



For Immediate Release

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Louisville Metro Files Court Documents Refusing Mediation with Citizens Group

Louisville, (July 16, 2009)— Louisville Metro filed an order with Federal Judge Charles R. Simpson III on July 9, flatly refusing to discuss mediation with River Fields, a 50-year-old land and river preservation/conservation organization working to protect the safety of River Road and preserve Louisville's only designated Science Byway.

"We are just dumbfounded that government would refuse to sit down with a citizens group and look for ways to get this project moving again," said Don Cox, an attorney and spokesperson for River Fields.

Cox said the group filed for immediate mediation after Judge Simpson ordered work to stop on the Harrods Creek Bridge July 7. Just a few days earlier, on June 25, all parties reached agreement that work could proceed on the bridge while Judge Simpson reviewed the lawsuit. Judge Simpson documented the agreement in an order the following day.

River Fields said if the city could repave the bridge and fix the guardrails, it could be opened in less than six weeks, rather than six months, at a fraction of the estimated \$2.3 million price tag.

In the latest order from Judge Simpson documenting the legal conversations, Metro contends that safety is the primary reason for widening the bridge. River Fields said the bridge has an excellent safety record because the one-lane structure forces drivers to slow down. River Fields believes that if the bridge is widened, it will cause drivers to speed up on the road's curves causing more accidents.

Gary Klein, a structural engineer with the Chicago-based engineering firm of Wiss, Janney Elstner Associates Inc., hired by River Fields, said the structure is "robust." In his professional opinion, there is no question that the arches of the Harrods Creek Bridge have sufficient capacity to carry truck- loads up to the legal limit.

Metro also contends that federal monies can only be used for widening the bridge, not rehabbing it.

“Not once, at any point in the legal discussion, has Metro demonstrated federal funds cannot be used to restore the one-lane bridge,” said Cox. “In fact, federal funds were used to rehabilitate the one-lane Cabin John Bridge in Washington, D.C.”

The lawsuit filed by River Fields and its four co-plaintiffs claims that the Kentucky Transportation Cabinet, Louisville Metro and the Federal Highway Administration violated federal law by failing to “meaningfully evaluate an enhanced one-lane bridge alternative.” The lawsuit urges the court to send the matter back to these agencies to consider this solution as a “feasible and prudent” alternative.

There is no reason to keep the bridge closed while this legal conversation takes place,” said Cox. “The bridge should be repaired and re-opened quickly.”

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River Fields is the largest and oldest river conservancy along the 981-mile Ohio River. For nearly 50 years, River Fields has utilized its resources to effectively protect, preserve and enhance the natural and cultural resources of the land and water around the Ohio River in our region. Through its programs of land conservation, advocacy and education, River Fields strives to create harmony between nature, history and the people who live here. River Fields owns land or holds conservation easements on 34 properties, totaling more than 2,200 acres, most of which is preserved forever. River Fields is one of the nation's few land trusts tackling regional advocacy work and land conservation.