

DRAFT – SUBJECT TO REVIEW AND REVISION

LOWER MANHATTAN DEVELOPMENT CORPORATION

Meeting of the Directors
Held at the Offices of the Corporation
One Liberty Plaza - 20th Floor
New York, New York 10006

June 17, 2011

MINUTES

In Attendance

Directors: Avi Schick, Chairman
Timothy Gilchrist
Kate Levin
Robert Steel

Via telephone: Lawrence Babbio
Peter Davidson
Robert Douglass
Robert Harding
Thomas Johnson
Kevin Rampe

Staff Attending: For Lower Manhattan Development Corporation:

David Emil, President
Daniel Ciniello, Senior Vice President -
Operations
Robert Miller, Chief Financial Officer
Stephen Konopko, Vice President - Internal
Audit
Eileen McEvoy, Assistant Secretary
Other Staff

For the Lower Manhattan Construction Command Center:

Robert Harvey, Acting Executive Director

DRAFT – SUBJECT TO REVIEW AND REVISION

For Counsel:

Richard T. Davis, Weil, Gotshal & Manges,
LLP (via telephone)
Stephen Kass, Environmental Counsel

Also Present:

The Public
The Media and Press

The meeting of the Lower Manhattan Development Corporation ("LMDC") was called to order at 8:05 a.m. It was noted for the record that notice to the public and news media of the time and place of the meeting had been given in compliance with the New York State Open Meetings Law.

Chairman Schick then noted that there was one item for consideration at today's meeting. He further stated that the Directors will be requested to approve a Technical Memorandum that found that there were no negative environmental impacts with respect to the plan to provide interim access to the Memorial.

Chairman Schick then called upon Steven Kass, LMDC's Environmental Counsel, to provide the background information with regard to this request.

Mr. Kass provided a detailed synopsis of the Technical

DRAFT – SUBJECT TO REVIEW AND REVISION

Memorandum which each of the Directors had received in advance of the meeting. Mr. Kass noted that the Technical Memorandum evaluated the potential environment impacts and the historic resource impacts of the Interim Access Plan.

Mr. Kass then briefly outlined the proposed Interim Access Plan. He added that the Technical Memorandum concludes that since there would be no significant impacts that have not previously been analyzed in the Final Environmental Impact Statement for the project, it is not necessary to do a supplemental review under either the National Environmental Policy Act or the State Environmental Quality Review Act.

Mr. Kass went on to explain that the Technical Memorandum also notes and the proposed resolution finds that there would be no adverse impacts on historic resources under the National Historic Preservation Act or the State Historic Preservation Act.

Therefore, in addition to approving the memo, Mr. Kass further explained, the Directors will be making those determinations.

Following the full presentation, the Chairman called for

DRAFT – SUBJECT TO REVIEW AND REVISION

questions or comments. Hearing none and upon motion duly made and seconded, the following resolution was unanimously adopted:

Approval of a Technical Memorandum Analyzing Potential Environmental Impacts of Plan to Provide Interim Access to Memorial

RESOLVED, that, on the basis of the materials presented to the Board of Directors prior to this meeting, copies of which are hereby ordered filed with the records of the Corporation (the "Materials"), the Corporation hereby approves the Technical Memorandum dated May 25, 2011 ("Technical Memorandum") and finds that the Technical Memorandum meets the requirements of the National Environmental Policy Act ("NEPA") and the State Environmental Quality Review Act ("SEQRA") and other applicable laws and regulations. The Technical Memorandum analyzes the potential environmental impacts of the proposed interim plan ("Interim Access Plan") to provide public access to the National September 11th Memorial and Museum ("Memorial") while construction continues on other portions of the World Trade Center Memorial and Redevelopment Plan (the "Approved Plan"); and

FURTHER RESOLVED, that, the Corporation finds that the Interim Access Plan will not have a significant impact on the quality of the human environment or a significant adverse environmental impact not already analyzed and disclosed in the Final Generic Environmental Impact Statement dated April 2004 or in subsequent environmental assessments and technical memoranda for the Approved Plan and that, accordingly, no supplemental environmental review is required; and

FURTHER RESOLVED, that, on the basis of the Materials, the Corporation finds that the Interim Access Plan would have no adverse effect on historic resources; and

FURTHER RESOLVED, that the Chairman, President, Senior Vice President of Operations, General Counsel, and Chief Financial Officer of the Corporation or their designees be, and each of them hereby is, authorized to execute and deliver any and all documents and take all related actions as such officer may in his or her sole discretion consider necessary or appropriate to undertake the Interim Access Plan and to effectuate the foregoing resolutions.

DRAFT – SUBJECT TO REVIEW AND REVISION

There being no further business, the meeting was adjourned
at 8:16 a.m.

Respectfully submitted,

Eileen McEvoy
Assistant Corporate Secretary