

Federal Actions In and Adjacent to Jackson Park
UPARR Amendment and Transportation Improvements
Jackson Park, City of Chicago, Illinois
August 2020

The City of Chicago (City) intends to make changes in and adjacent to Jackson Park that are a result of its approval of the construction of the privately-funded Obama Presidential Center (OPC) and publicly-funded transportation improvements consistent with the Chicago Park District's 2018 South Lakefront Framework Plan (SLFP). The City's plans for Jackson Park trigger the need for federal actions by the National Park Service, the Federal Highway Administration, and the U.S. Army Corps of Engineers.

Federal Actions and Review Processes

What federal actions are required?

The City's plans for Jackson Park would impact lands currently managed consistent with the Urban Park and Recreation Recovery (UPARR) program. The Department of the Interior awarded grant funds to the City in the early 1980s. According to the provisions of UPARR, now administered by the National Park Service (NPS), no property improved or developed with UPARR grant funds can be converted to non-recreation uses without review and approval by NPS. The NPS must evaluate the lost recreation opportunities and compare them to the proposed replacement site and the proposed new recreation opportunities that will be developed. NPS is evaluating the proposed conversion of recreation within a portion of Jackson Park. The proposed partial conversion includes new building uses within 4.6 acres of the 19.3-acre OPC site. Under UPARR, NPS will approve a partial conversion if it is consistent with the current Jackson Park recovery action plan or similar plan, and if the recreation properties and opportunities are of reasonably equivalent location and usefulness.

The City also plans to make roadway improvements in Jackson Park and to improve access for bicycles and pedestrians. The City proposes to use Federal-Aid Highway funding for roadway construction and bicycle and pedestrian improvements within Jackson Park. The Federal Highway Administration (FHWA) administers the Federal-Aid Highway Program, which makes available federal funding to state departments of transportation and local agencies for roadway projects. Prior to the authorization of Federal-Aid Highway funds, the FHWA must ensure the proposed construction activities meet all federal requirements and all applicable environmental laws.

This plan to remove parkland for these roadway improvements also triggers a partial conversion at this site for review and evaluation by NPS.

The City's plans for Jackson Park include widening of the 59th Street Inlet Bridge along Lake Shore Drive and temporary dewatering of the lagoon for improvements to the Hayes Drive bridge. These changes require the approval of the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act. The Corps' approval is also required under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408, "Section 408") for changes to areas that were improved under the Great Lakes Fishery and Ecosystem Restoration (GLFER).

What other federal reviews are being conducted?

In support of the requested federal actions, FHWA, NPS, and USACE are completing National Environmental Policy Act (NEPA) documentation to evaluate the anticipated impact of their actions on the environment. FHWA, NPS, and USACE are also completing reviews under the National Historic Preservation Act (NHPA). Under Section 106 of the NHPA, the agencies assess the effect of their proposed actions on historic resources and consult with the public, consulting parties, the Advisory Council on Historic Preservation (ACHP), and the State Historic Preservation Office (SHPO) concerning any effect.

In addition to these reviews, FHWA is reviewing the potential use of park and recreation lands, wildlife and waterfowl refuges, and historic sites during the development of the planned transportation projects, consistent with FHWA's responsibility under Section 4(f) of the U.S. Department of Transportation Act.

What roles are the different federal agencies playing in these federal reviews?

Under the NHPA and NEPA, federal agencies are encouraged to jointly complete their reviews in a single combined Section 106 process and a single combined NEPA review process. Doing so helps ensure that the reviews have a comprehensive perspective, and it makes it easier for the public to follow the review processes. This coordinated process is set forth in recent federal policies announced in Executive Order 13807 and further detailed in a Memorandum of Understanding implementing the principle of "One Federal Decision" for proposed infrastructure projects. This policy direction allows for a comprehensive review of all potential effects of the federal decisions. The FHWA is the lead federal agency for the NHPA Section 106 process, and the NPS is the lead federal agency for NEPA. The USACE is a cooperating agency in the NEPA review and is participating in the Section 106 process.

What is the difference between impacts under NEPA and effects under NHPA?

Under NEPA, federal agencies must consider the impacts of their actions on the human environment. Federal actions are evaluated to determine if any significant impacts result from the implementation of an activity that is entirely or partially financed, assisted, conducted, regulated, or approved by federal agencies. Significance is determined based on context and intensity. Impacts are analyzed in several contexts such as society as a whole, the affected region, the affected interests, and the locality. Intensity refers to the severity of effect, which includes factors such as the magnitude, geographic extent, duration, and frequency of the effect. (40 CFR 1508.27).

