

Red Line Extension Project

Wendell Smith Park Section 4(f) Evaluation

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Section 1 - Introduction

This report provides documentation necessary to support the determinations required to comply with the provisions of Section 4(f) of the Department of Transportation Act of 1966, as amended (23 CFR 774; codified in 49 U.S.C. 303 and generally referred to as “Section 4(f)”).

Section 4(f) protects the following properties of national, state, or local significance:

- Publicly owned, publicly accessible parklands and recreational lands
- Public wildlife/waterfowl refuges, regardless of public access
- Historic sites, regardless of public or private ownership

A proposed refinement to the Chicago Transit Authority (CTA) Red Line Extension (RLE) project (Project) would result in new impacts to Wendell Smith Park, a previously identified Section 4(f) property as documented in the Project’s combined Final Environmental Impact Statement (EIS)/Record of Decision (ROD) and Section 4(f) Evaluation dated July 2022. Wendell Smith Park is a publicly owned, publicly accessible park and is not a historic resource. In the Final EIS, Wendell Smith Park is documented as a Section 4(f) no use (see Final EIS Section 8.2.2). This report documents the Section 4(f) evaluation for the new impacts to Wendell Smith Park due to the proposed refinement.

The report provides the Project and refinement descriptions (Section 2), the Section 4(f) regulatory framework (Section 3), and the Section 4(f) evaluation for Wendell Smith Park (Section 4).

The Section 4(f) evaluation that follows has been prepared in accordance with the joint Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) regulations for Section 4(f) codified in 23 CFR 774 and FTA’s environmental standard operating procedure (SOP) number 18, Section 4(f) Evaluations.



Section 2 - Project Description

2.1 Background

The Chicago Transit Authority (CTA) is proposing to construct a 5.5-mile extension with four fully accessible stations. The Red Line Extension (RLE) project (Project) would extend the Red Line from the existing 95th/Dan Ryan terminal to 130th Street. The Project's four stations would include 103rd Street (near Eggleston Avenue), 111th Street (near Eggleston Avenue), Michigan Avenue (near 116th Street), and 130th Street (near Altgeld Gardens). Multimodal connections at each station would include bus, bike, pedestrian, and park & ride facilities. In addition, a new modern and efficient railcar storage and yard and shop facility would be constructed near 120th Street. The Project's combined Final Environmental Impact Statement (EIS)/Record of Decision (ROD) and Section 4(f) Evaluation was signed on July 28, 2022. Figure 1 shows the Project alignment and associated features.

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Figure 1: Red Line Extension Project Alignment

2.2 Project Refinement

A proposed refinement would change the Project's elevated track superstructure over I-57 and the Union Pacific Railroad (UPRR) from previously proposed long spans and steel structure to simple short-spans (nominally 120-130-foot spans) and segmental structure. This change would allow continuation of segmental superstructure through this area. The superstructure change would necessitate changes in pier placements. The pier and cap proposed in the 99th Street right-of-way parcel would be relocated west within the same parcel with a size reduction. A pier and straddle bent would be added to the western edge of Wendell Smith Park.

The proposed change lowers construction cost, results in a shorter local-area construction schedule, reduces safety and quality risk, reduces potential utility impacts, and simplifies long-term maintenance. Additionally, the proposed change reduces the need for heavy equipment in Wendell Smith Park, eliminating the need for specialized equipment for a long-span bridge.

The area of the proposed refinement is shown in Figure 2 with the impact to Wendell Smith Park shown in Figures 3 and 4 later in this document.

