



THE CITY OF NEW YORK **COMMUNITY BOARD SIX**

Marty Markowitz
Borough President

Jerry Armer
Chairperson

Craig Hammerman
District Manager

September 29, 2006

Charles A. Gargano
Chairperson & CEO
Empire State Development Corporation
633 Third Avenue
New York, New York 10017

Dear Chairman Gargano:

I am writing to advise you that at its September 13, 2006 general meeting Brooklyn Community Board 6 (CB6) adopted the following resolutions regarding the Atlantic Yards Arena and Redevelopment Project as proposed in the General Project Plan (GPP) and Draft Environmental Impact Statement (DEIS) released by the Empire State Development Corporation (ESDC) on July 18, 2006.

These resolutions are the product of our last three years of voluntary effort spent digesting and disseminating information produced by your agency and Forest City Ratner Company (the project sponsor) and the constant feedback we received from countless citizens and groups from our own district and surrounding communities. To illustrate the extent of our involvement we are enclosing a chronology highlighting many of the major events, meetings and hearings we have held and participated in since the project was first announced in late 2003; however, while public interest and involvement in this project has been extensive, public influence over the planning of this project has been marginal. You will note that virtually all of the events, meetings and hearings that were held over the last three years were organized by groups other than your agency, the lead agency having sole jurisdiction and power to influence this project. Just because we held and attended a lot of meetings on this project does not mean that our community somehow had a significant role in shaping the project.

There was an overwhelming desire expressed on behalf of most of our board members to see some form of development occur at the Vanderbilt Rail Yards, support for the creation of construction and permanent jobs particularly for our area residents, support for the construction of affordable housing, support for the creation of economic development opportunities, and a general recognition of the need to upgrade existing infrastructure and address other long-term problems in the project area. Many of our members started off enthusiastically looking for reasons to support this project when it was first announced three years ago. Most of them support the idea of building an arena and bringing a professional sports team back to Brooklyn. However, as the process unfolded instead of finding reasons to support this project we began running into problems. These problems now stand in the way of our ability to support the current project as presented in the July 18, 2006 GPP and DEIS. We would like to remain optimistic that we can contribute to changes in the current plan which would accomplish the laudable goals of the project concepts. But in its current form we cannot support this project.

Our first resolution, adopted by a vote of 35 in support, 4 against, with no abstentions, disapproves of the project as proposed in the July 18, 2006 GPP and DEIS because it will cause irreparable damage to the quality of life in the borough of Brooklyn. The DEIS discloses numerous unmitigable project-induced impacts. Identifying impacts as unmitigable is an honest admission that the agency does not see a way to soften the blow that aspects of project will have on our communities. If nothing else, the DEIS was clear on that point. Some of these unmitigable impacts will necessarily cause irreparable damage to our quality of life. We cannot possibly support the current project with the knowledge that we would be causing widespread irreparable harm to our own communities.

Our second resolution, adopted by a vote of 37 in support, 2 against, with no abstentions, was to include the following procedural objections as part of our disapproval of the project as currently proposed:

