CITIZEN PARTICIPATION IN TRANSPORTATION PLANNING: HERO AND VILLAIN

THE BOSTON INNER BELT AND THE RED LINE EXTENSION

by

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ABSTRACT

CITIZEN PARTICIPATION IN TRANSPORTATION PLANNING: HERO AND VILLAIN
THE BOSTON INNER BELT AND THE RED LINE EXTENSION

In the past twenty years transportation planning has developed into a quasi-science which greatly influences the lives of the citizenry it serves without allowing them to have an input into the decision-making process. During the last ten of those years the people have demanded a greater role in a more open planning process which gives more consideration to the side-effects of large construction projects in heavily built-up urban neighborhoods and ecologically delicate areas. The success of the resulting protests here in the Boston area and elsewhere have led to a more open, citizen-influenced planning system and have brought an end to the highway-biased plans of the past.

Two cases reveal the large faults in the past planning and decision-making structure while revealing that more is still needed in the way of improvements. The Inner Belt Battle pitted the residents of Cambridge and their supporters against the planning structure and its proposal for an eight-lane highway through the heart of their City. Their success came through the establishment of the Boston Transportation
Planning Review, an open planning study which acquitted their claims that the disbenefits of the highway outweighed the benefits.

The Red Line Extension, on the other hand, is a proposed subway that has almost universal favor in Cambridge. It has been planned for over thirty years, but during the last ten years it has been held up by citizen objections to the proposed plans. It is still not started, and many small problems may keep it from becoming a reality for many more years. The Joint Regional Transportation Committee (JRTC), on-going successor to the BTPR, is not equipped to deal with such problems.

The Cambridge Transportation Forum is a community citizen group that could serve as a model for a new link between the JRTC and local people's needs and problems. The real answer is to have transportation planners realize the values of the people they are working for, but in the meantime, improving the participatory process could help everyone and make transportation planning more effective.

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August 15, 1974
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<td>Boston Transportation Planning Review</td>
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<tr>
<td>CAC-HS</td>
<td>Cambridge Advisory Committee on Harvard Square</td>
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<tr>
<td>CAC-WG</td>
<td>Cambridge Advisory Committee on Western Gateway</td>
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<tr>
<td>CCIB</td>
<td>Cambridge Committee on the Inner Belt</td>
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<tr>
<td>CRA</td>
<td>Cambridge Redevelopment Authority</td>
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<td>CTF</td>
<td>Cambridge Transportation Forum</td>
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<td>EOTC</td>
<td>Executive Office of Transportation and Construction</td>
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<td>EMRPPP</td>
<td>Eastern Massachusetts Regional Planning Project</td>
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<td>JRTC</td>
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<td>MAPC</td>
<td>Metropolitan Area Planning Council</td>
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<td>Massachusetts Bay Transportation Authority</td>
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<td>Massachusetts Department of Commerce and Development</td>
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<td>MDPW</td>
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<td>MTA</td>
<td>Metropolitan Transit Authority</td>
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<td>TPAG</td>
<td>Transportation Policy Action Group</td>
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<tr>
<td>TRC</td>
<td>Traffic Research Corporation</td>
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<tr>
<td>SOS</td>
<td>Save Our Cities</td>
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<td>UPA</td>
<td>Urban Planning Aid</td>
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Mobility is one of the key characteristics that gives the citizens of the United States more control over their lives than those of any major country in the world. Since the pioneer days, a family that wanted to try something new could simply pack up and find a different way of life somewhere else. This ability was greatly increased by the advent of the railroads, and the development of the automobile has magnified this right to epic proportions.

The growth of mobility and the growth of population, particularly in our great urban areas, have resulted in a long series of conflicts, however, particularly in the last twenty years. The decision to build superhighways into the hearts of the nation's largest cities has met with strong opposition from the people and institutions that would be displaced, disturbed or cut off from nearby areas. Attempts to extend rapid transit lines have met with similar problems.

The basic problem has been the shortcomings of the transportation planning process. Some of these failings, such as the overemphasis on highways and the neglect of public transportation, have certainly been the fault of the Federal Government for its funding policies and of private interests for supporting the establishment of those policies,
but the major failings have been internal. Transportation planning has failed to accept its responsibility to balance the requirements of mobility with the more basic needs of people for housing, clean air and a livable environment in general. It has failed to give equal consideration to the needs of the poor as well as the non-poor, to the needs of the young and the old as well as the middle-aged and to the needs of the handicapped as well as the able. Above all it has tried to pass itself off as a science and in so doing has attempted to remove its considerations from the influence of its clients.

Professor Marvin Manheim of the Massachusetts Institute of Technology, a noted expert in the field of transportation systems planning, aptly noted the impacts of transportation.

When evaluating alternative transportation systems, one would like to consider all relevant impacts. Any change in the transportation system can potentially affect a large variety of groups and interests.

The prospective impacts can be grouped as follows:

1. users...
2. operators...
3. physical...
4. functional...
5. governmental...

An essential characteristic of transportation is the differential incidence of its impacts. Some groups will gain from any transportation system change; others may lose. Therefore, transportation choices are essentially socio-political choices: the interests of different groups must be balanced.
The Boston Transportation Planning Review (BTPR), created by Massachusetts Governor Francis Sargent at the peak of the highway revolt brought about by the policies of the previous study, noted all the failings previously mentioned by showing the bias of previous planning projects.

On balance, from the end of World War II until the present, the transportation policy of the Federal Government and the Commonwealth has been overwhelmingly oriented toward the construction of intercity and urban area expressways.

The deleterious consequences of this heavily one-sided policy have gradually been recognized by Federal, State and local officials and by private groups throughout the nation and the metropolitan area. 2/

The lack of any input from its clients in the previous study, the Eastern Massachusetts Regional Planning Project (EMRPP) was summarized in a study of transportation and land use planning projects by the Regional Science Research Institute written by Boyce, Day and McDonald.

The major failures of the Boston study seem to spring from a lack of communication with the outside world, rather than with the quality of the activities which were pursued internally. This communication failing had two aspects - first of all, the lack of much meaningful dialogue, consultation or feedback at either an inter-professional, political or public level; and secondly extremely poor and incohesive documentation and interpretation of the technical achievements which had been effected. 3/


Thus transportation planning up to the time of the BTPR had failed to offer a balance of modes and had failed to provide for any significant citizen participation. The BTPR and the continuing process known as the Joint Regional Transportation Committee (JRTC) have succeeded in providing a more balanced solution to the problem of mobility and have provided for continuing citizen participation, but they will not prevent the kind of protest that first rose up to fight the proposed Inner Belt through Cambridge nor that which continues to threaten the proposed Red Line Extension from Harvard Square to Arlington Heights. The problem now is that the JRTC, as its name implies, takes a regional view of transportation problems, allowing input from the community level while the protests are based in neighborhoods and are made by people who often cannot participate in an organization that operates at the regional level.

During the past two years I have worked for a community citizen group which I feel could serve as a model for an ongoing planning process which could solve this problem. In this thesis I intend first to examine the development of the transportation planning process to date, examine two case studies which demonstrate the neighborhood origin of the conflicts which prevent the construction of transportation

projects, then proceed to examine the issue of citizen participation in transportation planning. The final part of my work will be a description of the prototype group, the Cambridge Transportation Forum, and a proposal for making such organizations the basis for an on-going planning process that can handle protests before they reach the crisis level which characterized the two cases.

This issue has been raised throughout the country in the last ten years. Protests have stalled projects in more than ten major cities in the country. A highway which isolated the Watts section of Los Angeles was mentioned as one cause of the riots there in 1965. Michigan Governor George Romney testified before a Senate committee that the construction of new highways through Detroit helped touch off the major rioting there in 1967. A representative from the Urban Mass Transportation Administration attending a meeting spoke of riots in Chicago that resulted because the community felt that the bus lines there were not run on the right routes. The examples are numerous. The message is clear: transportation planning must reflect the will of the people.

There is certainly a limit, however, to the extent to which the protest of a few people to a change which will have no long-term effect on them can be allowed to prevent construction of a facility which the great majority of
the community feels would be of definite benefit. The participatory process must also be able to educate people and allow them to consider the overall effects of a project, rather than the problems which occur during construction or some other side effect of a good plan. Not all objections can be met, but both sides must be willing to compromise.

Citizen participation has generally been recognized as being of great benefit to planning in the long run, and a recent Highway Research Board conference drew up a list of factors supporting the desirability of such involvement.

Some of the desirable consequences of citizen participation are that it
1. Brings members of the community into the public policy and planning decision-making process;
2. Encourages public decisions that reflect the values, needs and priorities of those who will be affected;
3. Exposes different socioeconomic, environmental and transportation needs;
4. Surfaces alternative options and increases public understanding of both the options and the constraints of transportation planning;
5. Identifies the benefits and the disbenefits of alternative plans, recognizing that one group's benefits may be another group's disbenefits; and
6. Offers a means of resolving the type of public opposition that has blocked transportation programs in many areas.

The various state agencies that are responsible for transportation planning in Massachusetts are generally receptive to citizen participation, although they have their reservations and individuals may openly feel that

citizens are unable to participate in such technical projects. The JRTC, which is the state's on-going participatory planning committee, has been operating without staff for the two years or so of its life. Little analysis has been done on it thus far that is readily available.

Interviews with officials of the various agencies were one part of the research I conducted for this report. I talked with members of the Metropolitan Area Planning Council (MAPC), the Massachusetts Department of Public Works (MDPW) and the Massachusetts Bay Transportation Authority (MBTA). I also spoke with some of the individuals who were in the forefront of the protests, including members of Neighbors United and the West Cambridge Survival Committee which were active in preventing the Inner Belt and the Red Line Extension, respectively. I also read a good deal on Boston planning history and spoke with members of the Cambridge Transportation Forum and members of the Cambridge Department of Planning and Development, which has recently become the Department of Community Development. I was also able to use unique historical records of Cambridge Model Cities and the Boston Street Railway Association. Some of this material is included in the appendices.

The Red Line Extension continues to remain an issue and may do so for several years, so that story is not complete. The Inner Belt story is over, a clear victory
for citizen participation throughout the nation and one which deserves the better treatment it receives in other works. My attempt is to show that much has been done to improve the transportation planning process, but much remains to be done, including improving the on-going program for citizen involvement.
CHAPTER II

THE DEVELOPMENT OF THE TRANSPORTATION PLANNING PROCESS

Transportation planning has become an important governmental role in modern-day America. The decisions made by its practitioners over the last twenty years in particular have changed the lives of everyone in this country and have set an example for the world through our commitment to the automobile and the highway. During that same period transportation planning itself has grown from a primitive attempt to use natural geography into a hard science of data, models, computers and cost-benefit analyses.

The last ten of those years, though, have witnessed growing national doubt as to the wisdom of leaving this vital decision-making process in the hands of technical people who primarily seek to satisfy the mobility shortage in whatever form it exists. This doubt has grown particularly strong among the residents of the large urban areas who have faced repeated attempts to build superhighways through their areas to serve the needs of the suburbanites who have left them behind.

As a result, the last five years have revealed the effect of the many protests against those highways. The planning process has come under close scrutiny from state and federal governments and new regulations have required public involvement.
The Federal Government's earliest involvement with transportation planning came only a few years after the U.S. was established. Albert Gallatin, perhaps the nation's first transportation planner, drew up a bold plan for federal funding of a network of canals and turnpikes to link the settled coastal area and extend into the undeveloped territory. This could be considered a precedent for the many planners to come later, because Gallatin's plan was never adopted and Washington was to have only a minor role in the transportation improvements that were undertaken.

The first era, that of the turnpikes, belonged largely to private companies chartered by the states, although some of the states did go into the business. The earliest planner combined the talents of surveyor and engineer, and such roads as were built mostly connected established centers of trade. The Cumberland Road was the only road built by the Federal Government and it was one of the few to push into unsettled territory. Another important innovation was a law incorporated into Ohio's charter which established that 5% of the funds raised from the sale of land there should be used to build roads both to the state and within the state. Little of the money was apparently ever used for that purpose.

The Erie Canal was the first facility to revolutionize the nation's transportation system. Built by the State of New York between 1817 and 1825 through the foresight of a
few men, it extended from the frontier well out into unsettled lands. It also started a canal-building boom that swept the country. Combined with Robert Fulton's steamboat, canals led to waterway dominance of transportation into the 1850's. Canals were the first large-scale attempt to defy nature, although only to a limited degree. They did require far more planning than the turnpikes, at any rate. The motivation for the rapid improvements in transportation during the entire Nineteenth Century was rivalry for trade among the major cities. Rivalry between Boston, New York, Philadelphia and Baltimore caused widespread investment in any new technology that offered an advantage in the great trade war. New York's planners gave her the Erie Canal and the others never caught up after that.

Railroads were the next major change, perhaps the most important of all. The railroad could go just about anywhere, and in half a century it did just that. It was revolutionary in many ways, not the least of which was that it quickly became a closed system in which the operator owned both the right-of-way and the vehicles used. An interesting aspect for planners was the development of a standard gauge, which took many years and many expensive errors of judgement before it was accomplished. The states again led the way, with the private sector becoming dominant rapidly, but only with the help of special privileges and financial aid from states and
localities. The contribution of the Federal Government was initially limited to provision of survey information, but it later played a vital role in the development of the transcontinental railroads by providing the companies with land along the rights-of-way to sell as a means of securing funds. When the original pattern of many small, independent railroads was replaced by giant lines that took advantage of their size and strength to drive out competition and engaged in shady and openly illegal practices the Federal Government was forced to accept its regulatory obligation.

The urban variation of the railroad was the street railway. It began as a form of urban stagecoach and was put on rails early in the railroad years. The development of steam power was not as important to the short-haul runs of the street railway, and horsecars remained the rule in Boston from their introduction on a Cambridge to Boston run in 1856 until the introduction of electric power in 1889. Electric streetcars spread rapidly and were the cause of the first real round of urban decentralization. Extensive planning was not required for the very reason that streetcars, like railroads and the forms of transportation that had preceded them, were the cause of new development and did not have to take built-up land for their rights-of-way. They were part of a land-development system and the private interests who built them not only had a monopoly on transportation in their
corridor, but the developers probably made much of their money from the sale of land which they greatly increased the value on. This being the case, transit companies concentrated on extending service into new areas rather than on maintenance or improvement of vehicles and service. The private companies were planning for profit, so the City of Boston and the State of Massachusetts had to provide necessary improvements such as the provision of separate right-of-ways when competing traffic resulted in long lines of stalled streetcars. The Legislature therefore set up the Boston Elevated Railway as a private company to provide improvements and established a commission to oversee operations. In 1895 work was begun on the first subway in America and by 1897 part of the Tremont Street Subway was open for use. Several other rapid transit lines were opened by the combined private-public system, including the Cambridge Subway in 1912.

But the private Boston Elevated Railway Company began to have financial difficulties and continued to neglect its equipment and in 1918 the Legislature passed the Public Control Act which put the line in government hands. The district which supported the system was made up of 14 cities and towns who paid according to their patronage. The Public Control Act was supposed to be a temporary measure to restore the "El" to profitability, but such was not the case. A
short history of Boston transit as part of the 1959 Mass Transit Commission study explains what occurred.

... In 1930 public control was extended by a referendum. A further legislative act in that year created the Boston Metropolitan Transit District, comprising the same 14 cities and towns, with a governing Metropolitan Transit Council. ... It was clear by this time that a return to profitable private operation of rail transit service was impossible primarily because the public had become accustomed to a relatively high level of service at low fares.

Inauguration of public control and ownership of rail transit coincided with a fundamental change in the nation's transportation habits. The private automobile, with its flexibility and convenience, effectively challenged the supremacy of mass transportation and caused a continuing decline in its patronage, reversed only in the war period. The Act of 1947 established public ownership in the form of the Metropolitan Transit Authority. However, subsequent experience proved that public ownership was not in itself the remedy for the basic weakness of the transit system: its inability to cover the cost of service in the face of steadily declining patronage.

The automobile, introduced to Americans during the late years of the Nineteenth Century, was at once the vehicle for a new and more widespread decentralization and at the same time stiff competition for commuter rail lines and public transportation. The biggest problem has been that the car has greatly reduced use of transit during off-peak hours while peak use has remained relatively more constant, thus requiring not only the same area-wide coverage but the

same equipment and manpower which is overused for two brief periods each day and much underused during the remainder of the day. Total patronage and revenue have fallen sharply while costs have increased drastically without any obvious way of reducing them without continuing the vicious cycle. At the same time the Federal Government, as of this writing, has yet to allocate any money to help offset operating expenses and not until 1964 was any real money available for capital improvements.

The automobile, on the other hand, has benefited from government support almost from the start of mass production. Massachusetts was the second state to establish a state roads department. A State Highway Commission was established by 1893 and a highway plan that connected all cities, along with 250 miles of state highways, was completed by the turn of the century. The Depression and war years slowed the growth of highways, but in 1944 the Federal Government put out a plan for a nationwide system of roads and started providing funding and planning help. The birth of modern transportation planning was near at hand.

Massachusetts in the middle 1940's had both transit planning and highway planning going on at once, but under very different circumstances. A Legislature Recess Committee known as the Coolidge Commission was studying mass transit.
They were studying a system that was necessary, but it was old and it was a financial loser. They noted the much greater efficiency of transit, with an estimated capacity of about 40,000 people per hour per track, as opposed to highways, with a capacity of 2200 people per hour per lane. The Commission proposed some improvements in the transit system and some new extensions, including extension of the Red Line beyond Harvard Square, but they knew there would probably be no money for their proposals. The best they could do was provide a State-established authority to take over the system.

At about the same time a Joint Highway Board was working on a plan to provide the Boston area with superhighways. The Master Highway Plan of 1948 was based on the first instrument of the transportation planner, the origin-destination survey.

In order to obtain complete information on traffic movements, each city and town within the study area was divided into zones and further subdivided into sectors, the latter containing two or three city blocks.

A sampling technique similar to the method successfully employed in public opinion polls was used. The accuracy of this procedure has been proven by the Bureau of Census, and by experience in other metropolitan areas in conducting similar surveys. A five per cent sample was selected.

Qualified interviewers, specially trained for the work, visited in each section of the study area. They questioned occupants concerning trips they made the previous day by all modes.

The external survey determined the travel habits of persons entering the study area. Stations were set up on roads that carry 90 per cent of the daily traffic, and over 65 per cent of all vehicles that passed through these stations were interviewed.
The results of the survey were totaled up and plotted as a series of "desire lines". The desire lines were used as the basis for proposing a series of eight radial expressways connected by inner and outer circumferential highways. Money for building these highways was available to some extent through the gasoline tax, and the Board proposed a bond issue to provide additional money and spread the cost over a greater number of years. Another source of funds appeared shortly thereafter in the form of federal highway funds. Many of the proposed highways were thus built or under construction by the time of the next study, whereas only one new transit facility, the Blue Line Extension to Wonderland, was built and the Highland Branch Railroad was converted from commuter rail to trolley service, the first transit line to reach Route 128.

One of the most important developments for transportation planning was the digital computer. It allowed large amounts of data to be handled and systems to be tested many times and by so doing was a revolution in itself. Models could now be developed to simulate transit networks and test proposed additions with ease. Transportation planning rapidly took on many characteristics of a science, which meant that it was further removed from the control of the socio-political system on which it has such an enormous impact.

One kind of model that was developed was the land use model, and it became popular during the 1950's to conduct joint land use and transportation studies since each has a definite impact on the other and it was thought that they could be planned and developed together. Boston was one of the last of the big cities to do such a study, as it did not begin until 1963.

Many important events occurred during the 1950's, though. First the Housing Act of 1954 was passed, containing provisions for urban areas to get funds from the Federal Government to do necessary planning, and its uses were later expanded to include transportation planning.* The passage of the Federal-Aid Highway Act of 1956, including establishment of the Highway Trust Fund and provision of 90% federal funding for highways, was certainly among the most important pieces of legislation ever to be passed. It gave the states a virtually unlimited fund of ten-cent dollars with which to build the National System of Interstate and Defense Highways. It assured the future of the country as a land of cars and trucks rather than trains. It signed the death warrant for profitable public transportation.

By 1959, in fact, commuter rail lines were starting to shut down in Boston and the Mass Transportation Commission, a state agency combining representatives from state and city

*For the text of Federal legislation relevant to transportation planning, see Appendix A.
departments, was formed to find solutions. They reported:

... that the public transportation services available to the Commonwealth are all in a dangerous state of ill-health and decline. The shift away from the use of public transportation and toward increasing reliance on the private automobile has seriously endangered property values, land use patterns, municipal costs and other aspects of the regional economy and welfare.

As part of their effort, Boston's joint land use and transportation study was initiated. It began as the Boston Regional Planning Project, but was expanded after some time into the Eastern Massachusetts Regional Planning Project (EMRPP) which was carried on from 1963 to 1968. The study was really centered on the land use model, with the transportation network as one of the inputs. Actually the EMRPP accepted the entire 1948 highway plan and a similar transit plan as given up to 1970 and only allowed changes after that date, by which time both systems were to have been built. In effect, they agreed to continue old plans on into the future without question. The Massachusetts Department of Public Works (MDPW) was to go ahead and build the highways and the newly-created Massachusetts Bay Transportation Authority was to build and operate transit lines. Both these agencies took part in the planning and decision-making.

The first chapter noted that the EMRPP did not excel in

7/Mass Transportation Commission, Mass Transit in Massachusetts, p. 6
Broken lines indicate that work was only proposed, was never begun, or was discontinued.

Source: "Metropolitan Plan Making"
citizen participation. The responsibility for representing the wishes of the people was assigned to the Metropolitan Area Planning Council, headed by a man whose comments show complete opposition to citizen involvement, for the inner cities and towns, and to a group called the Citizens Advisory Board for the outlying towns. Chairman John J. Monteiro of the CAB felt that commitment to citizen participation was lacking.

A gesture was certainly made to involve the citizens and local officials from the EMRPP fringe area, but it never really worked. The Transportation Coordinating Committees were not called upon very often... The Citizens Advisory Boards need help for out-of-pocket expenses if they are going to participate on such a large effort. The planning budget should include expense money for citizen participation. 8/

The head of MAPC had better things to think about.

The greatest benefit of (the EMRPP) is, at this time, the provision of a carefully formulated, sophisticated procedure for comprehensive analysis and evaluation of land development and transportation improvements for the Boston Metropolitan Area. The techniques, the programs and the skills are available to measure the impact and influence of proposed projects. The planner, the government official, the developer and the highway and transit engineer can now determine the usefulness, the priority, and the costs/benefits of elements of the proposed transportation network. 9/

Transportation planning had reached the peak of its development into a science and away from a socio-political process. But citizen protest of transportation projects had become common even before the EMRPP study was concluded. The Massachusetts

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9/EMRPP, Project Completion Report, p. 35
Turnpike Extension was built into the heart of Boston despite enormous protests from the citizens. At about the same time the routes for the Inner Belt and the Southwest Expressway were selected and the greatest demonstration of all gradually took shape in the neighborhoods of Cambridge and Boston. By 1968 Inner Belt opponents had forced Federal Highway Administrator Lowell Bridwell to ask for a restudy of the need for the route. This was called the Task A study and was to be accompanied by a Task B study to find the best route. Task A, using the same data and assumptions as the EMRPP, came up with the conclusion that the road must be built. But Task B never got started, and before it could Governor Francis Sargent made the historic decision to stop construction and hold a new and open study of disputed projects to be called the Boston Transportation Planning Review (BTPR).

The Governor's Study Design Group described new considerations to be included in the structure of the BTPR.

The study design will recognize as a part of the participation and interaction process, as well as the study activities, that the development and implementation of any transportation program has consequences greater than for the transportation user. Whether major or minor, any change will impact in some way particular groups of citizens and their activities. The potential impact is most discernable and keenly felt by those directly impacted. These real or potential impacts will be brought to the surface and identified during the participation process in order that they can be analyzed and evaluated in absolute or relative terms.

### Schedule for Phases and Major Functions of Study Process

#### BTPR

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Source: "STUDY DESIGN FOR A BALANCED TRANSPORTATION DEVELOPMENT PROGRAM FOR THE BOSTON METROPOLITAN REGION"
The BTPR was a revolutionary transportation study. For the first time the case for building highways and transit was one of two sides heard before an impartial decision-maker. Construction impacts were given strong consideration and transit was considered as a possible replacement for super-highway construction. For the first time the highway plans from 1948 were really examined for feasibility and need. The results were decisions not to build the Inner Belt, Route 2 Extension, Southwest Expressway, Interstate 95 North and other segments of urban expressway. Public transportation was given a new, strong commitment from the government.

The BTPR ideals have supposedly been continued in the ongoing Joint Regional Transportation Committee process, which is open to representatives from communities and is served on by all the state planning agencies. It has not, however, dealt with the issues and groups who continue to threaten the future of the Red Line Extension from Harvard Square to Arlington Heights. Thus the participatory process still needs to establish better contact with the sources of protest in the neighborhoods of the metropolitan area.

Whether the BTPR process is transferable to other areas is a continuing major question. It required many attributes; not all of these would necessarily be available in other big cities and their surrounding areas across the country. Some
of the attributes of the Boston area at the time included:

(1) An open-minded Governor.
(2) A strong Secretary of Transportation, Alan Altshuler.
(3) Involved citizens who have education, power and advice from professional advocate planning groups.
(4) A well-balanced population and an attentive government.
(5) Strong, fairly well-defined communities and neighborhoods with active groups and close ties.
(6) Timing just at the peak of the "involvement" years.

Yet similar protests have been staged in cities throughout the country, and citizen participation in the transportation planning process seems to be by far the best solution to such problems. The amount of interest generated by the BTPR makes it absolutely certain that other areas will be trying it.

The decision to establish the BTPR was, of course, a direct result of the citizen protest and community organization in opposition to the Inner Belt in Cambridge and similar proposed highways in other cities and towns. The next chapter deals with the history of the Inner Belt Battle. At the same time, another dispute was started that is still continuing, unaffected by the improved planning process to date. The history of the Red Line Extension is covered in Chapter IV, providing the basis for a proposed strategy to improve the participatory planning process in Chapter V. The process has come a long way since 1968, but further improvement still lies ahead.
CHAPTER III

THE BOSTON INNER BELT BATTLE

The concept of the inner belt was born as part of the 1948 Master Highway Plan for Metropolitan Boston. Its route was determined during the early stages of the EMRPP and the protest began. The controversy did not stop until the State of Massachusetts did a restudy and decided to not build the road.

The 1948 plan was based on an origin-destination study conducted by the MDPW and the resulting desire lines. Such a study tends to be highway-biased because while roads exist even where highways do not exist, public transportation is either there or it is not. Thus surveying the use of present facilities cannot indicate the need for new transit service.

The actual plan was a series of eight radial highways connected by inner and outer circumferential rings. The Inner Belt was a semi-ring running from the junction of the Central Artery and the Northeast Expressway on the North through Charlestown, Somerville, Cambridge, Brookline, and Roxbury to a junction with the Central Artery and the Southeast Expressway on the South. In the process it was a collector for the six expressways in between. This plan was to be the future of the metropolitan Boston area.
The Highways

Figure 1. Boston

Route 2 Extension
Inner Belt
Massachusetts Turnpike
Southwest Expressway
Southeast Expressway
Third Tunnel
Leverett Circle Bridge
South End Bypass

Rites of Way
Between 1948 and 1960 the lines of the plan came off the map and were laid down as highways in the Boston region. The Southeast Expressway and the Northeast Expressway were built, joined by the Central Artery through the heart of downtown Boston. Today virtually everyone agrees that the Central Artery as it exists was a dreadful mistake, and millions have been spent just studying the feasibility of doing it over, this time underground.

Route 128 was built as the outer circumferential until a new plan was added and it became the middle circumferential. It was built as a four-lane highway that was to handle its traffic until 1970 because of federal law that superhighways must be designed with capacity for ten years of growth. This absurdity resulted in planning that deliberately ignored the induced traffic that the new highway would create, and thus its first traffic jam came on the second Sunday after it was opened. It has been continuously widened ever since.

The inauguration of the Interstate Highway System promised ample funds to complete the highway plans. Actually the original idea was to build intercity highways, as Automotive Industries pointed out in 1956.

In laying out the general pattern of the 41,000 mile chain of national express routes the planners have steered away from the heavily built-up industrial and residential cores of the cities. Belt lines and bypasses are to allow through traffic on the new system to remain free of urban bottlenecks. Those drivers with destinations downtown will be able to reach them via access thoroughfares, but there is to be no dumping of Interstate traffic at city hall.
### Summary of Alternate Routes

<table>
<thead>
<tr>
<th>Name &amp; Letter</th>
<th>Length in Cambridge (miles)</th>
<th>Lanes</th>
<th>Description</th>
<th>Assessed Value of Taking (land and buildings)</th>
<th>Estimated Construction Cost</th>
<th>Estimated Cost: Western Express-Way Connection**</th>
<th>Estimated Total Cost***</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original Belt Route A</td>
<td>1.7</td>
<td>6</td>
<td>Embankment and Depressed</td>
<td>$2,500,000</td>
<td>$11,000,000</td>
<td>$2,300,000</td>
<td>$15,000,000</td>
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<tr>
<td>Western Alternate A-1</td>
<td>1.1</td>
<td>6</td>
<td>Embankment and Depressed</td>
<td>2,100,000</td>
<td>7,500,000</td>
<td>4,100,000</td>
<td>13,700,000</td>
</tr>
<tr>
<td>Brookline Street-Donnelly Field Route B</td>
<td>1.9</td>
<td>6</td>
<td>Embankment, Elevated and Depressed</td>
<td>3,600,000</td>
<td>11,600,000</td>
<td>2,800,000</td>
<td>18,000,000</td>
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<tr>
<td>Grand Junction Route C</td>
<td>1.9</td>
<td>6</td>
<td>Elevated</td>
<td>200,000</td>
<td>20,000,000</td>
<td>3,100,000</td>
<td>23,300,000</td>
</tr>
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</table>

* Detail maps available in Planning Board Office.

** In Boston to complete Metropolitan Master Plan.

*** Somerville interchanges not included since approximately equal for each route.

**Note**: Assessed values on this table are larger than the values appearing in the text because they include estimates developed on a per-mile basis for properties north of Cambridge Street and in Somerville, up to but not including the Somerville-East Cambridge Interchange.

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1951 - Cambridge Planning Board
Thus the Interstate program was not keyed to urban conditions. By 1962, however, General Louis J. Prentiss of the American Road Builders Association was telling Congress:

Highway construction in urban areas is the most urgently needed part of our national highway program, and the most difficult. It is urgent because it will carry the greatest volume of traffic. Hence, they are the facilities which will serve the greatest number of people. 12/

So the highways entered the cities. In Cambridge, the Planning Board, controlled by the business groups that have always favored the construction of highways, had gotten a head start by examining possible routes for the Inner Belt in 1951. They noted certain problems it would cause: further housing shortages, loss of jobs, businesses and tax base, loss of already scarce open space and addition of traffic, noise and pollution. On the whole, though, they still felt it had benefits to offer Cambridge. It could define land use and neighborhood boundaries, serve as a fire break, take traffic congestion off the streets and stimulate commercial development at the same time, and help speed urban renewal. They prepared tables showing the following data for routes:

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<th>Route Name</th>
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<th>A1</th>
<th>B</th>
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<tr>
<td>Route Value</td>
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<tr>
<td>Housing Lost</td>
<td>653</td>
<td>528</td>
<td>900</td>
<td>Few</td>
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<tr>
<td>Business Lost</td>
<td>23</td>
<td>11</td>
<td>98</td>
<td>12</td>
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<tr>
<td>Tax Base Lost</td>
<td>91</td>
<td>73</td>
<td>130</td>
<td>7</td>
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On the basis of this data and that on the facing page they were able to conclude that Route B was the best choice for Cambridge, which can only mean there were extenuating
circumstances which influenced their decision. They certainly had not considered the desires of Cambridge citizens in their plans, for Route B followed much of the path of the Brookline-Elm route later developed by the MDPW which became the center of the controversy.

The Inner Belt did not become an issue at that time, however, because William Callahan of the Turnpike Authority was more forceful in voicing his opinion that he wanted the Turnpike Extension built first, and so despite the loud protests of Back Bay and other residential areas of Boston the Massachusetts Turnpike was extended into the heart of Boston. By the time it was completed the EWRPP was underway and so was the Inner Belt Battle.

In 1960 the MDPW had completed a new study of possible Inner Belt routes and had preliminarily approved the Brookline-Elm alignment, at which the Cambridge Planning Board, having established its position, became the only important group in Cambridge to do likewise. Neighborhood response was rapid and critical from both Cambridgeport and Area Four, the parts of the City that would be torn apart by the highway. Mayor Thomas McNamara quickly came out in opposition and on June 6, 1961 the Cambridge City Council voted 5-3 against the route.

12/Leavitt, Superhighway - Superhoax, p. 131
13/Cambridge Planning Board, Planning for the Belt Route, (Cambridge, 1951), pp. 7-11
At the same time Cambridge's representatives got busy in the State Legislature. Together Representatives Toomey, McKenna and McCann pushed through a bill giving local communities veto power over highway routes in their city. Cambridge breathed a welcome sigh of relief while the MDPW and other highway people fumed.

1962 came and along with it a new MDPW study supporting the Brookline-Elm route for the Inner Belt. Mayor Edward Crane was as quick in rejecting it as Mayor Collins of Boston was in approving it. Cambridge still felt safe as two efforts to kill the veto power in the Legislature fell short. In fact the veto lasted until 1965 when John Volpe was reelected to the governorship after having been displaced for a term. (Volpe and his later MDPW head were both great roadbuilders. A popular saying was that if you fell down, Ribbs would pave you. And Volpe? Why, he'd pave Ribbs.) Governor Volpe was soon telling the Legislature that the veto power was unconstitutional, and a short time later it was repealed. At the same time, the Governor appointed Francis Sargent as the new head of MDPW. Cambridge was caught off guard and seemed prepared to surrender to the inevitable.

There were still people in Cambridge who had too much to lose to surrender. The thought of an eight-lane highway through Cambridgeport was just too much for Anstis Benfield
Bill Ackerley to bear, and the City has never lacked for the protest spirit. They started a group called Neighbors United Against the Inner Belt (NU) and set out to find support. They found some in a diverse group of intellectuals who formed another group called the Cambridge Committee on the Inner (CCIB) Belt.* They published articles and studied maps and slowly rebuilt the anti-highway will of the City. CCIB pushed a route in the vicinity of the Grand Junction Railroad behind the Massachusetts Institute of Technology which caused M.I.T. to reply that such a route would threaten national security. Nevertheless Cambridge hired a firm to study alternate routes and gave them a few months at the end of 1965. At the same time the protest was joined by Area Four and the League of Women Voters. Also some of the CCIB people formed a new group named Urban Planning Aid (UPA), which hired Jim Morey, one of the first cases of advocate planning in the country. All the groups combined into one huge group known as "Save Our Cities" (SOS), with the support of Assistant City Manager Justin Gray. SOS received $1500 from the City Council and staged a series of "Beat the Belt" rallies across the City and into Boston, all very bad publicity for Governor Volpe who was again up for reelection. Again he agreed to a new study of the Inner Belt and the threat was eased again.

In the elections of November, 1966, Governor Volpe was

*For newspaper articles on the Inner Belt Battle, see Appendix B.
reelected again, and another study of the Inner Belt was quickly run through by another consulting firm with the same results: the Inner Belt should be built on the Brookline-Elm route. This time MDPW Commissioner Sargent was certain that the road would get underway.

Well, the Republicans had the State House, but the Democrats had the White House, and Cambridge's Representative Thomas O'Neill, a long-time foe of the Inner Belt, always did know how to get things done. A large delegation from Cambridge was off to Washington again before long, and after meetings with O'Neill, Senator Kennedy and other people they went to see Lowell Bridwell, President Johnson's new Federal Highway Administrator. After considering the matter, he decided that maybe some more study was needed. The EMRPP was still going on, and a transportation network had never been tested without the Inner Belt, so Administrator Bridwell ordered that a new test be made of the EMRPP data and system with a Cambridge option instead of the Inner Belt. This was to be Task A. At the same time Task B was to decide on a route for the Inner Belt. Task A went along as had all the previous studies of the highway and so did the results. But Task B just never did get going, and by the end of Task A the political situation had changed quite a bit. Richard Nixon was President, John Volpe was Secretary of Transportation and Francis Sargent, former conservationist and MDPW Commissioner, was Governor of
Massachusetts.

The Inner Belt fighters were quick to realize that their chances were once again back with the State House, since once again campaign time was not far away. The advocate planners and their supporters knew that they had a good case against the MDPW and the planning behind the decision to build the highway, but in the past the MDPW had made the decisions with the concurrence of the Governor. They had to change the decision-making structure in order to expose the shortcomings of the planning process and this involved reaching Governor Sargent or holding out through the elections after getting the support of his opponent, Boston Mayor Kevin White. Each was a liberal with sympathetic aides. Neither could really afford the bad publicity the anti-highway group could muster. The days went by as negotiations and consultations went on back stage. The growth of the forces opposing the Southwest Expressway was important, for this put pressure on the Boston City Council. Finally the Council came out against the road. That resulted in opposition to the highways by all the towns each of them passed through.

The Governor was under great pressure to act. He appointed a task force to study the question. Mayor White joined the forces calling for a complete and open restudy of the highways. The task force released its report, which said:
To be blunt, we perceive a great mindless system charging ahead. The interstate highways within Route 128 will be built as planned, it appears, not because they are the best public investment—or even the best highway investment—for the money. They will be built solely because they involve ten cent dollars from the state standpoint. 14/

The task force report called for a halt on all highway construction within Route 128 except for Interstate 93 which was largely completed, and the Leverett Circle Bridge. On February 11, 1970, Governor Francis Sargent of Massachusetts went on television to announce the victory of the anti-highway forces and the birth of the open study. The creation of the Boston Transportation Planning Review, with citizen participation and the Secretary of Transportation as chairman, would mark the end of active consideration of the Inner Belt.

Four years ago, I was the Commissioner of the Department of Public Works—our road building agency.

Then, nearly everyone was sure highways were the only answer to transportation problems for years to come.

We were wrong. 15/

It was a decision that had begun in the neighborhoods of Cambridge, Jamaica Plain, Roxbury and elsewhere in the Boston area, and it had been brought to Beacon Hill by them and others who had studied the system and found it lacking.

14/Alan Lupo, Frank Colcord, Edmund Fowler, Rites of Way, (Boston, Little, Brown and Company, 1971), pp. 96-97
15/Lupo, Colcord, Fowler, Rites of Way, p. 136
CHAPTER IV

THE RED LINE EXTENSION CONTROVERSY

The discussion as to where, when and how to extend the Red Line Subway beyond Harvard Square is actually much older than the Inner Belt concept, since it has been underway on and off since the line was opened in 1912. Since 1964 the way has been clear to extend it to at least Alewife Brook Parkway in West Cambridge except for some roadblocks put in the way by Cambridge citizens who have been opposed to one facet or another of every plan that the Massachusetts Bay Transportation Authority has been able to concoct. During that time the complexity of the plan has grown, but not in proportion to the cost, which has gone from $5.65 million for a trolley extension to Arlington to today's estimate of $20 to $50 million just to get out of Harvard Square. It is possible that if the dispute continues when the next plan emerges sometime within a year that the line may not be built and then such alternative projects as the Route 2 extension might be considered instead.

Subway proposals have always been controversial. The plan for the first subway in the nation, the Tremont Street section of the present Green Line in Boston, was vigorously
opposed when it was first suggested by the state-appointed Rapid Transit Commission in 1892. In 1894 the Boston Elevated Railway Company was incorporated and the Boston Transit Commission was created to build the subway. The decision to construct the subway was met with "violent opposition" according to a 1925 report. A citizen group organized to protest, claiming that "electricity underground will flow into the trees on the Common and kill them." 16/

A vote was held and the subway was approved by only a 15,542 to 14,162 margin. Ground was broken March 28, 1895, the first section was opened September 1, 1897, and the entire Tremont Street Subway was opened September 3, 1898, the first in the country.

The East Boston Tunnel had similar problems, including two injunctions which delayed the project. It was opened in 1904, the first underwater tunnel in America and the first concrete passenger tunnel in the world. The Cambridge Subway created a debate that lasted for years between supporters of elevateds and subways, but the latter were favored and the subway from Park Street Under to Harvard Square opened on March 23, 1912.*

The Cambridge Subway was an instant success. The great

16/Boston Transit Department, Rapid Transit Development in Boston, (Boston, City of Boston, 1925), p. 6

*For information on the history of the Red Line and the extension controversy, see Appendix C.
population explosion created by the reduced travel time to Boston from Cambridge and the adjacent towns gave an early start to talk of extending the line beyond Harvard Square. In 1914, in fact, Cambridge Mayor Timothy Good proposed in his inaugural speech an extension to Porter Square.

Since 1912, however, it has been the other end of the Red Line that has been extended while the western terminal has remained in Harvard Square. On May 3, 1912 construction was begun on the Dorchester Tunnel, which was opened to Washington, South Station, Broadway and Andrew in succeeding years between 1915 and 1918. In 1924 the continuation along the Shawmut Branch Railroad was started which extended the line to Ashmont by 1928. The trolley line to Mattapan was started the next year and completed that same year. No other extension of service was made until the South Shore Line replaced the Old Colony Railroad starting in 1966 and opening in 1971.

Many factors combine to make Harvard Square perhaps the least appropriate terminus of any in the system. It is the third busiest stop in the Massachusetts Bay Transportation Authority (MBTA) district, exceeded only by Park Street and Washington Street downtown. There is absolutely no available parking for commuter use, in fact Harvard Square has a deficit of over 1000 parking spaces on its own. The station also
attracts traffic that drops off boarders as well as taxi cabs. Buses come to Harvard Square from Watertown, Belmont, Arlington, Lexington, Bedford, Medford and Somerville as well as Boston and Cambridge. At least two-thirds of these could either be eliminated or terminated at other stations if the line were extended to Arlington Heights, more if to Lexington. The extension would also increase mobility for the western suburbs as well as more equitably distributing the costs of service. The Cambridge Departments of Planning and Traffic in the official position paper for the City stated that the Red Line Extension could be expected to:

1. Reduce the need for future highway construction.
2. Reduce the number of buses congesting the streets.
3. Reduce the need for commuter parking in Cambridge.
4. Provide a means for Cambridge distribution of railroad commuters from the Boston and Maine Railroad.
5. Provide a means of stimulating economic development in the Alewife, Porter, Harvard, Central and Kendall Station areas.
6. Reduce transit-related congestion at Harvard from 25,000/day to as low as 10,500/day boarders.
7. Reduce auto-oriented commuter traffic on streets.
8. Reduce the Cambridge share of the MBTA's net cost of service below the level expected when the Red Line reaches Arlington Heights.  

