

I-40 Route Choice Through Park Blasted By Professional Planner

By MICHAEL LOLLAR

With a Philadelphia professor as ammunition, opponents of the Overton Park expressway renewed their ecological attack in federal court yesterday.

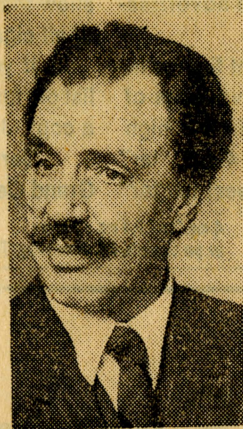
Backed by a bachelor's degree and two master's degrees from Harvard University, Prof. Ian L. McHarg, a Scottish immigrant, testified for almost four hours yesterday, applying "social values" to Overton Park.

He spoke with a heavy Scottish brogue, often difficult to understand, but maintained throughout that state Highway Department officials have been "amateur" in their highway design and that state-proposed alternate routes would "depreciate land values" to the north and south of the park.

Earlier, Overton Park Zoo Director Robert H. Mattlin was recalled by the plaintiffs to expand on testimony that existing traffic near the park has disrupted the breeding practices of some zoo animals.

The testimony will resume this morning with the reading of a 396-page deposition from E. H. Swick, executive director of the Federal Highway Administration. Portions of his written testimony were read yesterday, indicating the Overton Park route for Interstate 40 was approved by both state and federal officials before a public hearing was ever held in Memphis.

Mr. McHarg, a professor of city planning at the University of Pennsylvania and a planner



Ian McHarg
—Staff Photo

with a Philadelphia firm, said he has 16 years in the planning field. Among his projects, he said, are planning for the central business districts of Los Angeles, Washington and Buffalo, N.Y., ecological-transportation studies for Minneapolis and St. Paul, Minn., and the Richmond Parkway along Staten Island in New York.

He attacked two alternatives to the Overton Park expressway proposed in 1965 by the state Highway Department, calling those routes "malevolent."

However, J. Alan Hanover, special counsel for the state Highway Department, showed on cross-examination that Mr. McHarg himself had once conducted a study urging that an interstate highway be routed through both a park and a wildlife refuge in New York.

Mr. McHarg was unable to explain clearly the difference

in that case and the Overton Park case and often evaded specific questions until he was ordered to answer by United States Dist. Judge Bailey Brown. He later said that in preparation for his testimony he had read only one volume of a six-volume study prepared in 1955 by Harland Bartholomew & Associates in reference to the Overton Park expressway.

John W. Vardaman, of Washington, an attorney for the Citizens to Preserve Overton Park and other plaintiffs, argued Monday the two state-proposed routes were chosen "to silence critics." He said both would have damaged several of Memphis' major institutions, including Southwestern.

On direct examination by Mr. Vardaman, Mr. McHarg said the state-proposed routes, one to the north and one to the south of the park, "seem to be the worst possible choices. If a man chose to select all the most beautiful, powerful, salubrious institutions within the entire area to be destroyed, he could not have been more successful than selecting those routes.

"Certainly the concentration of prestige within the entire area seems to fall within these districts."

He said an expressway in the park "would surely destroy the values of the areas" north and south of the park. "As a matter of public knowledge, people pay \$300 a month for a room around Central Park (in New York), \$250 a month for a room in the next block, and \$100 a month for a room in the third block.

"If the quality of the park is lessened, the result will be a decrease in property values."

Mr. McHarg referred to local and state highway planners as "amateurs," indicating they came to the wrong conclusions in deciding to route I-40 through the park.

United States Atty. Thomas F. Turley Jr. then alluded to the fact that the federal highway administrator has to approve any route decided by local and state planners. "One might reasonably assume that a person in that position would have some competence in his position."

Mr. McHarg replied, "I don't know if speculation of this sort is of value. In a good, proper, just, wise society, this would be true."

"Is this a just and wise society in which we live?" Mr. Turley asked.

"Sir, I don't think I want to answer that. I don't think it

(Continued on Page 9)

TRAFFIC LINKED

(Continued from Page One)

has any relevance to my being here . . ."

