

The New York State Senate  
Standing Committee on Corporations, Authorities and Commissions  
Public Hearing on  
Redevelopment of the World Trade Center: Time to Move Forward  
September 9, 2009 at 10:00 a.m.

Borough of Manhattan Community College, Theater 2, 199 Chambers Street, NYC

Thank you, Chairman Perkins, for convening this important hearing regarding the redevelopment of the World Trade Center site. I am Catherine McVay Hughes, Vice Chair of Manhattan Community Board One (CB1), and I am joined by Michael Connolly, the Vice Chair of the CB1 World Trade Center Redevelopment Committee and Ro Sheffe, the Chairman of our Financial District Committee. We welcome this first hearing by the New York State Senate Standing Committee on Corporations, Authorities and Commissions on the World Trade Center since 9/11. We appreciate your concern and the involvement in the efforts of our State Senator, Daniel Squadron.

We continue to face a standoff between the Port Authority of New York and New Jersey (PANJNY) and Silverstein Properties (SPI) which adversely impacts timelines that have already been delayed several times. It is now almost eight years since September 11, 2001, when terrorists destroyed the WTC site, and there have been

numerous hearings, meetings, promises, and two revised agreements (2002 and 2006) between the PANYNJ and SPI. While there has been some significant progress at the WTC site – specifically, at the WTC Memorial and Museum, the Calatrava PATH Station, and Towers 1 & 4, the struggle to rebuild the commercial space and other important components of the site continues.

CB1 is deeply troubled by the inability of the PANYNJ and SPI to resolve their differences in recent months. We acknowledge that the parties each have serious concerns that must be worked out. We would like to thank Governor Paterson, Mayor Bloomberg and Speaker Silver for their the personal intervention -- and we call on all parties, including the Governor of New Jersey, to do everything possible and to not rest until an agreement is reached that will enable this deadlock to be broken.

Left unresolved, the uncertainty delaying WTC redevelopment will continue to negatively impact the surrounding residential and business community where real estate prices continue to decline while property taxes continue to increase.

CB1 would like to address the following specific components of the WTC redevelopment and identify some of our key priorities:

- **WTC Memorial and Museum** –Complete key parts of the memorial in time for the tenth anniversary of the 9/11 terrorist attack in 2011, as promised.
- **Retail** – Restore the retail space destroyed on 9/11. It represented a significant portion of the retail space in Lower Manhattan and provided needed goods and services to those working, living, and visiting downtown;

- **Calatrava Transportation Hub** – Retain the basic integrity of the design above ground with the value engineering plan and complete it by the target date of 4Q 2013;
- **Performing Arts Center (PAC)** – Proceed with the cultural center and major performing arts center (PAC) which were important elements of the Master Plan for the WTC site and would encourage the rebirth of cultural activity at the WTC site and in the surrounding area. This commitment must become a reality and planning and fundraising for the PAC must receive the highest priority and not be left as an afterthought for the middle of the next decade. A Community Advisory Committee (CAC) needs to be established immediately with key stakeholders to develop viable plans and keep them on track. In connection with the proposed site of the PAC, we would like clarification as to the following:
  - The projected date for turning over the site to the State and City and how it will be impacted by the creation of a north access to the vehicle security center. To whom will the site be turned over when it is ready? When will the site be turned over? This date should be firmly established as construction costs continue to escalate;

Recently a proposal was made to move the PAC to the 130 Liberty Street location which is expected to be available in 2010. This idea needs to be fully investigated, especially since it could speed up the timetable significantly and would not be dependent on the completion of work to underlying WTC infrastructure;

- **Liberty Park** – Develop the only public space at the WTC, which includes the roof deck of the Vehicular Security Center and is bounded by Liberty & Cedar Streets

- **Tour Bus Management Plan** – Develop a comprehensive management plan for the tour buses that will bring many of the projected seven million annual visitors to the WTC Memorial and Museum. The WTC Vehicular Security Center may not be adequate to meet traffic needs. It is essential to provide a dedicated parking area large enough to accommodate buses bringing people to the WTC site so that they do not need to circulate around Lower Manhattan damaging air quality and public health.
  - A study should be conducted that looks at viable alternatives such as parking tour buses in New Jersey so that visitors can have the real NYC experience of taking the PATH in to the WTC site.
  - The plan should consider an assessment of the possibility of statewide expansion of Local Law 41 which requires sight-seeing buses and concrete trucks licensed in NYC to use the best available emissions control technology and provides benefits to companies that comply;
- **Fulton Street Transportation Center** – Complete this entire project by the current MTA deadline of 2014 – which is already five years behind the initial schedule. Now that needed funding has been secured, it is vital that the project be completed on schedule since businesses in the vicinity are struggling. In addition, we must plan to have in place and encourage the use of public transportation accessing the WTC

