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February 18, 2020

(SENT VIA EMAIL)

Ms. Abby Monroe  
Coordinating Planner  
City of Chicago,  
Department of Planning and Development

RE: *Response to request for comments on the final Assessment of Effects (AOE) to Jackson Park Historic District and Midway Plaisance*

Dear Ms. Monroe,

Landmarks Illinois, as a consulting party, is writing to provide comments regarding the final Assessment of Effects (AOE) to the Jackson Park Historic District and Midway Plaisance associated with proposed road and park changes to accommodate the Obama Presidential Center (OPC). Our comments are limited, as our issues of concern from our attached August 30, 2019 letter remain the same, despite the responses provided by the Federal Highway Administration (FHWA).

We agree with the adverse effect findings in the final AOE, which are primarily due to inclusion of new elements in the park including the OPC buildings and plaza. It is also due to the removal, replacement or alteration to historic resources including the Women's Garden, the eastern end of Midway Plaisance and the southern twin road along the Midway Plaisance east of Stony Island Avenue. These elements of the plan continue to be of great concern.

As we recommended in our August 30, 2019 letter, and as we emphasize again now, we would like to see avoidance measures taken in regards to the Women's Garden, the Eastern end of the Midway Plaisance and the southern twin roadway that buffers the Midway's connection into Jackson Park east of Stony Island Avenue. In our previous letter, we provided suggestions for avoidance to these resources.

In addition to requesting that our previous avoidance suggestions be considered as they relate to these three historic resources in Jackson Park, we have additional concerns based on FHWA's responses to our August 30, 2019 letter and the revised final AOE.

1. It is counterintuitive to continue to recommend the eastern end of the Midway Plaisance to be put forth as the preferred location for the UPARR replacement recreation area. As the final AOE report acknowledges, the action may require a Section 404 permit from the Army Corps of Engineers, due to wetland conditions, and based on that and other circumstances, triggers another Section 106 review process. While FHWA responded to our questioning of this location in our August 30, 2019 letter by stating, "Land already dedicated to recreation purposes are acceptable in a UPARR conversion," converting passive parkland to active parkland will impact its Olmsted-design integrity, and in turn we believe activates Section 106. This could be avoided by selecting other vacant land in the community to create new parks where green and open space, owned and programmed by the Chicago Park District, is severely lacking and would appropriately retain the integrity of the eastern end of the Midway.
2. In response to one of Friends of the Parks' August 2019 comments regarding the bypassing of avoidance and minimization within the Section 106 process, the response was that, "The federal agencies remain open to any avoidance and minimization efforts proposed by the consulting parties that are *within the federal area of jurisdiction.*" (emphasis supplied) This points to a continued flawed process in that the FHWA is limiting its review of the undertaking to segmented areas, without consideration of funding, permitting or actions that are reasonably foreseeable because of OPC's construction. However, the definition of undertaking is the OPC in Jackson Park, and the city actions cannot take place without a broader FHWA review. Road changes are being proposed to accommodate the OPC. For example, it is noted in Sections 4.14(a) and (b) of the City's Use Agreement with the Obama Foundation that numerous "City actions" (as referred to in the final AOE) depend upon the federal actions discussed in the AOE. Therefore, FHWA's definition of its oversight is too narrow and is flawed. In addition, Section 4.14(b) notes that approvals from IDOT are needed for the closure of the "South Midway Plaisance Segment." If FHWA continues to assert this is state jurisdiction from a permitting standpoint and not federal, then one could question whether Section 707 review under Illinois law may in fact be triggered and required.
3. In regards to the Women's Garden, the response to our August 30, 2019 comments further concerns us regarding the proposed treatment of this historic resource. Retaining the location of the garden and reconstructing it with salvaged pieces still requires its destruction and reconstruction. This is not avoidance or minimization, but a direct mitigation approach.
4. In response to our question about the status of the GLFER project, no actual status update was provided or specifications regarding the Army Corps' remaining obligations.
5. Again, as was noted previously by the Advisory Council for Historic Preservation, we concur that this process is of utmost importance and the public should be engaged in

multiple sessions (both individual and group sessions) that substantively address methods to avoid, minimize and mitigate the Adverse Effects.

6. Lastly, our rationale for raising concern regarding the potential of real estate speculation and displacement was not relative to believing demolitions of any historic buildings are needed to accommodate the OPC, as the FHWA response implies. Instead, the OPC undertaking could result in this unintended impact and, therefore, we again stress the need for the city, state and federal agencies to evaluate potential programs to curb displacement and encourage building rehabilitation over demolition, especially within the National Register-listed historic districts that do not have additional protection through Chicago Landmark designation.

Landmarks Illinois looks forward to further discussions and opportunities for avoidance, minimization and mitigation suggestions.

Sincerely,



Bonnie McDonald  
President & CEO

Enclosure

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