

Destruction 'For 100 Years' Seen As Overton Park Hearing Opens

By MICHAEL LOLLAR

A former Interior Department official testified in federal court yesterday that running Interstate 40 through Overton Park would destroy woodland for at least 100 years and forever disrupt the park's serenity.

Harry Rice, assistant director of the Bureau of Outdoor Recreation until 1970, said Overton Park is a superior park, "a combination of recreation, cultural activities and natural attributes." He testified that the Department of Interior urged Secretary of

Transportation John Volpe in 1969 to burrow the proposed expressway under the park or approve a "cut and cover" tunnel for the length of the park.

Earlier, Robert H. Mattlin, Overton Park Zoo director, said traffic on the proposed expressway would disturb the breeding habits of the zoo's animals, especially bears and antelopes, and that exhaust fumes would cause lung cancer in some animals.

United States Atty Thomas F. Turley Jr. and J. Alan Hanover, special counsel for the Tennessee Highway Department, objected to Mr. Mattlin's testimony, arguing that Mr. Mattlin's 25 years of experience with zoo work does not qualify him to testify as a critic of highway planning.

United States Dist. Judge Bailey Brown ruled, however, that Mr. Mattlin was qualified to testify from general knowledge about the possible effects the expressway might have on the zoo, excluding any reference to the surrounding park land.

An aerial map of Memphis was introduced briefly near the end of yesterday's testimony by the plaintiffs. Showing five alternatives to the route as it is now proposed, the map also detailed the present route and traffic changes which would accompany if it were approved.

Included among the changes are the widening of three existing traffic arteries — Hollywood, Trezevant and Avalon. Michael Lackner, Memphis attorney for the plaintiffs, said the changes were proposed by Harland Bartholomew & Associates in a 1968 Memphis Urban Area Transportation Study. "The widening of those streets would be an outgrowth

of the park route for I-40," he said.

Mr. Hanover denied the claim, however. He said the proposed street widenings are independent of the park route plan. "An interstate highway is designed to take traffic off city streets," he said. "There would be no need to widen those streets because of I-40."

The map was presented by Donald R. Robinson, an assistant city planner with Gassner Nathan Browne Architects of Memphis.

Much of yesterday's testimony revolved around an alternative expressway route, proposed after Memphis industrialist Abe Plough conditioned one million dollars for zoo improvement on abandonment of the present route.

Mr. Mattlin said the alterna-

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'Less Damaging' Route Was Discarded, Attorneys Argue

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tive would have routed the expressway through the northern end of the park, slicing off a portion of the zoo. "I don't like any route that takes any part of the park," he testified. "But, the northern alternative route would have at least allowed the zoo to expand to the south. As it is, we would be boxed in, unable to expand."

Attorneys for Citizens to Preserve Overton Park and other plaintiffs explained that they were not advocating relocation of the expressway to another section of the park, but wished to show that a "less damaging route" was dismissed.

In his opening argument,

Vanderbilt Head Named Chairman

NEW YORK, Sept. 27. — (UPI) — Alexander Heard, chancellor of Vanderbilt University at Nashville, was elected Monday chairman of the board of trustees of the Ford Foundation.

Heard will succeed Julius A. Stratton, retiring chairman, next Jan. 1. Stratton is president emeritus of the Massachusetts Institute of Technology.

The announcement said Heard will continue as chancellor of Vanderbilt, an office he has held since 1963.

John W. Vardaman of Washington, attorney for the plaintiffs, accused the government of purposely suggesting alternative routes which were not feasible. To sway their critics, he said, "the government offered two alternate routes which would hit every major institute in the city."

He said the state "sat down in 1964, after it had been pestered by people who wanted to save the park, and drew up two alternates. They arbitrarily, I suggest, drew one route just to the north of Overton Park and one just to the south of the park, and then told their engineers, 'All right now, figure out the damages we have done with these alternatives.'

"If they tried they couldn't have picked two routes which would tear up more major institutions in this city, and we suggest that these were never bona fide routes, but routes purposely chosen to silence critics.

"On the north side, the so-called alternate route would have taken part of Southwestern and on the south the other route would have taken the B'nai B'rith Home and the First Baptist Church."

On the other hand, Mr. Vardaman said, the L & N Railroad had offered in 1958 to sell its right-of-way, north of the park, to the city for two million dollars. "And, two alte-

nate routes using the L & N right-of-way were considered," he said.

One L & N route, Mr. Vardaman said, would have cost \$680,000 less than going through the park, while the other would have cost one million dollars more. Both routes would have run behind Southwestern, veered to the right-of-way from Holmes on the east, missed the park entirely and then joined the route as it now exists on the west.

"These routes were never seriously considered by the state or federal governments," Mr. Vardaman said, "because traffic surveys showed, based on traffic projections for 1975, that one of the routes would serve one and a half per cent

less traffic than the park route and the other would serve two and a half per cent less . . ."

Mr. Rice said the activities conducted throughout Overton Park, including Shell concerts, the Memphis Academy of Arts, the zoo and ballgames, "complement each other."

He was replying to Mr. Hanover who suggested that Overton Park is not really a park, "but a conglomerate of other activities."

Judge Brown has indicated

he expects the trial of the case to last "from four to six weeks."

Besides Citizens to Preserve Overton Park, other plaintiffs are the Sierra Club, the National Audobon Society, the National Wildlife Federation

and individual plaintiffs William Deupree and Mrs. Sunshine Snyder. Defendants include the Tennessee Highway Department, the United States

Department of Transportation and intervening defendants, The Memphis Area Chamber of Commerce, Future Memphis Inc., the Downtown Asso-

ciation and the City of Memphis.