Mr. Mattlin testified briefly that since he became director of the Overton Park Zoo in 1964, 18 bears have been born. Only two of those have lived, he said. He said a mother bear once killed her cubs when a bus backfired on North Parkway, exciting the mother and making her nervous.

Mr. Mattlin had previously testified that air pollution from automobile exhausts might cause lung cancer in some zoo animals.

Mr. Swick, in his deposition, said the first approval for Overton Park's expressway was "in late 1956 or early 1957." That approval, he said, was a "meeting of the minds between state Highway Department personnel and the federal division engineer of the Bureau of Public Roads."

That decision obligated the federal government to pay 90 per cent of the expenses of the route, he said, although "the government was not necessarily committed to any particular route through the city."

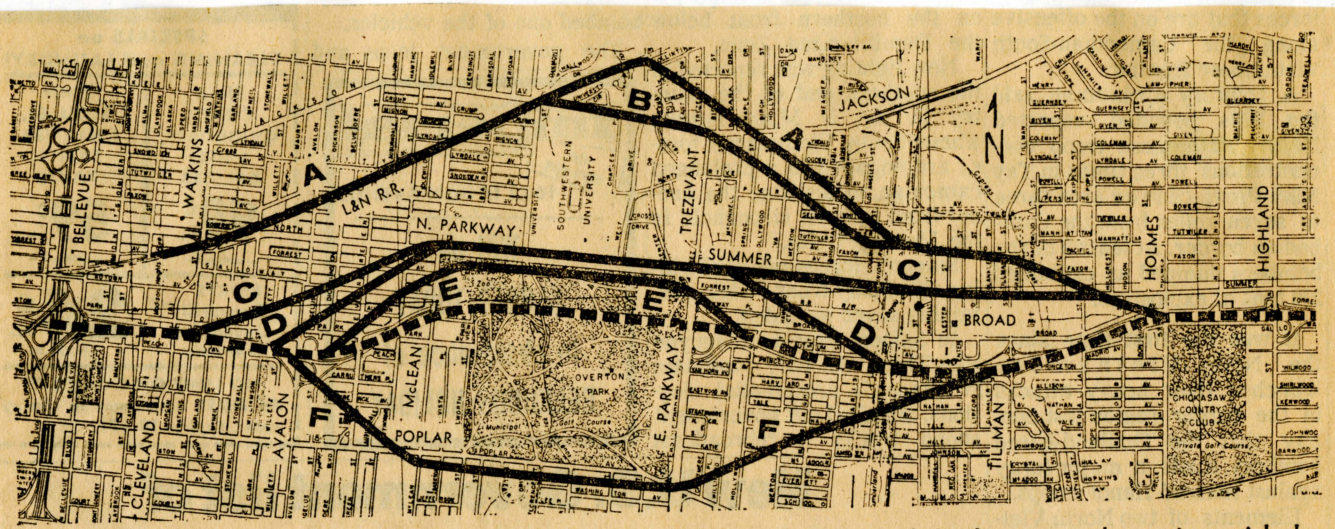
He said he had no idea of any public hearings in Memphis concerning the park route prior to 1956, although he indicated the route had already been approved at the time of the first public hearing.

The hearing will resume at 9:30 a.m. today with the plaintiffs expected to produce as their first witnesses Dr. Arlo I. Smith, biology professor at Southwestern, and Robert Hart, a city planner of New York. Dr. Smith is chairman of the Citizens to Preserve Overton Park, original plaintiffs in the 16-year-old case.

Attorneys for both sides say they expect the hearing to last from four to six weeks.

CA
Sept 29 1971

-OWAN-



SUGGESTED ROUTES—These Interstate 40 routes have been suggested over the years as alternatives to the one approved in 1955 by the Department of Transportation, shown by the broken line. Routes C and F have

been identified in federal court as the controversial alternatives proposed by the state Highway Department in 1965. Routes A, B, D and E were offered as "feasible" alternatives by Harland Bartholomew & Associates in 1958.
—Staff Map