

4.6 Special Lands, Section 4(f), Section 6(f), and OSLAD Considerations

Special lands, including significant publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic sites of national, state, or local significance, are afforded protection under Section 4(f) of the USDOT Act of 1966 and Section 6(f) of the Land and Water Conservation Fund Act (LWCFA). Additional protection is provided for properties purchased with OSLAD Act funds, a program overseen by IDNR.

Readily available information was used to identify special lands in the study area that may require unique treatment according to the above-mentioned regulations and programs. The object of the Tier One analysis of protected lands has been to determine the potential for Section 4(f), Section 6(f), or OSLAD involvement and alert resource agencies of these potential involvements. The formal Section 4(f) consultation with officials with jurisdiction over the property and FHWA, and ultimately an official determination of Section 4(f) applicability, will be completed during Tier Two. At that time any Section 4(f) involvement will be documented in the appropriate format using either the individual, programmatic, or *de minimis* impact Section 4(f) evaluation process. The documentation will describe impacts to Section 4(f) resources; measures evaluated to avoid or minimize impacts to Section 4(f) resources and whether they are feasible or prudent; mitigation activities agreed upon by IDOT, the officials with jurisdiction over the property, and FHWA; and agency consultation activities. A review of relevant data showed that one property purchased with OSLAD funds (Medinah Wetlands Forest Preserve) could be affected by the proposed improvements (Nation, 2009a, personal communication; Nation, 2009b, personal communication).

No properties affected by the proposed improvements were purchased with funds allocated by the LWCFA (Nation, 2009a; 2009b); therefore, no Section 6(f) involvement exists on this project. Two county forest preserve and five municipal parks could be within the footprint of a build alternative (see Table 4-23 and Exhibits 4-1A through 4-1E and Exhibit 4-8). FHWA considers forest preserves to be Section 4(f) properties because of their designation as public recreational areas. Three of the five municipal parks would likely be classified as Section 4(f) properties because they are presumed significant, publicly owned, open to the public during normal business hours, and primarily used for recreation. The Elk Grove Detention Pond, while publicly owned and open to the public, has marginal recreational value and may not meet the “significance” criteria needed to be classified a Section 4(f) resource. The Legends of Bensenville Golf Course continues to be in public ownership, but the property is not actively used as a golf course and the Village of Bensenville is considering selling the property. Therefore it, too, may not meet the classification requirements as a Section 4(f) resource. Two properties within the proposed build alternative footprints are Bretman Park (owned by the Village of Bensenville) and Silver Creek Forest Preserve (owned by FPDDC and maintained by the Village of Bensenville). Both properties are within the OMP acquisition area, so their affects have been accounted for under the Section 4(f) process undertaken for the federally-approved OMP EIS and will not be considered further in this document (FAA, 2005).

The North Central DuPage Regional Trail and the Salt Creek Greenway Trail cross the Elgin O'Hare Expressway and Thorndale Avenue, respectively, and could be temporarily disrupted during the proposed improvements. Reasonable effort will be made to minimize disruption to

the trails during construction or to provide alternate trail routes in the event closure during construction is required. The Salt Creek Greenway Trail would need to be shifted slightly to the south to allow for the construction of the frontage road proposed between Prospect Avenue and Wood Dale Road. Available information indicates that the Salt Creek Greenway Trail is located on private property, where it may be affected by the proposed improvements. If it is confirmed that the property is privately owned, Section 4(f) would apply only if the property has a public easement permitting public to access the property for recreational purposes. Regardless, it is FHWA's policy to minimize disruption to the continuity of existing and designated trails. After further review of the preliminary engineering, it is likely that four of the properties listed in Table 4-23 – Alexian Field, Shenandoah Park, Salt Creek Marsh Forest Preserve, and Legends of Bensenville Golf Course – would not be affected directly by the proposed improvements. The proposed improvements along roadways abutting the four properties are the same for both alternatives and likely can be constructed within existing right-of-way. Therefore, the improvements could require no property from any of these resources. If involvement with the four properties becomes necessary, it likely would be limited to temporary easements required to construct the roadway improvements. The properties most likely to be affected by the build alternatives and south bypass connection options are described below. It is important to note that at this stage, the build alternatives represent working concepts that have the ability to be modified during subsequent stages.

4.6.1 Medinah Wetlands Forest Preserve

Both alternatives would affect the forest preserve in the same way. The property's primary use is preserving wetland habitat.

A strip from the east side of Medinah Wetlands Forest Preserve would be required for the widening of Medinah Road from two to three lanes in each direction as it approaches the Elgin O'Hare Expressway. The northern part of the strip being taken is wetland; the southern part is upland. Similarly, the proposed improvements would require a strip in the northeast corner of the property for the improved eastbound to southbound turning lane at the eastbound exit ramp terminal. The part of the property being taken is wetland. The size of the potential impacts is 0.75 acre.



