
APPENDIX H

ENVIRONMENTAL JUSTICE REPORT

**BIRMINGHAM METROPOLITAN PLANNING
ORGANIZATION (MPO)**

**Environmental Justice
Report**

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1.0 INTRODUCTION

“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. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the executive of federal, state, local, and tribal programs and policies.”

- The U.S. Environmental Protection Agency’s (EPA) Office of Environmental Justice

Over the past few years, the environmental justice (EJ) movement has linked the plight of EJ populations to social and environmental health hazards and has attempted to demonstrate ways environmental data access and information sharing can address these problems at the local level.

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2.0 PRINCIPLES AND LEGISLATION

The principle of EJ in transportation planning ensures that transportation projects do not have a disproportionately negative impact on low-income and/or minority populations. The goal is to achieve EJ protection for all communities.

The Federal Highway Administration (FHWA) outlines three (3) fundamental EJ principles:

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

All EJ requirements are based upon the following legislation:

Title VI of the Civil Rights Act of 1964 created a foundation for future EJ regulations. Since its establishment, EJ has played an active role in local, state, and federal transportation projects. **Section 42.104** and related statutes require Federal agencies to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion.

The National Environmental Policy Act of 1969 (NEPA) addresses both social and economic impacts of EJ. NEPA stresses the importance of providing for “all Americans safe, healthful, productive, and esthetically pleasing surroundings,”¹ and provides a requirement for taking a “systematic, interdisciplinary approach”¹ to aid in considering environmental and community factors in decision making.

Rehabilitation Act of 1973 (29 USC 794) is the law prohibiting discrimination on the basis of a disability, and in terms of access to the transportation planning process.

The Civil Rights Restoration Act of 1987 further expanded Title VI to include all programs and activities of Federal aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

Americans with Disabilities Act of 1990 (42 U.S.C. 12131), which prohibits discrimination on the basis of disability by public entities and applies to all services, programs, and activities provided or made available by public entities.

Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations was signed by President Clinton in 1994. This piece of legislation directed every Federal agency to make EJ part of its mission by identifying and addressing all programs, policies, and activities that affect human health or the environment so as to identify and avoid “disproportionately high and adverse”² effects on minority and low-income population. Federal, state, local, and tribal agencies must be proactive when it comes to determining better methods to serve the public who rely on transportation systems and services to increase their quality of life. Transportation agencies that take a more proactive approach to the implementation of Title VI will reduce potential conflicts while simultaneously complying with other legislation.

The Order on Environmental Justice (DOT Order 5610.2) was issued by the United States Department of Transportation (DOT) in April 1997. DOT Order 5610.2 summarized and expanded upon the requirements of Executive Order 12989 to include all policies, programs, and other activities that are undertaken, funded, or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or other USDOT components.

The **FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (DOT Order 6640.23)** was issued by the FHWA in December 1998. DOT Order 6640.23 mandated the FHWA and all its subsidiaries to implement the principles of Executive Order 12898 and DOT Order 5610.2 into all of its programs, policies, and activities.

Implementing Title VI Requirements in Metropolitan and Statewide Planning was issued jointly by the FHWA and FTA in October 1999. This memorandum provides clarification for field offices on how to ensure EJ is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that EJ is equally as important during the planning stages as it is during the project development stages.

Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency was signed by President George W. Bush in 2000. The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. A subsequent Department of Justice policy document set forth compliance standards for LEP populations under the Title VI of the Civil Rights Act of 1964.

Executive Order 13330: Human Service Transportation Coordination was signed by President George W. Bush in 2004. This Order was issued to “enhance access to transportation to improve mobility, employment opportunities, and access to community services for persons who are transportation-disadvantaged.”³ This piece of legislation established the Interagency Transportation Coordinating Council on Access and Mobility. In 2005, the FTA published a human services transportation coordination fact sheet outlining the requirements that included the establishment of a locally developed coordinated public transit-human services transportation plan for all FTA human service transportation programs.

The **Moving Ahead for Progress in the 21st Century (MAP-21), also known as Public Law 112-131, signed into law July 6, 2013** requires that the metropolitan planning process is open to public input in the preparation of plans and programs and is consistent with the eight planning factors.

1. Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
2. Increase the safety of the transportation system for motorized and non-motorized users.
3. Increase the security of the transportation system for motorized and non-motorized users.
4. Increase accessibility and mobility of people and freight.
5. Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns.
6. Enhance the integration and connectivity of the transportation system, across and between modes for people and freight.
7. Promote efficient system management and operation.
8. Emphasize the preservation of the existing transportation system.

¹ <http://environment.fhwa.dot.gov/projdev/>

² <http://www.archives.gov/federal-register/executive-orders/pdf/12898.pdf>

³ <http://www.lep.gov/13166/eo13166.html>

2.1 LIVABILITY PRINCIPLES

Increasingly, federal and state agencies are using Performance Measures as a way of ensuring greater accountability for the expenditure of public funds in an ever-growing number of programs and activities across a variety of disciplines. Within the transportation sector and the planning processes associated with transportation infrastructure development, Alabama Department of Transportation (ALDOT) has adopted the Livability Principles and Indicators as a sustainability measurement against future actions.

All planning tasks will be measured against these Livability Principles:

1. Provide more transportation choices
2. Promote equitable, affordable housing
3. Enhance economic competitiveness
4. Support existing communities
5. Coordinate policies and leverage investment.
6. Value communities and neighborhoods.

As a measure of sustainability of these principles, the MPO has developed a candidate list of Livability Indicators:

1. Mode Share – percent of travelers using different travel modes
2. Jobs/Housing Balance – total number of jobs/total housing by area
3. Travel Time Index – congested vs. free-flow travel time
4. Percentage of projects that include Air Quality Mitigation (support existing communities)
5. Project Funding Diversity – percent of transportation projects utilizing multiple funding sources (federal, state, local)
6. Partnerships and Public Involvement – number of partnerships and documentation of PI Activities

The Indicators will be used in the development and presentation of data for the following plan documents: Long Range Transportation Plan (aka Regional Transportation Plan), Transportation Improvement Program (TIP), Public Participation Plan, Congestion Management Process (TMAs only), and the Air Quality Conformity Report (as applicable).

