

# Rhodes College Digital Archives - DLynx

## "Water Level Near Surface in Park"

Item Type	Article
Authors	Jones, Tom;Black, Kay Pittman
Publisher	Memphis Press-Scimitar
Rights	All rights reserved. The accompanying digital objects and associated documentation are provided for online research and access purposes. Permission to use, copy, modify, distribute and present this digital object and the accompanying documentation, without fee, and without written agreement, is hereby granted for educational, non-commercial purposes only. The Rhodes College Archives and Special Collections reserves the right to decide what constitutes educational and commercial use. In all instances of use, acknowledgement must be given to Rhodes College Archives Digital Repository, Memphis, TN. For information regarding permission to use this image, please email the Archives at <a href="mailto:archives@rhodes.edu">archives@rhodes.edu</a> .
Download date	2026-04-21 11:00:22
Link to Item	<a href="http://hdl.handle.net/10267/29441">http://hdl.handle.net/10267/29441</a>

Expert Testifies

# 'Water Level Near Surface in Park'

By TOM JONES and KAY PITTMAN BLACK

Press-Scimitar Staff Writers

An expert on ground water levels testified in Federal Court today in connection with proposals to lower the I-40 expressway through Overton Park.

Attorneys for objectors to the park route have suggested that, if the expressway is built through the park, it should be wholly below ground level.

State and federal attorneys have answered that the expressway must pass over Lick Creek to prevent the disruption of natural drainage in the park.

James Criner, head of the West Tennessee Division of the U.S. Geological Survey's Water Resources Division, testified that the water level in Overton Park is near the surface. He said his department dug five wells in the park near the proposed expressway right-of-way.

Called as a witness for the federal defendants in the 21st day of the expressway case, Criner said the water carried by Lick Creek permeates the area around the stream. He said the water level was about the same throughout the area, but closely follows the contour of the park.

In deposition testimony yesterday, Hal Lewis, executive director of the Memphis Park Commission, said the Park Commission did "everything it could to prevent the expressway from going through Overton Park and had now "given up" the fight.

Lewis' statement followed questioning by Charles F. Newman, one of the Memphis attorneys for the objectors.

"My opinion is that the route has been decided and we have done everything we can to prevent it and we have given up and we are cooperating now," said Lewis.

In cross-examination by U.S. Atty. Thomas F. Turley, Lewis was asked, "Can

you think of anything that could be done or could now be done to minimize damage to the park by the proposed construction?"

"I can't think of a thing, since it is coming through, that could be done to minimize the damage. No sir."

Lewis said "to his knowledge" no state or federal officials made any study of harm to the park caused by pollution but stated that the Park Commission had ob-

Turn to Page 4—LEWIS

OPB 18-35

P.2

Oct. 29 1971

# Lewis Says X-Way Route Now Accepted by Board

From Page 1

tained the services of a Bill Hoff of St. Louis, "a zoo man," to make a study on any harm that might result from the expressway to the animals.

Lewis said, "His report, as I recall, was not damaging at all." He said a highway in St. Louis runs about as close to its zoo as Interstate-40 would run to the Memphis zoo.

"What are your plans with regard to moving existing facilities inside the park and zoo as a result of the expressway construction? For example, do you intend to move the pavilion which is now located inside the park?" asked Newman.

"We had planned to (move it) and I think we probably will move it to the north side of the expressway," said Lewis.

"Do you plan to move the parking area which is now just south of the zoo on the western border of the park? Is that parking area going to be replaced by another parking area?" Newman asked.

"Yes, it will be replaced," said Lewis. "It will cover the part that is now where the wading pool and playground is."

Lewis said it had not been decided but he thought the wading pool and playground would be moved between the east end of the zoo and the parkway.

"Talking about the parking area at the east side of the zoo, do you have plans to expand it?" asked Newman.

Lewis said that parking area probably would be placed south of the parking area that is now east of the zoo. He said it might require cutting some additional trees to move the pavilion, but that the Park Commission would try to limit the cutting to small or medium-sized trees.

Lewis said an area would also have to be cleared around the pavilion for restrooms and picnic tables.

"That will pretty well take care of the woodland north of the expressway?" asked Newman. "There won't be much left there?"

Lewis said he didn't know how many acres of trees are there now and that he had no idea how many would be left.

In reply to questions, Lewis said the Park Commission had adopted two or three resolutions since June 4, 1964, opposing the expressway through the park. "I don't think there was ever a resolution agreeing to it," he said. "They (the commission) have changed their position in that they felt it was a foregone conclusion and they are going along with it and ask that the best deal possible be made with the state, which I think was done. . . ."

"Why did you change your position as executive director in regard to the expressway?" asked Newman.

"We never did change our position," said Lewis. "The only thing was, we figured it was a losing battle. We would still rather not see the expressway come through there, but we have accepted the money now and we have to go along with it."

Lewis said it appeared from state Highway Department studies that there was

no other feasible route for the expressway.

"In reaching this conclusion . . . did you consider the special, unique value of Overton Park?" asked Newman.

"Yes," said Lewis. "That is the reason we got considerably more than the appraised value on the thing."

"Was there need to acquire money to finance the purchase of Fox Meadows (golf course)?" asked Newman. "Was this a consideration in the Park Commission decision to acquiesce in having the expressway built through Overton Park?"

"No, sir," replied Lewis.

Newman then read a letter from Park Commission attorney Thomas Prewitt to Mayor Loeb, stating that "it was essential that the sale of Overton Park land, its negotiation and sale be speeded up so as to produce the necessary money to buy Fox Meadows."

Lewis said he had no knowledge of the letter. He said it was originally the understanding of the commission that purchase of Fox Meadows was to come "out of funding" and not from the \$2 million that the commission was paid for the Overton Park land. "But it got changed," he said.

Newman asked Lewis if he had not told him earlier that he was dissatisfied with the way the Fox Meadows purchase (with Overton Park money) was handled.

"That is right," said Lewis. In reply to other questions, he said he had to be satisfied with it, but was not happy about it.

Also testifying yesterday was Claude Harmon, director of research and planning for the state Highway Department. He explained methods for approving highway routes.