TABLE 4-23
Potential Impacts to Special Lands per Build Alternative and South Bypass Connection Option

Property Name	Location	Size/Length	Description	Alternatives that Potentially Impact the Property	Size of Potential Impact (area or length/% of entire property)	Proposed Improvements in the Vicinity
County Forest Preserves						
Salt Creek Marsh Forest Preserve (FPDDC)	South of Thorndale Avenue between Prospect Avenue and Wood Dale Road	106 acres	Lake/pond/waterway and wetland habitat; no amenities or parking; fishing and trail access available	203, 402	0.79 acre/0.7%	New frontage road between Prospect Avenue and Wood Dale Road.
Medinah Wetlands (FPDDC)	Southwest quadrant of Elgin O'Hare Expressway and Meacham Road	57 acres (23 acres of which were purchased with OSLAD funds)	Wetland habitat; no amenities or parking	203, 402	0.75 acre (all on the portion of the property purchased with OSLAD funds)/1.3% of entire Forest Preserve; 3.3% of area purchased with OSLAD funds	Southbound shift of eastbound Elgin O'Hare Expressway exit ramp; widening from two to three lanes in each direction along Medinah Road approaching Elgin O'Hare Expressway on east side of property.
Municipal Parks						
Elk Grove Detention Pond (Elk Grove Village)	Southeast of Coyle and Carmen	3 acres	Elk Grove detention pond with park bench for area employees to use	203	2.0 acres/66.7%	New mainline alignment.
Majewski Athletic Complex (Mount Prospect Park District)	East side of Elmhurst Road north of I-90	34 acres	Community park with a fieldhouse, softball fields, and soccer fields	203	0.78 acre/2.3%	New collector-distributor road linking freeway movements between proposed O'Hare West Bypass system interchange and Elmhurst Road along I-90.
Shenandoah Park (Elk Grove Park District)	On east side of Meacham Road north of Elgin O'Hare Expressway	5 acres	Neighborhood park with a playground, picnic table, and softball field	203, 402	0.02 acre/0.4%	Resurfacing on east side of property.

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Potential Impacts to Special Lands per Build Alternative and South Bypass Connection Option

Property Name	Location	Size/Length	Description	Alternatives that Potentially Impact the Property	Size of Potential Impact (area or length/% of entire property)	Proposed Improvements in the Vicinity
Alexian Field (Schaumburg Park District)	East side of Gary Road south of	39 acres	Primarily used as the home field for the Schaumburg Flyers, a minor league baseball team	203, 402	1.23 acre/3.2%	Reserving footprint on west side of property to potentially widen Springinsguth Road for additional intersection capacity at entrance ramp.
Legends of Bensenville Golf Course (Village of Bensenville)	Northwest quadrant of Grand Avenue and County Line Road	49 acres	Inactive public golf course	South Bypass Connection Options A and D	1.2 acre; 0.3 acre/2.4%; 0.6%	Resurfacing on south side of property.
Trails						
Salt Creek Greenway Trail (within the study area)	Across Thorndale Avenue and on the north and west sides of Salt Creek Marsh Forest Preserve	6 miles	Recreational trail for bikers and pedestrians	203, 402	600 feet/1.7%	New frontage road between Prospect Avenue and Wood Dale Road.
North Central DuPage Regional Trail	Across Elgin O'Hare Expressway along Medinah Road/Meacham Road	35 miles	Recreational trail for bikers and pedestrians	203, 402	Temporary disruption during construction	Add three lanes in each direction to Elgin O'Hare Expressway, reconstruct Medinah Road to add turn lanes at interchange, and add lane to Meacham Road.

4.6.2 Elk Grove Detention Pond

The property is within the mainline alignment of Alternative 203 (O'Hare West Bypass, north section); it is avoided by Alternative 402. Alternative 203 is located diagonally across much of the southeastern part of the detention pond, with part of the northwest corner of the pond remaining. Placement of the 203 alignment is limited by both horizontal and vertical restrictions. Its proposed location minimizes impacts to the industrial area on the west



side of Elmhurst Road and avoids impact to O'Hare Airport's fuel storage tank farm and runway protection zone on the east side of the of the alignment. If the alignment were shifted to the west, additional structures (buildings/industrial properties) likely would be displaced, and access to some remaining structures would be compromised or eliminated. Placement of the alignment to the east would displace fuel storage tanks and encroach further into the runway protection zone. The size of the potential impact is 2.0 acres.

4.6.3 Majewski Athletic Complex

Majewski Athletic Complex would be affected by Alternative 203 but avoided by Alternative 402. The south side of the property (0.78 acre) would be affected because of the installation of a collector-distributor facility to link freeway movements between the proposed O'Hare West Bypass/I-90 system interchange and the proposed full Elmhurst Road/I-90 service interchange. The alignment of the collector-distributor cannot be shifted south without compromising roadway design standards. The provision of three lanes maintains acceptable LOS along the roadway; reducing the cross section to one or two lanes would result in a lower LOS. No amenities would be affected; the land that would be transferred to transportation use is grassland along the edge of the property.



Considerable effort was made in the alternatives development and evaluation process to avoid or minimize impact to special lands. Though the build alternatives are in the conceptual stage, measures were incorporated into the design to minimize impacts without compromising roadway design standards. The proposed improvements at the Medinah Wetlands Forest Preserve and Majewski Athletic Complex would not adversely affect the activities, features, or attributes and therefore, may be considered to have the Section 4(f) processed as a *de minimis* impact. Another Section 4(f) assessment method may be used for analyzing the Elk Grove Detention Pond provided it is designated as a Section 4(f) resource.