In spite of this strong justification and nearly unanimous city support for the concept of extending the Red Line, it has not happened during the thirty years in which it has been openly considered. During the last ten of those years the delay has been due principally to citizen protests of various facets of the proposed extension plans. Cambridge

officials have noted that there are many other projects that the MBTA can spend its limited capital improvements funds on, and if Cambridge continues to reject the plans the line could be scrapped indefinitely.

Actually the first comprehensive transit study, done in 1926 by the State Division of Metropolitan Planning, did not recommend a Red Line Extension. It felt that it was simpler to extend the Green Line from Lechmere to North Cambridge via the existing railroad right-of-way. A Red Line Extension, it continued, would probably go to Watertown and Waltham, but was much farther off in the future.

By this time private ownership had already stretched itself too thin in its search for profits and the government had been forced to step in and help run the system, already showing a lack of profitability. By the 1940's the Legislature established the Metropolitan Transit Recess Commission, commonly known as the Coolidge Commission, to examine the system and recommend a course of action. Its most important motion was that the State take over operation of the transit system, but in its 1945 report it also suggested extension of some of the transit lines, including the Red Line. The route proposed would run from Harvard Square to Arlington Heights. It would be a trolley line, and it would follow the Charles River to East Watertown, coming to the surface just beyond
the Eliot Bridge. After Watertown it would follow Mt. Auburn
Street back to Alewife and then proceed out to Arlington
Heights. It would cost $5.65 million.

By 1947 a new parkway had taken the proposed right-of-
way along the river and a new route was needed. This time
the line was to run only to Alewife via Porter Square. Train
service would connect there for Arlington and Lexington. At
that time, Lexington held a hearing and objected because they
wanted the extension to go all the way out. The present popu-
lation of Lexington is not so sure it wants the subway now.
Another key event of 1947 was the takeover by the State in
the form of the new Metropolitan Transit Authority (MTA),
still composed only of the 14 inner cities and towns.

In 1952 the Legislature asked for a study of a proposed
extension of the Red Line to Arlington Heights. A second bill
asked for the report by 1954 and it was given. The line would
run up Massachusetts Avenue with stops at Wendell, Porter and
North Cambridge. It would then follow railroad rights-of-way
to Concord Turnpike, Lake, Arlington Center and Arlington
Heights with a future extension to Route 128 in Lexington.
As of this time highway and transit planning were still not
coordinated, and the report noted that the state of plans for
the new Route 2 would not permit coordination with their plan.
The report contained much justification for the extension,
Map 1
PROPOSED STATION LOCATION AND ROUTE ALIGNMENT
(MBTA - 1968) LINES A, B, C, & D

PROPOSED STATION LOCATION AND ROUTE ALIGNMENT
(MBTA - 1968) LINES A, B, C, & D
but the MTA concluded it could not recommend construction because the cost would be borne only by the 14 members while many other towns would benefit. It suggested that the State find another way to pay for the extension.

In 1959 another bill was passed calling for a Red Line Extension to the Bedford airport, but no action was taken.

1964 was the year that should have been the one to give the extension all it needed to get started. First the MBTA replaced the MTA, expanding the transit district to 68 towns. (Maynard voted to join later.) That solved the MTA objection. The passage of the Urban Mass Transportation Act made federal money for capital improvements available and the MBTA was the first system in the country to receive funds. Reorganization and new planning took some time, so it was three more years before the Authority was ready to act.

In 1967 the MBTA issued a report offering four alternative routes to get the line out of Harvard Square and onto Massachusetts Avenue. These are given as Lines A, B, C and D on the map. All routes were then to proceed using cut-and-cover construction up to the station at Porter Square and then run at-grade along the Fitchburg Division Railroad, shown as Alignment 2 on the map. This would involve building an overpass for Sherman Street which would have taken some houses and changed the street patterns. The line would have a temporary terminus at Alewife.
Map 2
PROPOSED STATION LOCATION
AND ROUTE ALIGNMENT
(CONSULTANT) LINES E, F, G, & H

Existing Line & Station
At about this same time the City Manager created the Cambridge Advisory Committee on Harvard Square. (CAC-HS) They were to represent the people of Cambridge in such cases as this. When the MBTA approved Line D, the Cambridge Planning Board did likewise, though with reservations. Mayor Hayes asked for a public hearing, and CAC-HS, led by its Harvard Square area businessmen and residents, opposed Line D because of the disruption that cut-and-cover construction would cause along the route. They wanted a shield-driven tunnel alternative considered, as well as another route, if possible. At the same time neighborhood people in West Cambridge learned that the line would be at-grade on the railroad tracks. Soon there was a Cambridge Advisory Committee on the Western Gateway (CAC-WG) for the MBTA to deal with as well. The Authority decided to reevaluate the situation. At the same time the City of Cambridge gave the Cambridge Redevelopment Authority (CRA) $10,000 with which to study other alignments. These routes are given as Lines E,F,G and H. Since the station at Porter Square was also an issue, a route directly to Alewife (Alignment 1 on the previous map) was also suggested.

After all the opinions were in, the City Council passed a resolution calling for the Red Line Extension to be built by deep-bore construction and to be totally underground with the exception of the section through the former dump site, which for technical reasons would have to be at-grade. This
resulted in a cooperation agreement between Cambridge and the MBTA to consult together on future planning.

Since the proposed Kennedy Memorial Library was to be built on the site of the Bennett Street yards, the MBTA had to find an alternative site for a turnback track in 1973, so in April of that year a public hearing was held to give approval to the use of Line A so it could be used. However, another problem developed. The residents of Hilliard Street, under which the deep-bore tunnel for Line A would have to go, were not satisfied with the MBTA's assurances that construction would not adversely affect their houses. Instead they hired a lawyer and have stated that any decision to construct Line A would result in a costly and time-consuming litigation. The Authority decided to reevaluate the situation.

On January 23, 1974, the State finally announced that the Red Line Extension would be built along Alignment 3 on the map, with stations at Porter, Davis, Alewife, Arlington Center and Arlington Heights. The line still faces many critical decisions, however. After joint public hearings held by the Harvard Square Task Force and the Cambridge Transportation Forum Lines A, D and G were chosen for analysis along with the required "no-build" option for the environmental impact statement which is presently being conducted. Once out of the Square other problems await the line. Lucy Doherty, one of the leading figures
in CAC-WG and its successor, the West Cambridge Survival Committee, feels that both the Porter and Davis stations could draw opposition from people in the area. The line from Davis to Alewife would also make use of a freight right-of-way which is presently at-grade, but which, according to an MBTA spokesman, will be lowered along with the subway, but using cut-and-cover construction. Lucy Doherty thought this would be satisfactory, but she could not be sure. Other questions such as the use of at-grade or below-grade construction in Arlington also remain to be answered. Every answer takes time and adds to the cost of the extension. If the questions could have been answered by a community-based participatory planning process ten years ago, a much less expensive subway could have been operating today. The most important thing is to solve all the problems and get the extension started as soon as possible. Effective citizen participation that is organized and broad-based is an important part of the solution. The last chapter deals with the existing participatory process and suggests an improvement. There could be more Inner Belts and Red Line Extensions in the future unless changes are made.
CHAPTER V

CITIZEN PARTICIPATION

The inclusion of citizen participants in the transportation planning process did not happen because the planners felt it should happen. It happened because many demonstrations, protests and confrontations forced them and their political overseers to recognize their clients and listen to them. During the past decade the people of our nation's cities have begun to bring about a new method of planning with new requirements to protect the people and their environment from ivory-tower decision-making, but the process is still being developed across the country.

The earlier chapters have pointed up the lack of citizen participation in pre-BTPR Boston-area highway and transit studies. The Governor's task force that created the BTPR summed up the shortcomings of the existing planning process.

At present, fragmentation of responsibility for transportation planning and decision is the rule. A small number of powerful operating agencies, each with a specialized mission, have substituted narrow modal planning for comprehensive transportation planning. . . . We find also that the transportation planning process has been conducted with needless secretiveness and resistance to citizen involvement. . . . 18/

18/Governor's Task Force on Transportation, "Report to Governor Sargent on Immediate Action Opportunities" January, 1970, p. 5
Interviews with members of three of the agencies mentioned proved that things have changed, but it is hard to tell how much of the change is voluntary or heart-felt. The major change has been the addition of a new decision-making level in the process that is not oriented toward construction.

The first interview was with an executive of the Metropolitan Area Planning Council (MAPC). He stated that he had worked in the Boston area for the past ten years. He began by explaining that planning money had first become available after World War II and that the MDPW, the MTA and the Massachusetts Department of Commerce and Development (MDCD) received the funds. MAPC gained its share of the funds through work with the other agencies. This could have affected their role in past activities. He then referred to the EMRPP, which he called the "P-34 Study". He felt that both the P-34 and the BTPR had only succeeded in making money for the consulting firms that were hired. He did not think much more of citizen participation, either. This he viewed as merely slowing down the process and creating new problems, since he felt that the citizens were unable to understand the technical nature of such studies and educational efforts were wasteful. He felt that professional planners could find all the reasonable alternatives without any help from other people. He had many ideas to offer, but he said that they were not accepted because nobody would make any money on them.
The next interview was with Mr. Ted Kolligian of the MDPW Transportation Planning and Development Division. He has worked in Massachusetts since 1966, first with a local planning board and then with MAPC. His experience with citizen participation includes work with the Berkshire County Transportation Policy Advisory Group (TPAG), another of the many participatory units created in the State. He also worked in the Southwest Corridor during the BTPR study. He felt that the EMRPP was a better study than the BTPR because it was long-term in nature and more thorough, both of which are true. A study which ran 18 months can hardly attempt to be as thorough as one which ran 5 years. Other factors certainly determine the value of a study. He also felt that the BTPR was dominated by transit interests. The decisions were based too much on localized rather than regional interests and needs. He also commented on the JRTC, which he felt was too parliamentary and required consensus decision-making rather than its vote-taking. He felt that the people must have the sense that they have influence and are affecting the decisions. The typical 15-year headway for systems planning, he stated, was beyond the comprehension and span of attention of most people. He attributed this more to city people than to those in Berkshire County. Another problem with participatory planning results, he feels, from
the volatility of local politics. Newly-elected officials may not have the same views as those they replace. Citizens, however, do not have this problem. In answer to specific questions he agreed that all studies have their biases; at present, he stated, there is a transit bias. Citizen participation can yield positive results, but they need education in order to deal with technical issues. Participants do, he said, represent a cross-section of the population, but a selective one. He felt that the on-going participatory process could not answer all citizen objections. Last, he gave the opinion that the Inner Belt and the Southwest Expressway still should be built.

I also talked with George Wey, project director for the Red Line Extension from the MBTA. He had previously served as Director of Transportation Planning and Development at MDPW among his other positions. He began by noting that previous studies for the extension had included very little citizen participation, and he felt that the citizens of Cambridge were mostly justified in their protests of the original proposal. He also noted that environmental restrictions and new technology had probably made deep-bore construction almost equally cost-efficient with cut-and-cover and without the negative impacts and criticism. He did feel that it would not be possible to use deep-bore for the
freight cutoff right-of-way, as previously mentioned. He spent most of the time talking about the Harvard Square alternative alignments. The MBTA feels that Line A is least disruptive to their operations since none of the present facilities would be displaced. Harvard seems to favor Line G because the existing tunnel would then be available to use for vehicular traffic. Most other groups seem to favor Line D as at least involving less cost than G and less chance of trouble and neighborhood encroachment than A. D would also permit better bus transfers and across-town routing, which Cambridge has wanted for some time. This would be at the cost of considerable area and service disruption, though. Even though he feels that deep-bore construction under housing would not create appreciable settlement he has not been able to convince the people of Hilliard Street of this, and they continue to threaten litigation if Line A is chosen. Other problems have also appeared. Arlington, he said, has observed what Cambridge and Somerville have done and is now pushing to have the route put underground there though it was to have run on the railroad line. He thinks that some of the citizen groups are asking for too much, but he does not feel the present plan could be called gold-plated. In general, he feels that people are reasonable and it is up to the planners to set the limits. He is almost
certain that there will be a big controversy at some point.
At present, he is working with the following citizen groups:
Harvard Square Development Task Force, Chamber of Commerce,
Cambridge Transportation Forum, City Council Transportation
and Parking Committee, Harvard Square Businessmen's Association,
Planning for People, Neighborhood Nine, Neighborhood Ten,
Cambridge Civic Association and the Kennedy Library Study
Group. While he did not mention them, it is to be hoped he
is also in contact with the West Cambridge group and those
from Somerville and Arlington. He seemed to feel that it
was reasonable to deal with all these groups, and he had a
more positive attitude toward citizen participation than one
could expect. At the same time it would seem that his job
could be made more effective if there were a better-organized
participatory structure at the project level.

There are many different forms of organized citizen
participation. Public hearings and public opinion polls
are semi-organized forms. Neighborhood groups and civic
organizations are more organized but still open, while
advisory boards are generally appointed and therefore closed.
Citizen representatives are more limited yet. The best
group on the community level is one that is both open and
representative, since it can surface any view that exists.
This is the level at which the present system is most de-
cicient, and as the two case studies show it is the level
at which most of the protests are initiated. People who do not have any facts about a project can often be convinced to oppose it by one of their neighbors who has a reason to do so. In order to prevent uninformed opposition from avalanching into an unstoppable force, a good strategy for citizen involvement must be based on widespread information availability. Citizens must also know who to complain to, and they must know that their complaints will be heard.

Beyond the community level there are a few groups such as Citizens for Rail Transit and the Greater Boston Coalition on the Transportation Crisis. They can generally only remain active during crisis periods, and those that survive for a long time often become merely pressure groups for a small number of people.

The on-going participatory process created by Massachusetts to continue the work of the BTPR is the Joint Regional Transportation Committee. The JRTC itself is active at the highest, or systems level of planning. It has eight subgroups which are responsible for regional planning. Project planning is also directed from them, but participatory problems such as neighborhood complaints are the responsibility of the towns, and thus are subject to the wide variability in effectiveness and openness of local planning structures and government officials. Some town officials attend JRTC meetings. Most
THE JOINT REGIONAL TRANSPORTATION COMMITTEE
(1972 - PRESENT)

GOVERNOR
SECRETARY

EOTC

MDPW
MAPC
MDCA
MBTA

JRTC
CENTRAL PLANNING STAFF

NORTH EAST
NORTH
NORTH WEST
BOSTON CORE
WEST
SOUTH WEST
SOUTH
SOUTH EAST

TOWN REPRESENTATIVES
do not. Some towns have planning structures that are receptive to citizen interest and suggestions. Many do not. Massachusetts is famous for its corruption at the local level. This is not conducive to a good communications link between the neighborhoods and the State.

The JRTC is run in a parliamentary manner and the talk is technical and formal. Meetings are not advertised well, nor is the organization as a whole. At the present time there is no staff to assist community people in participating. The Central Planning Staff is being created, but it will have many duties. All in all, the JRTC is not the organization to handle neighborhood-based problems unless it is a very articulate neighborhood.

The Cambridge Transportation Forum (CTF) is a citizens group that advises the City Council on transportation policy.* The concept was first examined as part of a contract between Cambridge and the U.S. Department of Transportation. The resulting report, Improving the Transportation Planning Process in Small Cities and Towns, recommended the formation of such a group, headed by the local planning people. The present Forum is made up entirely of and run by citizens with minimal staff support from a local university's students. Some of its members are representatives of neighborhood and civic groups while others are there only for themselves.

*For material from the CTF and the JRTC see Appendix D.
Members of the local Police, Planning and Traffic Departments serve in an advisory and informational capacity. The City has supplied a small budgetary allowance and the Planning Department allows generous use of its resources. The CTF has found a useful if somewhat undefined role to serve among the people, the City Council and the City departments. It also has taken an interest in regional planning meetings. The Forum has many accomplishments. It wrote the City's first full response to the Environmental Protection Agency's Transportation Control Plan, and Cambridge has remained ahead of Boston in preparations for the restrictions. The CTF helped the Planning Department prepare bus route changes and pushed the MBTA to create a bus timetable containing all the Harvard Square routes. The Forum is working on many other projects and is working toward becoming the central group for citizen transportation planning in Cambridge.

My proposal for improving citizen participation and the transportation planning process is to have each town create a transportation forum to serve as the focal point for project planning input and community policy formation. The forums, in conjunction with each town's planning structure and government, would then be the input to the regional division of the JRTC. The forum would raise issues and questions and provide local opinion for the JRTC while the
JRTC would supply a continuous flow of information to the local boards which could then distribute it to their civic and neighborhood group members. One person from each forum would regularly serve on the regional JRTC group. The flow of information would help prevent uninformed opposition. The flow of opinion would help prevent crises near the start of projects. Consensus would be the rule throughout the structure, but decision-making power must be maintained on each level. Staff assistance for these groups could come partly from the Central Planning Staff, but the idea of using college planning and engineering or other students as staff seems like both a good source of people and necessary real-world experience for young planners.

The improvement of citizen participation is only part of the solution to the transportation planning problem. The central problem is one of values. The values of the MDPW highway planners in no way corresponded with those of the Cambridge protestors. Likewise with the MBTA and the West Cambridge people. If their values had been the same there would never have been the problems in the first place. Of course it is totally unrealistic to hope that a planner will place the same value on a house as its resident, and the planner's job is often to find a route at minimal cost. In the past this has meant a search for a low-income neighborhood route. In relative terms, however, the house of such
a person is worth far more than the most expensive place that Howard Hughes could ever purchase. Many things have value, from community and home to clean air and wildlife. However mobility also has a value, and though it may have become a bit inflated in this country in the past 70 years it still will get its due consideration. Until all our values can be brought more into a common realm, however, citizen participation is the best way of insuring that those of the people who will be affected by transportation projects are given their due consideration. If Inner Belt Battles must continue into the future in order to insure that the values of everyone affected are considered, then so be it. However the improvements in the past five years coupled with those I have recommended may provide a much better solution for all concerned. Amen.
BIBLIOGRAPHY
CHAPTER I


CHAPTER II


CHAPTER III


CHAPTER IV


CHAPTER V


ADDITIONAL SOURCES

Mr. Ted Kolligian, Massachusetts Department of Public Works
Mr. George Wey, Massachusetts Bay Transportation Authority
__________, Metropolitan Area Planning Council
Mr. Bradley H. Clarke, Boston Street Railway Association
Mr. Richard Easler, Cambridge Community Development Department
Mr. Justin Gray, Justin Gray Associates
Ms. Lucy Doherty, West Cambridge Survival Committee

Cambridge Model Cities' file on The Inner Belt
Boston Street Railway Association file on Public Transportation
West Cambridge Survival Committee file on the Red Line
Cambridge Transportation Forum files
APPENDIX
APPENDIX A

FEDERAL LAW RELATING
TO TRANSPORTATION PLANNING
Housing Acts . . . . A- 1
Transportation Acts A-10
Highway Acts . . . . A-17
Sec. 608. The Administrator, after consultation with the National Committee, shall have power to issue general rules and procedures for the effective implementation of this title and for the functioning of the regional subcommittees, pursuant to the provisions hereof and not in conflict herewith.

GENERAL PROVISIONS

Sec. 609. No act pursuant to the provisions of this title and which occurs while this title is in effect shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. Service as a member of the National Committee or of any regional subcommittee is not to be construed as holding any office or employment with the Government of the United States. The Administrator is authorized and directed, upon the request of the National Committee, to provide such Committee with a suitable office and meeting place and to furnish to the Committee such staff assistance as may be reasonably necessary for the purpose of assisting it in the performance of the functions of such Committee.

Funds available to the Administrator for administrative expenses shall be available for all expenses necessary in carrying out the provisions of this title, including expenses of persons serving as members of any committee or subcommittee established pursuant to this title for communications, transportation, and not to exceed $25 per diem in lieu of subsistence when away from their homes or regular places of business in connection with the business of such committee or subcommittee.

Sec. 610. (a) This title and all authority conferred hereunder shall terminate at the close of June 30, 1957.

(b) Notwithstanding subsection (a), Congress, by concurrent resolution, may terminate this title prior to the termination date hereinabove provided for.

TITLE VII—URBAN PLANNING AND RESERVE OF PLANNED PUBLIC WORKS

URBAN PLANNING

Planning grants.

Sec. 701. To facilitate urban planning for smaller communities lacking adequate planning resources, the Administrator is authorized to make planning grants to State planning agencies for the provision of planning assistance (including surveys, land use studies, urban renewal plans, technical services and other planning work, but excluding plans for specific public works) to cities and other municipalities having a population of less than 25,000 according to the latest decennial census. The Administrator is further authorized to make planning grants for similar planning work in metropolitan and regional areas to official State, metropolitan, or regional planning agencies empowered under State or local laws to perform such planning. Any grant made under this section shall not exceed 50 per centum of the estimated cost of the work for which the grant is made and shall be subject to terms and conditions prescribed by the Administrator to carry out this section. The Administrator is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advance or progress payments on account of any planning grant made under this section. There is hereby authorized to be appropriated not exceeding $5,000,000 to carry out the purposes of this section, and any amounts so appropriated shall remain available until expended.
RESERVE OF PLANNED PUBLIC WORKS

SEC. 702. (a) In order (1) to encourage municipalities and other public agencies to maintain a continuing and adequate reserve of planned public works the construction of which can rapidly be commenced whenever the economic situation may make such action desirable, and (2) to attain maximum economy and efficiency in the planning and construction of local, State, and Federal public works, the Administrator is hereby authorized, during the period of three years commencing on July 1, 1954, to make advances to public agencies from funds available under this section (notwithstanding the provisions of section 3648 of the Revised Statutes, as amended) to aid in financing the cost of engineering and architectural surveys, designs, plans, working drawings, specifications, or other action preliminary to and in preparation for the construction of public works: Provided, That the making of advances hereunder shall not in any way commit the Congress to appropriate funds to assist in financing the construction of any public works so planned.

(b) No advance shall be made hereunder with respect to any individual project unless it conforms to an overall State, local, or regional plan approved by a competent State, local, or regional authority, and unless the public agency formally contracts with the Federal Government to complete the plan preparation promptly and to repay such advance when due. Subsequent to approval and prior to disbursement of any Federal funds for the purpose of advance planning, the applicant shall establish a separate planning account into which all Federal and applicant funds estimated to be required for plan preparation shall be placed.

(c) Advances under this section to any public agency shall be repaid without interest by such agency when the construction of the public works is undertaken or started: Provided, That in the event repayment is not made promptly such unpaid sum shall bear interest at the rate of 4 per centum per annum from the date of the Government's demand for repayment to the date of payment thereof by the public agency. All sums so repaid shall be covered into the Treasury as miscellaneous receipts.

(d) The Administrator is authorized to prescribe rules and regulations to carry out the purposes of this section.

(e) There is hereby authorized to be appropriated not exceeding $10,000,000 to carry out the purposes of this section, and any amounts so appropriated shall remain available until expended: Provided, That not to exceed 1 per centum of the funds appropriated under this section may be used for the purpose of surveying the status and current volume of advanced public works planning among the several States and their subdivisions, such surveys to be carried out by the Administrator in cooperation with the Council of Economic Advisers in the Executive Office of the President. Not more than 5 per centum of the funds so appropriated shall be expended in any one State.

DEFINITIONS

SEC. 703. As used in this title, (1) the term “State” shall mean any State, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States; (2) the term “Administrator” shall mean the Housing and Home Finance Administrator; (3) the term “public works” shall include any public works other than housing; and (4) the term “public agency” or “public agencies” shall mean any State, as herein defined, or any public agency or political subdivision therein.
such credit is not otherwise available on reasonable terms and conditions.

FEDERAL LOANS

Sec. 202. (a) The Housing and Home Finance Administrator, acting through the Community Facilities Administration, is authorized to purchase the securities and obligations of, or make loans to, States, municipalities and other political subdivisions of States, public agencies, and instrumentalities of one or more States, municipalities and political subdivisions of States, and public corporations, boards, and commissions established under the laws of any State, to finance specific public projects under State or municipal law. No such purchase or loan shall be made for payment of ordinary governmental or non-project operating expenses.

(b) The powers granted in subsection (a) of this section shall be subject to the following restrictions and limitations:

(1) No financial assistance shall be extended under this section unless the financial assistance applied for is not otherwise available on reasonable terms, and all securities and obligations purchased and all loans made under this section shall be of such sound value or so secured as reasonably to assure retirement or repayment, and such loans may be made either directly or in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations or otherwise.

(2) No securities or obligations shall be purchased, and no loans shall be made, including renewals or extensions thereof, which have maturity dates in excess of forty years.

(c) In the processing of applications for financial assistance under this section the Administrator shall give priority to applications of smaller municipalities for assistance in the construction of basic public works (including works for the storage, treatment, purification, or distribution of water; sewage, sewage treatment, and sewer facilities; and gas distribution systems) for which there is an urgent and vital public need. As used in this section, a “smaller municipality” means an incorporated or unincorporated town, or other political subdivision of a State, which had a population of less than ten thousand inhabitants at the time of the last Federal census.

FINANCING

Sec. 203. (a) In order to finance activities under this title, the Administrator is authorized and empowered to issue to the Secretary of the Treasury, from time to time and to have outstanding at any one time, in an amount not exceeding $100,000,000, notes and other obligations. Such obligations shall be in such forms and denominations, have such maturities and be subject to such terms and conditions as may be prescribed by the Administrator, with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of such notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations of the Administrator to be issued hereunder and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may
regional plan approved by a competent State, local, or regional authority, and unless the public agency formally contracts with the Federal Government to complete the plan preparation promptly and to repay such advance or part thereof when due. Subsequent to approval and prior to disbursement of any Federal funds for the purpose of advance planning the applicant shall establish a separate planning account into which all Federal and applicant funds estimated to be required for plan preparation shall be placed.

"(c) Advances under this section to any public agency shall be repaid without interest by such agency when the construction of the public works is undertaken or started; Provided, That if the public agency undertakes to construct only a portion of a planned public work it shall repay such proportionate amount of the advances relating to the public work as the Administrator determines to be equitable. And provided further, That in the event repayment is not made promptly such unpaid sum shall bear interest at the rate of 4 per centum per annum from the date of the Government's demand for repayment to the date of payment thereof by the public agency.

"(d) The Administrator is authorized to prescribe rules and regulations to carry out the purpose of this section.

"(e) In order to provide moneys for advances in accordance with this section, the Administrator is hereby authorized to establish a revolving fund which shall comprise all moneys herefore or hereafter appropriated pursuant to this section, together with all repayments and other receipts in connection with advances made under this section. There are hereby authorized to be appropriated to such revolving fund, in addition to the amount authorized by this section as originally enacted, the further amounts of $12,000,000 which may be made available to the revolving fund on or after July 1, 1956; $12,000,000 which may be made available to such fund on or after July 1, 1957; $14,000,000 which may be made available to such fund on or after July 1, 1958; and such additional sums which may be made available from year to year thereafter as may be estimated to be necessary to maintain not to exceed a total of $48,000,000 in undisbursed balances in the revolving fund and in advances outstanding for plans in preparation or for completed plans with respect to projects which, in the determination of the Administrator, can be expected to be undertaken within a reasonable period of time."

Sec. 113. Effective upon the date of enactment of this Act the base rate of compensation of the Community Facilities Commissioner of the Housing and Home Finance Agency shall be the same as the base rate of compensation established for the heads of the constituent agencies of the Housing and Home Finance Agency.

TITLE II—PUBLIC FACILITY LOANS

DECLARATION OF POLICY

Sec. 201. It has been the policy of the Congress to assist wherever possible the States and their political subdivisions to provide the services and facilities essential to the health and welfare of the people of the United States.

The Congress finds that in many instances municipalities, or other political subdivisions of States, which seek to provide essential public works or facilities, are unable to raise the necessary funds at reasonable interest rates.

It is the purpose of this title to authorize the extension of credit to assist in the provision of certain essential public works or facilities by States, municipalities, or other political subdivisions of States, where
APPORTIONMENT BY STATES

SEC. 402. Section 403 of the Housing Act of 1950 is amended by striking out “10 per centum” and inserting in lieu thereof “12½ per centum”.

HOUSING PROVIDED BY NONPROFIT CORPORATIONS

SEC. 403. (a) Clause (3) of section 404(b) of the Housing Act of 1950 is amended—

(1) by striking out “established by any institution included in clause (1) of this subsection for the sole purpose” and inserting in lieu thereof “established for the sole purpose”; and

(2) by striking out “such institution” where it first appears and inserting in lieu thereof “one or more institutions included in clause (1) of this subsection”.

(b) Clause (3) of section 404(b) of such Act is further amended by striking out “will pass to such institution” and inserting in lieu thereof “will pass to such institution (or to any one or more of such institutions) unless it is shown to the satisfaction of the Administrator that such property or the proceeds from its sale will be used for some other nonprofit educational purpose”.

(c) Section 404(b) of such Act is further amended by adding at the end thereof the following new sentence: “In the case of any loan made under section 401 to a corporation described in clause (3) of this subsection which was not established by the institution or institutions for whose students or students and faculty it would provide housing, the Administrator shall require that the note securing such loan be cosigned by such institution (or by any one or more of such institutions).”

TITLE V—COMMUNITY FACILITIES

PUBLIC FACILITY LOANS

SEC. 501. (a) (1) The second paragraph of section 201 of the Housing Amendments of 1955 is amended by inserting after “public works or facilities” the following: “(including mass transportation facilities and equipment)”.

(2) The third paragraph of section 201 of such Amendments is amended by inserting after “title” the following: “(subject to the limitations contained herein)”.

(b) The first sentence of section 202(a) of such Amendments is amended to read as follows: “The Housing and Home Finance Administrator is authorized (1) to purchase the securities and obligations of, or make loans to, municipalities and other political subdivisions and instrumentalities of States (including public agencies and instrumentalities of one or more municipalities or other political subdivisions in the same State), to finance specific projects for public works or facilities under State, municipal, or other applicable law, and (2) to purchase the securities and obligations of, or make loans to, States, municipalities and other political subdivisions of States, public agencies and instrumentalities of one or more States, municipalities and political subdivisions of States, and public corporations, boards, and commissions established under the laws of any State, to finance the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation or lease or otherwise, in mass transportation service in urban areas, and for use in coordinating highway, bus, surface-rail, underground, parking and other transportation facilities in such areas. The facilities and equipment referred to in clause (2) may include land, but
if such program has not been completed, that there is an urgent need for the provision of the facilities or equipment to be commenced prior to the time that the program could reasonably be expected to be completed. Provided, That no such loan shall be made, except under a prior commitment, after December 31, 1962."

(h) Section 203(a) of such Amendments is amended by striking out the words "in an amount not exceeding $150,000,000, notes and other obligations" in the first sentence and inserting in lieu thereof the following: "notes and other obligations in an amount not to exceed $650,000,000: Provided, That, of the funds obtained through the issuance of such notes and other obligations, $600,000,000 shall be available only for purchases and loans pursuant to clause (1) of section 202(a) of this title and $50,000,000 shall be available only for purchases and loans pursuant to clause (2) of such section."

(i) Title II of such Amendments is further amended by adding at the end thereof the following new section:

"Sec. 207. The Administrator is authorized to establish technical advisory services to assist municipalities and other political subdivisions and instrumentalities in the budgeting, financing, planning, and construction of community facilities. There are hereby authorized to be appropriated such sums as may be necessary, together with any fees that may be charged, to cover the cost of such services."

(j) Section 203(b) of such Amendments is amended by inserting "be" immediately after "which may".

ADVANCES FOR PUBLIC WORKS PLANNING

Sec. 502. Section 702 of the Housing Act of 1954 is amended by—

(1) striking out in subsection (a) "10" and inserting in lieu thereof "121/2";

(2) striking out the first sentence of subsection (b) and inserting in lieu thereof the following:"No advance shall be made hereunder with respect to any individual project, including a regional or metropolitan or other area-wide project, unless (1) it is planned to be constructed within or over a reasonable period of time considering the nature of the project, (2) it conforms to an overall State, local, or regional plan approved by a competent State, local, or regional authority, and (3) the public agency formally contracts with the Federal Government to complete the plan preparation promptly and to repay such advance or part thereof when due."

(3) inserting after "1958:" in subsection (e) the following: "$10,000,000 which may be made available to such fund on or after July 1, 1961:"; and

(4) striking out in subsection (e) "$48,000,000" and inserting in lieu thereof "$58,000,000".

TITLE VI—AMENDMENTS TO THE NATIONAL HOUSING ACT

FEDERAL NATIONAL MORTGAGE ASSOCIATION

SPECIAL ASSISTANCE AUTHORIZATION

Sec. 601. (a) Section 305(c) of the National Housing Act is amended to read as follows:

"(c) The total amount of purchases and commitments authorized by the President pursuant to subsection (a) of this section shall not exceed $1,700,000,000 outstanding at any one time."
not public highways, and any other real or personal property needed for an economic, efficient, and coordinated mass transportation system."

(c) Section 202(b) (2) of such Amendments is amended by adding at the end thereof the following new sentence: "Subject to such maximum maturity, the Administrator in his discretion may provide for the postponement of the payment of interest on not more than 50 per centum of any financial assistance extended to an applicant under this section for a period up to ten years where (A) such assistance does not exceed 50 per centum of the development cost of the project involved, and (B) it is determined by the Administrator that such applicant will experience above-average population growth and the project would contribute to orderly community development, economy, and efficiency; and any amounts so postponed shall be payable with interest in annual installments during the remaining maturity of such assistance."

(d) (1) Section 202(b) of such Amendments is further amended by adding at the end thereof the following new paragraph:

"(3) Financial assistance extended under this section shall bear interest at a rate determined by the Administrator which shall be not more than the higher of (A) 3 per centum per annum, or (B) the total of one-half of 1 per centum per annum added to the rate of interest paid by the Administrator on funds obtained from the Secretary of the Treasury as provided in section 203(a)."

(2) The third sentence of section 203(a) of such Amendments is amended to read as follows: “Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury which shall be not more than the higher of (1) 2½ per centum per annum, or (2) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the issuance by the Administrator and adjusted to the nearest one-eighth of 1 per centum.”

(e) Section 202(b) of such Amendments is further amended by adding at the end thereof (after the paragraph added by subsection (d) (1) of this section) the following new paragraph:

"(4) No financial assistance shall be extended under clause (1) of subsection (a) of this section to any municipality or other political subdivision having a population of fifty thousand or more (one hundred fifty thousand or more in the case of a community situated in an area designated as a redevelopment area under the second sentence of section 5(a) of the Area Redevelopment Act) according to the most recent decennial census, or to any public agency or instrumentality of one or more municipalities or other political subdivisions having a population (or an aggregate population) equal to or exceeding that figure according to such census."

(f) Section 202(c) of such Amendments is amended by striking out “this section” and inserting in lieu thereof “clause (1) of subsection (a) of this section”.

(g) Section 202 of such Amendments is further amended by adding at the end thereof the following new subsection:

"(d) No loans may be made for transportation facilities or equipment, pursuant to clause (2) of subsection (a) of this section, unless the Administrator determines (1) that there is being actively developed (or has been developed) for the urban or other metropolitan area served by the applicant a program, meeting criteria established by him, for the development of a comprehensive and coordinated mass transportation system; (2) that the proposed facilities or equipment can reasonably be expected to be required for such a system; and (3)
in connection with land, buildings, and structures acquired by such public authority and leased to an educational institution for educational uses or to a hospital for hospital uses shall be deemed a local grant-in-aid to the same extent as if such expenditures had been made directly by such educational institution or hospital.

"(d) As used in this section—

"(1) the term 'educational institution' means any educational institution of higher learning, including any public educational institution or any private educational institution, no part of the net earnings of which inures to the benefit of any private shareholder or individual; and

"(2) the term 'hospital' means any hospital licensed by the State in which such hospital is located, including any public hospital or any nonprofit hospital, no part of the net earnings of which inures to the benefit of any private shareholder or individual."

URBAN PLANNING ASSISTANCE

SEC. 310. (a) Section 701 of the Housing Act of 1954 is amended by—

(1) striking out "50 per centum" in the first sentence of subsection (b) and inserting in lieu thereof "two-thirds";
(2) striking out "20,000,000" in the last sentence of subsection (b) and inserting in lieu thereof "$75,000,000";
(3) inserting after "public facilities" in clause (1) of subsection (d) "including transportation facilities"; and
(4) adding at the end thereof the following new subsection:

"(f) The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in the comprehensive planning for the physical growth and development of interstate, metropolitan, or other urban areas, and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts."

(b) Section 701 of such Act is further amended by—

(1) striking out the matter preceding paragraph (1) of subsection (a) and inserting in lieu thereof the following:

"SEC. 701. (a) In order to assist State and local governments in solving planning problems resulting from the increasing concentration of population in metropolitan and other urban areas, including smaller communities; to facilitate comprehensive planning for urban development, including coordinated transportation systems, on a continuing basis by such governments; and to encourage such governments to establish and improve planning staffs, the Administrator is authorized to make planning grants to—"

(2) inserting the following after "agencies" in paragraph (2) of subsection (a): "or other agencies and instrumentalities designated by the Governor (or Governors in the case of interstate planning) and acceptable to the Administrator;"

(3) adding the following at the end of subsection (a): "The Administrator shall encourage cooperation in preparing and carrying out plans among all interested municipalities, political subdivisions, public agencies, and other parties in order to achieve coordinated development of entire areas. To the maximum extent feasible, pertinent plans and studies already made for areas shall be utilized so as to avoid unnecessary repetition of effort and expense. Planning which may be assisted under this section includes the preparation of comprehensive urban transportation surveys, studies, and plans to aid in solving problems of traffic congestion, facilitating the circulation of people and"
goods in metropolitan and other urban areas and reducing transportation needs. Funds available under this section shall be in addition to and may be used jointly with funds available for planning surveys and investigations under other Federally-aided programs, and nothing contained in this section shall be construed as affecting the authority of the Secretary of Commerce under section 307 of title 23, United States Code; and

(4) striking out the first sentence of subsection (d) and inserting in lieu thereof the following: "It is the further intent of this section to encourage comprehensive planning, including transportation planning, for States, cities, counties, metropolitan areas, and urban regions and the establishment and development of the organizational units needed therefor. The Administrator is authorized to provide technical assistance to State and local governments and their agencies and instrumentalities undertaking such planning and, by contract or otherwise, to make studies and publish information on related problems."

HISTORICAL SITE IN URBAN RENEWAL AREA

Sec. 311. (a) Notwithstanding section 110(c)(4) of the Housing Act of 1949, as amended, or any other provision of law, the urban renewal project in Knoxville, Tennessee, known as the Riverfront-Willow Street redevelopment project, may include the donation by the Knoxville Housing Authority to the James White's Fort Association, by a suitable instrument of conveyance, of all right, title, and interest of the authority in and to the following described tract of land, constituting a portion of tract T-2 of the said project and containing 0.985 acres more or less:

Beginning at an iron pin located at the intersection of the east property line of Collins Alley and the south property line of Rouser Alley; thence in a northerly direction, north 32 degrees 35 minutes west, 111.0 feet to an iron pin located in the east property line of Collins Alley; thence in a westerly direction, south 55 degrees 20 minutes west, 207.0 feet to an iron pin; thence in a southwesterly direction, south 35 degrees 05 minutes west, 80 feet to an iron pin; thence in a southerly direction south 27 degrees 25 minutes east, 193.40 feet to an iron pin located in the north property line of Hill Avenue; thence in an easterly direction, north 67 degrees 43 minutes east, 33.54 feet to an iron pin; thence in an easterly direction, north 60 degrees 02 minutes east, 31.64 feet to an iron pin; thence in an easterly direction, north 58 degrees 30 minutes 30 seconds east, 53 feet to an iron pin located in the north property line of Hill Avenue; thence in a northerly direction, north 30 degrees 22 minutes 30 seconds west, 194.03 feet to an iron pin; thence in an easterly direction, north 39 degrees 21 minutes 30 seconds east, 175.61 feet to the point of beginning.

(b) The conveyance authorized to be included in the Riverfront-Willow Street redevelopment project under subsection (a) of this section shall be made only if the James White's Fort Association represents, and furnishes such assurances as may be required by the Knoxville Housing Authority, that such Association (1) will undertake the reconstruction on the site conveyed of General James White's cabin and fort, and (2) will develop, preserve, and operate such property on a nonprofit basis as a historical site or monument.

CREDIT FOR COST OF SCHOOL CONSTRUCTION

Sec. 312. No public facility, the provision of which is otherwise eligible as a local grant-in-aid for any urban renewal project receiving assistance under title I of the Housing Act of 1949 in the city of
The purposes of this chapter are—

(1) to assist in the development of improved mass transportation facilities, equipment, techniques, and methods, with the cooperation of the mass transportation companies both public and private;

(2) to encourage the planning and establishment of world-wide urban mass transportation systems needed for economical and desirable urban development, with the cooperation of mass transportation companies both public and private;

(3) to provide assistance to States and local governments and their instrumentalities in financing such systems, to be operated by public or private mass transportation companies as determined by local needs.


§ 1601. Declaration of findings and purposes

(a) Principles of importance.

(b) The purposes of this chapter are—

(1) to assist in the development of improved mass transportation facilities, equipment, techniques, and methods, with the cooperation of the mass transportation companies both public and private;

(2) to encourage the planning and establishment of world-wide urban mass transportation systems needed for economical and desirable urban development, with the cooperation of mass transportation companies both public and private;

(3) to provide assistance to States and local governments and their instrumentalities in financing such systems, to be operated by public or private mass transportation companies as determined by local needs.


§ 1606. Relocation program.

(a) Grants for technical studies.

(b) Grants for managerial training programs.

(c) Fellowships; basis for selection; fellowship funds; eligibility of applicant; payment of operating expenses; real property acquisition; condition.
equipment trust certificates, or otherwise) to assist States and local public bodies and agencies thereof in financing the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation or lease or otherwise, in mass transportation service in urban areas and in coordinating such service with highway and other transportation in such areas. Eligible facilities and equipment may include land (but not public highways), buses and other rolling stock, and other real and personal property needed for an efficient and coordinated mass transportation system. No grant or loan shall be provided under this section unless the Secretary determines that the applicant has or will have—

(1) the legal, financial, and technical capacity to carry out the proposed project; and

(2) satisfactory continuing control, through operation or lease or otherwise, over the use of the facilities and equipment.

The Secretary may make loans for real property acquisition pursuant to subsection (b) of this section upon a determination, which shall be in lieu of the preceding determinations, that the real property is reasonably expected to be required in connection with a mass transportation system and that it will be used for that purpose within a reasonable period. No grant or loan funds shall be used for payment of extraordinary governmental or non-profit operating expenses. An applicant for assistance under this section for a project located wholly or partly in a State in which there is statewide comprehensive transportation planning shall furnish a copy of its application to the Governor of each State affected concurrently with submission to the Secretary. If, within thirty days thereafter, the Governor submits comments to the Secretary, the Secretary must consider the comments before taking final action on the application.

