



Preserving America's Heritage

August 21, 2018

Ms. Catherine Batey
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. Batey:

The Advisory Council on Historic Preservation (ACHP) recently received correspondence from The Cultural Landscape Foundation (TCLF) outlining several concerns regarding the referenced undertaking. As we understand, the Federal Highway Administration (FHWA) is acting as the lead federal agency for complying with Section 106 of National Historic Preservation Act [54 U.S.C. 306108], and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800). A copy of TCLF's correspondence enclosed for your review.

As TCLF has raised substantive concerns regarding the application of the criteria of significance to archaeological sites within the undertaking's Area of Potential Effects (APE), we request that FHWA review the information by TCLF in accordance with 36 CFR § 800.4(a)(3) and consider whether this information necessitates revisions to the Historic Property Inventory finalized in July 2018. This will assist all parties in participating effectively as FHWA begins to assess whether there will be adverse effects to historic properties as a result of the undertaking.

Additionally, we understand that trees were recently removed within the APE by the City of Chicago. It is unclear if this work is related to the undertaking. We remind FHWA that no actions should be taken by the federal agency or other consulting parties that would restrict the consideration of alternatives to avoid, minimize or mitigate the undertaking's adverse effects prior to compliance with Section 106 consultation. Since Section 110(k) of the NHPA may apply if anticipatory demolition occurs, FHWA should be diligent in educating the consulting parties about this statutory requirement.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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We look forward to receiving FHWA's response to this inquiry. Should FHWA have any questions, please contact Ms. Jaime Loichinger at (202) 517-0219, or via email at jloichinger@achp.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Reid J. Nelson".

for

Reid J. Nelson

Director

Office of Federal Agency Programs

Enclosure