



Appendix C to the 2050 Regional Transportation Plan

# ENVIRONMENTAL JUSTICE

Image Credit: CreateBirmingham





Image Credit: Birmingham Business Journal



# APPENDIX C

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## ENVIRONMENTAL JUSTICE

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### INTRODUCTION AND PURPOSE

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 EJ, the U.S. Department of Transportation (USDOT) responded to the directive with an Order in 1997. The order laid out the following 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

Environmental justice is an integral part of the transportation planning process for urban areas in the United States. The concept of EJ is derived from Title VI of the Civil Rights Act of 1964 and other civil rights statutes. 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.”

To ensure equitable distribution of information, the Birmingham Metropolitan Planning Organization (MPO) has developed a Title VI Plan and Limited English Proficiency (LEP) plan. The LEP details how the MPO will accommodate people who want to be involved in the transportation planning process but possess limited proficiency in the English language. The most recent Title VI Plan was adopted in August 2022 and is available at: <https://www.rpcgb.org/nondiscrimination-and-accessibility>.

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.

## ENVIRONMENTAL JUSTICE AREAS

Environmental Justice Areas (EJAs) have been identified using census data for two cohorts: race and income. A block group is considered an EJA if it has a nonwhite population greater than 50% or if the median household income is less than \$30,887. (This figure represents the amount equal to 150 percent of the 2020 poverty threshold for a family of 3, published on Census.gov.) See **Figure 1**.

The 2020 minority population within the Birmingham Metropolitan Planning Area (MPA) was 35% of the total population. This is an increase of 3% since 2010. Hispanic or Latino is an ethnicity and not a race; therefore, it is measured separately. The Hispanic population in 2020 was 5.8% of the MPA, up from 4.3% in 2010.

Equitability is determined by the benefits and burdens being fairly distributed between EJAs and non-EJAs. One measure of equitability is travel time to work.

**Table 1** is a comparison of travel time to work for EJAs and Non-EJAs. This is affected, in part, by the availability and use of transit (see **Table 2** and **Figure 2**), bikeability, and walkability. Travel time in EJAs is comparable to non-EJAs.

