

DRAFT as of April 14

CNT is sharing the following methodological comments for other interested organizations to pull from. Please feel free to use our language, adjust it as you wish, frame within your organization's priorities, and include your own local examples of geographies that the CEJST mapping tool leaves out! If you have suggested changes or additions to these comments, please contact Bob Dean at bobdean@cnt.org.

CNT comments on Climate and Economic Justice Screening Tool

Thank you for the opportunity to offer comments on the draft Climate and Economic Justice Screening Tool (CEJST). The Center for Neighborhood Technology (CNT) has been a strong supporter of the concept of Justice40 since its announcement in early 2021. As an analytically focused organization, we recognize the difficulty of constructing a national-level tool on a concept as complex as climate and economic justice. That said, we have identified several flaws in the tool's construction that lead to evident gaps: Census tracts that face significant climate, environmental, and economic challenges but are not identified in the tool as disadvantaged areas.

Methodology

The methodology used by CEJST to define disadvantaged areas is fairly simple. Census tracts need to achieve the 90th percentile for at least 1 indicator of environmental or climate disadvantage, and there are over 20 such indicators organized into 8 categories. If they meet this standard, Census tracts also need to meet 2 socioeconomic indicators related to income and education (though for 1 category, both socioeconomic indicators relate to education).

This approach has led to some unintended consequences. The socioeconomic indicators set arbitrary cutoffs that exclude areas that do actually have significant disadvantage. We do recognize the need to include socioeconomic factors, but question the way that they are used.

The first measure requires that the Census tract exceed the 65th percentile in the share of residents whose incomes are below 200% of the poverty line. Many Census tracts do not meet this standard even though they would achieve the 65th percentile for alternative measures based on 100% of poverty or median income. To name just one example of hundreds:

- In Chicago, Census tract 17031834300, in the Greater Grand Crossing and Chatham areas, is not considered a disadvantaged area because it only reaches the 61st percentile, rather than the 65th. But this Census tract exceeds the 90th percentile in 4 of the 8 categories of climate and environmental indicators, and even beyond these measures, is highly impacted by urban flooding. Using a different measure of income, like 100% of poverty (for which it is in the 84th percentile) or median income (86th percentile) would cause it to qualify.

The second measure requires that fewer than 20% of that Census tract's residents be enrolled in undergraduate or graduate programs. We recognize the need for some measure to ensure that university dorms aren't universally considered disadvantaged areas, but this is a very low cutoff. Examples of areas left out because of its use include:

- In New Orleans, Census tract 22071000601, in the Algiers neighborhood, is not considered disadvantaged because 22% of its residents are enrolled in college or graduate school. But this is a very low-income Census tract and exceeds the 90th percentile in 7 of the 8 categories of climate and environmental indicators, with the indicators of health showing this to be a particularly disadvantaged area in terms of health disparities.
- In New York, Census tract 36005038700, in the Bronx, is not considered a disadvantaged area because slightly over 20% of its residents are enrolled in college or graduate school. This is also a heavily low-income area and exceeds the 90th percentile in 5 of the 8 categories of climate and environmental indicators, including all of the indicators related to workforce and jobs.

In some cases, the requirement to achieve the 90th percentile has excluded areas that do have multiple impacts that nearly, but do not quite, meet that threshold. An example of this is:

- In Denver, Census tract 08031008387, in the Montbello neighborhood, is not considered disadvantaged because no categories of climate and environmental indicators exceed the 90th percentile, but 5 of the 8 categories do exceed an 80th percentile threshold - indicating significant cumulative impacts even if none reach the required threshold.

These are not isolated examples. Our analysis and the interactive mapping tool that communicates it – found here, <https://apps.cnt.org/justice40/> – found hundreds of Census tracts that had significant cumulative environmental burdens but were not considered disadvantaged areas because they barely missed one of the socioeconomic cutoffs. These exclusions are the unintended consequence of using arbitrary cutoff points that are applied to all Census tracts regardless of the degree of environmental burdens that these places face.

