

Traffic Planning Hit In I-40 Case

By MICHAEL LOLLAR

Plaintiffs in the Overton Park expressway case will argue in federal court today that the government should be charged with failure to adequately plan for future traffic needs in routing Interstate 40 through the park.

United States Dist. Judge Bailey Brown set today's hearing for 2 p.m. during another pretrial session yesterday. He also ruled yesterday the state and federal defendants in the case should file no later than noon Thursday all documents which they wish to add to the government's already bulky administrative record.

Charles F. Newman and John W. Vardaman, attorneys for the plaintiffs, charged in the motion to amend their complaint yesterday that traffic projections prepared by the defendants fall four years short of those required by federal law.

They quoted sections of the law requiring that any highway construction project be "adequate to enable the project to accommodate the types and volumes of traffic anticipated for the project for a 20-year period beginning on the date of its approval."

Based on the law, they said, annual traffic projections, predicting the types and volumes of traffic on the expressway, should have been prepared through Feb. 26, 1989.

But, the motion said, "There is no projection of types and volumes of traffic for the proposed east-west expressway for any later than 1985, four years short of the time required."

"Even the projections for that year, 1985, are stated for traffic volumes alone without regard to traffic type — failing to indicate the proportion of automobiles and trucks, for example."

And, they said, "Worse than that, the traffic projections show the . . . segment that would lie through Overton Park to be used to over 99 per cent of capacity in 1985, only 16 years after the secretary's approval for construction of the major portion of that segment." The Overton Park route was approved by Secretary of Transportation John A. Volpe on Nov. 4, 1969, but previously had been approved by officials in the Johnson administration.

Judge Brown said he would hear arguments on the traffic projections today in order to decide the issue before the full hearing of the case gets underway at 9:30 a.m. Monday.

He also said any documents which the defendants wish to add to the administrative record after noon Thursday must first be approved by him. The record includes interoffice memos and documents compiled by the Department of Transportation and considered by Secretary Volpe in his decision to route the highway through the park. Weighing more than 100 pounds, the documents are contained in 65 folders in two filing cabinets in the court clerk's office.

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