

Appendix C to the 2045 Regional Transportation Plan

# ENVIRONMENTAL JUSTICE

Image Credit: Engineering Design Technologies

## CONTENTS

<b>Introduction .....</b>	<b>3</b>
<b>Purpose .....</b>	<b>3</b>
<b>Transportation Decision-Making .....</b>	<b>4</b>
<b>Equity Emphasis Areas (EEAs).....</b>	<b>4</b>
<b>Planning Process .....</b>	<b>11</b>
<b>Public Participation Plan .....</b>	<b>12</b>

## FIGURES

<b>Figure C.1: Equity Emphasis Areas (EEAs) .....</b>	<b>5</b>
<b>Figure C.2: Equity Emphasis Areas with Transit Service.....</b>	<b>7</b>
<b>Figure C.3: Equity Emphasis Areas with Capacity Projects.....</b>	<b>8</b>

## TABLES

<b>Table C.1: Travel Time to Work.....</b>	<b>4</b>
<b>Table C.2: Means of Transportation to Work .....</b>	<b>6</b>
<b>Table C.3: Capacity Projects in Equity Emphasis Areas.....</b>	<b>9</b>
<b>Table C.4: Summary of Capacity Project Impacts in Equity Emphasis Areas..</b>	<b>11</b>

## In this appendix:

- Explanation of environmental justice and its relationship to transportation planning
- Equity emphasis areas (EEAs)
- Capacity project impacts in EEAs
- Public participation process
- Public complaint process

## INTRODUCTION

The Birmingham Metropolitan Planning Organization (MPO) represents Jefferson and Shelby counties, and a portion of Blount and St. Clair counties. It is a recipient of federal and state funding for carrying out urban transportation planning for the designated Metropolitan Planning Area (MPA).

Since the 1990s, an emphasis on environmental justice has been an integral part of the transportation planning process for urban regions in the United States. The concept of environmental justice is derived from TITLE VI of the Civil Rights Act of 1964 and other civil rights statutes. It was first put forth as a national policy goal by Executive Order 12898, issued by President William Clinton in 1994. It directs “each federal agency to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations.”

Environmental Justice (EJ) is defined as the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

To address Executive Order 12898 - Environmental Justice in Minority Populations and Low-Income Populations, the U.S. Department of Transportation (USDOT) responded to the directive with an Order in 1997. The order laid out the following EJ principles to be integrated into federal transportation programs, policies, and activities.

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations

## PURPOSE

The primary purpose of EJ reporting is to carry out the mandate of Executive Order 12898. Properly implemented, EJ principles and procedures improve all levels of transportation decision-making. Implementing EJ principles allows the Birmingham MPO to:

- Identify EJ areas in the metropolitan planning area (MPA) by utilizing census data and mapping technology of Geographic Information Systems (GIS)
- Overlay transportation projects using GIS and determine which projects impact EJ areas
- Determine potential impacts and recommended action items for areas affected by future transportation projects

# TRANSPORTATION DECISION-MAKING

MPOs serve as the primary forum where state DOTs, transit providers, local agencies, and the public develop local transportation plans and programs that address an MPA's needs. MPOs help local public officials understand how EJ requirements improve planning and decision-making.

To certify compliance with and address EJ, MPOs need to:

- Enhance analytical capabilities to ensure that the long-range transportation plan and Transportation Improvement Program (TIP) documents compliance.
- Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be distributed fairly.
- Evaluate and, where necessary, improve the public involvement process to eliminate participation barriers and engage minority and low-income populations in transportation decision-making.

## EQUITY EMPHASIS AREAS (EEAS)

The primary task of EJ analysis is identifying concentrations of disadvantaged populations. Those in low income and racial minority groups have the most propensity to receive the harm of environmental injustice. Accordingly, low-income and minority populations are the groups used to identify Equity Emphasis Areas (EEAs).

