

May 25, 2006
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P.O. Box 4375
Pensacola, FL 32507-0375

The Honorable John R. "Randy" Kuhl, Jr.
P.O. Box 153
22 Buell Street
Bath, New York 14810

Dear Mr. Kuhl,

This letter expands on comments submitted through your Internet site regarding the Route 219 expansion project.

I was stunned to read in the newspapers of your dissatisfaction with Environmental Protection Agency "delay" and especially by your statement that "Everything has been done above board to complete this highway which is so important to the economy of the western part of the (29th Congressional) district."

You are terribly wrong on all points. The EPA has done nothing to delay this project; they are merely performing their duty to ensure that the highway agencies follow environmental laws. The NYS Department of Transportation and the Federal Highway Administration have, however, broken many environmental laws and have actively attempted to hide their actions. Do not blame the EPA for holding the NYSDOT and the FHWA responsible for their errors.

As for the economic importance of the highway, even the FHWA admitted in 2003 that the economic development claims in the Environmental Impact Statement were not supportable and "...so speculative it is not possible to predict the magnitude of the overall growth..."

For an analysis of some of the highway agency law violations, please see the enclosed copy of my February 16, 2003 letter to Gerard Fitzpatrick, Chairman, Cattaraugus County Legislature. Upon reading that letter you will find, among other things, that the EPA (as well as the Army Corps of Engineers and Fish & Wildlife) in 1995 and at various times throughout the environmental review process warned the highway agencies of Clean Water Act compliance problems. You will also find that the highway agencies not only ignored the warnings, but lied about them in the Draft Environmental Impact Statement, and that despite public notice of that lie, lied about it again in the Final EIS.

Although the letter to Mr. Fitzpatrick provides all the information needed to understand why the Route 219 expansion project has long been dead, it does not disclose the full magnitude of deceit used by the highway agencies in trying to exert their will while breaking environmental laws and denying property owners their constitutional rights of equal protection and due process.

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Time does not permit me to include the numerous examples of those things. However, the enclosed letter should give you a good idea of the many issues that will be litigated should you or others continue to abrogate your responsibilities and force the EPA and other reviewing agencies to break the laws they are supposed to protect.

Sincerely,



William M. Norton

enclosure