 concerns with the hazardous substances.

25 One idea would be to monitor the

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1  
2 soils and excavation -- sorry, monitor the  
3 soil as excavation continues. There's no  
4 mention of further testing of the soils as the  
5 project moves forward.

6           However, the document states  
7 contaminated material encountered during the  
8 excavation activity would be handled,  
9 transported and disposed of according to all  
10 applicable federal, state and local rules and  
11 regulations in accordance with the Health and  
12 Safety in Soil Management Plans. That is  
13 found on page 11-14.

14           Install metal grates at exits to  
15 clean tires of vehicles leaving the World  
16 Trade Center site, such as Vesey and Church  
17 Street and Liberty and West Street.

18           Minimize dust by spraying water  
19 around the World Trade Center site and area  
20 when the ground is dry and dirty vehicles  
21 should be cleaned before leaving the site.

22           The Health and Safety Plan states  
23 that dust generated by the construction  
24 activities or from excavations would be  
25 suppressed by spraying water during dry

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1  
2 weather, by cleaning the vehicles and other  
3 equipment prior to leaving the site.  
4 Special provisions should be made  
5 during the winter months when the water would  
6 freeze.  
7 In addition, I have yet to see any  
8 vehicles and other equipment cleaned prior to  
9 leaving the site or washing stations set up.  
10 There's no mention of further  
11 testing of existing structures containing  
12 elevated asbestos and metals concentrations as  
13 the project moves forward.  
14 However, the document states the  
15 surfaces of existing structures containing  
16 elevated asbestos and metals concentrations  
17 should be subject to preconstruction cleaning.  
18 That information is found on page 11-13.  
19 Some other comments and ideas I  
20 have are a new location needs to be determined  
21 for the green market that reopened on  
22 June 2003 at Liberty Plaza which has  
23 subsequently closed due to plaza renovations.  
24 Some other ideas are improve the  
25 public transportation infrastructure. This  
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1  
2 can be done by creating a world-class airport  
3 access system linking Lower Manhattan to Long  
4 Island and all three area major airports.  
5 And a second -- it is very  
6 important to minimize vehicular congestion.  
7 Require that all MTA and tourist buses use  
8 low-sulphur fuel and are designed to retrofit  
9 the current lower emission technologies.  
10 Also to incorporate the impact of  
11 trucks bringing the slurry to the site and  
12 dust generated from mixing the slurry that is  
13 used in the slurry walls. This dust component  
14 is completely missing from the calculations.  
15 Thank you.  
16 HEARING OFFICER FERRICK: Thank  
17 you.  
18 The next five speakers are Jenna  
19 Dunne;  
20 Bill Love;  
21 Joseph Calisi;  
22 Robert Borg;  
23 And Joe Wright.  
24 MS. DUNNE: My name is Jenna  
25 Dunne, I'm a student at Ramapo College, New  
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1  
2 York.

3 My question or comment is in the  
4 executive summary of DGEIS, the sustainability  
5 design guidelines are mentioned as being  
6 regional and on a neighborhood scale.

7 This is interesting to me but I'm  
8 not so clear on how this all works. The plan  
9 sounds good but it's just not clear as, you  
10 know, what the sustainability measurements are  
11 going to be.

12 Also, the open space is  
13 appreciated but the green design, I'm not  
14 really sure what the draft, what that entails.

15 As sustainability is not a  
16 concrete definition, you know, the Lower  
17 Manhattan Development Corporation's definition  
18 might be different than a lot of other  
19 people's so I think it should be more clear.

20 HEARING OFFICER FERRICK: Thank  
21 you.

22 Bill Love.

23 MR. LOVE: My name is Bill Love,  
24 I'm a resident of Battery Park City and Vice  
25 Chair of the Coalition to Save West Street.

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I wanted to comment on two topics  
in the DGEIS.

The first is Site 26. I believe  
that the DGEIS inadequately analyzes the  
potential negative environmental impact of the  
proposed bus garage at that site.

We know that buses run, even  
though it's underground, buses run their  
engines, we know that there will be fumes from  
the buses that have to be vented and the  
location of that site is next to a playground  
and also the main movie theater in the  
neighborhood where people congregate outside  
in good weather.

It's ironic that the bus garage  
which is the proposed solution to the problem  
that residents have had in the area, have had  
for years with buses running their engines in  
the neighborhood, that the solution to that is  
to build a bus garage on prime real estate in  
the middle of one of those residential  
neighborhoods. So I hope we'll do some more  
analysis on that concern.

Secondly, on the West Street  
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1  
2 tunnel is going to be a much more difficult  
3 and expensive undertaking than we've been  
4 previously led to believe and potentially more  
5 environmentally hazardous.

6 I believe that the ultimate cost  
7 of the tunnel, including the proposed  
8 extension to Albany Street now instead of  
9 Liberty, is now well north of a billion  
10 dollars even though we haven't had any updates  
11 from the State DOT.

12 So just summing up to say that the  
13 DGEIS makes it clear that there's going to be  
14 substantial impact from air pollution,  
15 construction noise, dump truck and other  
16 vehicle movements on West Street even without  
17 a West Street Tunnel.

18 And I believe that the West Street  
19 Tunnel construction, adding that to what's  
20 going on at the site and then the surrounding  
21 streets will make what is already going to be  
22 a difficult situation for local residents into  
23 one that is potentially unbearable and could  
24 lead to potential changes in the character of  
25 the neighborhood unlike the assurances that

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1  
2 are given in the DGEIS.

3 Thank you.

4 HEARING OFFICER FERRICK: Thank  
5 you.

6 Joseph Calisi.

7 MR. CALISI: Thank you for the  
8 opportunity to speak. I'm here to speak not  
9 so much about the World Trade Center site but  
10 a topic that's very close to my heart, mass  
11 transportation.

12 Direct commuter access once  
13 discussed but this voice hasn't really been  
14 heard lately. What I am submitting to the  
15 LMDC is an exciting transportation plan that  
16 creates a low-cost, seamless, one-seat rail  
17 link into Lower Manhattan for commuters and  
18 for JFK Airport users.

19 By extending the ex-New York  
20 Central High Line on the west side of  
21 Manhattan with an elevated right-of-way to the  
22 Financial District, a great number of people  
23 can be transported to this area and realize a  
24 tremendous economy of scale and cost savings  
25 at the same time.

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1  
2 Under my plan, Metro-North and  
3 Long Island Rail Road commuter trains could  
4 use the High Line as a means to access the  
5 Financial District.