NHPA requires federal agencies to assess the effects of their actions on historic properties. Effects to historic properties are analyzed within a defined Area of Potential Effects, which defines "the geographical area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties" (36 CFR 800.16(d)). An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the property's integrity. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative. (36 CFR 800.5(a)(1)).

Do the federal agencies have authority over the Obama Presidential Center?

No, the federal agencies have no authority over the presence or physical aspects of the OPC in Jackson Park, such as its design, configuration, materials, or workmanship. The decision to approve the construction of the OPC in Jackson Park was made by the City of Chicago under its municipal authority.

Why does the Environmental Assessment (EA) evaluate impacts of the OPC if the OPC is not within the scope of federal authority?

In the EA, federal agencies must consider whether an impact to the human environment caused by their decisions may be significant. The analysis includes not only direct, or immediate, impacts from the federal actions but also indirect and cumulative impacts from non-federal actions that are reasonably foreseeable. While the federal agencies have no authority over the City's decision to allow construction of the OPC in Jackson Park or over the design of the project, the federal agencies are aware that their approvals, if granted, would support the City's plans for Jackson Park. Accordingly, the agencies have studied the impacts of the OPC as the indirect impacts of federal action. This approach gives the public more context for understanding the role played by the federal agency actions in the City's plans for Jackson Park.

City Processes

What other approvals are required by the City or State?

The City has already conducted its review and approval processes that involve the construction, management, and operation of the OPC. Further City review is required to issue construction permits for the OPC and to take action on roadway vacations and dedications. Some State approvals are needed as a part of the federal review process.

Why isn't the decision to locate the OPC in Jackson Park under direct federal jurisdiction?

Jackson Park is a municipal park maintained for the benefit of Chicago and its residents. The City owns the OPC site, and the Chicago Park District (CPD) owns and operates the remainder of Jackson Park. The decision whether to locate the OPC in Jackson Park belongs to the City of Chicago and is not a federal decision. Federal involvement arises if the City seeks federal funds or a federal permit or requires federal statutory and/or regulatory approval. The OPC is not federally-funded and requires no federal approvals.

Under UPARR, NPS reviews proposals to convert park land assisted under that statute (in this case, Jackson Park received two UPARR grants in 1980 and 1981) from recreational to non-recreational uses. While NPS is not responsible for the decision to locate the OPC in Jackson Park, NPS is reviewing the impact of the OPC on public recreation opportunities within the park, and must approve any conversion or partial conversion of park land through amendments to the original grant agreements. This approval triggers federal review under NEPA and NHPA.

Why did the Obama Foundation (the Foundation) present its project to the Plan Commission, City Council, and the Chicago Park District prior to completing federal reviews?

The Obama Foundation properly presented its proposal to the Plan Commission, City Council and Chicago Park District because these are the municipal entities with the authority to approve the proposal, as owners of the park land and as regulators of land use under the Zoning Ordinance and the

Chicago and Lake Michigan Lake Front Protection Ordinance (LPO). Their approval of the Obama Foundation's proposal is not subject to federal review, so both the proposal and the municipal decisions on the proposal could proceed independently of the federal agencies. The federal agencies are currently reviewing aspects of the City's plans as they relate to UPARR and the Federal-Aid Highway Program, and the agencies are addressing these responsibilities jointly by preparing an assessment of the environmental impacts of their proposed federal actions.

Why did the South Lakefront Framework Plan (SLFP) update assume the OPC and road closures would happen, even though the federal reviews were not yet complete? Was the SLFP subject to federal review?

The SLFP is a forward-looking document that provides a general framework for future municipal decisions concerning Jackson Park. The SLFP includes the OPC and the proposed road closures because these near-term projects are anticipated to proceed and will provide important context for future decisions about Jackson Park in the years to come.

The Chicago Park District's adoption of the SLFP is not a federal decision and therefore does not require federal review.

Why isn't the decision to close roads in Jackson Park subject to federal review?

The roads proposed for closure are under the jurisdiction and control of state and local authorities. No federal approvals or federal funds are involved in closing them. In addition, the existing roadways in Jackson Park were excluded from the federal UPARR grant restrictions (see grant documents posted online at <https://www.tinyURL.com/JPIImprovements>).