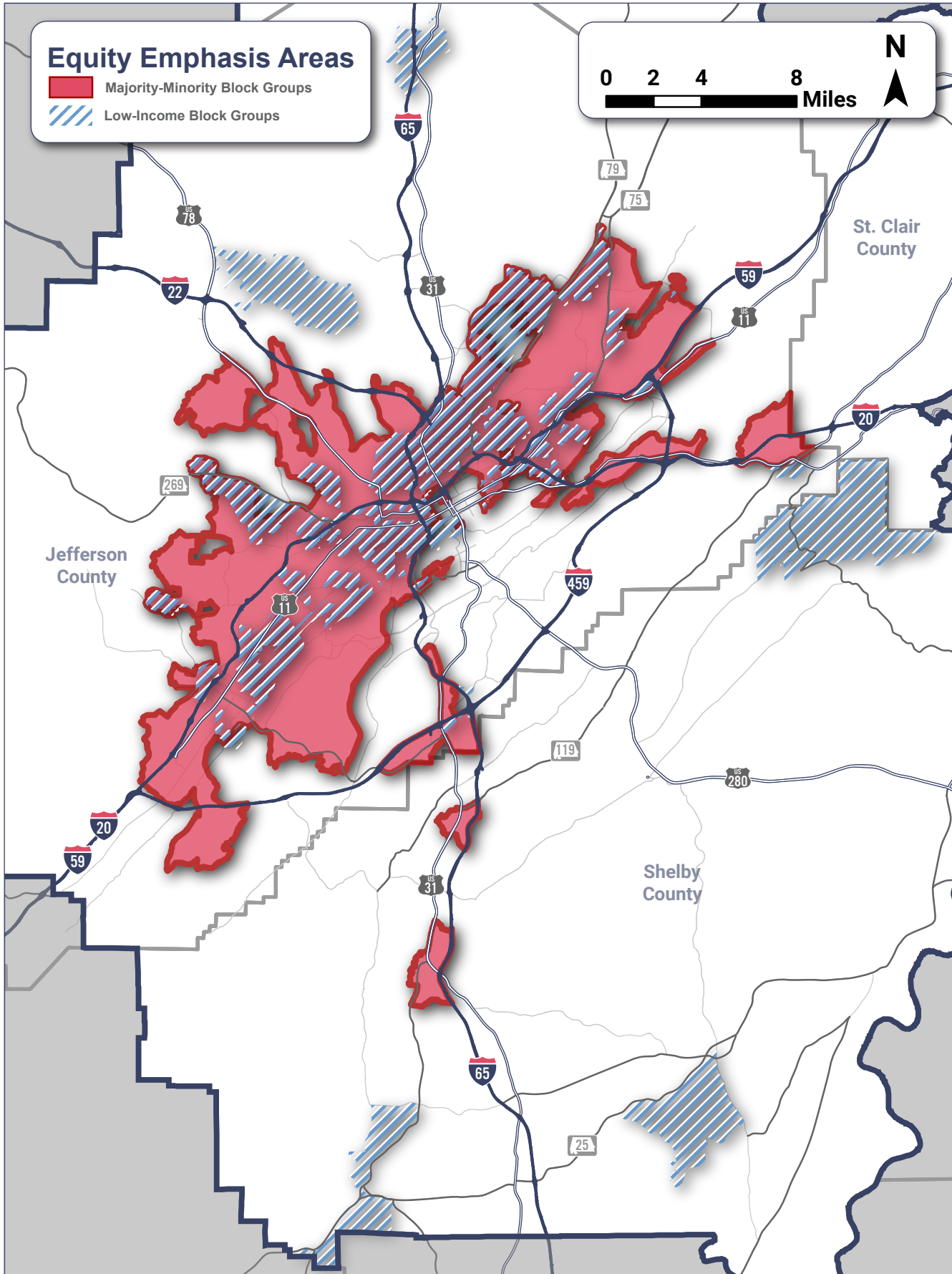
EEAs are census block groups within the MPA having a nonwhite population greater than 50% of the total population or block groups where the estimated median household income is less than \$30,630. This figure represents the amount equal to 150 percent of the poverty status for a family of 3. (Poverty guidelines were published by the U.S. Department of Health and Human Services in the Federal Register on January 31, 2017.) Data were derived from the 2017 American Community Survey 5-year estimates.

