

ADVANCING EQUITY THROUGH INFRASTRUCTURE INVESTMENT

A Race and Gender Impact Analysis of AB-2419
Environmental Justice Federal Infrastructure
Investment and Jobs Act

94

%

Executive Summary

The federal Infrastructure Investment and Jobs Act (IIJA), signed by President Biden in November 2021, will bring at least \$45 billion to California for investments in transportation, communications, water, clean air, and other infrastructure projects.

States have wide discretion in choosing the types and locations of projects to be funded and hence will play a key role in determining how the \$1.2 trillion in federal infrastructure funds will be spent. The Biden administration’s implementation guidance urges states to invest the funds “equitably”, following its Justice40 Initiative, which calls for delivering 40 percent of the benefits of federal investments to disadvantaged communities.¹

Assembly Bill (AB-2419), authored by Assembly-member Isaac Bryan, would write that goal into state law by mandating that 40% of the IIJA funds directly benefit communities defined as environmentally and socially disadvantaged. The Act calls for an additional 10% of the federal funds to directly benefit communities defined as low-income. The remaining half of IIJA funds could be used for infrastructure projects without restriction.²

The Act also would guarantee high labor standards and foster the creation of quality jobs for under-represented groups. The Strategic Growth Council would be charged with implementing the law. AB 2419 also establishes the Justice40 Committee, comprised of representatives from environmental justice organizations, labor, and disproportionately impacted communities, to monitor implementation and issue recommendations for equitable and sustainable infrastructure investment.

The [Gender Equity Policy Institute](#) analyzed demographic data on the communities targeted for infrastructure investment under AB 2419 to assess the likely distribution of funds by race/ethnicity, gender, and region.³

Our findings show clear benefits to communities that have been disproportionately harmed by decades

of discriminatory practices in infrastructure siting and building. Roughly three-quarters of those living in communities targeted for investment are Black, Latino, Asian American, or Native American. Women of color particularly stand to benefit from the targeted infrastructure investment.⁴

AB-2419 received a rating of 94% on GEPI’s intersectional gender equity scale, indicating that, if enacted, it would powerfully advance gender and racial equity in California. By targeting infrastructure investments to historically under-served and marginalized communities, AB-2419 provides a blueprint for an equitable and transformative approach to infrastructure investment.

KEY FINDINGS

- ▶ **3 in 5 Californians** live in a low-income or disadvantaged community targeted for investment by AB-2419.
- ▶ **People of color** make up 74% of Californians who live in communities targeted for investment.
- ▶ **7 in 10 Native Americans** in California live in communities targeted for investment.
- ▶ **72% of Black women** in California live in communities targeted for investment.
- ▶ **77% of Latinas** in California live in communities targeted for investment.

Nearly 6 in 10 Californians could benefit from targeting infrastructure investment to low-income and disadvantaged communities