- a) **Failure to involve the Community Board and the community in a meaningful way; misleading and overstating the involvement of the public in the process.** At no point during the last three years did the public have an opportunity to work in an ongoing fashion directly with your agency to help shape this project. In fact, the only legal opportunities that existed for us to interact is through the October 18, 2005 Scoping Session, the August 23, 2006 Public Hearing and the September 12 and September 18, 2006 Community Forums on the GPP and DEIS. These four evenings represent a total of less than 20-hours over the past three years in which ESDC sought input. They were not interactive sessions. There was no opportunity for meaningful exchange.
- b) **Failure to provide adequate or sufficient time for the public to review the GPP and DEIS.** All three affected Community Boards (Brooklyn CB's 2, 6 & 8) and countless others had petitioned your agency to extend the timeclock for reviewing this project. The media has reported that the project sponsor's work on this project dates well back before late 2003 when it was first talked about publicly. But even if we were to arbitrarily and conservatively isolate the period of time from February 18, 2005, when your agency formally entered into the Memorandum of Understanding (MOU) with the project sponsor, until July 18, 2006 when the GPP and DEIS were released, that would still have formally accounted for 516 days that your agency had to work on this project. The lay public had from July 19 through September 29, 2006, or 73 days, to digest thousands upon thousands of pages of highly technical and confusing data in the GPP and DEIS, and was expected to comment intelligently. This timetable was inadequate and insufficient by any reasonable standard.
- c) **Failure to provide resources to the Community Board to assist in their review of the project.** All three affected Community Boards had petitioned your agency, and the City of New York, to provide resources to enable us to fulfill our Charter-mandated roles in helping to disseminate information to our communities about this project. The City and State, as signatories to the February 18, 2005 MOU, specified that the project sponsor would be responsible for reasonable costs and expenses associated with the review of this project. Much of the work of the project sponsor's consultants, along with your agency's consultants paid for by the project sponsor, was dictated directly and indirectly by other agencies. Not only were the Community Boards denied access to independent resources, but they were denied the same opportunity to access the professional services and expertise that were available to other agencies paid for by the project sponsor. As such we were impeded and challenged to fulfill our mandates as City agencies as the City Charter intended.
- d) **Failure to subject any aspect of the project review to the City's uniform land use review procedures (ULURP).** All three affected Community Boards had petitioned the Mayor, the Governor and your agency to subject relevant portions of the project to ULURP. For the more than half of the project area that was not on State-owned property, the City could have chosen to follow the traditional path of proceeding with a ULURP review of the proposed actions. Such actions would include the taking of public streets, sidewalks and properties, demapping and remapping of public streets, substantially rezoning the project area, allowing the construction of buildings that exceed height and bulk requirements, and other major actions that would normally undergo a very public review process. Instead, the City and State arbitrarily decided not to subject any aspect of the project

to ULURP, denying us, our Borough President, the City Planning Commission and the City Council an opportunity to engage the public, the agency and the project sponsor in a meaningful way. Since there has been no formal transfer of property at this time, we note that it is not too late to subject some aspect of the project to ULURP.

Our third resolution, adopted by a vote of 37 in support, 2 against, with no abstentions, was to include the following general proposal-related objections as part of our disapproval of the project as currently proposed:

- a) **The project is out-of-scale with the surrounding community.** We recognize that this objection is highly subjective, and that there are many ideas for how to reduce the density, scale and height of buildings proposed in the current project. We do not pretend to possess Goldilocks-type wisdom, and cannot suggest what the “just right” size is for this project. However, the context of the immediately adjacent surrounding Brownstone Brooklyn communities of Prospect Heights, Fort Greene, Boerum Hill, Clinton Hill and Park Slope, have a common architectural characteristic of low-rise, 3- to 5-story brownstone, limestone and brick rowhouses dating back to the mid-19th century. There are certainly anomalous structures in the surrounding community too, such as the Williamsburg Savings Bank building and other structures already constructed by the project sponsor, but these are the exceptions to the area’s predominant built form. To force such an out-of-scale project on us is a direct threat to some essential values of our community.
- b) **Several material project impacts have been identified as being unmitigable.** Though there are many, we will simply present one example of unmitigable impacts this project as presented would have on our community. At the end of the build-out period, according to the GPP and DEIS, we will be left with a gridlocked area where key intersections would fail to process traffic. Through no fault of your agency, or the project sponsor, the baseline traffic conditions in this area of Brooklyn are unacceptable. This is pretty common knowledge to anyone familiar with our community. In spite of this the City has been unable or unwilling to do anything to fix the area’s problems. For your agency to acknowledge that this problem is unmitigable tells us that now an even higher level of government is content to throw up their hands and throw in the towel. Traffic conditions will worsen. Intersections will not be able to process projected traffic. Public safety will suffer. The DEIS tells us so.
- c) **Portions of the data in the DEIS are insufficient, inadequate or questionable.** Though there are many, we will simply present one example where data in the DEIS has been identified as insufficient, inadequate or questionable. The data used to determine that “there will be a projected shortfall in elementary and intermediate school seats for schools located within ½ mile of the project site” (DEIS, 5-25) is already two-years old. It does not accurately reflect the significant growth in student population already seen over the past two years as identified by the President of our local District 15 Community Education Council in her testimony to your agency. In this example, by relying on the insufficient, inadequate and questionable data in the DEIS, the extent of the anticipated problem will be greatly understated and the mitigation suggested will be woefully inadequate.
- d) **The scope of the DEIS is insufficient.** There are numerous instances where the scope is insufficient. For example, we had previously stressed in our comments on the proposed Scope of Analysis for the DEIS that the transportation study area was insufficient as it fails to include major arterials that will necessarily be impacted by the project (e.g., East River bridge crossings, Brooklyn-Queens Expressway, Grand Army Plaza). Regrettably, the DEIS does not reflect our previous recommendations.