(b) The Secretary is authorized to make loans under this section to States or local public bodies and agencies thereof to finance the acquisition of real property and interests in real property for use as rights-of-way, station sites, and related purposes, on urban mass transportation systems, including the net cost of property management and relocation payments provided pursuant to section 1606 of this title. Each loan agreement under this subsection shall provide for actual construction of urban mass transportation facilities on acquired real property within a period not exceeding ten years following the fiscal year in which the agreement is made. Each agreement shall provide that in the event acquired real property or interests in real property are not used for the purposes for which acquired, an appraisal of current value will be made at the time of that determination, which shall not be later than ten years following the fiscal year in which the agreement is made. Two-thirds of the increase in value, if any, over the original cost of the real property shall be paid to the Secretary for credit to miscellaneous receipts of the Treasury. Repayment of amounts loaned shall be credited to miscellaneous receipts of the Treasury. A loan made under this subsection shall be repayable within ten years from the date of the loan agreement or on the date a grant agreement for actual construction of facilities on the acquired property is made, whichever date is earlier. A grant agreement for construction of facilities under this chapter may provide for forgiveness of the repayment of the principal and accrued interest on the loan then outstanding in lieu of a cash grant in the amount thus forgiven, which for all purposes shall be considered a part of the grant and of the Federal portion of the cost of the project. A grant agreement for assistance under this subsection shall furnish a copy of its application to the comprehensive planning agency of the community affected concurrently with submission to the Secretary. If within a period of thirty days

(c) No loans shall be made under this section for any project for which a grant is made under this section, except—

(1) loans may be made for projects as to which grants are made for relocation payments; and

(2) project grants may be made even though the real property involved in the project has been or will be acquired as a result of a loan under subsection (b) of this section.

Interest on loans made under this section shall be at a rate not less than (i) a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans adjusted to the nearest one-eighth of 1 per centum, plus (ii) an allowance adequate in the judgment of the Secretary of Transportation to cover administrative costs and probable losses under the program. No loans shall be made, including renewals or extensions thereof, and no securities or obligations shall be purchased, which have maturity dates in excess of forty years.

(d) Any application for a grant or loan under this chapter to finance the acquisition, construction, reconstruction, or improvement of facilities or equipment which will substantially affect a community or its mass transportation service shall include a certification that the applicant—

(1) has afforded an adequate opportunity for public hearings pursuant to adequate prior notice, and has held such hearings unless no one with a significant economic, social, or environmental interest in the matter requests a hearing;

(2) has considered the economic and social effects of the project and its impact on the environment; and

(3) has found that the project is consistent with official plans for the comprehensive development of the urban area.

Notice of any hearings under this subsection shall include a concise statement of the proposed project, and shall be published in a newspaper of general circulation in the geographic area to be served. If hearings have been held, a copy of the transcript of the hearings shall be submitted with the application.

(e) No financial assistance shall be provided under this chapter to any State or local public body or agency thereof for the purpose, directly or indirectly, of acquiring any interest in, or purchasing any facilities or property of, a private mass transportation company, or for the purpose of constructing, improving, or reconstructing any facilities or other property acquired (after July 9, 1964) from any such company, or for the purpose of providing by contract or otherwise for the operation of mass transportation facilities or equipment in connection with, or supplementary to, the service provided by an existing mass transportation company, unless (1) the Secretary finds that such assistance is essential to a program, proposed or under active preparation, for a unified or officially coordinated urban transportation system as part of the community affected and that it will be used for that purpose within a reasonable period.

Private transit operators

No financial assistance shall be provided under this chapter to any State or local public body or agency thereof for the purpose, directly or indirectly, of acquiring any interest in, or purchasing any facilities or property of, a private mass transportation company, or for the purpose of constructing, improving, or reconstructing any facilities or other property acquired (after July 9, 1964) from any such company, or for the purpose of providing by contract or otherwise for the operation of mass transportation facilities or equipment in connection with, or supplementary to, the service provided by an existing mass transportation company, unless (1) the Secretary finds that such assistance is essential to a program, proposed or under active preparation, for a unified or officially coordinated urban transportation system as part of the community affected and that it will be used for that purpose within a reasonable period.

Interest

Interest on loans made under this section shall be at a rate not less than (i) a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans adjusted to the nearest one-eighth of 1 per centum, plus (ii) an allowance adequate in the judgment of the Secretary of Transportation to cover administrative costs and probable losses under the program.

No loans shall be made, including renewals or extensions thereof, and no securities or obligations shall be purchased, which have maturity dates in excess of forty years.
previously planned development of the urban area, (2) the Secretary finds that such program, to the maximum extent feasible, provides for the payment of just and adequate compensation will be paid to such companies for acquisition of their franchises and property to the extent required by applicable State or local laws, and (4) the Secretary of Labor certifies that such assistance complies with the requirements of section 1609(c) of this title.


1970 Amendment. Subsec. (a). Pub. L. 91-453, § 2 (d), substituted former subsec. (b) (amended and redesignated as subsec. (c)).

Subsec. (b). Pub. L. 91-453, § 2 (c), redesignated former subsec. (b) (amended and redesignated as subsec. (c)).


1967 Amendment. Pub. L. 90-19 substituted “Secretary” for “Administrator” wherever appearing in subsections (a)–(c) of this section.

1966 Amendment. Subsec. (c). Pub. L. 90-19 substituted “Secretary” for “Administrator” wherever appearing in subsections (a)–(c) of this section.

1. Competitive bidding procedures 
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5. Injunctions

Review

3. Standing

2. Standing

4. Standing

Where operator of bus transportation system within city did not have right to challenge validity of grant because of competition as result of grant of federal funds to city or transit authority, it was not necessary for operator to stand challenged to assert validity of grant.

Operator of bus transportation system within city, not being a public authority or mass transit system, could not bring suit to restrain city or transit authority from complying with federal regulations or from granting federal funds to them.

In order for bus company, claiming irreparable injury if federally subsidized transit system were to go into operation on its route, to obtain judicial action for declaration that federal statute and regulations had not been met and for other relief, it must show either that federal defendants’ funding of extension of municipal transit authority on route would not give operator standing to challenge validity of grant; shareholder’s standing to challenge validity of grant; or, if operator suffered injury if federally subsidized utility runs on operator’s route, claiming infringement of due process or other rights, that such injury was not sufficiently proximately caused by federal defendants’ actions to entitle plaintiff to bring suit.
In connection with making grants in-aid to state and local agencies with respect to purchase of transportation equipment, it was proper for the Secretary to place determinations as to responsibility of bids among the responsibilities of the local agencies, and it was not necessary for him to protect bidders if the procedure employed was sufficient to meet the standards and accomplish the goals set out in subsec. (e) of this section and section 1603(a) of this title. Pullman Inc. v. Volpe, D.C.Pa.1971, 337 F.Supp. 432.

Disappointed bidder on contracts with local transportation authorities for design and delivery of public transportation equipment, which alleged that the low bid was not conforming in various respects but which showed no gross abuse of discretion by the contracting authorities and which was the result of a bid shopping error which had little prospect of prevailing ultimately on the contract, was not entitled to preliminary injunction against award of the contract. See Note 1602(c) to this title and the comments on section 1603(a) of this title. Pullman Inc. v. Volpe, D.C.Pa.1971, 337 F.Supp. 432.

6. Competitive bidding procedures: Federal grants-in-aid to state and local agencies with respect to purchase of transportation equipment, it was proper for the Secretary to place determinations as to responsibility of bids among the responsibilities of the local agencies, and it was not necessary for him to protect bidders if the procedure employed was sufficient to meet the standards and accomplish the goals set out in subsec. (e) of this section and section 1603(a) of this title. Pullman Inc. v. Volpe, D.C.Pa.1971, 337 F.Supp. 432.


7. Discretion of agency: With respect to procurement by local agencies of transportation equipment and federal grants-in-aid towards the cost thereof, determinations as to responsiveness of bids are within discretion of the agency. See Note 1602(c) to this title and the comments on section 1603(a) of this title. Pullman Inc. v. Volpe, D.C.Pa.1971, 337 F.Supp. 432.

§ 1608. Long-range program—Terms and conditions; planning requirements: “net project cost” defined; Federal grant for two-thirds and non-Federal funds for one-third of net project cost; refund

(a) Except as specified in section 1604 of this title, no Federal financial assistance shall be provided pursuant to subsection (a) of section 1602 of this title unless the Secretary determines that the facilities and equipment for which the assistance is sought are needed for carrying out a program, meeting criteria established by him, for improvement or development of an urban transportation system as a part of the comprehensively planned development of the urban area, and are necessary for the sound, economic, and desirable development of such area. Such program shall encourage to the maximum extent feasible the participation of private enterprise. Where facilities and equipment are to be acquired which are already being used in mass transportation service in the urban area, the program must provide that they shall be so acquired or improved (or in some additional, or otherwise) that they will better serve the transportation needs of the area. The Secretary, on the basis of engineering studies, studies of economic feasibility, and data showing the nature and extent of expected utilization of the facilities and equipment, shall estimate what portion of the cost of a project to be assisted under section 1602 of this title cannot be reasonably financed from revenues—whatever portion shall hereinafter be called “net project cost.” The Federal grant for such a project shall not exceed two-thirds of the net project cost. The remainder of the net project cost shall be provided, in cash, from sources other than Federal funds. Such remainder may be provided in whole or in part from other than public sources and any public or private transit system funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital. No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportionate amount of the Federal grant.

Appropriations: advance or progress payments

(b) To finance grants under this chapter there is hereby authorized to be appropriated at any time after July 9, 1964 not to exceed $75,000,000 for fiscal year 1965; $150,000,000 for fiscal year 1966; and $150,000,000 for each of the fiscal years 1967, 1968, 1969; $180,000,000 for fiscal year 1970 and $200,000,000 for fiscal year 1971. Any amount so appropriated shall remain available until expended; and any amount authorized but not appropriated for any fiscal year may be appropriated for any succeeding year. The Secretary in administering, notwithstanding the provisions of section 529 of Title 31, to make advance or progress payments on account of any grant or contract made pursuant to this chapter.
or provision. The Federal grant for such a project shall not exceed one-half of the net project cost. That where a Federal grant is made on such a one-half basis, and the provisions as specified in section 1603(a) of this title are fully met within a three-year period after the execution of the grant agreement, an additional grant may then be made to the applicant equal to one-sixth of the net project cost. The remainder of the net project cost shall be provided, in whole or in part from other than public sources. Such remainder may be provided in whole or in part from other than public sources. No refund or reduction of the remainder of the net project cost shall be made at any time unless there is at the same time a refund of a proportional amount of the Federal grant.

§ 1605. Research, development, and demonstration projects. Phases of urban mass transportation; acquisition of data

(a) The Secretary is authorized to undertake research, development, and demonstration projects in all phases of urban mass transportation. (including the development, testing, and demonstration of new facilities, equipment, techniques, and methods) which he determines will assist in the reduction of urban transportation needs. The improvement of mass transportation facilities and systems so as to result in an efficient and economical urban transportation system at the lowest feasible cost for the urban area, the remainder be provided from other than public sources.

(b) The Secretary is authorized to undertake research, development, and demonstration projects in all phases of urban mass transportation, and to provide for the acquisition of data necessary to carry out such research, development, and demonstration projects.

(c) The Secretary is authorized to undertake research, development, and demonstration projects in all phases of urban mass transportation, and to provide for the acquisition of data necessary to carry out such research, development, and demonstration projects.

(d) The Secretary is authorized to undertake research, development, and demonstration projects in all phases of urban mass transportation, and to provide for the acquisition of data necessary to carry out such research, development, and demonstration projects.

(e) The Secretary is authorized to undertake research, development, and demonstration projects in all phases of urban mass transportation, and to provide for the acquisition of data necessary to carry out such research, development, and demonstration projects.

(f) The Secretary is authorized to undertake research, development, and demonstration projects in all phases of urban mass transportation, and to provide for the acquisition of data necessary to carry out such research, development, and demonstration projects.
total urban transportation needs at minimum cost. He may undertake such projects independently or by grant or contract (including working agreements with other Federal departments and agencies). In carrying out the provisions of this section, the Secretary is authorized to request and receive such information or data as he deems appropriate from public or private sources.

Project to study new systems of transportation for urban areas: Secretary's findings and recommendations not later than March 5, 1968

(b) The Secretary shall, in consultation with the Secretary of Commerce, undertake a project to study and prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning. The program shall (1) concern itself with all aspects of new systems of urban transportation for metropolitan areas of various sizes, including technological, financial, economic, governmental, and social technologies; (2) take into account the most advanced available technologies and materials; and (3) provide national leadership to efforts of States, localities, private industry, universities, and foundations.

The Secretary shall report his findings and recommendations to the Congress, in as rapid a manner and in as much detail as possible, and in any event not later than eighteen months after the effective date of this subsection

Availability and limitation of funds

(c) The Secretary may make available to finance projects under this section not to exceed $10,000,000 of the mass transportation grant authorization provided in section 1602(b) of this title, which limit shall be increased to $20,000,000 on July 1, 1965 to $30,000,000 on July 1, 1966, to $40,000,000 on July 1, 1967, and to $50,000,000 on July 1, 1968. On or after July 1, 1969, the Secretary may make available to finance projects under this section such additional sums out of the grant authorization provided in section 1603(b) of this title as he deems appropriate.

Authority of Secretary

(d) Nothing contained in this section shall limit any authority of the Secretary under section 1704-5 of Title 12 or any other provision of law.

Authority of Secretary under Title 1704-5


Authority of Housing and Urban Development Corporations


Authority of Secretary under Title 1704-5


Corporations


§ 1606. Relocation program

(a) No financial assistance shall be extended to any project under section 1602 of this title unless the Secretary determines that an adequate relocation program is being carried on for the families displaced by the project and that there are being or will be provided in the same area or in other areas generally not less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the displaced families) an equal number of decent, safe, sanitary dwellings available to those displaced families and reasonably accessible to their places of employment.


Effective Date of 1971 Amendment


Savings Provision

Subc. (b). Pub. L. 91-464, § 2203, Aug. 6, 1970, 84 Stat. 578, substituted "Secretary" for "Administrator" wherever appearing in subsec. (a) and (b) of this section.

§ 1607. Coordination of Federal assistance for highways and for mass transportation facilities

In order to assure coordination of highway and railway and other mass transportation planning and development programs in urban areas, par-
Interests of employees; protective arrangements; terms and conditions

It shall be a condition of any assistance under this chapter that fair and equitable arrangements are made, as determined by the Secretary of Labor, to protect the interests of employees affected by such assistance. Such protective arrangements shall include, without being limited to, such provisions as may be necessary for: (1) the protection of rights, privileges, and benefits (including continuation of retirement plans and pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training or retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to section 5(2)(f) of this title. The contract for the granting of any such assistance shall specify the terms and conditions of the protective arrangements.

References in Text.
- The Davis-Racon Act is referred to in subsections (a) and (c), is classified to sections 279a to 279g of Title 40, Public Buildings, Property and Works.
- Reorganization Plan Numbered 14 of 1950 (15 U.S.C. 2234) is referred to in subsection (b), is set out in the Appendix to Title 5, Government Organization and Employees.
- Amendment. Pub.L. 90-19, 82 Stat. 20, substituted "Secretary" for "Administrator" wherever appearing. See text amendment prescribing the application of this chapter to Territories.
- References in Table of Statutes. References to this title are classified to Title 5, Government Organization and Employees, subchapter II, chapter 2.

§ 1610. Environmental protection

(a) It is hereby declared to be the national policy that special effort shall be made to preserve the natural beauty of the countryside, public parks and recreation lands, wildlife and waterfowl refuge, and important historical and cultural assets, in the planning, designing, and construction of urban mass transportation systems for which Federal assistance is provided pursuant to section 1602 of this title. In implementing this policy the Secretary shall cooperate and consult with the Secretaries of Agriculture, Health, Education, and Welfare, Housing and Urban Development, and Interior, and with the Council on Environmental Quality with regard to each project that may have a substantial impact on the environment.

(b) The Secretary shall review each transcript of hearing submitted pursuant to section 1602(d) of this title to assure that an adequate opportunity was afforded for the presentation of views by all parties with a significant economic, social, or environmental interest, and that the project application includes a detailed statement on

(1) the environmental impact of the proposed project;
(2) any adverse environmental effects which cannot be avoided should the proposal be implemented;
(3) alternatives to the proposed project; and
(4) any irreversible and irretrievable impact on the environment which may be involved in the proposed project should it be implemented.

(c) The Secretary shall not approve any application for assistance under section 1602 of this title unless he finds in writing, after full and complete review of the application and of any hearings held before the State or local public agency pursuant to section 1602(d) of this title, that (1) adequate opportunity was afforded for the presentation of views by all parties with a significant economic, social, or environmental interest, and fair consideration has been given to the preservation and enhancement of the environment and to the interest of the community in which the project is located, and (2) either no adverse environmental effect is likely to result from such project, or there exists no feasible and prudent alternative to such effect and all reasonable steps have been taken to minimize such effect. In any case in which a hearing has not been held before the State or local agency pursuant to section 1602(d) of this title, the Secretary determines that the record of hearings before the State or local public agency is inadequate to permit him to make the findings required under the proceeding, he may, after giving adequate notice to interested persons, conduct hearings, after giving adequate notice to interested persons, on any environmental issues raised by such application. Findings of the Secretary under this subsection shall be made a matter of public record.

Library references:

Index to Notes

Hearing 1

Review 2

1. Hearing

Railroad employees who alleged that fair and equitable arrangements had not been made to protect them with respect to proposed federal grants for urban mass transportation projects for which Federal assistance was to be provided pursuant to section 1602 of this title, and who contended that the Secretary of Labor had failed to make a finding that the grant was likely to have a substantial impact on the environment, sought to have the Secretary of Labor make such a finding before the grant was made. See Regional Transp. Dist., Inc. v. Wirtz, 156 F. Supp. 665, 188 F.2d 88 (D.C. Ill. 1951), rev'd, 343 U.S. 145 (1952).

§ 1611. Limitation on grants within one State

Grants made under section 1602 of this title (other than for relocation payments in accordance with section 1606(b) of this title) before July 1964, the Secretary shall conduct hearings, after giving adequate notice to interested persons, on any environmental issues raised by such application. Findings of the Secretary under this subsection shall be made a matter of public record. Pub. L. 84-665, § 11, July 9, 1964, 78 Stat. 308, renumbered Pub. L. 90-19, § 20(a), Sept. 8, 1966, 80 Stat. 715, 716; Pub. L. 90-19, § 20(a), May 25, 1967, 81 Stat. 25.

Library references:
gess that the Interstate System be completed as nearly as practicable
over the period of availability of the twenty-three years' appropriations
authorized for the purpose of expediting its construction, reconstruction,
or improvement, inclusive of necessary tunnels and bridges, through the
section as of June 30, 1978, under section 108(b) of the Federal-
Aid Highway Act of 1956 (70 Stat. 374), and that the entire System in
all States be brought to simultaneous completion. Insofar as possible in
consonance with this objective, existing highways located on an Interstate
route shall be used to the extent that such use is practicable, suitable,
and feasible, it being the intent that local needs, to the extent practicable,
suitable, and feasible, shall be given equal consideration with the needs
of interstate commerce.

It is further declared that since the Interstate System is now in the fin-
ally phase of completion it shall be the national policy that increased emphasis
be placed on the construction and reconstruction of the other Federal-aid
systems in accordance with the first paragraph of this subsection, in order
to bring all of the Federal-aid systems up to standards and to increase
the benefits derived from the systems to the maximum extent.

(c) It is the sense of Congress that under existing law no part of any
sums authorized to be appropriated for expenditure upon any Federal-aid
system which has been apportioned pursuant to the provisions of this title
shall be impounded or withheld from obligation, for construction or
repair of roads and bridges, except that funds in the executive branch of
the Federal Government, except such specific sums as may be determined
by the Secretary of the Treasury, after consultation with the
Secretary of Transportation, are necessary to be withheld from ob-
ligation for specific periods of time to assure that sufficient amounts
will be available in the Highway Trust Fund to defray the expenditures which
will be required to be made from such funds.

(d) No funds authorized to be appropriated from the Highway Trust
Fund shall be expended by or on behalf of any Federal department, agen-
cy, or instrumentality other than the Federal Highway Administration
without expenditure of funds authorized to be appropriated by the Na-
tional System of Interstate and Defense Highway Systems. The expenditure of sums authorized to be appropriated from the Highway Trust Fund by Federal-aid highway legislation
shall be consistent with the national policy that to the maximum extent possible the
procedures to be utilized by the Secretary and all other affected heads of
Federal departments, agencies, and instrumentalities for carrying out this
and any other provision of law relating to the Federal Highway programs
shall encourage the substantial minimization of paperwork and
interagency decision processes and the best use of available manpower
resources in order to reduce to the maximum extent
all levels of government.

As amended Pub.L. 89-574, § 4(a), Sept. 13, 1966, 80 Stat. 767; Pub.L.
90-495, §§ 4(a), 8, 15, Aug. 23, 1968, 82 Stat. 816, 819, 822; Pub.L.
91-605, Title I, §§ 104(a), 106(a), 107, 114, 115, 116, 117, 118, 119, 121, 131, 170, 84/Stat. 1714, 1716, 1717, 1718, 1727; Pub.L. 92-87, Title

1 So in original. Probably should be "of."
Emergency Highway Energy Conservation Act (30 U.S.C. § 101). 47 Stat. 1048, provided: 'Purpose; speed limits condition for approval of section 106.' (a) Designed to encourage the conservation of fuel, decrease traffic congestion, and improve safety in the United States; (b) To conserve fuel, decrease traffic congestion, and improve safety in the United States; (c) To conserve fuel, decrease traffic congestion, and improve safety in the United States.

Sec. 2. (a) To conserve fuel, decrease traffic congestion, and improve safety in the United States, the Secretary of Transportation shall not approve any project under section 106 of this Act that has not been approved by the Secretary of Transportation under section 106 of this Act. (b) The Secretary of Transportation shall approve for funding those projects which offer reasonable prospects of achieving the objectives set forth in subsection (a) of this section. (c) A project may include, but not be limited to, such measures as systems for local, regional, and national traffic management, and existing or new public transportation opportunities in urban areas.

Sec. 3. (a) The Secretary of Transportation shall report to Congress not later than December 31 of each year on the effectiveness of measures employed in the Federal-aid system in accordance with the provisions of section 107 of this Act, including the results of an annual study of the effectiveness of measures employed in the Federal-aid system. (b) The Secretary shall report to Congress not later than December 31 of each year on the effectiveness of measures employed in the Federal-aid system in accordance with the provisions of section 107 of this Act, including the results of an annual study of the effectiveness of measures employed in the Federal-aid system. (c) The Secretary shall report to Congress not later than December 31 of each year on the effectiveness of measures employed in the Federal-aid system in accordance with the provisions of section 107 of this Act, including the results of an annual study of the effectiveness of measures employed in the Federal-aid system. (d) The Secretary shall report to Congress not later than December 31 of each year on the effectiveness of measures employed in the Federal-aid system in accordance with the provisions of section 107 of this Act, including the results of an annual study of the effectiveness of measures employed in the Federal-aid system.
§101

HIGHWAYS

system categories, rural and urban, according to the functional importance of services, roles, and pro-visions for highway programs to better meet future needs and priorities.

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and do not provide a specific mandatethat funds authorized to be apportioned must be expended, as a general appropriation may be viewed as providing a specific mandate to expend all funds.

L. 1969, 15 Stat. 317, 1698. The Secretary of Commerce is authorized to make highways in all localities as defined by Federal law during fiscal years ending June 30, 1968, and 1969, Pub. L. 89-574, § 13, Sept. 3, 1953, 67 Stat. 379, 1280. The purpose of this chapter was to create a national system of interstate and defense highways to be completed as nearly as practicable over a period of 20 years on an expedited construction basis. State Highway Commission of Missouri v. Volpe, C.A. Mo. 1973, 479 F.2d 1099.

Supplementary Index to Notes

Bridge as part of highway

Compliance with provisions

Discipline

Evidence

Funds available, project approval

Injunction

Assuming that provision of subsection (c) of the same section of Congress shall not constitute a mandate that funds apportioned to the State of Missouri in the fiscal year ending June 30, 1973, and for which funds are available, 1974, 42 Op. Atty. Gen., February 5.

2. Construction with other laws

Secondary system, the Inter-state System, are established and continued pursuant to the provisions of this section.

Section 80 of the Act provided that: "The Secretary of Commerce is authorized to make

29. Funds available, project approval


The Congress, as the only branch of government which has the constitutional

3. National purpose and declaration of policy

Primary purpose of this chapter is to stimulate realization and development of

103. Federal-aid systems

(a) For the purposes of this title, the four Federal-aid systems, the primary system, the urban system, the secondary system, and the Interstate System, are established and continued pursuant to the provisions of this section.

(b) The Federal-aid primary system shall consist of an adequate system of connected main highways, selected or designated by each State through its State highway department, subject to the approval of the Secretary as provided by subsection (f) of this section. This system shall not exceed 7 percent of the total highway mileage of such State, exclusive of mileage within national forests, Indian, or other Federal reservations and with the approval of the Secretary, as shown by the State highway department on November 9, 1921. Whenever provision has been made by any State for the completion and maintenance of 90 percent of its Federal-aid primary system, as originally designated, said State shall be entitled to receive from the Federal Highway Administration equal to not more than 1 percent of the total mileage of said State as shown by the records on November 9, 1921. Thereafter, it may make like 1 percent increases in the mileage of its Federal-aid primary system whenever provision has been made for the completion and maintenance of 90 percent of the entire system, including the additional mileage previously authorized. This system may be located both in rural and urban areas. The mileage limitations in this
paragraph shall not apply to the District of Columbia, Hawaii, Alaska, or Puerto Rico.

(2) After June 30, 1976, the Federal-aid primary system shall consist of an adequate system of connected main roads important to interstate, state-wide, and regional travel, consisting of rural arterial routes and their extensions into or through urban areas. The Federal-aid primary system shall be designated by each State acting through its State highway department and where appropriate, shall be in accordance with section 134 of this title, subject to the approval of the Secretary as provided by subsection (f) of this section.

(e) (1) The Federal-aid secondary system shall be selected by the State highway departments and the appropriate local road officials in cooperation with each other, subject to approval by the Secretary as provided in subsection (f) of this section. In making such selections, farm-to-market roads, rural mail routes, public school bus routes, minor rural roads, access roads to airports, county roads, township roads, and roads of the county class may be included, so long as they are not on the Federal-aid primary system or the Interstate System. This system may be located both in rural and urban areas, but any extension of the system into urban areas shall be subject to the condition that such extension pass through the urban area or connect with another Federal-aid system within the urban area.

(2) After June 30, 1976, the Federal-aid secondary system shall consist of rural major collector routes. The Federal-aid secondary system shall be designated by each State through its State highway department and appropriate local officials in cooperation with each other, subject to the approval of the Secretary as provided in subsection (f) of this section.

(d) (1) The Federal-aid urban system shall be established in each urbanized area, and in such other urban areas as the State highway department may designate. The system shall be so located as to serve the major centers of activity, and shall include high traffic volume arterial and collector routes, including access roads to airports and other transportation terminals. No route on the Federal-aid urban system shall also be a route on any other Federal-aid system. Each route of the system to the extent feasible shall connect with another route on a Federal-aid system. Routes on the Federal-aid urban system shall be selected by the appropriate local officials so as to serve the goals and objectives of the community, with the concurrence of the State highway departments, and, in urbanized areas, also in accordance with the planning process under section 134 of this title. Designation of the Federal-aid urban system shall be subject to the approval of the Secretary as provided in subsection (f) of this section. The provisions of chapters 1, 3, and 5 of this title that are applicable to Federal-aid primary highways shall apply to the Federal-aid urban system except as determined by the Secretary to be inconsistent with this subsection.

(2) After June 30, 1976, the Federal-aid urban system shall be located in each urbanized area and such other urban areas as the State highway departments may designate and shall constitute arterial routes and collector routes, exclusive of urban extensions of the Federal-aid primary system. The routes on the Federal-aid urban system shall be designated by appropriate local officials, with the concurrence of the State highway departments, subject to the approval of the Secretary as provided in subsection (f) of this section, and in the case of urbanized areas shall be in accordance with the planning process required pursuant to the provisions of section 134 of this title.

(e) (1) The Interstate System shall be designated within the United States, including the District of Columbia, and, except as provided in paragraphs (2) and (5) of this subsection, shall not exceed forty-one thousand miles in total extent. It shall be so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the national defense, and, to the greatest extent possible, to connect at suitable border points with routes of continental importance in the Dominion of Canada and the Republic of Mexico. The routes of this system, to the greatest extent possible, shall be selected by joint action of the State highway departments of each State and the adjoining States, subject to the approval by the Secretary as provided in subsection (f) of this section. All highways or routes included in the Interstate System in any State shall be in accordance with the Interstate System in that State System or will no longer be essential by reason of the application of this paragraph and will not be constructed as a part of the Interstate System.
System, and if he receives assurances that the State does not intend to
construct a toll road in the traffic corridor which would be served by such
route or portion thereof. The mileage of the route or portion thereof
approved of which is withdrawn under this paragraph shall be available for
construction of the Interstate System in any other State to which it was
originally allocated. If he receives assurances that the State does not intend
in the future to construct a toll road in the traffic corridor which would be
served by such route or portion thereof, and if he receives assurances that
the State does not intend to construct a toll road in the traffic corridor
which would be served by such route or portion thereof, the mileage of the
route or portion thereof approved of which is withdrawn under this
paragraph shall be available for construction of the Interstate System in any
other State in which the traffic corridor is located.

The Secretary shall have authority to approve in whole or in part
the Federal-aid primary system, the Federal-aid secondary system, the
Federal-aid urban system, and the Interstate System, and as and when such
systems or portions thereof are designated, or to require modifications or
revisions thereof. No Federal-aid system or portion thereof shall be eligi-
able for projects in which Federal funds participate until approved by
the Secretary.

The Secretary, on July 1, 1974, shall remove from designation as
part of the Interstate System each segment of such system for which a
State has not notified the Secretary that such State intends to construct
such segment, and which the Secretary finds is not essential to comple-
tion of a unified and connected Interstate System. Any segment of the
Interstate System, with respect to which a State has not submitted
by July 1, 1975, a schedule for the expenditure of funds for completion of
construction of such segment or for alternative use of such funds, or
availability of funds authorized to be appropriated for completion of the
Interstate System, and with respect to which the State has not provided
the Secretary with assurances satisfactory to him that such schedule will
be met, shall be removed from designation as a part of the Interstate
System. No segment of the Interstate System removed under the author-
ity of the preceding paragraph shall thereafter be designated as a part of the
Interstate System except as the Secretary finds necessary for national
defense or for other reasons of national interest. This subsection shall not
be applicable to any segment of the Interstate System referred to in section 23(a) of the Federal-Aid Highway Act of 1968.

Subsection (a) of section 23(a) of the Federal-Aid Highway Act of 1973,
and is entirely within the boundaries of an incorporated city and such city enters into an agreement with the Secretary to pay all non-Federal costs of construction of such segment, such segment shall be constructed.

As amended Pub.l. 92-29, Jan. 2, 1968, 81 Stat. 772; Pub.L. 90-495,
§§ 14, 21, Aug. 23, 1968, 82 Stat. 802, 826; Pub.L. 91-605, Title 1,
§ 106(b), 124, Dec. 31, 1970, 84 Stat. 1716, 1729; Pub.L. 93-97, Title
1, §§ 104(a), 137, 148(a), (b), (e), 137, 148(b), (c), (d), Aug. 13, 1973, 87

References to Text. Prior to the enactment of this paragraph, referred to in subsection (a) of section 23(a) of the Federal-Aid Highway Act of 1973, the date on which Pub.L. 93-97 was approved.

Urban Mass Transportation Act of 1961 and section 3(e)(4) of the Urban Mass Transportation Act of 1966 described in section 3(e)(4) of Title 49, Transportation, respectively.


Urban Mass Transportation Act of 1966 and section 3(e) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out this paragraph.

(1) The Secretary shall have authority to approve in whole or in part
the Federal-aid primary system, the Federal-aid secondary system, the
Federal-aid urban system, and the Interstate System, and as and when such
systems or portions thereof are designated, or to require modifications or
revisions thereof. No Federal-aid system or portion thereof shall be eligi-
able for projects in which Federal funds participate until approved by
the Secretary.

(2) The Secretary, on July 1, 1974, shall remove from designation
as part of the Interstate System each segment of such system for which
a State has not notified the Secretary that such State intends to construct
such segment, and which the Secretary finds is not essential to comple-
tion of a unified and connected Interstate System. Any segment of the
Interstate System, with respect to which a State has not submitted
by July 1, 1975, a schedule for the expenditure of funds for completion of
construction of such segment or for alternative use of such funds, or
availability of funds authorized to be appropriated for completion of the
Interstate System, and with respect to which the State has not provided
the Secretary with assurances satisfactory to him that such schedule will
be met, shall be removed from designation as a part of the Interstate
System. No segment of the Interstate System removed under the author-
ity of the preceding paragraph shall thereafter be designated as a part of the
Interstate System except as the Secretary finds necessary for national
defense or for other reasons of national interest. This subsection shall not
be applicable to any segment of the Interstate System referred to in section 23(a) of the Federal-Aid Highway Act of 1968.

(h) Notwithstanding subsections (e) (2) and (g) of this section, in
any case where a segment of the Interstate System was a designated part
of the Interstate System on June 1, 1973, and is entirely within the boundaries
of an incorporated city and such city enters into an agreement with the
Secretary to pay all non-Federal costs of construction of such segment,
such segment shall be constructed.

§§ 14, 21, Aug. 23, 1968, 82 Stat. 802, 826; Pub.L. 91-605, Title 1,
§ 106(b), 124, Dec. 31, 1970, 84 Stat. 1716, 1729; Pub.L. 93-97, Title
1, §§ 104(a), 137, 148(a), (b), (e), 137, 148(b), (c), (d), Aug. 13, 1973, 87

References to Text. Prior to the enactment of this paragraph, referred to in subsection (a) of section 23(a) of the Federal-Aid Highway Act of 1973, the date on which Pub.L. 93-97 was approved.

Urban Mass Transportation Act of 1961 and section 3(e)(4) of the Urban Mass Transportation Act of 1966 described in section 3(e)(4) of Title 49, Transportation, respectively.


Urban Mass Transportation Act of 1966 and section 3(e) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out this paragraph.

(1) The Secretary shall have authority to approve in whole or in part
the Federal-aid primary system, the Federal-aid secondary system, the
Federal-aid urban system, and the Interstate System, and as and when such
systems or portions thereof are designated, or to require modifications or
revisions thereof. No Federal-aid system or portion thereof shall be eligi-
able for projects in which Federal funds participate until approved by
the Secretary.

(2) The Secretary, on July 1, 1974, shall remove from designation
as part of the Interstate System each segment of such system for which
a State has not notified the Secretary that such State intends to construct
such segment, and which the Secretary finds is not essential to comple-
tion of a unified and connected Interstate System. Any segment of the
Interstate System, with respect to which a State has not submitted
by July 1, 1975, a schedule for the expenditure of funds for completion of
construction of such segment or for alternative use of such funds, or
availability of funds authorized to be appropriated for completion of the
Interstate System, and with respect to which the State has not provided
the Secretary with assurances satisfactory to him that such schedule will
be met, shall be removed from designation as a part of the Interstate
System. No segment of the Interstate System removed under the author-
ity of the preceding paragraph shall thereafter be designated as a part of the
Interstate System except as the Secretary finds necessary for national
defense or for other reasons of national interest. This subsection shall not
be applicable to any segment of the Interstate System referred to in section 23(a) of the Federal-Aid Highway Act of 1968.
Transfer of Functions. All functions, powers, and duties of the Secretary of the Department of Commerce under this title and under specific related provisions of law are transferred to and vested in the Secretary of Transportation, effective October 15, 1970.

Supplementary Index to Notes

Authority of Federal Highway Administration

Redesignation of a proposed as a "primary route" eligible for federal-aid purposes where there is no independent existence of a road.

Construction with other laws


Redesignation

Notice for designation of a proposed road as a "primary route" eligible for federal-aid purposes is not invalid where the road is authorized by state law and is part of the interstate system.

Federal Funds

Transfer of funds to other programs bynecting the state highway department for design approval there was no basis for setting aside approval of bypass location. Fayetteville Area Chamber of Commerce and Interstate 95 Committee v. Volpe, C.A. N.Y. 1973, 330 F. Supp. 136.

Projects

The entire alignment of interstate highways is to be transferred to the Secretary of Transportation at a date to be determined by the Secretary of Transportation.

Appendix

(See main volume for text of (a))

(b) On or before January 1 next preceding the commencement of each fiscal year, except as provided in paragraphs (a) and (b) of this subsection, the Secretary, after making the determination authorized by subsection (e) of this section, shall apportion the remainder of the sums authorized to be appropriated for expenditure upon the Federal-aid systems for that fiscal year, among the several States in the following manner:

(1) For the Federal-aid primary system:

One-third in the ratio which the area of each State bears to the total area of the United States; one-third in the ratio which the population of rural areas of each State bears to the population of rural areas of all the States as shown by the latest available Federal census; one-third in the ratio which the mileage of rural delivery routes and intercity mail routes where service is performed by motor vehicles in each State bears to the total mileage of rural delivery and intercity mail routes where service is performed by motor vehicles.
in all the States at the close of the next preceding calendar year, as shown by a certificate of the Postmaster General, which he is directed to prepare and furnish annually to the Secretary. No State (other than the District of Columbia) shall receive less than one-half of 1 per centum of each year's apportionment.

(2) For the Federal-aid secondary system:

One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the population of rural areas of each State bears to the total population of rural areas of all the States as shown by the latest available Federal census; and one-third in the ratio which the mileage of rural delivery and intercity mail routes where service is performed by motor vehicles, certified as above provided, in each State bears to the total mileage of rural delivery and intercity mail routes where service is performed by motor vehicles in all the States. No State (other than the District of Columbia) shall receive less than one-half of 1 per centum of each year's apportionment.

(3) For the Interstate System for the fiscal years 1960 through 1979:

For the fiscal years 1960 through 1966, in the ratio which the estimated cost of completing the Interstate System in such State, as determined and approved in the manner provided in this paragraph, bears to the total estimated cost of completing the Interstate System in all of the States. For the fiscal years 1967 through 1979, in the ratio which the Federal share of the estimated cost of completing the Interstate System in such State, as determined and approved in the manner provided in this paragraph, bears to the total estimated cost of the Federal share of completing the Interstate System in all of the States. Each apportionment herein authorized for the fiscal years 1960 through 1979, inclusive, shall be made on a date as far in advance of the beginning of the fiscal year for which authorized as practicable but in no case more than eighteen months prior to the beginning of the fiscal year for which authorized. As soon as the standards provided for in subsection (b) of section 109 of this title have been adopted, the Secretary, in cooperation with the State highway departments, shall make a detailed estimate of the cost of completing the Interstate System in each State and account all previous apportionments made under this section, based upon such standards and in accordance with rules and regulations adopted by him and applied uniformly to all of the States.

(4) The Secretary shall transmit such estimates to the Senate and the House of Representatives within ten days subsequent to January 2, 1968. Upon approval of such estimate in making apportionments for the fiscal years ending June 30, 1968; June 30, 1969; and June 30, 1970, the Secretary shall make a revised estimate of the cost of completing the Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1968. Upon the approval of such estimates, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1968; June 30, 1969, and June 30, 1970, and the Secretary shall make a revised estimate of the cost of completing the Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1968. Upon the approval of such estimates, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1972, and June 30, 1973. The Secretary shall make a revised estimate of the cost of completing the Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1972. Upon the approval of such estimates, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1977, and June 30, 1978. The Secretary shall make a revised estimate of the cost of completing the Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1977. Upon the approval of such estimates, the Secretary shall use the Federal share of such approved estimates in making apportionments for the fiscal year ending June 30, 1979. Whenever the Secretary, pursuant to this subsection, requests and receives estimates of cost from the State highway departments, he shall furnish copies of such estimates at the same time to the Senate and the House of Representatives.

(5) In the ratio which the population in urban areas, or parts thereof, in each State bears to the total population in such urban areas, or parts thereof, in all the States as shown by the latest available Federal census. No State shall receive less than one-half of 1 per centum of each year's apportionment.

(6) In the ratio which the population in rural areas, or parts thereof, in each State bears to the total population in such rural areas, or parts thereof, in all the States as shown by the latest available Federal census. No State shall receive less than one-half of 1 per centum of each year's apportionment.
transfers shall not increase the original apportionment under any such paragraph by more than 40 per cent.

(d) Not more than 40 per cent of the amount apportioned in any fiscal year to each State in accordance with paragraph (3) of any of such paragraphs may be transferred from the apportionment under one paragraph to the apportionment under the other paragraph of such transfer is requested by the State highway department and is approved by the Governor of such State and the Secretary as being in the public interest. Funds apportioned in accordance with paragraph (6) of this section shall not be transferred from their allocation under this paragraph to the apportionment under paragraph (b)(2) of this section.

(e) On or before January 1 preceding the commencement of each fiscal year, the Secretary shall certify to each of the State highway departments the sums which he has apportioned hereunder to each State for such fiscal year, and also the sums which he has deducted for administrative and other expenses for the cost of carrying out the requirements of section 154 of this title.

(f) Not more than 30 per cent of the amount apportioned in any fiscal year to each State in accordance with paragraphs 144, 152, and 153 of this title, or section 203(d) of the Highway Safety Act of 1973, may be transferred from the apportionment under such paragraph to the apportionment under any other such paragraph. If such a transfer is requested by the State highway department and is approved by the Secretary as being in the public interest, the Secretary may approve such transfer only if he has received satisfactory assurances from the State highway department that the purposes of the program from which such funds are to be transferred have been met.


1973 Amendment. Subsec. (d)(5). Pub. L. 93-373, § 111(a)(1), (2), substituted "intercity mail routes where service is performed by "for "within the ten days sub-

Notes: This Act is coterminous with the Federal Highway Act of 1956 (49 U.S.C. 1501 et seq.; 33 U.S.C. 511 et seq.). Numerous sections of this Act, other than the 72 sections cited in the caption to this title and under "(a)" and "(d)" of this section, were enacted into law by title II of Pub. L. 93-373, Aug. 22, 1973, 87 Stat. 254, 256, 257, 292.

