

August 10, 2020

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

RE: Section 106 Memorandum of Agreement
for proposed Obama Presidential Center in Jackson Park

Dear Mr. Fuller:

We have participated with hope and good faith in the Section 106 process for many years regarding the proposed Obama Presidential Center in Jackson Park. We trusted that this process would progress objectively and transparently as do most Section 106 reviews under the National Historic Preservation Act – following a quantifiable set of measures to first avoid, then minimize, and then unless otherwise unavoidable mitigate.

We have remained hopeful that this process would rise to the level of integrity and objectivity that traditionally defines Section 106 reviews.

Sadly, in the last year the indications that the process outcome was predetermined became overwhelming. The key checks throughout the checks and balances began to fall in line, and we have a Memorandum of Agreement (“Agreement”) that does not reflect the integrity and thoughtfulness that is at the core of the NHPA and the Section 106 process therein.

It is with equal sadness that we have to accept that we cannot be a signatory to this Agreement.

This entire Section 106 review process ignored avoidance and minimization of adverse effects, two of the most essential strategies to protect the historic landscape and features of Jackson Park. Avoidance and minimization have been discounted throughout this entire process and attempts to address adverse effects by consulting parties have summarily dismissed. Agencies overseeing this Section 106 process have employed creative manipulations to achieve minimal thresholds in traditional Section 106 review. From a convoluted process of figuring UPARR replacement park within the existing park to bypassing entirely a thorough, objective and thoughtful exploration of avoidance and minimization.

At the earliest meetings in this federal review process, the City of Chicago made it clear that there would be no consideration of avoidance. This disregard for avoidance and minimization consideration is tragic, and it sets a dangerous precedent for future reviews.

The ideal avoidance measures would include moving the Obama Presidential Center out of Jackson Park to a location just west of Washington Park on parcels that are already owned by the City of Chicago and the University of Chicago. This is an obvious Plan B solution, and we encouraged the Federal Highway Administration to direct the Obama Foundation to that site. We understand that the FHWA has said it does not have the authority to mandate avoidance, but the FHWA does have the authority to review the project and decide to withhold funding.

Since this clear and reasonable avoidance measure stated above was not asserted, we urged all of the following minimization approaches – none of which were incorporated into the MOA:

1. Move the Obama Presidential Center south of its present location within Jackson Park.
2. Limit the height of the Obama Presidential Center to less than three stories as per the original competition drawings and renderings for the Jackson Park site.
3. Narrow Cornell Drive to its historic proportions, quieting and calming traffic. Bicycle and pedestrian paths can be added along that route.
4. Retain the Woman's Garden as designed by May McAdams in its current location and add ADA accommodations to improve access to the site. Universal accessibility is of great importance, and we encourage a more sensitive approach to achieving that goal.
5. Eliminate plans to widen Lake Shore Drive and Stony Island. With an intact albeit quieter Cornell Drive, those modifications are not necessary. This would save hundreds of trees from being lost.
6. Keep access to the land up to around the privately managed Obama Presidential Center open and accessible year-round just as the rest of the park, regardless of any special events or visits to the OPC.

Our objections to the entire Section 106 process are as reiterated here:

1. When it assigned the City of Chicago as the project facilitator for this process, the Federal Highway Administration (FHWA) created a significant conflict of interest having the Project Sponsor be the same as the Project Facilitator.
2. The FHWA falsely found that City action in this matter is exempt from the standard federal review under NHPA and specifically Section 106. This assumption has tainted the entire process and has destroyed the legitimacy of this review.
3. We continue to object to the assessment that the Midway Plaisance, already a park, be used as Urban Park and Recreation Recovery (UPARR)-required replacement parkland.
4. We object to the outright destruction of the Women's Garden, designed by landscape architect May McAdams in 1937 in honor of the Women's Building from the World's Fair designed by Sophia Hayden.
5. There is a false equivalency of replacement park being planned inside Jackson Park itself. Any recreational areas in and around the proposed OPC in Jackson Park will not be equally accessible as regular parkland – with restrictions during large events held at the privately managed presidential center.
6. We strongly disagree that redevelopment of the Midway Plaisance parkland will be publicly discussed and considered after the completion of the Section 106 review process. Such conversations are critical to this overall project and should take place as part of the Section 106 review process.
7. In its review of itself, the City of Chicago has not demonstrated real effort in identifying replacement parkland in and around the Woodlawn community.
8. The 235-foot block/tower that is the proposed Obama Presidential Center will have a negative visual impact on every single historic property or district within sight of it. Historic viewsheds created by Olmsted and Vaux will be impacted from nearly every visual vantage point in Jackson Park and looking/extending eastward on the Midway Plaisance.
9. The combining of the Jackson Park Golf Course and the South Shore Cultural Center Golf Course into one PGA-level course is in fact a reasonably foreseeable effect and should be evaluated as a part of this Section 106 process. Combining the courses would impact thousands of trees throughout this historic lakefront property.