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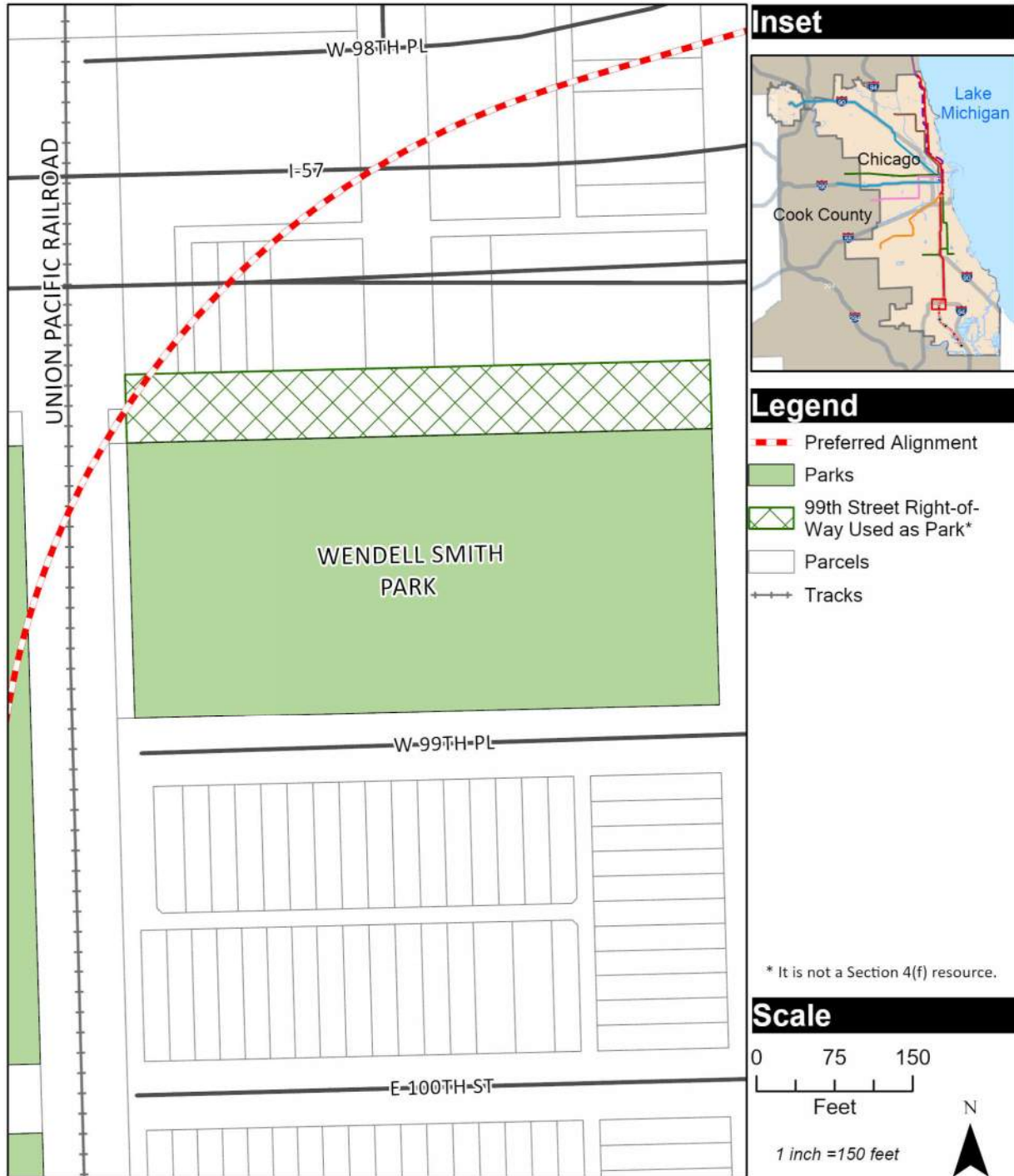


Figure 2: Project Refinement Area

Section 3 - Regulatory Framework

3.1 Section 4(f) “Use” Determinations

To determine whether Section 4(f) applies to the Project refinement and as defined in 23 CFR § 774.17, the protected Section 4(f) property must be assessed to determine whether there would be a “use” of the property as defined in the statute. Per the regulation, use of a protected Section 4(f) property occurs when any of the following conditions are met:

- **Permanent Incorporation/Direct Use** – A permanent incorporation or direct use of a Section 4(f) property occurs when land is permanently incorporated into a transportation facility. “Permanent incorporation” of a Section 4(f) property would include purchasing part or all the property for use as right-of-way or for transportation facilities or purchasing a permanent easement for construction or operations. Even small partial acquisitions of Section 4(f) lands are considered permanent incorporation.
- **Temporary Use** – A temporary use of a Section 4(f) property occurs when there is a short-term use of the property that is considered adverse in terms of the preservation purpose of the Section 4(f) statute.
- **Constructive Use** – A constructive use of a Section 4(f) property occurs when a transportation project would not incorporate land from the property, but the proximity of the project would result in impacts so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) would be substantially impaired (23 CFR § 774.15).

3.2 Section 4(f) Approval Options

FTA may not approve the use of a Section 4(f) property, unless it determines the following, as defined in 23 CFR § 774.17:

- There is no feasible and prudent alternative to the use of that land and the project includes all possible planning to minimize harm of using the property.