6 This can be accomplished by  
7 widening and strengthening the access ramps  
8 that go up to the line on the viaduct outside  
9 the LIRR west side yard and accommodate a  
10 two-track operation.

11 Should a stadium be built, rail  
12 ramps could be built as part of an overall  
13 stadium structure within a built-in station.

14 JFK Airport patrons using the air  
15 train could also benefit when hybrid rolling  
16 stock could be attached to LIRR trains or run  
17 as trailers with locomotives at each end that  
18 would serve as propulsion and crash protection  
19 to those hybrid light rail vehicles.

20 In terms of cost, an extension of  
21 the viaduct is a cost-effective method of  
22 providing transportation to the New York  
23 metropolitan region compared to tunneling  
24 costs and would help improve access and  
25 revitalize the economy of the City of New York

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1  
2 by making it easier to locate new jobs in  
3 Lower Manhattan and also create more jobs when  
4 constructing the southern extension.

5           A simple thing like a station at  
6 14th Street on the west side of Manhattan,  
7 they would be gaining new service that never  
8 existed before.

9           Since this is a new idea, a  
10 considerable amount of flexibility could be  
11 incorporated into the plan.

12           Electric trains don't pollute and  
13 are quiet and efficient.

14           I also support the PATH-Lex  
15 extension which I understand was discussed  
16 earlier today.

17           Thank you for your time.

18           HEARING OFFICER FERRICK: Thank  
19 you.

20           Robert Borg.

21           MR. BORG: I'm a civil engineer  
22 and I'm here in my capacity as Chairman of the  
23 Committee on Social and Environmental Concerns  
24 of the Construction Institute of the American  
25 Society of Civil Engineers.

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1  
2 against it.

3 I have not yet seen anything in  
4 the Environmental Impact Statement that gives  
5 consideration to that and I hope that  
6 consideration is going to be incorporated in  
7 the designs.

8 There is also a question of  
9 emergency evacuation of the site, the memorial  
10 site, as well as the buildings, provision for  
11 rapid emptying of the site where there will be  
12 many, many tourists and, of course, the  
13 buildings that surround them.

14 Here again, a really difficult  
15 problem and something that has to be addressed  
16 and will be something which is going to  
17 necessarily be of great necessity, sometime in  
18 the future have to be put into effect.

19 No mention has been made so far  
20 about the ferries and the utilization of  
21 ferries to a greater extent than they are  
22 being used now and I think that is something  
23 which we should continue to incorporate in the  
24 surrounding area for the transportation that  
25 are going to be utilized.

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1  
2                   Finally, the impact not just of  
3 the World Trade Center site itself but the  
4 surrounding area and even the suburbs has to  
5 be taken into account in the EIS and the  
6 economics and the social impact of the  
7 businesses and the residents of the  
8 surrounding areas, Battery Park City being the  
9 most obvious one, should also be given more  
10 study.

11                   Thank you.

12                   HEARING OFFICER FERRICK: Thank  
13 you.

14                   The next group of speaks are Joe  
15 Wright;

16                   Ken Lowenstein;  
17                   Council Member Alan Gerson;  
18                   Mae Lee;  
19                   And Jenea Scott.

20                   Mr. Wright.

21                   MR. WRIGHT: Thank you.

22                   I'm Joe Wright speaking on behalf  
23 of the World Trade Center Restoration  
24 Movement.

25                   At the Javits Center public

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1  
2 hearing on rebuilding the World Trade Center,  
3 a series of plans were submitted and were  
4 resoundingly rejected.

5           One comment, which many of the  
6 some 5,000 people in attendance agreed, was  
7 that the plans looked like Albany, the  
8 implication being they were incredibly bland.  
9 I call this crap number one.

10           Then the LMDC presented the famous  
11 nine plans. Because they disallowed the  
12 rebuilding of the twin towers as an  
13 alternative, I called it crap number two.

14           On Friday, December 19, 2003, the  
15 final plan was presented with great hoopla by  
16 the powers that be to the public at large. My  
17 immediate response was looks worse than  
18 Albany. I call that crap number three.

19           From Daniel Libeskind and David  
20 Childs we have form over function, ornament  
21 over design, symbol over substance.

22           And it's not a 1776-foot building.  
23 It's a 70-story building topped off with a  
24 void, windmills and that goofy Libeskind  
25 spire.

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1  
2 Windmills, give me a break.  
3 If these hooples Pataki,  
4 Bloomberg, Silverstein, Childs, Libeskind and  
5 the LMDC can't build in the spirit of New York  
6 City, I say get out of the light and open the  
7 field to the inspired, the ambitious and the  
8 heroic. Let's put a real New York builder in  
9 charge. You might ask where is The Donald.  
10 The announcement of the final  
11 design was just another shameful day in the  
12 history of the failure to rebuild the World  
13 Trade Center.  
14 More than any other, Libeskind's  
15 plan grants the terrorists what they wanted,  
16 to demoralize and humiliate America by  
17 destroying her symbols.  
18 The terrorists cut us down to  
19 size. The Libeskind plan and all of its  
20 supporters appear content with us remaining in  
21 that state. The Leave Manhattan Destroyed  
22 Corporation certainly isn't going to help.  
23 What we have is not Freedom Tower  
24 but Surrender Tower as so accurately  
25 designated by my colleague Andrew Oliff.  
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1  
2 because it offered the greatest space for  
3 memorializing death and the least amount of  
4 space celebrating life.

5           Interestingly, some victim family  
6 members have courageously spoken out in favor  
7 of rebuilding the towers but their voices are  
8 silenced and ignored.

9           Excuse me a minute.

10           Replacing the twin towers with  
11 anything of less stature, of less grandness,  
12 with less functionality in office and  
13 commercial space can only be regarded as an  
14 utter disgrace.

15           So we have crap design one, crap  
16 design two, crap design three, and to  
17 paraphrase Johnny Paycheck, I say take this  
18 crap and shovel it.

19           The idea of turning the site into  
20 a cemetery I find grossly repugnant. I don't  
21 want the site to become Tombstone City,  
22 neither do the residents in the area.

23           The most magnificent way of  
24 honoring those who were murdered by the  
25 terrorists on 9/11 is to rebuild what was

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destroyed.

My memorial would consist of elements of the destroyed towers placed on a new plaza between two new twin towers built as tall or taller and exactly on the footprints of the original towers.

As to the explanation of the meaning of the memorial, it would simply be this: On 9/11/01, these people were murdered by fanatical religious terrorists who hate America for everything that makes it and us great. We're not defeated and we submit these brand new twin towers as proof.

HEARING OFFICER FERRICK: Thank you.