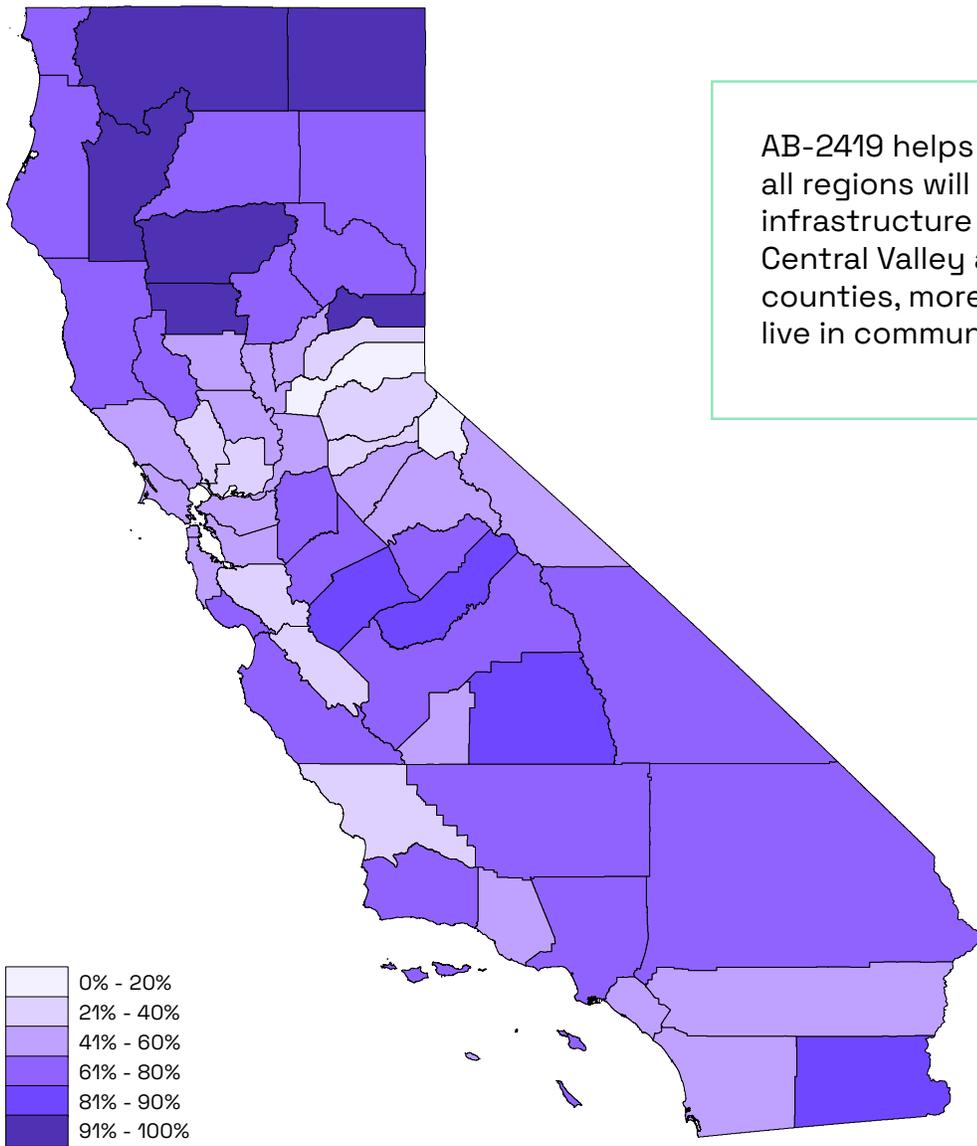


FIGURE 1

Californians (%) living in low-income and/or disadvantaged communities, by county. GEPI Analysis of NHGIS (2019), CES 4.0, and California Climate Investments Priority Populations (2022).

Rectifying a Legacy of Discrimination and Disinvestment

AB-2419 is designed to remedy the legacy of discriminatory public policy that has shaped the built environment of today’s United States. The building of the U.S. highway system, for example, cut through communities of color, displaced residents, razed homes, and decimated thriving neighborhoods. In California, Black neighborhoods were rezoned for industrial uses while White neighborhoods preserved exclusionary single-family zoning.⁵

Communities subject to such discriminatory policies subsequently faced decades of under-investment, leaving them without strong local economies or good jobs. Polluting industries frequently located their operations to these economically marginalized and politically disempowered areas, producing lingering disparities in exposure to environmental hazards.⁶ The environmental consequences of this systemic racism are well-known. Since the 1980s, researchers have shown that Black and Latino Californians are disproportionately harmed by hazardous waste and other environmental contaminants. A recent report by the California Environmental Protection Agency (CalEPA), found that these communities continue to suffer from disproportionate levels of pollution and negative health impacts.⁷

AB-2419 seeks to address this legacy of discrimination through a commitment to equity in the expenditure of public tax dollars.

Well-Targeted to Advance Racial/Ethnic and Gender Equity

The IIJA will bring California an initial federal investment of at least \$45 billion. More funds will become available as California competes for billions of additional dollars in national grants.

State agencies are responsible for allocating the infrastructure funds. AB-2419 gives agencies a choice in how they define “disadvantaged” communities, which are to receive 40% of direct benefits from infrastructure investment.⁸