OR

- FTA determines that Section 4(f) use of the property would have a “*de minimis*” impact.

For parks, recreation areas, and wildlife/waterfowl refuges, a *de minimis* impact is defined in 23 CFR § 774.17 as one that would not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f), and the official with jurisdiction has concurred with this determination after there has been a chance for public review and comment. The



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provision allows avoidance, minimization, mitigation, and enhancement measures to be considered in making the *de minimis* determination.

Section 4 - Wendell Smith Park

4.1 Description and Significance of Property

Wendell Smith Park is in Roseland and is approximately 4.7 acres (340 feet wide by 610 feet long). This park is an actively used facility with basketball courts, baseball fields, a play lot, recreation building, and 0.3 mile of walking trails. Wendell Smith Park is a publicly owned, publicly accessible park. The Chicago Park District owns and operates the park. The 99th Street right-of-way is currently used as a part of Wendell Smith Park; however, this land remains City-owned with an ordinance granting use by the Chicago Park District.

4.2 Section 4(f) Use Assessment

As shown in Figure 2, as well as described in the Final EIS Section 8.3.1, the Preferred Alignment would be elevated over the northwest corner of the City-owned 99th Street right-of-way, which is currently used as Wendell Smith Park property but remains a transportation use and Section 4(f) does not apply.

The proposed refinement would require a pier and straddle bent to be placed on the western edge of Wendell Smith Park. The pier would fall within lot 29 of the park. The permanent above grade impacts are approximately 50 square feet for the pier (ground level to the bottom of the straddle bent) and approximately 120 square feet for the straddle bent (top of pier to top of straddle bent). The Chicago Park District would require CTA acquisition of the entirety of lot 29 in the northwest area of the park. Lot 29 is 25 feet by 124.1 feet, equating to an acquisition area of approximately 3,103 feet or 0.07 acres. The acquisition area is comprised of a grassy, open area with a few trees and does not contain any park features. A walking path and a bench are located to the east of the acquisition area. Figure 3 shows the acquisition area in context to the park. Figure 4 shows the location of piers and straddle bents of the proposed refinement in the vicinity of the Wendell Smith Park acquisition area.

The acquisition of 0.07 acres of Wendell Smith Park would result in a permanent incorporation of the park space, which constitutes a direct use under Section 4(f).

The visual impact of the Project refinement would be minimal to Wendell Smith Park and would not adversely impact the attributes, features, or activities of the park. The proposed pier and straddle bent would have a small footprint and would be located along the far western edge of the park in an area not actively used.



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As detailed in the Final EIS in Section 8.3.1, the Project would continue to require the temporary closure of the northwest corner of Wendell Smith Park (approximately 0.1 acre) to construct the Project. The temporary closure was determined to constitute a temporary occupancy, and that determination remains valid even with the Project refinement. The anticipated total closure time of the northwest corner of the park would remain considerably less than the total time needed for construction of the Project. One benefit of the Project refinement would be a shorter local-area construction schedule. A construction permit would be obtained from the Chicago Park District for the temporary occupancy with the land affected fully restored to a condition at least as good as that is existing prior to the Project.

