

P R E S S * R E L E A S E

Southern Environmental Law Center

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Groups Sue ALDOT for Flawed Environmental Study on Northern Beltline

Contact:

Gil Rogers, SELC Senior Attorney, 205-745-3060

Cat McCue, SELC Senior Communications Manager, 434-977-4090

Representing:

Nelson Brooke, Black Warrior Riverkeeper, 205-458-0095

Montgomery, AL — In violation of federal law, the state Department of Transportation failed to fully account for the environmental impacts of the massive, high-priced Northern Beltline, conservation groups said in a lawsuit filed today in federal district court in Montgomery.

The 52-mile beltline was recently pegged at \$4.7 billion, a 38% increase from just a few months ago. Much of that would come from federal coffers, but state taxpayers would be responsible for nearly \$1 billion in matching funds. At about \$90 million per mile, the beltline would be one of the most expensive interstate beltways in U.S. history.

Black Warrior Riverkeeper is suing the agency for violating the National Environmental Policy Act, which requires a thorough evaluation of environmental impacts and alternatives in order to identify the most cost-effective and least damaging alternatives for projects funded with federal money.

“We have been waiting for years for ALDOT to do its homework before proceeding as required by federal law. Unfortunately, this expensive and outdated highway project continues to move forward without a study of the most cost-effective way to bring economic growth to this part of the state,” said Gil Rogers, senior attorney with the Southern Environmental Law Center, which represents the river group in the lawsuit.

The state’s \$1 billion share of the beltline exceeds ALDOT’s annual construction budget for the entire state, and would be almost five times as much as ALDOT’s annual budget for road and bridge maintenance statewide. The high price of the state’s match means that many other necessary projects—such as safety improvements, bridge repair and road maintenance in Montgomery, Mobile, Huntsville, and elsewhere, including Birmingham—would go unfunded to accommodate the beltline.

ALDOT has failed to undertake any comparison of the true economic development impacts of this project with other transportation improvement alternatives, nor does the \$4.7 billion price tag take into account the additional cost to local governments of providing services like secondary roads and utilities to accommodate new growth in the region. Further, the beltline would likely trigger a shift of economic activity away from existing Birmingham neighborhoods.

“ALDOT’s inadequate study of this roadway’s cumulative economic and environmental impacts led to decisions being made in a vacuum without proper planning or public input,” said Nelson Brooke, spokesman for Black Warrior Riverkeeper. “Sprawling development along this highway will lead to increased pollution in local streams and rivers to the detriment of all who live downstream.”

The Northern Beltline was first proposed a half century ago, when engineers routinely designed bypasses around metro areas to relieve traffic. Today’s transportation experts increasingly recognize the

built-in liabilities of bypasses—declining downtowns, sprawl, loss of open space, impaired water quality, and increased traffic and smog.

ALDOT completed an environmental study on the project in 1997 and chose the route for the Northern Beltline that the U.S. Environmental Protection Agency cited as the most environmentally destructive. Because no work on the project occurred over the next three years, the analysis expired. ALDOT was legally required to re-evaluate its study and factor in changed conditions and correct deficiencies. Instead, in 2006, ALDOT released an extremely limited study covering only 3.4 miles, which according to the lawsuit amounts to an illegal segmentation of the project under the National Environmental Policy Act. Moreover, ALDOT has continued to ignore the environmental impacts of development spurred by the 3.4-mile segment and the beltline as a whole.

The Southern Environmental Law Center is a regional conservation organization 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 40 legal 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.

Black Warrior Riverkeeper (www.blackwarriorriver.org) is a citizen-based nonprofit environmental advocacy organization whose mission is to protect and restore the Black Warrior River and its tributaries. A member of Waterkeeper Alliance, Black Warrior Riverkeeper was the Alabama Environmental Council's 2007 Conservation Organization of the Year and the American Canoe Association's 2008 Green Paddle Award winner. Nelson Brooke, Riverkeeper, won the Alabama Rivers Alliance's 2010 River Hero Award.

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