In addition, the Conformity to State or Federal Implementation Plan of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23 U.S.C. (or the Federal Transit Laws), 93.105 paragraph (e) requires affected agencies making conformity determinations on transportation plans, programs, and projects to establish a proactive PPP which provides opportunity for public review and comment by, at a minimum, providing reasonable public access to technical and policy information considered by the agency at the beginning of the public comment period and prior to taking formal action on a conformity determination for all transportation plans and TIPs.

An agreement executed in July 2008 (superseding the February 1982 agreement as amended in December 1991 and May 1995), exists for the purpose of administering the urban transportation planning process in the Birmingham Urbanized Area under the FHWA, FTA, and EPA programs. The agreement is among:

- Alabama Department of Environmental Management (ADEM)
- Alabama Department of Transportation (ALDOT)
- Birmingham-Jefferson County Transit Authority (BJCTA)
- Regional Planning Commission of Greater Birmingham (RPCGB)
- Jefferson County Department of Health (JCDH)
- Birmingham Metropolitan Planning Organization (MPO)

2.2 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
- Your complaint must be signed and dated.

Please submit your complaint to the address below:

Alabama Department of Transportation
Personnel & Compliance Bureau
Attention: Compliance Manager

or

Cornell L. Tatum, Sr. Coordinator
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
Denise Turner
RPC of Greater Birmingham
2 North 20th Street, Suite 1200, Birmingham, AL 35203

Complaint procedures and forms are made available on the RPCGB website.

3.0 MPO RESPONSE TO ENVIRONMENTAL JUSTICE

The Birmingham Metropolitan Planning Organization (MPO) is the designated group of local elected officials responsible for the development of the required transportation products. MPOs serve as the primary forum where state Departments of Transportation (DOTs), transit providers, local agencies, and the public develop local transportation plans and programs that will address the needs of a metropolitan area.

In response to the EJ challenge, the Birmingham 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 potential 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 new ideas from local citizens, but it also alerts them to potential EJ concerns during the planning stages and before the project development starts. 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 the target populations.

The Birmingham MPO has identified three (3) areas that will ensure and enhance environmental justice considerations and are being properly integrated into the transportation planning and project development processes.

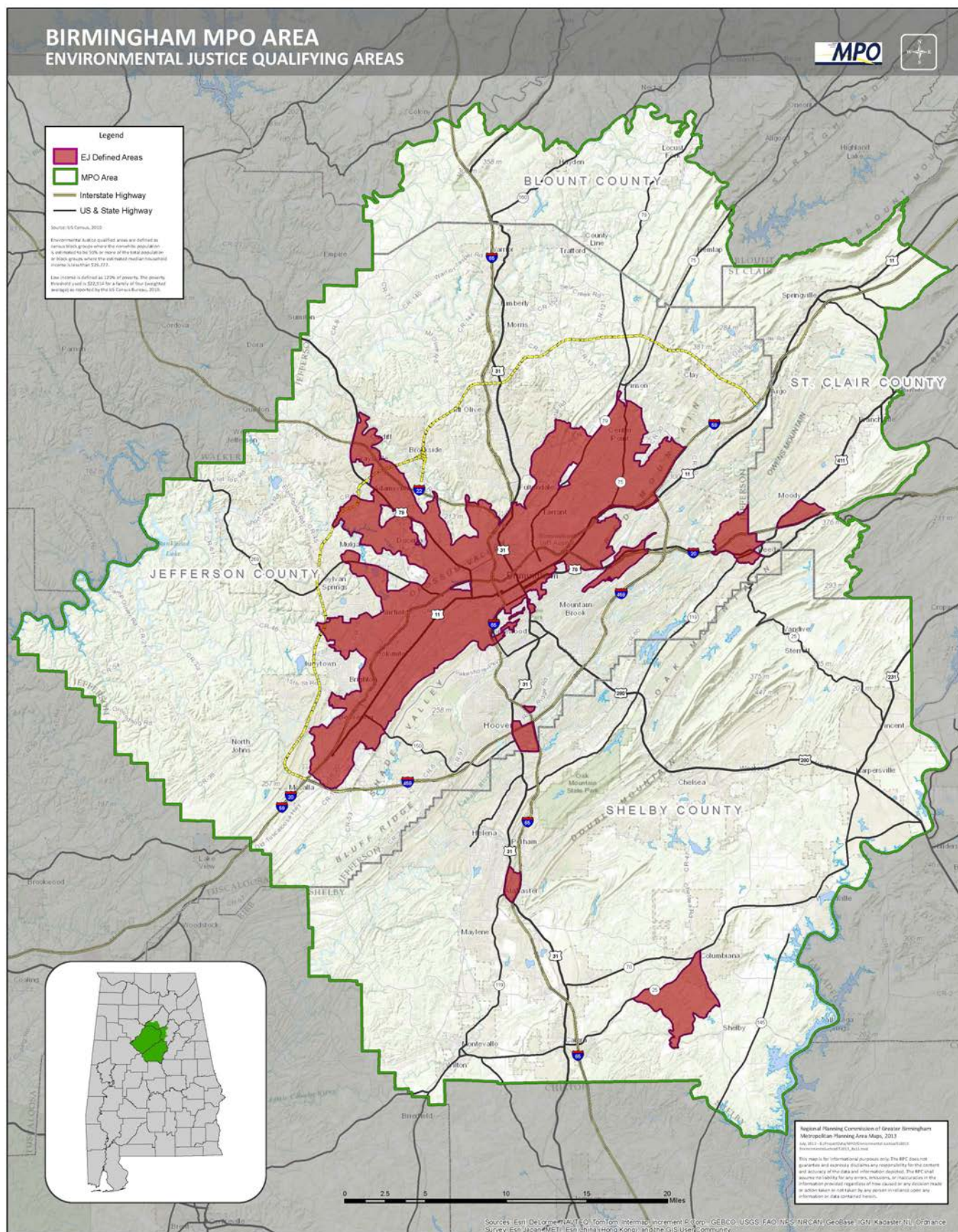
1. Identify residential, employment, and transportation patterns of low-income, minority, disabled, Limited English Proficiency (LEP), elderly, and low-literacy (LL) populations (EJ populations) so that their needs can be identified and addressed, so that the benefits and burdens of transportation investments can be fairly distributed.
2. Use of analytical tools to assess whether transportation programs and projects place a disproportionately high and adverse impact on EJ populations.
3. Continuing evaluation of the public involvement process to ensure that it adequately eliminates any participation barriers for the active involvement of EJ populations in regional transportation decision making.

