

**APPENDIX K.5**

**COORDINATED DETERMINATION OF ELIGIBILITY**

# **COORDINATED DETERMINATION OF NATIONAL REGISTER ELIGIBILITY—WORLD TRADE CENTER SITE NEW YORK CITY, NEW YORK, MARCH 31, 2004**

---

## **I. INTRODUCTION**

This document has been prepared pursuant to Section 106 of the National Historic Preservation Act in association with proposed reconstruction and redevelopment in the area of the approximately 16-acre World Trade Center superblock (WTC Site), bounded generally by Vesey Street on the north, Liberty Street on the south, Route 9A/West Street on the west and Church Street on the east.

The Federal Transit Administration (FTA), Federal Highway Administration (FHWA), and Lower Manhattan Development Corporation (LMDC), as a recipient of funds from U.S. Department of Housing and Urban Development (HUD), are coordinating the Section 106 processes for several proposed undertakings on or adjacent to the WTC Site: Permanent World Trade Center PATH Terminal (FTA with the Port Authority of New York and New Jersey [Port Authority]), World Trade Center Memorial and Redevelopment Plan (LMDC with HUD funding), and Route 9A Reconstruction (FHWA with New York State Department of Transportation [NYSDOT]). The substance of this document will be incorporated by each of the agencies into their respective environmental review documents.

Section 106 requires federal agencies to identify historic properties (e.g. buildings, structures, sites, objects and districts listed in or eligible for inclusion in the National Register of Historic Places) that may be affected by a proposed undertaking. This document focuses on the WTC Site.

Each of these undertakings is subject to environmental review under the National Environmental Policy Act (NEPA) and to review under Section 106. Environmental impact statements are being prepared for each of these independent undertakings. Because each of the undertakings is different and may have different effects, different Areas of Potential Effect (APEs) have been or will be defined for each undertaking. Identification of historic properties elsewhere in the various projects' APEs and the analysis of potential effects on those properties are being conducted separately.

This document includes information gathered in the NEPA scoping processes for the projects and in meetings with the consulting parties held in the offices of the LMDC at One Liberty Plaza, New York, New York, on January 6, 2004, and on February 2, 2004, as well as written comments received by the coordinating agencies through March 8, 2004.

This document is not intended to be an exhaustive history of the development of Lower Manhattan, the WTC, the events that lead up to September 11, 2001, the horrific events of September 11, or the rescue and recovery operations in the wake of those events. There is substantial and ongoing documentation of those events elsewhere in the numerous articles, books, films, and television reports and productions. This document is intended to express why the coordinating agencies have made a determination that the WTC Site is eligible for listing on the National Register of Historic Places. Each agency's environmental review document will include information relating to its specific project site and additional historical information relating to each project.

The coordinating agencies recognize however, that the WTC Site has been substantially altered since the attacks and collapses on September 11 and include an Appendix relating to artifacts removed from the WTC Site and a discussion regarding the current state of the WTC Site.

## II. HISTORICAL INFORMATION

### A. BACKGROUND

Prior to European contact in the early 17th century, Native Americans speaking a Munsee dialect of the Eastern Algonquin language inhabited Manhattan Island. Native Americans referred to the island of Manhattan as “Minna-atn” which meant “Island of Hills.” The first contacts between Native Americans and Europeans occurred when early explorers began to trade with the native population. Dutch trading expeditions had been visiting the Hudson River for many years prior to the founding of New Amsterdam at the southern tip of Manhattan in 1626. These groups made contact with the native population; Robert Juet, who traveled with Henry Hudson on his 1609 voyage, provides in his journal a description of the native population and their trading practices. Dutch colonization in Manhattan began in earnest in 1625 when an expedition of farmers from the Dutch West India Company arrived at the southern tip of Manhattan with the purpose of building a fort and laying out nine Company farms.

Wall Street was once the northern line of land fortification for the settlement and Pearl Street, to the east of the WTC Site, formed the eastern edge of the island. The Hudson River waterfront ran along the approximate location of Greenwich Street today. Because it was a high bluff, shipping and piers were located along the East River. Blocks were largely formed in an irregular pattern as former farms were developed, giving the area its characteristically winding and narrow system of streets. By the end of the 18th century, the island’s shoreline had been extended with new land created on fill. The city’s waterfront, particularly around the southern portion of the island, was its important trade and business area. Residential areas, concentrated both inland and farther north including Tribeca, were located away from the commercial and industrial uses.

Tribeca is a neighborhood in Lower Manhattan, generally bounded by Canal Street to the north, Broadway to the east, Barclay Street to the south and the Hudson River to the west. The area’s name was adopted by real-estate developers in the mid-1970s and stands for “triangle below Canal.” Originally farmland, Tribeca was transformed into a residential neighborhood in the early 1800s, including an enclave of stately brick residences surrounding St. John’s Park (subsequently redeveloped with a freight depot and now the site of St. John’s Rotary and the exit of the Holland Tunnel) on Hudson Street. Bear Market, a fruit and produce market (which became known as Washington Market), opened at the western end of the neighborhood in 1813, and became one of the city’s key food suppliers. It came to occupy a full block along Washington Street between Fulton, Vesey, and West Streets, now part of the WTC Site. However, the neighborhood remained primarily residential until the 1840s, when shipping and commerce in Lower Manhattan intensified, attracting business and making the area a major point of transfer. By the 1860s, the area had become a commercial district as the city’s commercial core stretched north. The western portion, containing the Washington Market district, became New York’s wholesale food center, covering roughly the western half of what is Tribeca today. In 1872, the New York Mercantile Exchange, known first as the Butter and Cheese Exchange of New York, was founded by dairy merchants seeking to standardize the wholesale business. Booming business necessitated the construction of a new structure for the Exchange at the corner of Hudson and Harrison Streets in 1882; the Exchange occupied this location until its move to a larger space in the WTC in 1977 and then again to Battery Park City (BPC). During the 1880s, new warehouses were built to house mercantile exchanges dealing in butter, cheese, and eggs. At the time of construction of the 1884 Washington Market building, a time capsule containing business cards and a note in remembrance of the construction of the market signed by 32 businessmen was buried; this was discovered at the excavation for the WTC. The eastern portion of Tribeca became a central transfer point for textiles and dry goods by the middle of the century, with new stores, factories, and storage houses built to house those uses.

The development of Lower Manhattan as a shipping and mercantile district continued through the late 19th century. At the same time, banks, investment companies, and brokerage firms built corporate offices in Lower Manhattan to be near the trading activity of the New York Stock Exchange (NYSE) and other

financial and trading institutions, creating what is known to this day as New York City's Financial District. Construction of the Brooklyn Bridge was completed in 1883 to link the cities of Brooklyn and New York and to serve a growing Brooklyn population which until then could only travel to Manhattan by ferry. In addition, the bridge opened up trade routes to Brooklyn, Queens, and the remainder of Long Island, which were primarily farmland. At the turn of the century, tall towers began to appear on the Lower Manhattan skyline. In 1898, 15 Park Row became the world's tallest office tower. Subsequently, other large buildings were erected during the first half of the 20th century—among them the Equitable Building, the Woolworth Building, 70 Pine Street, and 40 Wall Street.

During the first half of the 20th century, Tribeca, including the Washington Market, remained a vital commercial district. However, in the 1950s and 1960s, the Tribeca area underwent yet another transformation. Shifts in market and economic trends resulted in the moving away and/or closure of wholesale business, leaving the many warehouses in the area empty. In the 1960s, the city established the Washington Street Urban Renewal Area (WSURA), which transformed Tribeca and adjacent neighborhoods from failing wholesale and industrial uses to new residential and office uses with schools to serve the new community. Artists were the first to make use of the available spacious and lit buildings, with many factories and warehouses converted to residential lofts. Today Tribeca is a fashionable residential district that includes art galleries, upscale shops, and restaurants.

## **B. THE WORLD TRADE CENTER**

The WTC was originally conceived in the early 1960s by the Downtown-Lower Manhattan Development Association. Chase Manhattan Bank chairman David Rockefeller, founder of the development association, and his brother, New York governor Nelson Rockefeller, pushed hard for the project, insisting it would benefit the entire city. In 1962, the States of New York and New Jersey authorized and directed the Port of New York Authority, now known as the Port Authority of New York and New Jersey (the Port Authority), to acquire the Hudson & Manhattan (H&M) Railroad, an interstate public transit system (now known as PATH). That same year, the Port Authority began plans to build the WTC, and selected architect Minoru Yamasaki to design the project, architects Emery Roth & Sons to handle production work, and, at the request of Yamasaki, the firm of Skilling, Helle, Christiansen and Robertson to serve as engineers. The Port Authority envisioned a project with a total of 10 million square feet of office space. To achieve this, Yamasaki considered more than a hundred different building configurations before settling on the concept of twin towers and three lower-rise structures.

A 12-block area was cleared to create the WTC Site. Five city streets were closed, buildings on the site were demolished, and the site was extensively excavated, especially the area west of the No. 1/9 IRT subway line where the "bathtub" that became the base for the Twin Towers was created. The WTC Site, including the Twin Towers, was built around the Hudson Tubes of the H&M Railroad, which traversed the bathtub, without any interruption of train service. A new PATH Terminal and tracks were constructed at a lower level in the bathtub, replacing the Hudson Terminal of the H&M Railroad on Church Street.

### *STRUCTURAL AND BUILDING FEATURES*

Several structural and building features made the construction of the WTC possible. These features are described below and involved the foundations, elevators and structural system.

#### *Foundations*

Much of the ground on which the WTC would be located lay on landfill, which had extended the west side of Lower Manhattan into the Hudson River. Roughly half of the WTC would be located where the Hudson River once flowed. As over a million cubic yards of fill would need to be excavated to set the WTC on bedrock, at issue was how to keep the waters of the Hudson River out. John M. Kyle Jr., chief engineer at the Port Authority, is credited with developing a solution by suggesting the use of the slurry trench method. With this method, excavating machines dug a three-foot-wide trench down to bedrock,

roughly 70 feet below street level. These trenches were dug in 22-foot-wide sections. As fill was removed from each section, a slurry of water and bentonite (an expansive clay) was pumped in. The clay naturally plugged any holes in the sides of the dirt walls. A giant reinforcing steel cage was then lowered into the trench with attachment points for reinforcing tiebacks that were later anchored to bedrock outside the wall. Then, concrete was poured into the trench which forced out the temporary slurry as it rose from the bottom up. These three-foot-thick wall sections became known as the bathtub, although it was meant to keep water out, not in. Once the wall was complete, earth from within the bathtub was removed, and was used as fill on which BPC was later built. When the infrastructure inside the bathtub was complete, the tiebacks were severed.

### *Elevators*

A second feature associated with the Twin Towers was the design of express and local elevators. Although the invention of elevators made skyscrapers possible, elevators were thought to limit how high skyscrapers could go—the higher the building, the more people in the building and, therefore, a greater number of elevators would be needed. Additional elevators would occupy more floor space, thus leaving less floor space available to rent. This dilemma was a limiting factor in the development of skyscrapers and is why most skyscrapers seldom climbed beyond 80 stories. In order to maximize floor space and provide enough elevators to support all the office workers, the Twin Towers were divided into three zones for vertical transportation needs. Local elevators for each of these zones were stacked vertically in the core of the building serving the floors within the zone. Large express elevators traveled up to “skylobbies” on the 44th and 78th floors. At these floors passengers would exit the elevators on the side opposite from where they had entered and would cross the lobby to utilize local elevators. Each tower also had two express elevators that went all the way to the top from street level, and a freight elevator that went all the way to the top from the bottom subgrade level. This skylobby system, by separating express and local elevators, maximized efficiency of transport and economy of space.

### *Structural System*

Tube-style construction was used for the Twin Towers whereby structural steel columns were located only along the exterior wall and around the central core of elevator shafts, stairwells and bathrooms. Thus, the exterior walls would carry the vertical loads as well as resisting all lateral winds. This construction method was made possible by the use of high-strength steels that had not been available previously. The vertical load bearing columns were closely spaced and also served as frames for the narrow floor-to-ceiling windows.

The perimeter columns of the Twin Towers extended vertically into the concrete floor of the bathtub, although in certain areas the perimeter column loads were transferred to span over bottom level infrastructure, including the PATH tracks. Therefore, not all of the perimeter columns in the concrete floor of the bathtub were aligned with the actual façade perimeters of the Twin Towers that were visible at grade.

### *COMPLETION OF WTC*

The WTC represented major urban renewal planning of the 1960s. It comprised six buildings, including the 110-story Twin Towers (1 and 2 WTC). These buildings rose over 1,350 feet and were the two tallest buildings in the world when completed in December 1970 and April 1972. The roof of 1 WTC also had a 351.5-foot mast supporting television and FM radio antennae for major public and private broadcasters in New York City. Occupancy of the Twin Towers began in December 1970 at 1 WTC and in April 1972 at 2 WTC.

The WTC also included Four and Five World Trade Center (4 and 5 WTC), both of which were nine-story buildings; the eight-story United States Customs House (6 WTC); and a 22-story hotel (3 WTC), all of which surrounded the Austin J. Tobin Plaza (the Plaza). Directly below the Plaza was the Concourse,

which consisted of a retail mall and transportation hub that provided pedestrian connections to the PATH trains to New Jersey and several subway lines operated by MTA/NYCT. There were six below-grade floors in the bathtub and three below-grade levels on the east side of the WTC Site, providing parking for approximately 2,000 cars, a system of freight servicing and loading, and significant infrastructure and utilities supporting the operation of the WTC's buildings and transportation facilities, including PATH. The six below-grade floor slabs also provided critical lateral stability for the slurry wall of the bathtub. This subgrade area in the bathtub contained various central plant and services and a grid of columns (30-foot by 30-foot in most areas) to support these subgrade slabs and buildings. Certain structural columns, particularly those adjacent to the north and south slurry walls, were placed in accordance with the contours of the bathtub, the PATH tracks, and other infrastructure components. Thus, there were notable exceptions and an irregular pattern in the areas of the PATH tracks at the north and south ends of the WTC bathtub.

Historically, Lower Manhattan's skyline was developed with the most technologically advanced buildings of the time. As skyscraper technology allowed taller buildings to be built, many pioneering buildings were erected in Lower Manhattan, several of which were intended to be—and were—the tallest building in the world, such as the Woolworth Building. These modern skyscrapers were often constructed alongside older low buildings. By the mid 20th-century, the Lower Manhattan skyline was a mix of historic and modern, low and hi-rise structures, demonstrating the evolution of building technology, as well as New York City's changing and growing streetscapes. Although many skyscrapers were located in the immediate vicinity, the new WTC introduced structures of a much larger scale. When completed, the Twin Towers were the most prominent features of the new WTC and Lower Manhattan's skyline

The large volume of soil excavated for the WTC became fill that began the creation of BPC. BPC was originally conceived around the construction of a seven-story megastructure containing urban functions and amenities, including shops, restaurants, schools, parks, rapid transit, utilities, and public and recreational facilities. A partly glassed-in, partly open service spine was designed to run through the length of BPC connecting all the buildings. The BPC area of 23.5 acres was deeded to New York City.

### *POST WTC COMPLETION*

Shortly after the WTC opened, the recession of the mid-1970s began, the local real estate market collapsed, and plans for BPC were halted. However, a movement to reuse old industrial and commercial buildings was well underway to the north in the newly named SoHo neighborhood, a trend which moved to other industrial and commercial districts, including Tribeca. Attracted by spacious floors, large windows, and low rents—and aided by tax abatement—artists led what became a strong trend of converting former industrial space to residential use.

In the late 1970s, the financial industry rebounded. As the real estate market recovered, space, so plentiful a few years earlier, became scarce. A new wave of office construction began. This activity was accompanied by a new Master Plan for BPC in 1979 that would create a mixed commercial and residential development. The 1979 plan introduced sidewalks and extended the street grid toward the Hudson River. The commercial center was moved from the southern end of the WTC Site up to the middle, tying it to the WTC, with residential developments planned to the north and south.

Pursuant to an agreement between the Port Authority and New York State's Battery Park City Authority (BPCA), a climate-controlled pedestrian bridge was built connecting the northern part of the WTC Site with the commercial core of BPC constructed by the BPCA west of the WTC. North of the 16-acre WTC Site proper was Seven World Trade Center (7 WTC), a 47-story office building completed in 1987 over two electrical substations occupied by Consolidated Edison Company of New York, Inc. (Con Edison). 7 WTC was connected to the WTC Site by a pedestrian bridge over Vesey Street.

South of the WTC Site the two blocks fronting Liberty Street between Greenwich Street and Route 9A were occupied by a 39-story office building at 130 Liberty Street, the Church of St. Nicholas at 155 Cedar Street and a parking lot surrounding the church.

On February 26, 1993, at 12:18 pm, a terrorist truck bomb was set off in the public parking garage underneath the WTC killing six individuals, including a pregnant woman, and causing extensive damage to subgrade infrastructure and the hotel (3 WTC). Following the bombing, public parking was eliminated and a security improvements (capital upgrade) program, as well as certain operational security measures were implemented. In 1995, the Port Authority erected a public “World Trade Center Memorial” on the plaza level of the WTC above the blast site and a private memorial area was established in a subgrade level.

By the turn of the 20th century, the WTC was more than 95 percent occupied and a major economic driver in Lower Manhattan and the Twin Towers were symbols of commercial vitality, representing the strength of the Financial District and New York City as a world leader in trade and finance. The WTC also was a symbol of the rebirth of the downtown. The Twin Towers were the most prominent buildings at the WTC and had become cultural icons and important symbols of the nation’s global economic power. The sheer height and scale of the towers was a bold architectural statement. The Twin Towers were also one of the country’s most widely recognized architectural symbols. Located at the heart of the nation’s third-largest business district, the WTC employed over 42,000 workers, and contained approximately 12 million square feet of commercial office space within the Twin Towers and four adjacent office buildings, as well as hotel and conference facilities, open space, and one of the most successful enclosed specialty retail centers in the country.

### **C. SEPTEMBER 11, 2001**

#### *THE ATTACKS*

On September 11, 2001, terrorists hijacked three commercial jetliners (two of which departed from Logan International Airport and one of which departed from Washington Dulles International Airport) and used them to destroy the WTC and damage the Pentagon, respectively. An additional commercial jetliner (which departed from Newark Liberty International Airport) was hijacked and subsequently crashed in Pennsylvania.

At 8:46 am, American Airlines Flight 11 carrying 92 people struck the north tower (1 WTC) between floors 94 and 98, with the impact roughly centered on the north face. Almost immediately, national and international media coverage began. At 9:03 am, United Airlines Flight 175 carrying 65 people struck the south tower (2 WTC) between floors 78 and 84 toward the east side of the south face. Each plane banked steeply as it was flown into a tower, causing damage across multiple floors. As the aircraft impacted the buildings, fireballs erupted and jet fuel spread across the impact floors and down interior shaftways, igniting fires.

As the resulting fires raged throughout the upper floors of the two towers, thousands attempted to evacuate the buildings. Anecdotes taken from survivors indicate heroic behavior was commonly displayed. Some mobility-impaired occupants were carried down many flights of stairs by other occupants. There were numerous reports of people frequently stepping aside and temporarily stopping their evacuation to let burned and badly injured occupants pass by. As the occupants evacuated down and out of the buildings, firefighters and first responders were working their way up the stairways toward the fires.

#### *THE COLLAPSES, DESTRUCTION, AND LOSS OF LIFE*

At 9:59 am, 56 minutes after it was struck, the south tower collapsed. The north tower continued to stand until 10:29 am when it, too, collapsed.

The collapses of the towers caused destruction of or extensive damage to all the other buildings on the WTC Site as well as several adjacent buildings. Portions of the south tower (2 WTC) fell on the hotel (3 WTC) at the corner of Liberty Street and Route 9A, on the building at the corner of Liberty and Church Streets (4 WTC), on the central plaza and on the surrounding streets and the area south of Liberty Street, including the building and plaza at 130 Liberty Street just to the south of the WTC. When the north tower (1 WTC) collapsed portions fell on 6 WTC, on 5 WTC, on the plaza, and on the surrounding streets and structures west of Route 9A and north of Vesey Street. All mass transit stations and facilities at the WTC Site were destroyed, and service on several lines was shut down until new connections could be established. The aftermath left victims, human remains, building materials and burning debris covering the entire WTC Site (see Photo 1).

Images of these events were broadcast and were recorded by the media as well as by eyewitnesses. These images were seared in the minds of those who survived the events as well as those who witnessed them in person or on television.

North of the WTC Site, damage to 7 WTC resulted in its collapse later that day. South of the WTC Site, the Church of St. Nicholas was destroyed; 130 Liberty Street was severely damaged, and its two-level plaza along Liberty Street was destroyed. Other buildings surrounding the WTC Site, including the Hilton Hotel, Century 21 Department Store and the Federal Office Building/U.S. Post Office on Church Street, Fiterman Hall on Barclay Street, 90 West Street and the Barclay-Vesey (Verizon) Building on Route 9A, and the Winter Garden, the World Financial Center, and Gateway Plaza in BPC were also severely damaged. Material covered a larger area, with the bulk in the immediate area extending north to Chambers Street, east to Nassau/Broad Streets, south to the Battery, and west to the Hudson River waterfront.

While an estimated 15,000 people were evacuated from the WTC Site, approximately 2,749 people in and around the WTC lost their lives including workers, commuters, residents, visitors, those on the hijacked airliners, and rescue personnel. This death toll number includes 343 New York City fire fighters, 23 New York City police officers, 37 members of the Port Authority Police Department, 92 passengers on American Airlines Flight 11 and 65 passengers on United Airlines Flight 175. Tens of thousands of others were evacuated from the immediate area. There was no loss of life in the PATH system, as PATH trains were directed to not offload passengers at the WTC, and service to the WTC was suspended.

### *THE AFTERMATH, RESCUE AND RECOVERY OPERATIONS*

Shortly after the two attacks on the WTC, all flights in the United States were grounded by the order of the Federal Aviation Administration (FAA). The Port Authority of New York and New Jersey Police Department (PAPD) and other Port Authority employees, the New York City Police Department (NYPD), the Fire Department of the City of New York (FDNY), other emergency response personnel, and concerned citizens rushed to respond to these attacks.

In recognition of the disastrous impact of the terrorist attacks, President George W. Bush declared Lower Manhattan a national disaster area and \$21 billion in aid was approved by the United States Congress for the repair, restoration, and recovery efforts. These funds were allocated to the Federal Emergency Management Agency (FEMA), FTA, and HUD for specific objectives and grants, to be separately administered by each of the agencies and local project sponsors.

In November 2001, the New York State Urban Development Corporation d/b/a Empire State Development Corporation (ESDC) established the LMDC, to oversee the revitalization and rebuilding of Lower Manhattan. Eight of the 16 members of the Board of Directors of LMDC are nominated by the Governor of the State of New York and eight are nominated by the Mayor of the City of New York. LMDC's activities, including the currently proposed WTC Memorial and Redevelopment Plan, are being funded through grants from HUD made possible under a \$2.783 billion appropriation from the United States Congress for the purpose.

The effects of the terrorist attacks were felt throughout the region and the country, leading to an outpouring of support from local, national, and international levels for the physical, financial, and emotional recovery efforts that continue to this day. Roughly 1,600 FEMA workers were dispatched to Lower Manhattan to assist in the recovery effort. Thousands of volunteers came to the area to assist. In the aftermath, the image of the Twin Towers became a symbol of antiterrorist resolve and the collective determination of the city, the state, and the nation called for rebuilding to restore the iconic center of the Financial District and to honor those who died there on September 11, 2001 and on February 26, 1993.

Much of Lower Manhattan south of Houston Street became a restricted area and was cordoned off in the weeks following the attacks for security and recovery reasons. Large streets and parks, including Route 9A, Battery Park, and the Hudson River Park below Houston Street, were taken over by safety installations, emergency vehicles, recovery equipment, and rescue and recovery facilities for extended periods of time. Some streets remain closed or occupied by safety installations and construction equipment. Many of the businesses and residents in the surrounding area were temporarily displaced, and some have not returned. The building at 130 Liberty Street remains standing, damaged and vacant.

The WTC Site as it existed as of noon on September 11 was transformed yet again by the rescue and recovery operations that began immediately after the attacks under the direction of the FEMA and the New York City Department of Design and Construction (DDC). Work continued 24 hours a day, seven days a week. Initial efforts were tremendous and focused on human rescue operations; only eighteen people were rescued from the ruins of the WTC, two of them were injured police officers discovered in the underground retail concourse. The remaining sixteen were all found among the ruins of 1 WTC. Fourteen of them, twelve firefighters, one police officer and one civilian office worker, were found largely unscathed in an intact stairwell section between the second and fourth floors, sandwiched between collapses. The remaining two rescued were two Port Authority employees recovered in the rubble of the north Tower. The second of these two was rescued approximately 27 hours after the collapse and was the last person to emerge alive from the ruins. As the days passed, the likelihood of successful rescue diminished. As of January 2004, the New York City Office of the Chief Medical Examiner (OCME) confirmed the deaths of 2,749 individuals. Nearly 20,000 human remains have been recovered to date, some of which have not been identified. The unidentified remains have been preserved by the OCME. There are more than 1,200 victims for whom no remains have been identified.

Following September 11, 2001, the City of New York maintained primary responsibility for the recovery efforts and coordinated its efforts with other private and governmental entities until June 30, 2002, when recovery efforts concluded and DDC returned the WTC Site to Port Authority control. Approximately 1.8 million tons of damaged structures and materials were removed through the fall, winter, and spring of 2001-2002. Damaged portions of the lower facades of the Twin Towers that were still intact in the aftermath were cut and removed to allow the recovery of human remains. On the east side of the WTC Site, the standing portions of 4 WTC and 5 WTC were demolished with wrecking balls and removed. Removal of the material from building structures above and below ground exposed the 70 foot deep bathtub within the western portion of the WTC Site which had contained the bases of the Twin Towers, the hotel (3 WTC) and the U.S. Customs House (6 WTC) as well as the PATH Terminal and supporting facilities including the parking garage where the explosives were detonated in the 1993 terrorist attack on the WTC.

As material was removed from areas near the WTC and the near-term stability of standing structures was verified, workers and residents were generally allowed to return to the surrounding area. By the beginning of 2002, the restricted area was pushed back west of Broadway and south of Barclay Street and a public viewing platform was constructed on Fulton Street just east of Church Street. The platform remained in place until Church Street was opened and a wide sidewalk/viewing area on the west side of the street (on the eastern edge of the WTC Site) was created. While Liberty, Vesey, and Barclay Streets surrounding the WTC Site remain closed to vehicular traffic, pedestrian paths have been created across Vesey and Liberty Streets from Church Street to Route 9A. Route 9A was re-opened on March 29, 2002, after construction

of an interim roadway allowing the re-opening of the Brooklyn Battery Tunnel. However, some buildings to both the south and the north of the WTC Site remain unoccupied. Most are being repaired or reconstructed. The fate of Fiterman Hall, a building on the north side of Barclay Street being renovated for use by the Borough of Manhattan Community College before September 11, is uncertain.