In short, equitability is determined by the benefits and burdens being fairly distributed between EEAs and the rest of the region. One way to test equitability is travel time to work. As shown in **Table C.1**, when travel time to work is less than 30 minutes, people in the EEAs have a longer commute than those in other areas. This may be directly affected by the availability and use of transit (see **Table C.2** and **Figure C.2**), bikeability, and walkability in Jefferson County. Notably, more people in non-EEAs have a travel time to work of greater than 30 minutes.

**Table C.1: Travel Time to Work**

Area	<15 Minutes	15-29 Minutes	30-44 Minutes	45-59 Minutes	60> Minutes
<b>Blount Non-EEA</b>	9.2%	17.6%	33.0%	27.1%	13.1%
<b>Jefferson EEA</b>	20.9%	47.3%	22.5%	5.2%	4.1%
<b>Jefferson Non-EEA</b>	23.0%	42.9%	23.8%	6.6%	3.6%
<b>Shelby EEA</b>	31.0%	28.5%	23.8%	11.7%	4.9%
<b>Shelby Non-EEA</b>	19.5%	34.3%	27.9%	11.0%	7.4%
<b>St. Clair Non-EEA</b>	14.7%	29.7%	33.3%	14.7%	7.5%

Figure C.1: Equity Emphasis Areas (EEAs)



Source: RPCGB

**Table C.2:** Means of Transportation to Work

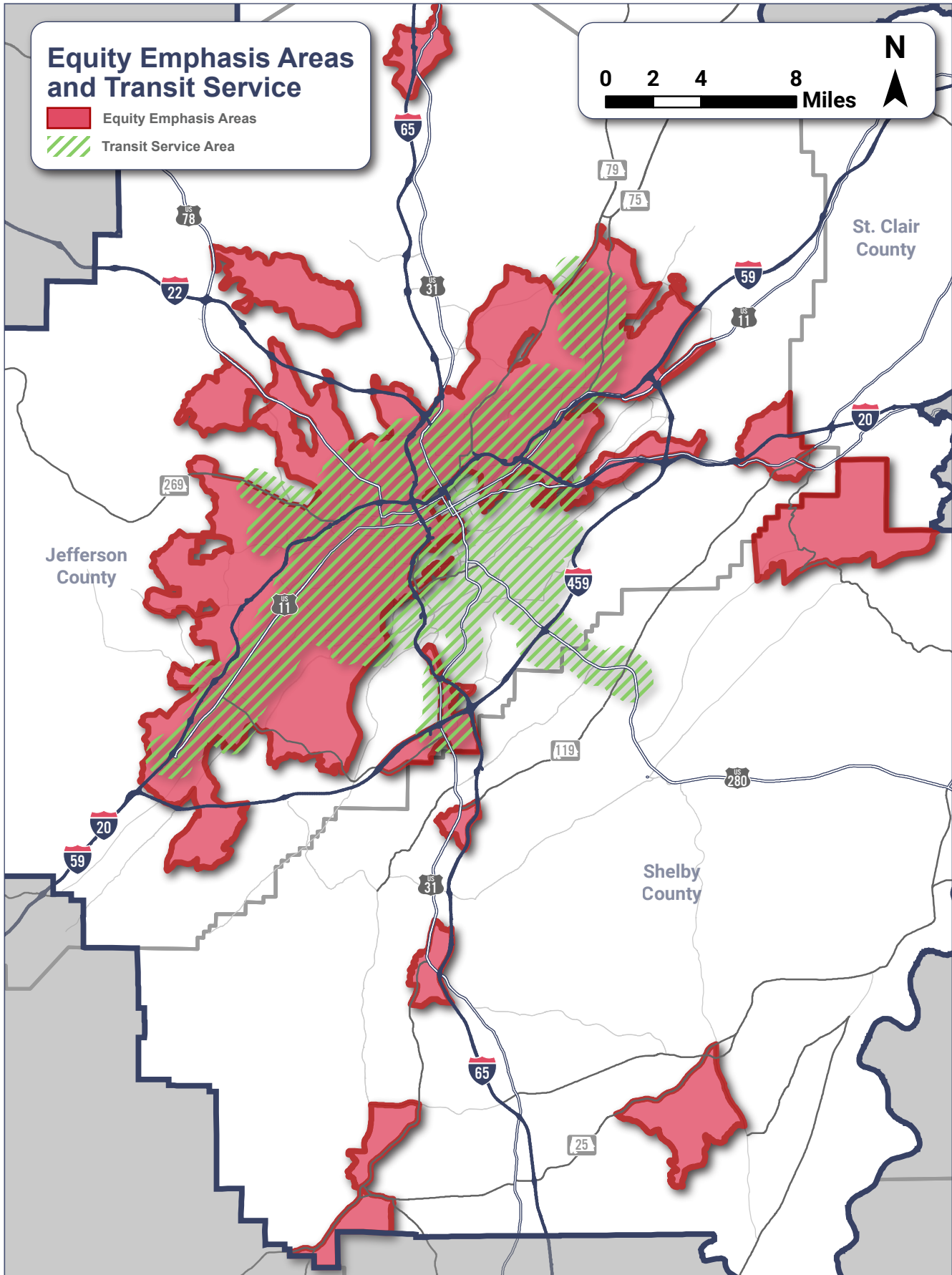
	Car, Truck, Van, or Motorcycle	Public Transport	Bike or Walk	Taxi or Other	Work at Home
<b>Blount Non-EEA</b>	96.4%	0.3%	0.1%	1.4%	2.9%
<b>Jefferson EEA</b>	93.5%	1.8%	1.9%	1.1%	1.7%
<b>Jefferson Non-EEA</b>	94.2%	0.2%	1.2%	0.6%	3.8%
<b>Shelby EEA</b>	89.2%	0.0%	6.2%	2.9%	1.6%
<b>Shelby Non-EEA</b>	93.9%	0.1%	0.5%	0.4%	5.1%
<b>St. Clair Non-EEA</b>	95.3%	0.1%	1.7%	0.8%	3.1%