Another example which we had offered in our previous comments is how the DEIS articulates extensively only on the economic benefits of the proposed project. We appreciate the potential economic benefits of the proposed project. Jobs are critically important to us. But in fairness to the balance sheet, we cannot reasonably consider the potential benefits of the project in

the absence of the anticipated costs. There is a brief description on 3-pages of the DEIS that details the agency's strategic reliance on public assistance financing schemes that include such incentives as payment-in-lieu-of-tax (PILOTS), the use of the City's Industrial and Commercial Incentive Program, Section 421-a of the New York State Real Property Tax Law, direct funding in the (minimum) amount of \$100 million each from the State and City, and the issuance of tax exempt bonds to cover the capital development costs.

If you can state clearly that the current project expects to generate an estimated "\$3.38 billion annually in New York State, of which \$2.88 billion annually would occur in New York City," (DEIS, 4-114) why can't you determine how much the current project will cost us, directly and indirectly? The scope of the DEIS does not contain a total cost profile for the project breaking down into public and private financing for both construction and operating costs. As to the economic impact of the project, the scope of the DEIS is insufficient. It is slanted to extol the projected fiscal virtues of the project without considering the real costs.

e) **There has been insufficient modeling.** Though there are many, including but not limited to traffic and parking, public transportation, air quality and noise, we will simply focus on one example which we had previously made note of in our comments on the proposed Scope of Analysis. Public safety response times are not modeled in the DEIS document. The Fire Department did acknowledge in a simple two-page letter that "the proposed street closures will affect the routes taken by and response time of FDNY personnel." (DEIS, Appendix A) Yet no further analysis is being performed. They even suggest that "The proposed increase in population density may require the FDNY to add new resources to adequately serve this area." (DEIS, Appendix A) Yet your agency is not requiring a commitment of resources from the State, the City or the project sponsor to cover such an eventuality should the need arise.

Also conspicuously absent from the DEIS is any formal response from the NYPD on response times. Alarming, the DEIS seems to rely on unsworn testimony presented by a single member of the NYPD on November 29, 2005 who provided neither direct answers to questions posed, nor any subsequent detailed information to the Borough Board Atlantic Yards Committee. The methodology used in the preparation of the DEIS ignores our previous assertion that the 78th Precinct stationhouse, being located around the corner from the proposed arena, would be uniquely impacted by the project. Regrettably, no modeling has been done to allay our worst fears.