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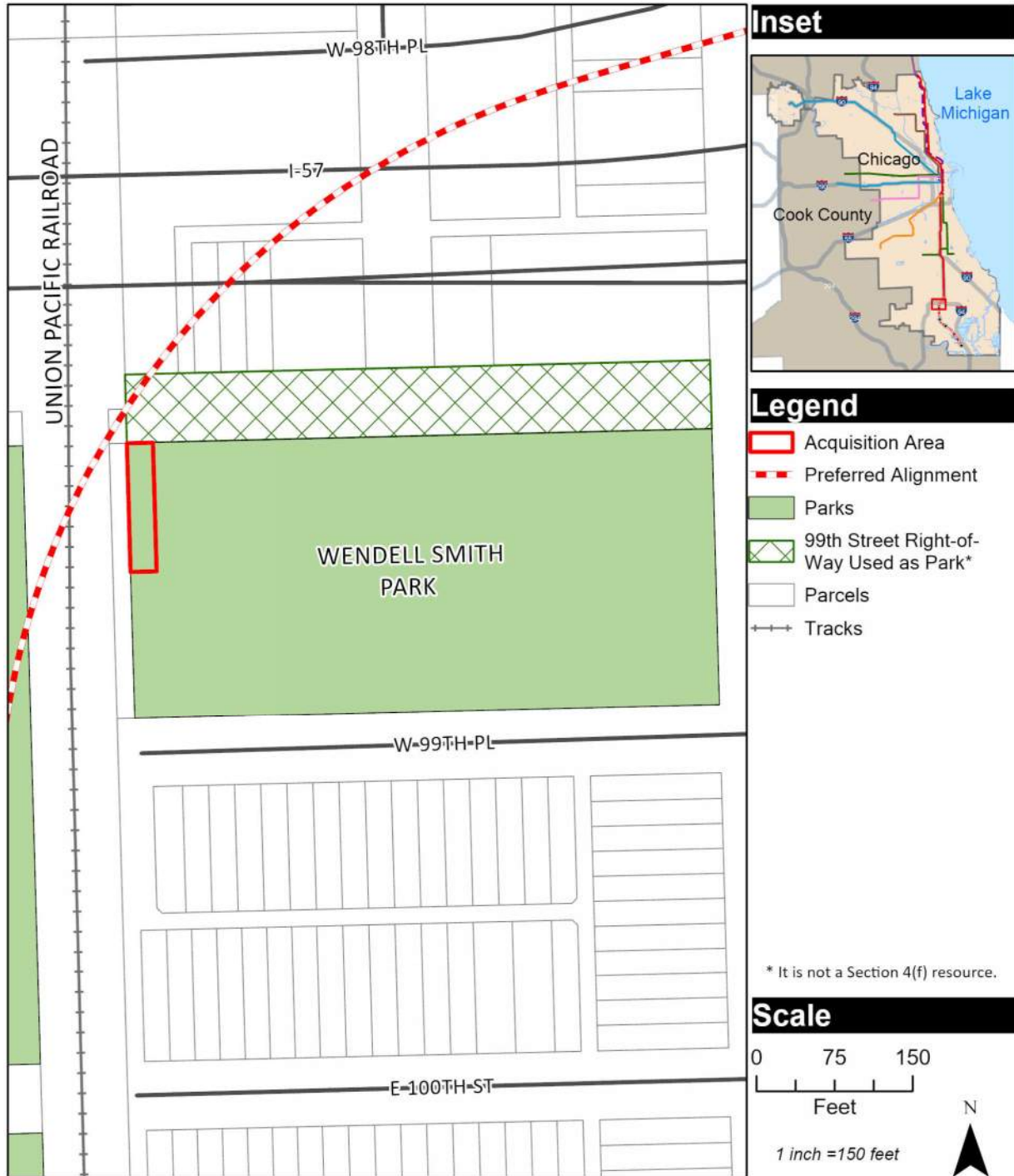