The primary purpose of the RTP is to provide a vision for satisfying existing and anticipated demands on the transportation system in the Birmingham MPA. Given the area's growth in population and employment, the RTP is a necessary tool for addressing transportation needs. The plan provides a balanced, financially feasible set of transportation improvements to facilitate the movement of people and goods by all modes of transportation. The improvements identified in the RTP, as well as in its associated functional plans, are intended to help alleviate traffic congestion, provide more transportation choices, improve transportation system operations, and meet the region's air quality goals through the future 25-year planning period.

**Figure C.3** shows the non-exempt capacity projects affecting EEAs. **Table C.3** identifies the benefit/burden for projects in or abutting an EEA. **Table C.4** summarizes the impacts of those projects in EEAs.

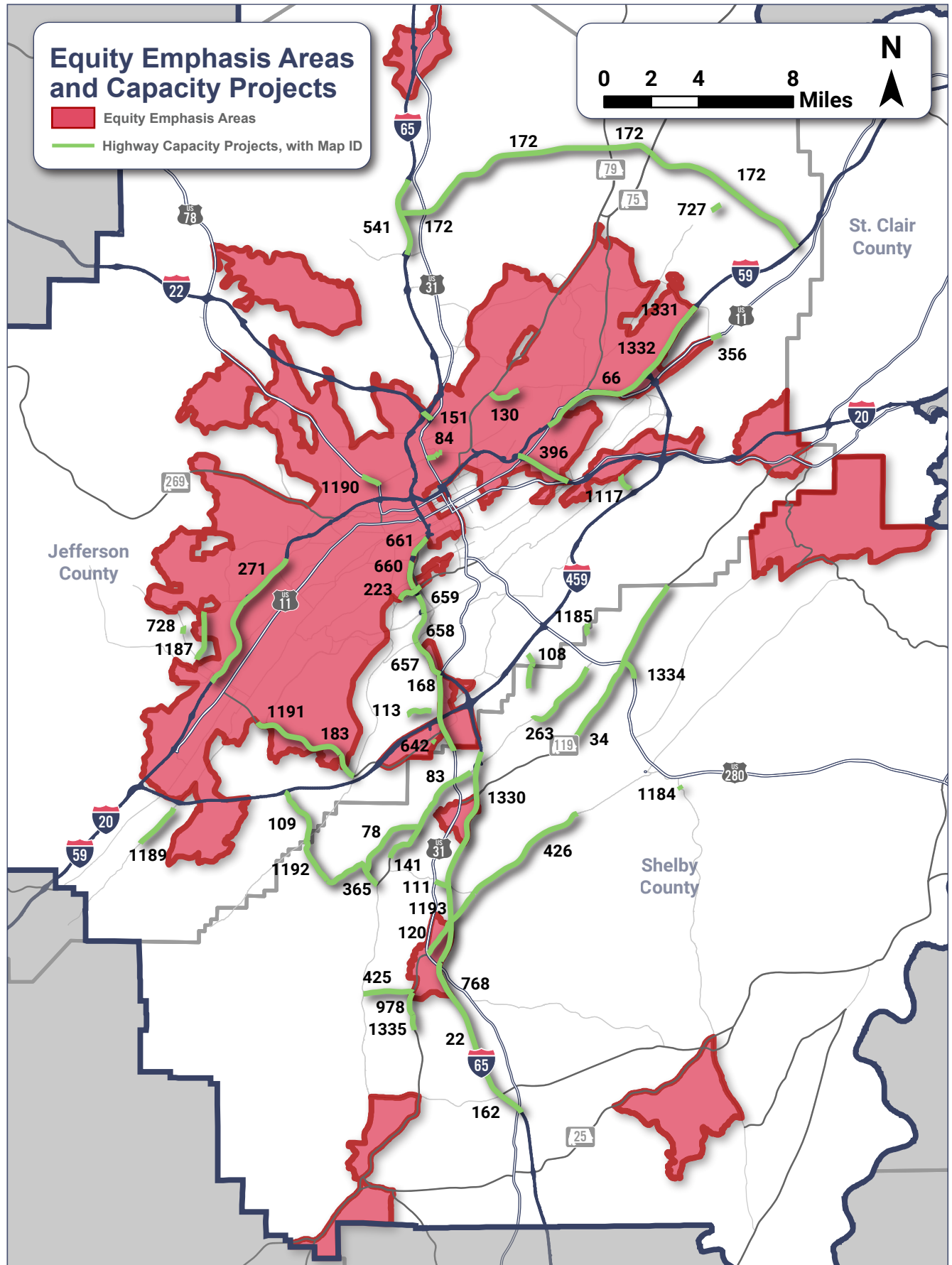


Figure C.2: Equity Emphasis Areas with Transit Service



Source: RPCGB

Figure C.3: Equity Emphasis Areas with Capacity Projects



Source: National Wetlands Inventory and FEMA



**Table C.3: Capacity Projects in Equity Emphasis Areas**

Map ID	Route	Sponsor	Type of Work	Project Description	Benefit/Burden
22	I-65	ALDOT	Additional Roadway Lanes	I-65 add lanes from 0.2 mile south of CR-87 (Exit 234) to SR-3 (US-31) Exit 238 North (8-Ln) (Phase 3)	Will reduce congestion and improve mobility for all including EJ population
66	I-59	ALDOT	Additional Roadway Lanes	I-59 from Mile Post 132.16 @ 1st Ave N to Mile Post 137.19 @ I-459 (4 to 6 Lanes)	Will reduce congestion and improve mobility for all including EJ population
84	Finley Avenue	Birmingham	New Roadways	Finley Ave Extension from SR-3 (US-31:26Th Street) to Shuttlesworth Dr continuing to SR-79	Will improve both pedestrian and vehicular mobility and job access
120	Shelby CR-11	Shelby County	Additional Roadway Lanes	Shelby CR-11 from I-65 to CR 52, widen from 2 to 5 lanes	Will reduce congestion and improve mobility for all including EJ population
130	Tarrant-Huffman Road	Jefferson County	Additional Roadway Lanes	Jefferson County Topics - Tarrant-Huffman Rd (Phase 9)	Will improve mobility of local residents as well as EJ population
151	I-22	ALDOT	New Roadways	I-22 from East of I-65 to US-31	Will connect the I-22 corridor directly to US-31 thereby improving access and travel time
168	US-31	ALDOT	Additional Roadway Lanes	Widen US-31 from Riverchase Pkwy to I-459	Will reduce congestion and improve mobility for all including EJ population
183	SR-150	ALDOT	Additional Roadway Lanes	From MP 4.3 West of Parkwood Rd to Shades Crest Rd (Phase 2)	Will reduce congestion and improve mobility for all including EJ population