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 because of previous EJ infractions. Once planners have an understanding of where these communities are located, future transportation plans can be created to include these communities in the planning process.

The Birmingham MPO utilizes a layered GIS-based tool that relies on regionally available socio-economic and transportation-related data. The system was designed to support the MPO's EJ analyses at the system-level as well as at the corridor level of project alternatives and project-level impacts. The system identifies impacted populations and inventories community assets (neighborhood associations, churches, landmarks, etc.) to facilitate public participation in the transportation planning process. The community assets are overlaid on the currently available demographics and income data. The MPO uses data based on the Census block group level. All data is aggregate up or down to this level. In order to ascertain that the data is relevant at the community level, and at appropriate resolution to support planning at various stages, regional socio-economic data is accorded equal weight within the system. For example, in areas where income data is not readily available, surrogate indicators such as locations of schools, population of school children on free or reduced lunch program, and location and type of jobs (particularly entry level jobs) is used.

The Birmingham MPO defines *EJ populations/communities* as those areas that include one or more of the following populations: low-income, minority. The affected population will be determined on a per project basis and the public involvement process will be adapted to address the appropriate population(s).

Figure 1. Environmental Justice Qualified Area



Source: RPCGB - based on 2010 U.S. Census data

4.0 ENVIRONMENTAL JUSTICE QUALIFIED AREA

Environmental Justice qualified areas are defined as census block groups where the nonwhite population is estimated to be 50% or more of the total population or block groups where the estimated median household income is less than \$26,460.

4.1 LOW-INCOME POPULATIONS

The National Poverty Guidelines are issued annually by the U.S. Department of Health and Human Services. The Guidelines vary based on family size and increases each year with the Consumer Price Index. The Consumer Price Index is a “measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.” Low income is defined as 120% of poverty. The poverty threshold used is \$22,314 for a family of four (weighted average) as reported by the US HHS Department, 2010.

4.2 MINORITY POPULATIONS

Executive Order 12898 and the DOT and FHWA Orders on Environmental Justice consider minority persons as persons belonging to any of the following groups:

Black – a person having origins in any of the black racial groups of Africa.

Hispanic – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

Asian American – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or Pacific Islands.

American Indian and Alaskan Native – a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Native Hawaiian or Other Pacific Islander – a person having origins in any part of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

Black, Hispanic, Asian-American, American Indian and Alaskan Native, and Native Hawaiian or Other Pacific Islander.

4.3 ADVERSE EFFECTS

Adverse Effects means the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to bodily impairment, infirmity, illness or death; air, noise, and water pollution and soil contamination; destruction or disruption of man-made or natural resources; destruction or diminution of aesthetic values; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organizations; increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community; and the denial of reduction in, or significant delay in the receipt of benefits.

The phrase *disproportionately high and adverse effect on minority and low-income populations* means that an adverse effect:

1. Is predominantly borne by a minority population and/or a low-income population
2. Will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population

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5.0 MPO APPROACH

At the start of a planning process, transportation officials must determine whether EJ issues exist. Planning officials can evaluate past and present transportation plans that are in violation of EJ requirements. Past projects that did not include EJ populations in the planning process and did not provide adequate transportation accessibility have been reviewed and the MPO responded by developing ways to prevent these acts in the future. Also, existing plans can be examined to ascertain if these plans are in violation of EJ requirements. For a determination of existence of EJ issues, officials must use available data and other resources to determine the impact (positive and/or negative) on EJ populations and propose an appropriate impact mitigation course of action.

Environmental Justice Principles are recognized as an important part of the planning process and are considered in the development of both the Long Range Transportation Plan (LRTP) and the short term Transportation Improvement Program (TIP). Both of these plans follow a detailed Public Participation Plan (PPP). The PPP process is a key component in addressing EJ issues and securing full participation by all residents.

The Birmingham MPO's transportation planning efforts are focused toward providing commuters in the Greater Birmingham area with a variety of commuting choices, as well as ensuring the continued expansion and optimal use of the existing public and private transportation system for movement of both people and goods. Modal options include driving, using mass transit, cycling, walking, and ridesharing 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 the travelers, but their decisions are affected by the services provided by the various parts of the transportation system. The Birmingham 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 BJCTA in undertaking transit planning and special studies. The BJCTA participates in the regional transportation planning process by working closely with the MPO in developing the LRTP and the TIP. The BJCTA and the MPO work cooperatively and proactively with regional jurisdictions, community groups, and the public in developing transportation plans. The BJCTA is a member of the TTC and TCC.

When developing the LRTP and the TIP, the Birmingham MPO shall consult with agencies and officials responsible for other planning activities within the Birmingham MPO that are affected by transportation (including state and local planned growth, economic development, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with planning activities. In addition to the methods and database outlined in Section 4.3 of the MPO's PPP, the consultation process shall include agencies to determine available conservation plans or maps and inventories of natural or historic resources through the following processes:

1. Geographic Information System (GIS) overlays showing the past and current conditions of the natural and built environments;
2. Inventory of predictive models that could be used for determining the future conditions of the natural and built environment;
3. Environmental scans that identify environmental resources and environmentally sensitive areas;
4. Description of watersheds;
5. Outputs of natural resource planning efforts and plans, to include wildlife conservation, special area management, multiple species habitat conservation, and natural resource conservation.