Our final resolution, adopted by a vote of 23 in support, 4 against, with no abstentions, was to include the following specific points that must be addressed as part of our disapproval of the project as currently proposed:

- a) Substantially reduce height of buildings and density of project;
- b) Clarify and mitigate the impact:
 - i) of gridlock and traffic;
 - ii) of events on residential parking and public transportation;
 - iii) of the disruption of inter-neighborhood connectivity resulting from the de-mapping of streets and the placement of buildings that physically separate surrounding communities;
 - iv) on Natural Resources (e.g., stormwater and sanitary sewage CSO events at the Gowanus Canal);
 - v) on response times by emergency services (e.g., FDNY, NYPD, EMS, etc.); and
 - vi) on local businesses.
- c) Treat privately-owned "publicly accessible" open space as true public open space through permanent right of access, easement, covenant or some other appropriate mechanism;
- d) Relocate 78th Police precinct so that the location of its facility would be insulated from project and personnel could better cover its catchment area;
- e) Provide:
 - i) requisite accessory parking for the 78th Police precinct at their current location;

- ii) space for a community and youth center;
 - iii) sufficient and sustainable electrical supply and distribution; and
 - iv) enhanced pedestrian safety and mobility through project site (e.g., safer crossings for pedestrians, crossing guards);
- f) Consider the cumulative impact of all studies (e.g., Downtown Brooklyn Traffic Calming, Brooklyn Rapid Bus Transit, etc.) and plans (e.g., Downtown Brooklyn Rezoning, etc.);
 - g) Phase-in the benefits (e.g., construction of a school, affordable housing, parks/open space) described in the GPP sequentially so that more are included in Phase I of construction and within each segment of Phase II construction;
 - h) Re-review project in phases to account for real-time information and actual impacts associated with construction, and after the completion of Phase I, to take into account the actual effects of the project and allow for greater flexibility in achieving further mitigation;
 - i) Re-designate Site 5 as a separate Phase III so that construction is not occurring simultaneously on both sides of Flatbush Avenue at this busy location;
 - j) Eminent domain should not be used in this instance to take private property solely for the benefit of a private developer;

As a City agency with Charter mandates we recognize that the Community Board will continue to have an important role to play and a responsibility to help plan for our communities. While some of the above objections cannot be corrected, many of them still can. We are a diverse community of talented and caring people with a passionate desire to be publicly engaged in the planning for this project in a meaningful way. This is the core mission of what the Community Board is and what we stand for. We have something of material importance to contribute and have been consistent in our struggle to make our communities a real part of this process.

Thank you for the opportunity to comment.

Sincerely,

Jerry Armer
Chairperson

cc: Hon. George E. Pataki
Hon. Eliot Spitzer
Hon. Michael R. Bloomberg
Hon. Marty Markowitz
Hon. Sheldon Silver
Hon. Joseph Bruno
Hon. Christine Quinn
Hon. William C. Thompson, Jr.
Hon. Letitia James
Hon. David Yassky
Hon. Bill de Blasio
Hon. Yvette Clarke
Hon. Roger L. Green
Hon. Joan Millman
Hon. James F. Brennan
Hon. Velmanette Montgomery
Hon. Carl Andrews
Hon. Major R. Owens
Hon. Charles Schumer
Hon. Hillary Clinton
Members of the New York City Council
Members of the New York State Assembly
Members of the New York State Senate
Deputy Mayor Daniel Doctoroff
President Josh Sirefman, EDC
Commissioner Amanda Burden, DCP/CPC
Anita Laremont, General Counsel, ESDC
Regina Myer, Director, DCP/Brooklyn
Shirley McRae, Brooklyn CB2
Robert Matthews, Brooklyn CB8
Bruce Ratner, FCRC

Brooklyn Community Board 6 Chronology of Activity
Atlantic Yards Arena and Redevelopment Project

Late 2003 Atlantic Yards project announced
ATLANTIC YARDS DEVELOPMENT PROPOSAL ASSUMPTIONS

“While the final details of the plan are still subject to an agreement among the City , the State, the Metropolitan Transportation Authority and Forest City Ratner Companies, the proposed 7.7 million zoning square feet at Brooklyn Atlantic Yards would be divided into approximately:

- 800,000 square feet for the sports arena – with 19,000 seats for basketball games and 20,000 as configured for other events, such as concerts;
- six acres of publicly accessible open space;
- 4.4 million square feet of residential, in approximately 4,500 units
- 2.1 million square feet of commercial office space;
- 300,000 square feet of retail space;
- 3,000 parking spaces.”

