

## *Jackson Park Watch*

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August 27, 2018

Morgan McCosh Elmer, PMP  
Project Manager – PMP  
National Park Service  
Denver Service Center  
P.O. Box 25287  
Denver, Colorado 80225-0287

Via Email: [morgan\\_elmer@nps.gov](mailto:morgan_elmer@nps.gov)

Re: NEPA Review of Proposal for Obama Presidential Center

Dear Ms. Elmer:

Greetings. We write as co-presidents of Jackson Park Watch, a community organization with a very keen interest in the massive changes proposed for Chicago's historic Jackson Park. Jackson Park Watch is a consulting party to the on-going federal reviews of this proposed project. We have learned that the National Park Service (NPS) will now serve as the lead agency for the National Environmental Policy Act (NEPA) review in addition to its oversight of the review required by the Urban Park and Recreation Recovery Act (UPARR) while the Federal Highway Administration (FHWA) will continue its role as lead agency for the National Historic Preservation Act-Section 106 review.

As a consulting party for the Section 106 review, we have communicated since December 2017 with the FHWA lead staff as well as with staff of the City of Chicago who are handling the day-to-day processes to comment and express our concerns regarding the Section 106 process and also the incipient NEPA-review. With your new role in the NEPA process, we would like to inform you of those previously-expressed concerns and comment on some additional matters.

We attach here copies of our earlier communications (dated April 18, 2018 and July 4, 2018) that related specifically to NEPA. The concerns expressed in these letters have not yet been fully addressed either by direct response (there has been none) or by the FAQ document posted on the City's [website](#) on July 27, elements of which we find to be incomplete or indeed erroneous. As you will see from the letters we attach, we have deep concerns about the badly flawed Purpose and Need statement and the equally flawed definitions and omissions in the Alternatives To Be Carried Forward (ATBCF) document that is based on that faulty Purpose and Need statement. We believe both of these documents need major revision in order to enable a proper NEPA review to proceed. We have also been concerned about the lack of clarity about the federal review process overall.

We would also like to address the issue of the conversion of public recreational parkland, which was raised briefly in our prior letters. Because Jackson Park received two grants under the Urban Park and Recreation Renewal Act of 1978, there are important limits on the conversion of recreational land in Jackson Park to non-recreational uses. This issue is generally discussed as an issue of “replacement” (or sometimes “relocated”) parkland, a use of terms that we believe has created additional confusion and concern.

To date, the Obama Foundation and the City of Chicago have maintained that only very limited replacement parkland is required. They agree that under UPARR there needs to be replacement recreational parkland found for the baseball diamonds that were demolished when the Chicago Park District prematurely began construction of the field/track that will replace/relocate the current field/track that will itself be displaced by the Obama Presidential Center. With regard to the conversion (or relocation/replacement) of these baseball diamonds, there is widespread confusion and lack of understanding about the details and the process of determining the relocation of these sites. There is significant community concern about the NPS decision as reported by the City to use existing parkland on the Midway Plaisance for relocation purposes, contrary to the concept of “replacement” parkland as it has been generally understood locally.

Beyond the baseball diamond replacement/relocation issue, the Obama Foundation and the City maintain that only one acre of “replacement” land outside of Jackson Park is required for the 19.3 acres of existing Jackson Park land that will be taken for the OPC. We think that this is far too narrow an approach given that the entire site is currently in active use for a wide variety of recreational purposes and that the amount of public parkland in Jackson Park would be actually *reduced* if the City’s argument is adopted.

In the FAQ already cited, the City asserts that “NPS determined that roughly one acre of Jackson Park would be converted to uses other than public recreation use. . . .” Based on publicly available information about the space that the proposed OPC buildings and plaza would occupy, it is unclear what “one acre” this assertion by the City references. The City and Foundation have argued that since some of the proposed buildings would have green rooftops in whole or in part, those rooftops should count as public recreational space, and that additionally the concrete plaza should also be counted as public recreational space. The City further asserts in the FAQ that “the ground surrounding the OPC buildings will remain open space and must remain open to the general public in a manner consistent with the public’s access to the rest of Jackson Park,” and alleges that this further demonstrates that replacement (or UPARR conversion) parkland beyond one acre is not needed.

