

Jackson Park Watch

P.O. Box 15302, Chicago, Illinois 60615

jacksonparkwatch@gmail.com www.jacksonparkwatch.org www.facebook.com/jacksonparkwatch

January 8, 2018

Matt Fuller, Environmental Programs Engineer
Federal Highway Administration
3250 Executive Park Drive
Springfield IL 62703

VIA e-mail

Dear Mr. Fuller:

We were pleased to have the opportunity to meet you after the December 1 kickoff meeting of the Section 106/NEPA process concerning the proposed construction of the Obama Presidential Center (the "OPC") in Jackson Park and the related road closures and realignments. We understand that the Federal Highway Administration (FHWA) is the lead federal agency in this process. Because of your key role in this important review, we would like to share our concerns with the dual role of the Chicago Department of Transportation ("CDOT") in this process.

As emphasized at the December 1 kickoff, the Chicago Department of Transportation is slated to play the roles of both applicant and facilitator in this Section 106/NEPA review. As an initial matter, while not wholly uncommon, it is also not standard practice for the applicant to also be the facilitator because of the inherent conflict of interest. The situation here exemplifies why that is the case. Beyond the conflict on its face, there is history, set forth below, that suggests that the outcome on critical issues has already been predetermined by CDOT.

1) At the June 21 and 24, 2017 Community Meetings about the Obama Presidential Center, the proposed consolidated/expanded golf course, and plans for road closures and realignments, several statements from CDOT generated significant concerns:

Slide 65 from the CDOT portion of the presentation at the Park District Community Meetings about proposed changes to Jackson Park outlined "Goals for Transportation Improvements."

- Bullet point number 3 (of 6) states "Lessen the impacts of commute times **due to the closure of Cornell and Marquette Roads**" (emphasis added).
- Bullet point number 4 states "Accommodate new traffic and parking **demands of the Obama Presidential Center**" (emphasis added).

See <https://www.southlakefrontplan.com/document/community-meeting-presentation-june-21-24-2017>

Put differently, use of the term "improvements" reflects a conclusion. And, in that same vein, the discussion was premised and presumed that Cornell and Marquette would be closed to accommodate the OPC rather than performing a full analysis of options, feasibility, and the like. Similar presumptions were evidenced in references to Slides 66-71 where transportation "improvement" plans were developed and concluded, despite no community input or consultation.

2) The August 23-24 CDOT charrette open houses included the use of these poster boards: <https://www.southlakefrontplan.com/document/meeting-823-824-transportation-mobility-boards>. Board 10 showed once again the presumption that the original OPC design presented in May would proceed as planned, including all of the road changes proposed back in June; there had been no modification in response to community concerns expressed in June and July. CDOT representatives continued to say that things are in process, nothing is final, and updated plans would be presented in the fall, and so forth. To date no such plans (or support for the proposals that have been made) have been provided.

3) While it was not discussed publicly, through a FOIA request we learned of a presentation CDOT made to the US Army Corps of Engineers in October of this year. In that presentation, CDOT referenced a 1972 "Lakefront Plan" and displayed an image from that document appearing to propose that traffic would be re-routed from Cornell Drive. This highly conceptual plan covered the entire lakefront, focused on building land-fill islands from Evanston to Indiana, and offered no studies to underlie its recommendations. The 1972 plan is not available online, but is available from the University of Chicago Regenstein Library and presumably from other libraries. This heretofore unknown proposal from the CDOT presentation to the USACE is the sole reference that CDOT or the Park District has been able to produce that indicates consideration of *closing* Cornell Drive; the existing 1999-2000 Jackson Park/South Shore Framework Plan does not call for the closure of Cornell Drive.

4) On October 25, 2017, when no further plans had been presented, we sent a letter to CDOT Commissioner Rebekah Scheinfeld with a detailed set of questions about all of these road changes; it is attached. On November 9, 2017, Scheinfeld responded not by answering the questions, saying only that our questions would be referred to the Section 106 process where they would be answered (also attached). That process has begun, and we believe that the answers should be provided immediately, and delay on that front poses additional concerns associated the conflict issue.

As a whole, it does not appear possible that the road closure/realignment proposals can receive a fresh and unbiased review, or that the issues raised in our October 25 letter to Commissioner Scheinfeld can be properly addressed with the existing conflicts. The circumstances, at a minimum, create an appearance of impropriety that require that CDOT not be involved as the facilitator. We look forward to hearing from you as to how these concerns regarding CDOT's role will be addressed.

We are happy to meet to discuss further in person or by phone. We look forward to hearing from you in regards to the issues raised herein.

Sincerely,

Brenda Nelms (773-288-0191) Margaret Schmid (773-891-2629)

Co-presidents, Jackson Park Watch

cc: Eleanor Gorski, Chicago Department of Planning and Development; John Sadler, Chicago Department of Transportation; Abby Monroe, Chicago Department of Planning and Development, Rachel Leibowitz, Illinois State Historic Preservation Office; Lisa DiChiera, Landmarks Illinois; Jerry Adelman, Openlands; Ward Miller, Preservation Chicago; Juanita Irizarry, Friends of the Parks; Charles Birnbaum, The Cultural Landscape Foundation; Dan Marriott, NAOP; Betsy Merritt, National Trust for Historic Preservation; Michael McNamee, Save the Midway; Bronwyn Nichols, Midway Plaisance Advisory Council; Walter Kindred, SSCC Advisory Council; Naomi Davis, BIG; Jawanza Malone, Kenwood-Oakland Community Association; Jack Spicer, Promontory Point Conservancy

Att: 2017-10-25 JPW Inquiry to Scheinfeld; 2017-11-09 Scheinfeld Response to JPW