

Press Release from the Southern Environmental Law Center and Black Warrior Riverkeeper
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Court Rules in Favor of Flawed Northern Beltline Project

Birmingham, AL – The U.S. District Court for the Middle District of Alabama issued a ruling late yesterday that responsible agencies met threshold legal requirements for a review of environmental impacts and alternative transportation investments for the Northern Beltline.

“We are deeply disappointed in the decision allowing this project’s first phase to move forward without further review, as the Northern Beltline continues to be a bad investment for the Birmingham region,” said Gil Rogers, senior attorney with the Southern Environmental Law Center. “We stand by our position that these agencies have continuously cut corners for the monetary gain of a few wealthy landowners and corporations to move the project forward without fully analyzing the environmental and economic costs, impacts, or alternatives.”

As the most expensive road project in the history of Alabama and one of the costliest per mile in the nation, the 52-mile, six-lane highway is projected to cost taxpayers \$5.3 billion, or \$102 million per mile, while it is only expected to relieve 1-3% of traffic if ever completed. [The Birmingham Metropolitan Planning Organization’s 2040 Regional Transportation Plan shows that only 19 miles \(36%\) of the Northern Beltline is projected to be complete by 2040, pushing the estimated completion date to approximately 75 years from now.](#)

The long range plan also shows that the project’s unparalleled cost will drain 55% of the capacity money for building or widening roads in Jefferson, Shelby, Chilton, St. Clair, Blount and Walker counties for the next 25 years.

“The short-circuited permitting process allowed in this case sets a poor precedent for future transportation projects and could potentially shelve those projects indefinitely,” said Nelson Brooke, Black Warrior Riverkeeper. “In choosing the longest and most environmentally destructive of all seven routes considered, ALDOT failed to thoroughly account for the Northern Beltline’s impacts to water resources throughout Jefferson County, including drinking water sources, neglecting its duty to serve the public interest.”

While construction on the initial 1.86 mile segment between Hwy. 75 and Hwy. 79 commenced in April 2014, ALDOT has publicly stated that the agency only has enough dedicated funding for the first segment and has not determined how to pay for the rest of the project. As the future of federal transportation funding remains uncertain, Department of Transportation officials in Georgia, South Carolina and Tennessee have wisely pulled the plug on numerous road projects in response to fiscal constraints.

The groups maintain that the state’s limited transportation budget could be better used for other projects that will address safety and congestion issues on area roads while creating jobs and causing far fewer impacts to water resources.

“Despite the ruling, this road is far from a done deal and our long-term goals continue to include implementing and enforcing a more transparent and thorough public input process for future road projects in Alabama,” said Rogers. “The Southern Environmental Law Center and Black Warrior Riverkeeper remain committed to raising

these important issues concerning the high costs of the Beltline to our transportation budget and our environment in favor of seeking better solutions for Birmingham's infrastructure needs."

The groups are currently considering options for appealing the adverse court ruling.

Background: Representing Black Warrior Riverkeeper, the Southern Environmental Law Center filed two federal lawsuits seeking more thorough review of environmental impacts of the proposed project. The 2011 suit charged that the Alabama Department of Transportation (ALDOT) and the Federal Highway Administration failed to provide a necessary analysis of alternative transportation investments as required by law, and to justify the environmental impacts and tremendous economic cost of the Beltline.

Again representing Black Warrior Riverkeeper, SELC filed suit in 2013 challenging a permit issued by the U.S. Army Corps of Engineers for the Northern Beltline's first phase of construction, charging improper segmentation of the project and failure to follow the Clean Water Act and the National Environmental Policy Act. Due to this improper segmentation, the groups argue that the full extent of the project's impacts to wetlands and waterways is unknown.

The highway will cross and permanently alter Black Warrior and Cahaba river tributaries in 90 places (including impacts to two major sources of drinking water). It will also impact wetlands in 35 places and 3,078 football fields' worth of forest. For a map of these aquatic impacts, click here:

<http://www.blackwarriorriver.org/pdf/MapofAquaticImpacts.pdf>

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About Southern Environmental Law Center:

The Southern Environmental Law Center is a regional nonprofit using the power of the law to protect the health and environment of the Southeast (Virginia, Tennessee, North and South Carolina, Georgia, and Alabama). Founded in 1986, SELC's team of nearly 60 legal and policy experts represent more than 100 partner groups on issues of climate change and energy, air and water quality, forests, the coast and wetlands, transportation, and land use.

www.SouthernEnvironment.org

About Black Warrior Riverkeeper:

Black Warrior Riverkeeper's mission is to protect and restore the Black Warrior River and its tributaries. We are a citizen-based nonprofit organization advocating for clean water, wildlife habitat, and recreational opportunities throughout the Black Warrior River watershed. To learn more about the river and threats to it, visit

www.BlackWarriorRiver.org