And if you have a statement, would you leave it with the reporter.

Thank you.

Mr. Lowenstein, I don't know if I pronounced your last name correctly.

MR. LOWENSTEIN: You did.

Good evening.

My name is Ken Lowenstein.

You did pronounce it correctly.

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HEARING OFFICER FERRICK: Thank  
you.

MR. LOWENSTEIN: I'm speaking on  
behalf of Brookfield Financial Properties.

Brookfield is a major property  
owner in Lower Manhattan which owns One  
Liberty Plaza and three buildings in the World  
Financial Center.

I'm here today to express  
Brookfield's strong support for the  
redevelopment plan proposed by the LMDC and  
analyzed in the Draft Generic EIS before you  
today.

LMDC faced enormous challenges in  
formulating its redevelopment plan. Apart  
from identifying an appropriate location for  
the memorial, it needed to address the  
inadequate transportation to Lower Manhattan  
and provide a framework for the rebuilding of  
the very commercial activity that made the  
World Trade Center a target for the  
terrorists.

In short, it needed to reconcile  
the need to rebuild and move forward with the  
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1  
2 need to remember what happened here.

3           The redevelopment plan achieves  
4 each of these objectives. It is a  
5 well-considered, cohesive and comprehensive  
6 vision that will result in a spectacularly  
7 improved environment for Lower Manhattan.

8           It extends the city's historical  
9 street grid system to and through the site,  
10 provides open space and a site for the  
11 memorial and other civic and cultural  
12 institutions.

13           It also -- while not directly part  
14 of the redevelopment plan, the plan to  
15 submerge West Street in the vicinity of the  
16 Trade Center and provide new transportation  
17 connections from Queens, Long Island and  
18 JFK Airport are critical elements of the  
19 overall strategy formulated by the Governor,  
20 the Mayor and LMDC.

21           We want to express our strong  
22 support for each of these initiatives.

23           Finally, but of great importance,  
24 the redevelopment plan includes the  
25 redevelopment of up to 10 million square feet

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1  
2 of Class A commercial office space and up to  
3 one million square feet of retail space,  
4 hotel, parking and other associated uses.

5 Some might say that this office  
6 and retail space is not needed. They point to  
7 the large amount of vacant space in Lower  
8 Manhattan in the office market and say that  
9 nothing should be built.

10 As one of the largest Class A  
11 office owners in Lower Manhattan, we know  
12 firsthand about the vacancy rate and  
13 availability of considerable amount of  
14 subleased space, but we also know that Lower  
15 Manhattan is the historic center of the  
16 commercial capital of this country and of the  
17 world.

18 The Stock Exchange, American Stock  
19 Exchange, NYMEX are all located in this area.  
20 Many large companies, too numerous to mention,  
21 and their supporting law firms, accounting  
22 firms and other services are also located in  
23 Lower Manhattan with hundreds of thousands of  
24 employees.

25 Rather than abandoning Lower  
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1  
2 Manhattan, we need to take aggressive steps to  
3 reinvigorate and restore it. The proposed  
4 redevelopment plan achieves this objective and  
5 we strongly support it.

6 HEARING OFFICER FERRICK: Thank  
7 you.

8 Council Member Alan Gerson.  
9 MR. GERSON: Thank you very much.  
10 Thank you all very much.

11 Good evening.  
12 And so tonight we begin what  
13 really is the test, the real test, the test of  
14 whether or not we mean what we have  
15 articulated over the past two years as to our  
16 commitment to the values of life, as to our  
17 true recognition of the sanctity of the  
18 inherent value of life and our dedication to  
19 life-affirming values.

20 For if we really do mean what we  
21 have said, we must proceed during this ensuing  
22 construction period and the aftermath in a  
23 life-affirming manner.

24 We must put in place a framework  
25 of livability first which takes account first  
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1  
2 and foremost of the basic life needs, the  
3 health, the safety and the well-being of the  
4 people who will be most impacted by the  
5 activities which will go on and it's result,  
6 the people who live in the vicinity, the  
7 children who grow up there, the seniors who  
8 retire there, the people of all ages who live  
9 and work and do business and, of course, the  
10 people who will protect this area in the  
11 future and the visitors and the workers.

12 All else must proceed with an  
13 overarching framework of livability first.  
14 From that perspective, from that perspective,  
15 I commend the LMDC and all those who worked on  
16 this draft document for a good start and for  
17 commendable thoroughness in a range of areas.

18 But the overall grade from the  
19 perspective of livability first which we must  
20 give this Draft EIS is a big N, N for needs  
21 improvement.

22 There are several areas which  
23 require a livability analysis. My office and  
24 I will submit a comprehensive review of those  
25 areas.

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1  
2 In the remaining time I will  
3 highlight some of the 25 specific areas which  
4 we have identified as needing improvement from  
5 the standpoint of a livability first  
6 perspective within which I must emphasize we  
7 can produce and actually only within which we  
8 can produce an end result of which we can all  
9 be proud both for what it is and how we made  
10 it what it is.

11 First: Saturday, all-day,  
12 full-scale Saturday construction, that's a  
13 nonstarter. That is not the norm in the City  
14 of New York. It is actually outrageous that  
15 it was just referenced in one brief insert in  
16 the EIS.

17 7:00 a.m. to 6:00 p.m. is  
18 absolutely not acceptable and without,  
19 certainly without the benefit of any analysis  
20 as to the alternatives as to what type of  
21 quiet activity can go on within that time  
22 period and to what the impact will be.

23 In the 30 seconds I should point  
24 out that that really emphasizes the remaining  
25 areas that need the type of analysis from the

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1  
2 protection of the people who will be impacted  
3 by this project.

4           In three minutes to address a  
5 2,000-page document in three minutes, as we  
6 all know, is an impossibility, but I just  
7 wanted to put on the agenda the need to take  
8 this framework of livability first seriously  
9 as a general framework and then the  
10 particulars which follow from it.

11           We will be submitting to you the  
12 document which identifies those particulars  
13 and follows with a livability first document  
14 we generated many months ago and we will work  
15 and we are prepared to work with the LMDC to  
16 see to it that all of those are fulfilled.

17           Finally, in conclusion in a few  
18 seconds, you have an economic -- an  
19 environmental justice section. I'll point out  
20 environmental justice requires environmental  
21 democracy wherein we adhere to the processes,  
22 especially when we make these decisions that  
23 affect day-to-day life, we must follow and  
24 adhere to the policies of the government  
25 within which this project is taking place, the

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1  
2 city, the community, the city, the State of  
3 New York.

