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Injunction Filed to Stop Construction of US 281 Freeway Toll Road

Irreparable harm and lack of consideration of less costly and damaging alternatives cited.

Aquifer Guardians in Urban Areas (AGUA), advocates for protection of the Edwards Aquifer, and highway program watchdog People for Efficient Transportation, Inc. (PET) have joined together again to file an injunction in federal court today to ask that work on converting US 281 to a toll road be stopped.

This injunction is the next logical step following a lawsuit filed by AGUA and PET on December 1, 2005 that asserts that an Environmental Impact Statement should have been prepared for the expansion of highways over the recharge zone. In the meantime, TxDOT has been clearing trees and vegetation from the right of way.

“People are already experiencing increased traffic noise levels in their neighborhoods due to the loss of trees in the proposed right of way.” said Annalisa Peace, Vice President of AGUA. “Unless we stop this project soon, irreparable damage will be done to this sensitive area and its residences and businesses.” Documents filed by the Texas Department of Transportation show that residences will experience noise levels from the toll road in excess of federal health standards. At these levels, traffic noise is more than a nuisance, it causes hearing impairment, sleep disturbance, cardiovascular and physiological effects, and mental health effects. Not surprisingly, residential property values plummet.

“TxDOT already has a lower cost and less damaging plan than what they are building,” said Bill Barker, local transportation consultant, “and there are other options that would probably be even cheaper and quicker to build while in the long term helping to preserve the residential character and natural assets of the Hill Country. It doesn’t make sense that a massive, 16-lane toll road is the only feasible alternative.”

“The US 281 project is totally funded by taxpayer dollars, and the charging of an unnecessary toll by TxDOT will only hurt local businesses and residents who have invested in the corridor. This is double taxation and taxation without representation.” said Sal Costello, founder of People for Efficient Transportation Inc. “It is time for people to stand up to the special interests who will profit from these tolls.”

The Edwards Aquifer is a karst aquifer that is highly vulnerable to water pollution because surface water quickly enters the aquifer through recharge features without significant filtration. Many toxic pollutants, such as benzene, are being found in aquifer wells and are common components of highway and parking lot run-off.

The plaintiffs are represented by Save Our Springs Alliance. SOS Alliance’s litigation docket and information on the adverse affects of highways can be found at www.sosalliance.org. For more information on AGUA go to www.aquiferguardians.org; PET go to www.stopdoubletax.com

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