In order to stabilize and conserve what remained of the WTC Site as well as to protect the health and safety of rescue workers, necessary infrastructure repairs were undertaken concurrently with the recovery efforts, including the temporary stabilization of the slurry wall with over a thousand steel cable tiebacks and flood-proofing portions of the WTC Site primarily along the south, east and west portions of the WTC bathtub. Structural slabs in the northern portion of the bathtub (underneath 6 WTC) were left for interim stabilization of the northern slurry wall. Recovery efforts concluded as of June 30, 2002 when the WTC Site was returned to Port Authority control. MTA/NYCT completed reconstruction of the No. 1/9 subway tunnel in September 2002 and service resumed on that subway line to Lower Manhattan. The Cortlandt Street station within the WTC Site remains closed.

In order to restore service to a major regional transit hub, construction of a temporary WTC PATH station by the Port Authority began in July 2002 upon conclusion of the recovery operations. The station opened for service in November 2003. The temporary WTC PATH station was constructed in substantially the same configuration that existed on the morning of September 11, except that the tracks and platforms are not fully enclosed, and were built to an eight-car length (and not the original 10-car length), and the station is not heated or air-conditioned, has fewer pedestrian and transit connections, and has only one entrance/exit located on Church Street near Vesey Street.

South of the WTC Site, 130 Liberty Street remains vacant and shrouded in black netting. Its plaza and the supporting structure for the plaza were removed, leaving a deep hole in the ground. To the west, the block formerly occupied by St. Nicholas Church and the parking lot was repaved and has been used for site access and construction staging.

Most of the structural steel from the WTC was removed and distributed for recycling under recovery contracts let by DDC. Major pieces of steel from the towers and 7 WTC were taken to the National Institute of Standards and Technology in Gaithersburg, Maryland for analysis. In addition, selected building remnants (structural steel, building materials, and building components including portions of the structural tridents at the lobby level of the North Tower) and artifacts (including crushed emergency and private vehicles, trackage from the PATH and No. 1/9 lines, and a bicycle rack,) were salvaged for possible memorial and museum use and stored by the Port Authority in Hangar 17 at John F. Kennedy International Airport. In October 2002, the Port Authority Board formally acted to approve a program and funding to protect, catalog and store these artifacts. Other artifacts were salvaged by the New York State Museum and are stored at their facility in Albany. The New York State Museum also gave salvaged artifacts to other museums and institutions in New York and New Jersey. (Appendix A discusses artifacts that were removed from the WTC Site, including those stored at the New York State Museum in Albany, NY and at Hangar 17.)

On March 11, 2002, six months after the attacks on WTC, LMDC, the Port Authority, and the City of New York, established an Interim Memorial in Battery Park. The centerpiece of the memorial is the damaged *Sphere*, a bronze sculpture that had stood in the center of the WTC plaza and made available as a result of a donation by the AXA Art Insurance Corporation. Also on March 11, 2002, Governor Pataki and Mayor Bloomberg dedicated the *Tribute in Light*, two banks of 44 spotlights which projected light almost one mile into the night sky near the location of the Twin Towers. The *Tribute in Light* was the result of collaboration between civic organizations and artists from a broad range of disciplines, and could be seen from up to 25 miles around Lower Manhattan. The lighting of the *Tribute in Light* was one of many ceremonies held across the United States that day and continued to illuminate the night sky for 32 days.

Government programs aimed at providing assistance to individuals affected by the events of September 11 were also established in the months following. The Victim Compensation Fund provides economic compensation to families and dependents of victims in lieu of pursuing a civil court case for damages; the Small Business Administration offered low-interest loans to eligible individuals to repair or replace damaged property and personal belongings not covered by insurance; FEMA's Disaster Housing Program made funds and services available to individuals whose homes were uninhabitable, while FEMA and New York State also provided cash grants to those who did not qualify for the Small Business Administration loans; Department of Labor also made funds available for extension of unemployment assistance. Financial assistance provided by individuals and nonprofit organizations such as the American Red Cross, September 11th Fund, Twin Towers Fund, and New York State World Trade Center Relief Fund also proved invaluable in the recovery efforts.

Following July 1, 2002, the Port Authority continued site stabilization measures including necessary slurry wall repairs, structural shoring, de-watering systems, and other work and structural monitoring. The Port Authority also constructed perimeter walkways and a perimeter fence with information panels describing the history of the WTC Site and the area for the thousands of daily visitors to the WTC Site.

In August 2002, Congress appropriated \$4.55 billion in federal funding to be provided through FEMA and the FTA for transportation projects in Lower Manhattan. FTA, the lead federal agency, continues to work with the governor of New York and state and local agencies to identify and develop projects using this federal aid.

### **III. RESOURCE DESCRIPTION**

The WTC Site is located on the west side of Lower Manhattan. Occupying approximately 16 acres, the WTC Site is bounded by Vesey Street on the north, Liberty Street on the south, Route 9A/West Street on the west and Church Street on the east. The IRT No. 1/9 subway divides the WTC Site into two parts—a western portion and an eastern portion (see Photo 2). The west portion of the WTC Site contains approximately 11 acres. It is delineated by reinforced concrete walls approximately three feet thick and approximately 70 feet high. Within these walls, the ground was excavated to bedrock for construction of this portion of the WTC and the below-ground PATH Terminal. This foundation structure was early on named the bathtub, the concrete walls serving to seal the basement of this part of the WTC against water seeping from the nearby Hudson River. With removal of the ruined structures and debris following the attacks, the bathtub has been exposed to nearly full view for the first time since it was constructed (see Photos 3 and 4). The slurry walls constructed around the bathtub area are visible in this portion of the WTC Site except where a portion of the substructure of 6 WTC has been left in place to support those walls. The east portion of the WTC Site was not so deeply excavated (and it has a typical basement structure). Along Church Street the east portion is at grade with three below-grade levels.

The following inventory is divided as the WTC Site is divided into west and east portions. Surviving elements of the WTC observed during site visits in November 2003 are listed below. Elements constructed or installed in association with the recovery and stabilization efforts following September 11, as well as elements associated with the temporary PATH station, are also included to provide a complete picture of the WTC Site today.

#### **West Portion of the WTC Site—Bathtub**

After the removal of approximately 1.8 million tons of material from the site, the only standing and remaining structure in this portion of the WTC Site was a remnant of the below-grade (basement) levels of 6 WTC, located along Route 9A and Vesey Street. The most visible remnants of the WTC are the slurry walls which surrounded the bathtub.

1. West wall (constructed pre-September 11): This wall was under the roadbed of Route 9A and adjacent to Tower One, the hotel (3 WTC) and 6 WTC. The north end of the wall is partially covered and obscured from view by remnants of the below-grade structure of 6 WTC (see Photo

- 5). Damage to the wall from September 11 is apparent as is the new concrete used to repair the damage and increase the height of the wall to prevent flooding. Water damage is also apparent on the wall and sections of reinforcement have been exposed. A number of features are visible, including:
- a. Vehicular entrance ramps (constructed pre-September 11): Two sets of rectangular openings are located in the west wall. They were the vehicular entrances/exits for the WTC parking garage from ramps formerly in the median of Route 9A—now beneath the northbound lanes of the temporary roadway. They were located at the B2 basement level and are approximately 42 feet above the bathtub floor. The north pair is located just south of the surviving sections of 6 WTC (see Photo 5). The south pair flanks the southern set of cooling water pipes (see Photos 6 and 7). The north ramp of this southern pair (to the right in Photos 6 and 7) was used by the terrorists to drive the vehicle with explosives into the garage in the 1993 attack on the WTC.
  - b. Cooling Water Pipes (constructed pre-September 11): Openings for two pairs of cooling water intake and outflow pipes are located in the west wall. The pipes painted green are the 60-inch pipes installed with the original construction (see Photos 6 and 7). These two pipelines ran under West Street between the WTC Site and a subterranean Hudson River Water Pump House facility in BPC. Pipes painted blue are the 66-inch pipes installed in the 1990s. These pipes were routed underneath subgrade entrance ramps under West Street/Route 9A and entered the WTC Site underneath Tower One.
  - c. Tiebacks (installed post-September 11/temporary): Nearly 1,000 temporary tiebacks were installed during the recovery to hold the wall in place when the debris and damaged below-grade structures were removed. Some tiebacks extend as much as 40 feet long and are anchored to bedrock around the bathtub area. All the tiebacks visible on this wall have been capped to protect them.
  - d. Southern Projection (constructed pre-September 11): This is the largest apparent opening in the wall that is visible (see Photo 8). It is near the southern end of the wall. The structure was used for emergency PATH tunnel egress and ventilation, and also as part of the venting system for the garage, as well as emergency diesel generators, and connected to vent structures that were located in the median of Route 9A. Note there is also a similar projection behind the remnants of the 6 WTC substructure.
  - e. PATH tunnel access (constructed pre-September 11): This is located in the southern projection for the southern tunnel (see Photo 8). The restored tracks, covered and partially walled, emerge from the southern projection at the bottom of the bathtub. Note the second PATH tunnel is in the northern projection and not visible due to the remnants of the 6 WTC substructure.
  - f. Egress stairs (constructed post-September 11/temporary): Steel egress stairs for the emergency egress from the PATH Tunnels “E” and “F” are located in the bathtub in the middle of the wall with a emergency walkway access from each tunnel to grade level along Route 9A.
2. South wall (constructed pre-September 11): The south wall was located under the middle of Liberty Street (see Photo 9). It was adjacent to Tower Two. Damage to this wall is also apparent, as are the new concrete repairs and the vertical extension of the wall to prevent flooding.
- a. PATH tracks (constructed post-September 11): The PATH tracks are adjacent to the base of this wall in the same location that they ran prior to September 11, 2001.
  - b. PATH substation (constructed post-September 11): This is the new blank-walled structure above the PATH tracks providing the traction power for train operations.

- c. Recovery and Construction ramp (constructed post-September 11/temporary): This ramp provides temporary primary construction access for pedestrians and vehicles from street level to the floor of the bathtub, installed in March 2002 during the recovery effort. This is also among the emergency egress routes for the temporary WTC PATH station.
  - d. Tiebacks (constructed post-September 11/temporary): Tiebacks were installed during the recovery to hold the wall in place when the debris and damaged below-grade structures were removed.
3. East wall (constructed pre-September 11): This wall is visible above the temporary PATH tracks and on either side of the portion of the temporary WTC PATH station in the bathtub (see Photos 9 and 10). September 11 damage as well as new concrete in repaired sections of the wall are distinguishable.
- a. Hudson Tubes (constructed pre-September 11): Two cast-iron ring tubes are located in the east wall. Only the south tube is visible (see Photo 11).
  - b. Vehicular access ramp (constructed pre-September 11): A former vehicular ramp into the below-grade service areas on the WTC Site is just west of the east wall (see Photo 12). Inside the WTC Site (at approximately Fulton Street) the ramp connects to and runs through a portion of the one of the original Hudson Tubes. It connected to the outside world on Barclay Street under 7 WTC where trucks entered and exited the WTC.
  - c. Temporary WTC PATH station (constructed post-September 11/temporary): The new structure of the temporary WTC PATH station is visible, and is adjacent to the eastern wall of the bathtub (see Photos 13 and 14). The structures are at the same location and elevations as the pre-September 11 station facility. PATH trains enter and exit the station on the track/platform level. Above that is the mezzanine level (also within the bathtub) where the turnstiles are located. Along the west wall of the mezzanine and overlooking the bathtub, the open structure has screen panels that are translucent; they allow light into the mezzanine level but do not obscure most views out to the WTC Site. Printed panels are also located along the walls and have quotes of famous New Yorkers. Four temporary emergency exit staircases lead from the PATH mezzanine to the floor of the bathtub.
4. North wall (constructed pre-September 11): This wall is largely obscured by the remnants of the substructure of 6 WTC.
- a. 6 WTC (constructed pre-September 11): Remnants of the grade level slab, an egress staircase, and six below-grade floors of 6 WTC (Levels B1-B6) are remaining at the north end of the bathtub (see Photo 15). Smoke scars from the September 11 terrorist attacks are visible at levels B1-B5 from the exterior. These areas were used as below-grade parking (see Photos 16 and 17) and have been temporarily stabilized and shored as part of the site recovery following September 11, 2001.
  - b. Tiebacks (constructed post-September 11/temporary): Some tiebacks have been installed where slabs have been demolished (see Photo 18). A few tiebacks near the truck access ramp have cables that have not been cut back and capped.
  - c. Vehicular access ramp (constructed pre-September 11): This heavily damaged ramp once connected the WTC Site to Barclay Street (under 7 WTC) and is visible in this area.
5. Area within Bathtub: This is the area that was generally excavated to the concrete floor of the bathtub. It is within the slurry walls (see Photos 2-4). Tower One, Tower Two, 3 WTC (the hotel) and 6 WTC all stood above the bathtub. The concrete floor of the bathtub lies over a layer of gravel which varies in thickness depending upon the geology of a particular location within the bathtub. In addition to the portions of 6 WTC and the temporary WTC PATH station, and

operations and maintenance facilities and its elements identified above, other features or structures now present in the bathtub include:

- a. Tower perimeter column bases (constructed pre-September 11): The original subgrade column grid for the Twin Towers was configured in the bathtub to span above the former H&M tunnels traversing the bathtub as well as the new PATH tracks. During the recovery and site clean-up, the perimeter column bases that outline the space where the Twin Towers stood (sometimes referred to as footprints) were cut off just at or above the concrete floor of the bathtub, but remnants remain (see Photos 19 and 20). The perimeter outlines of the north tower and south tower are delineated by column bases forming squares. Prior to September 11, 2001, the PATH facility occupied approximately the east half of the south tower's footprint. There were 84 perimeter columns extending into the concrete floor of the bathtub that would outline the north tower and, due to the configuration and crossing of PATH tracks, 73 perimeter columns extending into the concrete floor of the bathtub that outline the south tower. Of the 73 perimeter columns outlining the south tower, 34 of them were in the PATH facility.
- b. Other column bases (constructed pre-September 11): These column bases supported other structures or infrastructure that once existed in the bathtub. They include column bases inside the perimeter of the Twin Towers. Most of the columns were arranged in a 30-foot by 30-foot grid pattern, with notable exceptions and an irregular grid pattern occurring in the areas of the PATH tracks at the north and south ends of the WTC bathtub.
- c. Other infrastructure (constructed pre-September 11): Other infrastructure including elevator pits, sump pumps, ejector pumps and drainage lines are located within the bathtub area.

#### **East Portion of the WTC Site**

This is the portion of the WTC Site outside of the bathtub area. This area is located east of the alignment of Greenwich Street and the restored No. 1/9 subway line which permits service to the Rector and South Ferry Stations. The new temporary WTC PATH station concourse level and street entrance is located in the north half of this area. There are no surviving remnants of buildings 4 WTC and 5 WTC in this area. Features identified in the eastern portion of the WTC Site include the following:

1. Temporary WTC PATH station main entrance (constructed post-September 11): This new structure is entered from Church Street at Fulton Street. The station has a sculptural form, with two wings rising from a central truss supported on two vertical trusses.
2. Temporary WTC PATH station concourse (constructed post-September 11): This is located one level below-grade (see Photo 21). It connects to the pre-existing downtown platform of the NYCT N/R/W line running under Church Street and at the northeast corner of the WTC Site to the NYCT E line.
3. WTC PATH Terminal underpass (constructed pre-September 11): This is a pedestrian underpass connecting the mezzanine level to the concourse level, located under the No. 1/9 subway line, just as it did in the former WTC. This underpass structure itself remained intact despite the destruction and damage of September 11. New escalators were installed post-September 11.
4. Restored NYCT No. 1/9 subway line (constructed post-September 11): A concrete box enclosing the subway tracks, as well as portions of the former Cortlandt Street station, runs north-south across the WTC Site, just east of the slurry wall. The tracks and enclosure were completely rebuilt after September 11.
5. Plaza and subway access from Vesey Street (constructed pre-September 11): The heavily damaged stair and escalator structure on Vesey Street lead up to the WTC plaza and the bridge to 7 WTC (see Photo 22). It also provided access to the No. 1/9 Cortlandt Street subway station which was under the WTC.

6. Remnants of the Hudson Terminal and the H&M Railroad (constructed pre-September 11): These are found below grade in the middle of the WTC Site along Church Street between Fulton and Cortlandt Streets. When the new WTC PATH Terminal opened in 1971, unused portions of the Hudson Tubes were converted to truck ramps. Sections of these unused portions of the cast-iron tubes exist on site. Below-grade portions of the former terminal that were used for truck loading, parking, and commercial storage also exist on site. All components of the former H&M Terminal substation have been removed (during construction of the WTC), and only large openings in the ground where these features were located survive.
7. Sidewalks and fencing (constructed post-September 11): These sidewalks and fencing are located around the perimeter of the WTC Site.
8. Passageway to the NYCT WTC subway station (constructed pre-September 11): Remnants of the WTC passageway to the E subway line are located below-grade and include steps, a ramp, doors and flooring (see Photos 23 and 24). This passageway has been reopened and connects with the temporary WTC PATH station.
9. Steel cross (erected post-September 11): A section of two connected beams forming a steel cross was found near 6 WTC and erected by recovery workers on the WTC Site.

#### **IV. NATIONAL REGISTER ELIGIBILITY EVALUATION**

The WTC Site meets National Register Criterion A for its association with the September 11, 2001 attacks on the two 110-story towers of the WTC which on local, state and national levels constitute “historic events that have made a significant contribution to the broad patterns of our history.” In connection with the events of September 11, the WTC Site is significant in the areas of political and government issues, social history and economic history. The WTC Site is exceptionally significant in the history of the United States as the location of events that immediately and profoundly influenced the lives of millions of American citizens and for its role in symbolizing and commemorating those events for survivors, families of victims, New Yorkers, Americans and visitors from all over the world. The WTC Site is defined as the approximately 16-acre property bounded by Route 9A (West Street), and Vesey, Liberty, and Church Streets.

Although the events of September 11 occurred just over two years ago, the WTC Site meets the requirement of National Register Criteria Consideration G that a property achieving significance within the last 50 years must be of exceptional importance. The flying of two large commercial jetliners into the WTC’s Twin Towers were the acts that precipitated numerous events of great magnitude, among them the deaths of an unprecedented number of individuals in a single location resulting from foreign attacks on American soil, and also actions, still unfolding, taken by the United States both at home and abroad in response to the attacks themselves and to the issues of global terrorism of which they were a part. The ultimate historical importance of the various events and actions resulting from the attacks has yet to be fully determined, since they are still underway and additional actions are likely to be initiated in the foreseeable future. However, there exists more than sufficient information at this time to document the exceptional importance of the attacks on the WTC to the history of the United States in the 21st century.

The attacks on the Twin Towers on September 11 caused the death of what is currently estimated to have been nearly 2,800 people and when taken together with the attack on the Pentagon and the crash of hijacked Flight 93 in Shanksville, PA, the total rises to more than 3,000. An immediate result of the attacks was a profound transformation in both local and national security. Shortly after the attacks, the FAA grounded all flights then within United States airspace and turned back all flights then coming into the country—something that it had never done before and that continued for several days after September 11. The United States Office of Homeland Security (which later became the Department of Homeland Security) was established on October 8, 2001. In early October 2001, the United States and other members of the international community attacked and then invaded Afghanistan, where the governing

Taliban regime harbored terrorist leaders and training camps. The comprehensive federal response to the events of September 11 also included Congressional enactment of major legislation such as the Aviation and Transportation Security Act, National Construction Safety Team Act, Air Transportation Safety and System Stabilization Act, the United States Patriot Act, and the Terrorism Risk Insurance Act of 2002, as well as major changes in foreign policy.

The significance of the WTC Site is enhanced by the fact that the collapses of the Twin Towers was captured on film, witnessed on television by millions of people as it occurred, and has been replayed countless times all over the world. As such, the image has been indelibly burned into our collective memory, and the WTC Site is a compelling reminder of the tragic events of that terrible day.

In addition to its direct association with the events of September 11, the WTC Site has already acquired significance as the primary place for commemorating the events that transpired there. Almost from the day of the attacks, crowds of people from all over the world, representing diverse cultures, nationalities, and classes, have journeyed to the WTC Site to pay their respects to the victims and bear witness to the significance of the events. It has been the location of countless memorials, ceremonial events, and private pilgrimages by the families of the victims, survivors, rescue workers, government officials, world leaders, and citizens of New York, the nation, and the world. On each of the two subsequent anniversaries of the attacks, the name of each of the victims has been read aloud at the WTC Site, thus publicly proclaiming the collective grief of a nation.

The period of significance begins on September 11, 2001, the day on which the attacks occurred, and continues to June 30, 2002, the date on which DDC concluded the recovery efforts and returned the WTC Site to Port Authority control. Absent the events of September 11, the Twin Towers would not have collapsed, thousands of people would not have lost their lives, the WTC and several adjacent buildings would not have been destroyed or extensively damaged, the massive search, rescue and recovery efforts would not have taken place, the PATH system and the No. 1/9 subway line and station below the towers would have remained in operation, and the numerous actions taken by the United States at home and abroad in the name of national security and war on terrorism would not have taken place (or, with regard to the latter, not in the manner they have to date).

The WTC Site was the locus of the events of September 11 and the significance of those events and their aftermath to American history makes the WTC Site eligible for National Register listing, even at this early date. Although the existing elements on the site do not fully express the scale or catastrophic nature of the events of the day, various remnants of the WTC's Twin Towers and other structures help convey in different ways the events of September 11 and their aftermath and, therefore contribute to the WTC Site's historic significance.

Foremost among these items are the truncated box-beam column bases that help define the perimeter or "footprints" of the former Twin Towers and the slurry walls that form the sides of the underground bathtub for the Twin Towers. The truncated box-beam column bases serve to poignantly delineate the areas where so many lives were lost that day. As revealed by the recovery efforts, the west wall in particular helps to convey the scale of both the bathtub and the destruction wrought on September 11.

Other items also contribute to the understanding of the events in a different way. The remnants of the parking garage contain slabs and interior columns charred with smoke from the fires that burned for months. The beams forming a cross erected by recovery workers reflect the faith and dedication of thousands of rescue and recovery workers both on September 11 and in the months following.

Other remnants, such as the portion of the concrete steps and escalator ramp from Vesey Street to the subway and the remaining portion of the passageway to the E subway line, serve as reminders that the WTC Site was not limited to the Twin Towers and included both pedestrian and transit connections to the surrounding communities.

The significance of the WTC Site is reflected by its integrity of location, setting, feeling, association, and materials. Physical remnants on the WTC Site possess integrity of materials that convey the catastrophic

events of September 11. The WTC Site retains integrity of location, as it is the location of the now-destroyed complex where the September 11 attacks occurred. It also retains integrity of setting. Although buildings and infrastructure within the WTC were destroyed and their ruins removed, the physical environment surrounding the WTC Site remains essentially as it was on September 11, for example its relationship to other buildings in the neighborhood and its location near the Hudson River in Lower Manhattan (a location that necessitated the construction of the slurry walls and bathtub visible today). The WTC Site retains integrity of feeling—the surviving physical features at the site, including the large bathtub, slurry walls, and the bases of steel columns, as they have been revealed by the rescue and recovery efforts, convey the destruction that took place on September 11. The WTC Site also retains integrity of association, which is the direct link between an important historic event and a historic property. The Twin Towers were the targets of these September 11 attacks, and physical features surviving on this site that have material integrity retain their quality of association with the profound events of that day, as well as the post September 11 recovery effort.

The WTC Site is significant due to the extraordinary and catastrophic events of September 11, 2001. These events are important at the local, state and national levels due to the people who died and who gave their lives trying to help others, the physical destruction of the WTC and the unprecedented recovery effort. During the recovery, surviving elements of the WTC were disassembled and removed as part of the search and rescue operations; these actions also contribute to the site's significance. Some of these artifacts (as described in Appendix A) could also contribute to the site's significance if returned to the WTC Site to convey aspects of the events that give rise to the site's eligibility. The individual project sponsors will consider the reuse and interpretative value of artifacts as they further develop their undertakings.

#### *BOUNDARY DESCRIPTION AND JUSTIFICATION FOR THE NATIONAL REGISTER-ELIGIBLE WTC SITE*

The boundaries of the eligible property are contiguous with the boundaries of the WTC Site. The WTC Site was the immediate setting in terms of historical development, design and function for the 110-story Twin Towers, which were the specific objectives of the terrorist attacks, and is the primary area onto which they collapsed on September 11. The targets of the attacks, the area that suffered the most catastrophic loss of lives and buildings, and the location most widely recognized for its association with the attacks, is the 16 acres once occupied by the WTC. This area most directly and outstandingly represents the events of September 11. The WTC Site is also associated with the extensive recovery effort that continued on the WTC Site until June 30, 2002.

