

## **INTRODUCTION**

This report on Historic Resources for the World Trade Center Memorial and Redevelopment Plan (Approved Plan) is prepared pursuant to the Programmatic Agreement among the Advisory Council on Historic Preservation (ACHP), the New York State Historic Preservation Officer (SHPO), and the Lower Manhattan Development Corporation (LMDC), as a recipient of community development block grant assistance from the U.S. Department of Housing and Urban Development (HUD), which was signed on April 22, 2004, and stipulated that LMDC would provide semi-annual reports to SHPO and ACHP to summarize measures it has taken to comply with the terms of the Programmatic Agreement.

The organization of this report generally follows the stipulations of the Programmatic Agreement. In addition meetings with the Consulting Parties and the Port Authority of New York and New Jersey (Port Authority) are described in the final section.

## **1. PROJECT SITE DOCUMENTATION UNDER STIPULATIONS 1 AND 5**

As previously reported the Port Authority completed the program of HABS/HAER documentation of the WTC Site in accordance with Stipulation 5 and submitted the documentation to the State Historic Preservation Office (SHPO) in August 2005. The Port Authority completed the Phase IB Archaeological Investigation for the East Bathtub and the report was accepted by SHPO on August 24, 2006.

## **2. ADHERENCE TO TREATMENT PLANS**

LMDC continued working to create a Memorial to remember the victims of September 11, 2001, and February 26, 1993 and to record the events of September 11. Planning for the Memorial is discussed in more detail in the section which follows. The Construction Protection Plan in connection with the demolition of 130 Liberty Street was submitted to SHPO in July and approved by SHPO on August 18, 2006.

In October LMDC submitted the WTC Memorial Construction Protection Plan to SHPO, and on October 30, 2006, SHPO found the plan to be appropriate provided that (1) the surviving slabs designated for preservation be retained and incorporated as appropriate; (2) if changes are necessary, SHPO shall be given the opportunity to comment; and (3) if excavation encounters unclassified obstructions, SHPO shall be notified and provided the opportunity to comment.

Other activities provided for in the Programmatic Agreement are to come. In coordination with the Port Authority, LMDC will provide for Phase IB investigations on the Southern Site and within the beds of Liberty, Washington, and Cedar Streets. Phase IB investigations will consist

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of archaeological monitoring during excavation following a plan developed in consultation with SHPO and LPC. If necessary, any mitigation and retrieval activities will be accomplished before or during excavation for construction. As required by Stipulation 6 of the Programmatic Agreement, SHPO and the consulting parties will have the opportunity to comment on proposed plans for such further archaeological investigation.

Also in coordination with the Port Authority, LMDC will develop and adhere to Construction Protection Plans for historic resources within 90 feet of the Project Site including 90 West Street, 140 West Street, 90 Church Street, 30 Vesey Street, 26 Cortlandt Street, 125 Cedar Street, 114-118 Liberty Street, 120 Greenwich Street, 125 Greenwich Street, 86 Trinity Place, 123 Washington Street, and St. Paul's Chapel and Graveyard. In addition there are potential historic resources at 106, 110, and 112 Liberty Street and 130 Cedar Street, and 137-139 Greenwich Street. Typical measures in construction protection plans are found in the Final Generic Environmental Impact Statement and the Record of Decision and Lead Agency Findings Statement for the Approved Plan and in the Programmatic Agreement.

### **3. DESIGN OF THE MEMORIAL**

Pursuant to the Programmatic Agreement LMDC is working with the Port Authority and the designers of the WTC Memorial and the Memorial Center Museum to preserve and provide for reasonable access to portions of the western slurry wall on the WTC Site and to the truncated box beam column bases of the former Twin Towers.