4 We can expedite democratic process  
5 but we should not circumvent it. This hearing  
6 should be a beginning but not the end of a  
7 public process.

8 We must follow all standard land  
9 use and environmental rules and regulations,  
10 and where there is a need to amend it, we must  
11 go through the normal democratic process to  
12 amend, to expedite but protect livability.

13 Thank you very much.

14 HEARING OFFICER FERRICK: Thank  
15 you for your participation.

16 Mae Lee.

17 MS. LEE: Hi, my name is Mae Lee.  
18 I'm the Executive Director of the Chinese  
19 Progressive Association.

20 Our organization is located in  
21 Chinatown on Canal Street. We serve Chinese  
22 immigrants in Chinatown and the Lower East  
23 Side.

24 After -- actually, in the spring  
25 of 2002, our organization did an asthma survey

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1  
2 we submit comments next month.

3 Thank you.

4 HEARING OFFICER FERRICK: Thank  
5 you.

6 Jenea Scott.

7 MS. SCOTT: Hi, my name is Jenea  
8 Scott and I'm a staff attorney at  
9 Environmental Defense and we are going to  
10 submit detailed written comments so there's  
11 just a few things that I wanted to highlight  
12 here tonight.

13 The first is I'm an air attorney  
14 so I'm going to talk about diesel exhaust and  
15 its health effects.

16 Diesel exhaust contributes to a  
17 lot of public health hazards, including asthma  
18 attacks, lung cancer, premature death,  
19 respiratory injury and stroke.

20 And the Draft GEIS has mentioned  
21 that the pollution from construction vehicles  
22 is going to be -- it's going to have an impact  
23 on the neighborhoods.

24 And I wanted to highlight, as  
25 you've heard tonight, that Governor Pataki has  
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1  
2 made a commitment that all the state  
3 construction contracts will use ultra-low  
4 sulphur diesel fuel and pollution control  
5 technologies. This can reduce the pollution  
6 from the diesel construction equipment by up  
7 to 90 percent.

8           New York City has also made the  
9 same commitment in Interim 191-A, it's a bill  
10 that was passed by the New York City Council  
11 right before Christmastime, unanimously passed  
12 and signed by Mayor Bloomberg.

13           So the state made a commitment,  
14 the city's made a commitment and Environmental  
15 Defense would like to respectfully request  
16 that the LMDC make a commitment to also, to  
17 pick up any of the other vehicles that aren't  
18 covered by these two.

19           It's also made clear that in  
20 addition to construction equipment, the trucks  
21 are going to be impacting life here, too, and  
22 so we'd like that commitment to clean up the  
23 diesel vehicles to be extended from just the  
24 construction equipment to the construction,  
25 all the trucks that are used in the

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1  
2 construction process.

3           And, you know, we think that this  
4 is a great way to help keep the community  
5 healthy, to help keep the residences and the  
6 businesses healthy.

7           And as an environmental -- as a  
8 national environmental group, we believe that  
9 this project can move the entire country  
10 forward. You know, if New York can do it, so  
11 can everybody else.

12           And there's just two other pieces  
13 that I wanted to highlight.

14           One is that there's a lot of ways  
15 that you can mitigate traffic and we have some  
16 congestion pricing ideas that we will go into  
17 much more detail in our written comments.

18           And I also wanted to stress the  
19 importance of sustainable building guidelines  
20 and to applaud the commitment to incorporate  
21 renewable energy generation in the Freedom  
22 Tower.

23           Thank you.

24           HEARING OFFICER FERRICK: Thank  
25 you very much.

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1  
2                   Let me mention again if there's  
3 anyone that would like to submit some comments  
4 tonight at this hearing, all you have to do is  
5 fill out a card outside with your name and it  
6 will come up to me and I'll call it out in the  
7 order in which I receive it.

8                   The next five speakers are Janell  
9 Bevan;

10                   Liz Bleiweiss;  
11                   Robert Kornfeld;  
12                   Louis Epstein;  
13                   And John Lemea.

14                   MS. BEVAN: Good evening.

15                   My name is Janell Bevan and I am  
16 with the Ramapo Neighborhood Assessment out of  
17 Ramapo College.

18                   First of all, I have two things to  
19 say, one of them being it's a tragedy to be  
20 here, for all of us to have discuss a  
21 redevelopment plan for Lower Manhattan and it  
22 is a tragedy to not see more people in this  
23 room, especially from my generation. It's  
24 kind of upsetting and disturbing.

25                   The redevelopment plan addresses  
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1  
2 the need for a sustainability in Lower  
3 Manhattan as well as the need for more open  
4 space and green areas.

5 My question is, did LMDC look at  
6 any kind of energy efficient landscaping and  
7 sustainability in terms of landscaping?

8 So I'd just like you to take that  
9 into consideration when talking about greening  
10 Lower Manhattan and adding more parks, that  
11 parks aren't just there for visual purposes  
12 but they actually do serve a function.

13 HEARING OFFICER FERRICK: Thank  
14 you very much.

15 I should indicate that this  
16 afternoon from 1:00 to 5:00, almost 5 o'clock,  
17 there was a first phase of the hearing today  
18 and almost 60 people gave views and there were  
19 a number of people in the audience at that  
20 point as well.

21 I just share that information with  
22 you.

23 MS. BEVAN: Thank you.

24 HEARING OFFICER FERRICK: Thank  
25 you.

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1  
2 Liz Bleiweiss.  
3 I'm not sure I have the  
4 pronunciation correct. I'm sure you'll  
5 straighten me out.  
6 MS. BLEIWEISS: You're right.  
7 Good evening.  
8 I'm Elizabeth Bleiweiss from  
9 Ramapo College. I'm an environmental study  
10 student.  
11 And in reviewing the Generic  
12 Environmental Impact Statement here, I was  
13 looking over the air quality section and  
14 noticed that there was no mention of any  
15 anticipated emission of VOCs or particulates  
16 from the application of paints and/or other  
17 chemicals to the building during construction  
18 and/or maintenance of the buildings.  
19 And I was just wondering if that  
20 was something that you had taken into any  
21 consideration.  
22 I would imagine painting a large  
23 building would be putting something into the  
24 air at that time and that's my comment.  
25 HEARING OFFICER FERRICK: Fine.  
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1  
2 Your comments are on the record and the people  
3 who will be reviewing that will have the  
4 question that you've put.

5 Thank you.  
6 Robert Kornfeld.

7 MR. KORNFELD: I'm Robert  
8 Kornfeld. I'm a Director of the Historic  
9 District's Council.

10 My comment is on the finding of no  
11 adverse effect based on the Determination of  
12 Eligibility. We feel that this was a hasty  
13 document based on, you know, coming out a few  
14 days after the eligibility statement and it  
15 really didn't address -- it didn't address the  
16 impacts that the project would have.