How will the outcomes of the federal review process impact OPC development plans?

Completion of the federal review process will allow construction of the OPC development to begin. The Federal agencies have no ability to change the OPC development plan; however, the Federal review process will analyze and disclose impacts related to the OPC development plan.

Why isn't the OPC located somewhere else where it won't impact historic and environmental resources that exist in Jackson Park?

The federal agencies do not have jurisdiction over the siting, construction, or operation of the OPC. The OPC site is in a local park and the construction of the OPC requires no federal permits or funding. Likewise, the federal agencies do not have authority to close or prevent the closure of roads owned, operated, and maintained by the City. The City has provided the following background information to the federal agencies in support of the City's municipal decisions:

Before President Obama left office, the Obama Foundation reviewed numerous nationwide responses to its Request for Qualifications for the development of a presidential library. The Foundation issued formal Requests for Proposals (RFPs) in 2014 to two Chicago institutions, as well as one in Hawaii and one in New York. In 2015, the Foundation accepted a response to the RFP submitted by the University of Chicago which, in coordination with the City of Chicago and the Chicago Park District, proposed siting and developing the OPC in either Washington Park or Jackson Park. Thus, the winning proposal to locate the OPC in Chicago identified two south side public parks. Both sites are listed on the National Register of Historic Places, received UPARR assistance, and received support from the Chicago City Council as the

site for the OPC. Thus, locating the OPC in Washington Park would have required the same level of review as Jackson Park. Subsequently, over many months, the Foundation closely analyzed both locations with respect to a wide variety of factors tied to internal mission-related goals and external community impact. The Foundation selected the Jackson Park site for its project and subsequently began a lengthy and public process with the City. It developed detailed site and building plans, which were submitted to the Chicago Plan Commission and the City Council for LPO and planned development (PD) approval. The approval process involved a full series of public hearings and community outreach conducted by both the City and the Foundation.

The City has a historic practice of placing important cultural institutions in regional public parks. The 1972 Lakefront Plan of Chicago echoes this practice and recommends siting major cultural institutions within the lakeshore parks. The City's authority to allow private, not-for-profit organizations to construct and operate museums in public parks is derived from the Illinois Park District Museum and Aquarium Act, 70 ILCS 1290/0.01 et seq. which was first adopted in 1893 and was most recently amended in 2015 to apply to presidential centers. Museums in public parks are subject to a large measure of public control, including requirements for free admission and public access. Throughout its history, Chicago has recognized the importance of culture and recreation, and the combination of the two in City parks, for the wellbeing of its residents and the future of the City on the regional, national, and international stage. The OPC proposal follows this tradition. By locating the OPC in Jackson Park, Chicagoans are guaranteed an institution that will remain devoted to public purposes in perpetuity.

The negotiated design and public access requirements were central to the City's decision to authorize the use of the Jackson Park site for the OPC. The Foundation is only authorized to build within Jackson Park the specific proposal authorized by the planned development (Institutional Planned Development No. 1409). Per the Use Agreement authorized by the Chicago City Council, the Foundation may only use the site to build and operate the OPC consistent with the agreement terms. These terms ensure public access to the park and to the facilities that would be built in the OPC by, for example, requiring that the OPC allow free admission a minimum of 52 days per year, that the OPC provide free access to school children accompanied by a teacher, that the buildings remain open to the public in the same manner as other museums in Chicago's parks, that the outdoor areas be generally open to the public during Chicago Park District hours, and that the public library, presidential reading room, and several interior areas of the OPC be free to the public.

The proposed location for the OPC in Jackson Park provides unique benefits and a distinctive opportunity to revitalize the park and surrounding communities. The project would reunite disjointed areas of Jackson Park, and provide state-of-the-art public amenities to Chicago's visitors as well as residents of the South Side.

Urban Park and Recreation Recovery (UPARR) – National Park Service (NPS) Action

What UPARR grants has the City received?