5.1 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. Public involvement is an extremely vital part of the metropolitan planning process, not only because it is a Federal mandate, but it also results in good transportation decision making. The PPP provides the Birmingham MPO and other local transportation officials with information from the public concerning transportation plans and programs for the Birmingham metropolitan planning area. 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, whether highway or transit. Others believe that transportation plans, whether 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 avenues to give information back to the agency. Developing an effective PPP is a strategic effort that requires assembling a selection of techniques that meet the needs of a given transportation plan, program, or project. Citizens are necessary to the transportation decision making process because when residents are directly involved in the process, new points of view, new ideas, and a community perspective are ingrained into the process, thereby giving decisions more legitimacy. The overall process should convince citizens that active involvement is worthwhile because their input has a direct and meaningful impact on decisions made concerning transportation plans, programs, or projects. The Birmingham MPO PPP seeks out and considers those *traditionally underserved* populations through a variety of techniques.

Participation of the general public, special interest groups, and state and local officials occurs in the PPP through the formulation of committees. To better determine the needs of the EJ populations, the Birmingham MPO formed a Transportation Citizens Committee (TCC). The TCC is a group of local citizens from all segments of the community, including representatives from low-income, minority, transportation disadvantaged, elderly, and disabled communities. The TCC serves an advisory role to the transportation staff and the MPO. The Transportation Technical Committee (TTC) advises the MPO on the feasibility of proposed projects by reviewing the outline of procedures for the various stages of a study, methodology, projections, assumptions, and recommend plans and programs.

Both of these committees play an essential role in the PPP by providing feedback from the public to the Birmingham MPO and by being available to answer questions from interested parties at all transportation public meetings and special events.

- Develop partnerships with local communities
- Inform the public of activities, plans, and decisions
- Understand and respond to the needs and concerns of the public
- Encourage public understanding
- Identify any potential barriers that may exist
- Make better and more informed decisions about transportation projects and policies

The goal of the Birmingham 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 the participants on the transportation process. Prior to each traditional public involvement meeting, information is provided to each community in a timely manner, so as to ensure full participation and attendance from interested citizens. Before the meeting, announcements are posted detailing the exact time, location, and proposed agenda of each meeting. All documents to be reviewed at the public involvement meeting are made available to the public electronically or printed. At the meeting, various tools such as maps, surveys, handouts, PowerPoint presentations, comment/question cards, and other references are utilized to provide attendees with as much information as possible concerning proposed transportation programs, policies, and/or actions. At the conclusion of each meeting, all comments/questions given by participants are properly noted and documented by the RPCGB in the meeting minutes.

As aforementioned, there are several barriers to the PPP. These barriers may include, but are not limited to:

1. Meeting time and location
2. Literacy in various languages
3. Mobility
4. The belief in the citizen's ability to impact decision making

The Birmingham MPO understands the potential for many of these barriers to occur, and has proactively developed several methods of mitigating these barriers to include traditionally deprived communities. In an effort 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 Birmingham MPO uses several outreach processes to involve the public in the transportation planning process, including the more common *word of mouth* methods such as public meetings, presentations to civic, community, and business groups, involvement on various local committees, and one-on-one contact. In addition, the MPO expands its outreach process to include direct mail, press releases to all print, radio, and television public service announcements, and the World Wide Web. A calendar of events for all public meetings is posted on the MPO web site which is available for public access 24 hours a day. In an effort to obtain feedback from the public on transportation projects, programs, and the overall PIP, the MPO provides a survey form to all citizens who participate in public meetings.

The Birmingham MPO Public Involvement Mailing List is comprised of a variety of categories and subcategories that are used to group the names of particular persons and/or organizations into one document that is heavily relied upon to inform the public about upcoming meetings and events. There are a total of 17 categories and 33 subcategories that include ethnic/minority groups, neglected groups, low-income assistance organizations, as well as social service agencies. This listing is utilized to notify citizens through direct mail of upcoming meetings and events. The MPO also posts announcements in the local newspapers of targeted areas.

The Birmingham MPO also communicates information to the public through partnerships with community-based groups, faith-based organizations, libraries, and public housing authorities. Prior to each meeting, flyers announcing meetings are delivered to area libraries, churches, and housing authorities for distribution. The LRTP and the TIP are made available to the public at each public involvement meeting and via the web site. Each draft TIP and any modifications to the TIP are reported to the public and the news media prior to being adopted.

The MPO developed a Limited English Proficiency (LEP) plan based on Title VI requirements. The LEP plan details how the MPO will work with limited English proficiency people who want to be involved in the transportation planning process. The LEP plan was developed and included in the Public Participation Plan adopted April 2014.

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6.0 BEYOND THE STATUTE: TARGETED POPULATION LAYER

Identifying the needs of the EJ populations is a continual process. In order to better respond to those needs, the Birmingham MPO has documented extensive information from a variety of sources including the RTP, the Birmingham Jefferson County Transit Authority's (BJCTA) Transit Development Program, the Coordinated Human Service Transportation Plan, and ClasTran. While the needs of the EJ populations are identified in each of these reports and committees, they essentially all have the same general conclusions:

- Employment centers are not located in areas readily accessible to target populations.
- Entry level jobs are available at times when mass transit does not operate.
- Multiple stops that increase travel time make commuters more reluctant to use the transit en route to a destination.
- Commuters often have several trips to make during the day, which would require multiple transit trips and stops.
- Unavailability of transit service in suburban areas outside the city center.
- Portions of urban transit systems are often not accessible

For example, some bus stops are situated along roads without sidewalks, without curb cuts on paths leading to the bus stops, or on platforms that have no means of access from the ground or street level. These situations pose barriers to those with physical disabilities. A need has also been expressed for additional bus shelters, attractive sheltered waiting areas, and informative route signage.

6.1 APPROACH

Using maps to visually represent demographic analysis is an integral part of the Birmingham MPO's approach to addressing most of the issues identified above. These tools provide a systematic approach to identifying all protected populations (on a block group level) that could be impacted by any proposed transportation project. The data behind the analyses allow one to support projects from planning stages through project design and construction.

