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Ecology Impact Report On I-40 Park Route Leaves Foes Cool

A draft version of an environmental impact statement, which basically backs plans to push Interstate 40 through Overton Park, got a cool reception yesterday from those who say the highway should be rerouted.

The document, prepared by federal and state highway officials, had no surprises, said Charles F. Newman, attorney for Citizens to Preserve Overton Park in its federal court fight against the interstate plans.

"We didn't expect them to confess at this point that they had been wrong all along," said Mr. Newman.

Reaction to the preliminary statement from proponents of the route was generally guarded, but they joined opponents in privately agreeing the impact statement itself would not be decisive in settling the issue.

The draft version rejected as alternatives:

Using the Louisville & Nashville right-of-way, as proposed by Citizens to Preserve Overton Park, for the east-west expressway.

Routes which would pass to the north

or the south of the park. These would be feasible but "not prudent" because of extraordinary community disruption, it said.

Stopping short of the park, leaving unfinished the I-40 section.

The environmental impact statement is being put together by the Federal Highway Administration, in cooperation with the state Bureau of Highways. It is part of a detailed procedure, to rule out feasible and prudent alternatives to the park route, required by federal courts after years of litigation that included a ruling by the United States Supreme Court.

The 157-page document is being circulated among agencies and organizations caught up in the expressway dispute. They have 35 days to file comments.

After comments are considered, a final statement will be issued. It and other documents will be considered by Transportation Secretary John A. Volpe in deciding on the route.

The draft statement says "more than

20 I-40 alternatives have been studied" through the years. Its analysis of alternatives was confined to those within the 3-7-mile, uncompleted section between Claybrook and Bon Air, plus the alternative of simply not completing I-40 in Memphis.

The Supreme Court held an alternative to going through the park would be "feasible" unless resorting to it would be contrary to "sound engineering." It also said an alternative route would be prudent unless it involved "truly unusual factors" or resulted in "cost or community disruption (of) . . . extraordinary magnitudes."

Studies of the L&N route were published as early as 1958 and it was concluded even then that the park route would be superior, said the statement, adding that the L&N route wouldn't fit well with the present and proposal network of major streets.

"Another disadvantage of this route is the necessity to cross two major streets, Summer Avenue-North Park-

way and Jackson Avenue, once while the route swings to the north and again when it passes to the south."

It said disadvantages would be increased because angles of crossing would be extreme, large amounts of right-of-way would be required and costs would spiral.

The report said Citizens to Preserve Overton Park contended in federal court that the L&N route is more feasible and prudent than the park route.

"This testimony was given," the statement said, "In light of the most recent facts that the L&N Railroad track has not been abandoned, and the present plans of the railroad do not include abandoning this section. To condemn the entire section of track and make use of only a portion as needed for the interstate location would cause considerable disruption to the businesses and industries along the railroad from the loss of rail service."

The statement said the L&N right-of-way is only 50 feet wide while I-40

would need a 250-foot right-of-way. This would mean removing the trees that now partially obscure the railroad tracks and imposing a much more formidable barrier between community activities on each side, it said.

In addition, expensive, unusually long culverts would have to be provided at the three points where L&N tracks cross meandering cypress creek, and an expensive complex of elevated ramps would have to be built where I-40 would cross Jackson. Jackson, at that point already is elevated about 20 feet above Scott Road.

Areas that would be impacted by building I-40 along the L&N route would be the commercial areas along Summer, the industrial park, Cypress Creek, the L&N Railroad, 10 LG&W well sites, Southwestern, Woodmont Towers, the Sears store and adjacent commercial center, and the Volland-Evergreen group, the statement said.

The statement also dealt with several variations. They and the basic L&N

route "could be constructed, but it is not sound from an engineering standpoint and therefore not 'feasible.' In addition, the alternative is not 'prudent' as there are 'truly unusual factors' involved and the cost of community disruption is great."

Alternate routes to the north and south of the park also were found wanting.

Hit by one or the other of these routes would be St. Peter's orphanage, B'nai B'rith Hospital, Seventh-day Adventist Church, a large Baptist church with nearly 5,000 members, apartment buildings and residential areas, a large office building, a Methodist church, a youth center, Snowden Junior High, National Cotton Council building, Parkway House, Pi Kappa Alpha headquarters and Southwestern.

Either of these two alternatives, the report said, would create new boundaries for communities and impair traffic circulation.

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