10. The road impact analysis does not offer a complete review of essential data to determine traffic and road closure impacts. Removal of vehicular access through the park puts an added burden on people with accessibility challenges who would best view the amenities via motorized transportation.
11. The current OPC plan does not adequately address loss of existing street parking opportunities.
12. Tree removal was not included in the visual impact analysis done by the City on behalf of the City.
13. Migratory bird flyways and wildlife habitats will be severely and negatively impacted by this proposed development as well as the development site during the long and disruptive construction period.
14. We dismiss the assertion by the City that allowing these devastating changes to the Olmsted-designed Jackson Park allows for “evolving expressions” and “21st Century Analysis and Perspective.” Parks can evolve and grow to meet 21st Century needs without destroying their historic integrity.
15. We disagree with the City’s argument that since Lake Shore Drive is already the widest road in the area, it will not be a problem to make it wider. With rising lake levels and sensitive natural areas like the South Shore Cultural Center Nature Preserve around it, making more progressive planning decisions about Lake Shore Drive is essential.
16. The widening of Lake Shore Drive and Stony Island will impede access to Jackson Park and the lakefront, creating potentially dangerous conditions for children, physically challenged individuals and all park visitors.
17. Modification to the cultural landscape – individually and cumulatively – will have a substantial impact on its historic integrity.
18. The City’s assertion is flawed that widening Stony Island will not be a negative impact because it will retain its “association of the road with the sidewalk and setting of perimeter topography and vegetation.”
19. Cornell Drive can be modified to quiet car traffic, improve accessibility for bicycles and pedestrians, and restore the original character of this roadway without removing it entirely.
20. Need vs. want. The Secretary of Interior standards clearly distinguish between need and want. The requested changes to Jackson Park are wanted by the OPC to make the Obama Foundation’s vision for the Center a reality. They do not demonstrate that this is the one and only site for its Center and therefore needed to make the project successful.
21. The AOE continues to dismiss avoidance and minimization as important strategies. Going forward, this process should put high priority on avoidance first.
22. The impact on the Chicago Park Boulevard System Historic District will be devastating to have an entire segment of that District irreparably altered.
23. Preservation Chicago endorses heartily the entirety of the objections raised by Jackson Park Watch in its letter to Matt Fuller on August 9, 2020.

In defense of the principles of the National Historic Preservation Act of 1966, Preservation Chicago does not intend to sign the Memorandum of Agreement as presented.

Sincerely,



Ward Miller
Executive Director
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cc: Arlene Kocher (Department of Transportation); David Clarke (Department of Transportation); Lee Terzis (National Park Service), Morgan Elmer (National Park Service); Jamie Loichinger (Advisory Council on Historic Preservation); Chicago Mayor Lori Lightfoot; Maurice Cox (City of Chicago); Eleanor Gorski (City of Chicago); Nathan Roseberry (City of Chicago); Brad Koldehoff (Illinois Department of Transportation); Colleen Callahan (Illinois SHPO); Robert Appleman (Illinois SHPO); Carol Dyson (Illinois SHPO); Anthony Rubano (Illinois SHPO); Michael Kelly (Chicago Park District); Heather Gleason (Chicago Park District); Juanita Irizarry (Friends of the Parks); Lauren Moltz (Friends of the Parks); Fred Bates (Friends of the Parks); Jerry Adelman (Openlands Project); Ted Haffner (Openlands Project); Bonnie McDonald (Landmarks Illinois); Lisa DiChiera (Landmarks Illinois); Brenda Nelms (Jackson Park Watch); Jack Spicer (Jackson Park Watch); Margaret Schmid (Jackson Park Watch); Charles Birnbaum (The Cultural Landscape Foundation); Nord Wennerstrom (The Cultural Landscape Foundation); Dan Marriott (National Association of Olmsted Parks); Michael Rachlis; Betsy Merritt (National Trust for Historic Preservation); Stephanie Franklin (Nichols Park Advisory Council); Jawanza Malone (Kenwood Oakland Community Organization); Naomi Davis (Blacks in Green); Michal Safar (Hyde Park Historical Society); Bronwyn Nichols-Lodato (Midway Plaisance Advisory Council); Michael McNamee (Save the Midway)