

State Pledges Plan Of Action On I-40 Route

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NASHVILLE, Jan. 29. — A state Transportation Department meeting called Monday in an effort to begin deciding what to do with the Overton Park expressway impasse ended with a promise that an official course of action would be formed within 10 days.

The meeting, attended by Memphis attorney J. Alan Hanover, state Transportation Commissioner Robert Smith and others apparently ended with no firm decision made.

Following the meeting, however, Mr. Hanover, special state Transportation Department counsel on the project, was authorized by Smith and state Atty. Gen. David Pack to explore the state's legal alternatives.

One course of action believed discussed would be a try similar to one underway in Texas to have Congress exempt the Overton Park segment of Interstate 40 from the federal environmental laws and guidelines which led outgoing Transportation Secretary John Volpe to reject the proposed partially depressed routing of Interstate 40 through Overton Park.

Should that course of action be decided upon, at least two members of the state's congressional delegation — Representatives Dan Kuykendall (R-Tenn.) and Ed Jones (D-Tenn.) said they stand ready to begin working on the Washington end.

"We discussed all the alternatives, but no firm decision was reached on anything," said Charles Appleton, information officer for the State Transportation Department in Nashville.

"But we will have a decision in a week or 10 days. At that time we will make a full disclosure of our plans. In the meantime, we will be working diligently on those plans."

Hanover declined to comment on specifics of the conference, but indicated he is fairly optimistic and said other meetings will be required before a final decision is made.

Others attending the hour-long session were State Highway Engineer Lewis Evans and the department's development engineer, R. C. Odle.

It was not clear whether the officials will seek a way out of the problem through administrative remedies or in the courts.

The idea of converting the project in Memphis into a state and locally financed undertaking drew support from both Representatives Jones and Kuykendall.

Both said they would support legislation in Congress to remove the project from federal financing and federal controls if that is the course of action recommended by state and local officials.

Senator Howard Baker (R-Tenn.), who opposed somewhat similar legislation last year when it was offered in behalf of a disputed San Antonio, Texas, expressway, was noncommittal.

"While the decision as to a new course of action should be made at the state and local level," Baker said, "I will be glad to take a look at any proposal while at the same time giving the opposition an opportunity to express their viewpoint."

Kuykendall said he easily could go along with state and local control and financing of the project "because I happen to believe in that philosophy."

Jones said, "If the state and local governments recommend it, I will support it in Congress."

Texans turned to the state-and-local financing approach in the last Congress after environmentalists succeeded in blocking construction of the San Antonio expressway as an interstate project.

The proposed act, which carried a great variety of provisions, was passed by both houses, and sent to conference. The biggest dispute was over using federal highway trust funds for mass transit. Conferees came up with a compromise measure and the Senate adopted it. But the compromise came before the House in the waning moments of the 1972 session and failed for lack of a quorum.

The provision has been reintroduced and Texans said Monday they will push it again this year.

Baker, a member of the Senate Public Works Committee, said he announced his opposition to the San Antonio proposal but was in Tennessee campaigning when it came up in the committee, and when it came up in the Senate, and, therefore, did not vote against it.

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