The City received two UPARR grants for Jackson Park in the early 1980s. The City received the first grant in 1980 in the amount of \$125,300 (UPARR Grant No. 17-CTY-1670-80-02) as pass-through funding to

the Woodlawn Organization for the operation of “community-based recreation awareness, anti-vandalism training, and park rehabilitation programs.” The grant documentation recognized that “[t]he area lack[ed] . . . recreational programs available in other areas of the city which hinder[ed] the redevelopment of the community.” The City received a second grant for Jackson Park in 1981 in the amount of \$135,870 (Grant No. 17-CTY-1670-80-04) for the replacement of 700 trees and shrubs and restoration of 7,000 square yards of landscaped area within Jackson Park. This grant was intended to improve the aesthetics of Jackson Park and to enhance picnicking and other “passive” recreational activities through improved landscaping. The UPARR Act was signed into law in 1978 to provide grants to rehabilitate recreation facilities in economically distressed urban communities. Congress stopped funding the program in 2002.

Grant documents have been posted online at <https://www.tinyURL.com/JPIImprovements> for public reference.

Why doesn't the City need to replace 19.3 acres of park land, since that is how much land was transferred to the City and subsequently the Obama Foundation?

The City is not transferring the 19.3-acre OPC site to the Obama Foundation. The OPC site will remain public park land and, following construction, the City will become the owner of the forum, library, and museum buildings of the OPC in addition to the underlying land. A Use Agreement between the City and the Obama Foundation will govern the Obama Foundation's development and use of the site. In anticipation of this development within the OPC site, the City has proposed to remove from the UPARR boundary a 4.6-acre area containing the forum, library, and museum buildings, which include uses that NPS has determined do not qualify as recreational under UPARR. The NPS has determined that the remaining 14.7 acres will remain open and available to the public for recreational use consistent with UPARR. Because the City wishes to modify the UPARR boundary, it is the City's responsibility to select a site to replace lost recreation opportunities using criteria that best meet the needs of the community; the NPS role is to determine if the proposed replacement site and proposed recreation opportunities are equivalent to what was lost. Under UPARR, the proposed replacement recreation may be located on new or existing parkland and need not be adjacent to or close to the lost recreation opportunity. UPARR does not require an acre-for-acre replacement of land that is converted to non-recreation use. Instead, NPS focuses on ensuring that the property provides adequate recreation opportunities of reasonably equivalent usefulness and location, taking into consideration the community's recreational needs.

What does the City propose as replacement recreation?

The City has proposed replacement recreation in the east end of the Midway Plaisance (5.2 acres) as well as within reclaimed roadways in Jackson Park that will result from the closure and reconfiguration of existing roads within the park (11.1 acres). The proposed replacement recreation opportunities in the east end of the Midway Plaisance will include a new play area, improved open space, and rehabilitated walkways. The reclaimed roadways in Jackson Park will be converted to park space and will provide recreation opportunities such as informal recreation trails and multi-use recreation opportunities.

Why did the City select the east end of the Midway Plaisance, already designated as parkland, instead of an alternative, vacant parcel for replacement recreation?

UPARR does not require that replacement recreation be located on vacant land or land that is not already used as a park. In proposing the east end of the Midway Plaisance as the location for

replacement recreation, the City provided documentation to NPS reviewing its evaluation of alternative locations, including Harold Washington Park and five vacant sites located between 57th Street and 71st Street. The City evaluated these sites for their similarity to the qualities exhibited by the area where the conversion is proposed, including its accessibility to the lakefront, its pedestrian accessibility from Woodlawn and Hyde Park, and its historic, Olmsted-design character. The City also considered whether it already owned the sites or would need to acquire them and address any need for remediation. The City and the Chicago Park District concluded that the east end of the Midway Plaisance best meets the required criteria under UPARR and is the most feasible and prudent site to improve as a UPARR replacement property.

What will happen from a regulatory perspective on the east end of the Midway if it becomes the location for UPARR replacement recreation?

Any land designated to fulfill the city's UPARR obligation would be encumbered with a UPARR designation. This means that any future conversion to non-recreation uses in the designated area would be subject to review and approval by NPS. Thus, if any area within the new Midway UPARR site were to be proposed for conversion to non-recreational use at some future date, the City would be required to replace it elsewhere.

How can impacts of the recreation replacement be assessed if the final design process will be conducted following the federal review?

The conceptual design for replacement recreation under UPARR provides sufficient information to assess the potential for effects on natural and cultural resources under NEPA.

How can the existing roadway footprints be considered 'replacement recreation,' particularly the portion of Cornell Drive which falls within the OPC site?