- **Cortland Street Subway Station (R and W)** – Reopen the uptown service at the station this December 2009 in time for the holiday shopping season as promised, and the downtown service as soon as possible; and
- **130 Liberty Street & Fiterman Hall** – Complete safe demolition of both WTC damaged buildings as soon as possible. However, according to a recent NY Observer article “Deutsche Bank Tower Likely To Take Even Longer to Demolish” (September 1, 2009), the Lower Manhattan Development Corporation (LMDC), which owns the building and is in charge of its demolition, is expected to take another year -- and spend even more money which “has also attracted the eye of the Inspector General of the federal Department of Housing and Urban Development.”
- **Security of the PATH Trains and Tunnels** – Has long been a concern, especially since there are about 250,000 passenger trips daily with 50,000 trips through the WTC. “In 2006, a preliminary draft of an analysis done for the Port Authority of New York and New Jersey, and provided to The New York Times, found that the four tubes of the rail system were structurally fragile and that a bomb explosion could flood parts of the system within hours,” according to The New York Times article dated May 18, 2009. Therefore, the New York Police Department (NYPD) needs to be very involved in protecting the New Jersey end of the PATH, as well.

More generally, there is a need for the safest construction practices to be followed at the WTC site and the surrounding area, especially since tens of thousands of people move daily around the site to access the PATH station and tens of thousands

of others walk around the perimeter. One such construction method to consider would be “cocooning,” which is used at the Forest City Ratner Beekman Tower project.

We were distressed by the article that appeared in the NY Post on June 28, 2009 “WTC Hard Hats Get Hammered”. We understand that measures were taken against the specific workers featured in the article, and we are requesting that the Port Authority provide information about how its contractors and subcontractors will implement a zero tolerance policy going forward and clarify what other steps have been taken to address this serious problem.

All rebuilding entities must ensure that the WTC complex is constructed in full compliance with New York City building, fire and safety codes. DOB's new building code incorporates accumulated knowledge from the terrorist attacks of September 11, 2001 as well as other incidents that have occurred since. We continue to request that the WTC buildings be searchable by address on the useful and informative NYC DOB Buildings Information System (BIS) website so that the public can monitor work at the WTC site, which has been by far the largest construction site in Lower Manhattan for the past eight years and will continue to be into the future.

We thank the PANYNJ for maintaining an open dialogue with CB1 through its Quarterly Construction Updates at the WTC Redevelopment Committee, stakeholder coordination committee meetings and “Walkshops” established last fall to identify ways to minimize impacts from work on the surrounding community. The community has welcomed improvements made and steps taken by the PANYNJ such as the development of a new Pedestrian Management Program, keeping Vesey Street between Church and West Broadway open and better lit, installation of soundproof

windows in residential buildings in the immediate area of the World Trade Center site, dust suppression, and the start of preliminary discussions on the Liberty Street Park. It is important that the PANYNJ continue to address the need for the surrounding community to remain livable and viable throughout this challenging project.

In April 2009, CB#1 unanimously passed a resolution urging the PANYNJ to release an updated June 2009 Annual Assessment of the WTC projects one year after its initial report with updated project milestones and schedule details. In addition, CB1 would like to be informed immediately about any changes to the WTC Master Plan.

CB1 also requested ten months ago that the rebuilding entities provide a report from the Lower Manhattan Construction Command Center (LMCCC) in coordination with the Port Authority World Trade Center Program at all levels, showing projected construction activity levels in light of recent developments, and clarifying how the community will be affected at different points in time.

With regard to 1 World Trade Center, we are concerned about a recent report in the press that negotiations with the Metropolitan Television Alliance for an antenna atop the building have broken down. We would like a clarification of the status of these negotiations, the impact of the potential loss of an estimated annual payment of \$10 million for use of the antenna to broadcast 11 stations, and how this would affect the design of the building.

A recent Quinnipiac poll “found that New Yorkers are feeling pessimistic on the rebuilding efforts at the World Trade Center site... 63 percent do not believe One World Trade Center will be built by December 2013, while 25 percent say they believe it will be built. A total of 53 percent say the redevelopment of Lower Manhattan is going

somewhat badly or very badly. That's the highest number since Quinnipiac began asking the question in 2002," according to NY1, August 27, 2009.

It is critically important to make sure all components of the WTC development are back on track as soon as possible and to meet the promised revised timetable in order to bolster commercial and residential real estate values and business in Lower Manhattan. This in turn will have a ripple effect that will benefit the general economy in New York City at large, which is especially important given the severe current downturn in the economy and consequent decrease in both income and real estate tax revenues. We thank you, Chairman Perkins, for your interest in monitoring developments at the World Trade Center site.