The first step in the process is to independently compare demographic estimates for percent minority and percent low income to both Jefferson, Shelby and portions of Blount and St. Clair Counties' averages. If the county averages are exceeded for either variable for any block group, such block group is a potential EJ area of concern. At the planning stages, these are the areas where special attention and additional data would need to be gathered. The union of both of these layers becomes the EJ layer.

Both the demographic and poverty data are mainly adjusted on a 10-year interval (Census data). Data from the free school lunch program is used to further identify additional block groups that fall under the poverty level. A new school lunch layer is then created for those block groups whose fraction of students on free or reduced school lunch exceeds the county average. The union of the EJ layer and the new school lunch layer becomes the Targeted Population (TP) layer. The TP layer becomes the universe of potential block groups that would need to receive special attention for impact analysis and outreach. The school lunch data has been selected from a number of other potential indicators of income because it is easily obtained and updated by the National Center for Education Statistics every two (2) years, thereby allowing one to capture changes in income status between the 10-year cycles for the Census data. The TP layer therefore can be updated every two years as data becomes available.

For a specific project, the project data is overlaid on the TP layer to determine the potential block groups that would be impacted. This involves finding the intersection of the proposed project with the TP layer. This intersection represents block groups with potential EJ concerns and would need additional analysis for potential negative impact.

The fourth variable selected will be specifically useful in assessing effectiveness of public transportation initiatives and programs particularly to the EJ community. The number of households without vehicle allows the agency to quickly assess mass transit programs. For example, by comparing the distribution of households without vehicle to location of mass transit (bus) stops, it can easily be determined if mass transit services are adequately reaching this targeted population. Using a similar approach, a vehicle layer can be created from block groups with households without vehicle greater than the county average. This layer will be combined with the TP layer to produce a Targeted Population Vehicle (TPV) layer.

The majority of these populations are located in areas that are distanced from the major employment centers. Access to major employment centers is a major struggle for many low-income and disabled citizens. Because of this, many persons are forced to endure a long bus ride to these centers, if a bus route is available. Finally, when considering any given transit project, this variable allows for the assessment of benefit of such projects on this population, i.e. a road widening project through a community with a high number of households without vehicle provides little or no benefit to the community.

PERCENT FREE AND REDUCED LUNCH BY SCHOOL
ENVIRONMENTAL JUSTICE QUALIFYING AREAS

Legend

- EJ Defined Areas
- MPO Area
- Interstate Highway
- US & State Highway

Free & Reduced Lunch by School

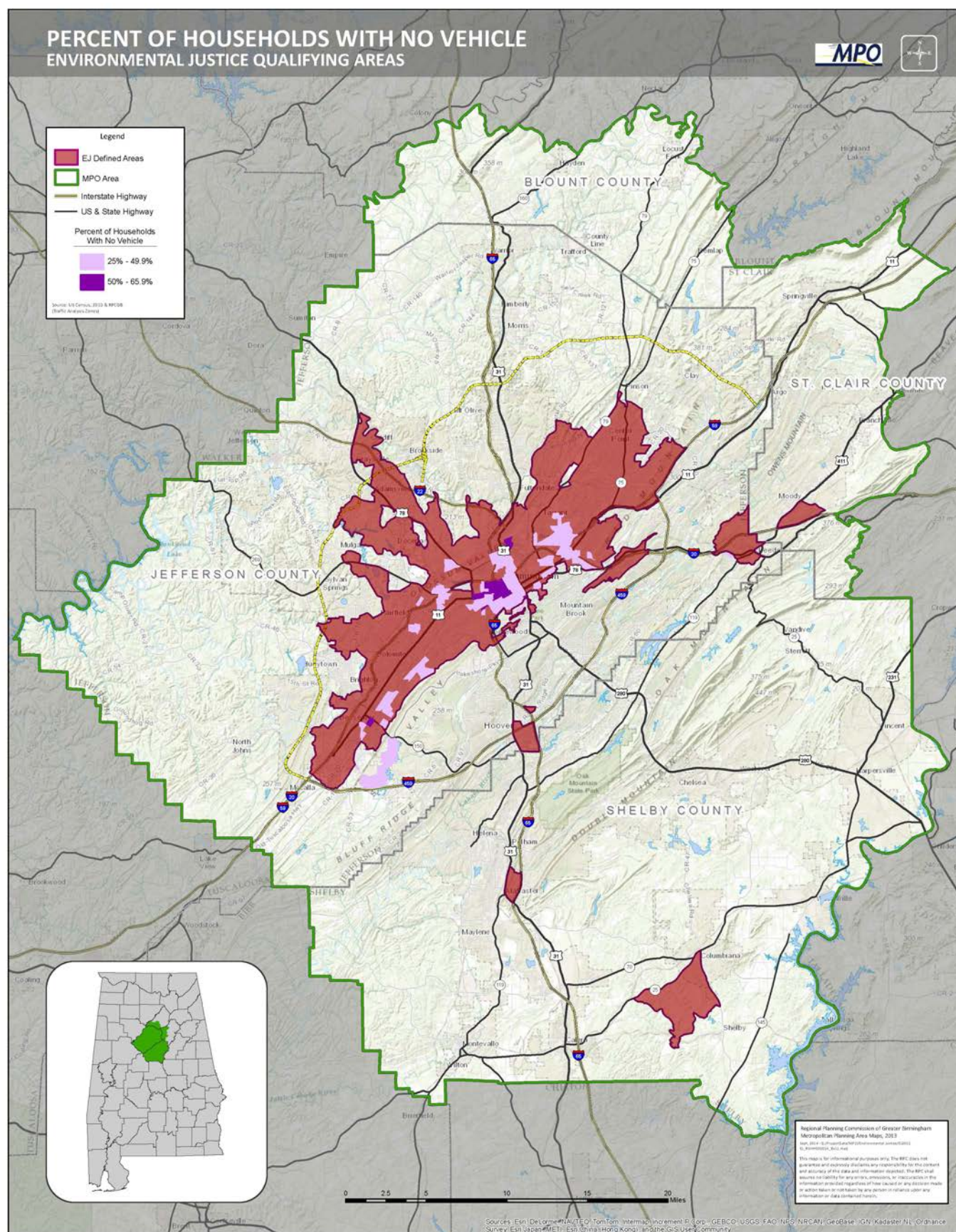
- Less than 25%
- 25% - 49.9%
- 50% - 74.9%
- 75% or More

Source: ABE, 2013. US

Regional Planning Commission of Greater Birmingham
Metropolitan Planning Area Maps, 2013
See also: <http://www.birminghamplanning.com/arcgis/>
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information or data displayed herein.