17 It seemed to operate with a  
18 blanket dismissal of all of the historic  
19 resources identified on the site rather than  
20 addressing specifically what adverse impacts  
21 there would be and what type of mitigation is  
22 proposed.

23 And to me that seems to go against  
24 the spirit of Section 106 process and I think  
25 that you really need to go into detail of what

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1  
2 the project is and what the impact is.

3 An example is the discussion of  
4 the column bases of the towers of One and Two  
5 World Trade Center.

6 The existing resources really  
7 define the scale of the entire floor plans of  
8 those buildings and the functional areas  
9 within the buildings, and just saying that,  
10 you know, that some of the columns will be  
11 retained doesn't really address the issue.

12 You know, which ones won't be  
13 retained, you know, what does that impact, how  
14 is that mitigated and so forth.

15 Also, one of the criteria that's  
16 brought up is functional integrity which you  
17 can use -- I'm not aware of that as a standard  
18 criteria for evaluating the resources on  
19 historic sites or in historic ruins.

20 And as the representative from the  
21 American Planning Association pointed out, if  
22 you use that type of criteria, you could  
23 really say that any historic site in the world  
24 does not have historic value.

25 So thank you very much.

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HEARING OFFICER FERRICK: Thank  
you very much.

Louis Epstein.

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

I'll be sending comprehensive  
written comments in March.

In the meantime, some of the  
things that didn't squeeze in when I spoke  
earlier, as you know, I support the  
restoration alternative and I think the only  
responsible course of action for the official  
planners is to discard this currently proposed  
action in favor of finding out how best to  
build new twin towers, not one any shorter  
than the old by any measurement with new  
technologies.

And I deeply regret the actions of  
those who are hostile to the urban design  
principles that gave us the World Trade Center  
and are not paying attention to the  
circumstances in which the World Trade Center  
was lost in swooping in to try to change the  
character of the neighborhood drastically from

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1  
2 weather when they would be happily shopping  
3 underground on a cold day and would rather be  
4 home safe when it's cold, rainy or snowing.  
5 And also to those who say that  
6 they want less office space, they have to  
7 remember the Group of 35 report by an eminent  
8 expert in June 2001 concluded that the City of  
9 New York needed 50, 50 million new square feet  
10 of Class A office space by the year 2020.

11 That was released just months  
12 before the World Trade Center was destroyed,  
13 adding 10 million square feet of Downtown's  
14 best space to the shortage.

15 We do need to build. We've just  
16 got to build it in fewer, taller buildings,  
17 new twin towers.

18 HEARING OFFICER FERRICK: Thank  
19 you.

20 John Lumea.  
21 And the next group after John  
22 Lumea would be Dimitrios Makras;  
23 Kathleen Moore;  
24 Rachel Snyder;  
25 And Colleen Delaney.

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1  
2 MR. LUMEA: My name is John Lumea.  
3 On February 6th, the Lower  
4 Manhattan Development Corporation determined  
5 that under Section 106 of the National  
6 Historic Preservation Act, the World Trade  
7 Center site is eligible to be placed on the  
8 National Registry of Historic Places because  
9 "The WTC site retains integrity of location,  
10 setting, feeling and association."

11 Put that very statement in the  
12 imperative, the WTC site must retain integrity  
13 of location, setting, feeling and association  
14 and you have a good idea of what most people  
15 want for the site.

16 Building a truthful response to  
17 the enormity of 9/11 obliges us to preserve  
18 the site's historic sense of place, not as  
19 measured by the arbitrary sanctification of  
20 slurry walls but by endowing the site with a  
21 visual and visceral sense of the physical  
22 wholeness of those acres as they now present  
23 themselves.

24 Lining the perimeter of the site  
25 with monstrously bulky towers, making it

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1  
2 the worst light and air conditions in  
3 Manhattan.

4           In one case, according to the  
5 architect Eli Attia, twice the maximum  
6 provision of the New York City Zoning  
7 Resolution and two and a half times the former  
8 World Trade Center.

9           Outrageous.

10           Defining the entire site as one  
11 parcel, as the Draft GEIS does, yields better  
12 numbers and enables the LMDC to dodge these  
13 ill effects, but each of the five proposed  
14 buildings will be privately developed on its  
15 own parcel and the collaborative bulks of  
16 these buildings is what will determine how the  
17 site feels on the ground.

18           Likewise, defining public open  
19 space to include streets and sidewalks, as the  
20 Draft GEIS does, boosts the numbers but does  
21 not alter the facts.

22           The fragmentary spaces currently  
23 shown on the World Trade Center site would  
24 function as little more than glorified  
25 sidewalks.

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1  
2 these schemes and designs for the site are too  
3 weak and very flimsy and too mediocre.

4           The Freedom Tower is a horrible --  
5 is horrible and weak and doesn't represent the  
6 city in the true sense. It looks too anorexic  
7 and looks like something that came out of  
8 Disney World.

9           Besides, wasn't this similar to a  
10 design that was rejected at the Jacob Javits  
11 Center a year and a half ago?

12           This process is all about politics  
13 and not about the people. You guys never  
14 listened to us in the first place.

15           Ground Zero is not a clean slate  
16 of land. The only thing that should be built,  
17 without a doubt, back there are the twin  
18 towers.

19           Again, what better memorial and  
20 strong symbolism of freedom and resilience to  
21 have them back and have a giant sign on the  
22 top floors reading we're back.

23           The twin towers, in my opinion,  
24 are the original true Freedom Towers.

25           For all these efforts, energy and  
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1  
2 plus not to mention -- to mention time, money  
3 and put to waste, instead of wasting it on  
4 this particular process of designs, it could  
5 work better to other fields.

6 I think you guys should focus more  
7 on airport security and safety and safety  
8 modifications for skyscrapers, new  
9 skyscrapers, and just make it that we don't  
10 have planes crashing in every building in New  
11 York City. It should start at the airports.

12 Also focus more on equipment that  
13 works better for the fire and police  
14 department.

15 This process is ridiculous and too  
16 painstaking for the people of New York. It is  
17 insulting to the city, who on every poll and  
18 survey that has been taken from the media, the  
19 Internet, everywhere, the majority want the  
20 twin towers back.

21 I say all this to you because this  
22 is my pride speaking strongly and I say give  
23 us back our beloved twin towers. We New  
24 Yorkers deserve that.