## V. BIBLIOGRAPHY

- Allen, Oliver E. *Tales of Old Tribeca, an Illustrated History of New York's Triangle Below Canal*. New York: Tribeca Trib, Inc. 1999.
- Anonymous. 9/11 Memorial to Store Unidentified Remains. *Los Angeles Times*. August 26, 2003.
- Anonymous. Report: Final WTC Death Toll Drops by Three; Could Stand at 2,749. Posted 1/23/2004 2:38 PM, Updated 1/23/2004. 3:49 PM. *USA Today*. USA Today website as of February 4, 2004. [http://www.usatoday.com/news/sept11/2004-01-23-wtc-toll\\_x.htm](http://www.usatoday.com/news/sept11/2004-01-23-wtc-toll_x.htm)
- Borakove, Ellen, Director of Public Affairs for New York City Medical Examiner's Office. Phone Interview February 4, 2004.
- Darton, Eric. *Divided We Stand: A Biography of New York's World Trade Center*. New York: Basic Books. 1999.
- Dewan, Sheila K. *New York Times*. Public Lives: An Interpreter of Messages Left by the Dead. June 6, 2003.
- Federal Emergency Management Agency. *World Trade Center Building Performance Study, FEMA 403, Appendix D: WTC Steel Data Collection*. May 2002. FEMA website as of February 4, 2004. [http://www.fema.gov/pdf/Library/Fema403\\_apd.pdf](http://www.fema.gov/pdf/Library/Fema403_apd.pdf)
- Gillespie, Angus Kress. *Twin Towers: The Life of New York City's World Trade Center*. New Brunswick, N.J.: Rutgers University Press. 1999.
- Glanz, James and Eric Lipton. *City in the Sky: The Rise and Fall of the World Trade Center*. New York: Times Books, Henry Holt and Company. 2003.
- Hartgen Archaeological Associates. *Route 9A Reconstruction Project, Draft Archaeological Assessment Report, Battery Place to Harrison Street*. March 1990.
- Jackson, Kenneth T., ed. *The Encyclopedia of New York City*. New Haven, CT: Yale University Press. 1995.
- Langewiesche, William. *American Ground: Unbuilding the World Trade Center*. New York: North Point Press. 2002.
- Lipton, Eric. Left Mostly Out of Memorial Designs, Trade Center Steel Sits Rusting in a Hangar. *New York Times*. December 19, 2003.
- National Institute of Standards and Technology. *Documentary Information Received by NIST*, August 2003. NIST website as of February 4, 2004. [http://wtc.nist.gov/media/docs\\_info\\_received.html](http://wtc.nist.gov/media/docs_info_received.html)
- National Institute of Standards and Technology. *Federal Building and Fire Safety Investigation of the World Trade Center Disaster, Project #3: Analysis of Structural Steel, Update*, December 2, 2003. NIST website as of February 4, 2004. [http://wtc.nist.gov/media/Analysis\\_of\\_Structural\\_Steel.pdf](http://wtc.nist.gov/media/Analysis_of_Structural_Steel.pdf)
- National Park Service, *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*.
- National Park Service, *National Register Bulletin 16A: How to Complete the National Register Registration Form*.
- New York State Museum. Press Release. August 2003. NYSM website as of February 4, 2004. <http://www.nysm.nysed.gov/press/2003/wtcresponse.html>
- New York State Museum. *The World Trade Center: Rescue Recovery Response*. August 2003. NYSM website as of February 4, 2004. <http://www.nysm.nysed.gov/wtc/>

Tyson, Peter. Towers of Innovation. Included in a companion web site to Public Broadcasting Service. Why the Towers Fell. Originally broadcast February 2, 2002. PBS website as of February 5, 2004. <http://www.pbs.org/wgbh/nova/wtc/innovation.html>

Voice of America News. Unidentified Remains of World Trade Center Victims to be Preserved in Permanent Memorial. Aug 25, 2003, 17:42 UTC. VOA website as of February 5, 2004. <http://www.voanews.com>.

## **VI. LIST OF PREPARERS**

### **AKRF, Inc.**

- Anne M. Locke, Assoc. AIA  
Senior Vice President
- Andrea Burk, M.S.  
Architectural Historian
- Claudia Cooney, M.S.  
Technical Director

### **The Louis Berger Group, Inc.**

- John A. Hotopp, Ph.D., RPA  
Senior Vice President
- Martha H. Bowers, M.A.  
Principal Architectural Historian

## **VII. COMMENTS**

Comments on the January 21, 2004 and February 6, 2004 drafts of this Coordinated Determination of National Register Eligibility were received from:

- Coalition of 9/11 Families, Anthony Gardner, Executive Board member
- Coalition to Save West Street, Marilyn Gaull Howard
- Families of September 11, Nikki Stern, Director
- Greek Orthodox Archdiocese and St. Nicholas Church, George Schira
- Historic Districts Council, Robert Kornfeld, Director
- Historic Districts Council, Robert Kornfeld, Director; Metro New York Chapter, American Planning Association, Ethel Sheffer, President; Coalition of 9/11 Families (Coalition), Anthony Gardner, Executive Board member; Voices of September 11th, Mary Fetchet, President
- Louise LoPresti
- Lower Manhattan Emergency Preservation Fund (composed of Municipal Art Society, Frank E. Sanchis, III, Executive Director; National Trust for Historic Preservation, Elizabeth S. Merritt, Deputy General Counsel, Marilyn Fenollosa, Senior Program Officer & Regional Attorney; New York Landmarks Conservancy, Peg Breen, President; Preservation League of New York State, Scott Heyl, President; World Monuments Fund, Bonnie Burnham, President; Ken Lustbader, Preservation Consultant)
- Municipal Art Society, Vicki Weiner, Director of Historic Preservation

- National Trust for Historic Preservation, Elizabeth S. Merritt, Deputy General Counsel, Marilyn Fenollosa, Senior Program Officer & Regional Attorney
- New York City Landmarks Preservation Commission, Robert Tierney
- New York Landmarks Conservancy, Alex Herrera, Director of Preservation
- Preservation League of New York State, Ken Lustbader, Consultant
- Shinnecock Nation Cultural Center and Museum, Winonah Warren
- Voices of September 11th, Mary Fetchet, President

## **WTC Site Photographs**



Port Authority 2001

View of WTC Site as it appeared in December 2001

1



Port Authority 2002

View of WTC Site as it appeared in June 2002

2



Port Authority 2003

Aerial view of WTC Site

3



AKRF 2003

View of bathtub, looking south from northern edge of WTC Site

4



AKRF 2003

West slurry wall, north end

5



AKRF 2003

West slurry wall, view of vehicular entrance ramps and southern projection

6



AKRF 2003

West slurry wall, detail view of vehicular entrance ramps and cooling water pipes

7



AKRF 2003

West slurry wall, view of southern projection and PATH tunnel access

8



AKRF 2003

South and east slurry walls, view of new PATH tracks

9



AKRF 2003

East slurry wall

10



AKRF 2003

East slurry wall, view of Hudson Tube

11



AKRF 2003

East slurry wall, view of vehicular access ramp

12



View of temporary WTC PATH station, adjacent to east slurry wall

13



View of temporary WTC PATH station

14



AKRF 2003

North slurry wall, view of remnants of 6 WTC

15



AKRF 2003

View of 6 WTC remnants, former area of below-grade parking

16



AKRF 2003

View of 6 WTC remnants, former area of below-grade parking

17



AKRF 2003

North slurry wall, view of temporary tieback caps

18



Port Authority 2003

Bathtub area, truncated box-beam column bases

19



Port Authority 2003

Bathtub area, detail view of truncated box-beam column base

20



AKRF 2003

View of new temporary WTC PATH station concourse



Port Authority 2003

View of damaged stair and escalator structure on Vesey Street



AKRF 2003

Remnants of the WTC passageway to the E subway line



AKRF 2003

Remnants of the WTC passageway to the E subway line

## **Appendix A**

## APPENDIX A—ARTIFACTS

During the rescue and recovery operations, a number of artifacts were removed from the WTC Site. Artifacts are the materials that were identified, secured, and preserved. This section deals with those artifacts that were taken from the WTC Site during the recovery efforts. A structure or pieces of a structure or a site removed from their historic location would not usually be considered for National Register eligibility because they have lost their integrity of location. However, based on consultation between the State Historic Preservation Office and the National Park Service, it has been determined that if artifacts are returned to the WTC Site, then they could be considered to contribute to the historic significance of the property.

Of the artifacts removed from the WTC Site one of the most famous is the Sphere, an artwork by Fritz Koenig originally located on the fountain at the center of the Tobin Plaza. The Sphere was damaged in the September 11 attacks and was donated by AXA Insurance Company to the Interim Memorial created on March 11, 2002, in Battery Park by LMDC, the Port Authority, and the City of New York. The Interim Memorial is dedicated “to all whose lives were taken, and the many who gave their lives trying to save them at the World Trade Center in the attacks of September 11, 2001.” On the first anniversary of the attacks, Mayor Michael Bloomberg dedicated an eternal flame at the Interim Memorial.

During the rescue and recovery period when New York City’s Department of Design and Construction controlled the WTC Site, the materials were taken to Fresh Kills landfill and steel was taken to a steel recycling plant in New Jersey. The National Institute of Standards and Technology selected certain pieces of steel for testing to study factors leading to the collapse of the Towers.

A note on the cover of the Steel Data Collection Spreadsheet attached to FEMA’s World Trade Center Building Performance Study indicates that: “As of May 2002, of the 156 steel pieces listed in the spread sheet, 41 are at the National Institute of Standards [and Technology], 19 were discarded after [samples] were taken, 45 are at the salvage yards, and the rest either were discarded after they were documented or were accidentally processed in the salvage operation before or after being documented.”

During the recovery efforts numerous requests were made by museums and other organizations for materials from the WTC Site. These requests were directed to the New York City Office of Emergency Management (OEM) and OEM allowed some organizations to take some materials. It has been reported that artifacts are in the possession of the Smithsonian Institution, the Federal Bureau of Investigation (FBI), the New York City Police Department (NYPD), the Fire Department of New York (FDNY), the Museum of the City of New York, the New York City Police Museum, the New York City Fire Museum, the Staten Island Historical Society, the New York Historical Society and the New Jersey Historical Society. One round planter containing a living yew tree was salvaged from the WTC Site and is now located at the Governor’s mansion in a nursery behind the house. A 60-ton piece of steel was given to the United States Navy and was melted down for the SS New York. At one point the Mayor’s office was giving away two-foot sections of steel and some of this steel is at Mt. Manresa—a retreat house in Staten Island that housed out-of-town workers involved in the recovery efforts at Fresh Kills. In addition, a traveling exhibition from the NYSM titled “Recovery: The World Trade Center Recovery Operation at Fresh Kills” has about 50 rare photographs and 40 objects and is touring the country.

The New York State Museum in Albany has a number of artifacts from the WTC Site including the heavily damaged Engine 6 pumper, recovered NYPD and FDNY objects, architectural remains, several battered flags, a large steel column from floors 7-9 of Tower Two, a damaged 20-foot high, 10-ton steel column from floors 71-73 of Tower One, the steering wheel from a car, observation deck souvenirs, melted floppy discs, keys, a crushed payphone, a large collection of firearms from the U.S. Customs House (Six World Trade Center), destroyed street lampposts, fire hydrants, a destroyed elevator door, pieces of the airplanes that crashed into the Twin Towers including a portion of the wheel assembly from one of the planes, a piece of fuselage, and a steel beam with an embedded airplane piece.

The Port Authority has a large number of artifacts catalogued and stored in Hangar 17 at John F. Kennedy (JFK) Airport. They were retrieved from Fresh Kills landfill and the steel recycling yard in New Jersey, as well as the WTC Site. One of the objects is a 36-foot-by-4-foot steel column that was the last large piece of steel carried off the WTC Site. It was removed in the ceremony on May 30, 2002, marking the day following the recovery of the last human remains at the site. Hangar 17 also contains pieces of a 100-foot-tall by 100-foot-wide section of the lower facade of Tower One with its Gothic arches. The collection also includes a portion of the Tower One antenna, a turnstile from the WTC PATH Terminal, a motor from one of the Twin Towers giant elevators, a bicycle rack with seven abandoned bikes and a silver and blue helmet, and six crushed ladder trucks and fire engines.

**Written Comments on Coordinated Determination of  
National Register Eligibility**

Page 1 Coalition of 9/11 Families' Preliminary Comments on Draft Determination of  
National Register Eligibility



VIA FACSIMILE, SURFACE MAIL, IN PERSON DELIVERY

February 2, 2004

Mr. Kevin Rampe, President  
Lower Manhattan Development Corporation  
One Liberty Plaza, 20th Floor  
New York, NY 10006

**RE: WORLD TRADE CENTER MEMORIAL AND REDEVELOPMENT PLAN  
NATIONAL HISTORIC PRESERVATION ACT SECTION 106 COMPLIANCE  
COMMENTS ON DRAFT DETERMINATION OF NATIONAL REGISTER  
ELIGIBILITY OF THE WORLD TRADE CENTER SITE**

Dear Mr. Rampe:

Attached please find the preliminary comments of the Coalition of 9/11 Families on the *Draft Determination of National Register Eligibility - World Trade Center Site, New York City, New York*. That document was transmitted to us via electronic mail at approximately 6:00 PM on January 21, 2004.

The Coalition does not believe it is our responsibility or obligation to re-write the draft determination of eligibility. Nor do we feel that the burden of conducting the appropriate level of research, which LMDC, FTA, and FIIWA (the lead agencies) have apparently failed to do, to evaluate the National Register eligibility of the WTC Site and its constituent features, should be upon the Consulting Parties and members of the general public. Under Section 106 of the National Historic Preservation Act responsibility for the identification of historic properties is the responsibility of the lead agencies.

Had the lead agencies, notably the LMDC, chosen to be more forthcoming with the Coalition and other Consulting Parties earlier in the process, and if the lead agencies had solicited our comments about possible parameters and content for the draft eligibility determination, in keeping with the intent of Section 106 regulations, we are certain that the resulting document would have taken a form much closer to something that could be considered acceptable.

The lead agencies seem to have prepared the draft determination without consulting with the State Historic Preservation Officer as required by the Section 106 regulations. At least there is no mention of any such consultation in the document. We await receipt of the comments of the SHPO as well as the comments of the other Consulting Parties and anticipate that we will have further comments on the revised draft prepared by the lead agencies after all comments have been received and we have had a chance to review them.

223 Abingdon Avenue, Staten Island, New York 10308  
[www.coalitionof911families.org](http://www.coalitionof911families.org)

Page 2 Coalition of 9/11 Families' Preliminary Comments on Draft Determination of  
National Register Eligibility

Page 2

As we have previously advised you, had it not been for a major snowstorm, the Consulting Parties would have had only four business days to prepare comments on what is an extremely important document in the Section 106 process. As it is, the Consulting Parties have had only seven business days to prepare our comments. The Section 106 regulations do not provide for any limits on the time allotted to Consulting Parties for the provision of comments. As we indicated in our January 27 letter objecting to the short time being afforded for the preparation of comments, the continuing treatment of the Consulting Parties as adversaries, rather than as stakeholders can only result in a delay in reaching what we believe can be a successful resolution of historic preservation compliance issues. The actions of LMDC, to date, are having the exact opposite effect and are providing a basis for legal challenges that we believe can be avoided.

Sincerely,



Anthony Gardner, Executive Board Member, Coalition of 9/11 Families

cc: J. Fowler, Advisory Council on Historic Preservation  
Alphonso Jackson, Acting Secretary-HUD  
Richard A. Hauser, General Counsel, HUD  
R. Broun, HUD Preservation Officer  
S. Schruth, Lower Manhattan Recovery Office, FTA  
B. Cohen, Lower Manhattan Recovery Office, FTA  
Jennifer L. Dorn, Administrator, FTA  
Office of the Chief Counsel, FTA  
Mary E. Peters, Administrator, FIIWA  
D.J. Gribbin, Chief Counsel, FIIWA  
R. Arnold, New York Division, FHWA  
B. Castro, New York State Historic Preservation Officer

Attachment (Preliminary Comments of the Coalition of 9/11 Families)

223 Abingdon Avenue, Staten Island, New York 10308  
[www.coalitionof911families.org](http://www.coalitionof911families.org)

Page 3 Coalition of 9/11 Families' Preliminary Comments on Draft Determination of National Register Eligibility

**PRELIMINARY COMMENTS OF THE COALITION OF 9/11 FAMILIES**

**Draft Determination of National Register Eligibility – World Trade Center Site, New York City, New York (February 2, 2004)**

**GENERAL COMMENTS:**

- It is unclear whether this document is intended to relate to the "World Trade Center site" as defined in other documents (notably the LMDC's DGEIS), or the site of the former World Trade Center complex.
- The period of significance seems to have been pre-determined and dictated the subsequent analysis. As a result, significant aspects of the historic nature of the site have been either downplayed or ignored. As defined, the construction of the WTC, the 1993 bombing, and the post-9/11 recovery would all be excluded.
- The document is unsourced and does not contain a single technical reference to support any of the conclusions presented. There is no discussion of sources or resources consulted. The draft determination does not even reference back to the DGEIS issued at the same time.
- The eligibility evaluation seems to have started from the premise that only National Register Criterion A is applicable. No attempt is made to explain why other criteria do or do not apply. This pre-evaluation bias is further demonstrated by the fact that LMDC provided the Consulting Parties with redacted versions of National Register that exclude discussions of criteria B, C and D.
- Although the Coalition has for more than two years been repeatedly telling LMDC of its concerns about the historic significance of the remains of the so-called "box-beam columns" that delineate the "footprints" of the Twin Towers on bedrock, the draft eligibility determination is totally silent on this issue. The significance of these features must be addressed.
- Throughout the document the historical importance of the physical remains of the WTC (as opposed to the site as the location of an event) is side-stepped, and their importance minimized by implying they lack physical integrity.
- Review of the draft determination of eligibility would have been facilitated, and many of the faults enumerated below avoided, had a Draft National Register of Historic Places Nomination Form been used as the mechanism for documenting the eligibility determination. This is common practice for large and complex sites such as the WTC site.
- No author/preparer is identified. Without this information there is no way of evaluating the qualifications or expertise of the person(s) who prepared the draft eligibility determination. It is not possible to determine if the author(s) meet the Secretary of the Interior's Professional Qualifications Standards.

**Section I. INTRODUCTION**

The introduction states that FTA, FHWA, and LMDC "are coordinating the Section 106 processes" for three separate projects. Representatives of all three agencies made representations

*223 Abingdon Avenue, Staten Island, New York 10308*  
[www.coalitionof911families.org](http://www.coalitionof911families.org)

Page 4 Coalition of 9/11 Families' Preliminary Comments on Draft Determination of National Register Eligibility

at the January 5, 2004 meeting of Section 106 Consulting Parties that only the evaluation of the National Register-eligibility of the World Trade Center Site (WTC Site) was being conducted jointly. This section should be revised to reflect this fact.

**Section II. HISTORICAL INFORMATION**

- The potential for the presence of additional historic properties unrelated to the World Trade Center proper within the limits of the site boundaries (as defined in Section IV should be addressed).
- The significance of the original WTC construction effort, the associated significant engineering achievements, and the WTC itself has been completely ignored. The sole discussion of WTC construction is limited to one paragraph on page 2.
- Although the story of the original construction of the WTC has been the subject of numerous books, periodicals and documentaries, none of these is cited. Even a cursory review of some of these clearly provides all the information necessary to support a finding that the original WTC had it not been destroyed would have satisfied NR Criteria Consideration G (the so-called 50-year rule). The WTC construction involved at least two major structural innovations for the period: the construction of the foundation slurry wall (the so-called "bathtub") and the exterior wall columns (the so-called "box beam columns that formed the load-bearing perimeter of both towers). Both features were major engineering innovations without which construction of the WTC would not have been possible.
- By pre-determining the period of significance for the WTC site, the draft eligibility determination fails to even consider that both the remains of the slurry wall and the exterior wall box-beam columns may be significant, even when taking into account NR Criteria Consideration G
- Mention is made on page 2 of the "30-foot by 30-foot grid of columns to support . . . subgrade slabs and buildings" but there is no discussion of their possible significance under any of the criteria. The failure to distinguish these rather standard interior columns from the unique exterior support columns results in a downplaying of the significance of the latter.
- Mention is made on page 3 of the "large volume of soil excavated for the WTC complex" that became the landfill used for Battery Park City. The possible historic significance of the landfill portion of the WTC construction (its historic importance as an event associated with the WTC construction—not the landfill itself) should be considered.
- This section devotes only four sentences to the 1993 bombing, only one of which discusses the reasons behind the bombing and the loss of life. No mention is made of the historic importance of this event or of its association to the events of September 11.
- It is unclear why mention is made of 7WTC since it was located outside what the draft eligibility determination defines as the WTC site boundary. There is no discussion of why or why not the 7 WTC site should be included within the boundaries of the WTC site.
- The historic significance of the WTC itself is aptly summarized in the last paragraph of subsection B of this section, but never discussed in relation to the site's National Register eligibility.

223 Abingdon Avenue, Staten Island, New York 10308  
[www.coalitionof911families.org](http://www.coalitionof911families.org)

Page 5 Coalition of 9/11 Families' Preliminary Comments on Draft Determination of National Register Eligibility

- The entire post 9/11 recovery effort is afforded only two paragraphs, and there is no discussion of why post-9/11 activities at the site do or do not contribute to the significance of the WTC site.
- The draft eligibility determination devotes more space to discussion of damage to PATH facilities than to the loss of life on September 11. The aforementioned paragraphs include only a single sentence noting that "the Medical Examiner confirmed the deaths of nearly 2800 individuals . . ." (A single additional sentence in Section IV says essentially the same thing). **No mention is made of the fact that more than 20,000 human remains were recovered from the WTC site, including cremated remains on bedrock. The largest concentrations of remains were found within the "footprints" and "bathtub" area of the site. According to the Medical Examiner Status Report of Feb. 2, 2004, nearly 45% of the individuals killed in the Sept. 11 attacks have not been identified.**
- On page 6 it is noted that "selected building remnants (structural steel, building materials, and building components including the structural tridents at the lobby level of the Twin Towers) and artifacts . . . were salvaged for possible memorial and museum use." The draft eligibility determination should discuss if and how these remains relate to and contribute to the significance of the WTC site. At the very least National Register eligibility of these remains should be evaluated.

**Section III. RESOURCE DESCRIPTION**

- This section consists of an inventory of *both* "surviving elements of the WTC observed during site visits in November 2003" *and* "elements constructed or installed in association with the recovery and stabilization efforts," without distinguishing between these two very different categories of remains.
- This section inappropriately associates some features of the existing site with "recovery and stabilization efforts." In the subsection on the West Portion of the WTC Site—Bathtub, these include items 1(f) new PATH egress stairs; 2(a) new PATH tracks; 2(b) new PATH substation; 3(c) the temporary WTC PATH station. In the subsection on the East Portion of the WTC Site these include six of the seven items listed. The one exception is item 6, remnants of the Hudson Terminal and H&M Railroad (see next comment).
- The remains of portions of one of the original tubes of the Hudson and Manhattan Railroad are noted as being extant. In fact, the tube is a visually prominent feature of the site. Yet no mention is made of the fact that this feature may be independently eligible for the National Register. (The Hudson and Manhattan Railroad Powerhouse, for example, was listed on the National Register in 2001).
- Item 5(a) is described as the "Bases of steel columns." The existence of "traces" of these columns is acknowledged. However, no distinction is made between the exterior wall columns (the so-called "box beam" columns) and the interior support columns. This distinction is essential. The exterior wall columns not only represent the remnants of a unique and historically significant feature (as noted above) but they are the "footprints" of the twin towers. Preservation of these "footprints" has been the focal point of the ongoing concern with historic preservation issues relating to the WTC site. (For example, the design

225 Abingdon Avenue, Staten Island, New York 10308  
[www.coalitionof911families.org](http://www.coalitionof911families.org)

Page 6 Coalition of 9/11 Families' Preliminary Comments on Draft Determination of National Register Eligibility

for the final plan for the proposed WTC memorial, required revision just before its final presentation to the public, so that the design could incorporate access to a portion of the "footprints" at bedrock). An evaluation of how the remains of the exterior support beams contribute to the significance of the WTC site must be included in any National Register evaluation.

**Section IV. NATIONAL REGISTER ELIGIBILITY EVALUATION**

- This Section considers the National Register eligibility only in terms of Criterion A (Significant Events). It makes no attempt to evaluate the site in terms of any of the other criteria, several of which may be directly applicable.
- The significance of the site in terms of Criterion C (Design/Construction) remains to be evaluated. Physical remains of the two of the three unique aspects of the construction of the original Twin Towers remain intact at the WTC site. The National Park Service identifies numerous areas of significance for use in evaluating National Register eligibility. The extant physical remains of the Twin Towers at the WTC site should at the least be evaluated in terms of the following: Engineering, Commerce, and Community Planning and Development.
- The significance of the site in terms of Criterion B (Significant Persons) remains to be evaluated. For example, credit for the slurry wall rests with former Port Authority chief engineer John M. Kyle, Jr. Kyle has been described by one World Trade Center historian as "the latest in a line of engineering greats—General George Goethals, Othar Ammann, and John C. Evans—in the agency's highest engineering post."
- The significance of the site in terms of Criterion D (Information Potential) remains to be evaluated. For example, the remains of the Twin Towers have already provided significant information about the history of the events of September 11, as documented in FEMA's Building Performance Study.
- All of the above examples of bases for National Register of Historic Places eligibility of the WTC site under criteria other than Criterion A would also appear to satisfy Criteria Consideration G.
- The conclusion that "the period of significance is September 11, 2001" is unsupportable. A much larger period of significance, extending from the start of construction of the original World Trade Center complex, including the 1993 bombing, and encompassing the entire recovery period, is essential. By limiting the period of significance to September 11, 2001, the draft eligibility determination is implying that the construction of the World Trade Center, the 1993 bombings, and the post 9/11 recovery effort are not significant events. All of these events are directly related to one another. Limiting the period of significance to September 11 is offensive to the families who lost loved ones in the 1993 bombings, and offensive to all those who participated in the post-9/11 recovery effort.
- The statement on page 11 that "Integrity with respect to design or workmanship is not fully applicable to the Two Towers in this assessment, because those qualities are not present in the damaged site" is incorrect. Leaving aside the ambiguous meaning of the phrase "not fully applicable" (What does this mean? Does it mean it is partially applicable? If so, in what way?), as noted above remains of major significant engineering features (the slurry wall and

223 Abingdon Avenue, Staten Island, New York 10308

[www.coalitionof911families.org](http://www.coalitionof911families.org)

Page 7 Coalition of 9/11 Families' Preliminary Comments on Draft Determination of National Register Eligibility

the bases of the exterior support columns) of the WTC site do possess integrity. If one views the WTC site as an archeological property, its physical integrity becomes even more obvious.

