

**Statement of the New York City Transit Riders Council at the Public Hearing Held in
Connection with the Modified General Project Plan for the Atlantic Yards Land Use
Improvement and Civic Project**

July 30, 2009

The New York City Transit Riders Council (NYCTRC) is the legislatively-mandated representative of the riders of our transit system, created by the State Legislature in 1981. Its volunteer members are appointed by the Governor upon the recommendation of the Mayor, Public Advocate, and five Borough Presidents of the City. As the riders' representatives, the Council's members are fundamentally concerned that development projects involving properties held by the MTA and its operating agencies yield the greatest financial and operational benefits to the transit system and its users.

The members of our Council are deeply concerned with the changes to the Atlantic Yards project that are the subject of this hearing. The Council members are troubled by these changes that they believe have fundamentally delayed and diminished a wide range of public benefits flowing from the project, and the NYCTRC has voted unanimously to express its dissatisfaction with the revisions to the project. We believe that if the changes are approved the project developer will receive substantial concessions at the expense of the interests of the public at large and that the Empire State Development Corporation, as well as the Metropolitan Transportation Authority, is acquiescing in providing these concessions.

The Council is particularly concerned with proposed changes in the schedule and potentially in the scope of the project that are connected to the decision to allow acquisition of the project site in phases. An important part of the public benefit that was to flow from the project is the payment for real property and other development rights to be made to the Metropolitan Transportation Authority (MTA). These funds were to form an important part of the funding for the MTA's capital improvements, thus producing further benefits for the community at large.

Instead of receiving funds in the initial phases of the project, under the revised structure of the project the MTA will receive only 20 percent of the value of its property interests up front. The remaining 80 percent is to be paid in a set of installments with due dates that stretch until the year 2030, under terms that are extremely favorable to the developer.

While it is not within the purview of this Council, we would also note that the proposed changes to planned improvements for the Vanderbilt Yard will foreclose certain options for LIRR Brooklyn service. In particular, these changes will significantly reduce the capacity of the yard and reduce the number of tracks available in the yard.

The NYCTRC respectfully requests that you reconsider the pending amendments to the Atlantic Yards General Project Plan in light of these concerns.