

Press-Scimitar

MID-SOUTH
EDITION

PRICE FIFTEEN CEN

rain today and tonight. High in mid 70s, low near 50. (Details on page 2.)

MEMPHIS, TENN., FRIDAY, JANUARY 31, 1975

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Sec. Brinegar Is Leaving 3 Overton Alternatives

By TIM WYNGAARD
The Press-Scimitar Bureau

WASHINGTON.—Transportation Secretary Claude S. Brinegar, refusing to take final action, has ordered federal highway authorities to consider either a cut and cover tunnel under Overton Park or a local street and bus improvement program to handle traffic over the gap in I-40.

Brinegar, who leaves office Saturday, turned over to his successor the question of the solution to the long-standing I-40 conflict, saying that if all federal officials act promptly, that solution can be found by the end of 1975.

Brinegar also asked federal highway authorities to consider a third alternative to the Overton Park dispute—a cut and cover tunnel under the existing North Parkway—but went on to say that such a solution may not be "prudent."

The retiring secretary ordered the highway officials to report on three final alternatives by the end of March.

Brinegar said the final submission by the state last October of alternative plans for the solving of the Overton Park I-40 dispute "is adequate to form a basis for a re-evaluation of the I-40 location question, and I ask that the Federal Highway Administration prepare the necessary analysis."

The action by Brinegar, who had been asked by Sen. Howard H. Baker Jr. late last year to act on the matter before leaving office "so that we won't have to educate another secretary," did not completely please the Tennessee Republican, Baker said:

"I am disappointed that

we did not get approval for immediate construction. However, I am pleased the secretary recognizes the changed circumstances and has directed the federal highway administrator to recommend from among three specific alternatives. This moves us somewhat closer to a resolution of the problem."

Brinegar's action somewhat paralleled another decision by former secretary John Volpe on Jan. 18, 1973, his last day in office.

Volpe rejected, for environmental reasons, a proposal that a surface highway be built through the park.

Following that decision, former Gov. Winfield Dunn submitted a host of proposals last October, including three prime recommendations.

The first called for a depressed highway through the park, at an estimated cost of \$176 million.

"With respect to the state's current proposals, I believe, as did Secretary Volpe, that the open cut design through Overton Park cannot be approved under applicable law," Brinegar wrote the federal highway administration in his final action on I-40.

The state proposed, as a second alternative, a cut and cover tunnel through the park, at an estimated cost of \$178 million.

Brinegar told the federal

highway office that alternative should be considered.

He did not even mention the state's third main proposal, a bored tunnel under the park, pegged at an estimated completion cost of \$775 million. The state had recommended that alternative for rejection from the beginning.

Instead, Brinegar focused on two other proposals in the October proposals by the state.

The state suggested a cut and cover tunnel under North Parkway which would measure more than 6,000 feet in length—but stressed severe design, engineering and operating problems involved in such an alternative. "The North Parkway tunnel can be constructed, but the cost will be extremely high," the state proposal concluded.

"A North Parkway tunnel would appear to be a feasible way to avoid the park, but the record does not satisfy me that it would be

Turn to Page 3—
CUT-AND-COVER



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Cut-and-Cover Is Acceptable Alternative

From Page 1

prudent," Brinegar told the Federal Highway Administration.

"Accordingly, I am asking the acting assistant secretary for system development and technology to work with your organization on examining Tennessee's different tunnel design proposals," he wrote in an internal memo.

Brinegar's third alternative was touched on briefly in the state's presentation to the Department of Transportation.

He suggested "low capital transit and arterial street improvements that could, in time, provide equivalent traffic service."

The state submission suggested such an alternative was not feasible because of the mushrooming traffic volumes on the interstate highway, and because of much higher accident and fatality rates on city streets than on modern freeways.

"I am also asking the urban mass transit administrator to assist in your analysis of the third opinion," Brinegar told the federal highway authorities.

"As the circulation of an environmental impact statement for any new proposal will take several months, you should have the re-evaluation ready for the new secretary by April 1," ordered Brinegar.

"Hopefully, by this action, this long-standing issue can be brought to a resolution before the end of 1975," Brinegar concluded.

Continued above

Fight Leaders 'Real Pleased'

Some of the leaders in the fight against building the expressway through Overton Park expressed delight in Brinegar's decision today.

"I'm just real pleased," said Sunshine Snyder, who is one of the original plaintiffs in the suit against the expressway "This revives my faith in the administrative and court procedures."

She added, "We've been accused of delaying this controversy. What amazes me is that it has taken five years for the state's attorneys to learn that federal law says you can't go through a park. They've gone through two transportation secretaries and a trip to the Supreme Court to learn what we already knew."

Mrs. Snyder said she would also oppose the cut-and-cover tunnel through the park which Transportation Secretary Claude S. Brinegar left as an alternative. She said the law specifically states that there can be no expressway through the park unless there is "no other alternative," and Brinegar left open two other alternatives, she said.

Mrs. Anona Stoner, secretary of Citizens to Preserve Overton Park, the organization which has fought against the expressway since 1957, agreed that the cut-and-cover tunnel would not be acceptable.

"Anything through the park is just out as far as we are concerned," she said. "Our whole point is don't go through the park. If you cut anything, it will do damage. Cut-and-cover must therefore do damage."

Mrs. Snyder said she hoped this would end the long-standing case. "We take this as a definite win. I just wish the losers would be content with their losses instead of trying to circumvent the law."