271	I-59	ALDOT	Additional Roadway Lanes	18th/19th Street to Valley Rd	Will reduce congestion and improve mobility for all including EJ population
396	I-20	ALDOT	Additional Roadway Lanes	From I-59 to Montevallo Rd (Exit 132B) - Additional lanes and Interchange Modification at I-59	Will reduce congestion and improve mobility for all including EJ population
425	Shelby CR-26	Shelby County	Additional Roadway Lanes	CR-26 (Kent Dairy Rd) from CR-17 To SR-119 (Montevallo Rd), widen from 2 to 5 lanes	Will reduce congestion and improve mobility for all including EJ population
642	Galleria Boulevard	Jefferson County	New Roadways	Galleria Blvd Extension from South Lorna Rd to SR 150	Will improve both pedestrian and vehicular mobility and job access
660	I-65	ALDOT	Additional Roadway Lanes	I-65 Auxiliary lanes from Oxmoor Rd to Greensprings Ave	Will reduce congestion and improve mobility for all including EJ population

Map ID	Route	Sponsor	Type of Work	Project Description	Benefit/Burden
661	I-65	ALDOT	Additional Roadway Lanes	I-65 Auxiliary lanes from Greensprings Ave to University Blvd	Will reduce congestion and improve mobility for all including EJ population
768	I-65	ALDOT	Bridge Widening	Bridge widening on I-65 South of SR-3 (US-31) in Alabaster	Will reduce congestion and improve mobility for all including EJ population
978	SR-119	Alabaster	Additional Roadway Lanes	Add lanes on SR-119 from Butler Rd to CR-26 (Fulton Springs Rd)	Will reduce congestion and improve mobility for all including EJ population
1117	Grants Mill Road	Jefferson County	Additional Roadway Lanes	Grants Mill Road from Old Leeds Rd to Grantswood Rd	Will reduce congestion and improve mobility for all including EJ population
1187	Brooklane Drive	Hueytown	Additional Roadway Lanes	Brooklane Dr. from Allison Bonnett to 19th St/ Hueytown Rd	Will improve both pedestrian and vehicular mobility and job access
1190	US-78	ALDOT	Additional Roadway Lanes	SR-5 (US-78) Add lanes from Finley Blvd to Pratt Hwy (2nd St) (Phase 2)	Will improve both pedestrian and vehicular mobility and job access
1191	SR-150	ALDOT	Additional Roadway Lanes	SR-150 from Morgan Rd at Bessemer to MP 4.3 W of Parkwood Rd (Phase I)	Will reduce congestion and improve mobility for all including EJ population
1193	I-65	ALDOT	Additional Roadway Lanes	I-65 Add lanes from SR-3 (US-31) Exit 238 North to CR-52 Exit 242 (8-Ln) (Phase 2)	Will reduce congestion and improve mobility for all including EJ population
1330	I-65	ALDOT	Additional Roadway Lanes	I-65 Add lanes (Restripe) from Cahaba River Bridges to CR-52 Exit 242 (8-lane)	Will reduce congestion and improve mobility for all including EJ population
1331	I-59	ALDOT	Additional Roadway Lanes	I-59 Add lanes from I-459 to Chalkville Rd (widen to 8 lanes)	Will reduce congestion and improve mobility for all commuters including EJ population