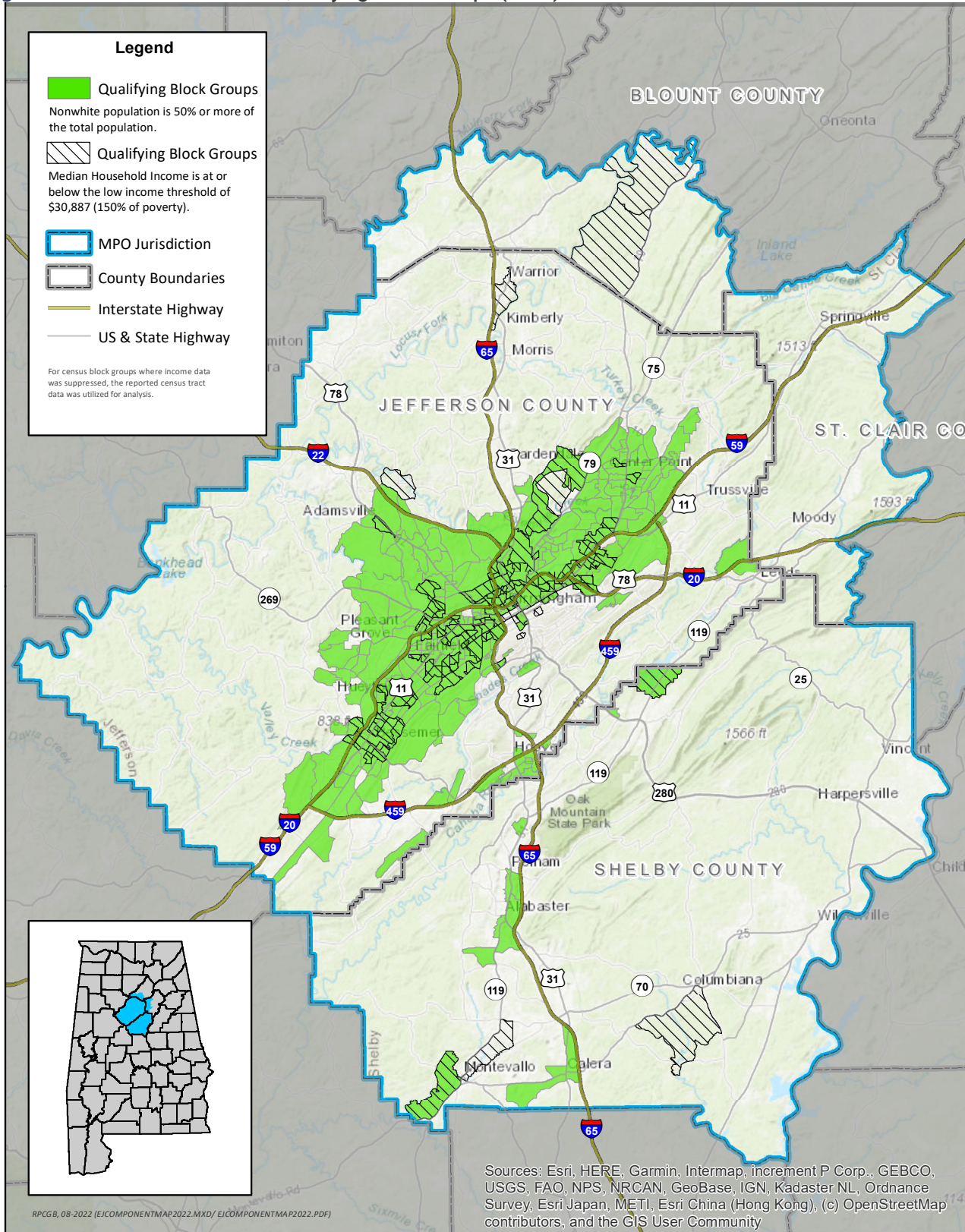
**Table 1: Travel Time to Work (2020)**

| Area              | <15 minutes | 15-29 Minutes | 30-44 Minutes | 45-59 Minutes | 60+ Minutes |
|-------------------|-------------|---------------|---------------|---------------|-------------|
| Blount EJA        | 16.4%       | 27.2%         | 22.4%         | 22.0%         | 12.0%       |
| Blount Non-EJA    | 13.5%       | 17.3%         | 27.8%         | 22.8%         | 18.6%       |
| Jefferson EJA     | 20.7%       | 44.5%         | 23.1%         | 6.8%          | 4.9%        |
| Jefferson Non-EJA | 23.0%       | 43.1%         | 23.5%         | 6.4%          | 4.0%        |
| Shelby EJA        | 22.0%       | 24.7%         | 29.2%         | 12.5%         | 11.6%       |
| Shelby Non-EJA    | 18.0%       | 32.7%         | 28.4%         | 11.7%         | 9.2%        |
| St. Clair Non-EJA | 12.7%       | 29.2%         | 33.3%         | 19.3%         | 5.5%        |

Source: 2020 American Community Survey 5-year estimates



Figure 1: Environmental Justice Qualifying Block Groups (2020)



Source: US Census, 2020 (PL94-171) & American Community Survey (5-Year, 2020: B19013)



**Table 2: Means of Transportation to Work (2020)**

| Area              | Car, Truck, Van, or Motorcycle | Public Transport | Bike or Walk | Taxi or Other | Work From Home |
|-------------------|--------------------------------|------------------|--------------|---------------|----------------|
| Blount EJA        | 93.1%                          | 0.0%             | 0.0%         | 0.0%          | 6.9%           |
| Blount Non-EJA    | 96.0%                          | 0.03%            | 0.8%         | 0.5%          | 2.4%           |
| Jefferson EJA     | 91.4%                          | 1.7%             | 1.8%         | 1.4%          | 3.6%           |
| Jefferson Non-EJA | 91.5%                          | 0.1%             | 1.5%         | 0.4%          | 6.4%           |
| Shelby EJA        | 94.1%                          | 0.0%             | 0.4%         | 0.8%          | 4.7%           |
| Shelby Non-EJA    | 90.4%                          | 0.1%             | 0.7%         | 0.3%          | 8.5%           |
| St. Clair Non-EJA | 94.5%                          | 0.2%             | 0.3%         | 0.3%          | 4.7%           |

Source: 2020 American Community Survey 5-year estimates

The RTP identifies transportation projects to help satisfy 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 3** shows the 2050 RTP fiscally constrained non-exempt capacity projects affecting EJAs while **Table 3** identifies the benefit/burden for projects in or abutting an EJA.