Transfer of Functions. All functions, powers, and duties of the Secretary of Commerce and other offices and officers of the Department of Commerce under this title and under any other sections of chapter 39 of this title and under any other sections of title II of Pub. L. 93-373, Aug. 22, 1973, 87 Stat. 254, 256, 257, 292, were transferred to the Secretary of Transportation by Pub. L. 93-502, Oct. 15, 1973, 87 Stat. 831, which created the Department of Transportation. See section 105(a)(1), (6) of Title 49.
(e) In approving programs for projects under this chapter, the Secretary may give priority of approval to, and expedite the construction of, projects that are recommended as important to the national defense by the Secretary of Defense, or other official authorized by the President to make such recommendation.

(f) In approving programs for projects on the Federal-aid systems pursuant to chapter 1 of this title, the Secretary shall give priority to those projects which incorporate improved standards and features with safety benefits.

(g) In preparing programs to submit in accordance with subsection (a) of this section, the State highway departments shall give consideration to projects providing direct and convenient public access to public airports and public ports for water transportation, and in approving such programs the Secretary shall give due consideration to such projects.


3. District of Columbia

Provisions of this chapter setting forth substantive or procedural rules for the approval of highways to be constructed with federal aid are applicable to the District of Columbia. District of Columbia CIVIC ASSOCIATIONS v. Airis, D.C.C.A.D.C.667, 275 F.2d 323.

§ 106. Plans, specifications, and estimates

[See main volume for text of (a) to (f)]

(b) In addition to the approval required under subsection (a) of this section, proposed specifications for projects for construction on (1) the Federal-aid secondary system, except in States where all public roads and highways are under the control and supervision of the State highway department, and (2) the Federal-aid urban system, shall be determined by the State highway department and the appropriate local road officials in cooperation with each other.

[See main volume for text of (d)]

(d) In such cases as the Secretary determines advisable, plans, specifications, and estimates for proposed projects on any Federal-aid system shall be accompanied by a value engineering or other cost reduction analysis.
Chapter 107

Acquisition of rights-of-way—Interstate System

§ 107. Acquisition of rights-of-way—Interstate System

Transfer of Functions. All functions, powers, and duties of the Secretary of Commerce and other officers and offices of the Department of Commerce under this title and under specific related laws and parts of laws set out in the notes in this title relating generally to highways and highway traffic safety were transferred to and vested in the Secretary of Transportation by Pub.L. 89-747, Oct. 6, 1966, 80 Stat. 1321, and this section creates the Department of Transportation. See App. to Notes, (1), (6) of Title 49, Transportation.

Modification of project agreements to accommodate four lanes of traffic. Pub.L. 89-754, § 1(b), Sept. 13, 1966, 80 Stat. 1256, provided that "the Secretary of Transportation is authorized to enter into or modify project agreements entered into prior to the date of enactment of this Act (Oct. 6, 1966) pursuant to the provisions of Title 23 of the United States Code (this section) for the purpose of providing four lanes of traffic on any Federal-aid project made by this section (amending section 109(b) of this title) or on the project or its predecessor under subsection (a) of section 134(e) of Title 49, U.S.C., as in effect on Oct. 6, 1966), 28 F.Supp. 650, affirmed 366 F.2d 478.

Obligated funds

The President has the power to impose Federal-aid highway funds after they have been apportioned to the States but before they have been obligated under the result of the approval of a specific qualifying project, 1967, 42 Op. Att'y Gen., February 25.

Supplementary Index to Notes

Evidence

Right of access

Purpose

Controlled access facilities provide location of federal-aid highway funds subject to federal statute authorizing See Secretary of Commerce to condemn lands required under this subsection. Sums authorized to be appropriated to the right-of-way revolving fund which are used to pay the costs of condemnation proceedings, 1956, 404 F.2d 934, 196 Kan. 361.

1. Ordinarily, whether cutbacks are authorized by the law of the State or under the law of the State in which the highway is to be constructed.

2. The Secretary of Transportation has the authority to carry out the provisions of the Federal law in this connection.

4. Request by state official—Generally, the state has the statutory authority to invoke the administrative procedures of the Federal Highway Commission in connection with the determination of the right of way for the construction of highways and highways prior to the completion of the project, 1968, 190 N.W.2d 625, 382 Mich. 225.

State highway commission has authority to certify to Secretary of Commerce the determination of the right-of-way for the construction of highways and highways through municipalities and to certify its inability to condemn land or its inability to acquire land by eminent domain, 1964, 190 N.W.2d 625, 382 Mich. 225.

State highway commission has authority to carry out the provisions of the Federal law in this connection.

Conveyance of title

The Secretary of Commerce must carry out the provisions of the Federal law in this connection.

Evidence

Evidence in action challenging interstate highway route in portion of New York state in which state court ordered determination of whether right-of-way was to be acquired under the Federal Highway Administer of Federal Highway Administration and subordinate officials of Bureau of Public Roads acted honestly throughout and that the United States was believed to be in good faith believed to be in good faith to the Secretary of Commerce, Highway Administrator and

Review

Federal court properly denied claim of plaintiff seeking to recover judgment for land taken under this chapter where claim was supported by the actions of state highway commission, 1969, 270 F.2d 757.

§ 108. Advance acquisition of rights-of-way

(a) For the purpose of facilitating the acquisition of rights-of-way on any of the Federal-aid highway systems, including the Interstate System, in the most expeditious and economical manner, and recognizing that the acquisition of rights-of-way requires lengthy planning and negotiations if it is to be done at a reasonable cost, the Secretary, upon request, is authorized to make available the funds apportioned to any state for expenditure on any of the Federal-aid highway systems, including the Interstate System, for acquisition of rights-of-way, in anticipation of construction and under such rules and regulations as the Secretary may prescribe.

The agreement between the Secretary and the state highway department for the reimbursement of the cost of such rights-of-way, or (for the actual cost of the right-of-way, after the right-of-way has been purchased), is authorized to be appropriated to the right-of-way revolving fund which shall be available for expenditure without regard to the fiscal year for which such sums are authorized.

(b) Federal participation in the cost of rights-of-way acquired under subsection (a) of this section shall not exceed the Federal pro rate share applicable to the class of funds from which Federal reimbursement is made.

(c) (1) There is hereby established in the Treasury of the United States a revolving fund to be known as the right-of-way revolving fund which shall be administered by the Secretary of Transportation in carrying out the provisions of this subsection. Sums authorized to be appropriated to the right-of-way revolving fund shall be available for expenditure without regard to the fiscal year for which such sums are authorized.

§ 109. For the purpose of acquiring rights-of-way for future construction of highways on any Federal-aid system and for making payments for the moving or relocation of persons, businesses, farms, and other existing uses of real property caused by the acquisition of such rights-of-way, the Secretary of Commerce is authorized to carry out the provisions of the Federal law in this connection. The Secretary is authorized to acquire lands for the right-of-way fund, in accordance with rules and regulations...
prescribed by the Secretary. Funds so advanced may be used to pay the entire costs of projects for the acquisition of rights-of-way, including the net cost to the State of property management, if any, and related moving and relocation payments made pursuant to section 133 or chapter 5 of this title.

(3) Actual construction of a highway on rights-of-way, with respect to which funds are advanced under this subsection, shall be commenced within a period of not less than two years nor more than ten years following the end of the fiscal year in which the Secretary approves such advance of funds, unless the Secretary, in his discretion, shall provide for an earlier termination date. Immediately upon the termination of the period of time within which actual construction must be commenced, in the case of any project where such construction is not commenced by such termination, or upon approval by the Secretary of the plans, specifications, and estimates for such project for the actual construction of a highway on rights-of-way with respect to which funds are advanced under this subsection, whichever shall occur first, the right-of-way revolving fund shall be credited with an amount equal to the Federal share of the funds advanced, as provided in section 120 of this title, out of any Federal-aid highway funds apportioned to the State in which such project is located and available for obligation for projects on the Federal-aid system of which such project is to be a part, and the State shall reimburse the Secretary in an amount equal to the non-Federal share of the funds advanced for deposit in, and credit to, the right-of-way revolving fund.


1972 Amendment. Subsec. (e). Pub.L. 92–500, § 256(a), substituted "seven" for "ten" for "seven" years in first sentence.


Effective Date of 1968 Amendment. Amendment effective prior to the commencement of each fiscal year ending June 30, 1969, see section 37 of Pub.L. 90–495, § 197 of this title, as a note under section 502 of this title.

Transfer of Functions. All functions previously vested in the Secretary of Commerce and other officers and officials of the Department of Commerce under the Interstate System for the Federal Highway Administration, including powers and duties of the Secretary of Commerce under the Interstate System for the Federal Highway Administration, shall be exercised and performed by the Secretary after consultation with the Administrator of the Environmental Protection Agency and appropriate Federal, State, and local officials, shall develop and promulgate standards for highway noise levels compatible with different land uses and after July 1, 1972.

Authorization of appropriations to right-of-way revolving fund: apportionment of amounts not advanced or obligated. Section 7(c)–(e) of Pub.L. 90–495, § 107, Title I, (a) Funds apportioned to a State under this subsection of this section shall remain available for advances to such State until October 1 of the fiscal year for which such apportionment is made. All amounts not advanced or obligated for advancement before such date shall revert to the right-of-way revolving fund and together with all other amounts advanced or obligated to such State shall be available for advances to such State under this subsection of this section.

(c) There is authorized to be appropriated to the right-of-way revolving fund established by subsection (c) of section 108 of the States Code [subsec. (c) of this section], $100,000,000 for the fiscal year ending June 30, 1972, and $100,000,000 for the fiscal year ending June 30, 1971.

(3a) On or before January 1 next preceding the beginning of the fiscal year for which funds are advanced, the Secretary shall apportion funds so authorized for such fiscal year in an amount equal to the Federal share of the total amount being appropriated to the right-of-way revolving fund by the States for which the Secretary makes any such apportionment to the right-of-way revolving fund.

§ 109. Standards

(b) The geometric and construction standards to be adopted for the Interstate System shall be those approved by the Secretary in cooperation with the State highway departments. Such standards, as applied to each actual construction project, shall be adequate to enable such project to accommodate the types and volumes of traffic anticipated for such project for the twenty-year period commencing on the date of approval by the Secretary, under section 106 of this title, of the plans, specifications, and estimates for actual construction of such project. Such standards shall in all cases provide for at least four lanes of traffic. The right-of-way width of the Interstate System shall be adequate to permit construction of projects on the Interstate System to which funds are advanced uniformly throughout all the States.

(g) The Secretary shall issue within 30 days after the day of enactment of the Federal-Aid Highway Act of 1970 guidelines for minimizing possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system. Such guidelines shall apply to all proposals for projects with respect to which plans, specifications, and estimates are approved by the Secretary after the issuance of such guidelines.

§ 110. Reversion of amounts not advanced or obligated. The Secretary shall apportion to a State an amount equal to the Federal share of the total amount being apportioned to such State for such fiscal year under paragraphs (1) and (2) of subsection (b) of section 104 of title 23, United States Code [section 101(b) of this title], unless the Secretary after consultation with the Administrator of the Environmental Protection Agency and appropriate Federal, State, and local officials, shall determine that such funds be returned to the right-of-way revolving fund because the project for which such funds are advanced is not in the best overall public interest. Such determination shall be made only after the Federal-aid highway project for which the funds are to be returned has been fully considered in developing such project, and such determination is made on the project are made in the best overall public interest, taking into consideration the need for, fast, safe and efficient transportation, public service, and the costs of eliminating or minimizing such adverse effects and the following:

(1) air, noise, and water pollution;

(2) destruction or disruption of man-made and natural resources, aesthetic values, community cohesion and the availability of public facilities and services;

(3) adverse employment effects, and tax and property value losses;

(4) injurious displacement of people, businesses and farms; and

(5) disruption of desirable community and regional growth.

Such guidelines shall apply to all proposed projects with respect to which plans, specifications, and estimates are approved by the Secretary after the issuance of such guidelines.

(ii) The Secretary, after consultation with appropriate Federal, State, and local officials, shall develop and promulgate standards for highway noise levels compatible with different land uses and after July 1, 1972, shall not approve plans and specifications for any proposed project on any Federal-aid system for which location approval has not yet been secured unless he determines that such plans and specifications include adequate provisions to meet the appropriate noise level standards. The Secretary, after consultation with the Administrator of the Environmental Protection Agency and appropriate Federal, State, and local officials, shall propose guidelines for eliminating or minimizing such adverse effects and the following:

(1) air, noise, and water pollution;

(2) destruction or disruption of man-made and natural resources, aesthetic values, community cohesion and the availability of public facilities and services;

(3) adverse employment effects, and tax and property value losses;

(4) injurious displacement of people, businesses and farms; and

(5) disruption of desirable community and regional growth.
of the Department of Commerce under this title and under specific related laws and parts of laws set out in the dictionary of other Federal acts, and the Federal-aid highway system for which project approval has been made available, described the range of the projects, made money available, prohibited Federal share of the project, and deemed such project a highway project of the Federal-aid system to which noise-level standards are made applicable under the preceding sentence for the purpose of carrying out such standards. Such project may include, but is not limited to, the acquisition of additional rights-of-way, the location and design of such project, and such modifications of the Federal-aid system on which such project will be located shall be available to finance the Federal share of such project. Such project shall be deemed a highway project for all purposes of this title.

(j) The Secretary, after consultation with the Administrator of the Environmental Protection Agency, shall develop and promulgate guidelines to assure that highways constructed pursuant to this title are consistent with any approved plan for the implementation of any ambient air quality standard for any air quality control region designated pursuant to the Clean Air Act, as amended.

(k) The Secretary shall not approve any project involving approaches to a bridge under this title, if such project and bridge will significantly affect the traffic volume and the highway system of a contiguous State without first taking into full consideration the views of that State.


The Clean Air Act, as amended, referred to in subsec. (j), is Pub.L. 91-605, Title I, § 102, The Public Health and Welfare Amendments, referred to in subsec. (k), Pub.L. 88-837, § 152(12), substituted "Clean Air Act for 'Federal-Aid Transportation Program'" and "Federal-Aid Highway Act of 1967," respectively, in the Department of Transportation Act See section 152(a) (1), (6) of Title 49, Modification of project agreements to effectuate required and approved action of Secretary of Transportation (to Federal-Aid Transportation Program) to project agreements to effectuate required and approved action of Secretary of Transportation (to Federal-Aid Highway Act of 1967). Subsec. (h), Pub.L. 93-87, § 114, inserted the word "authorised" in place of the word "proposed" in the Federal-aid highway system for which project approval has been made available, described the range of the projects, made money available, prohibited Federal share of the project, and deemed such project a highway project of the Federal-aid system to which noise-level standards are made applicable under the preceding sentence for the purpose of carrying out such standards. Such project may include, but is not limited to, the acquisition of additional rights-of-way, the location and design of such project, and such modifications of the Federal-aid system on which such project will be located shall be available to finance the Federal share of such project. Such project shall be deemed a highway project for all purposes of this title.

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(j) The Secretary, after consultation with the Administrator of the Environmental Protection Agency, shall develop and promulgate guidelines to assure that highways constructed pursuant to this title are consistent with any approved plan for the implementation of any ambient air quality standard for any air quality control region designated pursuant to the Clean Air Act, as amended.

(k) The Secretary shall not approve any project involving approaches to a bridge under this title, if such project and bridge will significantly affect the traffic volume and the highway system of a contiguous State without first taking into full consideration the views of that State.


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(j) The Secretary, after consultation with the Administrator of the Environmental Protection Agency, shall develop and promulgate guidelines to assure that highways constructed pursuant to this title are consistent with any approved plan for the implementation of any ambient air quality standard for any air quality control region designated pursuant to the Clean Air Act, as amended.

(k) The Secretary shall not approve any project involving approaches to a bridge under this title, if such project and bridge will significantly affect the traffic volume and the highway system of a contiguous State without first taking into full consideration the views of that State.

§ 128. Public hearings

(a) Any State highway department which submits plans for a Federal-aid highway project involving the bypassing of, or going through, any city, town, village, etc., shall, or may be, incorporated or otherwise, provide public hearings for such projects, and shall order the State highway department to afford opportunities for the public to hear and to be heard in such a manner that they may have the opportunity to be heard.

(b) When hearings have been held under subsection (a), the State highway department shall submit a copy of the transcript of said hearings to the Secretary, together with the certification of any hearing.


§ 128. Public hearings

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(b) When hearings have been held under subsection (a), the State highway department shall submit a copy of the transcript of such hearings to the Secretary, together with the certification of any hearing.


1973 Amendment. Subsec. (a). Pub.L. 93-38 substituted "Secretary of Transportation" for "Secretary of Commerce".
HIGHWAYS


3. Necessity of public hearing. Necessity of public hearing to consider location of interstate highway and the wise use of federal funds, was not effectively corrected until January 1971, see § 129.

4. Failure to grant hearing. Failure to comply with this section results in civil and criminal penalties. Under policy and procedure memorandum of Bureau of Public Roads, design issues to be dealt with in required public hearings were not merely information required to be forwarded to bureau. The 1970 amendment of this section required studies not only of economic and environmental factors, but also of social factors, before Secretary of Transportation could make a decision as to whether such an interstate highway should be constructed.


6. Necessity of public hearing. Necessity of public hearing to consider location and design features of portion of interstate highway was not met. The required public hearing was not held by Secretory of Transportation nor was the written record made available to public at federal register.

7. Necessity of public hearing. Necessity of public hearing to consider location and design features of portion of Interstate Highway was not met. The required public hearing was not held by Secretary of Transportation nor was the written record made available to public at federal register.

8. Necessity of public hearing. Necessity of public hearing to consider location and design features of portion of Interstate Highway was not met. The required public hearing was not held by Secretary of Transportation nor was the written record made available to public at federal register.

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12. Necessity of public hearing. Necessity of public hearing to consider location and design features of portion of Interstate Highway was not met. The required public hearing was not held by Secretary of Transportation nor was the written record made available to public at federal register.

13. Necessity of public hearing. Necessity of public hearing to consider location and design features of portion of Interstate Highway was not met. The required public hearing was not held by Secretary of Transportation nor was the written record made available to public at federal register.
There was a rational basis for conclusion of federal funds for noncompliance based on South Dakota's refusal to negotiate in good faith and later offered in letter an opportunity for South Dakota to be heard with respect to its demand to lock its laws as required by the Act. 28 South Dakota was not in compliance with the administrative and judicial requirements as to Secretary of Commerce and could not assert a 1972 amendment for a collaborative agreement. Decision of Secretary was not in compliance with the administrative and judicial requirements as to the Secretary of Commerce and should not be heard with respect to the parallel, the location and the design of the project. Subsec. (b). Pub. L. 91-905 added a132.

Payments on Federal-aid projects undertaken by a Federal agency

Transfer of Functions. All functions, powers, and duties of the Secretary of Commerce and other officers and offices of the Department of Commerce under this title and specific related laws and parts of laws set out in the title relating to the National Oceanic and Atmospheric Administration are transferred to and vested in the Secretary of Transportation, who shall carry out this subsection.

§ 132. Repealed. Pub. L. 90-410, § 37, Aug. 23, 1968, 83 Stat. 580; Pub. L. 87-888, § 5(e), Oct. 21, 1962, 76 Stat. 1146, provided for relocation assistance for persons displaced by Federal highway and traffic safety regulations. This transferred to and vested in the Secretary of Transportation by Pub. L. 89-670, 82 Stat. 1146, provided for relocation assistance for persons displaced by Federal highway and traffic safety regulations. (a) It is declared to be in the national interest to encourage and promote the development of transportation systems, and various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range plans programs and programs which are probably coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning program prepared, with the objects set forth in this title, and which is approved by the Secretary. Such a program may be carried on cooperatively by States and local communities, and the Secretary may be authorized to make grants-in-aid to urban areas of fifty thousand population or more under the responsible official public officials of such urban area in which the projects located have been consulted and their views considered with respect to the corridor, the location and the design of the project. (b) The Secretary may define those contiguous areas under title of Nation in which the movement of persons and goods between private metropolitan areas, cities, and industrial centers has reached, or is projected to reach, an annual volume in relation to the capacity of existing and planned transportation systems to efficiently accommodate present transportation demands and future growth. After consultation with State Governors and responsible local officials of affected States, the Secretary may by regulation designate, for administrative and planning purposes, as a critical transportation region or a critical transportation corridor of those areas which he determines to be the most urgent need of transportation systems embracing various modes of transportation in accordance with purposes of this section. The Secretary shall immediately notify such Governors and local officials of such designation. The Secretary may, after consultation with the Governors and responsible local officials of the affected States, provide for regulation by the establishment of planning bodies to assist in the development of a comprehensive transportation planning, including highway planning to meet the needs such regions or corridors, composed of representatives of the affected States and metropolitan areas, and may provide assistance including financial assistance to such bodies. Where there is authorized to be appropriated, there is no necessity of any otherwise appropriated, not to exceed $500,000 to carry out this subsection.


1970 Amendment. Subsec. (a) Pub. L. 91-905 designated existing provisions as subsection (a) of this section, and added added a provision prohibiting a highway construction of more than fifty thousand population or more unless the Secretary of Commerce and other officers and offices of the Department of Commerce under this title and specific related laws and parts of laws set out in the title relating to the National Oceanic and Atmospheric Administration regulations prohibited the operation of such facility, and proper approval of the Secretary or the State or political subdivision, or for the plan or design of the project approved under this title. In the event of any conflict between the Secretary of Commerce and the Secretary, the Secretary of Commerce shall be deemed to have approved the plan and design of the project approved under this subsection.

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3. Prerequisites for plan approval

This section precludes the Secretary of Transportation from approving any program for highway construction in urban areas unless such area is based on continuing comprehensive transportation planning recognized by the Secretary as having been prepared and approved by a State or political subdivision, or for the plan or design of the project approved under this subsection. The Secretary of Commerce shall be deemed to have approved the plan and design of the project approved under this subsection.

Publications, notices, and materials

This section precludes the Secretary of Transportation from approving any program for highway construction in urban areas unless such area is based on continuing comprehensive transportation planning recognized by the Secretary as having been prepared and approved by a State or political subdivision, or for the plan or design of the project approved under this subsection. The Secretary of Commerce shall be deemed to have approved the plan and design of the project approved under this subsection, if the Secretary finds that such project, if approved by him, would contribute to the improvement of the movement of persons and goods between private metropolitan areas, cities, and industrial centers, and that such movement has reached, or is projected to reach, an annual volume in relation to the capacity of existing and planned transportation systems to efficiently accommodate present transportation demands and future growth. After consultation with State Governors and responsible local officials of affected States, the Secretary may by regulation designate, for administrative and planning purposes, as a critical transportation region or a critical transportation corridor of those areas which he determines to be the most urgent need of transportation systems embracing various modes of transportation in accordance with purposes of this section. The Secretary shall immediately notify such Governors and local officials of such designation. The Secretary may, after consultation with the Governors and responsible local officials of the affected States, provide for regulation by the establishment of planning bodies to assist in the development of a comprehensive transportation planning, including highway planning to meet the needs such regions or corridors, composed of representatives of the affected States and metropolitan areas, and may provide assistance including financial assistance to such bodies. Where there is authorized to be appropriated, there is no necessity of any otherwise appropriated, not to exceed $500,000 to carry out this subsection.


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§ 135. Urban area traffic operations improvement programs

(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and to facilitate the flow of traffic in the urban areas.

(b) The Secretary may approve under this section any project on an urban area of the Federal-aid primary or secondary system in urban areas and on the Federal-aid urban system for improvements which directly control and facilitate traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, transfer control systems, and low and unloading ramps. If such project is located in an urban area of more than fifty thousand population, such project shall be based, in accordance with section 134 of this title,

(c) The Secretary shall report annually on projects approved under this section with any recommendations he may have for further improvement of traffic operation accordance with this section.


1979 Amendment. Subsec. (b), Pub. L. 95-381, § 102, Aug. 12, 1978, 92 Stat. 460, added subsec. (b) provisions for a highway safety program under the Federal-aid urban system, by which the Secretary may approve, in the manner prescribed by this section, and any such project shall be based, in accordance with section 134 of this title, to urban areas of more than fifty thousand population.

§ 136. Control of junkyards

[See main volume for text of (a) to (l)]

(m) There is authorized to be appropriated to carry out this section of not more than $3,000,000, for the fiscal year ending June 30, 1966, not to exceed $3,000,000 for the fiscal year ending June 30, 1967, not to exceed $3,000,000 for the fiscal year ending June 30, 1970, not to exceed $3,000,000 for the fiscal year ending June 30, 1971, not to exceed $3,000,000 for the fiscal year ending June 30, 1972, respectively.


1979 Amendment. Subsec. (m), Pub. L. 95-381, § 102, Aug. 12, 1978, 92 Stat. 460, added subsec. (m) provisions for a highway safety program under the Federal-aid urban system, by which the Secretary may approve, in the manner prescribed by this section, any project on an urban area of the Federal-aid primary or secondary system in urban areas and on the Federal-aid urban system for improvements which directly control and facilitate traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, transfer control systems, and low and unloading ramps. If such project is located in an urban area of more than fifty thousand population, such project shall be based, in accordance with section 134 of this title.


cifically authorized in these sections and provisions.

Subsec. (b), Pub.L. 91-605 substituted provisions preventing project approval by the Secretary of Transportation or any political subdivision thereof where the project is located, to operate the facility, unless the Secretary has entered into an agreement with the State or political subdivision governing the financing, maintenance, and operation of the highway, and the Secretary has approved design standards for construction of projects, as well as limiting authority of the Secretary to approve provisions preventing project approval by the Secretary of Transportation or any political subdivision thereof where the project is located, to operate the facility, unless the Secretary has entered into an agreement with the State or political subdivision governing the financing, maintenance, and operation of the highway, and the Secretary has approved design standards for construction of projects, as well as limiting authority of the Secretary to approve provisions preventing project approval by the Secretary of Transportation or any political subdivision thereof where the project is located.

Subsec. (c), Pub.L. 91-605 added provisions authorizing the Secretary of Transportation to approve a project which requires use of any publicly owned land from a public park unless there is no feasible and prudent alternative to use of such land, a road must not take parkland, unless a prudent person, concerned with quality of human environment, is convinced that there is no way to avoid taking such parkland, unless there is no feasible and prudent alternative to the use of such land, and lands for highway construction purposes unless no alternate route is feasible are applicable to ongoing federal highway programs and projects subject to the jurisdiction of the several remaining stages of the project, and when such parks or recreation areas are designated as such in the Secretary's decision was subject to judicial review. Citizens to Preserve Overton Park, Inc. v. Volpe, 500 F.2d 1193, 1972, 118 S.Ct. 639, 99 L.Ed.2d 261.

This section and section 163(f) of Title 49 requiring approval of project relating to preservation of parkland by directing Secretary of Transportation to reject its use except in certain circumstances, were not applicable to ongoing federal highway programs and projects subject to the jurisdiction of the Secretary. Citizens to Preserve Overton Park, Inc. v. Volpe, 500 F.2d 1193, 1972, 118 S.Ct. 639, 99 L.Ed.2d 261.

The word "use" within this section is to be construed broadly in favor of environmental ends, and in any substantial question. Brooks v. Volpe, 492 F.2d 1183, on remand 350 F.Supp. 269.

1. Determination of Secretary

The determination of the Secretary authorizing use of federal funds to finance construction of expressway through public parkland did not fall within the ambit of the Secretary's discretion for reviewability under Administrative Procedure Act, 5 U.S.C. Secs. 701 et seq. of Title 5, for action "committed to agency discretion," nor was the Secretary's decision subject to judicial review. Citizens to Preserve Overton Park, Inc. v. Volpe, 492 F.2d 1183, on remand 350 F.Supp. 269.

The Secretary's decision to allow the proposed expressway through public parkland did not fall within the ambit of the Secretary's discretion for reviewability under Administrative Procedure Act, 5 U.S.C. Secs. 701 et seq. of Title 5, for action "committed to agency discretion," nor was the Secretary's decision subject to judicial review. Citizens to Preserve Overton Park, Inc. v. Volpe, 492 F.2d 1183, on remand 350 F.Supp. 269.

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In action to enjoin highway relocation, even if there is no feasible and prudent alternative to taking of parkland, decision requiring Secretary of Transportation to determine that all possible planning has been done to minimize harm to park is required. D.C. Civ. A. 72-472, 432 F.2d 1193, 459 F.Supp. 1290, certiorari denied 405 U.S. 91, 31 L.Ed.2d 489.

Decision of Secretary of Transportation that proposed bridge would be feasible and prudent is required. Where Congress directed that construction of bridge between which there is no feasible and prudent alternative to taking of parkland, and Secretary of Transportation made no findings with respect to feasibility and prudent determination that there is no feasible and prudent alternative to such use of land that program included all possible planning to minimize harm to park. Brooks v. Volpe, D.C.Wash.1972, 350 F.Supp. 266.

In action to enjoin project on environmental grounds, the construction of interstate highway, injunction stopping further construction pending completion of extensive environmental impact statement and granting of further defacing of environment, where there was no finding that alternative to taking of parkland would be unlawful. Citizens to Preserve Overton Park, Inc. v. Volpe, C.A.Tenn.1970, 432 F.2d 1193, on remand 350 F.Supp. 269.

In action to enjoin Secretary of Transportation from releasing federal funds for construction of section of interstate highway, Secretary made no findings with respect to feasible and prudent alternative to taking of parklands is not absolute prohibition against use of parklands for highways but procedures had been followed, where organization, Gov. Citizens to Preserve Overton Park, Inc. v. Volpe, Tenn.1971, 316 F.2d 1231, 31 L.Ed.2d 489.

In action to enjoin Secretary from approving bridge through public park, for purposes of indicating that there is no feasible and prudent alternative to taking of parkland, and Secretary made no findings with respect to feasibility and prudent determination that there is no feasible and prudent alternative to such use of land that program included all possible planning to minimize harm to park. Brooks v. Volpe, D.C.Wash.1971, 350 F.Supp. 118, reversed on other grounds 460 F.2d 1193, on remand 350 F.Supp. 289.

In action to enjoin Secretary from releasing federal funds for construction of section of interstate highway, Secretary made no findings with respect to feasible and prudent alternative to such use of land and that program included all possible planning to minimize harm to park. Brooks v. Volpe, D.C.Wash.1971, 350 F.Supp. 282.

In action to enjoin Secretary from releasing federal funds for construction of section of interstate highway, Secretary made no findings with respect to feasible and prudent alternative to such use of land and that program included all possible planning to minimize harm to park. Brooks v. Volpe, D.C.Wash.1971, 350 F.Supp. 282.

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highways

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highways

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planning process, such public mass transit project shall be submitted for approval to the Secretary. Approval of the plans, specifications, and estimated cost of such project shall be in accordance with section 134 of this title.

(e) (1) For all purposes of this title, a project authorized by subsection (a) (1) of this section shall be deemed to be a highway project.

(2) Notwithstanding section 209(f) of the Highway Act of 1966, the Urban Mass Transportation Trust Fund shall be available for making expenditures from that fund for projects approved to meet obligations resulting from projects authorized by subsection (a) (2) of this section and such projects shall be subject to, and governed in accordance with, all provisions of this title applicable to projects on the Federal-aid urban system, except to the extent determined inconsistent by the Secretary.

(3) The Federal share payable on account of projects authorized by subsection (a) of this section shall be that provided in section 120 of this title.

(f) No project by this section shall be approved unless the Secretary of Transportation has received assurances satisfactory to him from the State that public mass transportation systems will fully utilize the proposed project.

(g) In any case where sufficient land exists within the publicly acquired rights-of-way for any Federal-aid highway to accommodate needed public mass transit facilities and where this can be accomplished without impairing automotive safety or future highway improvements, the Administrator may allow the State to make such lands and rights-of-way available without charge to a publicly owned mass transit authority for such purposes wherever he may deem that the public interest will be served thereby.

(h) The provisions of section 3(e) (4) of the Urban Transportation Act of 1966, as amended, shall apply in carrying out subsection (a) (2) and subsection (c) of this section in any fiscal year when there has been enacted an assurance of funds under this section.

(i) Funds available for expenditure to carry out the purposes of subsection (a) (2) and subsection (c) of this section shall be supplementary to and nonsubstitution for funds authorized and available for obligation pursuant to the Urban Mass Transportation Act of 1964, as amended.

(j) The provisions of section 3(e) (4) of the Urban Mass Transportation Act of 1964, as amended, shall apply in carrying out subsection (a) (2) and subsection (c) of this section.

(k) The Secretary shall not approve any project under subsection (a) (2) of this section in any fiscal year when there has been enacted an assurance of funds under this section.


References in Text. Section 209(f) refers to an act of which $20,000,000 shall be available for making grants to States for the construction, reconstruction, and improvement of development highways on a Federal-aid highway system for which there has been enacted an assurance of funds under this section. Second and third sentences of section 209(f) are referred to in subsection (a) (2).
according to their serviceability, safety, and essentiality for public use; and (3) based on that classification, assign each a priority for replacement.

(c) Whenever any State or States make application to the Secretary for assistance in replacing a bridge which the priority system, established under subsection (b) of this section, shows to be eligible, the Secretary may approve Federal participation in the reconstruction of a comparable facility. In approving projects under this section, the Secretary shall give consideration to those projects which will remove from service bridges which are in danger of failure and give consideration to the economy of the area involved. Approval of projects and allocation of funds under this section shall be without regard to allocation or apportionment formulas otherwise established under this title.

(d) The Federal share payable on account of any bridge replacement under this section shall not exceed 75 per cent of the cost thereof.

(e) For the purpose of carrying out the provisions of this section, there are hereby authorized to be appropriated out of the Highway Trust Fund, $100,000,000 for the fiscal year ending June 30, 1972, $75,000,000 for the fiscal year ending June 30, 1973, $50,000,000 for the fiscal year ending June 30, 1974, for the fiscal year ending June 30, 1975, and $75,000,000 for the fiscal year ending June 30, 1976, to be available until expended. Such funds shall be available for obligation at the beginning of the fiscal year for which authorized in the same manner and to the same extent as if such funds were appropriated under this chapter.

(f) Funds authorized by this section shall be available solely for expenditure for projects on any Federal-aid system.

(g) Notwithstanding any other provisions of law the General Bridge Act of 1946 (33 U.S.C. 525-533) shall apply to bridges authorized to be reconstructed and bridges constructed to replace unsafe bridges under this section.

(h) The Secretary shall report annually on projects approved under this section with any recommendations he may have for further improvement in the special bridge replacement program authorized in accordance with this section.


§ 145. Federal-State relationship

The authorization of the appropriation of Federal funds or their availability for expenditure under this chapter shall have no bearing on the sovereign rights of the States to determine which projects shall be federally financed. The provisions of this chapter provide for a federally assisted State program.


§ 146. Special urban high density traffic program

(a) There is hereby authorized to be appropriated out of the Highway Trust Fund $50,000,000 for the fiscal year ending June 30, 1974, $50,000,000 for the fiscal year ending June 30, 1975, and $50,000,000 for the fiscal year ending June 30, 1976, for the construction of highways connected to the Interstate System in portions of urbanized areas with high traffic density. The Secretary shall develop guidelines and standards for the designation of routes and the allocation of funds for this purpose which include the following criteria:

1. Routes designated by the Secretary shall not be longer than ten miles.
2. Routes designated shall serve areas of concentrated population and heavy traffic congestion.
3. Routes designated shall serve the urgent needs of commercial, industrial, airport, or national defense installations.
4. Any routes shall connect with existing routes on the Interstate System.
5. Routes designated shall serve areas of concentrated population and heavy traffic congestion.
6. Routes designated shall serve the urgent needs of commercial, industrial, airport, or national defense installations.
7. Routes designated shall serve areas of concentrated population and heavy traffic congestion.
8. Routes designated shall serve the urgent needs of commercial, industrial, airport, or national defense installations.

(b) The Federal share of any project on a priority primary route shall be provided in section 120(a) of this title. All provisions of this title applicable to the Federal-aid primary system shall be applicable to priority primary routes selected under this section except that one-half of such funds shall be apportioned among the States in accordance with section 104(b) (1) of this title, and one-half shall be apportioned among the States in accordance with section 104(b) (3) of this title. Funds authorized to carry out this section shall be deemed to be apportioned on January 1 next preceding the commencement of the fiscal year for which authorized.

(c) The initial selection of the priority primary routes and the estimated cost of completing such routes shall be reported to Congress on or before July 1, 1974.
§ 148. Development of a national scenic and recreational highway

(a) As soon as possible after the date of enactment of this section, the Secretary shall establish criteria for the location and construction or reconstruction of the Great River Road by the ten States bordering the Mississippi River. Such criteria shall include requirements that—

(1) priority be given in the location of the Great River Road near or accessible to the larger population centers of the State and further priority be given to the construction and improvement of the Great River Road in the proximity of the confluence of the Mississippi River and the Wisconsin River;

(2) the Great River Road be connected with other Federal-aid highways and preferably with the Interstate System;

(3) the Great River Road be marked with uniform identifying signs;

(4) effective control, as defined in section 131 of this title, of signs, displays, and devices will be provided along the Great River Road;

(5) the provisions of section 129(a) of this title shall not apply to any bridge or tunnel on the Great River Road and no fees shall be charged for the use of any facility constructed with assistance by the Federal Highway Administration.

(b) For the purpose of this section, the term "construction" includes the acquisition of areas of historical, archeological, or scientific interest, necessary easements for scenic purposes, and the construction or reconstruction of roadside rest areas (including appropriate recreational facilities), scenic viewing areas, and other appropriate facilities as determined by the Secretary.

§ 149. Truck lanes

The Secretary may approve as a project on any Federal-aid system the construction of exclusive or preferential truck lanes.

§ 150. Allocation of urban system funds

The funds apportioned to any State under paragraph (6) of subsection (b) of section 104 of this title that are attributable to urbanized areas of 200,000 population or more shall be made available for expenditure in such urbanized areas for projects in programs approved under subsection (d) of section 105 of this title in accordance with a fair and equitable formula developed by the State which formula has been approved by the Secretary. Such formula shall provide for fair and equitable treatment of incorporated municipalities of 200,000 or more population. Whenever such a formula has not been developed and approved, the funds apportioned to any State under paragraph (6) of subsection (b) of section 104 of this title shall be apportioned among such urbanized areas within such State for projects in programs approved under subsection (d) of section 105 of this title in the ratio that the population within each such urbanized area bears to the population of all such urbanized areas, or parts thereof, within such State. In the expenditure of funds allocated under the preceding sentence, fair and equitable treatment shall be accorded incorporated municipalities of 200,000 or more population.

§ 151. Pavement marking demonstration program

(a) Congress hereby finds and declares it to be in the vital interest of the Nation that a pavement marking demonstration program be established to enable Federal, State, and local governments to improve the pavement marking of all highways to provide for greater vehicle and pedestrian safety.

(b) Notwithstanding the provisions of the last sentence of subsection (a) of section 105 of this title, the Secretary may approve under this section such pavement marking projects on any highway whether or not on any Federal-aid system, but not included in the Interstate System, as the Secretary may find necessary to bring such highway to the pavement marking standards issued or endorsed by the Federal Highway Administrator.

(c) In approving projects under this section, the Secretary shall give priority to those projects which are located in rural areas and which are either on the Federal-aid secondary system or are not included on any Federal-aid system.

(d) The entire cost of projects approved under subsections (b) and (c) of this section shall be paid from funds authorized to carry out this section.

(e) For the purpose of carrying out the provisions of this section, the Federal Highway Administration is hereby authorized to be
system of arterial and collector highways, including necessary interstates. § 216. "Darlen Gap Highway

(a) The United States shall cooperate with the Government of the Republic of Panama and with the Government of Columbia in the construction of approximately two hundred and fifty miles of highway in the section of the Pan American Highway System of South America. Such highway shall be known as the "Darlen Gap Highway". Funds authorized by this section shall be obligated and expended subject to the same terms, conditions, and requirements with respect to the Darlen Gap Highway as for each fiscal year for carrying out subsection (a) of this section shall be authorized for the Inter-American Highway by subsection (a) of this title.

(d) (1) The Secretary shall be obligated and expended for the Darlen Gap Highway program and for research, for the planning of future highways programs and the maintenance thereof, for studies of the economy, the convenience of navigation, and the desirable regulation and equitable taxation thereof, and for research and development, necessary in connection with the planning, design, and maintenance of the highway system, and the regulation and taxation of their use.

(2) In addition to the percentage provided in paragraph (1) of this subsection, not to exceed 2 per cent of the funds authorized to be appropriated for each fiscal year for carrying out subsection (a) of this section may be expended upon request of the Governor and with the approval of the Secretary for the purposes enumerated in paragraph (1) of this subsection.

(e) None of the funds authorized to be appropriated for carrying out this section shall be obligated or expended for maintenance of the highway system.

(f) The provisions of chapters 1 and 5 of this title that are applicable to Federal-aid primary highways, other than provisions relating to the apportionment formula and provisions limiting the expenditure of such funds to the Federal-aid systems, shall apply to the funds authorized to be appropriated for carrying out this section, except as determined by the Secretary to be inconsistent with this section.

§ 217. Bicycle transportation and pedestrian walkways

(a) To encourage the multiple use of highway rights-of-way, including nonmotorized transportation, the development, improvement, and use of bicycle transportation and the development and improvement of pedestrian walkways on or in conjunction with Federal-aid highways, the States may, on Federal-aid highways within their limits, construct separate or preferential bicycle lanes or paths, bicycle traffic control devices, shelters and parking facilities to serve bicyclists and pedestrians using bicycles, and pedestrian walkways in conjunction or connection with Federal-aid highways.

(b) Funds authorized for such projects and pedestrian walkways authorized under this section and such projects shall be located and designed so as to be incorporated into an overall plan which will provide due consideration for safety and convenience.

(c) For purposes of this section the term "construction" does not mean any costs of rights-of-way, relocation assistance, or the elimination of hazards of railway grade crossings.


Authorization of Appropriations. Sections 112(a), 112(c), 112(f), provided that: "There are hereby authorized to be appropriated for bicycle transportation and pedestrian walkways $5,000,000 for the fiscal year ending June 30, 1971, and not to exceed $2,000,000 for the fiscal year ending June 30, 1972, and June 30, 1973, and not to exceed $1,000,000 for the fiscal year ending June 30, 1974, not to exceed $500,000 for the fiscal year ending June 30, 1975, and not to exceed $250,000 for the fiscal year ending June 30, 1976.

(b) Funds authorized for such projects and pedestrian walkways authorized under this section shall be located and designed so as to be incorporated into an overall plan which will provide due consideration for safety and convenience.
trails, parkways, Indian reservation roads, and public lands highways shall be available, at the discretion of the department charged with the administration of such funds, for the construction of bicycle and pedestrian routes in conjunction with such trails, roads, highways, and parkways.

(d) No motorized vehicles shall be permitted on trails and walkways authorized under this section except for maintenance purposes and, when snow conditions and State or local regulations permit, snowmobiles.

(e) Not more than $40,000,000 of funds authorized to be appropriated in any fiscal year may be obligated for projects authorized by subsection (a) and (c) of this section, and no State shall obligate more than $2,000,000 in any fiscal year for such projects.