- The draft eligibility determination acknowledges that "some elements of structure and infrastructure that remain on the site" but goes on to describe these elements as "truncated" or "damaged" evidence of the destruction of the WTC. The fact that the slurry wall, the most dominant feature of the site is essentially intact is ignored. No mention is made that the "elements of structure and infrastructure" are also the sole surviving physical remains associated of the WTC's construction, and the only physical *in situ* evidence of the events of September 11. One has to wonder what "undamaged" evidence of destruction would look like. Under the logic used in the draft eligibility determination the remains of the *USS Arizona* would not be significant because they are damaged.
- The excavated bathtub area, the slurry walls, and the "surviving bases of steel columns" are viewed as contributing only to the "integrity of feeling" of the WTC site. No distinction is made between the exterior wall columns that form and delineate the "footprints" of the Twin Towers and the interior columns.
- The statement is made that that the "physical features surviving on the site retain their quality of association with *the profound events of the day*" [italics added]. No mention is made of their association with the WTC construction, the 1993 bombing, or the post-9/11 recovery effort.
- Unlike Section III, the list of existing elements does distinguish between pre- and post-9/11 physical remains. However, like Section III it makes no distinction between post 9/11 features associated with the recovery effort and those having no relationship to the recovery such as the elements of the temporary PATH station.
- The list of existing elements is presented in a way that uses the floor of the bathtub area and the four sides of the slurry wall as a way to describe the locations of subordinate features, without actually including the slurry walls in the list of existing elements.
- There is no detailed description of or discussion of the significance (or lack of significance) of the individual items in the list of existing elements. This is exemplified by the failure to distinguish between the remains of the exterior support (box-beam) columns, that delineate the "footprints" of the Twin Towers, and the interior columns. Instead, both types of columns are lumped together as "bases of steel columns."
- No detailed photos of any of these features is included. The photos that are included in the draft eligibility determination are uncaptioned views of the overall site.
- No clear explanation is provided for why the proposed boundaries of the WTC site have been described as they are. While the proposed boundaries may be appropriate, there should at least be some discussion of why they were chosen. For example what is the justification for excluding the site of 7 WTC? Should the Battery Park Landfill site be included?
- The statement that "the significant events under discussion occurred approximately 1130 to 1180 feet above street level . . . and approximately 900 to 1000 feet above street level . . ." is not only ridiculous on its face, it is offensive to the families of those who were

223 Abingdon Avenue, Staten Island, New York 10308  
[www.coalitionof911families.org](http://www.coalitionof911families.org)

Page 8 Coalition of 9/11 Families' Preliminary Comments on Draft Determination of National Register Eligibility

**killed in the collapse of the Twin Towers and to all the individuals who were involved in the recovery effort.**

- As worded the "justification" for the eligibility of the WTC site implies that the collapse of the Twin Towers, the deaths of almost 3000 individuals (unless they were killed at the actual moments of impact), and the recover effort do not contribute to the significance of the WTC site.

Comments of The Coalition of 9/11 Families  
Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)



2004 MAR 10 11 19:00

**VIA FACSIMILE AND SURFACE MAIL**

March 7, 2004

Mr. Kevin Rampe, President  
Lower Manhattan Development Corporation  
One Liberty Plaza, 20th Floor  
New York, New York 10006

Mr. Bernard Cohen, Director  
Federal Transit Administration  
Lower Manhattan Recovery Office  
One Bowling Green, Suite 436  
New York, New York 10004

Mr. Robert Arnold  
Federal Highway Administration  
New York Division Administrator  
Leo W. Brian Federal Building, 7<sup>th</sup> Floor  
Albany, New York 12207

**RE: WORLD TRADE CENTER MEMORIAL AND REDEVELOPMENT PLAN  
NATIONAL HISTORIC PRESERVATION ACT SECTION 106 COMPLIANCE  
COMMENTS ON COORDINATED DETERMINATION OF ELIGIBILITY**

Gentlemen:

Attached please find the comments of the Coalition of 9/11 Families on the *Coordinated Determination of National Register Eligibility – World Trade Center Site, New York City, New York, February 6, 2004*. It is our understanding that this document was prepared jointly by all three of your agencies

As the Coalition has noted in previous correspondence, we do not believe it is our responsibility or obligation to re-write the determination of eligibility. Nor do we feel that the burden of conducting the appropriate level of research to evaluate the National Register eligibility of the WTC Site and its constituent features, should be upon the Consulting Parties and members of the general public. Under Section 106 of the National Historic Preservation Act identification of historic properties is the responsibility of the lead agencies.

We are disappointed that the agencies have chosen not to address many of the comments provided by the Coalition on the draft determination. We also note that the agencies chose not to

223 Abingdon Avenue, Staten Island, New York 10308  
[www.coalitionof911families.org](http://www.coalitionof911families.org)

737

Comments of The Coalition of 9/11 Families  
Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)

Page 2

provide the Consulting Parties with copies of comments received on the draft determination. Insight into the views and concerns of other Consulting Parties would have been valuable in framing our comments on the final Determination. The failure of the agencies to make available to the Consulting Parties documents that would allow us to more effectively participate in the Section 106 process continues to remain a concern

The Coalition, along with other Consulting Parties, has also previously noted our distress that the Lower Manhattan Development Corporation has chosen to proceed with a determination of effect for its proposed undertaking without having the benefit of the comments of the Consulting Parties on the final Determination.

The Determination does not fully or accurately discuss the integrity of the World Trade Center site in accordance with the guidance provided in *National Register Bulletin 15*. *The Bulletin* describes the steps in assessing the integrity of properties. These include defining the essential physical features that relate to a site's significance, and determining whether essential physical features are visible enough to convey their significance. The physical remains of the World Trade Center are, in the opinion of the Coalition, essential to its significance. They are visible (e.g. box beam columns that delineate the footprints of both towers on bedrock, the slurry wall, etc.) and, in the opinion of the Coalition, convey the significance and horror of the events of September 11 better than any other aspect of the site.

Finally, because of our concerns with the technical adequacy of the Determination—concerns which we understand are shared by many of the Consulting Parties—we have asked the Advisory Council on Historic Preservation to direct your agencies to have the Determination reviewed by the Secretary of the Interior.

Sincerely,



Anthony Gardner, Executive Board Member, Coalition of 9/11 Families

cc: J. Fowler, Advisory Council on Historic Preservation  
J. Nau, Advisory Council on Historic Preservation  
D. Klima, Advisory Council on Historic Preservation  
C. Vaughn, Advisory Council on Historic Preservation  
Alphonso Jackson, Acting Secretary-HUD  
Richard A. Hauser, General Counsel, HUD  
R. Broun, HUD Preservation Officer  
Jennifer L. Dorn, Administrator, FTA  
Office of the Chief Counsel, FTA  
Mary E. Peters, Administrator, FHWA  
D.J. Gribbin, Chief Counsel, FHWA  
B. Castro, New York State Historic Preservation Officer

Attachment

223 Abingdon Avenue, Staten Island, New York 10308  
[www.coalitionof911families.org](http://www.coalitionof911families.org)

738

Comments of The Coalition of 9/11 Families  
Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)

**COMMENTS OF THE COALITION OF 9/11 FAMILIES**

**Coordinated Determination of National Register Eligibility – World Trade Center Site, New York City, New York (February 6, 2004)**

**GENERAL COMMENTS:**

- The Determination fails to consider that the World Trade Center Site is more properly treated as a ruin or an archeological site. Instead, standards and criteria are applied as if the site were a building or structure.
- Treating the WTC Site as an archeological site would allow for the recognition that the site has numerous components associated with different time periods and different historic contexts.
- Although the revised Determination attempts to address some of the Coalition's comments on the draft determination, many comments have not been addressed or have been addressed in only a perfunctory manner, as follows:

Why the 1993 bombings have not been incorporated into the period of significance is not discussed;

Why the construction of the World Trade Center has not been incorporated into the period of significance is not discussed;

Although a bibliography has been included, no citations appear anywhere in the text, as is customary practice;

The agencies have still not provided the Consulting Parties with complete copies of the National Park Service's guidance on application of National Register eligibility criteria. This would have allowed those Consulting Parties who are not historic preservation professionals with information needed to make informed comments on the Determination;

The Determination still does not adequately address the significance of the "footprints" of the Twin Towers as formed by the remains of box beam columns at the lowest level of the site;

The agencies have ignored the recommendation of several Consulting Parties that a Draft National Register Nomination Form be used as the mechanism for documenting the eligibility determination;

The revised Determination still does not discuss the potential for the presence of historic properties unrelated to the World Trade Center but within the limits of the World Trade Center Site;

The revised Determination still does not address if and how pre-World Trade Center historic remains recovered from the site (the remains of the seventeenth-century ship *Tyjger*) and still extant on the site (portions of the Hudson Tubes) may contribute to the significance of the site;

The Determination still does not address the possibility that National Register eligibility criteria other than Criterion A (association with significant events) may be applicable.

Comments of The Coalition of 9/11 Families  
Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)

This is briefly addressed in the cover letter transmitting the Determination, but it is not discussed in the Determination itself (see comments below); and

There is still no discussion of which physical elements of the WTC Site do and do not, in the opinion of the agencies, contribute to the significance of the site.

#### INTRODUCTION:

- The Introduction states that the Determination included information gathered during the NEPA scoping process and in meetings with the Consulting Parties, and in written comments received through February 4. It does not note that NEPA scoping was concluded before Consulting Parties were identified and before an Area of Potential Effect was defined. It does not note that it excludes much of the information provided by the Consulting Parties about the significant aspects of the WTC site. That information was provided at meetings, in the form of comments on the preliminary determination, and in separate correspondence.
- The last paragraph notes that the Determination is not intended to be an exhaustive history of the development of Lower Manhattan. We agree that this is not necessary for Determination. However, it does not excuse not adequately discussing those aspects of the land use history of the World Trade Center Site that are directly relevant to, and necessary for, a full understanding of the historic significance of the WTC Site. The Determination does not seriously address whether any of the pre-September 11 history of the site might contribute to its significance.
- The last paragraph states that the Determination expresses “why the coordinating agencies have made a determination that the WTC Site is eligible for listing on the National Register of Historic Places.” The Coalition does not disagree that the WTC site should be determined eligible for the National Register. The Coalition does disagree with LMDC’s narrow basis for that determination. The Criteria of Effect during the Section 106 process are applied to those aspects of the WTC Site from which it derives its significance. By narrowly defining the basis for the eligibility determination, LMDC has effectively eliminated from consideration possible adverse effects of its Proposed Action on a much larger universe of the WTC Site’s history and physical remains.

#### HISTORICAL INFORMATION (BACKGROUND)

- This section fails to discuss the potential for the presence of Native American archeological remains on the World Trade Center Site. Chapter 5 of the DGEIS notes that “Research on the Paleo-shoreline [which ran roughly along Greenwich Street] indicates the possibility of a bay from Cedar Street to north of the WTC and an irregular shoreline forming a spit of land near Vesey Street at *about 40 feet below current sea level*” [emphasis added]. Such a location would be considered a likely location for Native American occupation and is included among the types of terrain preferred for Paleo-Indian sites according to the archeological assessment prepared for LMDC, and cited in its DGEIS, but not provided to the Consulting Parties. LMDC’s DGEIS also states that “There is little likelihood that precontact archeological resources have survived within the WTC Site” and “East of Greenwich Street it is likely that precontact resources would have been destroyed by basement construction in these areas as well as construction activities associated with the WTC.” Yet both the DGEIS and the

## Comments of The Coalition of 9/11 Families

### Coordinated Determination of National Register Eligibility—World Trade Center Site, New York, New York (February 6, 2004)

archeological assessment report note at least two areas east of Greenwich Street that have not been disturbed to a depth sufficient to have eliminated the potential for the presence of *historic period* archeological remains (see below). The maximum depth of disturbance in these areas as documented in the archeological survey report is 24 feet below grade. According to the archeological assessment report for the area immediately south of the WTC site, pre-WTC grade at Greenwich and Liberty Streets was 11 feet *above* sea level. In other words the maximum depth of disturbance in these areas is 13 feet below sea-level, well above the height of the Paleo-shoreline at 40-feet below sea level where Native American archeological remains may be extant.

- No mention is made in the Determination of the discovery in 1916 of the remains of the *Tyjger* on the WTC Site although it is briefly discussed in the DGEIS and in the archeological assessment for the WTC Site. The *Tyjger* was an early seventeenth century Dutch ship under the command of Adriaen Block (for whom Block Island is named). The *Tyjger* burned in 1613 while beached at what became Greenwich Street near Dey Street. The forward portion of the *Tyjger* was recovered during the excavation of the IRT subway in 1916 and was the subject of some considerable study (including subsequent radiocarbon dating of recovered timbers confirming the age of the ship). An unsuccessful attempt was made to discover the remaining portions of the *Tyjger* during the excavation of the WTC “bathtub” using detailed maps made at the time of the original find. It is possible that remains of the *Tyjger* remain embedded in the east side of the slurry wall along Greenwich Street. It is unclear from any of the information contained in the DGEIS or the archeological assessment if the edge of the excavation for the IRT subway abuts the slurry wall. If it does not, there is a possibility that some portion of the *Tyjger* may still exist in the intervening area.
- The Determination fails to discuss the conclusions presented in both the DGEIS and in LMDC’s archeological assessment that historic period archeological remains may be present on the World Trade Center Site. The DGEIS notes that “former Lots 8-17 on former Block 85 (south side of Vesey Street between Greenwich and Church Streets)” and “former lots 5,6, and 10 on former Block 60 (north side of Liberty Street between Greenwich and Church Streets) . . . were located outside the former WTC construction footprint and have the potential to contain shaft features (such as privies, cisterns, wells, and cesspools) predating the 1850s that may have survived under former basements.” LMDC’s archeological assessment goes even further, describing these lots as having “high archeological sensitivity.”
- Koch’s history of the World Trade Center’s construction has described the abundant amount of historic artifactual material recovered from the site during its construction. It notes that Henry Druding [the senior Port Authority engineer in charge of the site] had to schedule visits by historians and archeologists and that the recovered artifacts were being saved for a planned museum. Among the recovered items was an anchor with a ten-foot shank. The location of the artifacts is unknown, but the anchor is in the possession of India House of New York City, which featured it in a 2002 exhibit about the events of September 11.

### **HISTORICAL INFORMATION (THE WORLD TRADE CENTER)**

- World Trade Center architect Minoru Yamasaki is mentioned in a single sentence. There is no discussion of who Yamasaki was, nor the fact he was a world-class architect. Although there is a massive body of information about the life and works of Yamasaki, none of this is cited or mentioned anywhere in the Determination. This information is essential to assessing

## Comments of The Coalition of 9/11 Families

### Coordinated Determination of National Register Eligibility—World Trade Center Site, New York, New York (February 6, 2004)

whether the World Trade Center Site's association with Yamasaki contributes to its significance (see comments below).

- In its discussion of the World Trade Center's foundations, the Determination describes the slurry wall and mentions its association with John M. Kyle Jr. However, there is no discussion of the significance of the slurry wall or of the prominence of Kyle and the importance of his association with the World Trade Center Site.
- Only two sentences in this section are devoted to the Hudson and Manhattan (H&M) Railroad and the so-called "Hudson Tubes" which crossed the World Trade Center Site. The World Trade Center was built around these features and, as noted below, physical remnants of these features are still extant on the WTC Site. No mention is made of the fact that the Hudson Tubes were an engineering marvel of the day: the first transportation tunnel under a major river, pre-dating both those of the New York Subway system and the Pennsylvania Railroad's entry into Manhattan. The H&M was the brainchild of William Gibbs McAdoo, a man who later served as U.S. Secretary of the Treasury and at one point mounted a campaign for the Democratic presidential nomination.

#### RESOURCE DESCRIPTION

- Approximately one half of this section in the Determination is devoted to the slurry walls, and the Determination acknowledges that the slurry walls are "the most visible remnants of the WTC." However, virtually all of the description is devoted to various features visible in or adjacent to the walls, rather than the walls themselves. Other than a brief discussion in the Background section there is no detailed description of how the slurry walls were constructed. No drawings or construction photos (which are readily available and are reproduced in several of the references cited in the Determination) are incorporated into the Determination. These are essential to understanding the engineering significance of the slurry walls.
- The Coalition noted in its comments on the draft Determination that the description section consisted of an inventory of *both* "surviving elements of the WTC observed during site visits in November 2003" *and* "elements constructed or installed in association with the recovery and stabilization efforts," without distinguishing between these two very different categories of remains. The revised Determination now distinguishes between pre- and post-September 11 slurry wall features. However, no attempt is made to evaluate the significance (if any) or relative importance of any of the features described, or to explain their relevance to any of the eligibility criteria.
- Mention is made of the fact that one of the vehicular entrance ramps "was used by terrorists to drive the vehicle with explosives into the garage in the 1993 attack on the WTC." The relevance of this statement is confusing since the Determination excludes the 1993 bombing from the period of significance of the WTC Site. The Determination should be revised to discuss the significance of this event.
- Reference is made to the presence of the Hudson Tubes and other features associated with the H&M Railroad and the H&M Terminal, but these features are not described in any detail. The Determination contains a single photo of the opening of one of the tubes in the east slurry wall, but no description of the extant portions of the tube is provided.

Comments of The Coalition of 9/11 Families  
Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)

- The remains of the exterior box-beam support columns that form the “footprints” of the Twin Towers are incorrectly referred to as footings. These features are not footings. They are the remains of specially designed and uniquely fabricated steel beams embedded in concrete and bedrock. These beams were truncated at the bottom of the “bathtub” during the recovery effort. Without these unique structures, construction of the World Trade Center would not have been possible.

#### NATIONAL REGISTER ELIGIBILITY EVALUATION

- The Coalition agrees with the Determination that the WTC Site is eligible for the National Register under Criterion A because of its association with the events of September 11, 2001 and the subsequent recovery efforts that lasted until June 30, 2002. **However, the Coalition strongly disagrees that this is the only basis for the National Register eligibility of the site.**
- As indicated in the above comments, and the conclusions and recommendations below, the Coordinated Determination may be fatally flawed in that it fails to take into account numerous bases for the significance of the World Trade Center that pre-date September 11.
- Although the Consulting Parties’ comments on the draft Determination specifically pointed out the need to consider the eligibility of the WTC Site in terms of all National Register Criteria, this final Determination still fails to address this concern. The applicability of other Criteria is dismissed in a cover letter, signed by officials of the agencies that prepared the Determination, and transmitting the Determination to the Consulting Parties. The agencies’ reasons for disregarding other eligibility criteria should be incorporated into the Determination.
- The cover letter transmitting the Determination states that Criterion B (association with the lives of persons significant in our past) is not applicable because it “is generally restricted to properties that illustrate, rather than commemorate, a person’s important achievement.” In the Coalition’s comments on the draft determination it was noted that credit for the slurry wall, the most prominent physical feature of the WTC Site and a unique engineering innovation, rests with former Port Authority chief engineer John M. Kyle, Jr. Kyle was described by World Trade Center historian Angus Gillespie (Associate Professor of American Studies at Rutgers University) in his pre-September 11 history of the Twin Towers as “the latest in a line of engineering greats—General George Goethals, Othar Ammann, and John C. Evans—in the agency’s highest engineering post” (Gillespie 1999:66). The slurry wall clearly demonstrates, rather than commemorates, one of Kyle’s achievements. An even stronger argument can be made that the WTC Site is significant under Criterion C because of its association with Kyle (see below).
- The World Trade Center’s principal architect was Minoru Yamasaki (1912-1986). Yamasaki was associated with more than 85 major commissions in the United States, Japan, and Saudi Arabia. He was the first Japanese-American architect to preside over an internationally active and influential firm. He acquired much of his early fame by joining a “counterrevolution” against the conventions of International Style modernism and by popularizing machine-made ornamentation on buildings. His most enduring contributions were to the development of corporate skyscrapers during the 1960s and 1970s—the most famous of which were the Twin Towers at the World Trade Center. The Determination needs to at least address the possibility that the WTC site may be significant under Criterion B

Comments of The Coalition of 9/11 Families

Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)

because of its association with Yamasaki. An even stronger argument can be made that the WTC Site is significant under Criterion C because of its association with Yamasaki (see below).

- The cover letter acknowledges that “the WTC may in fact have been important in terms of design and construction,” but it goes on to say that “the buildings and structures representing those qualities of design and construction no longer exist” and “We therefore have concluded that Criterion C does not apply.” The Coalition strongly disagrees with these statements. The Coalition’s comments on the Draft Determination noted that physical remains of the three unique aspects of the construction of the original Twin Towers remain intact at the WTC site. The WTC construction involved at least three major structural innovations for the period: the construction of the foundation slurry wall (the so-called “bathtub”) and the exterior wall columns (the so-called “box beam columns that formed the load-bearing perimeter of both towers), and a unique elevator system making use of express and local elevators. All three features were major engineering innovations without which construction of the WTC would not have been possible. Physical remains of all three features are extant at the World Trade Center Site, including the slurry wall, the bases of the exterior support beam columns (which form the “footprints” of the Twin Towers) and the bases of the elevator pits. The slurry wall is associated with former Port Authority chief engineer John M. Kyle, Jr, and the elevator system was an innovation of World Trade Center architect Minoru Yamasaki.
- The World Trade Center Site should be considered significant under Criterion C because it embodies (as evidenced by extant physical remains) distinctive characteristics of both type and method of construction, and because it represents the work of at least two masters -- John M. Kyle, Jr. and Minoru Yamasaki.
- As noted in the Coalition’s comments on the Draft Determination, the National Park Service identifies numerous areas of significance for use in evaluating National Register eligibility. The extant physical remains of the Twin Towers at the WTC site should at the least be evaluated in terms of the following: Engineering, Commerce, and Community Planning and Development.
- The Determination makes no distinction between features of the site, which contribute to its significance, and those that do not. As any future determination of effect is dependent upon this distinction it is imperative that this distinction be clearly made.
- The agencies that prepared the determination have publicly stated that they do not believe the World Trade Center was eligible for the National Register prior to its destruction. The Coalition strongly disagrees with this position. A discussion of the significance of the World Trade Center (which is now effectively a ruin) should be included in the Determination. In addition to the significant engineering and construction features already mentioned in previous comments, numerous additional engineering “firsts” are associated with the World Trade center site. These include:

A tubular framing system for the perimeter wall which resisted the lateral forces imposed on the building;

An outrigger system that structurally linked the outside walls to the service core;

Prefabrication in structural steel to a degree never before achieved;

Comments of The Coalition of 9/11 Families  
Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)

Use of motion-simulators to determine acceptable levels of wind-induced structure motion;

Incorporation of a viscoelastic damping system, which effectively dissipated the dynamic component of building motion;

Incorporation of fire-rated shaft wall partition system instead of the usual masonry and plaster walls to enclose elevators, stairs, and duct shafts; and

The development and use of a computerized system to order structural steel, and to produce steel shop drawings from digital information.

- Although noted in the Resource Description section, no mention is made in the Eligibility Evaluation section of the fact that the remains associated with the H&M Railroad, notably portions of the Hudson Tubes are extant on the World Trade Center Site. The Coalition's comments on the draft determination noted that these may be independently eligible for the National Register. (The Hudson and Manhattan Railroad Powerhouse, for example, was listed on the National Register in 2001). This comment has not been addressed and the historic significance of these features is ignored (see earlier comment regarding the Historical Information section). The LMDC in its Proposed Finding of No Adverse Effect for the World Trade Center Memorial and Redevelopment Plan states that the remains of the Hudson Tubes "are not considered character-defining in relationship to the WTC as a symbol of . . . the [September 11] attacks or to the rescue and recovery efforts." That is not a reason to ignore evaluating in them in the proper historic context, which is independent of the events of September 11.
- The Determination states that the significance of the WTC Site is reflected by its integrity of location, setting, feeling and association. However, it goes on to state that only "some physical remnants of the WTC Site possess physical integrity." The Determination appears to be applying an inappropriate standard for physical integrity. The WTC Site (even if one accepts the unsupported premise that the WTC Site is significant only because of its association with 9/11) is a ruin and an archeological site to which the standards of physical integrity normally applied to buildings and structures are inapplicable.
- The Determination notes that surviving physical features at the site "including the large bathtub, the slurry walls, and the surviving bases of steel columns, convey the tragedy and destruction that took place on September 11." It does not indicate whether or not these are among the unidentified features mentioned as possessing integrity of materials. The Determination needs to clearly and explicitly state which physical remains are among those that the authors of the Determination believe contribute to the significance of the site, and which they do not. Until this is done the Determination may be fatally flawed.
- The Determination does not address whether the World Trade Center Site may be significant under Criterion D.
- LMDC has acknowledged that there is a potential for the presence of early nineteenth century archeological remains on the World Trade Center Site. Their consultants have described portions of the site as having a "high archeological sensitivity." Until such time as the additional archeological work recommended by LMDC is completed, and the presence of potentially National Register eligible archeological remains confirmed or refuted, the site

Comments of The Coalition of 9/11 Families  
Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)

must be considered likely to yield information important to the study of history and should be considered National Register eligible under Criterion D.

- The well documented recovery and subsequent study of the remains of the 16<sup>th</sup>-century vessel *Tygger*, commanded by Adriaen Block, is an example of how the World Trade Center Site has yielded information important in history, and why it should be considered National Register eligible under Criterion D.
- The Coalition noted in its earlier comments that the remains of the Twin Towers have already provided significant information about the history of the events of September 11, as documented in FEMA's Building Performance Study. This comment has not been addressed in the final Determination.
- The cover letter transmitting the Determination states that "Criterion D applies to properties that have potential to yield, through examination of physical material, information that can contribute to our understanding of history." This is an incorrect quotation of Criterion D. Agency consultants have also publicly described Criterion D as referring to significance derived from artifacts—also an incorrect interpretation of the criterion. These facts may partially explain why the World Trade Center Site has not been evaluated in terms of Criterion D.
- The cover letter also states that "Professionals in engineering, construction, law, and other fields [but not history] have examined, or are currently examining, artifacts from the WTC Site for information that could contribute to our knowledge about the events of September 11. This would seem to confirm that the WTC Site eligible for the National Register under Criterion D because it "has yielded, or may be likely to yield, information important to the study of [the] history" of September 11.
- The cover letter implies that Criterion D is inapplicable because WTC "artifacts have been removed from the WTC Site" and that the artifacts recovered from the World Trade Center site do not contribute to its significance. However, Appendix A of the Determination states that "based on consultation with the State Historic Preservation Office and the National Park Service, it has been determined that if artifacts that can be returned, are returned to the WTC Site, then they could be considered to contribute to the historic significance of the property."
- As noted in an earlier comment on the Historical Information section, no mention is made of the fact that an abundant amount of pre-twentieth century historic artifactual material was recovered from the World Trade Center site during construction. Although the location of one of the major artifacts recovered—an anchor with a ten-foot shank—is known, no mention of any of these remains or their discovery is included in either LMDC's archeological assessment of the World Trade Center Site or its DGEIS. Apparently no attempt was made to determine the present location of these artifacts, and no attempt has been made to determine if they "may yield information important to the study of history" and thus contribute to the significance of the World Trade Center Site.
- The Determination does not fully or accurately discuss the integrity of the World Trade Center site in accordance with the guidance provided in *National Register Bulletin 15*. *The Bulletin* describes the steps in assessing the integrity of properties. These include defining the essential physical features that relate to a site's significance, and determining whether essential physical features are visible enough to convey their significance. The physical

Comments of The Coalition of 9/11 Families

Coordinated Determination of National Register Eligibility—World Trade Center Site,  
New York, New York (February 6, 2004)

remains of the World Trade Center are, in the opinion of the Coalition, essential to its significance. They are visible and, in the opinion of the Coalition, convey the significance and horror of the events of September 11 better than any other aspect of the site.