25 HEARING OFFICER FERRICK: Thank  
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1  
2 you.

3 Kathleen Moore.

4 MS. MOORE: Good evening.

5 I'm Kathleen Moore and I'm  
6 speaking extemporaneously as a resident and  
7 not only a resident but one who is overseeing  
8 the site at 125 Cedar Street on the tenth  
9 floor on the Liberty Street side.

10 I'd like to say that I've also  
11 been in the last two and a half years trying  
12 to participate in as many ways as I can in  
13 hearing what the plans are, asking questions  
14 of architects, asking questions of the LMDC  
15 and going to as many meetings as I can.

16 I am still an amateur at this and  
17 that's what I speak as. I speak as someone  
18 who is going to -- is already experiencing the  
19 site in a very personal way and will continue  
20 to do that.

21 I congratulate everyone for  
22 attempting and making green design very much a  
23 part of this process and I think that whatever  
24 designs eventually get built they will reflect  
25 the vitality of New York.

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2           What I'm concerned about is the  
3 impact of the process and I think that it has  
4 not really been addressed as well as it should  
5 be even now.

6           The process will be a very long  
7 process. It's going to involve a great many  
8 projects.

9           There's been some discussion about  
10 the lack of oversight of all of the projects.

11           What happens if there's a  
12 scheduling conflict and four projects bring  
13 cement trucks to the site at the same time?

14           What happens -- what is the  
15 accountability of the environmental monitoring  
16 systems that you have?

17           Will there be any way to determine  
18 when levels of particulate matter, VOCs or  
19 whatever is being monitored reach levels that  
20 are unsafe for humans to be living and working  
21 in that space?

22           What is the accountability in all  
23 of these impact statements?

24           In the Environmental Impact  
25 Statements that I saw the executive summary on  
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1  
2 are for 2009 and 2016 I believe. I had  
3 understood that there was also going to be one  
4 for 2006, which is considered to be one of the  
5 high points in construction.

6 And I'm just opening the  
7 conversation to all of these very personal  
8 matters for me and I think for the entire  
9 neighborhood.

10 HEARING OFFICER FERRICK: Thank  
11 you very much.

12 I have four more cards, and if  
13 there's anyone here who has not spoken that  
14 wishes to speak, please sign a card outside  
15 and you'll come up and you'll have that  
16 opportunity.

17 The four are Rachel Snyder;

18 Colleen Delaney;

19 Ken Fitch;

20 And Richard Kennedy.

21 Rachel Snyder.

22 MS. SNYDER: Good evening.

23 I'm Rachel Snyder. I'm a member

24 of the Team Twin Towers and I am also a former

25 employee of Lower Manhattan and I really love

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1  
2 this area so I'm here for very personal  
3 reasons.

4           You said from the beginning that  
5 this would be an open public process. You  
6 promised to take what we had to say into  
7 account.

8           So many of us have given of our  
9 time and energy to try to be a part of this  
10 process, and since so many of us have so much  
11 emotionally invested in this process, I for  
12 one would like to know how we ended up with a  
13 plan that fails to inspire and leaves most of  
14 us with nothing but a deep sense of loss.

15           I have been involved with this  
16 from the beginning. I don't stand to gain  
17 financially or otherwise by being involved.  
18 I'm here only because I care deeply about this  
19 process.

20           I have yet to see any evidence  
21 whatsoever that there is any significant  
22 amount of support in the public for this plan  
23 or any other that you've presented so far.

24           What I have seen and heard is a  
25 deep longing for what we used to have.

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1  
2           Why do you think that more than  
3 29 months after they were destroyed pictures  
4 of the towers remain displayed everywhere you  
5 look in the city?

6           If this new plan is so great, why  
7 isn't it proudly displayed in store windows  
8 like the old towers are?

9           If you truly believe this is  
10 better than the original Trade Center, why  
11 didn't you ever include the twin towers as an  
12 option alongside the Libeskind proposal so  
13 that we, the people, can judge for ourselves  
14 what was better?

15           Why, if this is such a public  
16 process, as you always claim it is, has what  
17 the majority of the public wants never been  
18 included in an official proposal?

19           These are questions that must be  
20 answered.

21           I must say I am not surprised to  
22 see so many empty seats here tonight and I was  
23 not surprised to see so many empty seats here  
24 this afternoon. You've given nobody any signs  
25 that what they say here matters.

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This process should have been about healing and hope but it has only brought more pain to those of us -- to most of us who cared enough to get involved. We can do better.

This morning I attend an unveiling of a design that is in every way superior to the current official plan. It eliminates or greatly reduces many of the environmental and safety problems of this current plan.

It contains a beautiful memorial that is above ground and larger than what the official plans allows for, amenities for cultural activities and two new twin towers.

We welcome everyone here to visit [www.teamtwintowers.org](http://www.teamtwintowers.org) to see this plan for themselves.

It brought tears to the eyes of many of the people in the room, many of whom lost loved ones on 9/11.

This is the plan the public will embrace. This is the plan that should be built. It honors not just those who were murdered but all of us who were affected by

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1  
2 this genocidal atrocity. It is the only  
3 appropriate plan for the World Trade Center.

4 HEARING OFFICER FERRICK: Thank  
5 you.

6 Colleen Delaney.  
7 MS. DELANEY: Good evening.  
8 My name is Colleen Delaney and  
9 I've been working with the New York  
10 Environmental Law and Justice Project as a  
11 volunteer advocate and pro bono attorney.

12 The New York Environmental Law and  
13 Justice Project is a nonprofit public interest  
14 organization which counsels and represents  
15 individuals in groups concerned with the  
16 preservation and improvement of community  
17 environmental conditions.

18 The EIS process here is designed  
19 as a cooperative venture, the intent being  
20 that the LMDC has the benefit of public  
21 comment before approval of any redevelopment  
22 projects at the World Trade Center site.

23 At the New York Environmental Law  
24 and Justice Project, we've spent time  
25 interviewing New York City police officers,  
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2 firefighters, office workers, residents,  
3 et cetera, even beyond the limited defined  
4 area of the World Trade Center site.  
5 All expressed serious concerns  
6 about health hazards and problems they now  
7 face or they may face in the future. Many  
8 having been diagnosed with serious respiratory  
9 problems and have been searching for accurate  
10 information regarding toxins that they were  
11 exposed to.

12 One New York City resident who  
13 lived near Ground Zero said he experienced  
14 nose bleeds, asthma and headaches.

15 When dust samples were later  
16 taken at his apartment from an air  
17 conditioner, they showed more than 500 times  
18 the acceptable amount of asbestos.

