



COUNCIL OF BROOKLYN NEIGHBORHOODS

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- 1238 St Marks Ave Association
- 1700 Dean St Block Association
- Atlantic Avenue Betterment Association
- Bedford Stuyvesant Family Health Center, Inc.
- Black Veterans for Social Justice, Inc.
- Boerum Hill Association
- Brooklyn Bears Garden, Inc.
- Brooklyn Vision Foundation, Inc.
- Carlton-Willoughby Block Association
- Central State Block Association
- Clermont Green Avenue Block Association
- Clinton Hill Apt. Owners Corp
- Clinton Hill Society, Inc.
- Dean St Block Association
- Develop Don't Destroy Brooklyn
- East Pacific Street Block Association
- Fifth Avenue Committee
- Fifth Avenue Merchants Association
- Fort Greene Association
- Friends and Residents of Greater Gowanus
- Gowanus Canal Community Development Corp.
- Pacific 400 Block Association
- Park Slope Civic Council
- Park Slope Fifth Avenue Merchants Association
- Park Slope Neighbors
- Prefit Area Community Council
- Prospect Heights Action Coalition
- Prospect Heights Neighborhood Development Council
- Society for Clinton Hill
- South Portland Block Association, Inc.
- Warren Street / St. Marks Community Garden

November 21, 2006

The Honorable George Pataki
The Honorable Joseph Bruno
The Honorable Sheldon Silver

Re: Security Concerns regarding the
Proposed Atlantic Yards Project,
Brooklyn, New York

Gentlemen,

The Council of Brooklyn Neighborhoods has been charged by its more than forty member organizations with ensuring that our community is effectively engaged throughout the environmental review process for the Atlantic Yards Arena and Redevelopment Project, and that the process is transparent and comprehensive. The membership of CBN includes civic and community-based organizations representing the neighborhoods surrounding the proposed Atlantic Yards project site.

We write today out of a deep concern that the Empire State Development Corporation will not provide to the Public Authorities Control Board the information they will need to make an informed decision about the risks and benefits of the Atlantic Yards project.

We are particularly concerned about the profound range of consequences resulting from concentrating, in what would be the nation's most densely populated urban tract, adjacent to one of Brooklyn's busiest intersections, three Department of Homeland Security-designated terror targets: a glass-walled sports arena and a glass-clad office tower built above the borough's largest transportation hub, which was, in 1997, the target of a thwarted terror plot.

These concerns were made known to the ESDC in responses to its Draft Scope of Analysis for the Atlantic Yards from CBN, Brooklyn Community Boards 2, 6 and 8, and many elected representatives and community groups. Unfortunately, the ESDC failed to acknowledge these concerns in its Final Scope of Analysis, or in its subsequent Draft Environmental Impact Statement. Discouragingly, the issue was not addressed in the Final Environmental Impact Statement, which was recently released.

The most serious of these concerns include:

- The potential effects on the Atlantic Yards' financials when the Terrorism Risk Insurance Extension Act expires at the end of next year, and the potential need for additional subsidies to cover currently "unanticipated" project insurance costs.