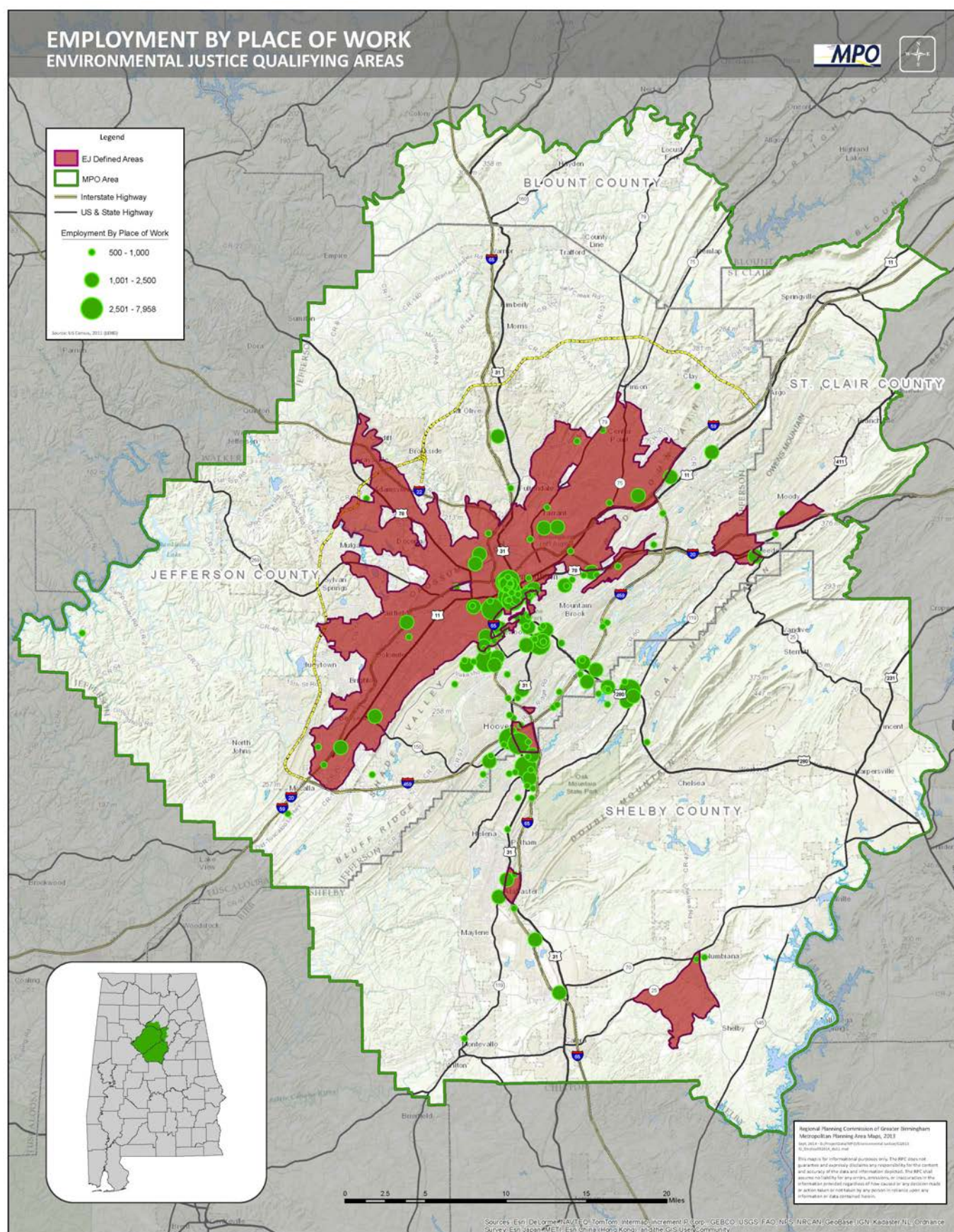
Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NBS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance

