

North Idaho Community Action Network News Release

SANDPOINT CITIZENS CHALLENGE \$70 MILLION BYPASS ON WATERFRONT *Grassroots Group says Project Poses Economic and Environmental Peril for Sandpoint*

(Sandpoint, ID) –The North Idaho Community Action Network (NICAN) filed a lawsuit on July 11, 2005 against the Federal Highway Administration (FHWA) and the Idaho Transportation Department (ITD). The suit alleges that the decision to proceed with the “Sand Creek Byway” segment of the US 95 Sandpoint North and South project violates several Federal statutes, including the National Environmental Protection Act, the Department of Transportation Act and the Endangered Species Act.

“We had no other choice,” said Liz Sedler, Executive Director of NICAN. “The federal and state agencies have failed to comply with both the intent and the legal requirements of these laws. The project’s overall impacts on the area’s economic future and on environmental, historic and aesthetic resources have not been considered or disclosed to the public. The information provided in the 1999 Final Environmental Impact Statement and for project changes since then has been either inaccurate or incomplete. Furthermore, these agencies have improperly broken the overall project into separate segments and have not looked at the impacts of the project as a whole.”

The controversy over the Sand Creek bypass dates back to the 1950’s. In the early 1970’s the town merchants, fearing loss of commerce, forced the transportation department to steer away from a west side route, which was the state’s preference at that time, and to plan a bypass up Sand Creek. At that time, waterfronts were considered appropriate locations for highways and the merchants likely never imagined Sandpoint as a destination resort town. Since that time the town has been divided about the appropriate location for a bypass.

The project has changed dramatically since the Environmental Impact Statement was issued in 1999. The changes include huge amounts of fill in the creek, which the agencies claim will have no significant impact. NICAN disagrees. “Sand Creek’s soils are highly unstable and prone to erosion and mass failure. The Transportation Department has refused to acknowledge the risk of slope failure when they place huge embankments on the east bank of Sand Creek and dredge and fill the creek. We are doubly concerned due to the past environmental disasters that have resulted from ITD’s highway projects in North Idaho,” according to NICAN.

“It’s not just downtown Sandpoint that will suffer if the ‘byway’ gets built,” said NICAN member and long time resident, Linda Tauber. “The economic health of the entire area will be affected. ITD has actively obscured the impacts, especially the economic impacts and visual impacts on the waterfront. Many towns and cities are spending millions of dollars to remove ill-placed highways and restore the beauty of their waterfronts. Sandpoint’s waterfront and its value will be lost forever if this plan goes forward as proposed.”

“ITD has stated that the Sand Creek bypass will have little or no affect on high traffic volume in Sandpoint,” said NICAN board member, Teree Taylor. “Furthermore, ITD knows that the

bypass will be obsolete and unable to handle increasing traffic within a few years, especially since it will be two lanes and ITD's plans call for four lane expansions to the north, and south all the way to Garwood. What is the point of spending \$70 million and ruining the waterfront when the Sand Creek segment will have to be widened or moved elsewhere in a few years?"

The North Idaho Community Action Network is represented in this matter by Andrea Rodgers of the Western Environmental Law Center and Coeur d'Alene attorney Scott Reed .