-----Original Message-----

From: Marilyn Gaul [mailto:mg49@nyu.edu]  
Sent: Wednesday, February 25, 2004 6:10 PM  
To: William Kelley  
Subject: Section 106

Thank you and Miss Chang very much for conducting such a fine and informative meeting yesterday. I represent the Coalition to Save West Street, which is really about saving our neighborhood, Battery Park City

south, and the neighbors whose lives were so badly damaged and who have not yet recovered their voices.

I have studied the materials that you distributed and was impressed by the objectivity of the report, the history, the documentary style. It rescued and reframed a subject which has provoked excessive and unnecessary rancor.

I agree with Bill Love, David Stanke, and other residents that none of the residual ruins of the WTC including the "slurry wall" and "bath tub" are of any historical consequence which would be lost if the site were redeveloped. They are simply what was left after the clean-up, rather arbitrary remains which are not nearly so significant as the facade, for example, or the sphere, or, if it is ever considered, the south bridge.

As a resident of BPC since 1987, as someone who escaped, survived, returned to rebuild and recover, I can tell you that these remnants do not represent in any way what was lost that day. We never saw them before and they are not to be seen now. They evoke nothing of what was there. . In an excess of sentiment, from many who were not familiar with the site, these remains have been endowed with a value they do not

have--just as the "bed rock" has now been inappropriately designated as sacred and hallowed--which raises the point I raised during the meeting.

The ground is sacred and hallowed to the terrorists, to their warped religions belief and the sacrifice they made in its name. If that ground is sacred, then so are those survivors like myself who inhaled the ashes and are suffering to this day. In fact, to preserve anything that is

left would be a memorial to the crime itself. Under the categories of "feeling" and "association," to those who were there, who lived there and returned, who still suffer enormously, many of whom are "families," the site is a crime scene which needs to be rebuilt, to be purified and

not worshipped. My concern and my neighbors all of whom objected to having unidentified human remains deposited on the site is that terrorist remains and artifacts will also be enshrined there. It seems to me to be inevitable.

So, we are pleased that you have made the determination that rebuilding on the site will not compromise its historical significance. It may be the only way we recover it from the criminals who are responsible.

I am sorry I was unable to state this clearly yesterday. I do think these observations, however, are relevant to the discussion of Section 106 and supports the position of the LMDC.

With best wishes,

Marilyn Gaull Howard  
350 Albany Street 3Q  
New York, N. Y. 10280

Dr. Marilyn Gaull  
Editor, The Wordsworth Circle  
Professor of English  
New York University  
19 University Pl., Room 536  
New York, NY 10003  
Phone: 212-998-8812  
Fax: 212-995-4019

COMMENTS ON DRAFT DETERMINATION OF NATIONAL REGISTER  
ELIGIBILITY – WORLD TRADE CENTER SITE, NEW YORK CITY, NEW YORK

1. PERIOD OF HISTORIC SIGNIFICANCE: Most of the attendees agree that confining the period of historic significance to one day – September 11, 2001 – is a grave mistake that does not allow for consideration of important events that took place before that date. Reference was made to the 1993 bombings, to the creation of the Twin Towers in 1970 and even further back to deem significant the sites earliest history, including as a Native American Burial Ground.

More important is the end date. It is clearly imperative that the period of historical significance encompasses a period of time *after* September 11 to include the activities of the rescue and recovery team as well as the removal of artifacts and materials from the site.

It has been suggested that the closing date be May 30, 2002, when the site was ceremoniously closed. If we must adhere to the guidelines and assume an end date, this might be logical. However, the document's detailed analysis of the political, economic and social effects of this event on the twenty-first century as outlined in Section IV opens a can of worms, especially at such close proximity to the event and while such events are unfolding. It would appear to mitigate against assigning a closing date to the period of historic significance at this time.

To put it simply, things will continue to happen at the site that are “historically significant,” from development of the memorial and interpretive center to decisions on transportation, site planning and programming yet to be made. If we are indeed in uncharted waters, as was suggested at the meeting, and if we are concerned in preserving the character and understanding of the site, the guidelines imposing an end date should be at least reviewed to see whether, in this special circumstance, a more open-ended “period of significance” might be defined.

2. EXISTING ELEMENTS & “ARTIFACTS”: The document defines existing elements as those currently on the site and a statement by agency representatives further defined that site *as it exists today*. While that may technically be suggested by the guidelines, it leaves out the vast array of artifacts and other materials from the umbrella of historic significance. It is essential from the families’ point of view that these be considered as part of the site and therefore eligible for national registry status. We would suggest that elements be defined as including not only what is known to exist at Hangar 17 at JFK Airport under the aegis of the Port Authority of New York and New Jersey but also artifacts that may be part of other exhibits, memorials or collections. The legalities and technicalities of what belongs where or to whom can be sorted out later but to forswear the inclusion of these elements at the outset will insure that they might never be recovered, incorporated or in some other way be preserved for posterity.

To that end, we also urge an immediate cataloguing of artifacts that are known.

3. BOUNDARY DESCRIPTION & JUSTIFICATION: We would urge review of the "Boundary Description and Justification" to accurately reflect size of towers and area of attacks.
4. INTEGRITY OF ASSOCIATION: The draft talks about the significance of the site *as it is seen today*, that is, with the slurry wall exposed and other visible elements of the infrastructure. Subsequent discussion indicated that as the slurry wall was never intended to be visible and that it required substantial repair, a justification for maximum exposure might not be made. To assume that the WTC site can properly retain "integrity of association" as the document suggests, we urge those preparing this document to consider the emotional context in which the slurry wall was/is viewed by so many after September 11. One approach to deeming it historically significant in its exposed state without compromising safety might be to consider the work being done to stabilize and secure the walls as part of the preservation process, as was done to allow for repairs to the Statue of Liberty for example.

These comments are submitted by Nikki Stern as Director/representative for Families of September 11, consulting party

(See attached file: HistoricResource.doc)

William Kelley,

I was unable to attend the last coordinated Section 106 meeting, on Draft Determination of Eligibility, but I have been researching and preparing the position of our Greek Orthodox Archdiocese and St. Nicholas Church, which institutions I represent and which I am happy to submit meeting your deadline of 2:00 pm today, February 4. Please call me if there is anything else you require.

Thankyou,

George G. Schira

## ST. NICHOLAS CHURCH: A HISTORIC RESOURCE

### Historic Tragedy for All Peoples

"A humble whitewashed church once graced the shadows of the Trade Towers. Since 1916, the white altar candles of St. Nicholas Greek Orthodox Church shone brightly for all peace seekers and peacemakers. But at 9:59 am, September 11, those candles were violently extinguished. The sweet scent of incense was blown away by the acrid smell of senseless death and destruction. And the walls came tumbling down. Our hearts were crushed. But they will not be kept down."

So ran a full-page donated ad in the New York Times. St. Nicholas Church was featured in articles in the Times, the Wall Street Journal and newspapers around the world. Donations poured in, not only from Bari, Italy where the holy relics of St. Nicholas were enshrined in 1087 in their St. Nicholas Basilica, but from the State of Qatar whose Emir personally presented a donation and from the American Jewish Committee.

The President of the United States, the Governor of New York, The Mayor of New York City and a host of dignitaries honored the church and the Greek Orthodox Archdiocese.

St. Nicholas Church, was founded 88 years ago and, like so many other American churches, by immigrants. They came with a rock hard belief in God, in liberty and the chance to build great things. The church was dedicated to the beloved St. Nicholas, patron protector of all who travel.

The terrorist attack against the Twin Towers of the World Trade Center that killed an estimated 3,000 people, also destroyed tiny St. Nicholas Greek Orthodox Church located about 500 feet from Ground Zero. On September 11, 2001, St. Nicholas Church also became the victim of an unprecedented and atrocious terrorist attack. It was totally demolished, rendered into an amorphous mass under the enormous weight of the debris that fell from one of the Twin Towers of the World Trade Center.

On that fateful morning, Fr. John Romas, pastor, attempted to go to his church but was turned back by police. Wednesday, he was permitted to visit the site to view what was left of the church. "It would break your heart," he said of the devastation he witnessed. "It's one thing to see it on TV, and another thing to see it in person. St. Nicholas is buried under debris. It is the worst thing." He described steel girders and concrete from the towers burying the building.

Greek immigrants established St. Nicholas Church in 1916 and purchased the structure for \$25,000. It was one of two old calendar parishes under the Archdiocese until 1993 when it switched to the Gregorian calendar. Among the church's unique characteristics are its small size and its icons, which were a gift from the last czar of Russia, Nicholas II. Fr. Romas expressed hope he would be able to salvage some of the icons.

The church also was open Wednesdays at midday, for people to light a candle and pray during their lunch breaks, to attend a paraklisis the first Wednesday of the month, or just for spiritual contemplation. The tiny church building was constructed around 1832. It originally was a residence and later housed a tavern before the founders of the parish purchased the structure. It measured 22 feet wide in front, 20 feet, 11 inches in the back, and about 56 feet long. It was 35 feet tall. On three sides it was bounded by a parking lot.

The church has been known locally for several years for its celebration of Epiphany. Parishioners would proceed to nearby Battery Park at the south tip of Manhattan, where a diver would jump into the icy water of New York Harbor to retrieve the cross.

### **A Sacred Monument for All Peoples**

St. Nicholas Church, located at 155 Cedar Street in the Financial District of Downtown Manhattan, was for eighty-five years the place of worship of a small but dynamic Greek Orthodox community. For three consecutive generations this community experienced there the uplifting results of inspiring, Eucharistic gatherings, the resplendent joys of wedding and baptisms, the mournful occasions of funerals and memorials and the happy celebrations of feasts and festivals of a religious and cultural nature.

On September 11 the Church of St. Nicholas was destroyed but not its community. Eighty-five years of faith and vibrant parish activity could be traumatized but not eradicated by any terrorist assault. There is no doubt that the Church will be rebuilt, on the very sacred ground, sanctified not only by her own history, but also by the blood of the thousands of innocent victims of September 11.

"The Church of St. Nicholas certainly will be rebuilt facing the World Trade Center site, to serve again the community bereft of her sanctuary," said His Eminence Archbishop Demetrios, Primate of the Greek Orthodox Church in America. "The new St. Nicholas, however, will be much more than an ordinary parish church serving the needs of its parishioners," he emphasized. A committee composed of members of the Greek Orthodox Archdiocese and the St. Nicholas Parish Council, inspired by the Archbishop's vision, heeded his words:

“Due to the location, the site of a uniquely tragic event, due to the strong pan-American and international interest shown in the past nine months for the restoration of St. Nicholas, and due to the clear determination of the Greek Orthodox Archdiocese, the rebuilt Church will assume new, tremendously important functions. It will become a sacred monument, declaring and showing to the people who will visit the area the light of faith and goodness prevailing over the darkness of evil, the overcoming of hatred by the power of creative love, and the uncompromising will to establish peace and life for all people in valiant opposition to war and death.”

The committee adopted the Archbishop’s recommendations that:

- The new St. Nicholas will be a holy place offering serenity and restfulness to all the people who will visit it, being a heavenly embrace to those tired or alienated, and opening windows to the comforting and calming divine reality for all those suffering under the terrible pressures and anxiety of the modern world.
- The new St. Nicholas will be a place of mental and psychological support offered free to people who suffered in the aftermath of September 11, regardless of their religious affiliation and beliefs.
- The new St. Nicholas will be erected as a place which will combine services for its own spiritual community with offerings for the larger American and international communities.
- The transformation of Ground Zero into a magnificent, vibrant place, certainly presupposes the presence of a new St. Nicholas Church.
- All of Ground Zero is sacred space and functions as a symbol, recalling to memory an event like no other, revealing our humanity and allowing us to experience promise and joy even in the midst of great tragedy in hopeful celebration of the unique value of each individual human being.
- Sacred space allows us to reconstitute the world because that world has been ruptured, creating a central axis for future orientation, making possible not just a passage, but also an opening between this life and the one beyond it.
- The new St. Nicholas Church, like the Memorial itself, will be intercultural and educational, recalling the events of September 11, their historic meaning as it interrelates with the historic meaning of the church, its community and the area.
- The new St. Nicholas will, like all buildings outside the footprint area, and encompassing the remainder of the 16-acre area and beyond, whether commercial, residential, governmental or other, and transportation stations, relate to the historic significance and design of the Memorial itself, by means of similar architectural features or some designation that brings them into the orbit of memorial reverence.

## **Historic Remembrance for All Peoples**

The holy relics of St. Nicolas, St. Katharine and St. Sava remained buried with the remains of victims of the tragedy of September 11, intertwining the sacred history of diverse peoples and cultures from many periods of human history. What artifacts that have been recovered include:

- Bell used for services
- Embroidered cloth used on Holy Altar
- Cloth used on Holy Altar
- Intertwined Beeswax Candles
- Bible- paperback
- History book of the Ecumenical Patriarchate
- Wooden Icon of the Life-giving Fountain of the Theotokos
- Paper Icon of St. Dionysios of Zakynthos

All these items and any others in possession relating to the history of the church and the community will be displayed in an educational museum that will also tell the story of St. Nicholas in relation to the World Trade Center Site.

## **Conclusion**

*Just as the WTC Site meets the requirement of National Register Criteria Consideration G, so does St. Nicholas.*

*Just as the WTC retains integrity of location, so does the site of St. Nicholas Church, the physical environment remaining essentially the same.*

*Just as the WTC Site retains integrity of feeling, so does St. Nicholas site, where services are held on special occasions, where pilgrims visit, where people remember.*

*Just as the WTC Site retains integrity of association, which is the direct link between an important historic event and historic property, so does St. Nicholas, buried under the debris with the remains of victims and the Towers, intertwined for all time like its recovered candles.*

**ADDITIONAL COMMENTS ON THE DRAFT DETERMINATION OF NATIONAL REGISTER ELIGIBILITY, WORLD TRADE CENTER SITE, NEW YORK CITY, NEW YORK (SUPPLEMENTING VERBAL COMMENTS AT THE FEBRUARY 2, 2004 CONSULTING PARTIES MEETING)**

Submitted by Robert Kornfeld, Jr. R.A., on behalf of the Historic Districts Council, February 4, 2004

NOTE: The following recommendations and comments refer to section numbers and headings from the double-spaced draft sent on February 3, 2004 by email.

Section II.B:

- The text should describe the site design of the World Trade Center complex, which consisted of slender towers surrounded by low-rise buildings, an approach that lessened the apparent mass of the complex from adjacent areas.
- The text should describe the significant architectural and engineering features of the complex, particularly One World Trade Center and Two World Trade Center (1 WTC and 2 WTC), which stood on bedrock at the base of the slurry wall foundation structure known as the Bathtub. The towers consisted of an exterior structural tube composed of steel box columns and a steel frame core connected by long-span joists supporting cast-in-place concrete floor slabs poured on steel deck, with a hat truss at the upper stories. The typical façade design of the towers consisted of clear anodized aluminum column cover panels alternating with fixed glass panels, which infilled the voids between the columns. The chamfered corners were clad with aluminum panels. Descriptions should be included for the other buildings of the complex as well, including the plaza buildings, 4, 5 and 6 WTC, which featured overhangs at street level echoing the ground floor arcade of 140 West Street (Verizon).
- The description of Seven World Trade Center (7 WTC) should mention of the presence of the mayor's Emergency Command Center. The facade of 7 WTC consisted of prefabricated spandrel and column cover panels clad with rose-colored flamed granite. The building blocked Greenwich Street, and was connected to the WTC complex proper by a pedestrian bridge across Vesey Street.

Section II.C:

- The description of the initial attack should include a description of consequences and activities in 1 WTC and 2 WTC, such as the partial evacuation, the various functions of emergency personnel, and the sheltered escape routes necessitated by falling glass, debris and people jumping from tower floors neighboring the fire zone. Also relevant are actions taken to evacuate the PATH system, subways and the concourse within the WTC complex and most adjacent buildings.

- The description should include damage caused to the surrounding community by debris ejected by the airplane explosions, including the fuselage section that landed on the roof of 5 WTC; the engine that landed on Murray Street; and various landing gear components including those that struck 45 Park Place, 90 Church Street and 90 Washington Street, and landed on Rector Street. Human remains and light debris from the airplane explosions landed on roofs, walls and at street level over an area of several square blocks.
- Damage to surrounding buildings should be described in the categories established by the WTC Emergency Operation (or consistent with the findings): Red for collapsed or partially collapsed structures; Blue for heavily damaged structures, and Yellow for structures with moderate damage. For example, heavily damaged buildings included 130 Liberty Street (Bankers Trust), 90 West Street, 3 World Financial Center (Amex), 140 West Street (Verizon) and 30 West Broadway (Fiterman Hall). Moderately damaged buildings included Century 21, 1 World Financial Center, and 85 West Street (Marriott).
- Damage to surrounding buildings should be accurately described in terms of the cause of damage and the sequence of events involved. For example, 7 WTC was set afire by the collapse of 1 WTC and subsequently collapsed, damaging 140 West Street (Verizon), 30 West Broadway (Fiterman Hall) and 90 Church Street. 3 WTC was struck by debris from both 2 WTC and 1 WTC.
- Throughout the text West Street should be identified typically as West Street, not as Route 9A. West Street reflects building addresses and names, street signs, historic as well as current usage, and nomenclature of standard maps. It could be clarified in one statement that West Street is also officially designated as Route 9A.
- The sequence of the collapse and the dismantling of the ruins down to the bedrock level of the Bathtub, along with relevant aspects of the emergency operation should be described at the following level of detail:

The passenger jet impacts and explosions within the towers severed a significant number of columns at the perimeter tube and some in the core. Fireproofing was damaged or destroyed on numerous other structural members. The loads from the destroyed columns were redistributed to the remaining columns and the towers stood for roughly one hour for 2 WTC and one-and-a-half hours for 1 WTC. The heat of the fire weakened steel members (there are several theories of which) to the point that the structure failed in the fire zone, initiating catastrophic progressive collapses of the towers. As a result of the crashes, explosions, fires and collapses, close to three thousand souls perished.

Following the collapses, the exterior walls of the World Trade Center towers initially stood from bedrock at the B-6 level to as high as sixteen stories above grade, shorn of joists and floor decks. From an aesthetic standpoint the ruin of the World Trade Center complex possessed an epic grandeur. It encompassed a district of collapsed,

partially collapsed and heavily damaged buildings, smoking craters, and incredible piles of debris ranging from Barclay Street on the north to Cedar Street on the south, and from Church Street on the east to West Street on the west. There was some preliminary public discussion of the historic value of the standing box columns of the tower walls, which had a picturesque Gothic quality. The walls could not be left in place due to stability and logistics and large-scale removal was deemed too expensive difficult and distracting. Portions of the facades and other items were selected, dismantled and salvaged for preservation off-site at Kennedy Airport. Architect Bart Voorsanger was charged with a portion of this task, and it is suggested that his input might be sought as a consulting party.

The clear and undisputed priorities at the time were search and rescue, fire fighting, structural evaluation and stabilization, and heavy debris removal. The site was also heavily secured by law enforcement and National Guard personnel.

The perimeter tube and core steel was standing from the visible portion down to bedrock, braced laterally by the super-compressed debris from the collapse. The joists and floor slabs that normally provided lateral support had been destroyed. It could not have stood independently without extensive shoring and reconstruction as the debris was removed. The debris also braced the Bathtub walls (whose original tie-backs to bedrock had been intentionally cut off when the sub-grade steel frame of the complex was completed, bracing the slurry wall.) As debris removal progressed down into the Bathtub the steel of the towers was cut away. New tie-backs were installed in the slurry walls of the Bathtub.

The tower columns had extensive diagonal bracing below grade and had originally possessed a large load capacity, having served to support a structure 1350' tall. As the operation worked its way below grade in November and December, 2001, two major vehicle ramps in and out of the Bathtub were developed over the tower footprints with the box columns acting as supports. The 1 WTC ramp lead down from West Street and the 2 WTC ramp lead down across the track level of the collapsed 1/9 IRT subway line near the south end of the east slurry wall. The north ramp was removed relatively soon, but the south ramp over the 2 WTC footprint served until construction of a new bridge from Liberty Street was completed on approximately March 1, 2002.

These ramps were the scene of many honor guards for human remains recovered (over 19,983 remains were recovered from the site, including remains found on bedrock) on the site. When the new bridge went into service, the recovery operation quickly removed the debris that had supported the ramp at the 2 WTC core area, where it was correctly believed that a large quantity of remains were waiting to be recovered. As this area was cleared of debris in March, 2002, one column of the 2 WTC core was left standing. It became known as the "Flag Column", topped with an American flag and adorned with photographs of "fallen brothers", spray painted notations of fire and police units, and numbers of personnel lost from various service organizations. The Closing Construction Ceremony on May 28, 2002 was in a sense

the inverse of the usual “topping off” ceremony by ironworkers when a frame is complete. In this case the flag was removed, folded and stored, and the final column removed from its base, covered with a wreath of red, white and blue flowers, and laid on a truck bed, draped in black cloth. In a final honor guard at the Closing Ceremony on May 30, 2002, the column was removed from the site along with an empty stretcher that symbolized the thousands of remains that would never be recovered or identified.

- The description of the public viewing platform on Fulton Street should include the long, processional ascent along a ramp that started near Broadway.
- The description of new tie-backs should indicate how many tie-backs were installed in each of the walls of the Bathtub.

### III. RESOURCE DESCRIPTION:

- The description of the West Portion of the WTC Site – Bathtub should include a description of the 1 WTC and 2 WTC footprints similar to the following: The remains of 1 WTC and 2 WTC consist of two one-acre (approx. 210' x 210') tower footprints located diagonally adjacent to one another with an offset of approximately 120' at bedrock level on the concrete floor of the Bathtub. This sub-grade level of the WTC complex level was commonly referred to as B-6 (sometimes labeled Sub-level #5). Each tower footprint is clearly delineated by the bases of the steel box columns of the perimeter tube. The bottom of each steel column is set into a concrete base. The box columns were cut off above the bases by ironworkers with acetylene torches as part of the WTC Emergency Operation administered by the City of New York Department of Design and Construction (DDC).

There are typically twenty-one perimeter box column bases on each of the four sides of the towers. The central nineteen on each side, spaced 10' on center, are large box columns. [These columns branched into three smaller columns at approximately the 6<sup>th</sup> story above grade. The wall above was composed of units of three columns connected to three spandrel plates.]

The two end columns on each side of the corners have closer spacing and are smaller, the same size that the others were above the branch. [The end columns originally continued up the entire height supporting a 45-degree chamfer wall. The corner was the location where the side walls were connected to form the rigid structural tube that was the primary tower structure, creating a columnless space between tube and core.]

Within the precinct formed by the perimeter columns are the bases of the core columns. The core contained approximately forty-six primary steel box columns with concrete bases. The B-6 level also had miscellaneous secondary columns to support mechanical installations. The core of 1 WTC was oriented on an east-west axis and 2 WTC's on a north-south axis. [The tower cores originally contained an independent steel frame structure that was linked to the perimeter tube by long-span steel joists

and floor slabs.] The largest of the box columns were in the core. The final column removed (during the ceremony marking the end of the recovery on May, 30 2002) was one of the core columns of 2 WTC.

2 WTC was crossed by the tracks of the Port Authority Trans-Hudson (PATH) railway. The structure accommodated the rail lines with certain perimeter tube columns dropped out and the loads transferred to adjacent columns. The dropped-out columns on the north façade were the 4<sup>th</sup>, 6<sup>th</sup> and 10<sup>th</sup> from the northeast corner. On the south façade there were the 4<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> from the southeast corner. The PATH station occupied approximately the east half of the 2 WTC footprint. The original rail structure consisted of steel tracks on a raised concrete bed and concrete and steel commuter platforms. These structures extended beyond 2 WTC to the north, paralleling the east slurry wall. The tracks began curving west as they exited the south end of 2 WTC and rounded the south end of the Bathtub to exit the site at the South Projection along West Street. The existing conditions in this portion of 2 WTC are not visible because they have been enclosed and temporary construction work is progressing.

A notable feature near the center of each tower footprint is the elevator pit of the freight car, the only car to stop on all levels (including sub-grade and PH). The freight car of 1 WTC was known as Car #50. These cars had a control panel of buttons occupying nearly an entire wall.

Within the perimeter tube of box columns depressed areas of the concrete slab-on-grade floor define the interior spaces. Visible are numerous engineering features of the B-6 level, including floor slabs of mechanical equipment rooms with raised concrete equipment pads, condensate pump pits and pipe trenches. Other areas define air conditioning transfer plenums and bottom landings of fire stair enclosures.

- The floor of the Bathtub should be cleaned of fill, silt and construction debris and washed down to reveal the existing resources, and the existing resources should be documented so that proposed actions can accurately describe impacts, alternatives and proposed mitigation.
- The description of St. Nicholas Church should include the archeological investigation that was undertaken in 2002 to locate artifacts such as icons and relics that were lost in the disaster and indicate whether any further investigative measures are anticipated. The church was the only building outside of the WTC complex that was destroyed by the attacks.
- The North Wall of the Bathtub is not properly described. The indication that “the wall is largely obscured by the remnants of the substructure of 6 WTC” reflects an incomplete survey, not a physical characteristic of the property. Walls are typically not visible through floor slabs.

- The ruins of 6 WTC are not sufficiently described, and the historic events associated with that portion of the ruin are omitted. An enormous quantity of structural steel debris from the north façade of 1 WTC penetrated the roof of 6 WTC all the way down to the floor of the Bathtub, where it spread out to form a large crater. The removal of above-grade structure, installation of tie-backs within 6 WTC, demolition of unstable portions of slab and frame, and the removal of heavy steel debris from the main crater and a smaller crater known as the “Doughnut” occupied a substantial portion of the demolition activities from December, 2001 until the end of the emergency operation.

#### IV. NATIONAL REGISTER ELIGIBILITY EVALUATION:

- It is not reasonable to limit the period of significance to September 11, 2001. The World Trade Center Emergency Operation was a clearly defined set of events inherently connected to the physical history of the property in question for the entire period of the emergency operation until the closing ceremony on May 30, 2002. While the initial public reaction throughout the United States was of shock and terror, in the days following September 11 these feelings were joined with feelings of pride and patriotism inspired by the response of emergency workers, construction personnel and volunteers at the WTC site. The intensity of the emergency was such that regularly scheduled television programming and commercials were suspended for days, and our society was transformed for a substantial period: musicians and artists felt superfluous, comedians wondered if they would ever tell another joke, and the streets of Manhattan were strangely empty.

