

Memphis - Xway  
PSC 3/26/68

## Federal Highway

# City Council Must Act

## Commissioner Says

# on Overton X-Way

## Positive Route Held Necessary To Final OK

By ED RAY  
Press-Scimitar Managing Editor

If City Council does not change positively its "iffy" Overton Park route position, there will NOT be in the foreseeable future a Memphis east-west expressway link to the Interstate Highway 40 bridge now under construction across the Mississippi.



Bridwell

• He receives from City Council a resolution saying there is NO route other than Overton Park which is "feasible" and "prudent," with facts and figures to back it.

Federal Highway Administrator Lowell K. Bridwell, who has final authority to approve the route, made this clear to me last week when I visited his office in Washington.

Because of a provision in a transportation law passed without discussion by Congress in October, 1966, through national conservation interests' lobbying, Bridwell said he won't give approval of route until:

• He receives from City Council a resolution saying there is NO route other than Overton Park which is "feasible" and "prudent," OR

On March 6, City Council passed a resolution asking the administrator to move the expressway route out of the park; or, if he couldn't do that, to adopt a route along the northern boundary of the park; or, if he couldn't do that, to go ahead and build the expressway through the park as fully planned now.

Bridwell said the general direction of the long-debated route can NOT be changed because rights-of-way for most of the land east of the park have been purchased and one interchange west of the park already is under construction.

"Because of the law which Senator Jackson of Washington got approved as an amendment to the Transportation Act," said Bridwell, "I am not going to make another move until City Council acts positively. If I do not get a positive resolution, we will use funds available, now scarcer, for other projects. Failure of the Council to act would postpone the expressway to some unforeseeable date."

The commissioner, a former newspaperman appointed by President Johnson, said that national conservation interests had notified him that they would file suit in a test case to stop the expressway from going through Overton Park.

Public Law 89670 says:

"After the effective date of this act, (Oct. 15, 1966) the secretary (of transportation) shall NOT approve any program or project which requires the use of any land from a public park, recreation area, wild life and water fowl refuge or historic sites unless 1) there is no FEASIBLE and PRUDENT alternative to the use of such land, and 2) such programs include all possible planning to minimize harm to such park, recreational area, wild life and water fowl refuge or historic site resulting from such use."

His department's studies have shown that the Overton Park route is the most feasible and prudent, the commission-

er said, but defense of any suit must include a positive position by City Council.

### Commission's OK Dead

Bridwell added that passage of the act 18 months ago killed the effectiveness of a resolution in favor of Overton Park passed by the old City Commission.

Secretary Udall of the Department of Interior, which is the government's watchdog of conservation, will be involved in enforcement of the new law, the impact of which has been discussed little by state and city officials.

In other words, if Udall isn't satisfied that Overton Park or some other route doesn't meet conservation requirements, he could enter the suit to stop it. That would pit one government department against another.

"We can defend the Overton Park route in court with the

Support of City Council representing the people of Memphis," he said. "Our position would be endangered without it."

(Continued: Separate small slip!)

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The administrator, a studious man with a meticulous eye for details, said he was not closing the door to alternatives to the park route, but could act only on a positive recommendation from Council.

Bridwell produced an official 1965 brief which narrowed 29 alternatives to the Overton Park route to two. The report is printed in full on this page today.

So - this is editorial tone, not necessarily Bridwell's!

not true  
and is date  
G. CA  
Apr. 3, 68

TO - OVERVIEW PARK

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