

## **SECTION V: CRITERIA OF ADVERSE EFFECT**

The Criteria of Adverse Effect has been applied to the proposed undertaking as required under 36 CFR 800.5(a)(1). An undertaking is considered to have an adverse effect when it may alter, directly or indirectly, any of the characteristics that qualify the property for inclusion in the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Examples of Adverse Effects on historic properties under 36 CFR 800.5(a)(2) include, but are not limited to:

- (i) Physical destruction of or damage to all or part of the property;
- (ii) Alteration of a property that is not consistent with the Secretary of Interior's Standards for treatment of historic properties (36 CFR 68) and applicable guidelines;
- (iii) Removal of the property from its historic location;
- (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- (v) Introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting;
- (vi) Neglect of a property resulting in its deterioration or destruction; and
- (vii) Transfer, lease, or sale of the property.

Regarding the physical destruction of or damage to all or part of the property, the filling of the vaults does represent a direct impact to those spaces at 308-310 Market Street, 402 Market Street, 404 Market Street, and 2 E. 7<sup>th</sup> Street (614-620 N. Market Street). However, the impact from this undertaking will not adversely affect the buildings' characteristics that qualify them for inclusion as contributing resources to the historic districts or as individually eligible for listing. The vaults are not visible from the street and the method of the filling process will retain the extant vault features in place. The vaults themselves will not be physically destroyed, but merely filled in to provide structural stabilization for the street above. Additional examples of vault construction are found throughout the APE and can provide sufficient understanding of the spaces' typical function and construction methods.

The replacement of the exterior vault doors at 121, 123, 302, 316, 408, and 410 N. Market Street does not constitute an adverse effect. Physical evidence and research has not indicated unequivocally if these exterior vault doors are original features. Regardless, these doors are being replaced in-kind to insure compatibility in appearance and materials.

Equally, all the proposed actions on other vaults are not considered to adversely affect the known historic districts, individual or potentially eligible properties within the APE, or the current function of those buildings and the streetscape. The vaults and current streetscape are not the primary contributing elements from which the district derives its significance. The subterranean nature of the vault spaces and work involved will not result in detracting from the overall historic character in the NRHP listing of the historic districts and individually listed, eligible, or potentially eligible properties. In addition, these spaces are privately owned and are not accessible by the public.

Additionally, proposed improvements at surface level are more in character and/or are compatible to their period of significance without having a complete streetscape reproduction. Physical removal of modern streetscape elements characteristic of the mid to late 20<sup>th</sup> century will occur without impacting buildings. These physical changes in the streetscape will not adversely affect the historic resources' location, design, setting, materials, workmanship, feeling, or association. In fact, portions in the original streetscape design as well as the feeling and association of the historic buildings as a commercial area along Market Street will be re-established as a result of the re-introduction of two-way traffic and material elements compatible to architectural styles of commercial buildings and urban activity. These features are compatible in the sense that they will not detract from the resources' ability to convey the integrity of the property's significant historic features.

Therefore, individual buildings and district properties will not be physically altered or damaged in such a manner that would ultimately diminish the integrity of their location, design, setting, materials, workmanship, feeling, and association.

The introduction of new sidewalks and other streetscape components does introduce new visual elements within historic districts and individual and potentially eligible properties. Visual changes are subtle and compatible with the historic commercial setting and feeling. They will not visually alter or damage any historic properties in such a manner that would diminish the integrity of their location, design, setting, materials, workmanship, feeling, and association. These new elements will not adversely affect the historic characteristics of each individual resource within the 100-600 blocks of N. Market Street. The landscape and streetscape elements proposed are not detrimental to the setting of the historic district for it will still retain the association between the contributing properties and the surroundings.

Other examples in the assessment of adverse effect do not apply. The proposed undertaking will not alter a property that is not consistent with the Secretary of Interior's Standards for treatment of historic properties (36 CFR 68) and applicable guidelines. Furthermore, the undertaking will not remove any property from its historic location, change the character of the property's use or physical features within the property's setting that contribute to its historic significance, neglect a property resulting in its deterioration or destruction; or transfer, lease, or sale a property.