Overall project assumptions above were taken from December 2003 Press Release issued by Geto and de Milly, Inc. for developer, Forest City Ratner Company, as taken from their prior website www.bball.net (N.B.: Announced project site did not include Site 5 parcel on the west side of Flatbush Avenue.)

Early 2004 CB’s 2, 6 & 8 Chairpersons, District Managers and members of Executive Committee are invited (separately) to meet with FCR. Discussions ensue about process-related issues.

January 23, 2004 FCR holds press conference to announce intent to purchase Nets and bring them to Brooklyn.

March 4, 2004 Park Slope Civic Council conducts first community organization forum on project giving FCR an opportunity to present their plans.

April 1, 2004 CB’s 2, 6 & 8 plan to conduct a public forum, which was postponed at the request of FCR. Instead, CB’s meet with Develop Don’t Destroy-Brooklyn at their invitation.

July 6, 2004 CB’s 2, 6 & 8 Chairpersons write to Governor, Mayor, ESDC and MTA requesting representatives to attend CB public forum postponed for the Fall.

August 2004 CB’s are invited to attend ongoing Community Benefits Agreement meetings, but cannot act as signatories on final agreement.

August 12, 2004 MTA responds by saying it was premature for them to commit to attending a public forum since their role as an agency was unclear.

August 24, 2004 ESDC responds by saying it was premature for them to commit to attending a public forum since their role as an agency was unclear. They also acknowledged that project would be subject to environmental review that would include public hearings.

September 8-9, 2004 CB's 2, 6 & 8 each adopt resolutions calling upon the Mayor and Governor to subject the Atlantic Yards project to the City's uniform land use review procedures to ensure active community participation throughout the project review process.

September 29, 2004 Borough President holds meeting of community organizations and elected officials to discuss project. Groups express an interest in seeing if there is an opportunity to work together. CB's ask Borough President and State officials for assistance in getting State agency representatives to attend upcoming Informational Forum.

October 27, 2004 CB's 2, 6 & 8 re-extend invitations to ESDC and MTA to attend Informational forum now set up for November 29, 2004.

November 10, 2004 NYCDTCP invited to attend Informational Forum.

November 16, 2004 Borough President holds follow-up meeting.

November 22, 2004 ESDC responds to October 27, 2004 letter with fairly detailed description of the procedures that ESDC must generally follow for State projects.

November 29, 2004 CB's 2, 6 & 8 conduct well-attended Informational Forum on the project giving FCR an opportunity to present their plans, and the public an opportunity to ask questions about them. NYCDTCP declines invitation to attend.

December 2004 CB's are uninvited to attend ongoing Community Benefits Agreements meetings by one of the eventual signatories.

December 2, 2004-

January 31, 2005 CB6 individual committees each host public meetings to gather questions and issues to be included in CB6's comments on the scoping document when it is issued.

December 8, 2004 CB's 2, 6 & 8 write to ESDC to reiterate that the CB's will not be taking positions on the project until it is made clear whether any aspect of the project will be subject to ULURP. The CB's also suggested that since an environmental review process will need to be conducted irrespective of the land use review process that the CB's will be engaging the community in proactive pre-scoping discussions to get the community thinking about what issues need to be included in the scope and studied during the environmental review process. The CB's also wanted ESDC to know that the CB's still wanted maximum opportunity for the public to be heard and that these pro-

active discussions would not obviate the need for formal public scoping hearings to be held. Lastly, that the CB's were still interested in meeting with ESDC to discuss the project.

December 30, 2004 CB's 2, 6 & 8 write to FCR to request that they go on record with a written commitment to hold public scoping sessions for the environmental review process. FCR did not respond, but ESDC did.

January 7, 2005 ESDC responds to December 30, 2004 letter by saying that they regularly hold public scoping meetings, that the agency's role was still unclear, and that input from the community via public hearings was a requirement.

