

Brinegar To Push I-40 Ruling

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, Oct. 3. — Transportation Secretary Claude S. Brinegar promised Thursday to expedite a decision on a new Tennessee application, backed by fresh justifications, to route a long-stalled 3.7-mile segment of Interstate 40 through Overton Park in Memphis.

The detailed, 50-page application was presented to Brinegar by Gov. Winfield Dunn at a meeting with Sen. Howard Baker (R-Tenn.) and others in Baker's office.

"We will begin this afternoon to determine if it is a thorough, complete and legal application," Brinegar said after the meeting. "If it is, we then will proceed toward a decision."

Asked how long it might take, he said, "I am reluctant to put a number of days on it."

Under federal laws which environmentalists have employed in fighting the project, the transportation secretary must determine there is no prudent and feasible alternative to routing a federal-aid highway through a public park, and that its design minimizes damages to the park.

The state again recommended a partially depressed design, as it has from the beginning of the years-long battle, but this time said it would settle for a cut-and-cover tunnel, though it noted the cost would be tenfold.

Memphis Mayor Wyeth Chandler, who was in the delegation that met with Secretary Brinegar, said, "I think the chances are good for the cut and cover. I had the feeling that he (Brinegar) had been waiting for that proposal to be made."

"I would hope that the opponents (of the route) would realize that the cut-and-cover proposal would leave the park in the same shape it's in now."

Dunn, in an accompanying letter, called the partially depressed plan "the preferable alternative." But he said if Brinegar rejects this, "I recommend

and respectfully request the approval of the cut-and-cover design."

The state estimated cost of the partially depressed design, as outlined in the presentation, at \$17,674,000. Two years ago the cost was estimated at less than \$10 million.

The new cut-and-cover price tag was estimated at \$178,479,000, up from about \$60 million two years ago.

The presentation also advised Brinegar that new studies by Sverdrup and Parcel and Associates Inc. had provided fresh information on the problem

of dealing with water-bearing soils like those that would be encountered.

On the basis of the new studies the cost of a bored tunnel, previously estimated at \$150 million, was boosted to a staggering \$775 million, which would approach the cost of the entire interstate highway system in Tennessee.

"I am opposed to and would not recommend or seek the approval of" a bored tunnel design, Dunn advised Brinegar. The state's 10 per cent cost alone would be \$77.5 million.

In dealing with the park's below-

(Continued on Page 3)

C.A.

OCT. 6 1974

0 PE 22-28



Expressway Meeting In Washington

From left, Sen. Howard Baker (R-Tenn.), Rep. Dan Kuykendall of Memphis, Transportation Secretary Claude Brinegar, Mayor Wyeth Chandler and Gov. Winfield Dunn

—AP Wirephoto

OPE 22-28 cont'd

State Urges Cut-Cover As Alternative

(Continued from Page 1)

ground water-bearing soils, Brinegar was told, engineers would have to use the same expensive techniques that were employed in building the Auber Station on a recently constructed rapid transit line in Paris, France.

Others attending the meeting in Baker's office included Mayor Wyeth Chandler, Rep. Dan Kuykendall, Rodney E. Eyster, transportation department general counsel, and Lee Smith, counsel to Dunn. All of the Tennesseans solidly endorsed the new presentation.

Smith said the Federal Highway Administration cooperated in the preparation of the 50-page presentation and that it is, in effect, an updated environmental-impact statement, supplementing one submitted two years ago.

The earlier, 150-page statement was a part of the material before former Transportation Secretary John A. Volpe on Jan 18, 1973, when he rejected a partially depressed I-40 route through the park, holding that on the basis of the record before him he could

not find there was no feasible and prudent alternatives.

Smith said the new material adds what Brinegar needs for his decision.

Mindful of Volpe's ruling, the new presentation takes up, considers and rejects all alternatives to a trans-park route. It concludes that only a partially depressed route or cut-and-cover tunnel through the park are worthy of Brinegar's consideration.

Mayor Chandler commended the new presentation and said Brinegar "seemed to like" the fact it gives him an alternative to a partially depressed park route.

In addition to previously considered alternatives, the new presentation takes up and rejects the idea of a tunnel carrying I-40 under North Parkway, a design estimated to cost \$238,700,000. Using this route, I-40 would extend from Bon Air to North Bingham where it would curve northwestwardly toward Summer and then enter a tunnel under North Parkway past Southwestern and the Parkway House to a point east of Hawthorne.

Also rejected as feasible alternatives were: Use of I-240 combined with im-

provements to arterial streets; the L&N corridor; broadened use of public transportation; the "no-build" alternative, whereby the state simply would give up the idea of completing I-40 through Memphis, and other surface routes to the north and south of the park, which environmentalists, too, have opposed.

Mrs. Sunshine K. Snyder, a plaintiff in the lawsuit against the expressway, said, "Personally, I feel the state's proposals involve the same old warmed over kettle of fish. If Secretary Brinegar approves any route involving park land, we're going right back to court."

"If the state wants five more years of litigation, that's exactly what they'll get. They haven't really considered any alternatives. What they're doing is saying, 'Don't confuse me with facts. My mind is made up.'"

Charles F. Newman, attorney for the Citizens to Preserve Overton Park, said he is confident Brinegar will reject the state's proposals. He said the possible use of a tunnel is a design factor.

"And the issue before the secretary is not design. The location of the expressway route is the issue."

C.A.
Oct. 6, 1974