Figure 3: Wendell Smith Park Acquisition Area

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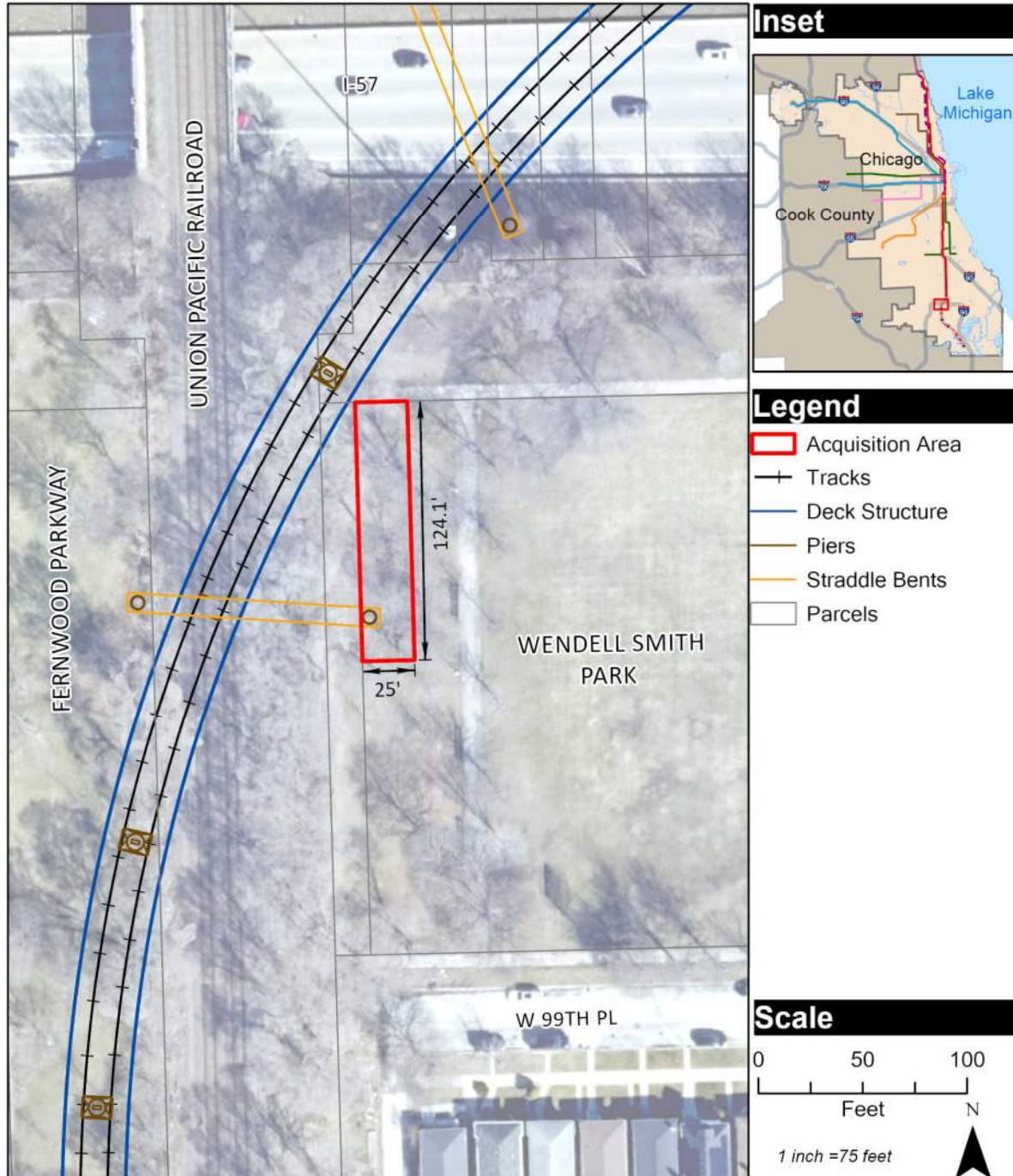


Figure 4: Pier and Straddle Bent Locations

4.3 Measures to Minimize Harm

The proposed pier and straddle bent would be located along the far western edge of Wendell Smith Park to minimize impacts to the park. In coordination with the Chicago Park District, CTA would provide 0.07 acres of replacement parkland. This replacement acreage would include passive recreational space constructed in accordance with Chicago Park District standards.

During the Final EIS and as documented in the Final EIS Appendix Y, potential pocket park locations in the Washington Heights community area and along Major Taylor Trail were identified. These potential pocket park locations were formalized in an intergovernmental agreement (IGA) between the CTA and Chicago Park District and coordination is ongoing to provide the replacement parkland at a replacement ratio of 1 to 1. The additional 0.07 acres of replacement parkland would be added to the previous replacement parkland commitment of 4.1 acres for a total of 4.17 acres of replacement parkland to be provided to the Chicago Park District.

4.4 Preliminary Section 4(f) Finding

Based on consideration of the proposed direct use as well as the mitigation and enhancement measures, no adverse impacts on the attributes, features, or activities would result from the proposed refinement. Therefore, a *de minimis* finding is proposed for the Section 4(f) use of Wendell Smith Park. Meetings held with the Chicago Park District on January 16, 2025, February 20, 2025, and February 26, 2025, confirmed the appropriateness of the preliminary *de minimis* finding and facilitated the development of the mitigation measures.

A public involvement process to include a public notice and an opportunity for public review and comment concerning the proposed refinement's effects on the protected activities, features, or attributes of Wendell Smith Park will occur. FTA will consider public comments prior to issuing a Section 4(f) impact determination.

4.5 Coordination Activities

Coordination with the agency with jurisdiction over this property, the Chicago Park District, is ongoing. Meetings were held on the proposed refinement with the Chicago Park District on January 16, 2025, February 20, 2025, and February 26, 2025. CTA and the Chicago Park District hold monthly coordination meetings on this Project. These coordination meetings will continue, and the Chicago Park District will be informed of the public comments received.