January 10, 2005 ESDC responds to December 8, 2004 letter by saying that since they were still in the process of discussing the project with the developer that they were not ready to meet yet.

February 18, 2005 Memorandum of Understanding (MOU) is entered into between FCR, State, City and ESDC.

March 22, 2005 CB 2 writes to FCR to reiterate their understanding that CB's 2, 6 & 8 would have a chance to review the Community Benefits Agreement before it is signed.

March 23, 2005 FCR responds to March 22, 2005 letter by saying their understanding is correct and that CBA draft will be sent to CB's.

March 24, 2005 Borough President holds follow-up meeting. Community organizations decide they wanted to work on issues separate from elected officials and CB's, collectively referred to as "officialdom."

April 25, 2005 Borough President holds follow-up meeting to focus on establishing an environmental working group to ask questions and gather data during the environmental review process.

May 24, 2005 MTA issues RFP for Vanderbilt Yards, site of the Atlantic Yards Arena and Redevelopment project. Responses due July 6, 2005.

June 7, 2005 Brooklyn Borough Board establishes Borough Board Atlantic Yards Committee "to perform functions ... as it sees fit, during the course of the development's planning and construction phases, and ongoing thereafter as deemed necessary by the Brooklyn Borough Board. The committee will be comprised of the Borough President, the members of the City Council from the 33rd and 35th Council Districts, the chairpersons of Community Boards 2, 6 and 8, and one designated representative of the Brooklyn delegation of the City Council, selected by the Brooklyn delegation chairs."

June 27, 2005 CBA is executed. Draft never sent to CB's.

August 18, 2005 Borough President holds follow-up meeting of the Atlantic Yards Committee to discuss committee procedures and operations, work and project timetable and interaction with the community organizations that had split off to work independently.

September 15, 2005 CB's 2, 6 & 8 write to ESDC to reiterate request made for resources to be used to hire professional independent services to assist the CB's and community in digesting and analyzing the information to be produced as part of the environmental review process. (BP sends supporting letter to ESDC on September 22, 2006.)

September 16, 2005 ESDC issues Notice of Proposed lead agency designation, public scoping meeting for October 18, 2005 and intent to prepare a draft EIS.

At this time the proposed project includes the following, taken from the ESDC Draft Scope of Analysis for the EIS:

Proposed Uses(1)	Size
Residential (7,300 units)(2)	7,202,000 gsf
Hotel (180 rooms)	196,000 gsf
Retail(3)	256,000 gsf
Commercial	628,000 gsf
Arena	850,000 gsf
Parking (spaces)	4,000 spaces
Privately Accessible Open Space	1+ acres
Publicly Accessible Open Space	7+ acres

Notes: (1) The commercial variation would replace some residential use and the entire hotel use with additional commercial spaces

(2) Approximately 4,500 of the 7,300 units would be rental units, and 50 percent of the rental units would be affordable to low- and moderate-income families. The remaining units (approximately 2,800) would be condominiums.

(3) A portion of the retail space is anticipated to house community facilities.

October 18, 2005 Five representatives for CB6 testify at scoping hearing, delivering pieces of the CB's overall statement, which was to be written up and submitted in writing by the October 28, 2005 deadline.

October 24, 2005-

February 1, 2006 Borough Board Atlantic Yards Committee begins meeting and sets up series of meetings on sections of the scope of analysis for the draft EIS by inviting in agency representatives and independent authorities as expert witnesses for the committee to interview.

October 28, 2005 CB6 submits lengthy comments on the proposed scope of analysis detailing explicitly where it would like to see either expanded issues or additional issues

studied. Also, CB's 2, 6 & 8 write to ESDC to submit a joint statement commenting on scope, reiterating previous request for the CB's costs to be shared, for the CB's to be involved in the project planning principles, for the document to consider the necessary realignment of the CB boundaries, and for substantial expansion of the analysis framework being proposed by the document.