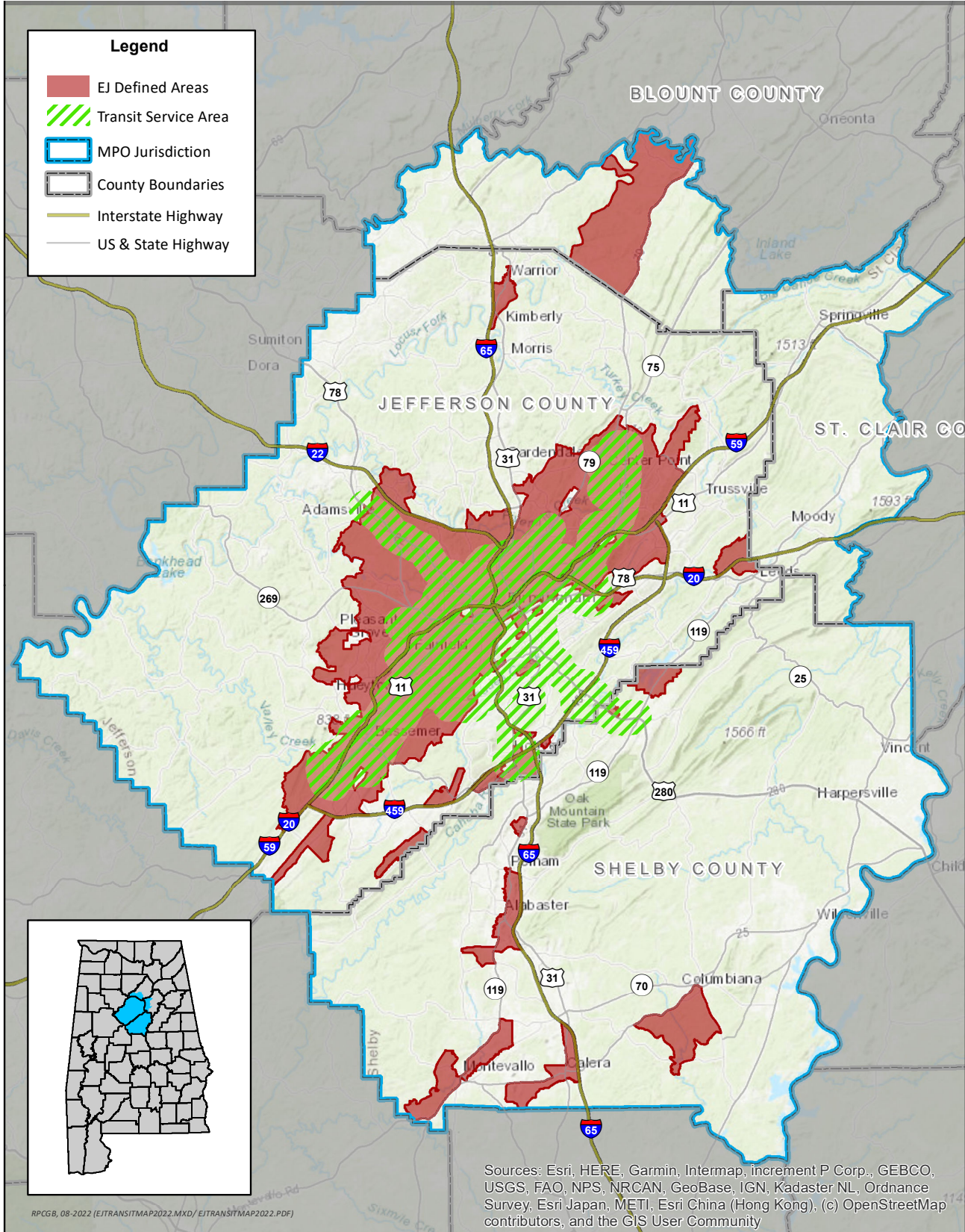
**Table 3: 2050 RTP Fiscally Constrained Non-Exempt Projects in Environmental Justice Areas**