The roadways within Jackson Park were excluded from the original UPARR boundary. The City's proposal to close and improve portions of these roadways for public recreation use allows the City to add these newly landscaped areas to the Section 1010 boundary as an amendment subject to NPS's approval.

What are the requirements the City must meet to gain a conversion approval under UPARR?

In accordance with the Act (54 U.S.C. 200507), NPS must consider the following factors under 36 C.F.R. § 72.72(b) in determining whether to approve the City's conversion proposal:

- (1) whether practical alternatives to the conversion have been evaluated;
- (2) whether the proposed conversion and replacement are in accord with the current recreation plans;
- (3) whether the proposal assures reasonably equivalent replacement recreation opportunities;
- (4) whether the remainder of Jackson Park remains recreationally viable; and
- (5) whether environmental requirements are satisfied.

Transportation Improvements and Federal-Aid Highway Funds – Federal Highway Administration (FHWA) Action

Why does FHWA’s No Build, or baseline, condition assume the OPC is constructed and roadways are closed?

The proposed transportation improvements are only necessary if the OPC is built and roads are closed. Accordingly, FHWA analyzed the effects of its own action based on the existence of the OPC and road closures. Even so, the EA as a whole addresses the impacts of the OPC and road closures.

Why hasn’t the FHWA considered alternatives that narrow, rather than completely close, Cornell Drive?

The FHWA has authority to approve federal funding for roadway, pedestrian, and bicycle alterations that the City may choose to use Federal funds to construct. FHWA may only consider alternatives for those activities that are subject to FHWA approval. FHWA’s jurisdiction is limited to these actions that would be carried out with federal funding through the Federal-Aid Highway Program. It has no authority over the City’s plan to close a portion of Cornell Drive. The City has indicated that one of its principal objectives is to improve connectivity from the west side of the park to the lagoon and lakefront, and that the implementation of traffic calming measures along Cornell Drive would not achieve this goal. Therefore, traffic studies considered alternative ways to address traffic issues and non-vehicular access to and around Jackson Park based on closing Cornell Drive.

How will the roadway closures impact neighborhood traffic?

Regional traffic modeling performed by the Chicago Metropolitan Agency for Planning (CMAP) and analyzed as part of the *Jackson Park Revitalization Traffic Impact Study* has shown that anticipated traffic diversions from the closure of Cornell Drive would be to arterial and collector streets and not local neighborhood streets. This is due to the reserve capacity available on the arterial and collector streets to absorb the diverted traffic. As a result, increased traffic on the local streets is not anticipated; therefore, detailed analysis on the individual local street level is not warranted.

How will parking be impacted by the project alternatives?

Parking analyses were conducted as part of the *Jackson Park Revitalization Traffic Impact Study*. The actions occurring under Alternative B would result in a net loss of 125 on-street parking spaces. The actions of Alternative C would result in an additional loss of 105 on-street parking spaces. Street parking on the exterior of Jackson Park would remain for the most part unchanged, with impacts limited to Stony Island Avenue (increase of 21 parking spaces) and Midway Plaisance Eastbound (loss of 24 parking spaces) near the project area, so impacts to residents would be minimized.

The parking study in the *Jackson Park Revitalization Traffic Impact Study* concluded that Jackson Park contains an excess parking supply based on parking demand. As the implementation of the South Lakefront Framework Plan continues in Jackson Park, the City will continue to work with the CPD to implement additional parking supply in Jackson Park. The plan includes 60 additional spaces at the East Meadow (Driving Range), 170 at the 63rd Street Beach, 200 at the golf course, 90 at the boat launch, 101 in the Promontory Drive Lot, 19 more on Promontory Drive, and 40 at the South Shore Cultural Center, totaling an additional 680 parking spaces. These additions to parking supply, when fully implemented, would more than offset the loss of on-street parking spaces resulting from the alternatives.

How will the City sequence construction projects to minimize traffic impacts?

The construction of the roadway projects would be completed in multiple stages to minimize traffic impacts. The sequencing of projects is being coordinated with the OPC construction. Cornell Drive would remain open until construction is complete on other roadways to accommodate the diverted traffic. CDOT would work through its Project Coordination Office to coordinate with all planned construction activities on roadways in Jackson Park and in the surrounding neighborhoods.

Resource Concerns

How will trees be impacted?