**Table C.4: Summary of Capacity Project Impacts in Equity Emphasis Areas**

	<b>Full Capacity List</b>	<b>In EEAs</b>	<b>Percentage</b>
<b>Number of Projects</b>	52	23	44.2%
<b>Total Miles</b>	136.41	57.87	42.4%
<b>Total Cost</b>	\$2,366,023,544.51	\$558,907,614.86	23.6%

## PLANNING PROCESS

The Birmingham MPO is the designated group of local elected officials responsible for the development of transportation plans. The MPO serves as the primary forum where the Alabama Department of Transportation (ALDOT), transit providers, local agencies, and the public develop local transportation plans and programs to address the needs of the metropolitan area.

The MPO has developed processes that are continually being enhanced to assess the impacts of its transportation planning process on the target populations. These processes include developing criteria for identifying EJ populations and developing analytical tools capable of assessing the impact distribution for all communities served by the MPO. The MPO realizes that it cannot fully meet the needs of communities without the full participation and representation from local citizens and community groups. Effective public involvement techniques not only provide transportation officials with insight from local citizens, but it also alerts them to potential concerns during the planning stages, before project development begins. The MPO recognizes that effective public involvement procedures must be inclusive, representative and provide for equal opportunity from all members of the community, including those from EJ populations.

The MPO has identified EEAs and will ensure proper integration into the transportation planning and project development processes. One technique used to identify protected populations is to create demographic profile maps of low-income and minority populations for the project area. These maps aid planners in understanding and identifying communities that would require special attention. Once planners know where these communities are located, they can be targeted for inclusion in the planning process.

The MPO utilizes a layered GIS-based approach that relies on socioeconomic and transportation-related data at the census block group level to identify impacted populations and community assets (neighborhood associations, churches, landmarks, etc.). The community assets are overlaid on the demographics and income data.

At the start of a planning process, transportation officials must determine whether EEAs are affected. EJ principles are recognized as an important part of the planning process and are considered in the development of both the Regional Transportation Plan (RTP) and the TIP. Both plans follow a detailed Public Participation Plan (PPP). The PPP process is a key component in addressing EJ issues and ensuring full participation by all residents.

The MPO's transportation planning efforts include providing commuters in the MPA with mode choices. Modal options include driving, public transit, cycling, walking, ridesharing and on-demand transportation (e.g., taxi, Uber, Lyft) to serve the needs of every segment of the population, including those who are physically disabled and transportation disadvantaged.

The decision for the mode of choice is in the hands of travelers, but their decisions are affected by services provided. The MPO's transportation program is divided into several areas that deal with congestion, air quality, highway solutions, and the promotion of commuter services, such as ridesharing. Cooperation with other local and federal transportation organizations is a prerequisite for the Birmingham-Jefferson County Transit Authority (BJCTA) in undertaking transit planning and special studies. The BJCTA participates in regional transportation planning by working closely with the MPO in developing the RTP and TIP. The BJCTA is a member of the MPO's Transportation Technical Committee.

When developing the RTP and the TIP, the MPO consults with agencies and officials within the MPA that are affected by transportation (e.g., state and local planned growth, economic development, environmental protection, airport operations, or freight movements) and coordinates, to the maximum extent practicable, with planning activities. Consultation includes available conservation plans or maps and inventories of natural or historic resources.

## PUBLIC PARTICIPATION PLAN

The public has a role in every phase of transportation decision-making. Public involvement is a process by which transportation agencies actively seek out comments and suggestions on transportation projects from all members of the public. It is an extremely vital part of the metropolitan planning process, not only because it is a federal mandate, but also because it results in good transportation decision-making. The PPP is designed to provide the public with an opportunity to participate in, review and comment on transportation programs, policies and procedures.