The exclusion of race from the definition of disadvantaged areas also leaves out a powerful predictor of environmental burdens, due to our nation's legacy of environmental racism. The areas noted above, which are obvious examples of environmentally burdened areas, are primarily Black and Hispanic communities. Excluding them from the disadvantaged areas defined in Justice40 will prevent them from accessing resources to overcome the historic and ongoing disparities that they face.

Underlying data

There are challenges with the underlying data, but we understand that these would be present with any national-scale tool. EJScreen lacks local specificity in many of its indicators, like air quality or health, which are accurate at large geographic scales but are less accurate when examining smaller geographies like Census tracts.

In addition, areas which are undergoing rapid demographic change may not be reflected accurately in the tool. The Census data used to generate the disadvantaged areas is from 2019, so is 3 years out of date, which in some neighborhoods can make a large difference.

We recognize that the federal government is using the best data available for the nation as a whole. But these national-scale datapoints do not tell the whole story about local conditions, which is why involvement of local community groups in any process to identify disadvantaged areas is so important.

Process

The flaws identified above could have been avoided or mitigated had there been an inclusive effort to involve local partners in CEJST's development. The gaps created by CEJST's methodological flaws are glaringly obvious to environmental justice groups that serve the affected areas. Their knowledge could have been used to identify and correct them, had there been a deliberate outreach effort during the development of CEJST. This lack of consultation of affected groups is a major deficiency in the process, and one that we strongly urge the federal government to correct in a future version of this tool.

Recommendations

We hope that the White House Council on Environmental Quality (CEQ) takes the opportunity to rethink its approach to the identification of disadvantaged areas, which is necessary but cannot be done in isolation from Washington DC. We urge CEQ to initiate a new process that engages community groups from across the country, in urban and rural areas alike, to participate in the definition of disadvantaged areas – and compensates them fairly for the value that their participation brings.

We also offer several thoughts for potential methodological improvements, although these should be investigated and confirmed with community groups rather than being adopted immediately. We do not simply want to replace one arbitrary criteria with another. The below ideas should be experimented with and workshopped to determine whether they would provide more accurate results.

- Index: Calculate disadvantaged areas using an index, rather than the threshold approach used now. This is a common approach for environmental justice measures because it is effective at weighing environmental and economic burdens of different types.
- Alternative socioeconomic criteria: Rather than requiring tracts to achieve the two specified socioeconomic criteria, provide a broader range of socioeconomic criteria and qualify tracts that achieved several of these criteria.
- Sliding scale for socioeconomic criteria: Set the socioeconomic criteria so they are more difficult to meet for tracts with moderate environmental and climate burdens (e.g. those tracts above the 90th percentile for 1 or 2 climate and environmental indicators), and easier to meet for those with severe burdens (e.g. those tracts above the 90th percentile for 4 or more climate and environmental indicators).
- Tiers: Create tiers of disadvantaged groups – such as severely disadvantaged and moderately disadvantaged – rather than only one. There are huge differences in environmental and economic conditions between tracts identified as disadvantaged: some reach the 90th percentile for all 8 categories, and some only do for 1. Treating these as equivalent levels of need is inaccurate and could be overcome with a more sophisticated measure.
- Local substitution of data: Allow states or local governments with more robust data to substitute their own data for that used within the tool, provided the data collection and validation process met federal standards for quality and are supported by local environmental justice groups. While this would be complex to manage, it would avoid the current situation in which states with their own environmental justice data tools, like California and Washington, see those tools ignored in the federal definition of disadvantaged areas.

Conclusion

We strongly support the federal government's intent to direct federal resources to places with environmental and climate burdens. But, because this tool was created without sufficient involvement

from stakeholders outside the federal government, it is only partly accurate and fails to include a number of areas with severe environmental burdens because of arbitrary methodological choices. CNT encourages CEQ to consult with environmental justice advocates in a deliberate and inclusive process to improve this tool, and we offer our assistance and support in doing so.

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