The emergency produced a unique collaboration of fire, law enforcement, engineering and construction operations. The efforts by the FDNY and NYPD are legendary. The engineering effort was unprecedented, including the stability assessment and stabilization measures for an entire district of structures with incredible damage, support of search and rescue operations, and design of unconventional means to erect large cranes next to the collapse zone. The construction workers at the site displayed a valor and heroism never expected of civilians, and still not fully appreciated by the public. Day after day for months they labored in areas of unstable damage ranging from deep within collapsed structures to twisted wreckage poised three or four hundred feet above street level. People from across the nation traveled to New York to line the access routes and entry checkpoints of the site and cheer the workers entering and leaving.

Many historic events are closely associated with the places where they occurred, such as Gettysburg, Omaha Beach, and Pearl Harbor, and more broadly in history, Pompeii and Masada. The World Trade Center site is unique in the extent to which the ruins left on the site are the hand-crafted product of the events that took place, the meticulous demolition performed in the search for human remains. While it was a subtractive work, it was not just a “site clean-up”; it was an act of devotion to keep going “until the last brick is turned” and to leave no one behind. Many of the personnel involved were hoping to locate the remains of their own friends, relatives

and co-workers. Many had been working nearby when the planes struck the towers and had been on-site nearly every day since. One of the most emotional aspects of the closing construction ceremony on the night of May 28, 2002 was that there was no place left to look. The pulverized remains of many had soaked into the concrete and bedrock on the floor of the Bathtub.

The footprints of the World Trade Center Towers possess a high level of historic integrity in location, design, setting, materials, workmanship, feeling, association and authenticity. The plan and scale of the towers is clear. Inherent in the ruin of the World Trade Center towers is the intimate relation of the physical structure to the human drama that took place on it. The associations of the site and its strong sense of place are connected to the attacks and collapses of September 11, 2001, and also to the emergency operation in its aftermath. The emergency operation not only reshaped the ruins but also reshaped our associations and memories.

- **Boundary Description and Justification:** The sentence limiting the “significant events under discussion” to the impact/fire zones in 1 WTC and 2 WTC should be deleted as inaccurate and misleading. The section should provide a simple, clear delineation of the boundaries.

**COMMENTS BY ROBERT KORNFELD, JR. R.A. ON BEHALF OF THE  
HISTORIC DISTRICTS COUNCIL, MARCH 6, 2004**

**Coordinated Determination of National Register Eligibility – World Trade Center  
Site, New York City, New York, dated February 6, 2004**

The risk of having developers perform their own historic assessment is obviously that their historic consultants may act as advocates of the proposed plans rather than impartial experts. This Determination does not attempt to identify the historic resources that exist on the site thoroughly and accurately, and it fails to recognize their integrity and significance. Rather, it appears that the purpose of the Determination is to insure that the redevelopment can proceed without finding any adverse effect, and without the obligation to mitigate any adverse effects.

The World Trade Center is one of the nation's most significant historic sites and it deserves a thorough and legitimate Determination. The failure to produce this would be a grave injustice, and an insult to those who lost their lives in the disaster and those who risked their safety in the aftermath. The historic resources of this site must be evaluated based on their merits, not on tactical considerations for the redevelopment. It would only compound the tragedy of 9-11 if the rush to redevelop the site destroyed historic resources that would be treasured by future generations, and which could be incorporated sensitively and appropriately into the redevelopment plans. In fact, LMDC does indicate that they plan to incorporate historic resources in the redevelopment, so it is troubling that they seem unwilling to identify them as contributing.

The Determination requires substantial revision before it can serve as a proper basis for finding adverse effect and moving forward with the Section 106 process. The following is a summary of our principal comments regarding the Determination:

1. As an historic site, the ruin of the World Trade Center contains numerous features that are significant and possess integrity of location, design, setting, materials, workmanship, feeling and association. The ruins are the result of the disaster and their final form is the product of the rescue and recovery operation. A careful and thoughtful survey would identify a number of contributing features that were missed in the superficial, partial sweep that was the basis for the Determination.
2. It is urgent that a proper and authoritative survey occurs quickly as significant features have already been adversely affected by temporary construction projects since the end of June, 2002.
3. The footprints of 1 WTC and 2 WTC at the floor of the Bathtub retain many distinctive features, the most significant of which are the bases of the box columns that delineate the entire perimeter tube and core of both tower structures. The footprints retain an authenticity and sense of place that words fail to convey. They are indispensable features necessary to convey the significance of the site. Unfortunately, few people had the opportunity to visit the footprints during the brief time in mid-2002 when they were substantially cleared of fill, construction

equipment and materials, and many of the features were visible. Construction work on the temporary PATH station and tunnel repairs has temporarily obscured the Bathtub floor. A simple clean-up and wash-down would expose these features so that they could be properly evaluated, a measure that we have repeatedly called for.

The twin towers are a memory that is etched on our souls, but the footprints are a physical place that still exists. The footprints are the place where the towers met the earth, where their immense load was borne. It is a place imbued with history, where visitors could walk the actual ground where great and terrible events occurred and pay their respects at the final resting-place of thousands who perished on 9-11. It is hallowed ground, a place of sorrow and pride, and a national shrine. The original steel, concrete and bedrock in this setting convey a profound spirituality. The concrete slabs and equipment pads bear the scars of strikes by heavy steel debris from the collapsing towers, contrasting with the steel of the column bases, which was systematically cut with acetylene torches in the recovery operation.

4. The Determination appears to create a "Catch 22" situation by setting such narrow parameters that there is a potential basis for finding nearly every feature non-contributing. In this view, intact features constructed prior to September 11, 2001 could be ineligible because they do not fall within the stated period of significance. The ruins that remain following 9-11 could be found non-contributing because they do not retain structural or functional integrity. These standards would make every historic ruin in the nation ineligible. The site itself is regarded as eligible only because it is the location where historically significant events occurred. Some of the remnants are indicated to retain material integrity only, and it is not clear exactly which features are considered contributing. It is clear that other aspects of integrity are relevant based on the connection with the historical events of the rescue and recovery period.
5. The remaining sections of the Hudson and Manhattan Railroad tunnels, consisting of bolted cast iron plates, dating from 1908, are contributing and probably independently eligible. The north H&M tunnel is approximately 150 feet long, extending beneath the 1/9 subway and 5 WTC site, and the south H&M tunnel is approximately 60 feet long, extending beneath the 1/9 subway. These tunnels are significant engineering features related to the history of the site as a transit hub, and the direct ancestors of the current PATH system. The H&M tunnels also played a dramatic role during the construction of the Trade Center when they were supported in mid-air across the Bathtub.

Additional features of the site east of the slurry wall are essentially summed-up and dismissed in the Determination without being properly identified and characterized, including H&M station features such as platforms and concrete tunnels. There are also bank vaults and other features of 4 WTC and 5 WTC, original PATH station elevators, etc. Given the significance of the site and the

scale of the work proposed in the redevelopment, it is not acceptable to simply characterize these acres of historic infrastructure as uninteresting old stuff.

6. The slurry wall and ruined 6 WTC garage decks should be considered contributing, and evaluated for the aspects of integrity that they possess.
7. The architectural and engineering achievements of the World Trade Center buildings and other features of the site, such as the slurry wall and H&M tunnels should be recognized in the Determination under Criteria B and C.

Via Surface Mail and Fax

March 2, 2004

Mr. John L. Nau, III, Chairman  
Advisory Council on Historic Preservation  
Old Post Office Building  
1100 Pennsylvania Avenue, NW, Suite 809  
Washington, DC 20004

**RE: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 COMPLIANCE  
VARIOUS UNDERTAKINGS AT THE WORLD TRADE CENTER SITE,  
NEW YORK CITY  
REQUEST FOR REVIEW OF NRHP ELIGIBILITY DETERMINATION BY THE  
SECRETARY**

Dear Chairman Nau:

The undersigned are presently Consulting Parties in Section 106 review process for several proposed federally funded undertakings involving the World Trade Center Site in New York City. As part of the Section 106 process the Lower Manhattan Development Corporation (a HUD CDBG grant recipient), the Federal Transit Administration, and the Federal Highway Administration, have prepared a coordinated determination of National Register eligibility for the World Trade Center Site.

Collectively, our organizations have many concerns about the coordinated determination of eligibility. Most importantly, we are concerned that the determination does not adequately or correctly characterize the aspects of the site that contribute to its significance. The determination is presently being used to support a proposed determination of no adverse effect by the LMDC for their World Trade Center Memorial and Redevelopment Plan Project. A complete and accurate eligibility determination should be a prerequisite to the effect determinations that will be made by LMDC, FTA, and FHWA for their respective projects.

For these reasons we are requesting that the Council exercise its authority under 36 CFR 800.4(e)(2), and request the LMDC, the FTA, and the FHWA to obtain a final determination of eligibility for the World Trade Center Site from the Secretary of the Interior.

We appreciate the attention your staff has given to this matter thus far. Thank you.

*Robert Kornfeld* R.A. (s)  
Robert Kornfeld, Historic Districts Council

*Ethel Sheffer*, A.I.C.P. (s)  
Ethel Sheffer, President, Metro New York Chapter, American Planning Association

*Anthony Gardner*  
Anthony Gardner, Coalition of 9/11 Families

*Mary Fitchet* (s)  
Mary Fitchet, Voices of September 11<sup>th</sup>

- CC: K. Rumpo, LMDC
- B. Cohen, Lower Manhattan Recovery Office, FTA
- R. Arnold, New York Division, FHWA
- A. Jackson, Acting Secretary, HUD
- J. Fowler, AICP

Dear Katie,

Below are my comments concerning the working draft of a determination of National Register eligibility:

#### St. Nicholas Church

Page 1, Section II, Historical Background. It should be noted that St. Nicholas Church was originally established in the 1920s on the site of 4 WTC. I have copied this e-mail to John Pitsikalis, president of St. Nicholas Church, who can supply the historic information.

#### Altruistic Behavior

Page 4, Section C, para 3: "altruistic behavior" should be rephrased to "personal bravery", "civilian

heroism", "selfless behavior in the face of grave personal danger", or the like. The civilian behavior shown on 9.11 greatly exceeds the definition of altruism.

#### Hangar 17 Artifacts

Page 7, Section III, Resource Description. It has been well documented that, on an ongoing basis and with clear intent, government personnel removed WTC artifacts for safekeeping in storage at JFK Hangar 17 for eventual return to the WTC site. Mention of the artifacts can be reasonably made without committing to bringing every artifact in Hangar 17 back to the site.

If you need these comments in a formal letter, please let me know and I will send it to you on Wednesday.

Thanks and regards,

Louise Lo Presti

## ST. NICHOLAS CHURCH: A HISTORIC RESOURCE

### Historic Tragedy for All Peoples

“A humble whitewashed church once graced the shadows of the Trade Towers. Since 1916, the white altar candles of St. Nicholas Greek Orthodox Church shone brightly for all peace seekers and peacemakers. But at 9:59 am, September 11, those candles were violently extinguished. The sweet scent of incense was blown away by the acrid smell of senseless death and destruction. And the walls came tumbling down. Our hearts were crushed. But they will not be kept down.”

So ran a full-page donated ad in the New York Times. St. Nicholas Church was featured in articles in the Times, the Wall Street Journal and newspapers around the world. Donations poured in, not only from Bari, Italy where the holy relics of St. Nicholas were enshrined in 1087 in their St. Nicholas Basilica, but from the State of Qatar whose Emir personally presented a donation and from the American Jewish Committee.

The President of the United States, the Governor of New York, The Mayor of New York City and a host of dignitaries honored the church and the Greek Orthodox Archdiocese.

St. Nicholas Church, was founded 88 years ago and, like so many other American churches, by immigrants. They came with a rock hard belief in God, in liberty and the chance to build great things. The church was dedicated to the beloved St. Nicholas, patron protector of all who travel.

The terrorist attack against the Twin Towers of the World Trade Center that killed an estimated 3,000 people, also destroyed tiny St. Nicholas Greek Orthodox Church located about 500 feet from Ground Zero. On September 11, 2001, St. Nicholas Church also became the victim of an unprecedented and atrocious terrorist attack. It was totally demolished, rendered into an amorphous mass under the enormous weight of the debris that fell from one of the Twin Towers of the World Trade Center.

On that fateful morning, Fr. John Romas, pastor, attempted to go to his church but was turned back by police. Wednesday, he was permitted to visit the site to view what was left of the church. “It would break your heart,” he said of the devastation he witnessed. “It’s one thing to see it on TV, and another thing to see it in person. St. Nicholas is buried under debris. It is the worst thing.” He described steel girders and concrete from the towers burying the building.

Greek immigrants established St. Nicholas Church in 1916 and purchased the structure for \$25,000. It was one of two old calendar parishes under the Archdiocese until 1993 when it switched to the Gregorian calendar. Among the church's unique characteristics are its small size and its icons, which were a gift from the last czar of Russia, Nicholas II. Fr. Romas expressed hope he would be able to salvage some of the icons.

The church also was open Wednesdays at midday, for people to light a candle and pray during their lunch breaks, to attend a paraklisis the first Wednesday of the month, or just for spiritual contemplation. The tiny church building was constructed around 1832. It originally was a residence and later housed a tavern before the founders of the parish purchased the structure. It measured 22 feet wide in front, 20 feet, 11 inches in the back, and about 56 feet long. It was 35 feet tall. On three sides it was bounded by a parking lot.

The church has been known locally for several years for its celebration of Epiphany. Parishioners would proceed to nearby Battery Park at the south tip of Manhattan, where a diver would jump into the icy water of New York Harbor to retrieve the cross.

### **A Sacred Monument for All Peoples**

St. Nicholas Church, located at 155 Cedar Street in the Financial District of Downtown Manhattan, was for eighty-five years the place of worship of a small but dynamic Greek Orthodox community. For three consecutive generations this community experienced there the uplifting results of inspiring, Eucharistic gatherings, the resplendent joys of wedding and baptisms, the mournful occasions of funerals and memorials and the happy celebrations of feasts and festivals of a religious and cultural nature.

On September 11 the Church of St. Nicholas was destroyed but not its community. Eighty-five years of faith and vibrant parish activity could be traumatized but not eradicated by any terrorist assault. There is no doubt that the Church will be rebuilt, on the very sacred ground, sanctified not only by her own history, but also by the blood of the thousands of innocent victims of September 11.

"The Church of St. Nicholas certainly will be rebuilt facing the World Trade Center site, to serve again the community bereft of her sanctuary," said His Eminence Archbishop Demetrios, Primate of the Greek Orthodox Church in America. "The new St. Nicholas, however, will be much more than an ordinary parish church serving the needs of its parishioners," he emphasized. A committee composed of members of the Greek Orthodox Archdiocese and the St. Nicholas Parish Council, inspired by the Archbishop's vision, heeded his words:

“Due to the location, the site of a uniquely tragic event, due to the strong pan-American and international interest shown in the past nine months for the restoration of St. Nicholas, and due to the clear determination of the Greek Orthodox Archdiocese, the rebuilt Church will assume new, tremendously important functions. It will become a sacred monument, declaring and showing to the people who will visit the area the light of faith and goodness prevailing over the darkness of evil, the overcoming of hatred by the power of creative love, and the uncompromising will to establish peace and life for all people in valiant opposition to war and death.”

The committee adopted the Archbishop’s recommendations that:

- The new St. Nicholas will be a holy place offering serenity and restfulness to all the people who will visit it, being a heavenly embrace to those tired or alienated, and opening windows to the comforting and calming divine reality for all those suffering under the terrible pressures and anxiety of the modern world.
- The new St. Nicholas will be a place of mental and psychological support offered free to people who suffered in the aftermath of September 11, regardless of their religious affiliation and beliefs.
- The new St. Nicholas will be erected as a place which will combine services for its own spiritual community with offerings for the larger American and international communities.
- The transformation of Ground Zero into a magnificent, vibrant place, certainly presupposes the presence of a new St. Nicholas Church.
- All of Ground Zero is sacred space and functions as a symbol, recalling to memory an event like no other, revealing our humanity and allowing us to experience promise and joy even in the midst of great tragedy in hopeful celebration of the unique value of each individual human being.
- Sacred space allows us to reconstitute the world because that world has been ruptured, creating a central axis for future orientation, making possible not just a passage, but also an opening between this life and the one beyond it.
- The new St. Nicholas Church, like the Memorial itself, will be intercultural and educational, recalling the events of September 11, their historic meaning as it interrelates with the historic meaning of the church, its community and the area.
- The new St. Nicholas will, like all buildings outside the footprint area, and encompassing the remainder of the 16-acre area and beyond, whether commercial, residential, governmental or other, and transportation stations, relate to the historic significance and design of the Memorial itself, by means of similar architectural features or some designation that brings them into the orbit of memorial reverence.

## **Historic Remembrance for All Peoples**

The holy relics of St. Nicolas, St. Katharine and St. Sava remained buried with the remains of victims of the tragedy of September 11, intertwining the sacred history of diverse peoples and cultures from many periods of human history. What artifacts that have been recovered include:

- Bell used for services
- Embroidered cloth used on Holy Altar
- Cloth used on Holy Altar
- Intertwined Beeswax Candles
- Bible- paperback
- History book of the Ecumenical Patriarchate
- Wooden Icon of the Life-giving Fountain of the Theotokos
- Paper Icon of St. Dionysios of Zakynthos

All these items and any others in possession relating to the history of the church and the community will be displayed in an educational museum that will also tell the story of St. Nicholas in relation to the World Trade Center Site.

### **Conclusion**

*Just as the WTC Site meets the requirement of National Register Criteria Consideration G, so does St. Nicholas.*

*Just as the WTC retains integrity of location, so does the site of St. Nicholas Church, the physical environment remaining essentially the same.*

*Just as the WTC Site retains integrity of feeling, so does St. Nicholas site, where services are held on special occasions, where pilgrims visit, where people remember.*

*Just as the WTC Site retains integrity of association, which is the direct link between an important historic event and historic property, so does St. Nicholas, buried under the debris with the remains of victims and the Towers, intertwined for all time like its recovered candles.*

**LOWER MANHATTAN EMERGENCY PRESERVATION FUND**

Municipal Art Society

National Trust for  
Historic PreservationNew York Landmarks  
ConservancyPreservation League  
of New York StateWorld Monuments  
Fund

March 3, 2004

Kevin Rampe  
President  
Lower Manhattan Development Corporation  
One Liberty Plaza, 20<sup>th</sup> Floor  
New York, NY 10006

Bernard Cohen  
Director  
Lower Manhattan Recovery Office  
Federal Transportation Administration  
One Bowling Green, Suite 436  
New York, NY 10004

Robert Arnold  
New York Division Administrator  
Federal Highway Administration  
Leo W. O'Brien Federal Building, 7<sup>th</sup> Floor  
Albany, NY 12207

**Re: Coordinated Determination of National Register Eligibility (World Trade Center Site)**

Dear Messrs. Rampe, Cohen, and Arnold:

The five groups that make up the Lower Manhattan Emergency Preservation Fund (the Municipal Art Society, the National Trust for Historic Preservation, the New York Landmarks Conservancy, the Preservation League of New York State, and the World Monuments Fund) are consulting parties to the Section 106 review process involving three federally financed projects at the World Trade Center Site.

We appreciate the opportunity to be involved in this process and that the revised Determination of Eligibility reflects some of our recommendations. However, we continue to be particularly concerned about two issues:

The first is that the Determination fails to identify as significant the remaining physical features of the site. For example, the slurry walls, the box columns outlining the bases of the towers, the garage structure, and the stair and escalator on Vesey Street. These are features that clearly contribute to the significance of the site. These and other historical resources must be called out as such in the Determination. The fact that they are not cited as significant has led to a finding of no adverse impact, with which we disagree.

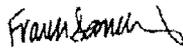
Second, we believe that the artifacts, including both building components and other objects moved off-site during the recovery and cleanup period, should and could be included in the Determination regardless of their ultimate disposition. At the January 6<sup>th</sup> and February 2<sup>nd</sup> Consulting Party meetings, we were told that the guidelines for listing sites on the National Register do not permit the inclusion of artifacts removed from the site. However there has been no adequate explanation of why Consideration B, which addresses the significance of structures removed from their original locations and associated with historic events, cannot be applied in this situation. Because this nomination is unique, we believe that Consideration B should be interpreted broadly and applied to this Determination.

Kevin M. Rampe, Bernard Cohen, and Robert Arnold  
 March 3, 2004  
Page 2

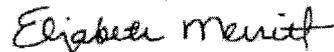
We feel that until these two issues have been addressed and the statement of eligibility revised, the determination of potential effect cannot be appropriately finalized. The surviving features and the carefully salvaged artifacts connect the site to its period of significance. The National Register Eligibility Determination would be incomplete if it does not acknowledge the importance of these significant physical remains.

Due to the complex nature of this Determination, we believe that it should be referred to the Keeper of the National Register for review. We look forward to a quick and timely resolution to these important issues.

Sincerely,



Frank E. Sanchis, III  
 Executive Director  
 Municipal Art Society  
 457 Madison Avenue  
 New York, NY 10022  
 212 935-3960



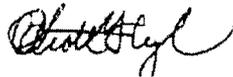
Elizabeth S. Merritt  
 Deputy General Counsel  
 National Trust for Historic Preservation  
 1785 Massachusetts Avenue, N.W.  
 Washington, D.C. 20036  
 202 588-6035



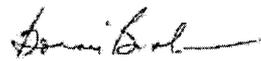
Marilyn Fenollosa  
 Senior Program Officer & Regional Attorney  
 National Trust for Historic Preservation  
 7 Fanueil Hall Market Place  
 Boston, MA 02109  
 617 523-0885



Peg Breen  
 President  
 New York Landmarks Conservancy  
 141 Fifth Avenue  
 New York, NY 10010  
 212 995-5260



Scott Heyl  
 President  
 Preservation League of New York State  
 44 Central Avenue  
 Albany, NY 12206  
 914 462-5658



Bonnie Burnham  
 President  
 World Monuments Fund  
 95 Madison Avenue  
 New York, NY 10016  
 646 424-9594

cc: The Honorable George Pataki, Governor, New York State  
 Doug Blais, Office of the Governor  
 Carol D. Shull, Keeper, National Register  
 John L. Nau, III, Chairman, Advisory Council on Historic Preservation  
 Don L. Klima, Advisory Council on Historic Preservation  
 Charlene Dwin Vaughn, Advisory Council on Historic Preservation  
 Jan C. Oppen, HUD  
 Bernadette Castro, Commissioner, NYS Office of Parks, Recreation and Historic Preservation  
 Robert Kuhn, NYS Office of Parks, Recreation, and Historic Preservation  
 Kathleen Howe, NYS Office of Parks, Recreation, and Historic Preservation  
 Irene Chang, Lower Manhattan Development Corporation  
 William Kelley, Lower Manhattan Development Corporation

# LOWER MANHATTAN EMERGENCY PRESERVATION FUND

Municipal Art Society

National Trust for  
Historic Preservation

New York Landmarks  
Conservancy

Preservation League  
of New York State

World Monuments  
Fund

March 4, 2004

Lower Manhattan Development Corporation  
Attention: Comments WTC Memorial and Redevelopment Plan/DGEIS  
One Liberty Plaza, 20th Floor  
New York, NY 10006

**Re: Draft Generic Environmental Impact Statement (DGEIS) WTC Memorial and Redevelopment Plan**

The Lower Manhattan Emergency Preservation Fund (LMEPF) is an initiative of five preservation groups: the Municipal Art Society, the National Trust for Historic Preservation, the New York Landmarks Conservancy, the Preservation League of New York State, and the World Monuments Fund.

Each group has a successful track record in balancing preservation with economic redevelopment. Lower Manhattan is America's most significant downtown with buildings representing various periods of the city's and nation's history.

The LMEPF commends the DGEIS for addressing historic preservation concerns and for identifying many of the numerous historic resources that contribute to the character and architectural significance of Lower Manhattan.

We offer the following specific comments for strengthening Chapter 5 of the DGEIS on Historic Resources:

## Historic Resources and Boundaries

1. We believe that the boundaries of the Primary Area of Potential Effect should be adjusted to include all of City Hall Park and the Battery-Park Garage. The current boundaries only include portions of these two historic resources and not the full site.
2. In addition, we recommend that Fulton Street from Nassau Street to Water Street be considered as a Secondary Area of Potential Effect and include historic resources identified in the LMEPF's Preliminary Documentation of Fulton Street. Similar to the three sections of Tribeca that are included as Secondary Areas of Potential Effect, the Fulton Street corridor has the potential to be dramatically affected by the Proposed Action.
3. In our initial survey of historic resources, our coalition identified a number of important buildings that the DGEIS does not recognize. We ask that the Greenwich South Corridor include all the buildings identified in the LMEPF's Preliminary Documentation of the area. These additional historic resources include:
  - a. 74-80 Washington Street
  - b. 109 Washington Street
  - c. 98-100 Greenwich Street
  - d. 21-23 Thames Street
  - e. 32-42 Trinity Place a/k/a 69-79 Greenwich Street

Municipal Art Society  
457 Madison Avenue  
New York, NY 10022  
212 935-3960

National Trust for  
Historic Preservation  
1785 Massachusetts  
Avenue, NW  
Washington, DC 20036  
800 944-NTIH

New York Landmarks  
Conservancy  
141 Fifth Avenue  
New York, NY 10010  
212 995-5260

Preservation League of  
New York State  
64 Central Avenue  
Albany, NY 12206  
518 462-5655

World Monuments  
Fund  
95 Madison Avenue  
New York, NY 10017  
646 424-9594

4. The language from the final determination of eligibility for the World Trade Center site National Register nomination should be adapted and included in Chapter 5.
5. In Figures 5-4 and 5-8, the buildings within the known historic districts should be shaded to indicate that each one is a known historic resource.

#### Construction Coordination

1. As stated in Chapter 21 of the DGEIS, building the WTC was "one of the largest and longest construction projects in New York City's history." With this in mind, the Proposed Action, as well as the numerous private sector construction projects that will most likely take place, will have a dramatic and unknown impact on the area's dense inventory of historic buildings. The LMEPF is very concerned how vibrations from these cumulative construction projects spanning over 11 years will affect area's historic resources. The LMEPF recommends that the DGEIS include specific standards on how to limit and monitor vibrations as well as explicit language on how historic buildings will be protected during all phases of construction.
2. Since the Proposed Action will be coordinated by multiple agencies, the LMEPF strongly urges that a single entity be charged with monitoring the impact on historic properties during all stages of construction activities over the 11-year period. Additionally, the LMEPF recommends creating a civic advisory group on historic preservation to assist this entity as well as the various agencies involved in the Proposed Action.