3.-GENERAL

CHAPTER A

§ 218. Alaska Highway

(a) Recognizing the benefits that will accrue to the State of Alaska and to the United States from the reconstruction from the Alaskan border to Haines Junction in Canada and the Haines Cutoff Highway from Haines Junction in Canada to the south Alaska border, the Secretary is authorized out of the funds appropriated for the purpose of this section to provide for necessary reconstruction of such highway. Such appropriations shall remain available until expended. Expenditures shall be made for the construction of such highways under an agreement has been reached by the Government of Canada and the Government of the United States which shall provide, in part, that the Canadian Government—

(1) will provide, without participation of funds authorized under this title all necessary right-of-way for the reconstruction of such highways, which right-of-way shall forever be held inviolate as a part of such highways for public use;

(2) will not impose any highway toll, or permit any such toll to be charged for the use of such highways by vehicles or persons;

(3) will not levy or assess, directly or indirectly, any fee, tax, other charge for the use of such highways by vehicles or persons from the United States that does not apply equally to vehicles or persons of Canada;

(4) will continue to grant reciprocal recognition of vehicle registration and drivers' licenses in accordance with agreements between the United States and Canada; and

(5) will maintain such highways after their completion in proper condition adequately to serve the needs of present and future traffic.

(b) The survey and construction work undertaken pursuant to the general supervision of the Secretary shall be under the general supervision of the Chief of Operations of the United States and the Deputy Federal Highway Administrator shall perform such functions, powers, and duties as the Federal Highway Administrator shall prescribe.

302. State highway department

(a) Any State desiring to avail itself of the provisions of this title shall have a State highway department which shall have adequate powers, and the Secretary is authorized to disburse the funds appropriated under this section to engage, to the extent necessary or desirable, the services of private engineering firms.

303. Administration organization

(a) (1) In addition to the Administrator of the Federal Highway Administration authorized by section 3(e) of the Department of Transportation Act, there shall be a Deputy Federal Highway Administrator appointed by the Secretary of Transportation, with the approval of the President. The Deputy Federal Highway Administrator shall perform such duties as the Federal Highway Administrator shall prescribe. There shall also be an Assistant Federal Highway Administrator who shall be the chief engineer of the Administration and shall be appointed, with the approval of the President, by the Secretary of Transportation under the classified civil service and who shall perform such functions, powers, and duties as the Federal Highway Administrator shall prescribe.

(2) The Administrator of the Federal Highway Administration shall be compensated at the annual rate of basic pay of level II of the Executive Schedule in section 5313 of title 5, United States Code. The Deputy Federal Highway Administrator shall be compensated at the annual rate of basic pay of level IV of the Executive Schedule in section 5315 of title 5, United States Code. The Assistant Federal Highway Administrator shall
be compensated at the annual rate of basic pay of level V of the Executive Schedule in section 5316 of title 5, United States Code.

[See main column for text of (b) and (c)]


Section 203 of Title 49, Subtitle A, Chapter 306, as amended by section 303 Amendment. Pub. L. 93-87 substituted “Administration” organization for “Federal Highway Administration” organization in the section heading.

1975 Amendment. Subsec. (a). Pub. L. 89-564, Title IV, § 307, Aug. 22, 1966, 80 Stat. 736, provided for the compensation of the Deputy Federal Highway Administrator to be appointed by the Secretary of Transportation with the approval of the President and provided for the compensation of the Deputy Administrator for Federal Highway Administration by reference to the Executive Schedule.

Section 114(b) of Pub. L. 91-005 provided that “All provisions of the Act were enacted before the date of enactment of this Act [Dec. 31, 1970] which are inconsistent with the amendment made by subsection (a) of this section are hereby repealed to the extent of such inconsistency.”

Retroactive Effect. Section 114(b) of Pub. L. 91-605 provided that “All provisions were enacted before the date of enactment of this Act [Dec. 31, 1970] which are inconsistent with the amendment made by subsection (a) of this section are hereby repealed to the extent of such inconsistency.”

290. Authorization of Acting Deputy Administrator; Compensation.

§ 290. Transfer of Functions. All functions, powers, and duties of the Secretary of Commerce and other officers and offices of the Department of Commerce under this title and under specific related laws are vested in the Secretary of Transportation with respect to highways and highway traffic safety and are transferred to and vested in the Secretary of Transportation by Pub. L. 93-87, Title I, § 103, Sept. 30, 1973, 87 Stat. 631, which created the Department of Transportation.

§ 293. Research and Planning.

(a) The Secretary is authorized in his discretion to engage in research on all phases of highway construction, modernization, development, design, maintenance, safety, financing, and traffic conditions, including the effect thereon of State laws and is authorized to test, develop, or assist in the testing and developing of any material, invention, patented article, process. The Secretary may publish the results of such research.

(b) The Secretary may carry out the authority granted hereby, either independently, or in cooperation with any other branch of the Federal Government, States, political subdivisions thereof, or any other organization, or person. The Secretary is also authorized, acting independently or in cooperation with other Federal departments, agencies, or instrumentalities, to make grants for research fellowships for any purpose for which research is otherwise authorized by this section. The funds required to carry out the provisions of this subsection shall be taken out of the administrative and research funds authorized by section 104 of this title, funds authorized to carry out section 403 of this title, and such funds as may be deposited in a special account with the Secretary of the Treasury for such purpose by any cooperating organization or person. The provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not be applicable to contracts or agreements made under the authority of this subsection.

The Secretary shall include in the highway research program herein authorized studies of economic geometries, structures, and desirable weight and size standards for vehicles using the public highways and of the feasibility of uniformity in State regulations with respect to such standards and he shall report from time to time to the Committees on Public Works of the Senate and of the House of Representatives on the results of such studies. The highway research program herein authorized shall also include studies to identify and measure, quantitatively and qualitatively, those factors which relate to economic, social, environmental, and other impacts of highway projects.

(c) Not to exceed 1½ per cent of the sums apportioned for each fiscal year beginning with fiscal year 1974 to any State under section 104 of this title shall be available for expenditure upon request of the State highway department, with the approval of the Secretary, for engineering and economic surveys and investigations, the planning of future highway programs and local public transportation systems and for planning for the financing thereof; for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof; and for research on all phases of highway construction, modernization, development, design, construction, and maintenance of highways and highway systems, and the transportation of the injured.

(2) One and one-half per cent of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department for the purposes enumerated in paragraph (1) of this subsection.

The Federal Highway Administration is authorized, acting independently or in cooperation with any other branch of the Federal Government, to make grants for research fellowships for any purpose for which research is otherwise authorized by this section. The funds required to carry out the provisions of this subsection shall be taken out of the administrative and research funds authorized by section 104 of this title, funds authorized to carry out section 403 of this title, and such funds as may be deposited in a special account with the Secretary of the Treasury for such purpose by any cooperating organization or person. The provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), shall not be applicable to contracts or agreements made under the authority of this subsection.

Transfer of Functions. All functions, powers, and duties of the Secretary of Commerce and other officers and offices of the Department of Commerce under this title and under specific related laws and parts of laws set out in the notes in this title relating generally to highways and other materials which the Secretary for are commonly used and discarded by transportation and which, when carried along highways right-of-cause an unsightly appearance, a day, traveling or public and which, when cause an unsightly appearance, a day, traveling and traffic safety were transferred to and vested in the Secret- and traffic safety were transferred to and vested in the Secretary of Transportation by Pub.L. 89-670, Oct. 15, 1966, 80 Stat. 921, which created the Department of Transportation, and sections 1305-1307 of title 23, United States Code, and 307(23), (a), (6) of Title 49, Transportation.

Authority to Authorized to undertake negotiations with foreign countries, and State cooperating agencies, and to enter into agreements for the construction of highways and for the transfer of or sale of highway realignment. In order to assure that adequate consideration is given to civil defense aspects in the planning and construction of highways constructed or reconstructed, or for the national defense. Travel and subsistence expenses of officers so cooperating foreign countries, and State cooperating agencies, and the cost of such supplies and materials or the value of such equipment, including the cost of transportation and handling, may be reimbursed from current applicable appropriations.

§ 310. Civil defense
A method of carrying out sections (a) and (b) of Pub.L. 99-564 provided that: "(a) The President, acting through the Secretaries of State and Transportation, and the Secretary of Commerce, authorized to undertake negotiations with foreign countries and United States of America for the construction of highways and highways and for the national defense. Travel and subsistence expenses of officers so cooperating foreign countries, and State cooperating agencies, and the cost of such supplies and materials or the value of such equipment, including the cost of transportation and handling, may be reimbursed from current applicable appropriations.

§ 312. Civil defense

§ 311. Highway improvements strategically important to the national defense
Transfer of Functions. All functions and duties of the Secretary of State and Transportation, and the Secretary of Commerce and other officers and offices, of the Department of Commerce under this title and under specific related laws and parts of laws set out in the notes in this title relating generally to highways and highway and traffic safety were transferred to and vested in the Secretary of Transportation by Pub.L. 89-670, Oct. 15, 1966, 80 Stat. 921, which created the Department of Transportation, and sections 1305-1307 of title 23, United States Code, and 307(23), (a), (6) of Title 49, Transportation.


The 1969 hearings on Lower Manhattan, while being held in view of the public's right to be heard in determining whether a highway location would be safe and viable, were not adequate to protect the public's interest. In PA.1971, 454 F.2d 413.


In view of determination that new hearing on proposed location of interstate highway was required in any event because of the failure of the first hearing to substantially comply with this section and procedure memorandum in effect at such time, com-pliance with the new hearing would be resolved by finding that the public hearing substantially complied with the new section and procedure memorandum. Ward v. Ackroyd, D.C.D.Md.1972, 344 F.Supp. 831.

7. Questions of fact

In suit to enjoin construction of a section of Pennsylvania Turnpike, the issue of material fact existed as to whether federal agencies had substantially complied with the procedure memorandum in effect at such time, and whether another public hearing would be granted. D. C. Federation of Civic Associations v. Volpe, D.C.D.C.1970, 316 F.Supp. 754, re-versed on other grounds 459 F.2d 1221, 1290, 405 U.S. 1030, 31 L.Ed.2d 459.

6b. Evidence

In proceeding to challenge interstate highway project, evidence was submitted that any new location of the highway was not subject to the same procedural deficiencies. Id. In view of determination that new hearing on proposed location of interstate highway was required, the public hearing substantially complied with this section and procedure memorandum in effect at such time, and whether another public hearing would be granted. D. C. Federation of Civic Associations v. Volpe, D.C.D.C.1970, 316 F.Supp. 754, reversed on other grounds 459 F.2d 1221, 1290, 405 U.S. 1030, 31 L.Ed.2d 459.

6d. Findings

In proceeding to challenge interstate highway project, division engineer's finding that new location of the highway was subject to the same procedural deficiencies was not supported by evidence. D. C. Federation of Civic Associations v. Volpe, D.C.D.C.1970, 316 F.Supp. 754, reversed on other grounds 459 F.2d 1221, 1290, 405 U.S. 1030, 31 L.Ed.2d 459.

8. Federal regulations


That municipality's state court suit against state officials was concerned with the construction of the interstate highway. D.C.Pa.1971, 348 F.Supp. 376.

That finding that there had not been substantial compliance with the procedure memorandum, D.C.Pa.1971, 348 F.Supp. 376.

Findings in proceeding to challenge interstate highway project, division engineer's finding that new location of the highway was subject to the same procedural deficiencies was not supported by evidence. D.C.D.C.1970, 316 F.Supp. 754, reversed on other grounds 459 F.2d 1221, 1290, 405 U.S. 1030, 31 L.Ed.2d 459.

17. Remedies

Where only relief sought against Commissioner of Public Works was to enjoin completion of the freeway, the Commissioner of Public Works was enjoined from further commitment of state resources and applying for temporary injunctive relief. Citizens For Mass Transit Against Freeways v. Brininger, D.C.Ariz.1973, 339 F.Supp. 1221.

Suit which was filed in 1971 and one of the suits joined concerned the construction of a segment of the interstate highway by the Pennsylvania Turnpike Commission. D.C.Pa.1971, 348 F.Supp. 376.

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THE INNER BELT BATTLE
A Chronological Series of
News Articles and Reports
THE CITY IS MARCHING AGAINST THE INNER BELT

SATURDAY, JAN. 25
CALL CITY HALL, 876-6800, X242, FOR FURTHER INFORMATION

9:00am
BUSES LEAVE FROM:
ST. FRANCIS CHURCH
KENNEDY APARTMENTS
WASHINGTON ELMS
CALLENDAR ST. COMMUNITY CENTER
WOODROW WILSON COURT
Fitzgerald School
FAYEWEATHER ST.
AT CONCORD AVE.
CORCORON PLAYGROUND

9:15am
PARADE TO CITY HALL

10:00am
Main March & Rally

11:00am
MOTORCADE TO BOSTON COMMON

NOON
MARCH TO STATE HOUSE WITH GROUPS FROM
JAMAICA PLAIN, EAST BOSTON, ROXBURY, CHARLESTOWN,
MILTON, MATAPAN, BROOKLINE, AND SOUTH END.

JOIN YOUR MAYOR! JOIN YOUR CITY COUNCIL! JOIN YOUR CITY MANAGER AND CITY EMPLOYEES

Call on Gov. Sargent to STOP HighwaysDestroying Our Cities!
Planners Organize Group For Inner Belt Research

A group of professional planners in Cambridge has formed a committee for research and action on the proposed Inner Belt that would cut through the city.

The group, known as The Cambridge Ad Hoc Committee on the Inner Belt, consists of engineers, city planners, urban designers, architects and sociologists and hopes to add several other professional personnel in coming weeks.

Will Make Report

The members will study the various alternative routes suggested for the road and assess the impact on housing and job displacement, the city tax base, community resources and aesthetics. The group will then distribute its findings and recommendations to all interested groups and individuals in Cambridge, in order that a sound decision can be made as to where the road should be located, or whether the community should organize to oppose the road altogether as too destructive, no matter what the location.

The group, which has temporary headquarters at 9 Cutler ave., will issue a preliminary report in a few weeks. Among the organization's founders are architects Tunny Lee and Denis Blackett, city planner Chester Hartman, sociologist Gordon Fellman and urban designer Robert Goodman.

Issue Statement

The text of the organization's statement is as follows:

"The undersigned, representing a group of Cambridge residents from the professions of engineering, city planning, urban design, architecture, and sociology, wish to raise some questions and offer information which we believe relevant to the problem of locating the Inner Belt highway in Cambridge.

"Although the State Department of Public Works is presently considering alternate routes for the Inner Belt, its foremost concern is to produce an efficient traffic solution at minimum financial cost. Yet, the social, economic and visual costs to the City of Cambridge should be at least as important a consideration in arriving at a decision. We believe that the interests of the Cambridge community will be truly represented only by informed, independent study conducted by the city, with the cooperation of local political representatives, civic groups and public-spirited citizens.

"There are at present three or four routes where the Inner Belt might feasibly be located. The consequences of any choice are most serious for our City, yet the impact of each is quite different. In one case, a few hundred families will be displaced and sound homes and stable neighborhoods destroyed. Another route would displace many important industries and hundreds of workers, adding to the already staggering impact of the NASA displacement. The consequences of a third proposed route would be considerable for one of the City's major institutions. And a fourth would adversely affect valuable scenic and recreational resources.

"We intend, insofar as we are able with our limited time, to find out as much as we can about the potential impact of this highway and to make these findings known throughout the community. Decisions must be made by the people of Cambridge as to where this road should be located in order to have the least damaging impact on our City, or (if the impact is severe, no matter what the location) whether the community should organize to oppose the road altogether. In any case what is needed is information and organized activity flowing from this knowledge.

"We are at present undertaking to bring together all available information on the various alternative routes, plus collecting whatever additional information is needed for making a sound decision. As soon as we have this information, we will circulate it to various individuals and organizations which are or should be most concerned with this issue. We welcome the cooperation, assistance and inquiries of any interested persons or groups in the community.

DENIS BLACKITT
9 Cutler ave.
GORDON FELLMAN
103 Massachusetts ave.
ROBERT GOODMAN
11 Deborah St.
CHESTER HARTMAN
233 Western ave.
TUNNY LEE.
Committee Says People Have Inner Belt Voice Despite Loss of Veto

In accordance with its previous policy statement, the Cambridge Committee on the Inner Belt this week issued the first in a series of reports on the Inner Belt routes through Cambridge. The report provides general information about the proposed Brookline-Elm Street route.

In 1962, the Department of Public Works presented the Brookline-Elm Street route as its preferred location for the Inner Belt through Cambridge. This route enters the city near the B. U. Bridge, cuts through the attractive Magazine Beach residential area and continues along Brookline Street through Cambridgeport. The route then crosses Massachusetts Avenue through the Central Square commercial area where Moller's furniture store now stands. It then continues between Norfolk and Columbus Streets and along Elm Street through densely populated residential sections of the Neighborhood Four and Donnelly Field areas. After crossing Cambridge Street it enters Somerville to connect to the already-approved Somerville portion of the Inner Belt.

The committee would like to raise, for public discussion, the following consequences of this location: (figures quoted below are from the 1962 D.P.W. report)

1. The displacement of 1300 dwelling units. The Committee estimates that 5,200 individuals or about 6 per cent of the total population of Cambridge will be displaced.

2. The major disruption of three existing residential neighborhoods, one of the three neighborhoods, Donnelly Field and Neighborhood Four, are cut in half by the Brookline-Elm Street route, isolating a large number of families between the Inner Belt and the existing industrial areas to the east.

3. The displacement of 117 retail businesses — many of whom are small, family type concerns.

4. The displacement of several industrial concerns and the loss of 1000 jobs.

The displacement of a number of institutions, recreation areas, and other community facilities.

The Committee further notes one of the major assumptions on which the Brookline-Elm Street location was chosen: In the official publication titled "The Inner Belt and Expressway System," the Department of Public Works states: "The Recommended Location of the Inner Belt generally parallels the Brookline-Elm Street corridor passing through the Cambridgeport and Donnelly Field Renewal Areas. Much of the impact noted in these areas would have occurred under the normal schedule for renewal."

Since the Cambridgeport renewal project has not materialized and since the Donnelly Field project has been significantly changed, becoming the Wellington-Harrington minimum clearance project, the Committee seriously questions the use of this assumption in choosing the Brookline-Elm Street location.

While no official public report on the Inner Belt route has been issued by the D.P.W. since 1962, it is known that the D.P.W. is presently considering alternative locations for the Belt and a revised version of the Brookline-Elm Street location. The revised version, of reduced width and possibly depressed in sections, essentially follows the same alignment as the 1962 proposal while displacing fewer persons.

The Committee has no precise figures, but estimates the reduction would bring the total number of persons displaced to approximately 4,200 or about 5 per cent of the total population of Cambridge.

The loss of the veto does not mean that Cambridge is now powerless to influence the final location of the Inner Belt. An informed citizenry, led by determined city, state and federal representatives, can influence both the Department of Public Works and the U. S. Bureau of Public Roads in their search for a location of the Inner Belt which will be best for the City of Cambridge.

The Committee therefore urges all Cambridge citizens to contact their political representatives at the state and federal levels and to connect both incumbents and new candidates for office at the lower level and to make known their concern about the Inner Belt location.

The Committee invites inquiries by all interested persons and groups. In the following weeks, the Committee will discuss other routes being considered by the D.P.W., and make recommendations for alternatives to be studied.

Next week the Committee will take a closer look at the social and economic characteristics of the area along the Brookline-Elm Street route and examine some of the problems involved in relocation.

The Cambridge Committee on the Inner Belt at 3 Oliver avenue includes Denis Blackett, Gordon Follman, Robert Goodman, Charles Hartman and Tunney Lyle, all residents of Cambridge.

On Committee: Frederick A. Langone, of 246 Brattle st., is a member of the Arrangements committee for DEAROS, former residents of Boston's Old North End, which will hold its annual Memorial Mass in St. Stephen's Church, Hanover st., Boston, on Columbus Day, next Tuesday, at 10:30 a.m.
INNER BELT ROUTES THROUGH CAMBRIDGE — The crosshatched area is the Brookline-Elm Street route preferred by the Department of Public Works in its 1962 report. The shaded area includes Albany and Portland Streets and the grand junction railroad and is the area in which alternate routes are being studied by the D.P.W.
Council Asks Study Of Alternate Route For The Inner Belt

By ROBERT S. REMER

Despite the absence of a veto power, the city took two major steps this week aimed at forestalling possible State recommendation of the Brookline-Elm street route for the Inner Belt highway.

**Engineering Contract**
City Manager John J. Curry disclosed the imminent signing of a $10,000 contract with the engineering firm of Barton, Aschman, and the immediate signing of (Continued on Page Two)

City Council

(Continued from Page One)

Associates, Inc. of Chicago to "protect the city's interests." This is in accord with a City Council order of some weeks ago, proposed by Councillor Mrs. Cornelia B. Wheeler.

Secondly, on an order introduced by Councillor Thomas Coates, the full membership of the Council was named by Mayor Edward A. Crane to join forces with the Cambridge Committee on the Inner Belt and the Cambridge Planning Board for a review of the suggested alternative routes.

Mayor Crane said Councillor Coates would be chairman of the committee that, in accordance with the order, will report back to the Council on Nov. 15 "with specific recommendations for further immediate action by this Council."

The Council action was first official recognition of the Cambridge Committee on the Inner Belt, composed of Cambridge engineers, city planners, urban designers, architects and sociologists.

The Ad Hoc Committee, organized in September, made its recommendation of three alternative routes on October 21, and blasted the Brookline-Elm street route as a "totally unacceptable solution."

**State Officials' Offer**
City Manager Curry, appearing before the Council Monday at the request of Councillor Andrew T. Trodden, said State DPW Commissioners Francis W. Sargent and John P. Warner had expressed a desire to "come over and talk to the Council" next week.

Trodden and Curry agreed that such a meeting should be postponed until the State has had time to look into all alternative routes.

"Even if it takes another couple of weeks," said Trodden, "there's little sense in having State officials here until they've had time to properly study and evaluate the alternative routes."

Councillor Alfred Vellucci suggested that any meeting on the Inner Belt with State officials should be held at night "so that all interested residents can know what's going on and be heard."

There was no argument with this proposal. Mayor Crane notes that "any of our public meetings involving such matters are held at night."
A veteran Cambridge legislator today charged that a proposed Inner Belt route is "terrible" and "will divide the city to expedite traffic" for motorists who live elsewhere.

Sen. Kennedy has shown interest in displaced persons and we should all show interest for these displaced persons," McCann said.

The Herald said the federally-sponsored highway will include construction of a $44 million tunnel under the Charles River near the Boston University Bridge.

There will be a tunnel beneath Beacon street in Brookline for the road instead of an elevated structure.

The DPW finalized all controversial segments of the Belt route, including a half-mile section from the Cambridge boundary to Joy street in Somerville, in the section where a huge interchange will link it with Rte. 2.

The most significant of the DPW's decisions is that providing for a route through Cambridge, an issue which for years has blocked construction of the 8.6 mile stretch that will connect the Southeast Expressway at Southampton street in Boston with the northern end of the Boston Central Artery at the foot of the Mystic River Bridge in Charlestown.

Nevertheless, it is anticipated that a substantial bloc of Cambridge residents will oppose vigorously the new layout, essentially because it will displace approximately 900 families. The original Brookline-Elm street route as recommended by DPW consultants in 1964, and again in 1964, would displace 1500 families.

Industries and commercial establishments that would be forced to vacate to make way for the Belt through the new line would be...
Inner Belt Route

'It's Terrible'

adjusted route now employ about 3000, it is calculated.

Cambridge has been successful in keeping the road out of its municipality largely through a veto power that was granted by the Legislature. However, the Legislature has rescinded that power, giving the DPW and the Federal Bureau of Roads final judgment on the route of a new highway.

Now the DPW will go before the Cambridge City Council and explain the proposed route in detail and accept comment on it. It may heed or reject requests for changes, but must advance reasons before the plans are submitted to the Federal Bureau of Roads for approval.

The federal government will pay 90 per cent of the cost of the Inner Belt because it will be an interstate road I-695.

The new Belt route through Cambridge was achieved by moving the proposed roadblock along Brookline street — one of the most controversial areas — easterly about 200 feet. The east side of Brookline street is that on the right as one proceeds from the Charles River to Massachusetts avenue in the Central square-Lafayette square section.

Demolition thus would be spared most of the westerly side of Brookline street. This side would become the frontage of the road.

Virtually all of the Belt along the Brookline street segment would be depressed from street level in the form of an open cut. The DPW, has envisioned construction of low cost homes by means of air rights program over this depressed road.

Not only will many homes along the westerly side of Brookline street be spared under the new route, but many others on those streets that connect with the westerly side of Brookline street, as Putnam avenue, Allston, Hamilton and Eire streets, Michael Speridakis terrace, Valentine, Decator, Lopez, Watson, Auburn, Franklin and Green streets.

However, displacement will be felt by some homes on the easterly side streets connecting with Brookline street, such as Emily, Tudor and Pacific streets, as well as the easterly end of Putnam avenue and Allston, Hamilton, Eire and Green streets.

In all, the Belt would run about a mile and a half in Cambridge.

From the tunnel beneath the Charles River at Boston University Bridge, the expressway would move into Cambridge at ground level for a short distance to near Putnam avenue, which crosses Brookline street.

From this Putnam avenue-Brookline street intersection it would be depressed, proceeding along Brookline street toward Massachusetts avenue.

At Massachusetts avenue, between Central and Lafayette squares, but closer to the latter, the road would go through a 600-foot tunnel beneath Massachusetts avenue and beneath a relocated MBTA tunnel that now accommodates the Cam-
Artist's drawing of the four inner belt routes through Cambridge which are still under consideration by the D.P.W.

**Brookline St.-Elm St. Favored for Belt**

ROBERT R. HANRON

The State Department of Public Works said Friday it is "leaning heavily" in favor of the Brookline St.-Elm st. for the Inner Belt route through Cambridge.

Mr. Francis W. Sargent said that four routes are still under consideration and that final decision has yet been made. "It should be clearly understood," he said, "that the D.P.W. will render no decision to the City of Cambridge until a report of consultants has been made." Ashman Associates, the consulting firm of Alvin L. Ashman, has been asked to make its report on these alternate routes prepared by Cambridge Committee on Inner Belt.

Special meeting of the Cambridge City Council has been called for 4 p.m. next Thursday, at which time the Ashman Associates report will be discussed. Commissioner of Public Works, Mr. Francis W. Sargent, has not yet reached Cambridge.

The Cambridge City Council is expected to make a route decision until study of the alternatives is completed. Commissioner of Public Works, Mr. Francis W. Sargent, said he talked with Mr. Francis W. Sargent last week and was assured of the city's cooperation in the decision on the Belt route through Cambridge. Cambridge has been reached by the four routes under consideration (shown on accompanying map). The Cambridge City Council has studied and selected any route in the Brookline-Elm area as the "acceptable" and has proposed three alternate paths along Elm and/or Portland or Albany st.

The proposed tunnel under Charles River near Boston University Bridge will be approved by the Federal Bureau of Public Roads which is expected to pick up 90 percent of the cost of the tunnel.

A tunnel would cost $22 million more than a bridge and the D.P.W. has a double-deck bridge plan ready for substitution.

But the politicians can always turn to the University Bridge (shown on accompanying map) and have proposed three alternate paths along Elm and/or Portland or Albany st.

The D.P.W. has little hope that the tunnel will finally chosen over the bridge. The Cambridge groups who fear it would mean the displacement of 1500 families and the loss of 1000 jobs.

- Albany - Portland route, which would displace 700 families and the loss of 2500 jobs, is opposed by the Harvard-Ashmont subway project.
- Grand Junction or the railroad route, this would displace 150 families and the loss of 6000 jobs, Several M.I.T. buildings would be lost.
- Sidney st. route, the fourth route shown, came under discussion only a few months ago.
- The Cambridge Committee on the Inner Belt has family displacement and job loss statistics on the three other routes, but none for the Sidney st. line.

The route runs just East of Brookline st. and would mean the taking of more business and industrial buildings and less residences.

**Route Not Definite**

Indications are that the route privately favored by the D.P.W., but not yet finalized, is closer to the Sidney st. line than the one marked Brookline-Elm.

Estimates are that this route would mean the displacement of 900 families (600 less than the Brookline-Elm) and 2000 jobs lost (2000 more than Brookline-Elm).

The Cambridge Committee has selected any route in the Brookline-Elm area as "acceptable" and has proposed three alternate paths along Elm and/or Portland or along the railroad.
If the State Dept. of Public Works persists in its reported preference for a Brookline st.-Elm st. Inner Belt route through Cambridge, the decision will be fought to the highest echelons of the U. S. Bureau of Roads, Cong. Thomas P. O'Neill, Jr., vowed last night.

O'Neill's declaration of war came during a lengthy hearing by Cambridge City Council, meeting as an Inner Belt Committee formed to devise an alternate route displacing fewer homes and businesses.

At the same time, O'Neill said DPW Comm. Francis W. Sargent had assured him no hard and fast decision has yet been made on the Cambridge Inner Belt segment and none would be made until DPW officials meet with Cambridge City Council sometime in January.

REALLY NO HURRY

O'Neill also discounted arguments that an Inner Belt route must be decided in a hurry to take advantage of federal funds. He said the federal highway program makes the money available through 1972.

Primary purpose of the meeting, which Sargent was invited but did not attend, was to review studies of three alternate routes by Barton-Aschman and Associates, a Chicago engineering firm. The alternates originally were proposed by the Cambridge Committee on the Inner Belt, a volunteer team of professional men.

Michael Powills of Barton-Aschman said his organization had completed only a partial survey of the alternates and had found an Albany-Portland st. route feasible, although the economic impact remained to be determined.

INVITED AGAIN

The council agreed that Barton-Aschman - representatives should meet again today with members of the Inner Belt volunteers in an effort to have the Albany-Portland st. plans ready to submit tomorrow to the DPW.

It also was voted to send Sargent another invitation, this one to appear at 4 p.m. next Monday "to talk this whole Inner Belt situation over with the council."
Opposition Grows To Brookline-Elm Inner Belt Route

DPW Commissioner States No Decision Reached Yet

Opposition to the Brookline-Elm st. route for the proposed Inner Belt highway through Cambridge gained impetus during the past week with political and religious leaders, civic organizations and MIT faculty members endorsing alternate routes offered by the Cambridge Committee on the Inner Belt.

Meanwhile, State DPW Commissioner Francis W. Sargent emphasized that, despite a newspaper report of last Friday, "it should be clearly understood that the Department of Public Works will render no decision until consultants to the City of Cambridge have had an opportunity to review the location studies prepared by the Cambridge Committee on the Inner Belt."

Meeting Yesterday

Representatives of the consulting engineering firm of Barton, Aschman Associates, Inc. of Chicago, hired by the city, were due to be on hand at a special meeting in the City Council chambers last Thursday (Wednesday) afternoon.

The Council's Inner Belt committee, headed by Councillor Thomas Coates, Jr., also has invited on suggestion of Councillor Alfred Vellucci, all Cambridge state legislators to be present, along with as many Congressional representatives who can attend.

Vellucci, asserting that "this is the time for unity in Cambridge to stop the Belt route through Elm st.," also suggested that members of the school committee be invited to attend as much as the Fletcher School is in the path of the Elm st. route.

Mayor Edward A. Crane suggested that Commr. Sargent or his representative also be invited.

Back Alternates


"We believe that any route in the Brookline-Elm st. area is so destructive to the social and economic fabric of the City of Cambridge that it must be opposed, and can be successfully opposed if sufficient public pressure can be brought to bear on the issue."

"We believe that if there must be an Inner Belt through Cambridge a much less destructive route can be found. We believe that among the three routes proposed by the Cambridge Committee on the Inner Belt there are reasonable alternatives."

The alternate routes, first presented by the Cambridge Committee on the Inner Belt in October, fall in the area roughly bounded by Portland and Albany streets to the west and the Grand Junction Railroad to the east. All of the alternate routes are designed as depressed roads 25 feet below ground level.

Relocation Council

In a letter to City Clerk Thomas M. McNamara assuring the DPW's stand against announcing a definite route until the city's consultants review the alternatives, DPW Commissioner Sargent requested prompt action by the city. This led to last night's meeting.

Commr. Sargent also wrote that he would be pleased to establish a special council to assist in relocating persons affected by the construction of the Inner Belt. This was proposed a few weeks ago by Councillor Mrs. Cornelius B. Wheeler.

Sargent said the proposed council was "extremely beneficial to the DPW and to the people of Cambridge."
Firms Protest

Inner Belt Road

Cambridge businesses whose companies lie in the path of the proposed Brookline-Elm street Inner Belt Route and their employees have launched a protest-by-mail campaign.

Herman J. Dorfman, co-owner of the former National Biscuit Company bakery building at Brookline, Franklin and Green streets, said that the heads of several companies had written to Massachusetts members of Congress of their objections to the proposed route.

He said that the George H. Rosen Shoe Manufacturing Company, the Allied Appliance Company, Cosmo Book Distributors, Dynatech Corporation, Myerson Tooth Corporation and the Simplex Wire & Cable Company had all contacted state and national representatives.

Thomas M. Prentiss, vice president and general manager of Simplex' Power and Control Division, met with Senator Edward M. Kennedy in Washington to discuss the problem.

May "Close or Move"

Dorfman predicted that if the proposed Inner Belt route follows the Brookline-Elm streets east route that "these companies will close their doors, or move out of Cambridge and the state." Of the 320 persons employed in the building he owns, 281 are Cambridge residents. Thirty-two companies with an estimated 2100 employees are in the proposed route path, Dorfman said.

John H. Murphy, business manager of Local 1262 of the International Brotherhood of Electrical Workers, urged the 839 union members employed by the Power and Control Division of Simplex Wire & Cable Company to write letters to state and municipal officials.

He wrote to his members that the proposed inner belt route is "no ordinary industry relocation problem. Sixty per cent of our members are over 45 years of age, and over 42 per cent have worked harmoniously at Simplex for better than 20 years. What are their chances of getting equally good jobs?"

Murphy said his local had been assured the support of other I.B.E.W. locals in the area, including the 20,000 members of the Raytheon Company Local 1355.
Cambridge Offers 2 Belt Routes

By F. B. TAYLOR JR

A new Inner Belt route through Cambridge that would follow the Grand Junction railroad tracks and displace about 100 families will soon be suggested to the Cambridge City Council, The Globe was told Thursday night.

A second route along Portland-Albany sts., and would go beneath the M.B.T.A. tunnel.

Cost estimates for the routes have not been made. Cambridge officials are reluctant to endorse any Inner Belt route through their city, but it seems likely they will look favorably on the railroad route because it would appear to do the least harm to the city.

Sargent gave Cambridge officials until Feb. 15 to offer substitute Inner Belt plans. He is expected to set the route sometime after Mar. 1.

The "railroad" route as conceived by Barton, Aschmann would entail the loss of an estimated 1400 jobs.

It could be built as a depressed highway from the Charles River to the Somerville line, passing beneath the M.B.T.A. rapid transit line under Main st. Or part of the route could be elevated.

If this option were elected, the road would pass over Main st. and Broadway at a height of 30 feet.

M.I.T. would fare better under this plan. It would lose some instrumentation lab buildings, plus its computation center.

Private industries displaced wholly or in part by this route would include NECCO, Polaroid, St. Johnsbury Trucking, Whitehead Metals and American Bittrite Rubber.

If the Portland-Albany plan is accepted, 3000 jobs will be lost.

(About 1000 jobs will be lost by land-takings for on-off ramps at the Charles River end of the Inner Belt, regardless what route is chosen.)

Plans for both new routes will be presented before Feb. 15 by the Chicago engineering consulting firm of Barton, Aschmann X Associates. The firm was commissioned by Cambridge officials to come up with a feasible alternative to the Brookline-Elm st. plan in hopes the city could sell it to DPW Comr. Francis W. Sargent.

The Portland-Albany route would pass under Massachusetts av., Broadway, Main and Cambridge sts., and would go beneath the M.B.T.A. tunnel.

The route would go almost exactly on the Boston & Al- band railroad bed. These tracks would have to be moved.

The route would curve to avoid the MIT power plant but would still hit the Institute pretty hard. An important part of the MIT Instrumentation Laboratory would have to go. Barto, Aschman were instructed to pick a route, or Vassar st., the cyclotron and routes, that would minimize the displacement of families.

(What appears to be an en- land jobs. sometime after Mar. 1.)

The Glove was told Thursday night.
POLAROID REPRESENTATIVES at Thursday night’s Cambridge City Council hearing on proposed Inner Belt expressway through Cambridge included, from left, Atty. Rudolph Kass; Atty. Hirsh Freed, David W. Skinner, general manager of firm, and Joseph W. Gibson, head of real estate division.

Pastor Fears Violence

Church, Polaroid Join Belt Protest

By TOM MCNIFF, JR.

A Catholic monsignor warned a Cambridge City Council public hearing on the proposed Inner Belt expressway Thursday night that if the Portland-Albany street route “asks more of Polaroid than its fair share of sacrifice,” the firm stands to be hurt, but that the Portland-Albany street route “asks more of Polaroid than its fair share of sacrifice.”

As to the other routes, they said, “Polaroid reluctantly accepts such a sacrifice in the public interest.”

“The Portland-Albany route would completely destroy Polaroid’s facilities at 600 Main St.,” said Freed. “These include chemical laboratories and pilot facilities in which highly sophisticated research is carried on. This route would also wholly devour the largest single structure in the Polaroid complex, that at 28 Osborne St.”

In seeking an alternate route to the Brookline-Elm Street proposals, the Cambridge Committee on the Inner Belt has proposed a revised Portland-Albany Street route that it maintains will “avoid almost all of the Polaroid installation.”

ASKS RE-SURVEY

At the hearing, Councilman Edward A. Crane called for the U. S. Bureau of Federal Roads to reassess the need for an Inner Belt in its proposed interstate highway system in Metropolitan Boston.

A proposed route discussed in recent weeks, that along Portland and Albany streets, led Cambridge’s largest industrial employer, Polaroid Corp., to advise the council that its adoption “will so disrupt Polaroid’s operations in Cambridge as to raise the question whether it makes sense for Polaroid to stay in Cambridge at all or whether its facilities might be consolidated elsewhere.”

Polaroid employs 2600 persons in Cambridge, occupies 993,000 square feet of operational floor space and is one of the city’s largest taxpayers.

ALL ROUTES HURT

Atty. Hirsh Freed, counsel for Polaroid, and David Skinner, executive vice-president and general manager, told the council that no matter what route ultimately is chosen, the firm stands to be hurt, but that the Portland-Albany street route “asks more of Polaroid than its fair share of sacrifice.”

He stressed that the needs for the belt route were based on 1948 findings. Whether it still is needed in 1966, when there is the addition of the turnpike extension to the metropolitan highway system, should be determined, Crane maintained.

“I don’t say they can’t prove the need,” he said. “But I do say it should be reassessed.”

The Rt. Rev. John J. McDevitt, pastor of Blessed Sacrament Church, whose parish also would suffer acutely from displacement of families, made it clear there was bitterness among the residents in his section in the path of the road. He called it a “situation of money versus human beings, a situation of power versus suffering on the part of those who are to be affected.”
Faced with a Tuesday, March 1 deadline, the City Council's special Committee on the Belt Highway will meet at 4:30 today (Thursday) in an effort to decide on a recommended alternate route.

Chairman Thomas Coates, who called the meeting, emphasized this week that will not be a public hearing.

"The meeting has been called primarily for the purpose of trying to come up with a recommendation before the March 1 deadline," Coates asserted. Coates said members of the Cambridge Committee on the Inner Belt have been invited to today's meeting.

Asks MIT Aid

Robert Goodman, spokesman for that committee, this week called for M.I.T. to join with the city in opposing the DPW's proposed Brookline-Elm st. route and to use its "world renowned technical resources of highway design" to come up with a route "which will have the least detrimental effect on all groups concerned."

The letter addressed to Dr. James R. Killian, Jr., chairman of the M.I.T. corporation, was critical of the "flag waving" presentation made at Sunday night's public hearing by Edward B. Hanify, the Institute's legal counsel.

"Mr. Hanify," Goodman wrote, "developed the argument that it should reject in no uncertain terms, any route in the Brookline Elm st. area. 2. Using the world renowned technical resources of highway design, traffic engineering and city planning which are available to M.I.T., the Institute should design a route which will have the least detrimental effect on all group concerned.

"We believe," Goodman asserted, "that an Institution which has helped devise methods of sending men from one planet to another which can devise methods of sending missiles from one continent to another, can surely find a way to end traffic two miles from the Charles River at Somerville without the great personal hardships which will attend the presently favored Brookline-Elm street route."

Own Proposal

Accompanying the letter was a copy of a proposal by the Committee which would not require the taking of a number of M.I.T. buildings, was chosen, irreparable harm would be done not only to M.I.T., but to the security of our nation, thousands of people afflicted with cancer, our space program and other programs of national interest.

"It is our belief that an institution of the size of M.I.T. can do more than wave the flag if the faces of the 1500 families, 120 employees and 117 small businesses which will be displaced by the currently favored Brookline-Elm street alignment."

Lists Suggestions

"With this view in mind, we should like to make the following constructive suggestions to you:

1. If M.I.T. is truly concerned with the problems of Cambridge it should reject in no uncertain terms, any route in the Brookline Elm st. area.

2. Using the world renowned technical resources of highway design, traffic engineering and city planning which are available to M.I.T., the Institute should design a route which will have the least detrimental effect on all group concerned.

"Let me stress," Goodman wrote, "that this route which runs along the Grand Junction alignment is not the same proposal that was studied by the D.P.W. four years ago, that it does not require an approximately 75-foot high structure.

"It also requires much less of a right of way than that proposed by the traffic consultants to the City of Cambridge, since one direction of traffic would be above the other.

"This route would be depressed for one direction of traffic and elevated for the reverse direction, while having the railroad continue at its present level. A variant of this would be to have both levels of traffic stacked above the present level of the railroad.

"The former possibility would be more expensive to construct than the Consultants' proposal, but we believe the savings in the cost of acquiring M.I.T. buildings and other buildings could offset this."

Refuses Delay

Meanwhile, State DPW Commissioner Francis W. Sargent last week rejected a request from City Manager Joseph A. DeGuglielmo for another month's delay to April 1. The city manager's request to the State brought words of protest at Monday night's City Council meeting from Councillor Edward A. Crane.

"The city manager, as far as I know, has no standing in this matter," Crane said. "This is a police decision, and I feel that his request for an extension was invalid.

The former mayor said no city councilor has asked DeGuglielmo to seek another extension; that he had done so on his own volition.

"I think we all made a bargain with Commissioner Sargent," Crane said, "that we would meet the March 1 deadline, and I believe we'd like to keep that bargain."