For the transportation community, involving the public in planning and project development poses a major challenge. Many people are skeptical about whether they can truly influence the outcome of a transportation project. Others believe that transportation plans, at the statewide or metropolitan level, are too abstract and long-term to warrant attention. However, public involvement is a two-way street. In order to participate effectively in transportation project development and planning, citizens need avenues to get information from a transportation agency as well as ways to give information back to the agency. Citizens are necessary to the transportation decision-making process, because when residents are directly involved, new points of view, ideas, and a community perspective are considered, thereby giving decisions more legitimacy. The overall process should convince citizens that active involvement is worthwhile; their input has a direct and meaningful impact on decisions. The MPO PPP seeks out and considers population groups that are traditionally neglected.

The goal of the MPO is to include the public at the earliest stages possible. The MPO has designed a series of meetings with the Transportation Citizens Committee and the Transportation Technical Committee to further educate participants on the transportation process. Prior to each traditional public involvement meeting, information is provided to each community in a timely manner to ensure full participation and attendance from interested citizens. Before the meeting, announcements are posted detailing the time, location and agenda. All documents to be reviewed at the public involvement meeting are made available to the public in electronic and hard copy. At the meeting, various tools such as maps, surveys, handouts, PowerPoint presentations, comment/question cards, and other references are employed to provide attendees with as much information as possible. At the conclusion of each meeting, all comments/questions given by participants are noted and documented by the RPCGB in the meeting minutes.

Barriers to successful public involvement may include, but are not limited to:

- Meeting time and location
- Literacy in various languages
- Mobility
- A citizen's belief in the ability to impact decision making

To overcome barriers to full participation from all citizens, the MPO has offered many different approaches to inform citizens about special events related to transportation projects, policies or programs.

The MPO uses several outreach methods to involve the public in the transportation planning process, including word of mouth, such as public meetings, presentations to civic, community, and business groups, involvement in various local committees, and one-on-one contact. Outreach also includes direct mail,

press releases to print, radio, and television, and the Internet. A calendar of events for all public meetings is posted on [www.rpcgb.org](http://www.rpcgb.org) and is available for public access 24 hours a day. To encourage feedback, the MPO provides a survey form to all participants of public meetings.

The public involvement mailing list is comprised of a variety of categories used to identify individuals and organizations for informing about upcoming meetings and events. The categories include ethnic/minority, neglected, low-income and social service organizations. Information is also distributed to the public through community-based groups, faith-based organizations, libraries, public housing authorities, etc. Announcements are posted in local newspapers. Draft documents are made available to the public at each public involvement meeting and via the RPCGB website.

The MPO developed a Limited English Proficiency (LEP) plan based on Title VI requirements. The LEP plan details how the MPO will work with people who want to be involved in the transportation planning process but possess limited proficiency in the English language. The LEP plan was developed and included in the Public Participation Plan adopted April 2014. The plan also includes a process for filing a complaint, if a person feels there has been discrimination.

### **Complaint Process**

A signed, written complaint may be filed through the Alabama Department of Transportation (ALDOT) 180 days to the date of the alleged discrimination. The complaint should include:

- Your name, address and telephone number
- The name and address of the agency, institution, or department you believe discriminated against you.
- How, why and when you believe you were discriminated against. Include as much specific detailed information as possible about the alleged acts of discrimination and any other relevant information.
- The names of any persons, if known, who the ALDOT Title VI Division could contact for clarity of your allegations.

Complaint must be signed, dated and submitted to:

**Alabama Department of Transportation  
Personnel & Compliance Bureau  
Attention: Cornell L. Tatum, Sr.  
1409 Coliseum Boulevard, Room N-101  
Montgomery, AL 36110**

**Telephone: (334) 242-6943  
Fax: (334) 263-7568  
Toll Free: 1-800-869-3291**

A copy must be submitted to:

**Compliance Officer  
RPC of Greater Birmingham  
2 North 20th Street, Suite 1200  
Birmingham, AL 35203**

Complaint procedures and forms are available at [www.rpcgb.org](http://www.rpcgb.org).