The LMEPF recognizes the unprecedented nature of this undertaking and the importance of ensuring for meaningful public input. We appreciate the outreach that the LMDC is doing with various interest groups and look forward to continued participation as additional projects are presented to the public.

Thank you for the opportunity to express the LMEPF's views.

Sincerely,



Ken Lustbader  
Preservation Consultant  
Lower Manhattan Emergency Preservation Fund



February 4, 2004

Kevin Rampe, President  
 Lower Manhattan Development Corporation  
 One Liberty Plaza, 20<sup>th</sup> Floor  
 New York, NY 10006

Susan Schruth, Director  
 Federal Transit Administration  
 Lower Manhattan Recovery Office  
 One Bowling Green, Ste 436  
 New York, NY 10006

Robert Arnold, Administrator  
 Federal Highway Administration  
 New York Division  
 Leo W. O'Brien Federal Building, 7<sup>th</sup> Fl.  
 Albany, NY 12207

Dear Mr. Rampe, Ms. Schruth, and Mr. Arnold,

I am writing on behalf of the Municipal Art Society to comment upon the draft determination of National Register eligibility for the World Trade Center (WTC) site. We appreciate having been invited to participate as a Consulting Party in the Section 106 Review for the site, and hope you will find our comments to be constructive.

First, we are struck by the uniqueness and unprecedented nature of the discussion of National Register listing for the WTC site. What took place on September 11, 2001 altered the course of American and world history, deeply affected the lives of surviving New Yorkers, and set into motion subsequent events of considerable magnitude to our nation that are ongoing. Certainly the WTC site warrants recognition through National Register listing, and we fully support your efforts to satisfactorily identify and describe the site as a "historic resource" under the National Register guidelines. But because of the deep emotions that discussion of September 11<sup>th</sup> and the WTC site evokes from victims family members, community residents and businesses, and every day New Yorkers, we urge your agencies and the New York State Historic Preservation Office to be open minded and creative in consideration of what will in all likelihood turn out to be a precedent-setting National Register listing. We appreciate that you have done so much to provide a productive forum for discussion of the listing among a broad swath of stakeholders, and we know you are listening attentively to the many comments you are receiving. We look forward to your continued leadership in a process we understand to be ongoing.

With regard to the draft statement of eligibility, we have a number of comments and suggestions:

1) Text of the Eligibility Statement

During the February 2, 2004 Consulting Parties meeting there were a number of criticisms about the quality of the text in the eligibility statement. We would agree that as a historical narrative it lacks the kind of depth, power, and detail one would hope to read in a document about the WTC site and the events of September 11<sup>th</sup>. We urge you to consider developing the narrative to sufficiently address some of the concepts raised by Consulting Parties, such as the pre-Dutch history of Lower Manhattan; the social, economic and political context of the development of the WTC; a more detailed description of the destruction and heroism that took place on September 11<sup>th</sup>; the important story of the volunteers who participated in the rescue, recovery, and clean-up efforts on the site; and the city's response to the crisis.

2) Period of significance

The current draft defines the Period of Significance as September 11, 2001. We would urge you to reconsider this very narrow determination, which we believe makes it impossible for the listing to adequately address the relevant historic context with which the property is associated. The political, economic, social, and architectural design issues surrounding the creation of the WTC are indeed relevant to what took place on September 11<sup>th</sup>. The Twin Towers stood for nearly 30 years as a symbolic beacon of American power and financial might – the very reason they were targeted by terrorists on not one but two occasions. Without the identification of this history as significant, the events of September 11<sup>th</sup> cannot be adequately understood. Similarly, what transpired during the months following the destruction of the WTC is relevant and important to the history of the event. As was pointed out by many of the victims' family groups, the rescue and recovery efforts are integral to the story and should be identified as part of the site's significant history.

3) Artifacts

We share the concern expressed by many of the Consulting Parties regarding the current location and future status of objects removed from the WTC site during rescue and recovery. Building/structural components and other objects bearing the signs of the destruction are an integral part of the history of September 11<sup>th</sup>, and as such, should be included as part of the National Register eligibility and listing. We suggest that those objects that are in the possession of government agencies be identified and inventoried, and that these inventories – with the identified objects called out as "contributing" or "significant" features of the site – be added to the statement of eligibility as soon as is practicable. Kathy Howe of SHPO stated that the National Register guidelines preclude the listing of objects

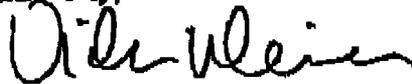
removed from a site, however we note that Special Consideration B allows inclusion of "a building or structure removed from its original location ... which is the surviving structure most importantly associated with a historic person or event." While SHPO may need to invoke a somewhat lenient or unique interpretation of Consideration B in order to include artifacts that are currently off-site, we believe in this case it is fully warranted. As was said quite eloquently by many speakers on February 2, the public's full understanding of the events of September 11 will be greatly augmented by seeing artifacts in their context. For this reason we hope many of the National Register eligible WTC artifacts will be included in interpretations at the Memorial Center. The fate of artifacts that cannot be relocated to the Memorial Center will be subject to a level of public input under Section 106. We believe the provision for public input will aid in circumventing future acrimony between victims' family organizations and the government agencies responsible for redevelopment.

4) Identifying the "contributing" historic resources of the site

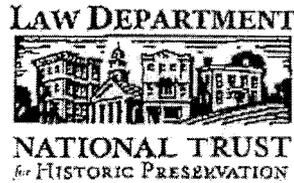
The current draft statement of eligibility identifies and lists numerous components that are now extant on the WTC site, however nowhere is it explicitly stated that these items are considered by the SHPO to be "contributing" or "significant" features of the eligible site. We ask that the items called out in the eligibility statement be identified specifically as "contributing" or "significant" to the history of the site so there will be no confusion in the future regarding their importance and the need for mitigation should they be slated for removal or alteration. In addition, we expect that the *fact* of eligibility for specific components (such as the slurry wall) will be considered independently, without any thought to the future plans for the site and the potential impacts upon those components. In no way should the knowledge of probable future impact be a reason for denying the significance of an extant feature. The process of assessing impacts and determining effective mitigation is yet to come, and we understand that not every "contributing" or "significant" feature will be retained as it stands today.

Once again, we thank you for including us in this important process and for providing us this opportunity to express the Society's views. We look forward to continued discussion.

Sincerely,



Vicki Weiner  
Director of Historic Preservation and Kress Fellow



1785 MASSACHUSETTS AVENUE, N.W.  
WASHINGTON, D.C. 20036  
TEL. 202/588-6035 FAX. 202/588-6038

## FACSIMILE COVER SHEET

TO:	Kevin Rampe 212-962-2431	Robert Kuhn 518-233-9049
	Susan Schruth 212-668-2136	Kathleen Howe 518-233-9049
	Robert Arnold 518-431-4121	Alex Herrera 212-995-5268
	Charlene Dwin Vaughn 202-606-5072	Anthoula Katsimatides 212-962-2433
	Mary Ann Naber 202-493-2198	Ken Lustbader 518-462-5684
	Carol Braegelmann 202-493-2478	Frank Sanchis 212-753-1816
	Bernadette Castro 518-474-4492	Joel Klein 914-271-0898
		Marilyn Fenollosa 617-523-1199
FROM:	Elizabeth S. Merritt Deputy General Counsel Tel: 202-588-6026 Fax: 202-588-6272	
DATE:	February 4, 2004	
PAGES:	Cover plus 3	
RE:	World Trade Center Site	

**PLEASE DELIVER THIS FAX IMMEDIATELY — THANK YOU!**

**CONFIDENTIALITY NOTICE:** The contents of this facsimile transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the original documents to us.



February 4, 2003

Kevin M. Rampe, President  
Lower Manhattan Development Corp.  
One Liberty Plaza, 20<sup>th</sup> Floor  
New York, NY 10006

Susan E. Schruth, Director  
Lower Manhattan Recovery Office  
Federal Transit Administration  
One Bowling Green, Suite 436  
New York, NY 10004

Robert Arnold  
New York Division Administrator  
Federal Highway Administration  
Leo W. O'Brien Federal Building, 7<sup>th</sup> Floor  
Albany, NY 12207

Re: National Historic Preservation Act Section 106 Process  
World Trade Center Site

Dear Mr. Rampe, Ms. Schruth, and Mr. Arnold:

As a consulting party under Section 106 of the National Historic Preservation Act (NHPA), the National Trust for Historic Preservation would like to take this opportunity to comment on the draft National Register eligibility determination in connection with the federally assisted recovery efforts at the World Trade Center site.

Although the National Trust does not typically comment on National Register eligibility determinations, we feel it is important to comment on this determination because of the unique issues involved, including issues that raise important policy considerations for the National Register. Furthermore, the National Register eligibility determination is a crucial step in the Section 106 review process for this site, and it is especially important to ensure that eligibility issues raising disagreements are fully resolved before moving on to the assessment of effects on the site.

#### **Historical Information.**

We agree with comments made at the consultation meeting on February 2, 2004 that the narrative be expanded to include more discussion of the symbolic importance of the World Trade Center, within its socio-economic and political context. The Twin Towers were recognized

*Protecting the Irreplaceable*



Kevin M. Rampe  
Susan E. Schruth  
Robert Arnold  
February 4, 2003  
Page 2

world-wide as a testament to the importance of multi-lateral commerce within a free society. The void created by their destruction continues to symbolize extraordinary loss, yet resoluteness and rebirth. The World Trade Center was also a symbol of New York City's economic power and the rebirth of its downtown economy. The planning process that led to its construction had a profound impact on the streetscape of lower Manhattan. These aspects should be discussed in more detail as key components in the historical context of the World Trade Center site. We also strongly recommend that the narrative be documented, with citations and a bibliography, to ensure its acceptance as scholarly research.

### **Resource Description.**

**Physical Elements and Features.** Much detail has been included as to the physical components of the site. However, no distinction has been made between the remains of the buildings and structures on the site following the 9/11 attacks and the components installed in the subsequent reconstruction, thereby blurring the historical significance of those surviving elements. Rather than listing the resources at the site by geographic location, therefore, we suggest that key elements with historical importance such as the slurry walls, PATH tunnels and box columns be separately described. Such a description should include a statement of how these elements contribute to the integrity of the site – applying the aspects of integrity of location, design, setting, materials, workmanship, feeling and association – and whether or not they are contributing or non-contributing elements.

**Artifacts.** We also believe that a separate inventory should be included of the artifacts removed from the site. We acknowledge that under National Park Service guidelines these items may not necessarily be separately eligible for listing on the National Register. However, they should be evaluated for potential eligibility based on their relationship to the World Trade Center site. At the very least, any description of the historic resources at the site should include those items that were key components of the buildings but that of necessity were moved and placed in safekeeping. Their current locations should be identified and, if known, their future disposition should also be documented.

### **National Register Eligibility Evaluation.**

**Format.** We acknowledge the complex and unprecedented nature of this National Register eligibility determination. Use of a National Register Nomination Form, though, may provide a useful framework to evaluate the site and ensure that all critical criteria are met and adequately described. We suggest that subsequent drafts of the eligibility determination be reformatted to satisfy the requirements for eligibility as set forth in the National Park Service *National Register Bulletin – How to Complete the National Register Registration Form*.

Kevin M. Rampe  
Susan E. Schruth  
Robert Arnold  
February 4, 2003  
Page 3

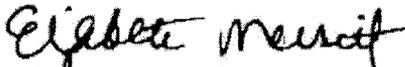
**Historical Significance.** As noted above, greater detail should be provided on the socio-economic and political context of the World Trade Center.

**Period of significance.** Currently, the proposed period of significance for the site is limited to September 11, 2001. We believe the period of significance should be extended to include the recovery efforts that ended on June 30, 2002. As set forth in National Park Service guidelines, the "period of significance is the length of time when a property was associated with important events, activities, or persons, or attained the characteristics which qualify it for National Register listing." The post 9/11 activities are, in and of themselves, important events that contribute to the overall significance of the World Trade Center site and should be identified as such.

**Boundary.** We agree that the boundary of the site should include the full 16 acres of the World Trade Center complex.

Thank you for the opportunity to comment on the proposed National Register eligibility determination of the World Trade Center site. We look forward to future consultation, and to working with you as the Section 106 review process goes forward for this important project.

Sincerely,



Elizabeth S. Merritt  
Deputy General Counsel



Marilyn Fenollosa  
Senior Program Officer & Regional Attorney

Cc: Charlene Dwin Vaughn, Advisory Council on Historic Preservation  
Mary Ann Naber, FHWA-FPO  
Carol Braegelman, FTA-FPO  
Bernadette Castro, NY-SHPO  
Robert Kuhn, NY State Office of Parks, Recreation & Historic Preservation  
Kathleen Howe, NY State Office of Parks, Recreation & Historic Preservation  
Anthoula Katsimatides, Community Affairs Dep't, Lower Manhattan Development Corp.  
Ken Lustbader, Preservation League of New York State  
Frank Sanchis, Municipal Art Society  
Alex Herrera, New York Landmarks Conservancy  
Joel Klein, Coalition of 9/11 Families



**NATIONAL TRUST**  
for HISTORIC PRESERVATION

*Protecting the Irreplaceable*

March 5, 2004

Kevin M. Rampe, President  
Lower Manhattan Development Corp.  
One Liberty Plaza, 20<sup>th</sup> Floor  
New York, NY 10006

Bernard Cohen, Director  
Lower Manhattan Recovery Office  
Federal Transit Administration  
One Bowling Green, Suite 436  
New York, NY 10004

Robert Arnold  
New York Division Administrator  
Federal Highway Administration  
Leo W. O'Brien Federal Building, 7<sup>th</sup> Floor  
Albany, NY 12207

Re: Comments on Revised Draft National Register Eligibility Determination for  
World Trade Center Site

Dear Messrs. Rampe, Cohen, and Arnold:

The National Trust for Historic Preservation (National Trust) would like to take this opportunity to provide additional comments on the revised draft National Register eligibility determination for the World Trade Center site. Many of the National Trust's earlier comments on the original draft determination have been included in the revised eligibility determination. These include extending the period of significance to June 30, 2002 and expanding the discussion of the historical context.

The National Trust also made suggestions that were not addressed in the revised eligibility determination. For example, we suggested that a separate inventory of the artifacts removed from the site be included and evaluated for potential eligibility based on their relationship to the World Trade Center site. We are pleased to hear that the Port Authority is in the process of developing an inventory of the artifacts removed from the site, and we encourage your agencies to include this inventory in future documentation.

As we discussed in detail at the consulting parties meeting on February 24, 2004, there are fundamental issues regarding the National Register eligibility of the World Trade Center site that remain unresolved. Because the World Trade Center site raises unique National Register issues,



*Recipient of the National  
Humanities Medal*

1715 MASSACHUSETTS AVENUE, NW • WASHINGTON, DC 20036  
202.588.6000 • FAX: 202.588.6658 • TTY: 202.588.4200 • WWW.NATIONALTRUST.ORG

Kevin M. Rampe, Bernard Cohen, and Robert Arnold  
March 5, 2004  
Page 2

which are central to compliance with Section 106 of the National Historic Preservation Act, we urge you to refer these issues to the Keeper of the National Register for an expeditious resolution.

**The Eligibility Determination Fails to Address Which of the Physical Remnants on the Site Possess Integrity of Materials and Which Remnants are Contributing or Character-Defining Features of the Site.**

The draft eligibility determination acknowledges that "some physical remnants on the WTC site retain integrity of materials." (p.15) However, the determination fails to identify *which* physical remnants retain that integrity. This omission is a fundamental one, because other determinations are framed in a way that hinges on the material integrity finding. For example, although the bathtub, slurry walls, and surviving bases of steel columns are found to retain integrity of feeling, only those physical features that have "structural, functional, and *material* integrity" are found to retain integrity of association. (*Id.* (emphasis added).) (We disagree that this is the appropriate standard for integrity of association, but without resolving which remnants have material integrity, the standard cannot be applied in any event, regardless of whether it is appropriate.)

This fundamental error is exacerbated by the attempt in the proposed finding of no adverse effect (NAE) to make assumptions about which of the physical remnants retain integrity of materials and which do not – without ever addressing or substantiating those findings in the eligibility determination itself. (See NAE at 3.) Until those issues of integrity are resolved, the proposed effect finding is premature and unsupported. A credible assessment of effect would necessarily address the effects of the project on the character-defining features of the site. Yet major disagreements remain unresolved as to which physical remnants of the building are character-defining or contributing features.

In fact, a number of conflicts exist between the eligibility determination and the NAE. For example, the NAE discusses the Hudson Tube, remnants of the parking and service levels under 6 WTC, the heavily damaged stair and escalator platform on Vesey Street, and specific elevator pits – and asserts that none of these remnants are "character-defining" features, even though the eligibility determination itself never addressed the question of which physical remnants were "character-defining." As another example, the NAE fails to mention the visible "smoke scars" in connection with the remains of the parking garage (Eligibility Determination at 12). In our view, those smoke scars would be analogous to the strafing marks in the concrete at Pearl Harbor, which are considered highly significant physical remains from the 1941 attack. Yet these smoke scars appear to be dismissed as lacking in significance without any analysis whatsoever. (NAE at 3.) Both the footprints of the box beam columns and the smoke scars should be considered important physical remains of the attacks themselves, which contribute to the significance and character of the site; they should not be discounted in either the eligibility determination or the NAE.

**The Eligibility Determination Should be Referred to the Keeper of the National Register.**

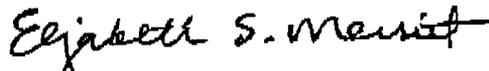
We believe that the eligibility determination for the World Trade Center site should be referred to the Keeper of the National Register, because of the unique and unresolved issues it

Kevin M. Rampe, Bernard Cohen, and Robert Arnold  
March 5, 2004  
Page 3

presents, including issues that raise important policy considerations for the National Register. The National Register eligibility determination is a crucial step in the Section 106 review process for this site, and it is especially important to ensure that disagreements about eligibility issues are fully resolved before completing the assessment of effects on the site. Otherwise, the project will be vulnerable to unpredictable delays as a result of challenges that require reopening prior steps in the review process.

Thank you for considering the National Trust's views on these important issues. We urge you to resolve these fundamental disputes about the contributing features of the World Trade Center site for purposes of its National Register eligibility.

Sincerely,



Elizabeth S. Merritt  
Deputy General Counsel



Marilyn Fenollosa  
Senior Program Officer & Regional Attorney

Cc: Don L. Klima, Advisory Council on Historic Preservation  
Charlene Dwin Vaughn, Advisory Council on Historic Preservation  
Jan Opper, HUD  
Mary Ann Naber, FHWA-FPO  
Carol Braegelman, FTA-FPO  
Robert Kuhn, NY State Office of Parks, Recreation & Historic Preservation  
Kathleen Howe, NY State Office of Parks, Recreation & Historic Preservation  
Irene Chang, Lower Manhattan Development Corp.  
Steve Kass, Esq., Carter, Ledyard & Milburn  
Ken Lustbader, Lower Manhattan Emergency Preservation Fund  
Scott Heyl, Preservation League of New York State  
Frank E. Sanchis III, Municipal Art Society  
Peg Breen, New York Landmarks Conservancy  
Bonnie Burnham, World Monuments Fund  
Andrea Ferster, Esq.  
Joel Klein, Coalition of 9/11 Families  
Anthony Gardner, Coalition of 9/11 Families



## The New York City Landmarks Preservation Commission

1 Centre Street, 9<sup>th</sup> Floor North New York NY 10007 TEL: 212-669-7888 FAX: 212-669-7955  
[www.nyc.gov/landmarks](http://www.nyc.gov/landmarks)



Robert B. Tierney  
Chair

### MEMORANDUM

**TO:** Katie Millea  
**FAX:** 212-962-2431  
**FROM:** Robert Tierney  
**DATE:** February 4, 2004  
**RE:** Comments on NHPA Section 106 process

---

The City has asked the Landmarks Preservation Commission (LPC) to review the draft determination of eligibility. LPC's comments review some of the more technical aspects of the draft.

The New York City Landmarks Preservation Commission suggests that the following comments be considered during the determination of National Register eligibility:

What currently remains at the World Trade Center site are fragments of the complex, which have been kept in place to this date due to a number of circumstances. These fragments cannot fully represent either the World Trade Center Complex as it existed, or the site after the attacks on September 11, 2001. There is a critical gap between the period of significance as identified in the determination of eligibility and the remaining resources.

There should be a further refinement of the evaluation of resources identified as "historic" that would address the following:

- what resources were seen by the thousands of people who used the trade center on a daily basis, or were important components of what made the WTC complex a significant place;
- what resources were visually accessible to only a few people, i.e. areas of the parking lot;
- what resources were inaccessible once the complex was completed; and
- should elements that were minimally visible or invisible and were not a major component of the Trade Center's structural system be identified as contributing.

Because of the fragmentary nature of the WTC remnants and the varied reasons for their continued existence, the City believes that they cannot meet one of the identified aspects of integrity—that of materials. What remains of the WTC complex does not retain "key exterior elements dating from the period of U.S. historic significance" (the definition of materials). Integrity of materials would have been associated with the standing complex that was destroyed on September 11, 2001.



New  
York  
Landmarks  
Conservancy

30 years of  
preserving &  
protecting  
New York

February 4, 2004

Kevin M. Rampe, President  
Lower Manhattan Development Corporation  
One Liberty Plaza, 20<sup>th</sup> Floor  
New York, NY 10006

Re: Comments on Draft Determination of National Register Eligibility

Dear Mr. Rampe:

Thank you for the opportunity to comment on the draft Determination of National Register Eligibility for the World Trade Center Site. In light of the large number of consulting parties involved in this process, the New York Landmarks Conservancy offers the following succinct comments.

1) Boundaries of the proposed National Register site:

The Conservancy concurs with the boundaries as presented in the draft document. They are the logical and reasonable boundaries of the World Trade Center.

2) Period of Significance:

The Conservancy recommends that the period of significance be reconsidered. Rather than limiting the period to a single day, September 11, 2001, we believe that a more appropriate period of significance would extend through the weeks and months of the heroic rescue, salvage and clean-up operations. Therefore the period of September 11, 2001 through June 30, 2002 would be our preference.

3) Salvaged artifacts:

The site as it currently exists has been thoroughly cleaned of all artifacts. Many of these artifacts are stored at John F. Kennedy Airport and elsewhere and are an integral part of the history of the site. Therefore, we believe that every effort must be made to include the artifacts in the resource description. An inventory of the artifacts should be compiled and attached to the document.

We hope that these brief comments are helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex Herrera".

Alex Herrera  
Director of Preservation

copy: Peg Breen, NY Conservancy, Bernadette Castro, NY SHPO

Ken Lustbader  
Consultant  
Preservation League of New York State  
44 Central Avenue  
Albany, NY 12206

February 4, 2004

Mr. Kevin Rampe  
President, Lower Manhattan Development Corporation  
One Liberty Plaza, 20<sup>th</sup> Floor  
New York, NY 10006

Ms. Susan E. Schruth  
Director, Lower Manhattan Recovery Office  
Federal Transportation Administration  
One Bowling Green, Suite 436  
New York, NY 10004

Mr. Robert Arnold  
New York Division Administrator  
Federal Highway Administration  
Leo W. O' Brien Federal Building, 7<sup>th</sup> Floor  
Albany, NY 12207

Re: Draft Determination of Eligibility of the World Trade Center Site, Preliminary Draft of  
January 21, 2004

Dear Mr. Rampe, Ms. Schruth, and Mr. Arnold:

As consultant to the Preservation League of New York State for this current Section 106 process, thank you for the opportunity to comment on the draft determination of eligibility of the World Trade Center Site.

Listed below are comments for consideration:

Boundaries

- We support the proposed boundaries outlined in the draft. However, we see no reason to include the following sentence from page 13 and recommend that it be removed:  
"Technically, the significant events under discussion occurred approximately 1130 to 1180 feet above street level in 1 WTC and approximately 900 to 1000 feet above street level in 2 WTC, the upper stores of the buildings that no longer exist."

Period of Significance

- We strongly recommend that the period of significance be expanded from the single day of September 11, 2001. Based on the political, social, and architectural histories that caused the construction and destruction of the World Trade Center, the beginning period of significance should be in the mid-1960s when construction commenced and end on June 30, 2002 when the site was officially back under control of the Port Authority of New York and New Jersey. By expanding the period, information about the site's construction, architecture, symbolism, and post-9/11 heroic rescue and clean-up efforts could be appropriately addressed.

Preservation League of New York State  
Comments on Draft Determination of Eligibility of the WTC  
Page 2

Artifacts

- We urge that the artifacts currently stored by government agencies be included in the resource description and listed as eligible. Many of these artifacts, such as pieces of the façade, are the only remaining remnants of the WTC and are integral to the history of the site. An inventory and documentation of artifacts should be compiled and included in the resource section of the determination. Perhaps it is possible to include these artifacts under Consideration B of the National Park Guidelines which states, "A building or structure removed from its original location but which is primarily significant for architectural value, or which is the surviving structure most importantly associated with a historic person or event."

Historical Information

- The current narrative needs to be expanded and address a broader history. As previously stated, it is important to recognize the forces that caused the construction and destruction of the WTC. The narrative needs to include a fuller version about the site's construction, its architecture, symbolism, the 1993 attack and response, the 9/11 attack, and massive call to action and clean-up efforts. In addition, we suggest that the nomination include a bibliography that would provide resources for additional research.

Resource Description

- The description of the "bases of steel columns" on page 10 needs to be clarified. We urge you to specifically distinguish between the columns that are associated with the infrastructure and those that made up specific buildings on the site. For example, the box-beam columns that supported 1 WTC and 2 WTC must be separately described. It should be noted that in their current locations, these box-beam columns form the "footprint" of the two towers. Additionally, it would be helpful to have better photographic documentation due to the unusually nature of the resources themselves.

Lastly, we suggest that it may be helpful for the lead agencies to sponsor a brief forum with a neutral facilitator that could better explain the Section 106 process and what it means to be listed on the State and National Registers. Based on the prior two meetings, it appears that many consulting parties are confused and are under the impression that this listing would prevent development on the site; this is simply not correct.

The League appreciates its role as a consulting party to the Section 106 process and looks forward to our continued involvement with the rebuilding of Lower Manhattan. Should you have any questions, I can be reached on behalf of the League at 917-848-1776.