Image Credit: AllTrails

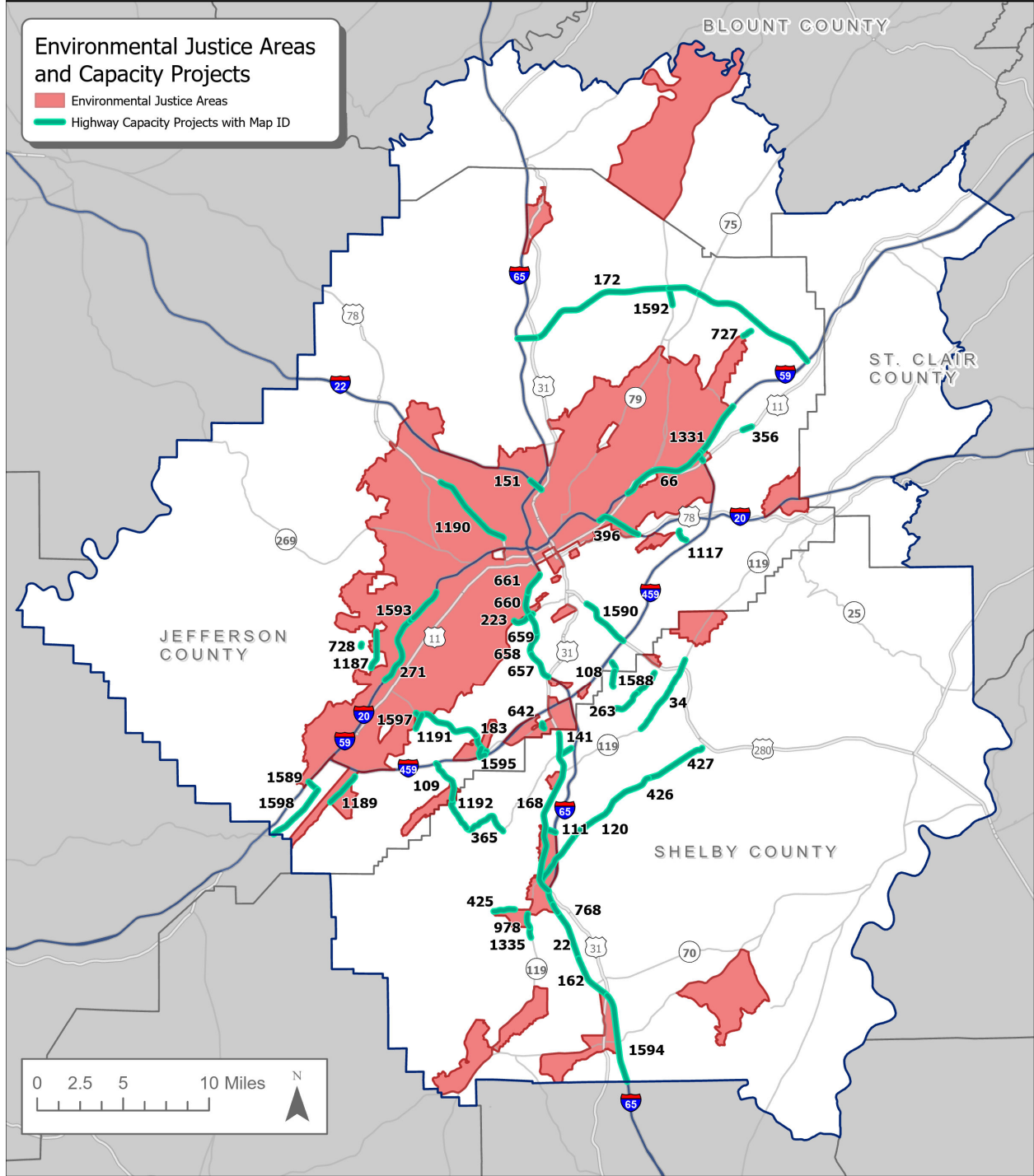


Figure 2: Environmental Justice Areas and Transit Service Area (2020)



Source: RPCGB and Birmingham-Jefferson Transit Authority

Figure 3: 2050 RTP Fiscally Constrained Non-Exempt Projects in Environmental Justice Areas



Source: RPCGB



2050 REGIONAL TRANSPORTATION PLAN

| Map ID | Route                   | Sponsor          | Type of Work             | Project Description   | Benefit/Burden  |
|--------|-------------------------|------------------|--------------------------|---|---|
| 66     | I-59                    | ALDOT            | Additional Roadway Lanes | From MP 132.16 @ 1st Ave N to MP 137.19 @ I-459 (4 to 6 Lanes)                                      | Will reduce congestion and improve mobility for all including EJ population               |
| 109    | Morgan Road (CR-52)     | Jefferson County | Additional Roadway Lanes | Morgan Rd (CR-52),I-459 to South Shades Crest Rd(CR-2)  | Will reduce congestion and improve mobility for all including EJ population               |
| 111    | CR-52                   | ALDOT            | Additional Roadway Lanes | Pelham TOPICS, Widen CR 52 from I-65 to US 31 from 3-lane to 4-lane                                 | Will reduce congestion and improve mobility for all including EJ population               |
| 120    | Shelby CR-11            | Shelby County    | Additional Roadway Lanes | Shelby CR-11 from I-65 to CR 52, Widen from 2 to 3 Lanes  | Will reduce congestion and improve mobility for all including 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 |
| 162    | I-65                    | ALDOT            | Additional Roadway Lanes | I-65 Add Lanes From US-31 (Exit 231) in Calera to CR-87 (Exit 234)                                  | Will reduce congestion and improve mobility for all including EJ population               |
| 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               |
| 223    | US-31                   | ALDOT            | Additional Roadway Lanes | US-31 from Riverchase Parkway to I-65   | Will reduce congestion and improve mobility for all including EJ population               |
| 271    | I-59                    | ALDOT            | Additional Roadway Lanes | I-59 From 18th/19th Street (Exit 112) to Allison-Bonnette Memorial Drive/ Rutledge Drive (Exit 115) | 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    | CR-26 (Kent Dairy Road) | Shelby County    | Additional Roadway Lanes | CR-26 (Kent Dairy Rd) from CR-17 to Kentwood Drive, Widen from 2 To 3 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               |
| 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               |