19 Why wouldn't this man be concerned  
20 that maybe one day five, ten years from now he  
21 might be part of a cancer cluster?

22 We don't know.

23 What can we expect during  
24 construction of the World Trade Center site if  
25 testing is still ongoing or even nonexistent

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1  
2 overemphasis on commercial redevelopment and  
3 the soring egos of participating architects  
4 and planners, often neglecting the  
5 significance of this place to the American  
6 people and the way in which what happened here  
7 has changed our nation forever.

8 I've often traveled to different  
9 parts of the country since 9/11 and I'm always  
10 asked about this site. People often ask what  
11 is it like and they say how much they want to  
12 visit this place.

13 It is very clear that what they  
14 want to visit is a place of history. They  
15 want to experience this historic place and get  
16 a sense of what happened here. They are not  
17 coming here to visit offices, retail and  
18 infrastructure.

19 What is also not convinced is the  
20 planning here adequately connects to the  
21 surrounding historic area.

22 A reality check.

23 Does this elaborate proposed  
24 redevelopment when actually realized with all  
25 the invested agendas of the commercial, retail

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1  
2 and cultural entities, does it truly relate to  
3 the significance of this site and also to the  
4 surrounding areas, areas that are part of the  
5 history of 9/11 and the city itself?

6           The meaning of this place to the  
7 American people should not be ignored or  
8 neglected or compromised.

9           Thank you.

10           HEARING OFFICER FERRICK: Thank  
11 you very much.

12           Richard Kennedy.

13           MR. KENNEDY: Good evening.

14           My name is Richard Kennedy. I'm  
15 the Vice Chairman of Community Board 1 in  
16 Lower Manhattan.

17           And I think first I'd like to  
18 commend the LMDC, The Port Authority, the  
19 state, the city for all the progress you've  
20 made to date. It's terrific. Thank you.

21           And the community appreciates all  
22 these ongoing efforts. We strongly support  
23 the redevelopment of the World Trade Center  
24 and the creation of World Trade Center  
25 Memorial.

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1  
2 in the context of these and other concurrent  
3 projects, as well as what is some anticipated  
4 population growth in Lower Manhattan, both  
5 permanent and transient, for the purposes of  
6 planning and determining the impact and  
7 appropriate mitigation.

8           Some of the other issues that we  
9 feel there was inadequate analysis on some of  
10 the transportation and traffic studies and  
11 traffic flows.

12           Similarly, study on the tour  
13 buses, the commuter buses and the staging of  
14 the black cars and the construction vehicles.

15           To that end, CB 1 formed a  
16 committee to exhaustively study the EIS and  
17 we've put together a resolution which we will  
18 give to you in the next several days, but we  
19 ask that the effort that we put and time that  
20 you respond to us on some of the issues and we  
21 will submit that resolution.

22           We thank you for your effort and  
23 your time and we look forward to meeting with  
24 you.

25           Thank you.

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HEARING OFFICER FERRICK: Thank  
you very much.

Mr. Kennedy concludes all of the  
requests I've had to put views on the record.

That being the case, I wish to  
thank you everyone for participating in this  
public hearing.

If you wish, please give any  
written comments, including the text of any  
comments made during this hearing, to the  
stenographer at the front of the auditorium.

Official written comments on the  
Draft Generic Environmental Impact Statement  
will be accepted by LMDC by mail and on their  
Website until 5:00 p.m. on Monday, March 15,  
2004.

Official written comments on the  
Amended General Project Plan will be accepted  
until 5:00 p.m. on Friday, March 19, 2004.

As there are no other comments at  
this time, I am formally closing this  
hearing -- I'm not going to close the hearing  
because I've just been advised that there may  
be one or two additional people on their way

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1  
2 to offer comments tonight.

3 For that reason, we'll take a  
4 break at this point.

5 (A recess was taken)

6 HEARING OFFICER FERRICK: I will  
7 reconvene the hearing and I would just note  
8 that according to my watch it's 8:40 p.m.

9 During the recess, a gentleman by  
10 the name of Paul Sipos arrived and left a  
11 statement which will be filed with the record  
12 of today's hearing.

13 And I do understand that there is  
14 at least one additional person that would like  
15 to express their views.

16 Is Gregory Mango here?

17 There is a Gregory Mango here but  
18 he's apparently out in the lobby.

19 MR. MANGO: Sorry to keep you here  
20 so late.

21 HEARING OFFICER FERRICK: Mr.  
22 Mango, if you could find your way toward the  
23 microphone and just introduce yourself for the  
24 record.

25 MR. MANGO: I have copies of  
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documents here. Should I give them to you?

HEARING OFFICER FERRICK: With the stenographer here.

MR. MANGO: How many do you need?

HEARING OFFICER FERRICK: At least one.

MR. MANGO: I have like ten.

HEARING OFFICER FERRICK: If you brought a number and you want to unburden yourself, we'll take them all.

MR. MANGO: Well, I'll give you four here.

HEARING OFFICER FERRICK: Okay.

MR. MANGO: What I have here is a statement and some supporting documents.

My name is Gregory Mango. I was one of the registered memorial competitors.

And since November when the finalist was announced, I've been doing quite a bit of research because like many people I was very dissatisfied with the results.

And this statement is a response to both the chosen memorial and the overall site plan design by Studio Daniel Libeskind.

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1  
2                   Background: The master plan --  
3 the title is "Balancing the Environmental  
4 Impact of Development with the Historic  
5 Imperative to Preserve Ground Zero."

6                   Background: The master plan  
7 Memory Foundations by architect Daniel  
8 Libeskind -- the master plan Memory  
9 Foundations by architect Daniel Libeskind was  
10 developed in concert with the LMDC to create  
11 what has become known as the Memorial Mission  
12 Statement and Program Elements.

13                   These guidelines form the basis of  
14 the memorial competition and were culled from  
15 a variety of ideas presented by thousands of  
16 people at numerous town hall meetings over the  
17 last several years.

18                   These guidelines have been highly  
19 praised by many as being visionary in scope  
20 and also very democratic precisely because so  
21 many people had input, including hundreds of  
22 family members of those who were victims on  
23 that infamous and horrific day.

24                   My first supporting document which  
25 you'll find is the package is from the

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1  
2 Executive Summary, page S-9, regarding  
3 selection of Daniel Libeskind's Memory  
4 Foundations. "The selection team noted that  
5 the Memory Foundations design reconciled the  
6 need to preserve the setting with the need to  
7 rebuild."

8 This statement confirms the fact  
9 that any proposed action must not only respect  
10 but, in fact, should enhance the design  
11 elements present in Mr. Libeskind's plan.