Sincerely,



Ken Lustbader  
Consultant for the Section 106 Process  
Preservation League of NYS

cc: Scott Heyl, President, Preservation League of NYS

SHINNECOCK NATION CULTURAL CENTER AND MUSEUM  
Shinnecock Indian Reservation  
P.O. Box 5059  
Southampton, NY 11969  
Telephone # 631 287-4923  
Fax # 631 287-7153

BOARD OF DIRECTORS

February 4, 2004

Winonah Warren, President  
Elizabeth Halle, Vice President  
Lucille Bosley, Secretary/Treasurer  
Edwin C. Garrett, President Emeritus  
Dennis King  
Phillip Brown, V  
Shelley Weeks-Brown  
Lynette Weeks

DIRECTOR/CURATOR

David Bunn Martine

**NOTE TO KATIE MILLEA  
LOWER MANHATTAN DEVELOPMENT CORPORATION**

**FROM: WINONAH WARREN**

**RE: COMMENTS ON DRAFT DETERMINATION OF NATIONAL REGISTER ELIGIBILITY  
WORLD TRADE CENTER SITE, NEW YORK CITY, NEW YORK**

Attached to this note are comments, as requested, to the above listed document. We are pleased to provide you with our input and hope that it is useful in the ongoing evaluation of the World Trade Center site and it's consideration for the National Register of Historic Places.

We appreciate the opportunity of participating as a consulting party in this vastly important activity and look forward to working with you and the agencies as this endeavor proceeds.

Attachment

cc: Shinnecock Nation Board of Trustees  
Shinnecock Nation Tribal Council  
Museum Board of Directors  
Museum Director/Curator  
Inter-Tribal Task Force on Historic Preservation

## COMMENTS

### DRAFT DETERMINATION OF NATIONAL REGISTER ELIGIBILITY

#### WORLD TRADE CENTER SITE, NEW YORK CITY, NEW YORK

The following comments are submitted in response to the Draft Determination of National Register Eligibility of the World Trade Site, as discussed and analyzed at the meeting of February 2, 2004 at the Lower Manhattan Development Corporation. Criterion A: Event and Criteria Consideration G eligibility tests were applied to the draft document in the development of these comments.

**Introduction** – No comment.

**Historical Information** –

#### A. Background

There is absolutely no reference to the vast historical and pre-historical culture and presence of the indigenous people who lived for many centuries on the Island that would become Manhattan. There is an opportunity here to not only address the tragic events of September 11, 2001, by having the site listed on the National Register of Historic Places, but also to acknowledge for the very first time the existence and contribution of the Native Americans who also lived and died on these soils.

According to Evan Pritchard, Micmac, in his book, "Native New Yorkers," there are seven layers of Lenape culture buried beneath Manhattan. The Lenape people are of Algonquin stock, as are the Shinnecock people of today and our ancient relatives. Archaeologists have called these stages in time the Orient Point Phase, the Sebonac Phase, the Fox Creek Phase, the Minisink Phase, the Bowman's Brook Phase, the Clason Point Phase and the Colonial Phase.

"Old Manhattan", as referenced to in Pritchard's book, contained numerous Indian trails where the Lenape and other Indians conducted trade and other activities. Battery Park, which is within walking distance to the World Trade Center site, was the historical site of the transfer of the island of Manhattan to Peter Minuit in 1626 for "twenty-four dollars" and trinkets. Interesting, there is no recorded deed to this transaction.

Under Criterion A: Event is listed: *Properties associated with a pattern of events: A site where prehistoric Native Americans annually gathered for seasonally available resources and for social interaction.*

#### B. The World Trade Center

In addition to the historical presence of Native Americans, many Indians worked to construct the Twin Towers, not to mention all of the major bridges and other skyscrapers in New York City. These facts are well documented, and the contributions and sacrifices made by the Native people are highly significant.

#### C. September 11, 2001

During the meeting of February 2<sup>nd</sup>, one of the representatives of the victims stressed the large number of Native Americans who also worked with them during the very long and difficult recovery stages.

#### **Resource Description --**

This section was the topic of great discussion during the meeting on Monday, and the comment that was made at the time is pertinent to be re-stated for the record now. In terms of resource as described in the draft document, there is no mention of the intangible and deeply spiritual footprint that is left on the heart and soul of those who lost their loved ones in the tragic event of September 11, 2001. From a Native American perspective, it is more important to show proper compassion and respect to the survivors/families and to reconcile the deposed in the same respectful manner. If more time, research and studies are necessary to proceed with the plans for reconstruction or restoration of the site, this should be done.

Regarding appropriate memorial, when the time is right, American Indian Artists, Inc. (AMERINDA) has proposed that sensitive murals may constitute some space in a museum-type structure. David Bunn Martine, Director/Curator of the Shinnecock Nation Cultural Center and Museum, has been designated as the artist for this honored work.

#### **National Register Eligibility Evaluation**

As stated in the foregoing under the section on "Historical Information", we believe that the inclusion of the historical and pre-historical presence and culture of the indigenous people of Manhattan will clearly substantiate eligibility under Section 106 of the National Historic Preservation Act.

**SHINNECOCK NATION CULTURAL CENTER AND MUSEUM**  
**Shinnecock Indian Reservation**  
**P.O. Box 5059**  
**Southampton, NY 11969**  
**Telephone # 631 287-4923**  
**Fax # 631 287-7153**

**BOARD OF DIRECTORS**

March 7, 2004

**Winonah Warren, President**  
**Elizabeth Haile, Vice President**  
**Lucille Bosley, Secretary/Treasurer**  
**Edwin C. Garrett, President Emeritus**  
**Dennis King**  
**Phillip Brown, V**  
**Shelley Weeks-Brown**  
**Lynette Weeks**

**DIRECTOR/CURATOR**

**David Bunn Martine**

**NOTE TO KATIE MILLEA**

**LOWER MANHATTAN DEVELOPMENT CORPORATION**



**FROM: WINONAH WARREN**

**RE: COMMENTS ON COORDINATED DETERMINATION OF NATIONAL REGISTER ELIGIBILITY – WORLD TRADE CENTER SITE, NEW YORK, NY, FEBRUARY 6, 2004**

Attached to this note are our comments to the above document, due by March 8, 2004. We are submitting this via e-mail and fax.

Thank you again for the opportunity, as a consulting party, to participate in this vitally important activity. We hope that our comments are useful to the process.

**Attachment**

**cc: Shinnecock Nation Board of Trustees**  
**Shinnecock Nation Tribal Council**  
**Museum Board of Directors**  
**Museum Director/Curator**  
**Inter-Tribal Task Force on Historic Preservation**

## COMMENTS

COORDINATED DETERMINATION OF NATIONAL REGISTER ELIGIBILITYWORLD TRADE CENTER SITE, NEW YORK, NY, FEBRUARY 6, 2004

As a result of discussions held during the meeting of consulting parties at the Lower Manhattan Development Corporation on February 24 and in response to the 30-day comment period of the above document, following are our comments.

**Introduction**

The last paragraph under this section states that there is a substantial body of information/ documentation elsewhere on the historical development of Lower Manhattan, the WTC and the events prior to September 11, as well as actual events and recovery operations. It further stresses that the eligibility determination document is **"intended to express why the coordination agencies have made a determination that the WTC Site is eligible for listing on the National Register of Historic Places."**

As a consulting party, our interpretation of the "why" is crucial, and we believe ties in strongly with the elements of significance that are addressed in-depth under section IV. "National Register Eligibility Evaluation." We commented during the meeting that there was not enough emphasis on the pre-historical and historical presence of Native Americans in the evaluative section that basically is the criteria for justifying eligibility. We will address this point again, specifically under that section.

However, I would also like to speak to another factor that focuses on the information and documentation used in the Bibliography of the document. There is no reference whatsoever to any publication on Native Americans in New York City, and this clearly indicates why there is only a cursory paragraph devoted to the importance of Native Americans in the Background piece under the Historical Information section. We need to remember that eligibility for listing on the National Register of Historic Places **is based largely on history**, and while we are making the argument for inclusion and exception to the 50-year stipulation, we should still endeavor to meet the historical guidelines of the Act.

To this end, I suggest that the very exhaustive research accomplished by Mr. Evan T. Pritchard on the history and culture of Native Americans prior to and at the time of contact, be added to the Bibliography of the Determination document. Mr. Pritchard's work culminated in the publication of the first book

that I am aware of that addresses a totality of Algonquin Indian life styles and presence in New York City. His book, *Native New Yorkers*, of course, must be read before listing it as a reference, and we recommend that this be done, as well. It is highly informative, as well as adding in great measure to the strength of the Coordination Determination document.

### Historical Information

In addition to the above comments, we wish to concur with the first paragraph/statement under this section in the comments submitted by the Coalition of 9/11 Families, which were provided to us as a courtesy. This is a very important comment, and we hope that it will be included in further revision of the document. Again, such valid archeological assessments will only help further substantiate the criteria for historical impact and significance.

### National Register Eligibility Evaluation

Our comment reiterates the need to strength the entire document by adding the significance of Native American presence, history and culture as an integral part of eligibility, and not just leaving it buried within the one brief introductory paragraph under "Historical Information" – Background. It is highly significant, and we again concur with a comment made by the Coalition that the event of September 11 2001 cannot be "**the only basis for the National Register eligibility of the site.**" We further agree that there must be additional historical and valid circumstances of significance in order to strength eligibility of this application to Section 106 of the National Historic Preservation Act.

### RECOMMENDATION

1. That you speak directly with Mr. Evan T. Pritchard, in addition to using his book as a resource document to be included in the Bibliography of the document. I have taken the liberty of contacting Mr. Pritchard and informed him briefly (via a phone message) that I have referred to his book in our comments to you and that he may be of further benefit to the mission of this task.
2. That you consider a visit to the Shinnecock Nation Cultural Center and Museum outside of Southampton, NY to experience first-hand the presence of Native Americans in the New York area and the importance of including this as a significant factor in the evaluation section. We are the first and only Native American owned and operated museum on Long Island, and we would be very pleased to host a visit from you at any time.

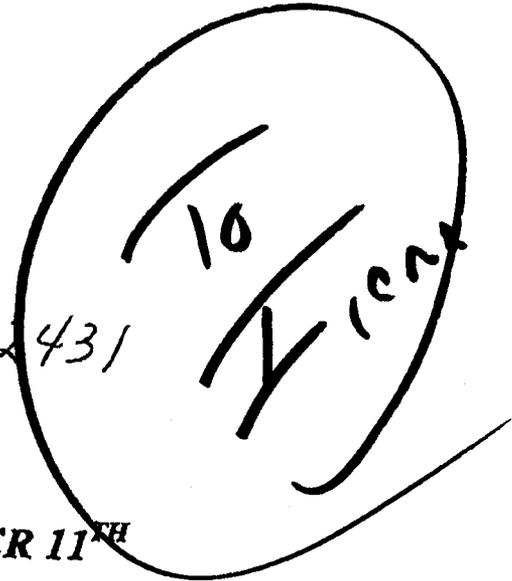
**VOICES OF SEPTEMBER 11<sup>TH</sup>**

**DATE:** January 4, 2004

**TO:** Mr. Kevin Rampe

**FAX NUMBER:** (212) 962-2431

**FROM:** Mary Fitchet



**VOICES OF SEPTEMBER 11<sup>TH</sup>**  
**191 MAIN STREET**  
**NEW CANAAN, CONNECTICUT 06840**  
**PHONE: (203) 966-3911**  
**FAX: (203) 966-5701**

**NUMBER OF PAGES INCLUDING COVER:**

**MESSAGE:**

Kevin -  
Attached are comments on the  
draft determination.  
I received a call from Rebecca  
to reschedule our appointment for tomorrow  
but wasn't given a time.

**voices**  
OF SEPTEMBER 11<sup>TH</sup>  
An Advocacy Group  
Providing Resources and Support

February 4, 2004

Mr. Kevin Rampe, President  
Lower Manhattan Development Corporation  
One Liberty Plaza, 20th Floor  
New York, NY 10006

**RE: COMMENTS ON DRAFT DETERMINATION OF NATIONAL REGISTER  
ELIGIBILITY OF THE WORLD TRADE CENTER SITE  
WORLD TRADE CENTER MEMORIAL AND REDEVELOPMENT PLAN  
NATIONAL HISTORIC PRESERVATION ACT SECTION 106 COMPLIANCE**

Dear Mr. Rampe:

I want to thank you for granting Voices of September 11<sup>th</sup> Consulting Party status. As you are aware we began working directly with 9/11 family members immediately after the attacks on September 11<sup>th</sup>. As you can imagine the Memorial at the World Trade Center is of utmost importance to our families. As their advocate it is imperative to continue to be involved in Memorial related processes in order to speak on behalf of the families we represent.

Attached please find the preliminary comments of Voices of September 11<sup>th</sup> on the *Draft Determination of National Register Eligibility – World Trade Center Site, New York City, New York*.

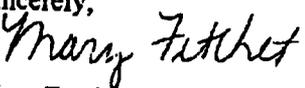
After attending the meeting on Monday, February 2, 2004 I am concerned about the limited time the Consulting Parties have to respond to the original draft. I feel these arbitrary deadlines are unrealistic and must be extended. Given the complexities of the document and the process of assessing this important site this and other deadlines must be extended to a minimum of 2 weeks for adequate response. Many issues were discussed at the National Historic Preservation meeting, as well as, the meeting on artifacts. Since these meetings were transcribed it would be helpful to obtain a copy of the minutes in order to supplement our comments.

Although we provided input at the Consulting Party meetings, it is unclear if our suggestions will be integrated into the final report. It was stated at Monday's meeting that the final report will be released prior to our review or any further discussion with our committee. I request that this process be revised and that Consulting Parties are provided

Page 2

a draft of the final report, as well as, an opportunity to meet to discuss any further concerns before the final report is written and released.

Sincerely,



Mary Fetchet, President

Voices of September 11th

cc: J. Fowler, Advisory Council on Historic Preservation  
Alphonso Jackson, Acting Secretary-HUD  
Richard A. Hauser, General Counsel, HUD  
R. Broun, HUD Preservation Officer  
S. Schruth, Lower Manhattan Recovery Office, FTA  
B. Cohen, Lower Manhattan Recovery Office, FTA  
Jennifer L. Dorn, Administrator, FTA  
Office of the Chief Counsel, FTA  
Mary E. Peters, Administrator, FHWA  
D.J. Gribbin, Chief Counsel, FHWA  
R. Arnold, New York Division, FHWA  
B. Castro, New York State Historic Preservation Officer

  
**VOICES**  
 OF SEPTEMBER 11<sup>TH</sup>  
 An Advocacy Group  
 Providing Resources and Support

Attachment (Preliminary Comments of the Coalition of 9/11 Families)  
**PRELIMINARY COMMENTS OF THE VOICES OF SEPTEMBER 11<sup>TH</sup>**

**Draft Determination of National Register Eligibility – World Trade Center Site, New York City, New York (February 2, 2004)**

**GENERAL COMMENTS:**

- It is unclear whether this document is intended to relate to the “World Trade Center site” as defined in other documents (notably the LMDC’s DGEIS), or the site of the former World Trade Center complex.
- The period of significance seems to have been pre-determined and dictated the subsequent analysis. As a result, significant aspects of the historic nature of the site have been either downplayed or ignored. As defined, the construction of the WTC, the 1993 bombing, and the post-9/11 recovery would all be excluded.
- The document is unsourced and does not contain a single technical reference to support any of the conclusions presented. There is no discussion of sources or resources consulted. The draft determination does not even reference back to the DGEIS issued at the same time.
- The eligibility evaluation seems to have started from the premise that only National Register Criterion A is applicable. No attempt is made to explain why other criteria do or do not apply. This pre-evaluation bias is further demonstrated by the fact that LMDC provided the Consulting Parties with redacted versions of National Register that exclude discussions of criteria B, C and D.
- Although the Coalition has for more than two years been repeatedly telling LMDC of its concerns about the historic significance of the remains of the so-called “box-beam columns” that delineate the “footprints” of the Twin Towers on bedrock, the draft eligibility determination is totally silent on this issue. The significance of these features must be addressed.
- Throughout the document the historical importance of the physical remains of the WTC (as opposed to the site as the location of an event) is side-stepped, and their importance minimized by implying they lack physical integrity.
- Review of the draft determination of eligibility would have been facilitated, and many of the faults enumerated below avoided, had a Draft National Register of Historic Places Nomination Form been used as the mechanism for documenting the eligibility determination. This is common practice for large and complex sites such as the WTC site.

- No author/preparer is identified. Without this information there is no way of evaluating the qualifications or expertise of the person(s) who prepared the draft eligibility determination. It is not possible to determine if the author(s) meet the Secretary of the Interior's Professional Qualifications Standards.

### Section I. INTRODUCTION

The introduction states that FTA, FHWA, and LMDC "are coordinating the Section 106 processes" for three separate projects. Representatives of all three agencies made representations at the January 5, 2004 meeting of Section 106 Consulting Parties that only the evaluation of the National Register-eligibility of the World Trade Center Site (WTC Site) was being conducted jointly. This section should be revised to reflect this fact.

### Section II. HISTORICAL INFORMATION

- The potential for the presence of additional historic properties unrelated to the World Trade Center proper within the limits of the site boundaries (as defined in Section IV should be addressed).
- The significance of the original WTC construction effort, the associated significant engineering achievements, and the WTC itself has been completely ignored. The sole discussion of WTC construction is limited to one paragraph on page 2.
- Although the story of the original construction of the WTC has been the subject of numerous books, periodicals and documentaries, none of these is cited. Even a cursory review of some of these clearly provides all the information necessary to support a finding that the original WTC had it not been destroyed would have satisfied NR Criteria Consideration G (the so-called 50-year rule). The WTC construction involved at least two major structural innovations for the period: the construction of the foundation slurry wall (the so-called "bathtub") and the exterior wall columns (the so-called "box beam columns that formed the load-bearing perimeter of both towers). Both features were major engineering innovations without which construction of the WTC would not have been possible.
- By pre-determining the period of significance for the WTC site, the draft eligibility determination fails to even consider that both the remains of the slurry wall and the exterior wall box-beam columns may be significant, even when taking into account NR Criteria Consideration G
- Mention is made on page 2 of the "30-foot by 30-foot grid of columns to support . . . subgrade slabs and buildings" but there is no discussion of their possible significance under any of the criteria. The failure to distinguish these rather standard interior columns from the unique exterior support columns results in a downplaying of the significance of the latter.
- Mention is made on page 3 of the "large volume of soil excavated for the WTC complex" that became the landfill used for Battery Park City. The possible historic significance of the landfill portion of the WTC construction (its historic importance as an event associated with the WTC construction—not the landfill itself) should be considered.

- This section devotes only four sentences to the 1993 bombing, only one of which discusses the reasons behind the bombing and the loss of life. No mention is made of the historic importance of this event or of its association to the events of September 11.
- It is unclear why mention is made of 7WTC since it was located outside what the draft eligibility determination defines as the WTC site boundary. There is no discussion of why or why not the 7 WTC site should be included within the boundaries of the WTC site.
- The historic significance of the WTC itself is aptly summarized in the last paragraph of subsection B of this section, but never discussed in relation to the site's National Register eligibility.
- The entire post 9/11 recovery effort is afforded only two paragraphs, and there is no discussion of why post-9/11 activities at the site do or do not contribute to the significance of the WTC site.
- The draft eligibility determination devotes more space to discussion of damage to PATH facilities than to the loss of life on September 11. The aforementioned paragraphs include only a single sentence noting that "the Medical Examiner confirmed the deaths of nearly 2800 individuals . . ." (A single additional sentence in Section IV says essentially the same thing). No mention is made of the fact that more than 20,000 human remains were recovered from the WTC site, including cremated remains on bedrock. The largest concentrations of remains were found within the "footprints" and "bathtub" area of the site. According to the Medical Examiner Status Report of Feb. 2, 2004, nearly 45% of the individuals killed in the Sept. 11 attacks have not been identified.
- On page 6 it is noted that "selected building remnants (structural steel, building materials, and building components including the structural tridents at the lobby level of the Twin Towers) and artifacts . . . were salvaged for possible memorial and museum use." The draft eligibility determination should discuss if and how these remains relate to and contribute to the significance of the WTC site. At the very least National Register eligibility of these remains should be evaluated.

### Section III. RESOURCE DESCRIPTION

- This section consists of an inventory of *both* "surviving elements of the WTC observed during site visits in November 2003" and "elements constructed or installed in association with the recovery and stabilization efforts," without distinguishing between these two very different categories of remains.
- This section inappropriately associates some features of the existing site with "recovery and stabilization efforts." In the subsection on the West Portion of the WTC Site—Bathtub, these include items 1(f) new PATH egress stairs; 2(a) new PATH tracks; 2(b) new PATH substation; 3(c) the temporary WTC PATH station. In the subsection on the East Portion of the WTC Site these include six of the seven items listed. The one exception is item 6, remnants of the Hudson Terminal and H&M Railroad (see next comment).
- The remains of portions of one of the original tubes of the Hudson and Manhattan Railroad are noted as being extant. In fact, the tube is a visually prominent feature of the site. Yet no

mention is made of the fact that this feature may be independently eligible for the National Register. (The Hudson and Manhattan Railroad Powerhouse, for example, was listed on the National Register in 2001).

- Item 5(a) is described as the "Bases of steel columns." The existence of "traces" of these columns is acknowledged. However, no distinction is made between the exterior wall columns (the so-called "box beam" columns) and the interior support columns. This distinction is essential. The exterior wall columns not only represent the remnants of a unique and historically significant feature (as noted above) but they are the "footprints" of the twin towers. Preservation of these "footprints" has been the focal point of the ongoing concern with historic preservation issues relating to the WTC site. (For example, the design for the final plan for the proposed WTC memorial, required revision just before its final presentation to the public, so that the design could incorporate access to a portion of the "footprints" at bedrock). An evaluation of how the remains of the exterior support beams contribute to the significance of the WTC site must be included in any National Register evaluation.

#### Section IV. NATIONAL REGISTER ELIGIBILITY EVALUATION

- This Section considers the National Register eligibility only in terms of Criterion A (Significant Events). It makes no attempt to evaluate the site in terms of any of the other criteria, several of which may be directly applicable.
- The significance of the site in terms of Criterion C (Design/Construction) remains to be evaluated. Physical remains of the two of the three unique aspects of the construction of the original Twin Towers remain intact at the WTC site. The National Park Service identifies numerous areas of significance for use in evaluating National Register eligibility. The extant physical remains of the Twin Towers at the WTC site should at the least be evaluated in terms of the following: Engineering, Commerce, and Community Planning and Development.
- The significance of the site in terms of Criterion B (Significant Persons) remains to be evaluated. For example, credit for the slurry wall rests with former Port Authority chief engineer John M. Kyle, Jr. Kyle has been described by one World Trade Center historian as "the latest in a line of engineering greats—General George Goethals, Othar Ammann, and John C. Evans—in the agency's highest engineering post."
- The significance of the site in terms of Criterion D (Information Potential) remains to be evaluated. For example, the remains of the Twin Towers have already provided significant information about the history of the events of September 11, as documented in FEMA's Building Performance Study.
- All of the above examples of bases for National Register of Historic Places eligibility of the WTC site under criteria other than Criterion A would also appear to satisfy Criteria Consideration G.
- The conclusion that "the period of significance is September 11, 2001" is unsupportable. A much larger period of significance, extending from the start of construction of the original World Trade Center complex, including the 1993 bombing, and encompassing the entire recovery period, is essential. By limiting the period of significance to September 11, 2001, the draft eligibility determination is implying that the construction of the World Trade Center,

the 1993 bombings, and the post 9/11 recovery effort are not significant events. All of these events are directly related to one another. Limiting the period of significance to September 11 is offensive to the families who lost loved ones in the 1993 bombings, and offensive to all those who participated in the post-9/11 recovery effort.

- The statement on page 11 that "Integrity with respect to design or workmanship is not fully applicable to the Two Towers in this assessment, because those qualities are not present in the damaged site" is incorrect. Leaving aside the ambiguous meaning of the phrase "not fully applicable" (What does this mean? Does it mean it is partially applicable? If so, in what way?), as noted above remains of major significant engineering features (the slurry wall and the bases of the exterior support columns) of the WTC site do possess integrity. If one views the WTC site as an archeological property, its physical integrity becomes even more obvious.
- The draft eligibility determination acknowledges that "some elements of structure and infrastructure that remain on the site" but goes on to describe these elements as "truncated" or "damaged" evidence of the destruction of the WTC. The fact that the slurry wall, the most dominant feature of the site is essentially intact is ignored. No mention is made that the "elements of structure and infrastructure" are also the sole surviving physical remains associated of the WTC's construction, and the only physical *in situ* evidence of the events of September 11. One has to wonder what "undamaged" evidence of destruction would look like. Under the logic used in the draft eligibility determination the remains of the USS *Arizona* would not be significant because they are damaged.
- The excavated bathtub area, the slurry walls, and the "surviving bases of steel columns" are viewed as contributing only to the "integrity of feeling" of the WTC site. No distinction is made between the exterior wall columns that form and delineate the "footprints" of the Twin Towers and the interior columns.
- The statement is made that that the "physical features surviving on the site retain their quality of association with *the profound events of the day*" [italics added]. No mention is made of their association with the WTC construction, the 1993 bombing, or the post-9/11 recovery effort.
- Unlike Section III, the list of existing elements does distinguish between pre- and post-9/11 physical remains. However, like Section III it makes no distinction between post 9/11 features associated with the recovery effort and those having no relationship to the recovery such as the elements of the temporary PATH station.
- The list of existing elements is presented in a way that uses the floor of the bathtub area and the four sides of the slurry wall as a way to describe the locations of subordinate features, without actually including the slurry walls in the list of existing elements.
- There is no detailed description of or discussion of the significance (or lack of significance) of the individual items in the list of existing elements. This is exemplified by the failure to distinguish between the remains of the exterior support (box-beam) columns, that delineate the "footprints" of the Twin Towers, and the interior columns. Instead, both types of columns are lumped together as "bases of steel columns."
- No detailed photos of any of these features is included. The photos that are included in the draft eligibility determination are uncaptioned views of the overall site.

- No clear explanation is provided for why the proposed boundaries of the WTC site have been described as they are. While the proposed boundaries may be appropriate, there should at least be some discussion of why they were chosen. For example what is the justification for excluding the site of 7 WTC? Should the Battery Park Landfill site be included?
- The statement that "the significant events under discussion occurred approximately 1130 to 1180 feet above street level . . . and approximately 900 to 1000 feet above street level . . ." is not only ridiculous on its face, it is offensive to the families of those who were killed in the collapse of the Twin Towers and to all the individuals who were involved in the recovery effort.
- As worded the "justification" for the eligibility of the WTC site implies that the collapse of the Twin Towers, the deaths of almost 3000 individuals (unless they were killed at the actual moments of impact), and the recover effort do not contribute to the significance of the WTC site.