| Map ID | Route                      | Sponsor                | Type of Work              | Project Description   | Benefit/Burden  |
|--------|----------------------------|------------------------|---------------------------|---|---|
| 727    | Old Springville Rd (CR-30) | Clay                   | Intersection Improvements | Old Springville Rd (CR-30) Intersection Improvements  | 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                              |
| 1189   | Eastern Valley Road        | Jefferson County       | Additional Roadway Lanes  | Eastern Valley Rd from McAshan Dr to Letson Farm Pkwy, Widen from 2 to 3 lanes  | Will reduce congestion and improve mobility for all including EJ population                     |
| 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), Widen from 2 to 4 lanes   | Will reduce congestion and improve mobility for all including EJ population                     |
| 1192   | Helena Rd (CR-52)          | Shelby County / Helena | Additional Roadway Lanes  | Helena Rd (CR-52), From South Shades Crest to CR-13. Widen 2 to 5 Lanes   | Will reduce congestion and improve mobility for all including EJ population                     |
| 1331   | I-59                       | ALDOT                  | Additional Roadway Lanes  | Reconstruction and Lane Addition on I-59 from I-459 to CR-10 (Chalkville Mountain Road) and I-459 from 0.34 miles south of SR-7 (US-11) to I-59 | Will reduce congestion and improve mobility for all commuters including EJ population           |
| 1591   | I-20/I-59                  | ALDOT                  | Additional Roadway Lanes  | Additional Lanes on I-20/59 from MP116 to 118   | Will reduce congestion and improve mobility for all including EJ population                     |
| 1593   | I-59/I-20                  | ALDOT                  | Additional Roadway Lanes  | I-59/20 Additional lanes From Fairfield Boulevard to Valley Road (Exit 118), Including Bridges Replacement of Dual Bridges                      | Will reduce congestion and improve mobility for all including EJ population                     |
| 1595   | Ross Bridge Parkway        | ALDOT / Hoover         | New Roadways              | Extend Ross Bridge Parkway to I-459; Add interchange (Exit 9) and extend new road to South Shades Crest Road                                    | Will connect the Ross Bridge Parkway directly to I-459 thereby improving access and travel time |
| 1597   | Lakeshore Parkway          | Jefferson County       | New Roadways              | Lakeshore Parkway Extension from SR-150 to Morgan Road/Farr Rd  | Will improve access and travel time   |

Source: RPCGB

Of the 48 fiscally constrained non-exempt capacity projects planned in the MPA under this 2050 RTP (see **Table 2 in Appendix A Capacity Projects**), 26 fall within the EJA areas which equates to 54.2% of the projects. Likewise, of the 124.7 miles of capacity adding projects, 63.9 miles of them are within the Environmental Justice Areas



(equating to 51.2%).

**Table 4:** Summary of the Fiscally Constrained Non-Exempt Capacity Projects Impacts in Environmental Justice Areas

|                    | # of Projects on the 2050 RTP Fiscally Constrained Non-Exempt Capacity List | # of those projects that fall inside the Environmental Justice Areas | Percentage |
|--------------------|---|--|------------|
| Number of Projects | 48  | 26   | 54.2%      |
| Total Miles        | 124.7   | 63.9   | 51.2%      |

Source: RPCGB

## THE TRANSPORTATION 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 EJAs 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 EJAs 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

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 TCC and TTC 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.

Staff from Regional Planning Commission of Greater Birmingham (RPCGB), on behalf of the Birmingham 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 latest version of the Title VI Nondiscrimination Plan and LEP Plan was adopted in August 2022. Visit [www.rpcgb.org/nondiscrimination-and-accessibility](http://www.rpcgb.org/nondiscrimination-and-accessibility) to view the plan, review complaint procedures and download forms.

The latest version (adopted May 2022) of the Birmingham MPO's Public Involvement Plan can be found at [www.rpcgb.org/public-involvement](http://www.rpcgb.org/public-involvement).

Source: WVTM 13 News



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