The recommendations of the Memorial Center Advisory Committee (appointed by LMDC in April 2004) have served as the program for the Memorial and Museum architects. LMDC, the World Trade Center Memorial Foundation, and the Civic Alliance to Rebuild Downtown New York (Civic Alliance), held a series of workshops on September 19 and October 11, 2005 on preliminary programming concepts for the WTC Memorial Museum. LMDC has also received comments on the design in the Consulting Parties meetings. There were design presentations at the January 11, and April 5, 2006 consulting parties meetings. On June 5, 2006, a meeting was held with Frank Sciamè for people who served on the Memorial Center Advisory Committee, the Memorial Mission Statement, and Memorial Program committee members to advise Mr. Sciamè about how significant programmatic modifications would impact the original versions for the Memorial and the Museum.

Progress on the design on the Memorial was presented to the Consulting Parties in three meetings. During the July 12 meeting, Anne Papageorge of LMDC discussed the creation of a Visitors Orientation and Education Center (VOEC) in the Memorial Plaza along Greenwich Street just north of the south footprint, the consolidation of the entrances to the Museum to provide a single screening location in the VOEC, the proposed location of the names on the low walls around the pool walls, and the efforts to remove all mechanical equipment from the footprints. Carl Krebs of Davis Brody Bond Architects discussed design considerations including:

- Aspects of the original tower construction,
- Existing conditions survey,
- Access considerations, and
- Examples and technical considerations.

The Consulting Parties commented on the potential design and Robert Kornfield noted that additional core columns could be seen in the Port Authority's HABS documentation. The comment period remained open until July 24, 2006 to receive written comments.

During the September 29 meeting, Alice Greenwald, the Museum Director, discussed the design philosophy for the Museum dedicated to the remembrance of two decades of the WTC, the museum at the specific location of the atrocity, the remnants and artifacts, and the exhibition sequence. Max Bond of Davis Brody Bond Architects presented two potential designs for access to the slurry wall—an opening 20 feet wide encased in glass and an opening 20 feet wide not encased in glass—based on consideration of long-term viability, constructability, and preservation. The comments ranged from stability and cost questions to congratulations on the improved design. Many favored the open solution; however, it was noted that that solution would allow moisture into the Museum which would be harmful for the artifacts.

Max Bond then presented plans to provide access to remaining box beam column remnants, including plans to excavate the area around some perimeter box beam column bases to install a ramped walkway as well as plans to retain significant portions of slab in the footprints in situ. He discussed the ways of treating the slab remnants and the need for new columns and drainage. The comments ranged from the desire of people to actually stand on the original surfaces, to potential damage to the remnants from people standing on them, to the new columns and the drains in the foot prints. LMDC said there would be a web posting of the presentation on October 2 and the comment period would remain open until October 13. In the meeting held on October 13, comments received were discussed, and additional comments were made.

#### **4. ARTIFACT REVIEW PROCESS**

LMDC has previously provided the Consulting Parties an opportunity to comment on the artifacts to be displayed at the Memorial Center as required under Stipulation 4(b). Artifacts were considered in workshops held in September and October 2005.

During the July 12 meeting, Tim Stickelman of the Port Authority noted that the steel beams in the form of a cross would be moved in October to a temporary location adjacent to the sidewalk at St Peter's Church (Church Street south of Barclay Street). He also noted that another piece of the WTC steel would be temporarily located in the Tribute Center. During the September 29 meeting, he indicated that the steel beams would be moved to St. Peter's Church on about October 5.

#### **5. CONSIDERATION OF IMPACTS TO ADDITIONAL REMNANTS OF THE WTC**

LMDC and the Port Authority will seek to minimize impacts to certain additional remnants on the WTC Site, as required under Stipulation 5. The Port Authority has previously removed four elements from the former parking garage structure under 6 WTC to Hangar 17 with the potential of being returned to the Memorial Museum. In addition the Port Authority had previously completed HABS/HAER documentation of the WTC Site in accordance with Stipulation 5 and submitted the documentation to SHPO (August 2005).