12 When the memorial competition  
13 started, designers were given specific  
14 parameters. The most important of these was  
15 following statement found on the site  
16 definition page, "It is fundamental to Studio  
17 Daniel Libeskind's design that the slurry wall  
18 remain prominent and highly visible."

19 Supporting document number three  
20 in my package is a letter from Frank Gehy,  
21 renowned architect, who after reviewing  
22 approximately 120 pages of my proposal  
23 highlighted two with Post-it notes.

24 One was of one of my drawings but  
25 the second image that he highlighted was the

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1  
2 rendering, I think it was number eight in the  
3 site plan, a view, a three-dimensional view  
4 from September 11th Place overlooking the  
5 exposed slurry wall and the great processional  
6 ramp as designed by Studio Daniel Libeskind.

7           Supporting document number four is  
8 a statement taken from Leon Wieseltier, the  
9 literary editor of the New Republic.

10           He suggested the site -- this was  
11 in a debate with Daniel Libeskind last year.

12           He suggested that the site itself  
13 has so much power that a flag and a void,  
14 meaning the 30-foot recessed memorial with the  
15 exposed slurry wall, would suffice.

16           Supporting document number five is  
17 taken from the Executive Summary on page S-13,  
18 also relating to the memorial area 30 feet  
19 below grade as designed by Daniel Libeskind.

20           The memorial would "provide a  
21 level of psychological separation from the  
22 busy streets around it."

23           So the question then remains as to  
24 how we ended with a memorial that fills in a  
25 30-foot deep recessed memorial and buries the

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1  
2 thought process that gave us reflecting  
3 absence is antithetical to what the memorial  
4 is supposed to represent.

5 Supporting document number eight  
6 taken from the Memorial Mission Statement,  
7 "Inspire an end to hatred, ignorance and  
8 intolerance."

9 Mr. Arad blatantly ignored the  
10 fundamental directives of the memorial  
11 guidelines and disregarded the voices of  
12 thousands of people.

13 Does this behavior exemplify  
14 tolerance for other ideas, which is the basis  
15 of our Constitution?

16 I think not.

17 In addition, architectural remains  
18 from the destroyed towers and surrounding  
19 artifacts have not been used, further watering  
20 down the potential for a powerful memorial and  
21 diluting the historical authenticity of the  
22 site.

23 By example I use my trip to the  
24 concentration camp in Dachau, Germany to  
25 illustrate a point. At the site I was able to

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1  
2 walk inside and view a green tiled shower room  
3 with round, oversized shower heads where  
4 people were gassed.

5 I walked past brick ovens which  
6 contained stretchers that were fitted with  
7 wheels on tracks that were used to cremate  
8 bodies.

9 The German authorities left these  
10 items in place to tell a story. They made the  
11 right choice to leave these palpable items in  
12 the exact spots where they were used. They  
13 didn't remove these items and expect people to  
14 guess what the place looked like.

15 This is one way of creating a  
16 powerful memorial and this technique must be  
17 used at Ground Zero.

18 No manmade architectural structure  
19 can replicate the power and the symbolism of  
20 the remaining box beam columns, as well as  
21 other artifacts like the Koenig sphere and the  
22 tower one antenna.

23 Supporting document number nine, a  
24 Daily News photo and text from December 7th,  
25 2003 on the op ed page, shows a picture of the

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1  
2 remaining box beam columns standing at the  
3 northeast corner of the south tower. The  
4 caption reads, "The proper and fitting 9/11  
5 memorial."

6 I think it is safe to say that  
7 editorials in at least two of the three major  
8 newspapers in New York City are a fair and  
9 accurate representation of what the public  
10 wants.

11 Finally, in closing, I must  
12 emphasize that all those town hall meetings  
13 will have been a waste of time if the  
14 Libeskind plan is thrown out.

15 MR. EPSTEIN: We're people who  
16 hate the Libeskind plan.

17 A PARTICIPANT: I would jump for  
18 joy.

19 MR. MANGO: We will be failing  
20 future generations if they can't see the  
21 slurry wall, the remains of the box beam  
22 columns, the Koenig sphere and the tower one  
23 antenna, among other things.

24 There is a historical imperative  
25 that must direct our actions so that citizens

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1  
2 from all over the world have a visual bookmark  
3 of the destruction wrought on that day so that  
4 all who visit will never forget and perhaps  
5 they will be inspired to never let it happen  
6 again by putting an end to hatred, ignorance  
7 and intolerance.

8 HEARING OFFICER FERRICK: Thank  
9 you.

10 MR. MANGO: And all the supporting  
11 documents are right there.

12 HEARING OFFICER FERRICK: Thank  
13 you very much.

14 Let me ask is there anyone else  
15 who would like to add to the record?

16 I don't see anybody so let me --

17 MR. MAKRAS: Could I just add  
18 something?

19 HEARING OFFICER FERRICK: Sure.  
20 Come up to the microphone, just introduce  
21 yourself.

22 MR. MAKRAS: First of all, I would  
23 just like to say that half of what he said I  
24 agree as far as the cross and any destroyed  
25 things that the World Trade Center had.

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1  
2           As far as a memorial, they should  
3 be placed in a memorial because those were the  
4 actual original beams and artifacts that were  
5 there before they got destroyed.

6           But I would just also like to say  
7 that the Libeskind plan is horrible and I mean  
8 what better -- if you want to make a memorial  
9 that's emotional and captures the spirit of  
10 people that's a memorial, I say rebuild the  
11 twin towers.

12           HEARING OFFICER FERRICK: Would  
13 you just introduce yourself for the record.

14           MR. MAKRAS: I spoke before. My  
15 name is Dimitrios Makras and I'm an assistant  
16 architect.

17           HEARING OFFICER FERRICK: Thank  
18 you.

19           MR. MAKRAS: Thank you.

20           HEARING OFFICER FERRICK: Anyone  
21 else?

22           MR. EPSTEIN: I'm Louie Epstein.

23           I just wanted to reiterate again  
24 that in the official public poll of this  
25 process the Libeskind plan finished dead last,

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with good reason.

HEARING OFFICER FERRICK: Thank you.

Let me just mention again that official written comments on the Draft Generic Environmental Impact Statement will be accepted by LMDC by mail and/or on their Website until 5:00 p.m. on Monday, March 15, 2004.

Official written comments on the Amended General Project Plan will be accepted until 5:00 p.m. on Friday, March 19, 2004.

As there are no other comments at this time, I am formally closing this hearing and I thank you all for your participation.

(Time noted: 8:52 p.m.)

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