The City, CPD, and OPC have shared initial tree impact studies online at <https://www.tinyURL.com/JPIImprovements>. These studies were further evaluated as part of the EA. See Appendix D of the EA for details. The analysis provides detailed information regarding the number, species, size, and condition of trees that would be removed by the project alternatives. The City has determined that the OPC site and roadway improvement projects will include the planting of new trees at no less than a 1:1 ratio of new trees to removed trees.

How will the Women's/Perennial Garden be impacted?

While the design decisions related to the OPC are outside the scope of the federal agencies' authority, the City of Chicago has provided information that the proposed OPC site plan will, upon its completion, retain many of the features of the Women's/Perennial Garden. The "center ring" defining the Women's/Perennial Garden will be rebuilt in the size, location, and shape of the current feature. The Women's/Perennial Garden will be rebuilt using the original limestone pavers at the perimeter seat wall and with similar plantings.

The OPC's planned changes to the Women's/Perennial Garden involve making modifications to the grading and the pathways between the central circular lawn and the larger network of Jackson Park circulation to create accessible routes into the space (bringing the Women's Garden into compliance with the Americans with Disabilities Act) and to facilitate improved stormwater management.

Appendix G of the EA addresses the temporary impacts to the Women's Garden that result from construction of the OPC.

How does the project consider rising Lake Michigan waters?

The Chicago Park District is partnering with various city, state, and federal agencies to address rising lake levels. The CPD submitted an application to the USACE to construct two breakwaters at the mouth of Jackson Outer Harbor to combat wave attack in the harbor and reduce the need for frequent dredging. These efforts are unrelated to the proposed federal actions under review in the EA.

How are the City and the Foundation working to assure that the OPC does not cause displacement, as we have seen in Chicago regarding the 606 trail and has happened across the country in relation to other park development efforts?

The socio-economic impacts associated with the federal actions that are under review are discussed in the EA Section 5.2.5 and Appendix I. More broadly, the City of Chicago, through its Departments of Housing and Planning and Development, is committed to equitable and inclusive growth in Woodlawn

to ensure that current Woodlawn residents are able to stay in their community. The Department of Housing convened a Woodlawn Housing Working Group to engage residents, including renters and homeowners, to talk through ideas and recommendations. After months of discussion and negotiation, the Department of Housing won support from the community to introduce an ordinance to the City Council in July designed to protect vulnerable tenants and homeowners in anticipation of gentrification and displacement. The City Council Committee on Housing unanimously recommended approval of the ordinance on August 26, 2020, and the full City Council approved the ordinance on September 9, 2020. Among other measures, the City intends to leverage its inventory of vacant land in the community to create and preserve affordable housing.

How will the City replace the displaced baseball field if it is not located on the east end of the Midway?

The City has indicated that the new track and field facility would displace one junior baseball playing field and one senior baseball playing field. The Chicago Park District plans to move the senior baseball playing field to another location within Jackson Park and upgrade another existing senior baseball field in the park. These changes were discussed with the public during the planning process for the South Lakefront Framework Plan (SLFP). The Chicago Park District is responsible for managing shifting interests in recreational activities and user group expectations, while at the same time serving the broadest needs of the public. For instance, some neighborhoods have asked to convert tennis courts to either mini soccer pitches or pickleball courts as those sports have gained prominence.

The City and CPD are also working collaboratively to identify additional parcels outside of Jackson Park and the Midway that are suitable for a baseball field.

Process-Related

Why is the current level of environmental review an Environmental Assessment (EA) and not an Environmental Impact Statement (EIS)?

Federal agencies prepare EAs in order to determine whether the federal action has the potential to cause significant impacts. An EA results in one of two findings: a Finding of No Significant Impact (FONSI) or a determination to conduct an EIS.

Why isn't the proposed golf course consolidation considered as a project under cumulative impacts analysis?

The golf course consolidation/expansion proposal is independent from this undertaking and the associated federal review process. The golf course consolidation/expansion proposal contained in the 2018 SLFP is not included as a "reasonably foreseeable action" because the scope and detail of this project are not sufficiently developed to allow for the kind of reasoned analysis that meaningfully informs federal decision-making. It is not anticipated to be completed or programmed (i.e., funding committed for the project construction) in the near future. The golf course will be subject to a separate approval process under the Lake Michigan and Chicago Lakefront Protection Ordinance. If any federal approval, funding, or permit is required for the golf course consolidation/expansion in the future, then federal requirements will be met.

How has the public been engaged in the NEPA process?