LMDC and the Port Authority continued to work together on plans for a portion of former Vesey Street stair remnant. At the July 12 meeting LMDC formally initiated the Section 106 consultation process on the Vesey Street stair remnant. Peter Rinaldi of the Port Authority gave a detailed presentation on the condition of the remnant (pre-September 11, immediately after

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September 11 and now), the components of the stair remnant, and the considerations in dealing with this remnant if it were preserved in place (structural and safety issues) or if it were moved (as a whole or in parts). Comments on the presentation ranged from “preserve it all in situ” to “remove it as an eyesore in the community.” The Consulting Parties asked Norman Foster’s firm (the architects for the Tower 2 building) to look at ways to preserve the stair remnant and also requested that Robert Sillman (Robert Sillman Associates, PC) be retained to consider the preservation and moving the remnant in whole or part. The record was left open to July 24 for written comments.

During the September 29 meeting, Peter Rinaldi said that the Lower Manhattan Emergency Preservation Fund had retained Robert Sillman Associates to review the issue of preserving the Vesey Street stair remnant. He indicated that the Port Authority would work with them and that the results would be presented at the next Consulting Parties meeting. He also said that Silverstein Properties and Norman Foster’s office would present the design considerations for display of the remnant as part of Tower 2.

During the October 13 meeting, Peter Rinaldi presented the results of the Sillman analysis and Port Authority’s concerns. The first alternative was to leave the remnant in place. Sillman’s office found this technically feasible and provided a description of the work with two sketches of a structure to hold the remnant in place above the excavation (and construction). The second alternative of moving the entire remnant was also found to be technically feasible and five drawings of how this could be accomplished were provided. Sillman’s office estimated that the cost for moving the remnant, including rental of equipment for a one year storage period and all insurance, would be \$300,000. The third alternative of disassembly was considered by Sillman to be detrimental to the historic fabric because of the potential difficulties in cutting free and moving the reinforced concrete walls and the likely scars as a result.

The Port Authority’s concerns with the first alternative were focused on construction safety, repair and stabilization of the remnant; logistics of constructing around it; future development around the wall; and the overall feasibility of having the remnant remain in place. For the second alternative, the move and storage logistics for such a large structure, its eventual long-term location, and the estimated costs were concerns. By contrast to Sillman’s cost estimate of \$300,000, contractors working on the site estimated that the bracing alone would cost several million dollars. The third alternative, the removal of specific parts of the stair to storage at Hangar 17 for their eventual reuse on site, was found to be the most feasible alternative.

Also during the October 13 meeting, architects from Foster and Partners described the Master Plan constraints on placing the remnant on the Tower 2 site. They also described the access considerations for the people working in the building (7,500 entering at the peak hour) and security concerns reflected in the design. At 17 feet wide by 68 feet long the remnant would need a viewing area of at least 15 feet around it, taking up a large portion of the Tower 2 lobby as designed and blocking views. The remnant breaking up was also seen as a potential hazard in the event of a bombing incident. Foster’s proposal was to mark the location of the remnant on the floor of the lobby and use elements of the original finishes on the exterior steps of Tower 2.

The Consulting Parties gave a wide range of comments. In general, residents from the area near the WTC Site wanted the remnant removed as an eyesore, while representatives of preservation organizations wanted it saved as a whole. Robert Sillman stated that since his report he had obtained a cost estimate for the first alternative of \$500,000 to \$1.5 million which was less than the Port Authority’s estimate of \$2.25 million. Community responses included not wanting to wait any longer on reconstruction and getting the neighborhood back and that there were more

significant artifacts in Hanger 17. Preservation groups asked for more study of potential relocation sites for the stairs but generally agreed the difficulties and safety concerns of the first alternative eliminated it from further consideration.

## **6. TREATMENT OF UNANTICIPATED ADVERSE EFFECTS OR UNKNOWN HISTORIC RESOURCES OR PROPERTIES**

If during project implementation, LMDC, the Port Authority, or any of their contractors discovers or identifies any historic resources within the Project Site that may be adversely affected or should there be any unexpected adverse effects on any historic resources on or immediately adjacent to the Project Site, LMDC or the Port Authority shall promptly notify SHPO and ACHP and develop a treatment or mitigation plan in accordance with Stipulation 7. To date, no such resources have been discovered or identified.