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- The indirect socioeconomic impact of insurance availability and affordability for surrounding property and business owners. At risk is the pool of locally available affordable housing as well as the sustainability of existing local small businesses. We base our concerns on the reduction by Allstate of their share of Brooklyn's homeowners' insurance market, based on risks brought to light in the aftermath of Hurricane Katrina. (Recent supporting AP and NYT articles can be found at <http://www.texaswatch.org/media/ap062206.htm> and <http://www.nytimes.com/2006/09/26/realestate/26coastal.html>)
- How varying requirements for security might affect police, or even the project developer's, decisions to create additional limitations on the public's right of entry to the project's "publicly accessible open space."
- How traffic flow, air quality, public health and business activity will be affected, given that no requirements have been specified for traffic and security barriers, backpack and vehicle inspections at arena events, elevated terror threat levels, or other easily anticipated scenarios.
- Under what conditions commercial vehicles might have to be rerouted in order to safeguard the project's essentially all-glass "Urban Room," which would be both a component of the project's "publicly accessible open space" and the main entryway to the MTA's Atlantic Avenue Station.
- The potential impact on emergency response times resulting from the already-degraded traffic flow extensively documented in the DEIS, as well as the potential effect on existing emergency evacuation plans.
- What post-9/11 safety codes and standards will be used for the design and construction of the project. (We note that while NYC's Building Codes are to be upgraded at the end of this year, the ESDC has reserved its right to override city requirements as it sees fit [General Project Plan, page 4]. These standards may affect the lives of first responders, and everyone else living at, working in, and visiting Atlantic Yards and its neighboring communities.)
- What portion of Department of Homeland Security grants to New York City, and other such state, agency, and local expenditures, will have to be devoted to the ongoing protection of this privately developed project? All such capital and operational expenditures should be included in the financial analysis of this project and its public subsidies.

The ESDC has claimed that it does not have a specific mandate to look at post-9/11 issues. It is equally true, however, that the ESDC should have a public responsibility to fully acknowledge and analyze safety concerns brought to its attention by the community in accordance with the SEQRA process. Indeed, in a recent case, the U.S. Ninth Circuit Court ruled that consideration of terrorism concerns in a process similar to that required under SEQRA is justified on the grounds that it provides information pertinent to governmental decision-making even though such analysis is not specifically required.

Issues of public safety and security related to terrorism should be as much a part of New York's planning process as earthquake protections are to San Francisco's. Therefore, we



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respectfully ask the PACB to urge the ESDC to study and disclose all issues related to terrorism and security prior to the adoption of the General Project Plan and the Final Environmental Impact Statement for the Atlantic Yards as a critical matter of public safety.

Sincerely yours,

Council of Brooklyn Neighborhoods, Inc.

By: Candace Carponter
Co-Chair

By: Therese Urban
Co-Chair

- cc: Mayor Michael R. Bloomberg
- Borough President Marty Markowitz
- United States Senator Charles Schumer
- United States Senator Hillary Rodham Clinton
- NYS Governor-elect Elliott Spitzer
- NYS Attorney General-elect Andrew Cuomo
- NYS Senator Carl Andrews
- NYS Senator Velmanette Montgomery
- NYS Senator Kevin Parker
- NYS Senator Martin Connor
- NYS Senator Martin Dilan
- NYS Senator Martin Golden
- NYS Senator Carl Kruger
- NYS Senator John Sampson
- NYS Senator Malcolm Smith
- NYS Senator Diane J. Savino
- Assemblymember Roger Green
- Assemblymember James F. Brennan
- Assemblymember Joseph R. Lentol
- Assemblymember Joan L. Millman
- Assemblymember Peter J. Abbate Jr.
- Assemblymember William F. Boyland Jr.
- Assemblymember Adele Cohen
- Assemblymember Steven Cymbrowitz

- Assemblymember Diane Gordon
- Assemblymember Dov Hikind
- Assemblymember N. Nick Perry
- Assemblymember Frank R. Seddio
- Assemblymember Annette Robinson
- Assemblymember Helene E. Weinstein
- Assemblymember-elect Hakeem Jeffries
- City Council Speaker Christine Quinn
- Councilmember Yvette Clarke
- Councilmember Letitia James
- Councilmember Bill de Blasio
- Councilmember Al Vann
- Councilmember David Yassky
- Councilmember Erik Dilan
- Councilmember Simcha Felder
- Councilmember Lewis Fidler
- Councilmember Vincent Gentile
- Councilmember Sara Gonzalez
- Councilmember Michael Nelson
- Councilmember Dominic Recchia
- Councilmember Diana Reyna
- Councilmember Kendall Stewart
- Councilmember Darlene Mealey