There is great skepticism that a concrete plaza and rooftops, however green, can adequately replace the public open space now available on the OPC-designated site. We note that it appears to many to be highly unlikely that privately controlled space, even if “green,” can be the equivalent of a public park. We also note that there is not yet any fully executed lease agreement between the City and the Obama Foundation, the private entity that will be operating the private facility and programming on the site. Only a fully concluded lease agreement for the OPC site will reveal the responsibilities for security, maintenance, financial liabilities, the limitations on access, procedures for the issuance of permits for events now allowed in the Park, rules

governing allowable noise and types of activities, and the like. Review of such an agreement when concluded will be essential to evaluating the claim that only one acre of replacement recreational parkland for the OPC site itself is required.

In addition, and as further evidence of the basis for our concerns, we also call your attention to the astounding statement in the FAQ regarding public participation in the NEPA process: “The public is invited to send comments to [DPD@cityofchicago.org](mailto:DPD@cityofchicago.org) concerning the NEPA documents at any time and *until the public comment period closes (which will be defined at a later date).*” [Emphasis added.] The fact is that the NEPA review process has not been publicly defined or announced beyond occasional notices by the City to consulting parties registered for the Section 106 review. The Purpose and Need and ATBCF documents were posted on the City’s web site without any notice. The much larger constituency interested in the NEPA review has not been addressed. In addition, the invitation to the public to submit comments until some undisclosed closure date only highlights the extent to which this process is not truly open or encouraging of community input.

As you assume leadership of the NEPA review, we hope you will address these and the additional concerns that we and other groups and individuals have expressed over the past several months. The Obama Presidential Center is an initiative of great significance and impact for the South Side, the City of Chicago, and the nation. It is also the subject of on-going controversy fueled at least in part by perceived inconsistencies and distortions of the federal, state and city review processes. It is important and essential to the future well-being of the OPC itself that the proposals for its development be given a serious and careful review that the public can understand and have confidence in.

We look forward to hearing from you in regard to all of these vital issues. We would welcome any clarifications that would assist us in most productively focusing on the issues of concern.

Sincerely,

Brenda Nelms and Margaret Schmid  
Co-presidents

Attachments:

2018-04-18 JPW to Eleanor Gorski and John Sadler

2018-07-04 JPW to Eleanor Gorski and John Sadler

2018-08-27 JPW to Morgan Elmer

cc: Jeffrey Durbin, National Park Service; Matt Fuller, Federal Highway Administration; David Clarke, US Department of Transportation; Eleanor Gorski, Chicago Department of Planning and Development; Abby Monroe, Chicago Department of Planning and Development; John Sadler, Chicago Department of Transportation; Anthony Rubano, Illinois Historic Preservation Agency; Bonnie McDonald and Lisa DiChiera, Landmarks Illinois; Jerry Adelmann, Ted Haffner, and Stacy Meyers, Openlands; Ward Miller, Preservation Chicago; Juanita Irizarry, Lauren Moltz and Fred Bates, Friends of the Parks; Charles Birnbaum, The Cultural Landscape Foundation;

Dan Marriott, National Association of Olmsted Parks; Betsy Merritt, National Trust for Historic Preservation; Michael McNamee and Karen Rechtschaffen, Save the Midway; Bronwyn Nichols Lodato, Midway Plaisance Advisory Council; Walter Kindred, SSCC Advisory Council; Naomi Davis, BIG; Jawanza Malone, Kenwood-Oakland Community Association; Alex Goldenberg, STOP; Jack Spicer, Promontory Point Conservancy; Herbert Caplan, Protect Our Parks