



SBT-005

Division of Historic Preservation
and Archaeology
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May 24, 2001

Ann E. Kolata
Senior Redevelopment Specialist
Community & Development Department
City of South Bend
1200 County-City Building
South Bend, Indiana 46601-1830

Federal Agency: City of South Bend as the delegatee of the U.S. Department of Housing and Urban Development

Re: Additional information regarding the acquisition, reuse and potential redevelopment of the #2 Forge Shop at the former J.D. Oliver Chilled Plow Works

Dear Ms. Kolata:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated May 2, 2001, and received by the Indiana SHPO on May 4, 2001, for the above indicated project in South Bend, St. Joseph County, Indiana.

Based upon the information provided to the Indiana SHPO, we do not believe that the Oliver Chilled Plow Industrial Complex Historic District is eligible for inclusion in the National Register of Historic Places due to a loss of integrity. Although the complex was identified as being potentially eligible for the National Register in the 1993 City of South Bend Interim Report, it appears, from the photographs you provided, that there has been considerable deterioration of the buildings since then.

In your May 2, 2001, letter, you asked us "not to designate the Oliver Plow Complex as it's own historic district. To do so would ensure that the property would continue to deteriorate and lay vacant for many years into the future..." We want to emphasize that our opinion that the Oliver Chilled Plow Industrial Complex is not eligible for the National Register is - and must be - based solely on the National Criteria of Eligibility (see 36 C.F.R. § 800.4(c)). Considerations such as whether there is a market for buildings in such a state of deterioration are relevant, but only at the stage of the Section 106 review process where alterations that would avoid or reduce the adverse effect of demolition are to be considered, after the Federal agency official and the SHPO have agreed on which properties are eligible for the National Register and what kind of effect the project will have. See 36 C.F.R. § 800.6. Furthermore, even if the Federal agency and our office were to agree that the complex (or any other property) is eligible for the National Register, that decision would not result in a formal designation or National Register listing; and it would be valid only for the purposes of the Section 106 review of this project.

However, we do believe that the removal of Building 46 would diminish the integrity of the #2 Forge Shop (see 36 C.F.R. § 800.5(a)(1) and (2)), which contributes to the significance of the National Register listed St. Casimir's Parish Historic District. Please provide details about how the removal of the Building 46 will be accomplished.

Upon completing its own identification and evaluation efforts, it would be appropriate for the City of South Bend to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Please refer to 36 C.F.R. § 800.5(a), which details how to apply the criteria of adverse effect and how to determine whether the project will result in a "no adverse effect" or an "adverse effect". Be sure to include the documentation necessary to support your finding, which can be found in 36

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C.F.R. § 800.11(e).

Additionally, as provided in 36 C.F.R. § 800.2, the agency official shall invite consulting parties to participate in the review process. At a minimum, we recommend the following organizations:

Todd Zeiger, Director
Northern Regional Office
Historic Landmarks Foundation
of Indiana
520 East Colfax Avenue
South Bend, IN 46617
Indianapolis, Indiana 46205

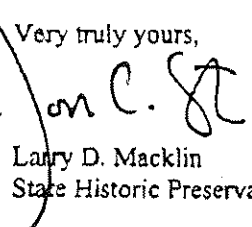
St. Joseph County Commissioners
227 West Jefferson Boulevard, Room 722
South Bend, Indiana 46601

Mary Renshaw
St Joseph County Historian
59215 High Pointe Drive
South Bend, IN 46614

Cheryl Taylor
Northern Indiana Historical Society
Northern Indiana Center for History
808 W Washington Street
South Bend, IN 46601

A copy of the revised 36 C.F.R. Part 800 that went into effect on January 11, 2001, may be found on the Internet at www.achp.gov for your reference. If you have questions about our comments, please call Karie Brudis or John Carr of our office at (317) 232-1646.

Very truly yours,


Larry D. Macklin
State Historic Preservation Officer

LDM:KAB:JLC:kab

cc: Rhonda Saunders, Historic Preservation Commission of South Bend & St. Joseph County