Figure 3. Percent of Households with No Vehicle



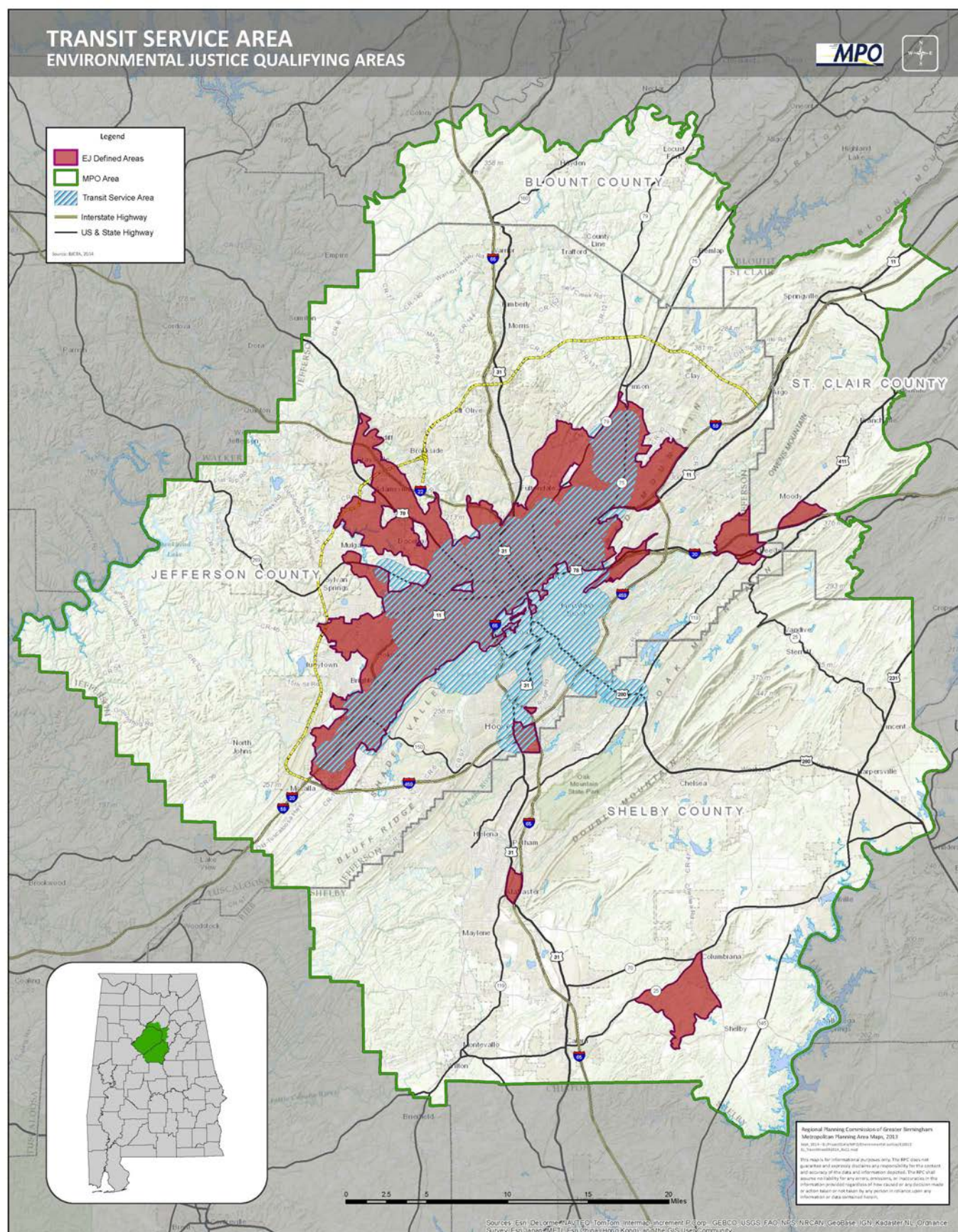
Source: RPCGB - based on 2010 U.S. Census data