A Public Information Meeting held on September 17, 2018 at the South Shore Cultural Center provided the public with information regarding the federal review process. Information included a summary of the timeline for the federal process to date as well as the roles and responsibilities of each federal agency. Additional information included draft purpose-and-need statements, and a description of each proposed federal Action, the City's actions, and the next steps in the federal review. Comments on the project were collected during the meeting and considered during the development of the EA.

A Public Hearing will be held to provide the public the opportunity to comment on the EA and next steps of the NEPA process. A 30-day comment period will be granted upon notice of the release of the EA. Comments will be collected via the NPS Planning, Environment, and Public Comment (PEPC) website at <https://parkplanning.nps.gov/ChicagoJacksonPark>. After the public comment period closes, substantive comments will be responded to and agency responses will be publicly available via a public comment analysis report and included in the final decision document. A substantive comment is defined in the NPS Director's Order 12 Handbook as one that does one or more of the following:

- Question, with reasonable basis, the accuracy of information presented in the EA;
- Question, with reasonable basis, the adequacy of the environmental analysis;
- Present reasonable alternatives other than those presented in the EA; and/or
- Cause changes or revisions in the proposal.

How is Section 4(f) considered in the federal review process?

Section 4(f) of the U.S. Department of Transportation Act of 1966 applies only to agencies within the U.S. Department of Transportation (USDOT) and is implemented by the FHWA and the Federal Transit Administration (FTA). Section 4(f) provides for consideration of park and recreation lands, wildlife and waterfowl refuges, and historic sites during transportation project development. Section 4(f) is separate from the NEPA and NHPA Section 106 processes, which apply to all federal agencies.

The City's proposed roadway closures in Jackson Park and its decision to allow OPC to be located in Jackson Park are not subject to Section 4(f) because: (1) these actions do not require an approval from FHWA in order to proceed; (2) these actions are not transportation projects; and (3) the actions are being implemented to address a purpose that is unrelated to the movement of people, goods, and services from one place to another (i.e., a purpose that is not a transportation purpose).

On April 22, 2020, the Draft Section 4(f) Evaluation was released to the Officials with Jurisdiction (OWJs) and federal agencies with encumbrances on Section 4(f) land for a comment period that concluded on June 12, 2020. The Draft Section 4(f) Evaluation was also made available on the City's website (<http://www.tinyURL.com/JPIImprovements>) for public review. After the close of the comment period, FHWA considers the comments received and will complete the Final Section 4(f) Evaluation. The Final Section 4(f) Evaluation will be completed prior to, or concurrent with, the conclusion of FHWA's NEPA process.

Schedule and Next Steps

What happens after comments from the EA comment period are received?

The NPS will analyze public comments received during the public comment period and determine if any changes to the EA are merited by the collected input. Following the comment analysis period, the federal agencies will respond to substantive comments and release a decision document which may be a FONSI or a determination to complete an EIS. These will be available to the public on the City's and PEPC web sites: <http://www.tinyURL.com/JPIImprovements> and <https://parkplanning.nps.gov/ChicagoJacksonPark>.

When are the federal review processes expected to be completed?

The Assessment of Effects stage of the NHPA Section 106 process concluded in April 2020. The discussion of potential mitigation measures and the development of an MOA are ongoing and are anticipated to conclude in Fall 2020.

The Draft Section 4(f) Evaluation comment period concluded on June 12, 2020. FHWA is considering the comments received and will complete the Final Section 4(f) Evaluation. The Final Section 4(f) Evaluation will be completed prior to, or concurrent with, the conclusion of FHWA's NEPA process, anticipated in Fall 2020.

The EA will be made available in September 2020 for a 30-day public comment period. A public hearing will be held, including a webinar on two alternate dates, to present an overview of the EA and also allow for public comment. A separate opportunity for the public to provide in-person comments will also be provided. Following the public comment period, the federal agencies will consider the comments received and will conclude the NEPA process by issuing a FONSI or proceeding to conduct an EIS. The NEPA determination is anticipated in Fall 2020. Updates to the schedule can be located on the City and PEPC websites: <http://www.tinyURL.com/JPIImprovements> and <https://parkplanning.nps.gov/ChicagoJacksonPark>.

When will construction on the OPC begin?

After the federal processes are complete and the necessary approvals are in hand. The Foundation plans to commence construction in 2021.