



## Policy for the use of TDCH for STP, CMAQ and TAP-L funded projects

Adopted by STP Project Selection Committee: November 28, 2018

Adopted by CMAQ Project Selection Committee: September 3, 2020

Approved by IDOT Bureau of Planning – Metro Manager: November, 20, 2020

For the purpose of this document, “STP-L” means federal Surface Transportation Block Grant funds that are allocated to CMAP for programming and includes funds programmed under the regional STP shared fund and STP local programs administered by the subregional councils of mayors and CDOT. “CMAQ” means federal Congestion Mitigation and Air Quality Improvement Program funds that are allocated to CMAP for the Northeast Illinois Non-Attainment Area. “TAP-L” means federal Transportation Alternatives Program funds that are allocated to CMAP, and does not include TAP funds administered by IDOT under the Illinois Transportation Enhancements Program (ITEP).

1. Eligible municipal jurisdictions are determined based upon CMAP’s Local Technical Assistance (LTA) program community need measures, which may be updated from time to time. Eligibility for City of Chicago projects is based on a computation of these measures at the Chicago Community Area (CCA) geography. Only jurisdictions or CCAs in the highest need group are considered eligible to utilize Transportation Development Credits for Highways (TDCH) as local match for STP-L, CMAQ, and TAP-L funding. Eligibility is determined at the time of application.
2. STP-L, CMAQ, and TAP-L projects that are being implemented by private or non-profit entities may not use TDCHs for the purpose of supporting disadvantaged communities.
3. Except as noted in subparagraph a. below, the project limits must be entirely within the TDCH-eligible jurisdiction(s) or Chicago Community Areas(s) to qualify to request TDCHs to support disadvantaged communities. For multijurisdictional projects, all municipal partner agencies or CCAs must be TDCH-eligible. Contiguous projects may not be “split” in order for one or more portions to be eligible for TDCHs. No project or project phase granted the use of TDCHs may be combined under a single funding agreement or contract with any other project or phase that is not eligible for or was not granted use of TDCHs.
  - a. If it was determined through FHWA/IDOT coordination during Phase 1 or Phase 2 engineering that the logical termini of the project must be extended beyond the boundaries of the TDCH-eligible jurisdiction(s) in order to have a feasible project,

the use of TDCHs may be requested for the entire project limits, provided the TDCH-eligible jurisdiction will be the lead agency for project implementation.

4. Eligibility for TDCHs does not guarantee that the project will be selected for STP-L, CMAQ, or TAP-L funding or that IDOT will ultimately approve the use of TDCHs for that project.
5. The TDCHs can be used on any project type that is eligible under the Surface Transportation Block Grant program, Congestion Mitigation and Air Quality Improvement program or the Transportation Alternatives Program.
6. TDCHs cannot be used for “non-participating” or individual ineligible scope or pay items, regardless of overall project eligibility.
7. For the purpose of ranking STP shared fund applications, TDCHs will not be considered “committed” funds, and will be considered as a portion of the “requested STP funds” when allocating points for financial commitments.
8. No more than 20 percent of the eligible programs in any federal fiscal year may be composed of TDCHs. The use of TDCHs within the threshold shall be determined by the programming decisions of the individual Councils or CDOT for the local programs, the STP Project Selection Committee for the Shared Fund, and the CMAQ Project Selection Committee for CMAQ and TAP-L.
9. The TDCHs cannot be used retroactively on projects that were programmed prior to the establishment of this policy, and the use of TDCHs must be requested on the project application. Once a program of projects is adopted by the selecting body, TDCHs cannot be added to individual projects.
10. TDCHs cannot be used as local match on the right-of-way acquisition phase of any project. All other eligible phases, per council or CDOT policies for the local programs, STP Project Selection Committee policies for the Shared Fund or CMAQ Project Selection Committee policies for CMAQ and TAP-L, can use TDCHs as match.
11. CMAP staff will be responsible for tracking the use of the TDCHs for local match on all STP-L, CMAQ or TAP-L programmed projects in the CMAP region. The TDCHs must be approved by IDOT and identified in the TIP.

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