Figure 4. Employment by Place of Work



Source: RPCGB - based on 2010 U.S. Census data

Figure 5. Transit Service Area

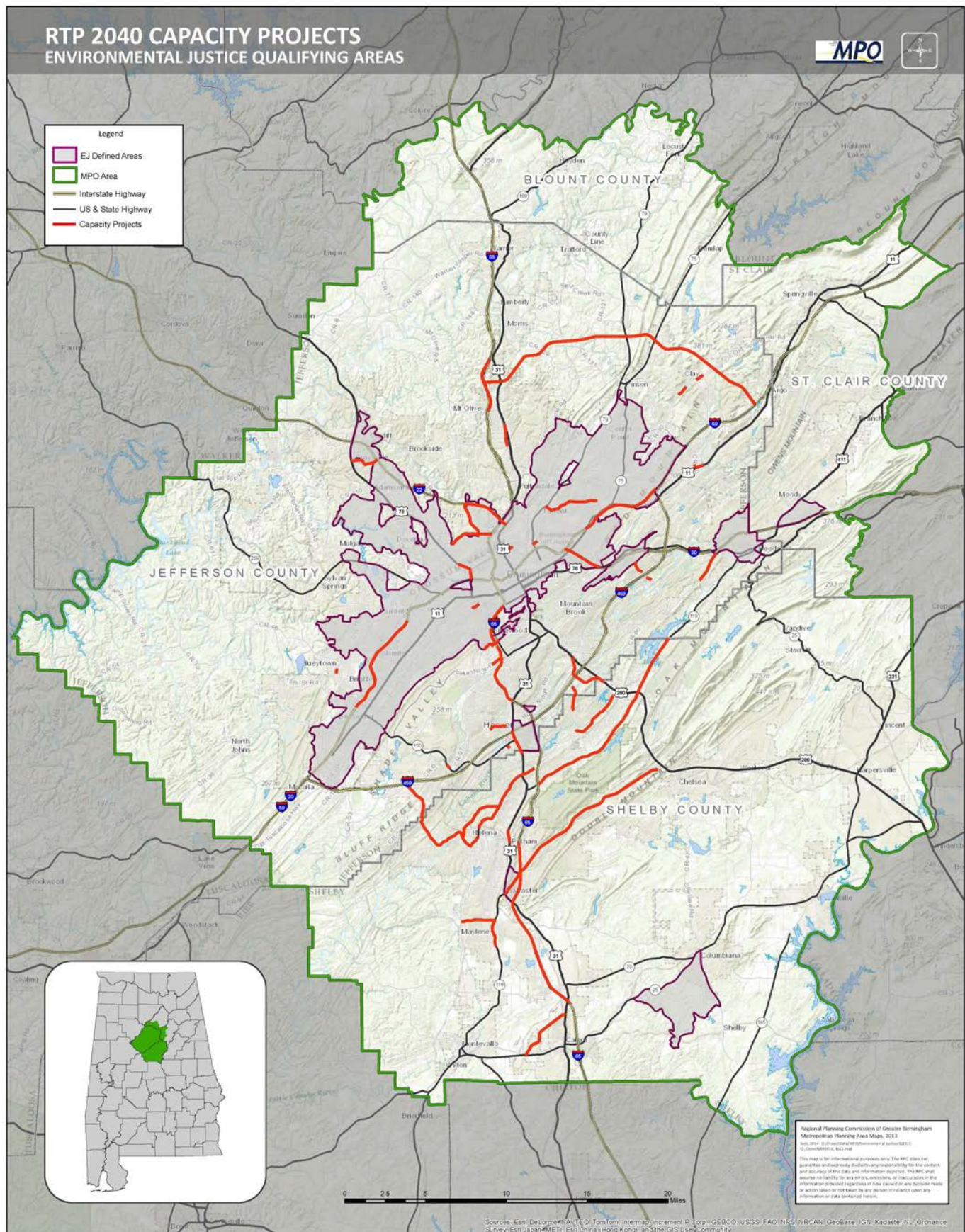


Source: RPCGB - based on 2010 U.S. Census data

7.0 2040 REGIONAL TRANSPORTATION PLAN PROJECTS

The primary purpose of the RTP is to provide a vision for satisfying the existing and anticipated demands on the transportation system serving the Birmingham metropolitan planning area, Jefferson, Shelby and portions of Blount and St. Clair Counties. Given the area's consistent growth in both population and employment, the RTP is a necessary tool for addressing transportation needs. The plan provides a balanced, financially feasible set of transportation improvements supported by a number of policies. Together, these will facilitate the movement of people and goods by all modes of transportation within the Birmingham metropolitan area. The proposed 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. Example of the visuals necessary in the RTP planning process, maps of the 2040 RTP's capacity projects in the fiscally constrained and visionary plan and bicycle/pedestrian plan are overlaid on the Environmental Justice Qualified Area.

Figure 6. 2040 Regional Transportation Plan, Capacity Projects



Source: RPCGB - based on 2010 U.S. Census data

**RTP 2040 VISIONARY PROJECTS
ENVIRONMENTAL JUSTICE QUALIFYING AREAS**

Legend

- EJ Defined Areas
- MPO Area
- Interstate Highway
- US & State Highway
- Visionary Projects

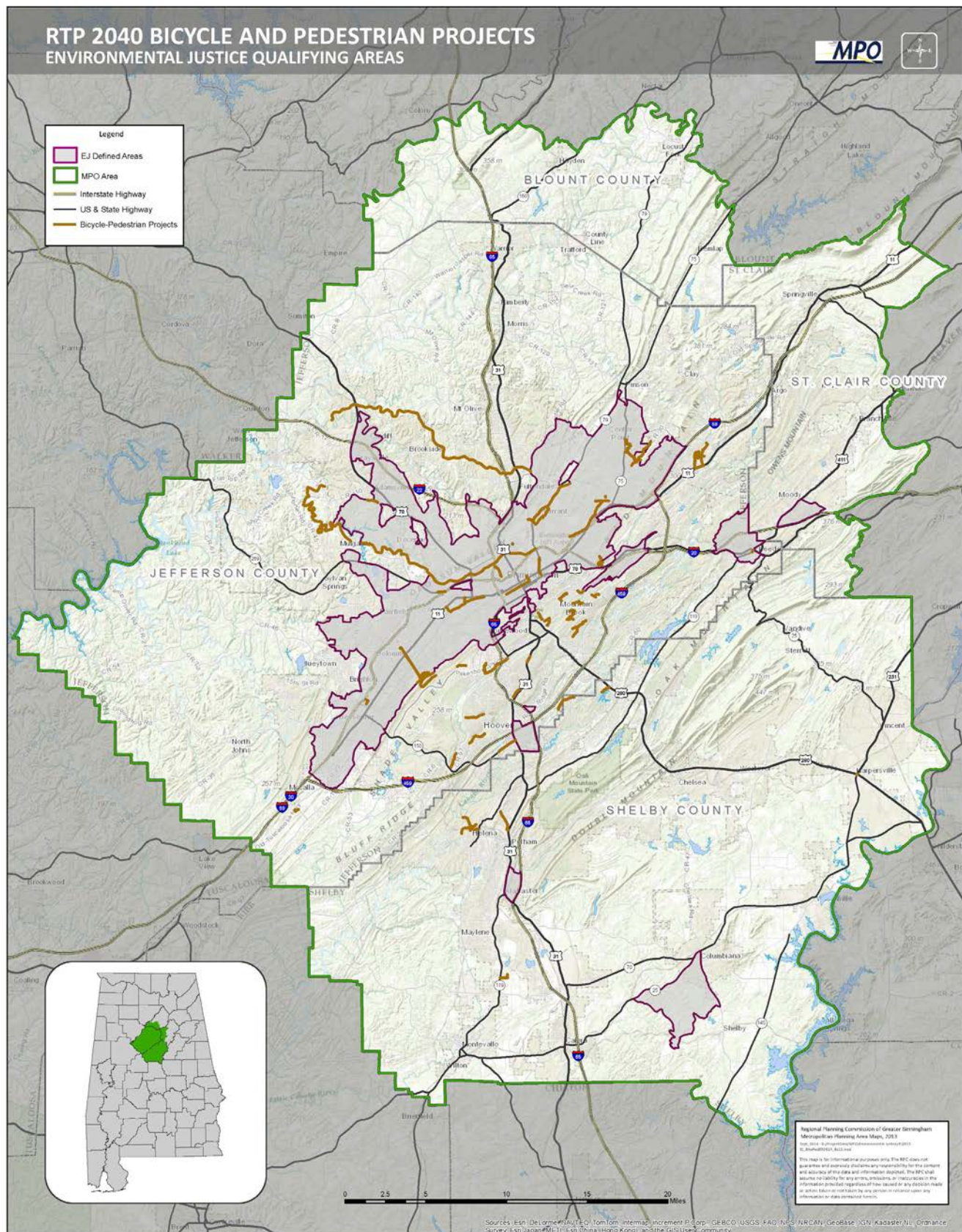
**Regional Planning Commission of Greater Birmingham
Metropolitan Planning Area Map, 2013**

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Sources: Esri, DeLorme, NAVTEQ, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, Geobase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, and the GIS User Community

Appendix H: Environmental Justice Report

Figure 8. 2040 Regional Transportation Plan, Bicycle and Pedestrian Projects, Fiscally Constrained



Source: RPCGB - based on 2010 U.S. Census data