## **7. ON-GOING MEETINGS AND OTHER COMMUNICATIONS WITH CONSULTING PARTIES JULY 1, 2006 TO DECEMBER 31, 2006**

### **MEETING WITH CONSULTING PARTIES – JULY 12, SEPTEMBER 29, AND OCTOBER 13, 2006**

The content of these meetings is described above in Sections 4 and 5.

### **LMDC NOTIFICATIONS TO CONSULTING PARTIES**

On July 1 LMDC wrote to the Consulting Parties that further survey of conditions within the footprints was continuing. LMDC also announced that the World Trade Center Memorial Foundation expected to award a contract for the Memorial/Museum that would permit construction to begin in the northwest and southwest portions of the project area in August, but that no work within the footprints would take place prior to the completion of the conditions survey and further consultation with SHPO and the Consulting Parties. By this point the initial footings work (cleaning, examination, and protection) had been largely completed.

On October 2 LMDC informed the Consulting Parties that as discussed at the meeting on Friday, September 29th, renderings were made available on the LMDC website at [http://www.renewnyc.com/plan\\_des\\_dev/section\\_106.asp](http://www.renewnyc.com/plan_des_dev/section_106.asp)

The renderings included 1) the recommended method of access to the perimeter box columns; 2) a proposal being considered to excavate around a portion of the perimeter box columns; and 3) two possible options for access to the slurry wall

LMDC also reiterated that written comments on these items would be accepted from the consulting parties until Friday, October 13 and that the next Consulting Parties meeting would be the same date.

As requested at the October 13th meeting, LMDC e-mailed the Consulting Parties three drawings from the presentation by Foster and Partners regarding the Vesey Street stair remnant on October 24.

After carefully considering the Consulting Parties' comments, LMDC notified the Consulting Parties on November 1 that it had decided to move forward with the plans to provide access to remaining box beam column remnants, including plans to excavate the area around some

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perimeter box beam column bases to install a ramped walkway. Construction to carry out the plans presented on September 29 was to begin, and the Memorial's construction contractor is required to adhere to all measures determined appropriate by the SHPO to protect the box-beam column remnants.

LMDC also announced its decision to undertake plans (presented at the September 29 meeting) to retain portions of the existing concrete slab lying within the footprints and incorporate them into the WTC Memorial Museum to the greatest extent possible, even though the slab is not identified as a protected resource in the Programmatic Agreement.

### **PORT AUTHORITY SECTION 106 POSTING**

Port Authority July 27, 2006 POSTING: CONTINUED CONSTRUCTION WORK FOR THE WTC TRANSPORTATION HUB

The Port Authority made a finding of a potential effect of the WTC East Bathtub construction on the Vesey Street stair remnant due to construction activities and staging scenarios under consideration. This effect due to the WTC Transportation Hub project was previously unanticipated.

Plans initially were to maintain the Stair Remnant in its current location, perhaps by underpinning. However, subsequent evaluation considering the structural composition of the remnant, and the context of future construction for the WTC Transportation Hub and other WTC projects indicated concerns and risks during the years of construction activity. In conjunction with other WTC project sponsors, the Port Authority had identified other potential construction scenarios that could result in construction impacts on the remnant. The precise extent of any impacts and any potential mitigations by the WTC Transportation Hub project (as well as other WTC projects) on the remnant was to be determined through further Section 106 consultations.

The Port Authority also indicated that there was a potential effect on the Vesey Street stair remnant by Tower 2 which were anticipated under the LMDC's Section 106 Programmatic Agreement, that provides for a Section 106 consultation process (Stipulation 5) and identifies the Vesey Street stair remnant. As described above, LMDC formally initiated the Section 106 consultation process for the Vesey Street Stair Remnant on July 12, 2006. The Port Authority indicated that excavation work below the location of the Vesey Street Stair remnant would remain pending further outcomes from this Section 106 consultation.

The Port Authority also stated that both ACHP and SHPO indicated their concurrence to avoid duplicate Section 106 consultation processes. As a key participant in the Section 106 consultation for the Vesey Street stair remnant, the Port Authority stated that it intended to fulfill its obligations pursuant to Section V.B of the WTC Transportation Hub MOA. \*