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August 10, 2020

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

Dear Mr. Fuller,

Openlands is pleased to submit the following comments for the Jackson Park Memorandum of Agreement (MOA) for the Obama Presidential Center. As the MOA is a legally binding document, our comments pertain mainly to clarify document particulars. However, we do note that we are extremely disappointed that many of the excellent ideas provided by Openlands and other Consulting Parties to avoid, minimize, and mitigate the many historical impacts of the project have been perfunctorily ignored. Due to this, and regardless of the revisions, Openlands will not be signing the MOA due to continual deminimization of the process and the fact that no actions were taken to legitimately avoid, minimize and mitigate the projects impact on the historic surroundings as identified by the Section 106 process.

Openlands recommends FHWA undertake further efforts to ensure this legally binding agreement clearly explains and identifies the roles and responsibilities for all the signatories and that currently sufficient detail is lacking for the implementation of the mitigation measures. These include:

1. Measures, Item B – Field Documentation: the relevant SOI Professional Qualification Standards should be specifically called out so there is no confusion or room for argument.
2. Measures, Item C – Cultural Landscape Report: the relevant NPS Standards should be specifically called out so there is no confusion or room for argument.
3. Measures, Item D – Interpretive Materials: This section is far too vague and leaves confusion regarding who is involved in this planning process and who is not, and what opportunities for interpretation are legitimate.
4. Measures, Item G - Design Review of the Recreation Replacement at the East End of the Midway Plaisance: Openlands feels that there are too many unresolved issues regarding the UPARR replacement parklands. As illustrated by past comments both from Openlands and other Consulting Parties, this UPARR issue has not been addressed to the point where a legitimate path forward can be realized with consensus.
5. Submission of Documentation, First Paragraph: This paragraph assumes that documents and plans will neither change, nor require revision during this process. Openlands recommends detailing a concrete process to avoid confusion and delays by all parties involved.
6. In general, there is no description or portion of the document addressing penalties or restitution should any of the mitigation measures not be completed.

With these comments in mind, Openlands recommends that Consulting Parties have another opportunity to review this document, assuming revisions are made by FHWA. Regardless, we appreciate your consideration of these comments.

Very truly,

A handwritten signature in black ink, appearing to read "G. Adelman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gerald Adelman
President and CEO, Openlands

cc: Todd Wyatt, City of Chicago; David Clarke, Federal Highway Administration; John Fowler, Advisory Council on Historic Preservation; Jaime Loikinger, Advisory Council on Historic Preservation; Lee Terzis, National Park Service