DeGuglielmo had appealed to the extension because of his short time in office and his preoccupation with the city budget. He said he wished he had more time to study the plans and to sit down with DPW officials.

Commr. Sargent, in rejecting the request, said the DPW already had postponed its decisions on two occasions.

"In view of the Department's tight schedule and because of the social problems involved, I could not, in good conscience, consent to any further delays," he wrote DeGuglielmo.

He also wrote that "the Department stands ready to assist you in whatever manner you request, and invite DeGuglielmo to meet with him at any mutually convenient time to review the plans.

Approval of the Inner Belt route in Boston from Brookline ave through Braintree and across the Charles River has been withheld by the Federal Bureau of Roads pending the DPW decision on the route in Cambridge.}
CAMBRIDGE RESIDENTS PROTESTING INNER BELT

Cambridge March

300 Protest Inner Belt Route

More than 300 persons opposed to the proposed Cambridge Inner Belt route marched through the downtown area in protest Saturday.

Educators, churchmen, businessmen and residents — and a marching band — suggested the Dept. of Public Works shelve its favored Brookline-Elm st. route and look elsewhere.

And the Cambridge Committee for the Inner Belt presented an alternate route for the highway. It largely follows the "secondary choice" of Albany-Portland st., but modifies industrial and residential displacement, including M.I.T. laboratories, which would fall under present plans.

The plan and petitions denouncing current Inner Belt thinking of the DPW were nailed to the main entrance of City Hall.

Mrs. Michael Benfield, March chairman, said: "If any government feels it can recklessly move through 1500 homes there is something wrong with that government."

School board member George Oleson said: "We want our city council to know that we will not stand for the Elm st.-Brookline st. program. The human element involved must be taken into consideration."

Rep. Thomas Doherty (D-Cambridge) said the Portland-Cambridge) and Republican Albany st. proposal was the "sensible route" available. Fight the route.
Cambridge Fails to File Belt Proposal

The Cambridge City Council refused Monday to submit to the state department of public works a proposed route for the Inner Belt highway, contending that a review of available reports does not convince the Council "there is any real need for the so-called Inner Belt through Cambridge."

Francis W. Sargent, state commissioner of public works, had given the Council until Tuesday, March 1, to suggest a route. He said the DPW would compare such a proposal with the state's planned route and announce a decision by March 15.

RESOLUTION OFFERED

In its one-hour meeting Monday, the Council adopted a three-part resolution. It was:

1—That Sargent be requested to suspend decision until the DPW (a) has received the results of a study by the Massachusetts Turnpike Authority of a proposal to reduce the toll on its Allston-South-east Expressway extension; (b) has assessed the new traffic pattern proposed for the Inner Belt; (c) has studied the recommendations of Barton-Aschman Associates, consultants for the city of Cambridge, and (d) has received and studied the proposals of the Cambridge Committee on the Inner Belt.

2—That the Cambridge City Council go to Washington as a body to confer with U.S. Bureau of Public Roads officials and the Massachusetts congressional delegation, and that an invitation be extended to officials of Boston, Brookline and Somerville to "join in a united delegation to Washington."

3—That an appeal be made to the Legislature for a study of the 1948 Master Highway Plan and an intensive study in the area of mass transportation.
By EDWARD M. MARTIN—City Councilors will bring their campaign to stop the Inner Belt through Cambridge to Washington officials and, if necessary, will place their request at the doorstep of President Johnson. After a lengthy executive session in the mayor's office during which concerned protesters to various proposed Inner Belt routes through the city sat patiently in the City Council Chamber, the Council last evening unanimously approved a resolution.

The resolution stated the Council is not convinced of a need for an Inner Belt through Cambridge and that all available information indicates that the State DPW intends to decree the people and industry in Cambridge by thrusting the road through the residential Brookline-Elm area. It emphasized that such a route would remove 1500 homes, 5000 residents and 2000 jobs "thus creating injury and hardship to the city as a whole."

The resolution placed the Council on record as favoring a visit by members of that body to Washington to appeal to officials of the Federal Bureau of Public Roads and the Massachusetts delegation in Congress to bring about assessment of need for an Inner Belt route. Further asked that Comr. Sargent of the DPW as a result of studies being made by Coverdale and Colpitts for the Mass. Turnpike Authority with a view in mind to reduce tolls on the turnpike extension, suspend his decision on an Inner Belt until the new traffic pattern is assessed.

It also asked suspension so that the DPW might review the studies by Barton-Ashman Associates, presented to the City of Cambridge on the Inner Belt and the proposals of the Cambridge Committee on the Inner Belt, a volunteer group of planners.

Finally the resolution seeks to have legislation introduced in order to have updated studies of existing highways in Massachusetts as part of an overall review in determining whether or not there is any longer a need for an Inner Belt through Cambridge.

The resolution, passed unanimously by the Council asked:

"That arrangements be immediately made for the Cambridge City Council to go to Washington to visit with officials of the Bureau of Public Roads and the Massachusetts delegation in Congress and that an invitation be extended to the communities of Boston, Somerville and Brookline to join "this united delegation to Washington."

Councilman Thomas H. D. Mahoney, speaking on the resolution said that the Cambridge City Council has been pressured by the DPW to choose an Inner Belt route, and all proposed routes are injurious to Cambridge. He said that the DPW's statement of a need to move traffic faster as a reason for the Inner Belt "does not impress me."

Mahoney emphasized that while Cambridge has lost its veto power over an Inner Belt route through its city, "we have not lost our right of appeal."

He declared that "Cambridge as a whole is faced with irreparable damage," and should there be any Inner Belt through the city, it will only result in the city having either "a Chinese wall or a macadamized ditch." The MIT professor and councilman said that no matter what route might be recommended someone or something of great significance was threatened. He pointed out that people were being threatened with loss of their homes, MIT facilities and facilities of national interest were affected, business and industry and jobs were at stake among the alternate routes as well as the Brookline-Elm st. route.

Mahoney charged that the picture of the State (DPW) has been to "divide and conquer"—by having various groups and individuals fighting among themselves. As yet, he said "no one has demonstrated a need for the Inner Belt, as my colleague (Councilor Edward A. Crane) stated recently since the master plan was developed years ago, before the Mass. Turnpike extension.

The professor appealed for unity among the groups threatened with assorted losses in the various plans of the proposed Inner Belt route, stating "we can achieve it if we all work together, Somerville and Brookline and take a strong position and make our case heard here and in Washington."

"I contend that nobody wants an Inner Belt but the DPW and I, and if it is not satisfied no one that there is a need for it. It's time we put the burden of proof on the DPW to have a State police beyond a reasonable doubt that this road is necessary. This has been a classical example of bureaucracy. And I don't believe that time is the great factor the DPW would have us believe or it pretends in making a decision on a belt route. This Congressman O'Neill confirmed right here in this City Council—that time is not of the essence."

"If in our visit to Washington we fail to convince the Bureau of Roads then we shall carry this issue to President Johnson."

Mahoney concluded his address by stating that "Cambridge is a City and not a highway—and let's keep it that way."

Indication that Cambridge might get support from across the Charles in its protest march to Washington was seen in the contents of a telegram already sent to Rex M. Whitten, Federal Highway Administrator of the Bureau of Public Roads in Washington from the Cottage Farm Association, over the signatures of Augustus W. Soule, chairman, and Robert H. Hopkins, sec., 82 Devonshire st., Boston.

The Ass'n, consisting of 100 residents of the Cottage Farm area of Brookline, in the path of the Inner Belt highway stated in its telegram that the Inner Belt route could not go through Cambridge "without disastrous results."

And since that fact is obvious, the Ass'n pointed out that the route chosen for Brookline "will destroy a high-class residential district" and crossing of the Charles by a high-level bridge "will be disfigurement of the Boston landscape." Finally the telegram urges the Bureau of Roads to "oppose the entire Inner Belt project."

The telegram, copies of which were sent the Massachusetts delegation in Congress and the Senate, continued:

"Other cities, notably Washington and San Francisco, have abandoned similar projects as incompatible with present-day transportation needs. We feel that Boston should not be lured by the bait of federal money to push this obsolete plan which will bring so much harm to surrounding communities."

League of Women Voters of Cambridge, in its appeal to the City Council of Cambridge re-emphasized that the League doesn't want a Belt route through Cambridge but urged the City Council to assume its responsibility in telling the DPW it doesn't want the Brookline-Elm st. route but prefers an alternate route."

00:14
Washington Ponders City Council's Plea To Slow Inner Belt

O'Neill Will Carry Fight Higher Unless Further Study is Ordered

Memorial Drive Possible Alternate

By ROBERT S. REMER

WASHINGTON—Rex. M. Whitton, an imposing man from Missouri, wanted to be shown Tuesday why there should be another feasibility study of an Inner Belt through Cambridge.

"I don't want to be put in the position as mayor of going back and saying we came down here to lose money and not to get money," the Somerville mayor observed.

Whitton explained that if the State finally decided against building the Inner Belt, it naturally would lose the money planned for the Belt.

At one point, the Bureau administrator observed that "this is a problem for your state highway department. We're happy to listen to you, but we will have to have their recommendation."

At a later point, however, when Councillor Bernard Goldberg asked if he could interpret Whitton's position to mean that the Cap...
Belt Route Surprises

There were three startling developments to Tuesday's busy day in Washington for Cambridge, Somerville and Brookline officials.

Perhaps not in the order of importance, they were: the concession that the 1972 deadline for completion of the Inner Belt, a point that State DPW Commissioner Francis Sargent continually has stressed, is not necessarily something to get excited about. It can, and probably will be extended by Congress.

Second was the interest shown in the Memorial drive route, with the possibility of filling in part of the river bed for a depressed highway. There was a misconception that this route had been officially discarded years ago. Mayor Hayes pointed out to Rex M. Whitton, administrator of the U.S. Bureau of Roads, that the land-taking costs along such routes as Brookline-Elm probably would exceed the high cost of a road along the drive.

And finally, there was Somerville Mayor Lawrence Bretta's determination that nothing interfere with the belt route that promises to bring Somerville a bonanza in the form of an industrial park.

Cong. Thomas P. O'Neill, Jr., described himself as "the man in the middle" between Mayor Bretta and the Cambridge position that a further study be made, or at least, that the Brookline-Elm route, the best connection for the Joy St., Somerville, interchange that Bretta seeks, be abandoned.

At the conclusion of the meeting with Administrator Whitton, Cong. O'Neill ribbed Bretta with, "Why they invited you down is something I do not understand."

Maybe "Tip" was kidding, but Cambridge officials were seriously wondering the same thing.
No U.S. Money For Belt Now; 7-Month Study

By EDWARD M. MARTIN

Not one single penny of federal funds will be forthcoming for the construction of an Inner Belt route until a thorough study of all proposed routes for Cambridge and the feasibility of an Inner Belt through the University City is determined. Congressman Thomas P. "Tip" O'Neill, Jr., told the Record American today.

The study by the Federal Bureau of Roads will take a minimum of seven months, the Cambridge Democrat said. O'Neill, a leading opponent to construction of the Inner Belt highway through his native city, which would disrupt residents, businesses and industry, revealed that he is constantly in touch with Rex M. Whitton, Federal Highway Administrator.

"I talked with Rex Whitton just before returning home for the week end," O'Neill said, adding: "He has assured me that the thorough study of the Inner Belt through Cambridge by the Federal Bureau of Public Roads will take a minimum of seven months. His department, he said, will not leave a stone unturned in its through study of the need for the Inner Belt, as well as all proposed locations.

Whitton's department will study the entire plan, not only of the proposed Brookline-Elm sts. route, but every other proposed route. The study will also determine whether or not, with the installation of the Massachusetts Turnpike Extension and other highways, there is still a need for the Belt Route.

The congressman said he is being deluged with letters of opposition to the Inner Belt, as is the Bureau of Roads, and even President Johnson.

"I am seeing to it that a copy of every letter of protest I receive is being forwarded immediately to Administrator Whitton."

He said that Whitton has been most cooperative to all of his requests thus far in his fight to stop the Inner Belt. If, by chance, the administrator finally concurs with the Massachusetts Dept. of Public Works in its selection of the Brookline-Elm st. route, O'Neill said he would carry his fight through proper channels, ultimately "if necessary" bringing it right to President Johnson, personally.

Meanwhile, the Cambridge Committee on the Inner Belt announced that news that the Inner Belt is to be restudied "is welcomed by thousands of families who live directly in its path and by countless others who feel that the time has finally come for a planned, rather than piece-meal, approach to transportation in the Boston region."

Three members of the committee, Robert Goodman, Atty. William P. Homans Jr., and Dennis Blackett, said they are awaiting an answer from Gov. Volpe to their request that he support an independent study of the entire Inner Belt System, sponsored by citizens groups. It would study alternate road patterns to the state-approved Brookline-Elm sts. route, use of mass transit and the real social costs of large-scale family and job displacements. The study would be conducted by a private group so as to be prepared to recommend in the event the study by the federal government might result in concurrence with the State Dept. of Public Works recommended route.

The Cambridge Committee is considering seeking public financial contributions to aid in such a study, with possible appeals to both the State and the City of Cambridge for financial assistance.
DPW Delays Belt Action; Committee at PBH Folds

By ROBERT J. SAMUELSON

Cambridge will probably have to wait another month before receiving a final decision on a route for the Inner Belt highway through the City.

Representatives of the State Department of Public Works have been meeting with a special three-man committee from the City since the middle of last fall. The committee is trying to persuade the DPW to change its choice for the highway from the Brookline-Elm St. route, which would destroy the homes of 3000 to 5000 people, to another route in Cambridge's eastern section.

The DPW was expected to announce a decision in the beginning of December. This date was then moved up to early January, but the road-building agency and the committee still have not completed their consultations.

There have been at least four meetings between the DPW's commissioner, Edward Ribbs, and the Cambridge committee. Another is scheduled for next Tuesday when the committee will present the DPW with a finished version of one section of their alternative route, the Portland-Albany St. route.

The Portland-Albany St. alternative would take far fewer homes than Brookline-Elm — only 200 or 300 people would probably be displaced. However, according to its backers, it would destroy business with a slightly larger number of workers than those taken by the Brookline-Elm St. route. The figure would be more than a thousand in either case.

Last night, the designers of the Portland-Albany St. route announced they had come up with a new solution for an old problem: squeezing the highway between a large industrial building (belonging to the Necco Candy Company) and M.I.T. research laboratories. If either the Necco or the M.I.T. buildings had to be destroyed, the DPW might be deterred from ever selecting this route, observers believe.

The new scheme for avoiding the buildings calls for building a roof over the depressed highway for a short distance. The eight-lane expressway itself could sensibly fit between Necco and M.I.T., the designers said, but the local roads that must serve as entrances and exits could not. New, these so-called "service" roads would be placed on top of the highway. This new version of the Portland-Albany route was unveiled last night at a DPW meeting.

Lack of manpower and disagreement over tactics have combined to kill the Phillips Brooks House campaign for a re-evaluation of the Inner Belt.

In a meeting Monday night, the PBH Inner Belt Committee voted to abandon efforts to circulate a student-faculty petition against the Belt. The petition would have called for a halt to Inner Belt planning until a study of the effects of alternate routes on Cambridge residents could be made.

Brookline-Elm Route

The Committee's criticism of the Belt centered around the present Brookline-Elm route, which would dislocate some 3000 to 5000 people in the Central Square Area, but which has been supported by M.I.T. in preference to alternate routes cutting into the M.I.T. campus.

PBH president Peter A. Rosenbaum '67, denied that the abandonment of the petition represented a permanent PBH retreat from active concern with community planning.

Rosenbaum added, "No matter how committed you are, you still have to have the time to follow through. The core of the Inner Belt committee was already heavily involved in other areas, and we couldn't get any people to work full-time on this project."

A large number of "full-time people would have been required to canvass the faculty and obtain an adequately impressive quantity of signatures. The Inner Belt is so far advanced that, according to committee co-chairman David Palley, any short re-evaluation petition would have required a fantastic showing among the faculty in order to have had any impact."

Committee uncertainty about the appeal that the rather niggardly petition would have also contributed to its demise. Committee chairman Tom Dublin '68 stated that it would have been difficult to collect signatures for such a "fuzzy" petition.

While the abandonment of the petition means the end of any current PBH effort toward the Inner Belt, the fight is not over. Rosenbaum said, for example, aid could be extended to any Cambridge committees headed by Wilbur V. Naish, Jr., professor of City and

(Continued from page seven)
Inner Belt Echoes:

New U.S. Transport Chief Talks About His Job, Views

By A. S. PLOTKIN

WASHINGTON—The new boss of the Federal highway program is a mild looking former newsman with explosive ideas about moving people around.

Lowell K. Bridwell has just been sworn in as Federal highway administrator. But he is a strong supporter of public transportation no matter what the form—bus, taxi, rapid transit or any combination.

In an interview, the tall, bespectacled man from Ohio gave some views that are bound to make waves among tradition-bound transportation buffs. Here are some of his points:

—There will be heavier emphasis on helping the cities. This could take the form, among other things, of making Federal highway funds available for new parking lots or garages next to expressways.

These facilities could be placed next to interchanges in outlying areas or in the heart of a city.

—With the government’s new approach based on a total system, rather than competing to push a particular mode of transportation, the damper will be placed on the usual type of agency in-fighting.

One significant result will be that money to relieve urban parking may be made available also for rapid transit—bus or rail.

“As far as I am concerned,” said Bridwell, “the problem is moving people, and goods. I can’t care less how it is done, as long as it is done.”

To traditionalists in the powerful highway lobby this sounds like rank heresy, and all the more shocking, coming as it does from the top official in the new Department of Transportation.

Completion of the Interstate highway system, originally pegged for 1972 and then pushed back to 1973, cannot possibly be done in that time unless Congress votes to put more money into the highway trust fund.

Current administration thinking is not to raise the present tax of four cents a gallon on gasoline. Instead it is to possibly hike the levies on trucks and adding two cents to the tax on diesel fuel.

But his main task will be to launch an attack on urban congestion, and the perplexing problems that arise in trying to solve it.

One of these concerns the relocation of people displaced by highways. This is particularly timely around Boston, as the Inner Belt complex moves ahead.

The present Federal program, to aid such people is not good enough, he concedes readily. Studies are now underway and legislation is being drafted.

“...and we’re not going to take seven years to do something about it, either,” Bridwell declared. “We’ll do it this year.”

Improvements in the law may not necessarily bring about an increase in moving allowances. These amount now to a maximum of $200 for a family and $100 for a business.

Bridwell is well aware of the furor engendered by the Boston area’s Inner Belt, especially in Cambridge. Protestors have riled their appeals to Washington several times.

Yes, he acknowledged, the big flap in Boston over the Belt route has been a major headache for the Bureau of Public Roads.

But Boston is hardly unique. There have been bitter rows of long standing in New York, Philadelphia, Cleveland, New Orleans and San Francisco, to list a few.

Does the roads bureau look with more tolerance than it once did on spending a lot more money for aesthetic reasons, such as depressing a highway?

(This technique has been agreed to by the bureau for the Belt in Boston’s Fenway, and has been proposed by the state Department of Public Works for the highway across most of Cambridge.)

The answer was yes. The bureau must keep costs down where it can. “But it tries to find the least costly acceptable alternative” where there is a question of route or design.

“Somebody will say it looks better to depress a highway than to build it at grade level,” he continued.

“But does it look better $10 million worth; or $20 million worth?” At what point do you say it is better?”

“How many dollars worth of ‘better’ does something look?”

His sympathy for people pushed out of their homes by new roads is clear. But the spirit of the hard-nosed administrator tussles with that of the humanitarian.

If not moving, say, 100 families means an outlay of millions of dollars, “Is the extra cost of not disrupting these people worth it?”

In the final analysis, he observed, “We are trying to build a high quality system of highways for the benefit of all the public.”

Bridwell is high on the concept of using space over or under highways, especially for relocation housing.

Right now the Housing and Urban Development Department has provisions for defraying some of the cost of building the massive platform for low-rent all rights housing over highways.

What the attitude of the even newer Department of Transportation will be in the field of all rights construction is unclear.

Each case will have to be decided on an individual basis, he observed. “There is no question that we will lean over backwards trying to cooperate with any community or state for maximum utilization of space. But I am not in a position to say we will pay for this or that, or what we will pay.”

Bridwell declared he will place great emphasis on the use of space over and under freeways. Urban space is scarce.

“We are crazy if we don’t make maximum utilization of space. Space is three-dimensional. By all means let’s use all rights at the same time, not just using them for vehicle storage.”

L. K. BRIDWELL

Aire Views

Chief Air Rights

New transport chief says his department will do all it can to make maximum use of land around roads.
Report Charges Federal Highway Plans Do Better by Cars than People

Why Roads to Everywhere?

BY MARTIN F. NOLAN
Staff Reporter

WASHINGTON—Arthur D. Little, Inc, no stranger to controversy, has shaken the nation’s highway establishment to its asphalt underpinnings.

The Cambridge research firm has accused the nation’s highway engineers and planners of “a search for false certainty.” As a result, “transportation planning has been carried out with inadequate regard for long-range economic and social impact.”

The Little report was prepared for an advisory committee to President Johnson on the problems of freeways in Washington. But the researchers made it clear that its recommendations for the District of Columbia carried strong implications for the future of the whole interstate highway system, a $47 billion enterprise conducted by the Bureau of Public Roads.

The report—“A Review and Critique of Transportation Planning”—hurled a most heinous charge at the Bureau of Public Roads: unrealism. Noting that “resistance to B.P.R. standards . . . is increasing sharply in the urban areas”, the Little report said that “a rising level of aesthetic awareness, together with a rising demand that urban amenities be preserved, make the Bureau’s present schedule for completing the interstate system unrealistic.”

FAVORS THE CAB

October, 1972 is the deadline for the interstate system’s completion. Federal bulldozers are bogged down, however, in many cities like Cambridge, a home of resistance to B.P.R. standards and also home of Arthur D. Little, Inc. The “10-cent dollar,” i.e., the 90 percent Federal contribution to interstate highways, “is contributing to acceptance, on the part of local communities, of unbalanced transportation systems,” the Little report charged. “The imbalance,” it added, “is in favor of the automobile.”

Commenting on a highway’s “substantial effect on the visual quality of urban areas,” the survey cited Boston and Buffalo, where elevated expressways “cause blight as surely as the old elevated rapid transit systems did.”

The Little report was replete with charts, graphs, diagrams, “split-model analysis” and the rest of the pathos and paraphernalia of the highway engineer’s trade. But the conclusions were the same as those of homeless urban tenants and disgruntled property owners in a highway’s path: Stop.

SUGGESTIONS MADE

The Little people suggested that the District of Columbia “delay action on all proposals for extending the District’s freeway network.” They also urged D.C. officials “to accept an incremental approach to transportation planning and abandon the ‘total system’ concept.”

Highway engineers, faced with junking all “master plans” as well as their asphalt reality, reacted with something less than engineerlike aplomb. “I’m in a state of shock,” said Brig Gen Charles M. Duke, one of Washington’s three ruling commissioners. A week later, in a confrontation with people from the Little firm, Duke added that “your approach is so foreign to us that I don’t know how to begin all the questions I have for you.”

Washington’s highway director, Thomas Airis, called the Little report “cursory and superficial” and used a romantic argument against the survey. “The American people have a love affair going on with the automobile and that’s the reality we must deal with,” the highway boss said.

LOVE OR REALITY?

This love and its relationship to reality is the focal point of the “Nader-General Motors affair” and several other affairs involving the automobile’s future.

In the whole pattern of a proposed transportation Cabinet department, the uproar over auto safety and the unchecked tide of urban chaos the Little report may well stand as an historic document.

Not only have the researchers placed a stop sign in front of Federal bulldozers, they have questioned the whole national preoccupation with numbers “Planners have felt that they must quantify as many variables as possible,” the survey declared. “Social and aesthetic costs and benefits should not be forced into equations.”

In their widespread criticisms, the Little researchers have told the highway emperor that he has no clothes. The nakedness will not be manifest, however, until some engineer can analyze the chemistry of motorist-highway love affairs. Once the engineer completes this task, he can then go on to the third member of the love triangle, the local politician, who loves that “10-cent dollar.”
DPW ROUTE OK'D BY STATE

Inner Belt Battles Stirring

(By TOM BERUBE and JACK CADIGAN)—Threats were hurled and ultimatums delivered last night after an announcement by Gov. Volpe that the route of the Cambridge-Somerville segment of the Inner Belt will be constructed as originally planned—along Brookline and Elm sts. through Cambridge, to a link up in Somerville. Sen. Francis X. McCann (D-Cambridge) criticized choice of the route by the DPW and said he would carry his battle to the nation's capitol. He said the "Save Our Cities Committee," headed by Mrs. Michael Henfield of Cambridge, will urge Cong. Thomas P. O'Neil, Jr., Cambridge Democrat, and other members of the Massachusetts congressional delegation to try to halt appropriation of federal funds, and thereby block the route.

Sen. Denis L. McKenna (D-Somerville) echoed McCann's disparagement, terming the DPW decision "placing the interests of the universities and of some businesses over the welfare of people." He said the Memorial dr. route for the Inner Belt had been set aside in the decision. He was not optimistic about the Congressional delegation blocking the route.

CHAMBER PLEASED

On the other side of the fence, the Greater Boston Chamber of Commerce applauded the decision by Volpe and the DPW to go forward with construction of the controversial belt. Frank S. Christian, chamber president, said, "We can now look forward to the day when this link will carry the crosstown traffic which now burdens streets of core areas in the metropolitan district."

Robert M. Jenney, chamber chairman of the Mass Transit Board families to be driven out. He said he will be on one of the buses leaving Cambridge May 23 at 9:30 p.m. for Washington and a conference with congressional delegates the following day.

But Somerville Mayor Lawrence F. Bretta, who recently announced he is not seeking re-election, said he concurred with the recommendation of DPW Comm. Edward Ribbs. Bretta said the Brookline-Elm sts. route will "save considerable industry in Somerville and a number of homes."

Gov. Volpe stated the alternate plan submitted by the Cambridge Citizens Committee to run the belt over the Portland-Albany route "was not satisfactory." and that Ribbs found specifications would add $37 million more to the total cost of the highway.

The Governor said the final decision had been made after six months of intensive studies and careful deliberations by the DPW. Volpe said he wholeheartedly endorsed the recommendation and feels it will serve the overall interests of both communities in the long run.

Ribbs announced he plans to resubmit the route plan to the Federal Bureau of Roads in Washington immediately. Depending on how quickly it is approved, he expects it will take 4½ years to complete the Inner Belt.

Volpe said the overall cost of...
WASHINGTON—One hundred upset and busi- 
weary Cambridge residents won support today from 
Sen. Edward M. Kennedy and Edward W. Brooke 
in their battle to block construction of the Inner 
Belt. (Continued on Page Forty-four)

Two busloads of Cambridge 
citizens, plus a handful from 
Somerville, arrived here at 8:30 
this morning with 25 children 
after a 10-hour ride from Boston. 

Their basic message, repeated 
over and over, was that they 
feU Gov. Volpe had betrayed 
them and that they were run-
ning a poor second to the pro-
posed highway in the governor’s 
thoughts. 

Msgr. John J. McDevitt of 
Blessed Sacrament Church, 
Cambridge, told the senators 
that their main reason for com-
BET (Continued on Page Forty-four)

Volpe and the DPW want the 
Brookline-Elm Sts. route for the 
belt while opponents favor the 
Portland-Albany Sts. route. 

"When it comes to people ver-
sus roads," Brooke said, "I 
made my decision a long time 
ago and the answer is people 
come first." 

Brooke outlined the steps the 
group could take if their case 
before the Bureau of Roads, 
which will be presented later to-
through our homes. So we want 
to stop the highway and beat 
the belt in Washington. 

One of the delegates, Prof. 
Robert Goodman of MIT, who 
served on a panel named by 
Volpe to review belt routes, said 
that only one route was ever 
studied. 

DPW Commr. Ribbs, Goodman 
said, refused to give the panel 
access to reports until they had 
been told that the belt would go 
over the Brookline-Elm Sts. 
route. 

In many cases, the professor 
said, Volpe’s figures about the 
number of people who would be 
dislocated and the number of 
jobs that would be lost "were 
off between 80 and 90 per cent." 

And, he added, since 1948
Ted Dissatisfied
On Route For Inner Belt

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made.

His letter to Mayor Hayes points out his concern over the threatened dislocation of thousands of families along the Brookline-Elm route. "Dear Mayor Hayes: Thank you very much for your recent correspondence indicating your views on the Brookline-Elm route for the proposed Inner Belt. I regret that my legislative responsibilities have delayed my response until this time.

"I welcomed the opportunity to meet with the representatives of the neighborhood who had prepared alternate route proposals and have urged them to submit these proposals to the Bureau of Public Roads at the appropriate time. "You can be assured that I am willing to give every possible assistance to the people of Cambridge on this matter and will continue to work with your neighborhood representatives and elected officials in an effort to present our position to the appropriate officials."

Cambridge city councilors, unanimously opposed to an Inner Belt through the city which will dislodge residents and business people have traveled to Washington twice in protest. A week ago eight of the nine councilors flew to Washington to again carry messages of opposition to the selected route. When residents of the neighborhood and representatives of various groups and organizations recently traveled all night by bus to appeal to their elected members of Congress and Senate to stop the Belt route, one councilman, Alfred F. Vellucci went by bus with the residents. Another councilman, Bernard Goldberg arrived in Washington to see them the next morning.

Some hope of possible federal action to defeat the Belt through Brookline-Elm st. area was given by Lowell K. Shidwell of the Federal Bureau of Public Roads. He promised the Cambridge delegation that he would come to Cambridge to inspect first hand, the route for the proposed roadway. He promised that his visit to the University City would be in advance of a final decision on the location of the route by his office in Washington.

Although promising to make the inspection tour in the near future, Shidwell stated: "We can't stop and go back to study everything. The system just won't work that way. The Cambridge section of the roadway has been studied and re-studied several times, most recently during the tail end of last year just prior to the elections. All the studies have yet to favor Cambridge's stand against the Belt."

During the mid-June visit to Washington, the Cambridge delegation, through tired and weary from the long bus trip, managed to conduct peaceful picketing in protest of the Belt Route. The group also conferred with Rep. Thomas P. "Tip" O'Neill Jr. and Senators John W. McCormack and Edward Kennedy. Senators Edward Brooke and Edward Kennedy.

Meanwhile Cambridge resi-
By EDWARD M. MARTIN—Senator Edward M. “Ted” Kennedy does not feel that the State Department of Public Works’ proposed Brookline-Elm st. route for the Inner Belt can be justified and he intends to “do everything within my power” to stress the dissatisfaction of the people of Cambridge, Somerville, and other elected officials to the proper authorities in Washington.

The Senator, who has been deluged with letters of protest from neighbors in the path of the Inner-Belt revealed his opposition in a letter to Mayor Daniel J. Hayes, Jr., who, in a communication to the Senator recently gave his opinion and those of the City Council and residents of Brookline-Elm st. proposed State D.P.W. route.

Kennedy stated that he has already conferred with officials in Washington emphasizing dissatisfaction and pointing out that thorough exploration of possible routes has not been made.

His letter to Mayor Hayes which points out his concern over the threatened displacement of thousands of families along the Brookline-Elm route, reads:

“Dear Mayor Hayes: Thank you very much for your recent correspondence indicating your views on the Brookline-Elm route for the proposed Inner Belt. I regret that my legislative responsibilities have delayed my response until this time.

“I welcomed the opportunity to meet with the representatives of the community who traveled at great expense and inconvenience, to Washington to present their case in opposition to the Brookline-Elm route. The meeting, conducted in a dignified and respectful manner, was most informative and worthwhile.

“Since then I have been in Washington with the Department of Transportation and the Bureau of Public Roads. I do not feel that the state’s proposal can be justified when we consider the displacement effects which will involve over 2000 families.

“I have also met with representatives of the neighborhood who had prepared alternate route proposals and have urged them to submit these proposals to the Bureau of Public Roads.

“You can be assured that I will do everything within my power to bring this dissatisfaction to the attention of the appropriate officials.”

Cambridge City Councilors unanimously opposed to an Inner Belt route along which will displace residents and businesses have traveled to Washington to present their case.

A week ago eight of the nine councilors flew to Washington to present their case, and the motion was carried.

When residents of the neighborhood and representatives of various groups and organizations recently traveled all night by bus to appeal to their elected officials in Congress and Senate to stop the Inner Belt route, one councilman, Alfred E. Velu, went by bus with the residents. Another councilman, Bernard C. Minich, went to Washington to inform the Mayor of his intention to go to Washington to present the people of Cambridge’s opposition to the proposed route.

Some hope of possible federal action to stop the Inner Belt route along Brookline-Elm st. was given by Lowell R. Atwell of the Federal Bureau of Public Roads. He promised the Cambridge delegation that he would support any recommendations in which he would have “no conflict. We are at first hands, the route for the proposed roadway. He promised that his visit to the University City would be well in advance of a final decision on the proposed route.”

Although Brett publicly approved the Brookline-Elm road and opposed an alternate Portland-Albany st. route through Cambridge, a good number of residents and some elected officials have been in opposition. Most outspoken opponent to the Inner Belt in Somerville is Mrs. Mary Tomeo, now in the midst of a campaign for election to the office of mayor from which she is retiring.

Traveled to Washington with the Cambridge delegation to voice her opposition in Washington.

Mrs. Tomeo has also taken a strong stand in opposition to the proposed Route 2 extension through Cambridge and Somerville and also the Route 91. She has often made the statements that if anyone should disregard residents for the sake of a roadway which will be inadequate before plans are completed. Mrs. Tomeo said “I’m told this roadway must be stopped and it’s high time roadway building be thoroughly considered with particular regard to displacement of families.”

Others in Somerville who have registered their opposition are Aldermen-at-Large; M. V. K. Maine and Leonard Grassia.

Rep. John J. Toomey and Senator Francis X. McCann, original opponents to the Inner Belt through Cambridge, reiterated their opposition. McCann, from a sick bed at Mt. Auburn hospital, both declared that “this Inner-Belt route through Cambridge as proposed by the State can only be defended for a political reason.” They pointed out that the save the people of Cambridge from the Federal roadway which they have opposed.

Still conducting his own one-man campaign against the route, is former School Commissioner Joseph Maxted whose home is in the path of the Brookline-Elm route.
Federal Road Head Offers More Time To Study Belt Route

By ROBERT S. REMER

The question of an Inner Belt highway through Cambridge went back to the study stage yesterday—even to the possibility of Memorial drive as the eventual path of the road that has been on the planning table for nearly 20 years.

Federal Highway Administrator Lowell K. Bridwell told city officials in nearly four hours of conference at the Wursthaus Restaurant in Harvard sq. that, while the weight of evidence in hand indicated that the roadway was essential, he was ready to be convinced to the contrary.

Bridwell said he would make available all of the information he has in his Washington office for extra study of the Memorial drive as a third alternative alignment for the Inner Belt.

One point later, he commented, "There's a question as to whether there will even be a highway.

"The State has made its recommendations," he pointed out. "The decision before the Federal government is whether 90 per cent of the cost will be spent for construction of a highway in the Boston area."

Bridwell said he was sorry that many people may have had the misconception he was coming to Cambridge with a "magic solution" or any definite decision to announce.

"There is no decision at this time," he said as the press conference got underway. At

(Continued on Page Three)

Air Rights "Key"

The key to solution of the problem, he indicated, was in the possibility of utilizing air rights over or alongside the highway.

"I would make the proposition," he said, "that the city, in conjunction with the State and Federal governments, make a positive effort to use this highway to the benefit of the community.

"If the city of Cambridge and the State want to go forward in a positive sense and plan the utilization of air rights for residential, commercial or industrial use, I am ready to make commitments that the Federal government will pay for the footings and foundations necessary for such buildings.

"There is no way to put any economic value on that," he added. "We may be talking about a small expenditure or a substantial one."

No Magic Solution

Bridwell said he was sorry that many people may have had the misconception he was coming to Cambridge with a "magic solution" or any definite decision to announce.

"There is no decision at this time," he said as the press conference got underway.

(Continued from Page One)

"Positive Force"

Bridwell said he had suggested that the city of Cambridge "use whatever resources it wants to work with, including the tapping of Harvard and MIT for expert advice, to address itself positively to the possibility of using space over or alongside the highway for development or redevelopment."

He called this "a positive force in the planning" for the Inner Belt.

Asked if there was a time limit on the studies to be undertaken, Bridwell replied, "There is no time limit such as 90 days or six months. We left that open. Everybody has to have time to do some thinking."

"I would state that if everyone is completely locked into a position and there is no willingness to make any modifications, there would be no point in prolonging the decision. It is incumbent on all of us to decide whether or not we are going forward in a positive manner."

"This was a very positive meeting and I am confident the city wants to solve this problem as much as the Federal government does."

Later, before the television cameras, Bridwell said it "probably will be several months before a decision can be made. He expressed optimism that a positive solution could be found that would be acceptable to the city of Cambridge."

He termed as "nonsense" recent stories to the effect that the Federal government wanted to postpone spending millions of dollars on the Inner Belt because of the drain of funds for the Vietnam war.

City Manager Joseph A. DeGuglielmo, who had called the meeting at the request of Cong. Thomas P. O'Neill Jr., said he felt it was "a tremendous meeting." He said he would await city council action before taking any steps proposed by Bridwell.

The Wursthaus location was not publicly disclosed. Most of those present, including the press, were told of the location Wednesday morning. About a dozen persons, at first believing the meeting was to be held at the Hotel Commander, milled about the Common during the day with several signs, most of which proclaimed that "Cambridge is a City, not a Highway."

Those present included Mayor Hayes and the entire city council, Assistant City Manager John H. Corcoran, George V. Brown Jr., chairman of the Brookline board of selectmen; the Rt. Rev. John J. McDevitt of Blessed Sacrament Church; the Rev. Paul J. McManus of St. Mary's Church; Cecil Roberts, director of planning and buildings and grounds at Harvard; Harold Hoyt, planning officer at Harvard; Walter L. Milne, assistant to the corporation chairman at MIT; Robert O. Simha, planning officer at MIT; Gordon L. Brigham, assistant MIT planning officer.

Paul R. Corecoran Jr., chairman of the development committee on Central sq.; Oliver Brooks, president of the Cambridge Corporation; George A. McLaughlin Sr., general chairman of the Cambridge Advisory Committee; Paul J. Frank, executive director of the CAC; Richard Green of the Cambridge Corporation; Robert F. Rowland, development director of Cambridge Redevelopment Authority; Alan McGlennon, director of the city's planning board; George A. Macomber, chairman of Cambridge Conservation Committee; Frank H. Townsend, executive vice president of Cambridge Chamber of Commerce; Joseph W. Gibson, the chamber's president; Justin Gray, assistant to the City Manager on Community Development, and Robert A. Bowyer, programmer, Community Development office.
BPR’s Inner Belt Shelving Curious

By WENDELL H. WOODMAN

STATE HOUSE—An observer watching the federal government parry the Inner Belt plans may get the impression he’s viewing an underwater tennis match. It’s hard to tell who’s swinging a what, where or why.

The Inner Belt plans have been shelved. Federal Highway Administrator Lowell K. Bridwell didn’t use those words when he met with Cambridge and state officials last week, but he did, in fact, shelve the Inner Belt.

There is no decision, he stated. No immediate decision is likely. The federal government wants to decide if it will finance a Belt highway in Boston. He said all the evidence points to the need for the road, but “there’s a question as to whether there will even be a highway.”

This position was taken after years of federal pressure and at times direct intervention, to promote construction of the highway.

Wasn’t it the Bureau of Public Roads that threatened to cut off all road funds unless the local veto power over road alignment were lifted—only to retract later when it lost the battle?

Wasn’t it the BPR that threw its weight behind the 1963 reorganization of the State Department of Public Works, hoping to hurry the Belt decision?

Supposedly, the federal government has chosen to delay the Belt project indefinitely for the purpose of reviewing alternative routes and developing air rights over the highway—if there will be one.

Bridwell’s visit has been a curious thing. He indicated air rights over the highway had become the key to the problem.

The state, meanwhile, has time to evolve plans for air rights over a Memorial Drive plans for air rights already in place. The state government has given final approval to plans for an alternative route would not be presented by the state.

The state has claimed air of the Inner Belt: the Charles-rights would only be a feasible town-Somerville link and the Portland-Albany alternative. The federal government has shelved the project along the Brookline Elm route, the corridor recommended by the state months ago.

Now, the BPR has shelved the project indefinitely to defer domain takings under the state’s authority. What Bridwell did not mention is that the plan submitted to Washington by the state isn’t so sure the Inner Belt contained a detailed scheme should be constructed, it and architectural models for should have reached that point.

Development of air rights. The of indirection before—not after BPR does not, in fact, need—It launched construction.
Federal Road Head
Offers More Time
To Study Belt Route

By ROBERT S. REMER

The question of an Inner Belt highway through Cambridge went back to the study stage yesterday—even to the possibility of Memorial drive as the eventual path of the road that has been on the planning table for nearly 20 years.

Federal Highway Administrator Lowell K. Bridwell told city officials in nearly four hours of conference at the Wursthaus Restaurant in Harvard sq. that, while the weight of evidence in hand indicated highway was essential, he had ready to be convinced to the contrary.

Air Rights "Key"

The key to solution of the problem, he indicated, was in the possibility of utilizing air rights over or alongside the highway.

"I would make the proposition," he said, "that the city, in conjunction with the State and Federal governments, make a positive effort to use this highway to the benefit of the community.

"If the city of Cambridge and the State want to go forward in a positive sense and plan the utilization of air rights for residential, commercial or industrial use, I am ready to make commitments that the Federal government will pay for the footings and foundations necessary for such buildings.

"There is no way to put any economic value on that," he added. "We may be talking about a small expenditure or a substantial one."

No Magic Solution

Bridwell said he was sorry that many people may have had the misconception he was coming to Cambridge with a "magic solution" or any definite decision to announce.

"There is no decision at this time," he said as the press conference got underway.

(Continued on Page Three)

Route-

one point later, he commented, "There's a question as to whether there will even be a highway.

"The State has made its recommendations," he pointed out. "The decision before the Federal government is whether 90 per cent of the cost will be spent for construction of a highway in the Boston area."

Bridwell said he would make available all of the information he has in his Washington office concerning an Inner Belt route.

Memorial Drive

"At the specific request of a member of the City Council (Alfred Vellucci), we also will study Memorial drive as a third alternative alignment for the Inner Belt," he went on.

The other two routes are Brookline-Flem, as recommended by the State, and "the more expensive" Portland-Albany route.

"We have discussed here for a period of approximately three or three and one-half hours many of the problems associated with this controversial highway location," Bridwell said. "We have outlined at suggested tasks to be undertaken. There is no decision and there will be no decision until such time as these various analytical efforts are accomplished."

