



Preserving America's Heritage

August 22, 2019

Ms. Arlene K. Kocher  
Division Administrator  
Federal Highway Administration  
3250 Executive Park Drive  
Springfield, IL 62703

Ref: *Obama Presidential Center Mobility Improvements to Support the South Lakefront Framework Plan  
City of Chicago, Cook County, Illinois  
ACHPConnect: #012213*

Dear Ms. Kocher:

On July 29, 2019, the Chicago Department of Transportation (CDOT), on behalf of the Federal Highway Administration (FHWA), provided the Advisory Council on Historic Preservation (ACHP) with its *Draft Section 106 Assessment of Effects to Historic Properties: Proposed Undertaking In and Adjacent to Jackson Park, Jackson Park, Chicago, Illinois* (Effects Report) for the referenced undertaking. The Effects Report is submitted as part of the FHWA's compliance with Section 106 (54 U.S.C. § 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. Part 800). As the ACHP is formally participating in this consultation, we are providing our comments regarding FHWA's draft assessment of effects. Our comments are also informed by the August 5<sup>th</sup>, 2019, consultation meeting regarding this Effects Report.

The Effects Report provides a helpful overview and description of the undertaking. We appreciate the comprehensive approach FHWA and the National Park Service (NPS) used in assessing effects of other non-federal actions associated with the referenced undertaking. In the Effects Report, FHWA analyzed the potential effects to multiple historic properties including the nationally significant Jackson Park Historic Landscape District and Midway Plaisance. However, the ACHP is concerned that not enough detail is provided to properly characterize the nature and intensity of the adverse effects to the cultural landscapes of Jackson Park and Midway Plaisance in a way that will enable informed consideration of avoidance, minimization, or mitigation measures. Additionally, the ACHP has identified a number of issues that should be addressed in the final version of the Effects Report to help facilitate consideration of all the potential effects of this undertaking. We clarify as follows.

#### *Potential Effects to the Jackson Park Historic Landscape District and Midway Plaisance*

The Jackson Park Historic Landscape District and the Midway Plaisance are complex cultural landscapes with a broad period of significance that include multiple periods of development. These historic properties were listed in the National Register of Historic Places (NRHP) in 1972 and are significant under Criteria A and C with a period of significance from 1875 – 1968. They have evolved over time as noted in the Historic Property Inventory (HPI); these improvements and alterations were guided by plans produced by Frederick Law Olmsted, Sr., and other noteworthy designers. The Effects Report, however, does not articulate how the overall undertaking is altering or diminishing the integrity of the character defining landscape characteristics, including

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spatial organization, land use, and views; circulation; vegetation; and buildings, structures, and small-scale elements. It is difficult to comprehend the degree of change that will occur to the individual character defining elements as thoroughly defined in Appendix F of the HPI and to the landscapes as a whole. The ACHP recommends the effects analysis (pages 23 – 33) be reorganized and rewritten to summarize how the landscape characteristics and the overall cultural landscapes will be altered based on the types of effects (physical, visual, traffic, and noise) instead of, or at least in addition to, the current analysis that is divided based on effects from the various federal actions. Additionally, it remains unclear from the Effects Report if the proposed undertaking will result in the properties no longer being listed in the NRHP.

### *Archaeology*

The ACHP recommends that FHWA restate in the Effects Report that it has determined that the archaeological sites identified in Jackson Park as part of the subject undertaking are not eligible for the NRHP under criteria A, B, C, or D and the Illinois State Historic Preservation Officer (IL SHPO) concurred with this finding in September 2018. Considering the amount of documentation and correspondence regarding this topic that occurred after the final HPI was issued, it will help the consulting parties and the public understand the final determination.

### *Indirect Effects*

The ACHP recommends FHWA include information and data explaining if the surrounding historic residential neighborhoods will experience traffic changes due to the road closures and changes, and if these changes will affect historic properties. In particular, the Traffic Impact Study should be expanded to include the roads in the historic neighborhoods surrounding Jackson Park.

During the August 5th consultation meeting, several consulting parties requested a viewshed analysis from a higher perspective to ensure all visual effects could be thoroughly assessed. The ACHP agrees that such an analysis would be useful and recommends that FHWA determine the feasibility of capturing viewpoints from above-ground level considering the proposed height of the new Obama Presidential Center (OPC) could potentially affect surrounding historic properties. The Effects Report should include a discussion of this analysis, and whether any viewsheds will be affected by the undertaking.

### *Washington Park*

Several consulting parties questioned why potential effects to Washington Park are not included in this Effects Report. Given that Washington Park, Jackson Park and Midway Plaisance are interrelated as part of the original Olmsted design, it would be beneficial to understand if the undertaking could indirectly or cumulatively affect Washington Park. Specifically, in the final version of the Effects Report, FHWA should consider whether any upcoming projects in Washington Park may affect Jackson Park and/or the Midway Plaisance. The effects may include changes in the number of visitors, or in the pedestrian or bike circulation.

### *UPARR Program*

The Effects Report states that the City of Chicago proposes to “dedicate acreage as replacement recreation opportunity on the eastern portion of the Midway Plaisance... (Section 1.1.1.3; page 4).” It remains unclear how this site was selected under the Urban Park and Recreation Recovery (UPARR) Program, and if other sites were considered that would avoid effects to historic properties. The Effects Report should demonstrate how the choice of the replacement parcel may affect historic properties, and what avoidance measures were considered as part of the selection process. Additionally, the Effects Report will need to consider the potential effects from the final design for the selected replacement recreation area. Should the final design be decided at a later date, the Section 106 agreement should include a design review process that will include the consulting parties as well as design criteria.

Lastly, based on questions brought up during the last consultation meeting, we request FHWA clarify the division of responsibility between NPS, which manages the UPARR Program, and FHWA on the overall environmental review and explain what each agency is reviewing under the National Environmental Policy Act (NEPA) and Section 106 of the NHPA.

*Section 106 Consultation – Next Steps*

The ACHP urges FHWA to clarify the next steps it intends to carry out in this Section 106 review, and provide sufficient notice and time for consulting parties to review reports prior to consultation meetings. To complete the consultation process in a timely manner, we encourage FHWA to provide a consultation schedule so the consulting parties can prepare and participate in upcoming reviews of documents and meetings.

As we understand, FHWA intends to finalize the Effects Report shortly after August 30<sup>th</sup>. The ACHP strongly urges FHWA to share its final effects finding with the consulting parties shortly thereafter, along with a summary of the comments it received and an explanation of how FHWA considered and addressed these comments. Should there be any outstanding objection to this finding, the ACHP remains available to provide further views on the objection.

We look forward to receiving a final Effects Report and a summary of how FHWA has addressed our comments and others provided by the consulting parties. Should you have any questions or concerns regarding our comments, please contact Sarah Stokely at (202) 517-0224, or via e-mail at [sstokely@achp.gov](mailto:sstokely@achp.gov).

Sincerely,



Jaime Loichinger  
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Federal Permitting, Licensing, and Assistance Section  
Office of Federal Agency Programs