



MEMORANDUM

To: CMAQ/TAP-L Project Selection Committee

From: CMAP Staff

Date: June 16, 2022

Re: Expansion of the Inclusive Growth Factor Score using Justice 40

Overview

In January 2021, President Biden signed [Executive Order \(EO\) 14008](#), *Tackling the Climate Crisis at Home and Abroad*. Section 223 of the EO established the goal of placing 40 percent of overall benefits of federal investments from covered programs in climate and clean energy infrastructure toward disadvantaged communities. The goal is commonly referred to as the Justice 40 initiative. Early [guidance](#) released in July 2021 outlined an interim definition of disadvantaged communities that was used as the framework for a screening tool being developed by the Council on Environmental Quality (CEQ) that was released in beta on March 13, 2022. While the CEQ screening tool is under refinement, the U.S. Department of Transportation (USDOT) released an interim tool on January 28, 2022, to help agencies define and identify disadvantaged communities for covered programs such as the National Electric Vehicle Infrastructure (NEVI) and Safe Streets and Roads for All (SS4A).

Covered programs were also defined in initial guidance as programs within one or more of seven areas that include categories such as clean transportation and climate change. While the Congestion Mitigation and Air Quality Improvement (CMAQ) and Transportation Alternatives (TAP) programs are not specifically listed, the programs can be interpreted as meeting the covered criteria and could be required in future program years to meet the requirements of Justice 40. To better position the CMAQ and locally programmed Transportation Alternatives (TAP-L) programs for the impact of Justice 40 requirements, scoring needs to be analyzed to ensure disadvantaged communities are being prioritized. The Justice 40 initiative aligns itself with the equity goals of ON TO 2050.

US DOT Disadvantaged Communities (DAC) Methodology

[The US DOT DAC tool](#) uses census tracts as its unit of analysis and leverages 22 indicators that are grouped into six categories of transportation disadvantage: transportation access, health, environmental, economic, resilience, and equity. Each of the six categories are given a binary score of a 0 or a 1 for a combined score that ranges from 0 to 6. Census tract categories receive a

1 when the tract is at or above the 50th percentile of disadvantage, otherwise the category receives a 0. The resilience category has a higher threshold than the others as the census tract must be at or higher than the 75th percentile of disadvantage to receive a score of 1. To be considered transportation disadvantaged, a census tract must have a score of 4 or higher. Further information on the methodology, including definitions, scoring, and data sets used, can be found on [USDOT's Justice 40](#) webpage.

Scoring

To achieve the goals of Justice 40, CMAP staff recommends incorporating disadvantaged communities as a scoring factor within the inclusive growth category using USDOT's screening tool. The inclusive growth score would have two elements— 1.) the existing criteria of the percent of travelers using a facility that are people of color below the poverty line and 2.) the level of community disadvantage where a project is located. If a project is in multiple census tract, the project will receive the score for the tract with highest number of disadvantaged categories. Each component would have a total of 10 points bringing the inclusive growth category to a maximum score of 20.

Staff recommends points to be awarded by the number of disadvantage categories that a census tract has identified in the USDOT DAC tool. The table below is the proposed method for allocating points: Since the minimum categories is 4 for a census track to be considered disadvantage, no points will be awarded below 4.

Number of disadvantaged categories	Proposed Score
0	0
1	0
2	0
3	0
4	4
5	7
6	10

The overall project scoring will need to be adjusted to account for the 10 points within the 100-point scale for both CMAQ and TAP-L. A proposal for that scoring is shown in the tables below.

CMAQ Project Scoring		
	Current	Proposed
Air Quality Cost Effectiveness Score	60 points*	50 points*
Transportation Impact Criteria (TIC) Score	30 points	30 points
Inclusive Growth Regional Priority Score	10 points	20 points
TOTAL	100 points	100 points

* Applies to all project types except the "Other" type which is on a 90 point scale for Air Quality Cost Effectiveness because they are not scored on TICs. The Other type projects are proposed to be scored on an 80 point scale for Air Quality Cost Effectiveness.

TAP-L Project Scoring		
	Current	Proposed
Completion of RGTP	30 points	30 points
Market for Facility	<i>25 points</i>	<i>20 points</i>
Safety and Attractiveness Rating	<i>25 points</i>	<i>20 points</i>
Inclusive Growth Regional Priority Score	<i>10 points</i>	<i>20 points</i>
Project Readiness	10 points	10 points
TOTAL	100 points	100 points

ACTION REQUESTED: Discussion