Positive Force

Bridwell said he had suggested that the city of Cambridge use whatever resources it wants to work with, including the tapping of Harvard and MIT for expert advice, to address itself positively to the possibility of using space over or alongside the highway for development or redevelopment.

"He called this a "positive force in the planning" for the Inner Belt."

As if there was a time limit on the studies to be undertaken, Bridwell replied, "There is no time limit such as 90 days or six months. We left that open. Everybody has to have time to do some thinking."

"I would state that if everyone is completely locked into a position and there is no willingness to make any modifications, there would be no point in prolonging the decision. It is incumbent on all of us to decide whether or not we are going forward in a positive manner."

"This was a very positive meeting and I am confident the city wants to solve this problem as much as the Federal government does."

Later, before the television cameras, Bridwell said it "probably will be several months before a decision can be made." He expressed optimism that a positive solution could be found that would be acceptable to the city of Cambridge.

He termed as "nonsense" recent stories to the effect that the Federal government wanted to postpone spending millions of dollars on the Inner Belt because of the drain of funds for the Vietnam war.

City Manager Joseph A. DeGuglielmo, who had called the meeting at the request of Cong. Thomas P. O'Neill Jr., said he felt it was "a tremendous meeting." He said he would await city council action before taking any steps proposed by Bridwell.

The Wursthaus location was not publicly disclosed. Most of those present, including the press, were told of the location Wednesday morning. About a dozen persons, at first believing the meeting was to be held at the Hotel Commander, milled about the Common during the day with several signs, most of which proclaimed that "Cambridge is a City, not a Highway."

Those present included Mayor Hayes and the entire city council; Assistant City Manager John H. Corcoran, George V. Brown Jr., chairman of the Brookline board of selectmen; the Rev. John J. McDevitt of Blessed Sacrament Church; the Rev. Paul J. Manus of St. Mary's Church; Cecil Roberts, director of planning and buildings and grounds at Harvard; Harold Goyette, planning officer at Harvard; Walter L. Milne, assistant to the corporation chairman at MIT; Robert O. Simha, planning officer at MIT; Gordon L. Brigham, assistant MIT planning officer.

Paul R. Corcoran Jr., chairman of the development committee on Central sq.; Oliver Brooks, president of the Cambridge Corporation; George A. McLaughlin Sr., general chairman of the Cambridge Advisory Committee; Paul J. Frank, executive director of the CAC; Richard Green of the Cambridge Corporation; Robert E. Rowland, development director of Cambridge Redevelopment Authority; Alan McClennen, director of the city's planning board; George A. Macomber, chairman of Cambridge Conservation Committee; Frank H. Townsend, executive vice president of Cambridge Chamber of Commerce; Joseph W. Gibson, the Chamber's president; Justin Gray, assistant to the City Manager on Community Development, and Robert A. Bowyer, programmer, Community Development office.
THE INNER BELT: WHO NEEDS IT?

The bleaker the prospects get for an inner belt, the brighter the picture looks for a solution to the transportation problems of the Greater Boston area. Last week, the question of whether or not an inner belt would be built was left hanging by Federal Highway Administrator Lowell K. Bridwell. After a meeting with Cambridge officials, Bridwell remarked that no one has said that an inner belt has to be built.

WEEI would like to add to Mr. Bridwell's remarks by saying that plenty of people have said that the inner belt should not be built. And for many good reasons, WEEI agrees with them.

First, there is the cost in money and disruption that building a super highway through a densely populated area entails. An inner belt could only be built around and through the city at the expense of hundreds, even thousands of homes, businesses, parks and ponds. A vivid example of the destruction involved can presently be seen where Route 2 is being widened between Arlington and Belmont. Here, homes have been torn down and part of Spy Pond is being filled in.

Second, there is the simple fact that the inner belt will be obsolete even before it's built. Mr. Bridwell himself noted that the proposed highway was planned around 1948. Since that time the population and number of cars has soared in the Boston area. And finally, construction of the inner belt would mean another long delay in settling the basic problems of Boston's transportation system. In short, the construction of an inner belt would take customers away from the MBTA. This would mean that fewer persons would use this facility, causing the deficits to go higher. Yet the MBTA is far more necessary to the economy and well-being of the city than most people realize.

At bottom, the concept of an inner belt in this particular case is obsolete because using the automobile to move large numbers of people through densely populated areas at a high speed just doesn't make sense. It is inefficient, dangerous and dirty. If you don't think so, try driving on the Southeast Expressway some weekday between five and six in the evening.

The problem of the inner belt is not just a local one, either. It's one that involves Washington since the federal government provides much of the funding. So if you want to let your elected officials know how you feel on the question of the inner belt, WEEI urges you to call not only your state and local representatives, but those serving in the nation's capital as well.

WEEI Radio, 4450 Prudential Tower
Boston, Mass. 02199

Broadcast by: DONALD J. TRAGESER
Vice Pres. & Gen. Manager

Broadcast: 8:30 A.M./12:15 P.M.
3:10 P.M./6:35 P.M
9:35 P.M

9/20/67
Moynihan, Nash Are to Oversee New Belt Study

Two of Harvard's top urban experts will oversee a new study of the controversial Inner Belt highway.

Daniel P. Moynihan, director of the Joint Center for Urban Studies, and William W. Nash '50, associate professor of City Planning, are the first members of an advisory committee which will superintend a professional study of the Belt. Other members of the committee—most of whom will be Harvard and Massachusetts Institute Technology professors—will be named within a week, according to Cambridge Mayor Daniel J. Hayes, Jr.

Consulting firms and independent planners and engineers will do the actual work of the study.

Hayes said that the study should take about six months. The total cost has not yet been determined, but part—and possibly all—of the money will come from the U.S. Department of Transportation.

Federal Roads Administrator Lowell K. Bridwell met last month with Cambridge City officials and agreed to the new study, even though the Massachusetts Division of Public Works had already recommended a route along Brookline and Elm streets for the eight-lane highway. The Brookline-Elm route, which would uproot approximately 1500 families, aroused the most public opposition of any Belt route.

Unusual Decision

Bridwell's decision to allow the re-study was highly unusual, since the Federal Bureau of Public Roads usually approves such state recommendations automatically.

Moynihan denied yesterday that the overall cutbacks in Federal highway funds hinted at recently in Washington by Secretary of Transportation Alan S. Boyd were responsible for the decision to reconsider the Inner Belt. "There's a new crew of highway people in Washington; they want to apply present-day standards—not those of 1946—to the Inner Belt," he said. (The Inner Belt was first planned in 1948, under the 1946 highway act.)

The new study will concentrate on three areas:

- Consideration of the overall desirability of the Inner Belt in light of metropolitan Boston's present-day traffic and population distribution.
- Evaluation of an alternate route which would run from the B.U. bridge along Memorial Drive to the B. & A. railroad yards in East Cambridge.
- Study of "air rights"—apartments built on a platform above the depressed Highway.

Both Moynihan and Nash said yesterday that the new study would not be an attempt to persuade the Federal government to abandon the Belt. "When we're all through, we may come to the conclusion that it would be best to build the Belt right down Brookline-Elm," Nash commented.

(Continued from page One)
Planning for Cities in Chaos

By ADA LOUISE HUXTABLE

It is easy to say that the profession of planning is at a crossroads, or in crisis; both are comfortable cliches. In less comfortable terms, crisis is the point at which a planner sent by the city to aid a community is told by its representatives that if nothing happens they will simply burn down their buildings. And they mean it.

Crisis is Watts, Detroit and Newark. It is a country with a galloping rate of substandard housing and the job of rebuilding itself by the end of the century. It is cities in chaos. It is New York, where chaos has been impacted by a thirty-year city failure to work directly with people and their needs.

To put it bluntly, the traditional practice of planning has failed. The planning profession is currently going through agonizing reappraisal of its aims and practices. Limited in the past, by training and methodology, to purely physical solutions—land use, density calculations and tidy scale models of Utopia—its practitioners have had remarkably little bearing or impact on the enormous, untidy, tragic human problems of an explosive and changing society. Now they find themselves pushed to the front of the battle against poverty, injustice, decay, ugliness, all the ills of environment and man.

Planners have no sure answers for any of this. But there will be no answers without planning. Now they have a vastly broadened outlook and the benefit of some bitter experience. They also have two important new key concepts: "interdisciplinary" and "advocacy" planning.

Interdisciplinary planning merely means that theory and practice from many fields must be brought to bear on any plan if it is to be a valid answer to people's needs. Advocacy planning is a much more controversial subject. Advanced by the younger members of the profession, it proposes that the planner act as advocate or representative for the people of the neighborhood under study, working with their ideas of what they want, with close understanding of particular ethnic features, community patterns and local conditions. He prepares the community's own plan, as opposed to a plan imposed authoritatively from above. He not only prepares it; he advocates it.

What this amounts to, in most cities, is in-ghetto planning—planning that rejects official city planning procedures. With a tremendous potential for sensitive, local problem-solving on a professional basis—and an equally great potential for trouble—it is bound straight for the spotlight of the urban crisis.

Advocacy Planning Groups

New York already has advocacy planning in ARCH, the Architects' Renewal Council in Harlem. The objective of this small, independent, experimental group has been on-the-spot social design, directly responsive to the community. Recently, in the troubled spirit of the times, most of its dedicated, all-white architect members have stepped aside for Negro replacements so that the movement could be black.

A group called Urban Planning Aid has been set up on the same model for Boston. Newark is about to get a Negro-led advocacy planning unit for its controversial medical center area. University, government and private funds are going to the growing movement. The American Institute of Planners has an offshoot advocacy planning group, and the American Institute of Architects is holding serious discussions on the subject.

Advocacy planning is a pendulum swing from the old-style City Hall planner, who took one field trip to the "blighted" area and then worked from statistics and abstract principles and held public hearings when large sums were already invested in the plan. The advocate planner moves into the community. He helps clarify neighborhood needs and ideas and puts them into professional form; he offers plans instead of protests. Advocacy planning and local pressures, in New York and elsewhere, are succeeding in opening the ear and eye of government to the community.

What can happen, however, is that this planning approach, so full of hope, may itself be susceptible to the ills of the ghetto. It runs a real danger of confusion and perversion by the proponents of black power. This does not mean that it cannot work. But there is a growing question of whether the objectives and methods of advocacy planning will be subverted into just another home-rule device of black nationalism, or if the movement will be permitted to carry out its essential aims.

There is also the matter of whether the client—the community—can apply the expertise of the objective professional to its problems. As in parts of the poverty program, it could become a disastrous amateur take-over.

Shortage of Negro Talent

With the rejection of white architects and planners, the problem also arises of how the huge vacuum of professional talent needed for planning in the nation's ghettos can be filled. The Negro planner is in very short supply. Even the number of white planners fails to meet demand. It is a particular, tragic distortion of our times to feel that only the Negro can do the job.

There are other disquieting questions. Will advocacy planning turn into do-it-yourself without a dialogue between community and city? Will it be real democracy at work, or will it signal a breakdown of the democratic process by ignoring local government and collaborative planning at City Hall? If it breaks with the city, how will it substitute for the city's funds and resources?

The rational answer is cooperation through the city's established structure, but the ghettos are in no mood for rational answers. One of the most promising and provocative new weapons in the fight for our cities and society hangs in the balance.

ADA LOUISE HUXTABLE is architecture critic of The Times.
APPENDIX C

THE RED LINE EXTENSION

1954 MTA Report  C-1
Community Report  C-8
News Articles  C-12
City Council Act  C-28
Chapter 613 of the Acts of 1952 authorized the Trustees of the Metropolitan Transit Authority to make studies and estimates of cost for the extension of rapid transit facilities in Cambridge and Arlington, in a northerly and westerly direction from the present terminal of the Cambridge Subway in Harvard Square. Chapter 253 of the Acts of 1954 specified that the Trustees of the Authority should file with the clerk of the House of Representatives, on or before the first Wednesday of December in the year nineteen hundred and fifty-four, a final report with reference to said studies, preliminary plans and estimates of cost, together with drafts of any necessary legislation.

In accordance with the above Acts, the Trustees of the Authority respectfully report as follows:

1. We do not recommend construction by the Metropolitan Transit Authority, at this time, of any extension of its presently operated rapid transit lines beyond the present terminus of these lines at Harvard Square, for reasons which are subsequently enumerated in this report.
2 - We do suggest that, in view of the fact the modern and future concept of rapid transit lines serving any large city is, and should be, that subways are auxiliary highways, serving to lessen vehicle congestion in, and on the immediate motor vehicle approaches to large cities such as Boston; the General Court might well consider whether an extension of the presently operated rapid transit lines could be built to North Cambridge, with other than Metropolitan Transit Authority funds.

Such procedure, if possible under existing or new statutory law would, in our opinion:

(a) Provide extensive relief of traffic congestion on Massachusetts Avenue in Arlington and Cambridge.

(b) Preclude the necessity of constructing several additional new roads, or widening some existing highways, to provide necessary relief for the presently intolerable conditions morning and night as highway vehicles - from points West and North of Boston - seek entrance to and egress from the central districts of Boston.

(c) Reduce present traffic congestion on the McGrath Highway (Northern Artery) by diversion of some M.T.A. highway lines now concentrated there.

(d) Reduce accidents by removing M.T.A. tracks and "islands" on Massachusetts Avenue.

It is our considered opinion, after careful examination of studies and estimates made by the engineering forces of the Authority and similar perusal of an economic study of the proposed extension made by Coverdale & Colpitts, Consulting Engineers engaged by the Authority to make the study, that the fourteen cities and towns now comprising the Metropolitan Transit Authority - which communities are presently responsible for payment either by direct assessments or by deficit assessments of yearly charges totaling about $6,500,000. to
meet principal and interest charges on bonds issued for previously built and acquired facilities now operated by the Authority - should not be further burdened with all the costs of new subway construction which would actually provide extensive benefits for a very much larger proportion of the Commonwealth.

The study of the Authority's engineers shows that the cost of constructing the proposed extension - and these figures do not include cost of acquiring land, land damage, consequential damage, or additional rolling stock necessary to operate the extension - would be as follows:

1 - Harvard Square - North Cambridge  $24,000,000
2 - North Cambridge - Concord Turnpike  7,300,000*  $31,300,000*
3 - Concord Turnpike - Arlington Heights  11,100,000  $42,400,000*

The economic report of Coverdale and Colpitts, which is a study of the economic value to the Authority of the proposed extension, indicates conclusively that the potential additional revenue which the entire extension would bring the Authority from increased patronage would not be sufficiently large to meet the operating expenses exclusive of fixed charges for interest and principal payments on the cost of construction.

Under Chapter 196 of the Acts of 1954 interest charges and the cost of amortizing bonds issued to finance construction of subway and rapid transit facilities are not included in the operating expenses which this Act contemplates being met by income derived from fares and charges for service. Thus, if the present method of financing rapid transit facilities were followed the entire burden of the cost

* - This figure includes approximately $3,000,000 for construction of new terminal shop and yard facilities to replace the present facilities at the Harvard Square Terminal (Bennett Street).
of construction would fall upon the fourteen cities and towns included in the Authority, either through the deficit or by direct assessment.

We estimate the cost of acquiring land, land damage, consequential damage, and additional equipment and rolling stock needed, if the extension were built only to North Cambridge, would be approximately $3,000,000. This would make the total cost of that extension $27,000,000.

Past issues of bonds issued by the Authority for construction of subway and rapid transit facilities are being amortized over a period of 75 years. Figuring 2½% interest and a similar period for amortization, the total cost for interest and amortization of principal on bonds issued to extend the rapid transit lines to North Cambridge would amount to $1,035,000. for the first year. This cost would decrease at the rate of $9,000. per year over the 75-year life of the issue.

On the basis of the present apportionment of M.T.A. assessments upon the fourteen cities and towns, the first year's cost to these communities would be as follows:

<table>
<thead>
<tr>
<th>Community</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arlington</td>
<td>$19,490</td>
</tr>
<tr>
<td>Belmont</td>
<td>11,305</td>
</tr>
<tr>
<td>Boston</td>
<td>666,362</td>
</tr>
<tr>
<td>Brookline</td>
<td>40,431</td>
</tr>
<tr>
<td>Cambridge</td>
<td>86,015</td>
</tr>
<tr>
<td>Chelsea</td>
<td>20,873</td>
</tr>
<tr>
<td>Everett</td>
<td>24,098</td>
</tr>
<tr>
<td>Malden</td>
<td>34,863</td>
</tr>
<tr>
<td>Medford</td>
<td>33,256</td>
</tr>
<tr>
<td>Milton</td>
<td>8,028</td>
</tr>
<tr>
<td>Newton</td>
<td>8,191</td>
</tr>
<tr>
<td>Revere</td>
<td>16,926</td>
</tr>
<tr>
<td>Somerville</td>
<td>51,796</td>
</tr>
<tr>
<td>Watertown</td>
<td>13,366</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,035,000.</strong></td>
</tr>
</tbody>
</table>

00162
Since the studies made do not show any economic benefit accruing to the Metropolitan Transit Authority and the cities and towns served that would, in our opinion, warrant recommending legislation authorizing extension of the rapid transit facilities beyond Harvard Square, we are not submitting with this report any drafts of proposed legislation.

In respect to the suggestion made at the start of this report, the Trustees respectfully call to your attention the following facts.

In October 1953, the Trustees abolished the former practice of allowing free parking for automobiles at some 20-odd places where facilities for such parking are available on land controlled by the Authority. Simultaneously, the Trustees established a special one-day, round-trip ticket, sold at the present time for 6½¢. This ticket, honored only on date of sale, entitles the purchaser to all-day supervised parking of his automobile and a round-trip anywhere on the M.T.A. system. At the present date approximately 10,000 automobiles per week are being parked in these various lots, located beside rapid transit stations. It is properly assumed that the most of these 10,000 automobiles were formerly adding to the jams on the highways into and out of Boston. The number of automobiles parked at these lots is steadily - although slowly - increasing each week.

The Authority has and is continuing to conduct a modest advertising campaign in newspapers and on the radio, in an effort to attract more motorists to these lots. The Authority's efforts have been augmented by those of some members of the Boston Retail Trade Board. The aim has been a dual one - to increase patronage on the
M.T.A.' rapid transit lines; and to relieve congestion of automobiles on the approaches to, and the streets in the central districts of Boston.

Surveys of the home garaging of the automobiles parked in M.T.A. lots show that almost all of them are owned and operated by residents of cities and towns outside the 14 cities and towns comprising the M.T.A. district. Thus, M.T.A. rapid transit lines are relieving some of the traffic congestion on the highways, in that the riders in these motor vehicles leave them outside the heavy-traffic areas.

This is pointed out to indicate it is reasonable to assume that, if the present rapid transit lines were extended to North Cambridge, a large portion of the benefits from such extension would accrue to those who live outside the 14 cities and towns which would, under present laws, pay the entire cost of the extension.

Specifically, we can also inform you that, if the M.T.A.'s rapid transit lines were extended to North Cambridge, and a 1,000-car automobile parking lot established there, the following additional benefits would accrue to all automobile drivers and truck operators over a wide-spread area of the Commonwealth.

1 - Car tracks and trolley cars could be entirely eliminated from Massachusetts Avenue, from Arlington Heights to Harvard Square. This would also permit elimination of the "islands" which dot this thoroughfare, providing two extra lanes for highway traffic on the present width of the street. (Buses or trackless trolleys would be substituted for the small amount of "local" traffic.)

2 - Car tracks could be eliminated on Mt. Auburn Street from Watertown Square to Harvard Square, providing another extensive aid to all motor vehicle traffic. (Buses or trackless trolleys would be substituted). This would provide another extensive highway traffic congestion relief.
3. Some surface lines now centering at Lechmere Square in East Cambridge, where concentration of trackless trolleys causes extensive delays to highway traffic, entering and leaving Lechmere Station during rush hours morning and night could be diverted to the new extension. This would provide more highway traffic relief on the McGrath Highway (Northern Artery).

4. Preliminary studies indicate if the rapid transit lines were extended to North Cambridge, all presently operated street cars west of Boston could be replaced by buses or trackless trolleys, thus removing another delay for highway traffic. Buses and trackless trolleys are mobile and do not cause as much traffic congestion as the trolley which must, of necessity, stay in the middle of the street.

It is generally recognized by transportation and traffic officials, we believe, that the major causes of highway congestion morning and night in the vicinity of Boston, as well as the jamming of the central city streets in those same periods by motor vehicles, is largely caused by the movement of automobiles owned and operated by those who live outside the 14 cities and towns served by the Authority, but are employed in Boston.

It seems to us, therefore, that the cities and towns in the M.T.A. district should not be required to assume all the cost of further highway traffic relief by means of the extension of the Authority's rapid transit lines. Whether, in view of the affirmative benefits we have cited, other means can be developed to finance these extensions is a legislative prerogative, and not presently within the authority of the Trustees of the Metropolitan Transit Authority.

Respectfully submitted,

(signed) Frank W. Rourke, Chairman

Harold D. Ulrich

Horace Schermerhorn
Board of Trustees of the Metropolitan Transit Authority
We, the undersigned citizens of Cambridge, wish to be recorded as opposed to any surface extension of the M. B. T. A. Rapid Transit through the Porter Square Area to the Alewife Brook Section of Cambridge via The Boston & Maine Railroad track bed for the following reasons:

1. The proposed stations will not materially aid the citizens of this area.

2. The inherent danger to the children of the area caused by the live rail since there are 5 Elementary schools, 2 HEADSTART Programs and also 2 Housing Projects.

3. The additional extremely annoying noises caused by passage of trains at a late hour of the night.

4. Additional loss of taxable properties through land taking and additional devaluation of properties adjacent thereto.

5. Further disruption of traffic patterns caused by alterations and construction of proposed overpasses, especially school children and subsequent delays of Fire and Emergency Vehicles.
THE WEST CAMBRIDGE SURVIVAL COMMITTEE presents

THE MBTA and YOU

featuring

PORKY PORKBARREL

in

THE SNOZING STEAM SHOVEL SPECIAL

W.C.S.C. Meeting

May 28, 1968-7:30 P.M.

St. Peter's Auditorium
96 Concord Avenue
Cambridge, Mass.
ACT I

Scene I

Opens at Massachusetts Avenue with the villain Porky Porkbarrel porkbarrel his way through our Massachusetts Avenue at the controls of the Snorting Steam Shovel Special.

Off to a fast start, nipping the corner of Harvard College and trampling over the bones of our ancient dead, he leaves Harvard Square in a chaotic mess.

Rudolph Surrenders! There's just no hope for survival.

Scene II

The plot thickens as the SSS Special dumps tons of "Massachusetts Avenue Asphalt Way" at Al's Midget doorstep. Asphalt finds its way into Al's stew. The customers complain, and Al explains while the SSS Special continues to dump--mountains of fine sand sifts its way into Al's coffee. Al's dinner guests are seen to leave to find contentment elsewhere.

By now the pipes into the cash register have clogged. Al is in tears and flooding the Charles.

Scene III

At Lancaster Street, Porky and the SSS Special share the spotlight with his junior partner the Demolition Demon at the controls of the Wrecker's Ball Express.

Rending destruction to homes and businesses at Lancaster does not quench the insatiable appetite of the Demolition Demon. While highballing toward Porter Square, he gloats as he watches the remaining Lancaster neighbors in the throes of death choking from the smog of the bus terminal and the decay of the slum creating terminals.

The Neo-Dictatorship that is the MBTA intends to confiscate your cash.

DON'T LET IT HAPPEN TO YOU!

JOIN THE WEST CAMBRIDGE SURVIVAL COMMITTEE NOW!!!!

ACT II

Scene I

Opens in Porter Square where Porky Porkbarrel takes over the controls of the Wrecker's Ball Express. After demolishing several homes, he enters a scurvy deal with the B & M -- which is deserting long time business
associates -- so that he can be gleefully on his way raining DEATH AND DESTRUCTION to the community of sleeping residents of West Cambridge.

Scene II

Morning comes and the community awakened by the strange sounding roars--at intervals of three to four minutes--arises to find a BERLIN WALL of chain link fence and barbed-wire isolating it from its friends and neighbors. The community of West Cambridge is frantic. They are isolated from their

<table>
<thead>
<tr>
<th>Fire station</th>
<th>Churches</th>
<th>Playgrounds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools</td>
<td>Livelihoods</td>
<td>Shopping centers</td>
</tr>
</tbody>
</table>

It isn't long before the community realizes Porky Porkbarrel had, under the cover of darkness, stolen into their homes and confiscated the Human Values of their homes. The death of the community--the decay of slums--is sure to follow as the history of the "EL" so eloquently testifies.

When school time comes, mothers all are wrought with fear of the "Killer Rail"--exposed electrified third rail.

A momentary pang of conscience forces Porky to ponder the DEATH AND DESTRUCTION he has rained on the community. He ponders whether the outcome of this story is to become the death of a child and the destruction of a beautiful life at the hands of the "Killer Rail."

But-----$5,000,000 is at stake!

"There will be an adequate fence" is Porky's answer to his good conscience as no inherent danger will stop Porky Porkbarrel now as he is seen whipping his legion of devils into a frenzied pitch for his next conquest of DEATH AND DESTRUCTION of the communities of Arlington and Lexington.

ACT III

Arlington and Lexington.

DON'T LET IT HAPPEN TO YOU!

JOIN WITH THE WEST CAMBRIDGE SURVIVAL COMMITTEE NOW!!!!!
North Cambridge Residents Protest MBTA Extension Plan

A petition is circulating among North Cambridge residents to protest the proposed surface extension of MBTA transit rail lines along the present Boston and Maine Railroad bed through that area of the city.

The petition states:

1. The proposed stations will not materially aid the citizens of this area.

2. The inherent danger to the children of the area caused by the live rail - since there are five elementary schools, two Head Start programs and also two housing projects.

3. The additional extremely annoying noises caused by passage of trains at a late hour of the night.

4. Additional loss of taxable properties through land takings and additional devaluation of adjacent properties.

5. Further disruption of traffic patterns caused by alterations and construction of proposed overpasses, especially school children and subsequent delays of fire and emergency vehicles.

Residents Alarmed

A spokesman for the petitioners, Mrs. Lucy Doherty of 38 Walden St., said area residents are apprehensive that homes on Sherman St., Porter Rd., and along the right of way will be taken to make way for the MBTA line.

Stating that "thousands of students will be endangered by the live rail which will be exposed from Porter Sq. to Alewife Brook," Mrs. Doherty pointed out that there are five schools and two housing projects near the proposed route. She said there are 1200 children in the two projects.

The North Cambridge spokesman asked whether or not the city could afford to lose more taxable property through land takings and pointed to the South End of Boston as an example of an area blighted partly by above-ground transit rail facilities.
West Cambridge Forms Survival Group, Names DeLoria Temporary Head

John A. DeLoria, former Superintendent of the Cambridge Building Department, was chosen temporary chairman of the newly organized West Cambridge Survival Committee at the initial meeting held in Jefferson Park Neighborhood Center Monday evening.

The neighborhood group is being organized to consider the problems associated with the MBTA extension to Alewife Brook.

Other temporary officers elected to organize the group are Mrs. Lucy Doherty, 38 Walden St., Secretary, and Lawrence K. Magree, 203 Pemberton St., Treasurer.

Permanent officers and an advisory group will be elected at a neighborhood meeting to be held soon.

Rep. Charles F. Flaherty, Jr. told the meeting that he, Senator Francis X. McCann, and Rep. Timothy W. Hickey were opposed to a surface route for the MBTA through West Cambridge.

City Councilor Edward A. Crane registered his opposition to the preliminary plans of the MBTA, and said he would work to protect Cambridge interests.

Paul J. Frank, executive director of the CAC, told the group that a city-sponsored study of MBTA plans in Harvard square is now underway and that the CAC had recommended this same study be extended for the entire route from Harvard Square to Alewife Brook.

The survival committee, headed by John A. DeLoria of 199 Pemberton st., states that it is not opposed to MBTA rapid transit but feels that it should go underground. The committee states that present plans are for open cut cover from Harvard sq. to Porter sq. The committee contends that business in this area will lose $15,000,000, and that traffic will be curtailed.

The group opposes taking of homes and property if states will occur along the north side of the existing Boston and Maine Railroad tracks for the proposed rapid transit route.

The committee contends that surface extension of the trains will produce slums and cause undesirable noise for more than 18 hours a day.

The committee also points out that children from five elementary schools in the affected area would be threatened by electrically charged train rails. The committee states that 1200 children live in two housing projects in the area.
C of C Favors Rapid Transit Extension Line

The Cambridge Chamber of Commerce Board of Directors has taken a position strongly in favor of the West Cambridge extension of the MBTA rapid transit rail line from Harvard Sq. to Alewife Brook Pkwy.

The board voted unanimously at its last regular meeting to adopt the following resolution:

"That the Chamber of Commerce take a strong position in favor of the West Cambridge extension of the MBTA as soon as practicable. In this connection, the committee further recommends that the MBTA give due consideration to the appropriate department heads of the city of Cambridge relative to the many interrelated problems which will develop during the ensuing construction period. The initial recommendation is made in an effort to assure a Number Two priority for the MBTA extension through Cambridge."

The legislature's Joint Committee on Transportation now has under consideration the bill which would authorize extension of the rapid transit rail line underground to Porter Sq. from Harvard St. and above ground from Porter Sq. to Alewife Brook Pkwy.

Protests from North and West Cambridge residents to the Cambridge City Council were discussed at a closed doors private meeting of the council with Leo Culick, MBTA general manager, in the Hotel Commander last night.

The meeting was called for a discussion of the MBTA plans for an extension of the rapid transit line to West Cambridge, the renovation of Harvard square and the effect of the extension on other MBTA lines.

Some 100 North Cambridge residents opposed plans for the West Cambridge extension to branch off at Porter square and use the Boston & Maine Fitchburg Division railroad tracks, with a terminal on Route 2 near the Arthur D. Little Co.

The West Cambridge Association, Gus Deloria, chairman, opposed the taking of 12 homes and said an above-ground third or "live" rail could be a menace to children.

An alternative suggested has been a tunnel under Massachusetts avenue to Alewife Brook parkway, and then a turn to join Route 2. The tunnel would cost an estimated $20 million more than the Porter Square-B&M route.
Cambridge Wants Voice in Alewife Extension

The City of Cambridge wants a voice in Massachusetts Bay Transportation Authority decisions on building the proposed Harvard Square-Alewife Brook Parkway line. The city also is opposed to having the line run aboveground from Porter Square. Several speakers made these points clear in a hearing Thursday at the State House before the Committee on Transportation.

Edward F. McLaughlin, general counsel for the MBTA, said the proposed extension would cost about $60 million if the railroad tracks to Alewife Brook Parkway from Porter Square were used. MBTA's plan calls for the line to run underground from Harvard sq. to Porter sq. and then aboveground on the present railroad tracks to Alewife Brook Parkway. The project manager of the proposed extension, John F. Dunn, said the cost for running the line on the surface would be $500 per square foot, compared to $3000 a square foot for an underground line.

Philip Cronin, Cambridge City Solicitor, and Alan McClenon, Cambridge City planner, both urged an amendment that would provide that the MBTA submit its plans to the city for "comments and review." They want Cambridge to "have a hand in the planning."

Cambridge legislators Sen. Edward F. McLaughlin and Rep. Timothy W. Hickey also opposed the MBTA's bill, which, as McCann pointed out, provides for an overpass at Route 2 at Sherman st., with the taking of 14 homes. Since 150 homes are being taken by Route 2, McCann asked "if we need a subway to take the people off the highways, then why do we need a new highway?"

Rep. Hickey said that little service would be provided for the people along the route and those people would be affected by the extensions, while commuters from the suburbs would get all the benefit.
Opposition Increasing To MBTA Expansions

Protests to MBTA plans for the proposed rapid transit extension in the neighborhood of Porter sq. to Alewife Brook continued to mount today as a group of volunteers, under the direction of Mrs. Lucy Doherty of Walden st., began circulating a petition of opposition.

The citizen petition emphasizes that to locate the extension near the Boston and Maine railroad bed will prove a danger to the heavy population of children, pointing out that the plan is to have five live rails.

The petition calls attention to the fact that there are in the immediate area five elementary schools, two housing projects, Jefferson Park and Jefferson Park Extension, as well as Lincoln Way and two Headstart programs.

Signers of the petition are agreeing that the new extension planned from Porter sq. area will result in "annoying noises" with trains traveling late at night into the early morning hours. The petition further declares that installation of the extension in that neighborhood will result in loss of valuable taxable property and with some becoming victims of land-takings. Traffic patterns will be disrupted and the line will bring about delays to fire and other emergency vehicles.

Circulation of the petition follows last Wednesday night's meeting at Notre Dame School Hall, North Cambridge, which saw an overflow attendance. The meeting had been called by Senator Francis X. McCann to alert the citizens of the MBTA plans, including the purchasing of property along Sherman st. railroad siding.

John Brach, construction engineer, and Edward G. Shields, consultant engineer for the MBTA, presented the proposal which was received unfavorably by the majority in attendance.

Brach told the listeners that tentative plans are to run undergrade from Harvard sq. to Porter sq. beneath Massachu-
(By BOB ALDRICH)—An orderly but indignant group of about 100 Mattapan residents, some of whom held placards with one hand and small children with the other, invaded City Hall Friday to protest MBTA plans to build a rapid transit repair yard in Mattapan sq.

The group milled about in the corridor outside Mayor White's second floor office while a delegation of ten conferred at length with him to air their feelings.

The meeting lasted for more than an hour, and when it was over Mrs. Rose Z. Smith, of 19 Duke st., head of the newly-formed Mattapan Organization, said the session was "fruitful."

Mrs. Smith indicated the topics covered more than just the MBTA, but she declined to say what they were.

White indicated he was sympathetic to their complaints and intended to study the situation further. A few weeks ago, he cast his vote in favor of the extension to Mattapan at a meeting of the MBTA Advisory Board.

White's vote was vital, since as Mayor of Boston his vote is worth about 63% of the Advisory Board total.

While the Mattapan delegation was meeting with White, other foes of the extension went to court to seek relief. Town Counsel Robert D. O'Leary of Milton filed a petition for a declaratory judgment challenging the legality of the MBTA move to Mattapan. Suffolk Superior Court Judge August C. Taveira set March 25 as the date for a hearing on the petition.

Two Milton town officials, Selectmen William H. White and James L. Sullivan, were part of the demonstration, and White said the decision to move the repair yard to Mattapan was "a frantic move to hasten construction of the John F. Kennedy Library."

The Library, which will house the late President's papers, is to be built in Cambridge on a site now occupied by the MBTA yards there.

The Advisory Board okayed the switch earlier this month, over the opposition of members from Milton and Randolph. MBTA general manager Leo J. Cusick appeared at a mass meeting of nearly 1200 Mattapan and Milton residents Tuesday night to defend the move and was booed lustily by the crowd. The march on the mayor's office was the latest step in their campaign to prevent the extension to Mattapan sq.

Some of their placards read "Keep The MBTA Monsters Out Of Mattapan," "MBTA Monsters Can Cause Residents To Move From This City," and "Mattapan Organization Protests the MBTA Extension."

The marchers also circulated a pamphlet explaining their reason for opposing the extension, but though they penetrated the outer offices of White's executive suite they caused no disturbance while their leaders spoke with him.
Citizens of North Cambridge have banded together in an effort to halt plans of the Mass. Bay Transit Authority to purchase land along Sherman st., Porter rd., and adjacent areas for their planned surface line extension from Porter sq. to Alewife Brook pkwy.

Under the direction of Mrs. George Doherty, area residents are circulating a petition opposed to the surface line extension. They are conducting a door-to-door campaign, soliciting signatures for the petition as well as assigning workers to the main shopping areas of the city.

The MBTA has met with loud disapproval from not only the citizens of the area but from Cambridge officials and businessmen who are concerned over the proposed land takings for the Inner Eilt, Route extension, and the subway extension.

Mrs. Doherty, in announcing the signature drive, made the following statement:

"Twelve homes are to be taken on Sherman st. An undetermined number to be taken on Porter Rd. not to mention the wide spread taking of property and homes adjacent to the railroad bed. Due to this landtaking we will have the rapid transit within feet of our kitchen and bedroom window running continuously until the early hours of the morning. If our nerves can take this, we have to consider our children's safety. There are approximately 1200 children in the two housing projects alone, along with the hundreds of other children in the area. Thousands of students will be endangered by this live rail coming to and from school daily. There are five schools and two housing projects within earshot of the proposed route. Does education and safety take a back seat to the MBTA?"

One of the few recreational areas in this section immediately adjoins this proposed route. Disrupted traffic routes will cause unnecessary delays of fire and emergency vehicles due to alteration and construction.

"Can land starved Cambridge afford to lose taxable property by more land taking? Will surface rapid transit add any value to Cambridge? Look to Boston's South End for your answer.

"Mattapan is fighting for their marshlands. Shouldn't the citizens of Cambridge fight for their homes and children?"

The petition reads as follows:

"We, the undersigned citizens of Cambridge, wish to be recorded as opposed to any surface extension of the MBTA Rapid Transit through the Porter Square Area to the Alewife Brook Section of Cambridge via The Boston & Maine Railroad track bed for the following reasons:

1—The proposed stations will not materially aid the citizens of this area.

2—The inherent danger to the children of the area caused by the live rail since there are 5 Elementary schools, 2 HEAD-START Programs and also 2 Housing Projects.

3—The additional extremely annoying noises caused by passage of trains at a late hour of the night.

4—Additional loss of taxable properties through land taking and additional devaluation of properties adjacent thereto.

5—Further disruption of traffic patterns caused by alterations and construction of proposed overpasses, especially school children and subsequent delays of fire and Emergency Vehicles."

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Cambridge Subway Extension Delayed

By A. S. PLOTKIN
Globe Transportation Editor

The subway extension planned for Cambridge was high on the priority list of the Massachusetts Bay Transportation Authority — until last week.

Now it seems years away — thanks to local opposition, inflation, politics, and changing Federal attitudes.

One of the factors probably influencing the decision of the "T" to switch millions previously earmarked for the extension to Alewife to the Southwest Corridor is uncertainty about the future of the transit yards near Harvard Square.

These were to be cleared out by 1970 — and relocated at Mattapan Square — to make way for the Kennedy Memorial Library. A court challenge by local residents is a threat to the relocation move, and it may turn out to be too hot a political potato to become a reality.

Cambridge, which has sustained its reputation as a source of dissent by fiercely bucking the Inner Belt highway, has come up with three separate ideas about revising the transit program. These would double, perhaps triple, the budget amount originally set for it.

The opponents ask that:

—The tunnel extension of a mile beyond Harvard Square should be built by the older, more expensive shield boring method, instead of the proposed cut-and-cover method.

(The latter was used in New York to add to the Sixth Avenue subway — and Manhattan's traffic problem would make Cambridge's seem like child's play.)

—The 1.5 mile segment, from Porter Square to Alewife, should be built underground too, instead of at grade level as the "T" wants.

—Some of the existing subway should be rebuilt, by-passing Harvard Square and swinging the new line close to Brattle Square.

The authority already has told Cambridge, as one "T" man put it: "You are talking about something much too rich for our blood; but we are willing to work with you about changes, and about ways of getting more funding."

The fact is that the $369 million in state and Federal cash, relied on to pay for the four extensions laid out in the 1966 master plan, is much too little.

It will pay for the line to the South Shore, and for the extension to the Malden-Melrose line. But even with $22 million switched from the Alewife extension, there will not be enough cash to pay for the Southwest line.

And this last will be an understatement indeed if current agitation to depress the Southwest Expressway across Jamaica Plain should force that major alteration on the state Dept. of Public Works.

This leaves nothing for the Alewife extension. Whatever its final route or design, it would take a big bundle of new money.

The Legislature's committee on transportation has reportedly agreed to recommend, as part of a package for this year and next, to authorize raising $200 million for capital outlays.

And, depending on the outcome of the war in Vietnam and the mood of Congress, the next President, the Federal Dept. of Transportation (D.O.T.) conceivably might be given a lot more to hand out to local transit authorities for capital grants than is now available.

The attitude of D.O.T. towards helping out with big urban transportation projects has been undergoing significant changes. It is now insisting that new expressways serve multiple purposes — as witness the studies just begun here in the Inner Belt problem.

And so when such prestigious outfits as Arthur D. Little, Inc. and the Cambridge Corporation (backed by Harvard and M.I.T.) unveil their plans for the Alewife section of Cambridge as they did last week, it is a good bet that Washington will pay attention.

It contemplates private developers — and there are hints that those expressing interest are no small fry — working with the "T" and the state D.P.W. in a mammoth air-rights enterprise.

The transit tracks and several levels of commuter parking would be topped by an enormous concrete slab — and on top of this would be erected offices, stores, homes and so on.

At a recent meeting, said D. Reid Weeden Jr., senior vice president of Arthur D. Little, D.P.W. officials were cordial to the idea of having the air-rights platform also extend over the eight-lane Rte. 2 which would feed directly into the area.
Harvard sq. businessmen could lose $15 to $20 million during construction of the new Harvard sq. subway station under the MBTA's proposed "cut and cover construction method," Paul J. Frank, CAC executive director, speculates.

Under the MBTA's proposal the present subway platform would be abandoned and a new station would be constructed under Mass. avene., starting at a point near the kiosk and extending to a point opposite Garden st. The trains would continue underground along Mass. avene. to the Porter sq. area.

Instead of boring underground the entire route of the subway tunnel and new station, the MBTA proposes to rip up sections of Mass. avene. building the station and tunnel as it goes along, and then covering the area with planks and other materials until the construction is completed. Then the excavation would be filled in, and the street repaved.

This construction period is acknowledged to take at least four years, during which time businessmen in the Square and all along Mass. avene. to Porter sq. would suffer extreme financial hardship.

Speaking before the Women's Republican Club of Cambridge, Frank said that the MBTA is talking about an extension which will costs in excess of $60 million. "Yet they have made no estimate of the consequential damages which this plan would costs Cambridge, its businesses or its home owners, nor, on the other hand, have they made any estimate of any possible financial benefits to the city," he added.

Referring to the anticipated loss of some $20 million among businessmen along the route of the extension, he said, "certainly this potential loss will be weighed against the additional costs of an alternate route through Brattle sq.

"The C. A. C. Committee on Harvard Square has prepared a Statement of Objectives for the Harvard Square area. We are interested in having the City establish a process which coordinates private and public construction with a common goal to better serve aesthetically and functionally the demands of the occupants of and visitors to the Harvard Square community. Realization of these objectives will assure the strengthening of the City's economic base.

"We would like to retain as much as possible the present Harvard Square and not destroy its character. We do not want Harvard Square to become captive to the demands of transportation, or to the demands for massive buildings such as we have in the Government Center in Boston.

"We all value the Cambridge Common district, the places and the buildings within the Harvard Square complex. Any study should be coordinated with the Cambridge Historical Commission if we are to protect our shrines from destruction.