November 1, 2005 Brooklyn Borough Board Atlantic Yards Committee adopts resolution to expand composition to include members of the New York State Assembly from the 52nd and 57th Assembly Districts and members of the New York State Senate from the 18th and 20th State Senate Districts as ex officio members.

March 16, 2006 ESDC invites CB's 2, 6 & 8 to appoint representatives to a Community Advisory Committee to be formed on the Atlantic Yards Arena and Redevelopment project. The primary purpose would be "to act as a liaison between the community and ESDC. We will look to the committee to set forth specific concerns of the local community and to provide recommendation to ESDC on how best to address those concerns."

March 31, 2006 ESDC issues Final Scope of Analysis for proposed draft EIS for project.

April-May, 2006 CB's 2, 6 & 8 pursue meeting with Deputy Mayor Doctoroff to discuss the City's role in the project, and the outstanding request of the CB's for cost sharing assistance. Doctoroff would not meet with the CB's, would not consider providing any resource assistance to the Community Boards and instead offered a meeting with his assistant.

May 1, 2006 CB's 2, 6 & 8 write to FCR to suggest that they have overstated the CB's involvement in the development of the CBA and requested they discontinue all mention of the CB's participation. FCR did not respond.

June 29, 2006 ESDC convenes the first meeting of the Atlantic Yards CAC, at which time it was requested that the agency make clear what the powers and responsibilities of the CAC were. The meeting was held at FCR's office and was primarily an opportunity for them to update the CAC on the proposal.

July 18, 2006 ESDC releases Notice of Completion of Draft EIS announcing the scheduling of a Public Hearing for August 23, 2006 and a community forum for September 12, 2006, with written comments welcomed until close of business on September 22, 2006.

July 24, 2006 CB's 2, 6 & 8 write to ESDC to reiterate its request that the powers and responsibilities of the CAC be made clear, suggested some areas that the CAC should review and comment on specifically the design guidelines, financing plan and operating plan, before ESDC signs off on them. Also, that any other governmental approvals as

outlined in the MOU be forwarded to this group for review prior to agency approvals. Also, that CB's review costs be shared.

July 31, 2006 ESDC responds by agreeing to set up meetings on requested topics and agreeing to expand invitation from CAC members to include Executive Committee members from CB's 2, 6 & 8 as well. They also formally deny CB's request for cost sharing assistance suggesting that "it is not ESDC's policy, nor practice, to fund, or request that the project applicant fund, *community organizations* or consultants advising such organizations." (emphasis added, ESDC does not acknowledge CB's to be agencies)

August 3, 2006 CB's 2, 6 & 8 conduct Public Hearings to solicit feedback from the public on the release of the Draft EIS and general project plan.

August 8, 2006 ESDC convenes second meeting of CAC which addresses the proposed draft EIS.

August 9, 2006 CB's 2, 6 & 8 write to ESDC to request that they extend the period of review and comment on the draft EIS by at least 60 days.

August 15, 2006 ESDC responds by suggesting that they have met their legal requirements for providing opportunity to comment, that they have gone above and beyond by adding a September 12, 2006 community forum, essentially denying the CB's request.

August 23, 2006 CB6 testifies at ESDC Public Hearing that the timetable for review was not long enough, and suggested that a more detailed statement would be forthcoming.

**August 24, 2006-
September 6, 2006** CB6 individual committees each host public meetings to review and discuss comments and input gathered on the DEIS and GPP.

August 28, 2006 CB2 writes to ESDC to express various administrative and management deficiencies with regard to the conduct of the August 23, 2006 Public Hearing. ESDC also announces that they have added another Community Forum on September 18, 2006, pushing the comment period back from close of business on September 22, 2006 to September 29, 2006.

August 31, 2006 ESDC responds to CB2 letter.

September 7, 2006 CAC meeting to discuss the Atlantic Yards Arena and Redevelopment GPP.

September 11, 2006 CB6 Executive Committee meets to review and discuss the GPP and DEIS and adopts motions related to the project.