



**FOR IMMEDIATE RELEASE**

**Contact:**

**Kathy Melvin, Business Integrated Communications  
502.609.9813**

**River Fields Announces Court's Decision on the Harrods Creek Bridge**

Louisville, KY (October 2, 2009)— The U.S. Court of Appeals for the Sixth Circuit has denied the request by River Fields and its co-plaintiffs for an injunction pending appeal on the widening of the Harrods Creek Bridge.

The lawsuit filed by River Fields and its four co-plaintiffs, the River Creek Homeowners Association, OPEN Louisville, the Wolf Pen Preservation Association, and the Harrods Creek Boat Owners Association, claimed 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 urged the court to send the matter back to these agencies to consider a “feasible and prudent” alternative.

“We respectfully disagree with the court’s decision, and although we still have legal recourse, we will not pursue the case further,” said Dr. Hiram C. Polk, Jr., president of the Board of Trustees. “Our mission is to protect the river corridor. We have a duty to make certain that federal historic preservation and environmental laws are carefully followed; there were very important precedents at stake in this case affecting *all* the natural and cultural resources in this metropolitan region protected by these laws.”

In addition to the impacts on historic properties, Dr. Polk cited safety as a primary and continuing concern with the bridge widening. The widened bridge is likely to permit higher travel speeds on the bridge, and these higher speeds will in fact result in more accidents when these speeding vehicles attempt to navigate the “S” curves on the approaches to the bridge. Ensuring that Louisville Metro abides by its commitment to implement post-construction “traffic calming” will be critical to protecting the public’s safety.

While River Fields sought an injunction against construction, at no point did any action of River Fields result in the closing of the bridge. Rather than make minor repairs to the bridge’s guardrails, Metro suddenly closed the bridge on November 26, 2008, even though

construction of the widening project was months away from starting. While River Fields sought, through its lawsuit, to halt construction of the widened bridge, the bridge could and should have remained open while these legal issues were being addressed in the courts. If the bridge had been repaired, it could have been opened in a matter of days, and the inconvenience experienced by commuters and harm to local businesses could have been avoided. The bridge will now likely remain closed through early 2010.

A related lawsuit against the United States Coast Guard (USCG) argued that the USCG failed to comply with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act prior to approving an application by Louisville Metro for a permit to widen the bridge. River Fields is voluntarily dismissing this lawsuit as well.

River Fields has been involved in advocacy for preservation and conservation of the bridge and surrounding property since 2002. Because of River Fields' early work during the historic preservation process, the widened bridge will be an improvement over what would have been built. Thanks in part to the group's efforts much has been done to preserve the historic arches and surrounding historic resources through a Memo of Agreement.

River Fields is concerned about the impact of the bridge's widening on Metro Louisville's only state-designated Scenic Byway. River Fields remains committed to fact-based decision-making both for itself and in any public process which is related to its mission.

# # #

***River Fields is the largest and oldest river conservancy along the 981-mile Ohio River. For 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.***