"The $10,000 study being conducted by the Redevelopment Authority is really only the beginning. Many more thousands of dollars will be required to complete Harvard Square planning. We would not only like to see the Harvard Square study completed and accepted by the City Administration, but we would like to see this same type of study conducted all along the MBTA route and in any other area of the City where vast changes are contemplated, particularly changes contemplated by other outside agencies, meaning the State Department of Public Works on highways and the MDC. We must have something of our own to meet successfully the something of these outside agencies."
Boss-man Cusick lets the facts purge MBTA's ogre image

LEO J. CUSICK, with Judge Charles C. Cabot, chairman of M.B.T.A. board.
As Leo J. Cusick reflects on his first six months as boss man of Greater Boston's transit system, he says he has no regrets at having taken the job.

He has bumped up against snags involving a fare hike, moving the Cambridge yard to Mattapan to make way for the Kennedy Memorial Library, and has gotten into other major and minor rows.

But with characteristic understatement, the balding, heavy-set general manager of the Massachusetts Bay Transportation Authority observes, with his faint smile, "It's been just a little more interesting than I had anticipated."

What, he was asked in an interview, has given him the most satisfaction? And been the most disappointing? Both answers involve relations with the labor unions with which the "T" must deal.

As for the source of satisfaction: "The ability and willingness of the employees to step right in when emergencies arise; and the esprit de corps that I am sure is lying dormant and will, I hope, be revived and made a positive thing."

"I hope I will soon reach the point where the employees will feel they are talking to one of their own."

And the disappointment? Shortly after assuming the job, "when I lost a labor arbitration case involving discipline of an employee, through a technicality. We were trying to back up a supervisor."

Cusick's predecessor, Rush B. Lincoln Jr., charged shortly before leaving office that he was hampered by politicking — both from inside and out side the "T."

Has Cusick himself received political pressure for jobs? Not really. If those who got jobs by political influence are doing their jobs reasonably well, he said, "then I'm satisfied."

"But no new people have come in through political know-how and been placed in a position since I've been here... I'm talking of course about the kind of job that people refer to as a haven for political hacks."

He was asked: "The M.B.T.A. is a political organism, perhaps necessarily so. Has the extent and nature of the politicking that goes on surprised you these first six months?"

Answer: "Surprised me? Yes. Especially by the extent and the depth to which people on several political levels — in the town and city halls, in the State House — try to get involved in even routine things. Like bus routes and the cleanliness of vehicles and stations. Even clergymen, of all faiths, get mixed up in these matters."

Q. In recent weeks you started an internal reorganization. Are you well on the way, or nearly finished, with that job?

A. No. We are about half-way done. It isn't a big shake-up which changes everything and brings in new bodies and all that. It's a realignment of duties. The underlying philosophy is mixing the old and the new. Somehow they have become separated here, and I am trying to make use of the experience of the old and the ideas of the new or the young.

Q. Is it true that among your key men, the old guard, the so-called hard-nosed conservatives, have regained their old strength, to the detriment of the younger, more imaginative men?

A. Yes. But I don't think it's to the detriment of the young. Actually you need a little salt, a little yeast in the dough to make a good loaf of bread — a good balance of types of people.

What does the general manager think of the authority's master plan for transit extensions — he came on the scene in Boston?

The plan itself is O.K., says Cusick. But it is clear to him that adopted more than a year before a lot of people at the "T" itself, and the public in general, were deluded as to how much time and money it would take.

He realizes many people have been disappointed at what seems a slow pace. But inflation has been abnormal, "and the fact that you can only spend so much money each year was never really appreciated by the public."

The two projects already started, Haymarket North and the South Shore, are making visible progress. And by next year "we'll be getting down to doing work on some of the other lines, if the money is available."

Cusick agrees with the estimate that the total package of $359 million in state and Federal money in hand or reasonably expected will build only about one-half — maybe a little less — of the extensions.

As a prime example of why the "T" is running way behind estimates, he points to the 2½-mile extension from Harvard to the Alewife Brook area at the Arlington town line.

The Cambridge people not only want the entire 2½ miles in a tunnel (the previous plan called for about half the distance to use B.& M. railroad tracks at surface level), but they want it built the expen-
leading the way nationally. Perhaps you will find that what we did here will be copied by other cities.”

Q. “Are you still experimenting with the modernization, or with colors, graphics and signs?”

A. “No. But there is still encouragement of course, and we hope we can pick up even more new ideas and incorporate them into our thinking.

“The first nine stations in the modernization program are well along. Three are completed, three are being done, and three are in the active design stage. And so, until they are pretty well set and we can review them, we’ll follow pretty much what was done-following the guidelines of the pilot job at Arlington station.”

Q. The central subway under Boylston st. has long been a problem with its old cars and slow loading, and general congestion. Is there a major move under way, or imminent, to upgrade this line?

“Not at this time. We are still in the talking stage, and will be for another two or three months at least. If money is available, then we’ll start to plan where we want to go.

Q. Might this involve buying some of the so-called “new-breed” type of trolley cars—one that combines a size suitable for the tunnel, plus faster loading, etc.?

A. “We are in pretty close contact with the people in Dusseldorf, Germany on their articulated car units. We haven’t reached a decision on possibly using a different type of vehicle than we have now. But, in a problem of reversing the opinions and changing some prototypes that people have held a long time, and trying to convince them we are trying to do a good job.

“My job is, really, to try to anticipate their complaints and their positions, and give them the facts. Then let them make the decisions based on those facts, rather than on hearsay or on what some pseudo-expert says.”

Before coming here, Cusick directed the Urban Transportation Division of H.U.D.—the Housing and Urban Development Dept. (Recently this function was switched to the Dept. of Transportation). At that time H.U.D. approved with enthusiasm some new transit stations and a concept of modern graphics.

Was he pleased, Cusick was asked, with what has been done, and is still being done, with modernizing the stations?

“Yes I am pleased,” he said. “I have had some new ideas and incorporated them into our thinking.”

At that time H.U.D. approved with enthusiasm new ideas and prototypes, which would fit the M.B.T.A. concept of modern graphics and ideas.

Q. The general manager gets to his office shortly after 8 a.m., and has been putting in long work days—often as much as 14 hours.

Then why does he go out evenings so much on M.B.T.A. business?

“I want to be sure in my mind,” he asserted, “that the people here get a straight, honest and complete story; also, to try and reverse the feeling that some people still have that the M.B.T.A. is some kind of ogre.”
Letters to the editor: Cambridge man answers Cusick

Answer to Cusick

The A.S. Plotkin interview of Leo J. Cusick, M.B.T.A. boss-man in Sunday Globe, May 5, provides a propaganda vehicle for Cusick that does an injustice to the sensibilities of honest men.

In his interview Cusick attempts to build the image of himself and the M.B.T.A. as conveying a straight, honest and complete story. Instead of providing a straight and honest story, Cusick has hidden the complete story behind a blind that the people of Cambridge are the villains in the Harvard-Alewife Brook Rapid Transit extension plans.

His straight and honest story involves relative construction costs of the cut and cover method and the shield-driven method of constructing the rapid transit extension, and a comparison of the New York Sixth Avenue tunnel and our own Harvard-Alewife tunnel extension.

His honest story hides from public view the fact that if his cut and cover method on construction were used in lieu of the shield-driven method the Cambridge people want, not only would the traffic in the area of Harvard Square and Massachusetts avenue be a chaotic mess, but such conditions would not only rain financial ruin on many of the small merchants of the area, but they would also seriously drain the financial resources of some of the larger businesses.

He does not tell you that at one time or another all of Harvard Square, including Brattle Square and all of Massachusetts Avenue would be torn asunder, and that it would cost the business men $15,000,000 in lost business.

Further when an experienced transportation bossman compares the traffic problems of New York City with those of Harvard Square, Cambridge, in the way that Cusick did, it is my opinion this is deliberate deception. The chaotic mess that would be produced by the cut and cover construction methods in the Harvard Square area with its narrow streets and archaic traffic patterns can not, by the wildest stretch of the imagination, be compared with the Big City's Sixth Avenue. In New York City, the traffic patterns and street dimensions are excellently suited for detours and open construction. Not so with Cambridge.

Cusick does not tell his readers either of the Berlin Wall of chain link fence and barbed-wire that he plans to construct from one end of West Cambridge to the other. He doesn't mention the "Killer Rail" he plans to expose to the children of the community or the fact that these two items in themselves are slum producers as the history of the "EL" so eloquently testifies. The loss of property values to the residents of West Cambridge are not included in Cusick's budget because the property values and the human values of homes are confiscated by the neo-dictatorship of agency government-Boss-Man-Cusick's MBTA. These homeowners are honest men who have worked a lifetime "paying the freight" of government while building the few comforts that are their homes today.

Cusick wants the merchants and the honest homeowners to "pay the freight" for his MBTA expansion. I say to him—Let the MBTA "pay the freight" or let's have no transit extension.

The present Harvard Alewife MBTA plans are grossly incompetent in that they do not assess the human values in the democratic way and that the plans are not keeping with the overall concept of Federal Urban Renewal and Model Cities Programs.

JOHN A. DeLORIA
President, West Cambridge Survival Committee, Cambridge
Move to Mattapan or No Move at All, Says Cusick

Strong Support for Bills to Block MBTA Shift

By ROBERT B. HANRON
Staff Reporters

The Legislative Committee on Transportation has reported out favorably three bills which would seriously hamper, if not prevent, the MBTA's plan to relocate its Cambridge train yard to Mattapan.

The report was filed Monday only minutes after the committee heard Milton and Mattapan residents protest the MBTA proposal at a noisy session in Gardner Auditorium.

Housewives and mothers showed up by the busload at the scheduled 1 p.m. hearing time and Sen. James R. McIntyre (D-Quincy), committee chairman, ordered the hearing to be held in the larger auditorium.

The Authority wants to vacate the Bennett-Eliot yards near Harvard square, Cambridge by 1970, to make way for the construction of the Kennedy Memorial Library.

Passage of the bills could mean the loss of the Kennedy library.

MBTA general manager Leo J. Cusick told the Cambridge City Council Monday night that the line's yards must move to Mattapan or stay at the Harvard square site, the proposed location for the library.

Cusick said a proposal to move the yards to the end of a subway extension to the Alewife Brook Parkway is not feasible since that extension is not now scheduled to be completed until 1973.

The bills reported Monday would:
- Prevent the Authority from closing any station or transit line in any town without the approval of the selectmen or a town meeting.
- Prohibit the M.B.T.A. from expanding its yards or terminals without express authority of the Legislature.
- Require the Authority to return to the community or M.D.C. property formerly used for carbarn operations.
- Assist the construction of the Kennedy Memorial Library.

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- Assist the construction of the Kennedy Memorial Library.

Sen. George V. Kenneally (D-Dorchester) said the project would be "a detriment to the finest residential area in the city."

Sen. Samuel Harmon (D-Dorchester) objected that the M.B.T.A. had voted the project and held a public hearing only after action had been taken.

Rep. Joseph E. Brett (D-Quincy) suggested that the carbarns be located instead in the industrialized area between Andrew Square and Southampton street, Boston.

Milton selectmen William H. White and Francis F. Brooks said the line would serve only 3000 people daily and that this did not justify an expenditure of $12 million.

James L. Sullivan, secretary for the Milton selectmen, said the cost for the extension will mean an additional yearly cost of nearly $700,000.

Fr. Daniel J. Hurley, pastor of St. Angela's Church, Mattapan, said his community is fighting to stop the blight of ghettos from reaching the area.

"The morale of all the community—both white and black—would suffer, he said, if the MBTA proposal succeeds."

Edward F. McLaughlin, general counsel of the Authority, said that if the Legislature is opposed to the plan it should pass a bill banning the extension instead of these subterfuge bills.
CAMBRIDGE RAMBLER

Shield-Driven Tunnel Eyed

The consequential damages and dangers to Cambridge from running subway trains on the surface from Porter square to Alewife Brook through a business and residential area would be far in excess to the cost of constructing a shield-driven tunnel, even if the cost of the shield is $8,000 a foot, City Manager James L. Sullivan told the Cambridge Advisory Committee Western Gateway Committee in meeting at City Hall.

The Cambridge City Administration is going to insist that the MBTA subway extension from Harvard sq. to Alewife Brook be a shield-driven tunnel, the manager stated.

John A. DeLoria, retired Cambridge Supt. of Buildings and chairman of the committee as well as chairman of the West Cambridge Survival Committee, presided at the meeting. He declared that Leo. Cusick, General Manager of the MBTA, had agreed with the City Council not to take any further action on the subway extension before Dec. 31 of this year so that Cambridge may have the opportunity to make recommendations on the route from Harvard sq. to Alewife Brook.

Sullivan recognized that the city will perhaps have some responsibility in assisting the MBTA to secure funds from whatever sources are available to meet the costs of the shield tunnel. He said he is prepared to offer this cooperation to other officials and citizens of Cambridge in this effort.

Since last February when it was first publicly announced that a surface line for the subway trains was recommended by the MBTA from Porter sq. to Alewife Brook, the West Cambridge community held several meetings out of which grew the West Cambridge Survival Committee and its cooperating group, the C. A. C. Western Gateway Committee, appointed by the City Manager and approved by the City Council.

The MBTA has proposed the open-cut method of construction for a tunnel from Harvard sq. to Porter sq., but a surface line from Porter sq. and this has led to charges that businesses along Massachusetts ave. and the city as a whole would suffer millions of dollars in damages from months of traffic snarls which would result,

Sullivan said that these losses will be avoided if the shield-driven tunnel is built all along the route from Harvard sq. to Alewife Brook.

The Western Gateway Committee, Chairman DeLoria said, will hold another meeting Oct. 7 in City Hall to consider ways and means by which the City Administration may obtain all of the plans and alternate plans proposed by the State Department of Public Works for the Extension of Route 2 and its proposed ramp roadways in the West Cambridge area.

Members of the C.A.C. Western Gateway Committee in addition to Chairman DeLoria included George A. McLaughlin Sr., C.A.C. General Chairman; James Curto, Mrs. George A. Doherty, Frederick R. Hamilton Jr., Mrs. Frances M. Harrington, John D. Lyon, Raymond L. Poult, Edwin T. Stellant, Gerard N. Verrier and D. Reid Weedon, Jr.
Oppose Route of Subway

By GEORGE BRIGGS—Joining an all-out campaign by citizens from the Porter sq.-Sherman st. area, the Cambridge City Council went on record opposing the taking of any buildings in the area for the proposed MBTA rapid transit extension and at the same time approved an order of Councilor Thomas Danehy for an alternate route.

City Councilor Thomas H. D. Mahoney introduced a resolution, which met with approval, that placed the council on record as being against any plan that would involve the taking of homes for the rapid transit surface extension which would run from Porter sq. to the Alewife section of the city.

Councilor Danehy's order requests Acting City Manager Ralph J. Dunphy to confer with the Planning Board, the Citizens Advisory Committee and the Director of Traffic and Parking to consider the possibility of constructing an alternate route to eliminate the possibility that any homes would be taken in the Sherman st. area.

Danehy suggested the acting city manager and the various departments might consider the possibility of a route that would run from Rindge ave. to the old New England Brick Yards, over the Boston & Maine Fitzburg Division Railroad and across the present City Dump, terminating at the present location of the municipal parking area on Sherman st.

Danehy told the council that he requested that the citizens of the area, currently circulating a petition which states their opposition to the extension, would hold another meeting in the future and that, "the MBTA not send down its second team as they did the other night because their lack of knowledge and concern made the residents rightfully hostile."

John J. Conroy, a former Cambridge Housing Authority Commissioner and a resident of the Sherman st. area, stressed to the council that time was of the essence in opposing the extension route.

He said that as he understood tentative plans for the being of construction on the extension would be in early June of this...
RESOLUTION ON RED LINE EXTENSION AND OTHER PUBLIC TRANSPORTATION IMPROVEMENTS

WHEREAS, On October 26, 1970, the Cambridge City Council unanimously adopted a resolution petitioning the MBTA, the Governor, and the Legislature to restore the Red Line transit extension to top priority; and

WHEREAS, the Governor's "Policy Statement on Transportation in the Boston Region", dated November 30, 1972, states that "The central tenet of the transportation policy that I find appropriate for the area inside Route 128 is that future investment must concentrate overwhelmingly upon the improvement of public transportation; " and

WHEREAS, recent studies by the State's Boston Transportation Planning Review have resulted in preparation by the Cambridge Departments of Planning and Development and Traffic and Parking of a seven page recommendation to the City Manager, dated April 13, 1973, supporting the concept of a Red Line extension because it can help:

. provide more jobs and tax revenue;
. reduce the need for expressway construction in Cambridge;
. reduce the need for commuter parking in Cambridge;
. increase employment opportunities for Cambridge residents;
. reduce commuter traffic on Cambridge streets;
. reduce the number of buses on Cambridge streets;
. reduce the City's annual payment to MBTA; and

WHEREAS, the above-cited report of April 13, 1973 to the City Manager recommends:

. that the Red Line be extended to Route 128 via Davis Square;
. that a station south of Porter Square be provided only if detailed studies show that stringent parking and traffic conditions can be met;
. that a station be located at Alewife west of the Parkway and north of Rindge Avenue extension;
. that construction from Harvard station to Alewife be by deep bore, unless detailed studies show that cut-and-cover construction under the Boston and Maine right-of-way from Davis Square to Alewife is acceptable to North Cambridge residents and business interests;
. that the new Alewife area road system serving an Alewife transit station be designed to protect existing retail, office and residential areas, as well as to encourage transfer to the Red Line by motorists approaching Boston and Cambridge from towns west of the Parkway; and
WHEREAS, many Cambridge citizens and leaders have urged that the City Council amend the above cited report of April 13, 1973 to the City Manager to include the provision that the Red Line extension, if it is to be workable for and acceptable to Cambridge, (1) must go all the way to Route 128, and (2) must be completed to Route 128 prior to opening the Alewife station; and

WHEREAS, the April 26, 1973 amendment to the above-cited report to the City Manager recommends that the State be requested to allow Cambridge and the MBTA six months to restudy the "Line D" alignment of the Red Line extension as proposed in 1967 by MBTA, and to determine whether Line D or a variation on it can be engineered to meet criteria specified in the April 26th amendment; and

WHEREAS, North Cambridge leaders have requested that in the event a cut-and-cover tunnel is placed beneath the railroad right-of-way from Davis Square to Alewife, the existing track be lowered concurrently to eliminate the grade crossing at Massachusetts Avenue; and

WHEREAS, numerous Cambridge citizens and groups have appeared before or written the City Council Committee on Transportation and Parking in support of the Red Line recommendations outlined in the April 13, 1973 report to the City Manager as amended on April 26, 1973;

NOW THEREFORE BE IT RESOLVED that the Cambridge City Council hereby adopts as its official policy the recommendations of the Cambridge Departments of Planning and Development and Traffic and Parking as forwarded to the City Manager on April 13, 1973, and amended on April 26, 1973, subject to the following two modifications:

1. The Red Line shall be extended all the way to Route 128;

2. The Red Line station at Alewife shall not be opened for use until the station at Route 128 is opened;

AND BE IT FURTHER RESOLVED that the State be requested to lower the "freight cut-off" track to eliminate the grade crossing at Massachusetts Avenue in the event a cut-and-cover tunnel is placed beneath the railroad right-of-way from Davis Square to Alewife;

AND BE IT FURTHER RESOLVED that the City Manager be and hereby is requested to present this resolution and the April 13th report cited above, as amended on April 26, 1973 and further amended by this resolution, to the Boston Transportation Planning Review at its public hearing of May 1, 1973, and to the Massachusetts Bay Transportation Authority, the Governor, and the Commonwealth's Secretary of Transportation.
City of Cambridge

I HEREBY CERTIFY that this is a true copy of the Resolution adopted by the unanimous vote of the City Council at its meeting of April 30, 1973.

ATTEST:

[Signature]

Paul E. Healy,
City Clerk.
APPENDIX D

PARTICIPATORY AGENCIES

The Cambridge Transportation Forum (CTF)

City Council Resolution . D-1
Purpose and History . . D-3
Outline of the CTF . . D-5
Organization Bylaws . . D-8
Report to the City Council -10

Joint Regional Transportation Committee

Resolutions . . . . . . D-15
PROPOSED CAMBRIDGE CITY COUNCIL RESOLUTION IN SUPPORT OF CITY MANAGER’S CAMBRIDGE TRANSPORTATION FORUM

WHEREAS, the U.S. Department of Transportation has commissioned the City of Cambridge to develop improved municipal transportation planning procedures, and to perform related work; and

WHEREAS, a major factor in the improvement of transportation planning procedures has been determined by the Cambridge study staff to be the need for increased and better-structured citizen and inter-agency participation in the transportation planning process; and

WHEREAS, the Cambridge City Manager has now proposed to establish a City Manager's Forum to advise him with regard to all aspects of transportation problems in Cambridge; and

WHEREAS, the Cambridge City Council believes that only through broad public interaction can a city-wide consensus be reached on issues relating to transportation; and

WHEREAS, the City Council believes that the need for transportation projects is best determined and the support for such projects best achieved by a process that assures full, open and fair consideration of the interests of all citizens involved and affected; and

WHEREAS, the City Council further believes that a well-informed and involved public can act in a responsible, decisive and timely manner and thus have a beneficial affect on the City's decision-making process; and

WHEREAS, the City Council believes that a coordinated city-wide effort is essential to assure that all current and future transportation and related projects having city-wide or neighborhood impact are fully discussed by all involved and affected interests; and

WHEREAS, the City Council believes that a comprehensive coordinated public interaction process is essential as a basis for City Manager and City Council deliberations that accurately reflect the needs, values and opportunities of all the people of Cambridge;
NOW THEREFORE BE IT RESOLVED that the Cambridge City Council endorses the formation of an on-going City Manager's Cambridge Transportation Forum as proposed and outlined by the City Manager, and the City Council hereby seeks the strongest support for this Forum by all Cambridge citizens, citizen groups, and public and private organizations; and

BE IT FURTHER RESOLVED that the City Council hereby requests that the City Manager submit to the City Council by July 15, 1972, a progress report on the formation and activities of the Forum through June 30, 1972; and that such progress reports be submitted periodically thereafter on a quarterly basis.

In City Council April 10, 1972
Adopted by the affirmative vote of 8 members
Attest:- Paul E. Healy, City Clerk
THE PURPOSE AND HISTORY OF THE C.T.F.

I. The Purpose

The City of Cambridge, like any urban community, is plagued by a great variety of problems. Due to our society's increasing emphasis on mobility, transportation problems have come to be one of the major concerns of all Cambridge citizens. Because a seemingly localized problem may in fact affect the entire community, transportation problems are often difficult to isolate. In general, the nature of transportation problems calls for a comprehensive, city-wide planning approach closely tied to the changing needs of the citizens from all areas of Cambridge.

At present, our City officials are constantly making critical transportation decisions based on what they perceive as the needs and priorities of their constituents. Unfortunately the amount of actual citizen input in the decision-making process is greatly inadequate. In addition there does not exist a viable means for the officials to even inform their constituency of important issues under consideration.

Realization of this lack of proper interaction in the present structure has led to the concept of a Citizen's Transportation Forum. Such an organization could play a vital role as a communication system and as a means of including citizen concerns in the transportation decision-making process. The forum would specifically serve several purposes.

First, the C.T.F. will convey the citizen interests on transportation issues to the City Council. This would insure representation of all interests, prevent planning in a vacuum, and prevent wasted effort on unpopular projects. As a result the Council could better fulfill their legislative duties with the assurance that the wishes of the people were truly being reflected.

Second, the C.T.F. will establish transportation as a city-wide issue. The various neighborhood organizations will be able to work together on common concerns. In this way, citizen influence would be extended beyond individual projects. The people would finally have a voice in the city-wide planning process.

Finally, the C.T.F. will provide all citizens with current information on city transportation issues and proposed solutions. This ongoing function would help to focus citizen opposition to a specific project before the crisis level was reached (i.e. the case of the Inner Belt proposal).
Until the Forum is actually in operation it is impossible to specify in any greater detail the precise focus or function of this group. In general, however, the desired goal is a strong citizen body serving a better informed electorate and a more responsive city council.

II. The History

The idea of a citizen's forum to discuss transportation issues in Cambridge dates back to March 1971. At that time the City of Cambridge approached the U.S. Department of Transportation with a number of planning projects. In May of that year D.O.T. approved a project suggested by the Department of Planning and Development, which was felt to have national as well as local significance. The project was partly indebted to Professor Mannheim of MIT who pointed out that there was a major gap in the transportation planning process at the local level. He reasoned that while planning did occur on a regional level, the local effort was primarily concerned with traffic engineering or the movement of vehicles rather than the movement of people or goods.

On July 1, 1971 the D.O.T. retained the Department of Planning and Development as a consultant to investigate "Improving the Transportation Planning Process in Cambridge and Small Cities".

In the next year the project progressed with the research team becoming more and more convinced that the crucial issue in transportation planning at the local level was organizational rather than technical. They noted the catastrophe of the 1968 MBTA Alewife Plan which was irrevocably opposed despite the expenditure of $600,000 to plan the project.

Thus the team concentrated their investigation on the organizational problems in transportation planning. Perhaps the major conclusion reached was that citizen involvement during the planning stages was essential. To meet this need they recommended the formation of a citizen and city department forum which would coordinate policy decisions on transportation.

Unfortunately for the past year the project has been plagued by a lack of staffing. The regular duties of the Department plus various "brush fires" prevented any progress on anything but a scaled-down version of the Forum. In the last few months, however, an opportunity presented itself in the form of two MIT students working on the City Council Staff program. With this essential staff help a start was once again made to set up the Forum.

At the present time the Forum is projected to be a part of the Council Committee on Transportation and Parking.
Outline: Citizens' Transportation Forum (CTF)

Purpose: To promote citizen involvement in the setting of responsible and responsive policy on transportation issues for the City of Cambridge

General Statement of CTF Functions:

1. To help the Council to produce better policy decisions, with regard to transportation planning and development issues in Cambridge -- including, in particular, the following Manager/Council decisions:

   (a) Determination of priorities among transportation problems, where resources do not permit remedial action on all problems at once;

   (b) Determination of solutions to problems under study, with special emphasis on "value" inputs on which technical solutions must be based.

2. To accomplish (or work toward) this objective by using the CTF vehicle for keeping the City (through its groups represented on the CTF) well informed on specific transportation issues and what is being done about them (or what is on the shelf waiting to be done about them) . . . . thus giving citizens a stronger potential for (a) making sound judgments about the issues; and (b) helping the Council and technical departments by relaying these judgements to them.

3. To accomplish (or work toward) this objective by using the CTF vehicle to keep the Council and reach departments well informed of the general views and concerns of their constituency with regard to transportation planning and development matters.

4. To help develop a better, more efficient method for generating productive interaction between Cambridge City staff and the citizens they serve -- for future use in broader areas of Cambridge government operations.

Membership:

Membership on the Forum should be representative of all geographical and interest communities in the City of Cambridge, it is important to have an active aggressive membership as the power of the group will be dependent upon the amount of work the group choses to do.

Departmental involvement:

The two city departments which are directly related to transportation issues are the Department of Planning and Development and the Department of Traffic and Parking. Both departments should be formally tied in to the Forum, providing technical assistance and staff coverage of the meetings of the Forum. Other City departments would attend forum meetings on an "as needed" basis.

Linkages: Option A Executive Branch

The CTF could be an arm of the City Manager's office, providing him with advice and counsel on those transportation issues which he refers to them.
Option B  The Legislative Branch

The Forum could be related to the City Council or the Council's Committee on Transportation and Parking. The Committee is of the whole Council meeting in special capacity to consider transportation issues.

Comment
Option B is more favorable at this time because of the leadership potential within the Council to start the forum. The Mayor and the Chairman of the Committee have expressed an interest in seeing the Forum started.

Also, the Committee is a favorable location because of its policy making responsibilities.

On the other hand, the office of the City Manager is more powerful in the Plan E form of government in that it is the locus of all policy implementation. Option A, therefore has long term value which may be significant.

Starting the Forum:
- Option A - Go out "tomorrow" and appoint a group of people to sit on a transportation Forum the mechanics of which have already been decided.
- Option B - Appoint a Task Force on the Forum to iron out the details which could also serve as an interim sounding board on policy issues.
- Option C - Solicit any general interest on a forum from the community at large, and establish this group as either the Forum or the Task Force on the Forum.

Issues about the mechanics of the Forum
1. Linkage - City Manager or City Council?
2. Means of soliciting membership - appointments or volunteers?
3. Number of members.
4. Staff assignment
5. Meeting schedule - monthly, bi-weekly, on demand?

Timetable April to May - Solicit opinions on general proposal
June - start setting up the Forum or Task Force - First meeting of a group.
July - regularize meetings
MIT Student Involvement

Student's involvement in the Forum could first consist of doing leg work on the formation of the Forum in its early stages. When the forum or Task Force was in operation, they could function as technical assistants to the Forum and its membership.
C.T.F. REVISED ORGANIZATIONAL DRAFT

I. Statement of Purpose

In order to improve the mobility of people and goods in and through Cambridge; and to reduce the costs of transportation in terms of pollution, hazard and congestion, as well as money; the Cambridge Transportation Forum shall: provide, by order of the City Council, citizens with a representative forum for expressing views on transportation and its side effects; evaluate issues relating to city-wide transportation matters and make policy recommendations to the Cambridge City Council; and gather and disseminate pertinent information.

II. Functions

A. The Forum shall advise the Committee on Transportation and Parking of the Cambridge City Council and make periodic reports.
B. The Forum shall prepare policy statements on transportation issues for the consideration by the City Council.
C. The Forum may hold public hearings on vital transportation issues.
D. The Forum shall receive reports on transportation programs through the Committee on Transportation and Parking.

III. Membership

A. There shall be two categories of membership; participating membership and voting membership.
B. Participating membership shall be open to any person who lives, works or has an interest in Cambridge.
C. Voting membership shall be open to any Cambridge resident or representative of a civic organization, based in Cambridge, who has attended two consecutive meetings and participates as a working member on at least one subcommittee. If a voting member, whether group or individual, attends fewer than half of the monthly meetings, the voting membership shall be terminated.
D. There shall be two kinds of voting membership; group and individual. Recognized groups include: the thirteen neighborhoods, cyclists, the elderly, business associations, University administrators, University students, high school students, parents of pre-school children, civic and special interest groups of residents. Delegates from all interest groups may have two alternates who are responsible for attending if the delegate is absent.
IV. Officers and Steering Committee

A. There shall be three officers elected by the voting membership of the Forum in May: Chairperson, Vice-Chairperson and Secretary. These officers and the Chairpersons of Subcommittees shall constitute the Steering Committee.

B. The Steering Committee will assist the Chairperson in establishing the agenda for Forum meeting and in ensuring that the Forum membership is representative.

C. Terms of office for all Forum members and officers shall be one calendar year.

V. Working Organization

A. The membership of the Forum shall be divided into working subcommittees which vary in nature, scope and duration.

B. Besides the standing Steering Committee, the subcommittees shall aid the Forum in understanding the relevant facts, achieving consensus, and thus shaping the direction of policy recommendations and subsequent decisions.

C. Standing subcommittees shall be: Citizen Onbudsman; Traffic and Parking; Public Transportation; Goods Movement; Bicycles and Pedestrians; Special Mobility including the elderly, and the handicapped.

D. Meetings

1. Working committees shall meet at least once a month or more frequently at the discretion of the subcommittee chairperson.

2. The Steering Committee shall have the power to appoint special committees consisting of members drawn from one of more standing subcommittees.

3. The Forum as a whole shall meet the first Thursday of each month.
BACKGROUND

On April 10, 1972, the City Council endorsed the formation of an on-going Cambridge Transportation Forum. In the order that supported the formation of the forum, the Council stated a number of reasons for the endorsement, including the beliefs:

"... That only through broad public interaction can a City-wide consensus be reached on issues relating to transportation . . ."

"... That the need for transportation projects is best determined and the support for such projects best achieved by a process that assures full, open and fair consideration of the interests of all citizens involved and affected . . ." and

"... That a well-informed and involved public can act in a responsible decisive and timely manner and thus have a beneficial influence on the City's decision-making process . . ."

ORGANIZATION

On June 9 of this year, an initial meeting of approximately 50 citizens with an interest in transportation matters was called for the purpose of organizing the Forum. The June 9 meeting was also attended by Mayor Ackermann and Councillors Clinton and Duehay.

Out of people attending this meeting was formed an ad hoc organizing committee, which worked through the summer on organization and defining issues for the Forum to consider. Regular meetings of the Forum were also held to discuss these questions and to help in reaching a broad consensus on how best to proceed.

At the regular monthly meeting on October 4 a statement of purpose, rules and an organizational structure was approved. The statement of purpose, which was approved unanimously, states that:

In order to improve the mobility of people and goods in and through Cambridge; and to reduce the costs of transportation in terms of
pollution, hazard and congestion, as well as money; the Cambridge Transportation Forum shall: provide, by order of the City Council, citizens with a representative forum for expressing views on transportation and its side effects; evaluate issues relating to City-wide transportation matters and make policy recommendations to the Cambridge City Council; and gather and disseminate pertinent information.

Under the Forum's rules, membership is open to any resident of Cambridge or to any group or organization that does business in or has an interest in Cambridge. It is provided that groups and organizations may send an alternate to meetings.

Membership includes the Mayor, City Councillors, neighborhood groups, Cambridge Council on Aging, Committee of Elders, and others. Representatives of the Planning, Transportation, and Police Departments attend the regular monthly meetings. A member is one who has expressed an interest in the purpose and work of the Forum and has attended two or more meetings. Of the 45 listed members, 16 have attended 5 or more regular meetings which are held on the first Thursday of every month. The average attendance at regular meetings has been 26.

In addition to the three elected officers, there is a steering committee with power to appoint special committees consisting of members from one or more standing sub-committees.

After the organizational structure was established and officers elected, the Forum tackled transportation problems in Cambridge.

Regular Meetings and Activities

Items from the minutes of the meetings show the phases of transportation considered and the intensity of the study and research by committees and the Forum as a whole.

August 23: A report was given concerning the B & M crossing on Sherman Street. This was pursued, a letter written to the Railroad Company which responded promptly and explained plans for improving the crossing; and subsequently did paint equipment, put the gates in order, etc., and expressed willingness to help in safety education for the children. The Company has done its part; the City needs only
to improve the paving at the crossing.

Followed a report on an origin and destination study by the Somerville-Cambridge Truck Committee. A representative of HALT elaborated and asked the Forum to pass a resolution requesting speedier action on a recent truck-bicycle accident. A delegation from the Forum had a cordial meeting with the Chief of Police.

Next, bicycles and cyclists - This is not a subject that can be settled in a week's time. With the decrease in dependency on autos, the matter of bicycle regulation must come to the fore, and the Forum now has a background of source information.

September 13: The chief topic was the relationship of the Forum to the City Council, to neighborhood groups, to citizens' complaints, to the various City departments. The Mayor was present and stated her views on the proper function of the Forum: To report only to the City Council; and the reports should concern policy matters -- trucks and parking -- not administrative matters.

This was a long and clarifying discussion, and the Forum felt more secure in its position with the above-mentioned departments of the City and resident groups.

A further report from the Bicycle Committee, and a representative of the Police Department spoke in detail on future plans for cyclists.

October 4: New Business, the effects of the proposed Environmental Protection Agency guidelines in their relation to Cambridge, particularly as they apply to parking. It is at this point that the Forum found itself fully involved in a totally relevant topic. The Forum took as its highest priority the task of making the citizenry aware of EPA in Cambridge.

Federal regulations to implement the Clean Air Act of '71 were explained; also the recommended position concerning the Governor's Clean Air and Transportation and Control plan. Since there are important distinctions between the access and parking problems of downtown Boston and Cambridge, the staff of the Planning and Traffic Departments had serious reservations as to some of the restrictions imposed and their over-all effects on Cambridge.

October 31: The steering committee presented a questionnaire on the EPA proposal,
and alternatives for further consideration were added. This was thought to be necessary to educate people and to give them a focus on each specific recommendation of the EPA. Several hundred questionnaires have been distributed in the hopes that the responses will be of assistance in formulating a City position on the proposed restrictions. Distribution has been made, primarily, through neighborhood and business organizations.

November 1: A representative of the Department of Planning and Development explained the air quality standards for the Boston area. The City of Cambridge was expected to respond at a hearing on October 15, but did not.

Following a lively and in-depth discussion and an airing of opinions by all present. At 10:00 p.m. no real position had been established and another meeting date was assigned.

November 6: The steering committee considered how best to ensure that citizen participation in the Council hearings on the EPA Guidelines would be both informed and representative. Consideration was given to phone lists, the best way to approach the media, mailing of questionnaires to neighborhood groups, business associations and representative organizations. (At this writing the completed questionnaires are still coming back to the Forum.)

The Hearings on the EPA Parking Guidelines of November 13 and 15 in the City Council Chambers were well and enthusiastically attended.

On the 15th, the hearing was open to concerned residents and businesses so that they might ask questions, express their agreement or non-agreement, offer alternative suggestions.

Present and vocal were individuals from neighborhood groups, the Chamber of Commerce, representatives from Wilson Structural Steel, Arthur D. Little Company, Harvard Square Development Task Force, Planning for People, Boston Transportation Coalition -- to list a few. Discussion was lively on the Sticker Program, Commuter Traffic and Parking, Student Parking, willingness of the universities to cooperate, deficiencies of the MBTA, car pools for employees.
The Forum was highly commended for its part in projecting these hearings, and takes justifiable pride in their success.

The Forum is now fully organized and hopes that it may continue to merit the confidence and support of its sponsors; and further, that it may assist and work with the City departments concerned with transportation policies within the City.
Joint Regional Transportation Committee

Resolution

The Need for Streamlining Procedures for Transit Projects

Whereas, the President of the United States, the Governor of the Commonwealth, and various other federal and state officials, and numerous private citizens have urgently called for a dramatic increase in the construction and use of mass transit; and

Whereas, the Commonwealth, in consultation with appropriate local officials, is actively seeking Federal approval of the transfer of $600 million from Federally aided Interstate highways to Federally aided public transportation improvements in the Boston region, and

Whereas, this decision was made on the basis of an open and participatory analysis of the social, economic, environmental and transportation costs and benefits of alternative transportation improvement strategies for the Boston region, and is consistent with an emerging public transportation improvement strategy which had been evolving for a number of years, and

Whereas, the Joint Regional Transportation Committee fully supports the purposes and procedures of the National Environmental Policy Act as a means to provide an open and technical analysis for intelligent choice and balance among competing public policy objectives with a goal of minimizing damage to the environment, and

Whereas, the state agencies have reported to the JRTC that the Federal transportation agencies, as a result of an increasing work load and increasing judicial scrutiny of their decisions, are taking longer and longer periods of time to approve the scope of
environmental analyses required, to agree on inter-agency procedures for coordinated analysis, and to review both draft and final environmental analyses, all prior to the detailed design period for the particular project, and

WHEREAS, such unnecessary delays are directly inconsistent with the sense of Congress as expressed in the Federal-aid Highway Act of 1973 which provided, under the heading called "MINIMIZATION OF RED TAPE":

"It is the national policy that to the maximum extent possible the procedures to be utilized by the Secretary and all other affected heads of Federal departments, agencies, and instrumentalities for carrying out this title... shall encourage the substantial minimization of paperwork and inter-agency decision procedures and the best use of available manpower and funds so as to prevent needless duplication and unnecessary delays at all levels of government," and

WHEREAS, state officials have stated to the Urban Mass Transportation Administration their willingness to work cooperatively with UMTA in jointly and expeditiously improving both the state and Federal administrative mechanisms for evaluating environmental procedures for Boston projects, and UMTA in turn has stated its willingness to work with state officials in developing such improved mechanisms, and

WHEREAS, the Joint Regional Transportation Committee, as the policy advisory committee for the transportation planning process for the Boston region has a responsibility, among other things, to make recommendations for the improvement of the planning process in the region with a view to expediting the implementation of transportation improvements of vital importance to all of our citizens,
NOW THEREFORE, the Joint Regional Transportation Committee for the Boston region hereby urgently recommends that the following actions be taken:

1) Local, state, and Federal officials should take immediate steps to expedite all procedures to assure a rapid resolution of the transportation problems of the region.

2) Goals and specific deadlines for each element of the transportation improvement program must be set immediately and be adhered to in order to ensure timely implementation of the program.

3) Federal agencies, particularly the Urban Mass Transit Administration, should assign more staff to work on the Boston projects, and in particular should assign someone full time to work closely with the state agencies in jointly producing the required environmental analyses, so as to meet the agreed upon schedule.

4) State agencies should, in like manner, assign increased staff to expedite the environmental review and analysis required.

5) There should be established by the Chairman of the Joint Regional Transportation Committee a subcommittee on Review of Procedures, to sit with the signatory agencies and responsible Federal officials to review the administrative procedures applicable to public transportation projects in the Boston region and the schedule for implementing the program. The subcommittee shall sit as long as necessary to accomplish the purposes of this
resolution and shall report back to the JRTC with recommendations for relieving any problems encountered.

6) The JRTC should work cooperatively with the state and Federal agencies to achieve the above objectives and recommendations as quickly as possible.

(Adopted unanimously by voice vote, April 10, 1974)
WHEREAS, the Joint Regional Transportation Committee in a resolution dated February 13, 1974, endorsed the withdrawal of certain Interstate highway segments in the Boston region and recommended that the Federal funds now allocated to those segments be reserved for alternative transportation projects in the Boston region, and

WHEREAS, the Southeast Regional Planning and Economic Development District (SERPEDD) has sought the use of a portion of those funds for the extension of Route 495 from its present terminus at I-95 in Mansfield to the intersection of State Routes 24 and 25 in Bridgewater, and

WHEREAS, Governor Sargent on February 26, 1974, decided that out of approximately $666 million available as a result of the Interstate withdrawal approximately $35 million should be transferred to the Route 495 project outside the Boston region, and

WHEREAS, the JRTC recognizes the advanced stage of the aforementioned project relative to the transportation improvement program of the Boston region, but also recognizes that the needs of the Boston region for public transportation improvements remain extremely urgent,

NOW THEREFORE, the Joint Regional Transportation Committee recommends that:

1. Interstate transfer funds allocated to the Route 495 project be limited to $35 million.

2. The alignment chosen for the Rouge 495 project should be based upon an adequate environmental impact statement.
including analysis of a rail alternative, and the future of the project should be determined under the continuing, comprehensive, and cooperative planning process for the SERPEDD region; and

3. If as of July 1, 1975, the Route 495 project is not retained as part of the Interstate system pursuant to Section 103(g) of Title 23, as amended, the funds for such project should revert back to the Boston region for alternative transportation projects, and the JRTC should be consulted in determining such projects.

(Adopted unanimously by voice vote, April 10, 1974)