

Jackson Park Watch

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Jaime Loichinger
Assistant Director
Federal Permitting, Licensing, and Assistance Section
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Via Email: jloichinger@achp.gov

Dear Ms. Loichinger,

Jackson Park Watch extends a sincere thank you for the important, much needed role you have been playing in the Section 106 review of the undertaking related to the proposed construction of the Obama Presidential Center (OPC) in Chicago's Jackson Park and the road closures and reconfigurations it would require.

In particular, we appreciated the August 22, 2019, letter than you sent to Arlene Kocher of the Federal Highway Administration (FHWA), identifying the need for more detailed information about the adverse effects, direct and indirect, of the OPC on Jackson Park and the Midway Plaisance. We also greatly appreciate your role in the January, 23, 2020 webinar clarifying the processes established by the National Historic Preservation Act (NHPA), in particular these points:

- Having observed and been puzzled by a process to date in which the City has played an outsized role as reviewer of its own plans, we found very helpful your comment about the need for the responsible federal agency, the FHWA, to take the lead and play its rightful role as manager of the overall review and especially of the resolution of the adverse effects that have now been identified.
- Also very helpful were your comments pointing to the need for multiple meetings and significant interaction with consulting parties as part of the process to resolve the significant adverse effects that have been identified.
- Finally, we appreciate your emphasis that the undertaking for which adverse effects have been determined includes the City's actions regarding the OPC and the related road closures.

JPW is a community-based organization that has been actively participating in discussions of the proposals for the OPC since the selection of Jackson Park was first announced in 2016 (see www.jacksonparkwatch.org). We do recognize that the NHPA is not designed to prevent any

changes to historic properties whatsoever, but do also understand that its purpose is to prevent unnecessary and destructive changes to such properties.

With that understanding in mind, we remain particularly concerned about these points:

- The attempt to segment the “undertaking” into two portions, one subject to NHPA requirements and one exempt from those requirements, ignoring the inextricable connection between the proposed actions. The fact is that those actions that the FHWA concedes do fall under NHPA requirements were not previously planned and would not occur but for the “City action” authorizing construction of the Obama Presidential Center and the closing of roadways to accommodate the OPC.
- The FHWA’s attempt to claim that the proper baseline for any review is post-construction, that is, after the roadways within the designated OPC site have been removed and the OPC buildings constructed.
- The FHWA’s hesitation during the webinar to commit to a schedule of actual robust engagement with consulting parties on ways to resolve the adverse effects.
- The recent move away from rather than toward a more public and inclusive process, as evidenced in the decision to hold a webinar instead of a meeting on the “Final AOE.” While teleconferences can be useful for straight-forward presentations, they are less useful for productive discussion of complex undertakings such as the OPC, as the communication problems involved in the recent webinar indicated – imperfect audio reception, confusion about who is speaking, auto-transcription of the audio interactions that is garbled during the session and a long delay to provide a corrected written record of the proceeding.

Once again, we thank you for acting to ensure that NHPA processes and procedures are followed throughout the Section 106 review of proposed changes to this invaluable historic property. We hope that you will continue to point us all in a constructive direction that will respect established historic preservation procedures while also reaching a resolution that will allow things to move forward.

Sincerely,

Brenda Nelms and Margaret Schmid
Co-Presidents
Jackson Park Watch

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