CALIFORNIANS (%) LIVING IN LOW-INCOME OR DISADVANTAGED COMMUNITIES, BY COUNTY

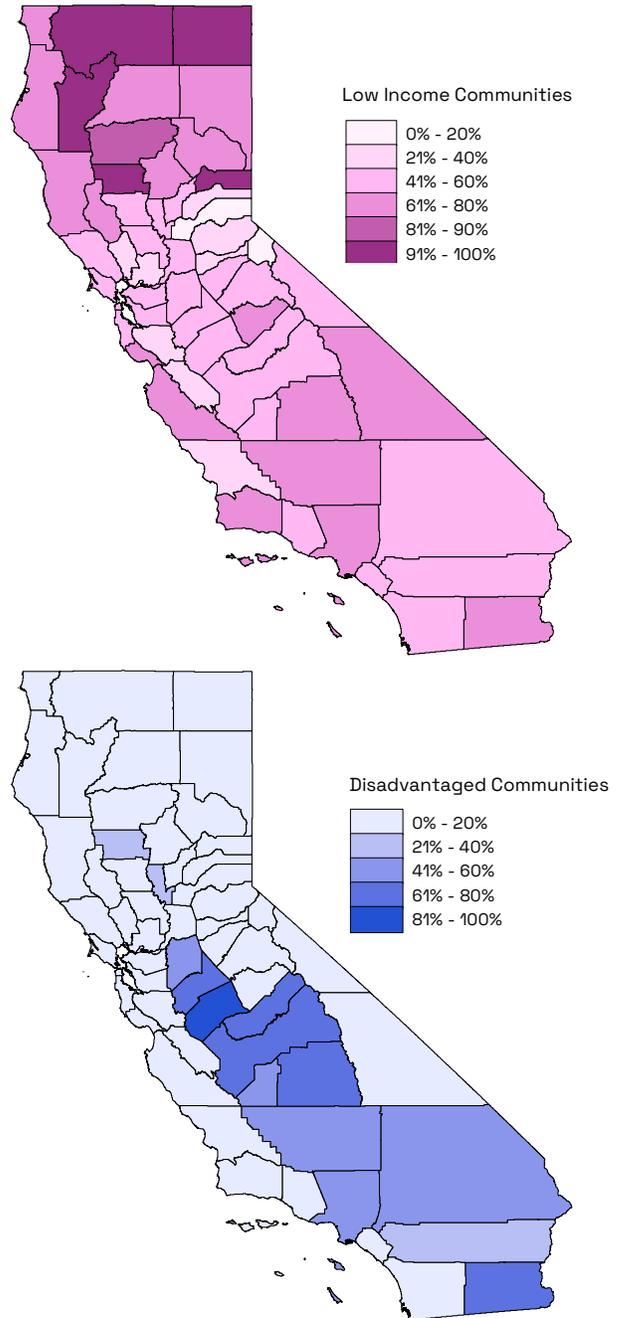


FIGURE 2
GEPI Analysis of NHGIS (2019), CES 4.0, and California Climate Investments Priority Populations (2022).

Agencies may use CalEPA’s CalEnviroScreen, which ranks communities on their environmental conditions and social vulnerability. The 25% of California census tracts with the highest scores for adverse environmental and economic conditions are considered “disadvantaged.” Or they may use guidelines they have previously employed.⁹

At least 11.2 million (29%) Californians live in disadvantaged communities under the CalEPA definition. These Californians often lack safe drinking water, have disproportionate rates of youth asthma, higher mortality due to air pollution, and are more exposed to hazardous waste. Research also shows that these communities are disproportionately impacted by climate change.¹⁰

The racial disparities in environmental burdens are stark, as shown by the racial breakdown of those living in CalEPA defined disadvantaged communities. People of color make up 84% of residents in these communities, but only 63% of all Californians (Table 1). Black Californians make up just 6% of the state’s population, but 42% live in environmentally burdened communities.

	California	% in DACs
ALL	39.3 Million 100%	29%
People of Color	24.7 Million 63%	38%
Latino	15.3 Million 39%	47%
Black	2.3 Million 6%	42%
Native American	304,000 0.8%	33%
API	5.8 Million 15%	19%
White	14.6 Million 37%	12%

TABLE 1
GEPI Analysis of NHGIS (2019), CES 4.0, and California Climate Investments Priority Populations (2022).

The Act directs an additional 10% of infrastructure funds to directly benefit low-income households or “low-income communities,” defined as census tracts with a median household income at or below 80% of the state median household income. A sizable majority (55%) of Californians live in a low-income community under this definition.¹¹

People of color are over-represented in low-income communities; they make up nearly three-quarters (74%) of the population of low-income communities, while comprising less than two-thirds (63%) of Californians overall (Table 1). Black women are twice as likely, and Latina women three times as likely, to live in a low-income community than not.

Parts of rural California which are disproportionately White, including sections of Lake, Siskiyou, Del Norte, Plumas, Inyo, and Tehama counties, are also defined as low-income and would benefit from targeted investments.¹²

In total, 58% of Californians (22.9 million people) live in communities defined by the Act as low-income or disadvantaged. Statewide, 69% of people of color live in a targeted community, compared to 41% of white people.

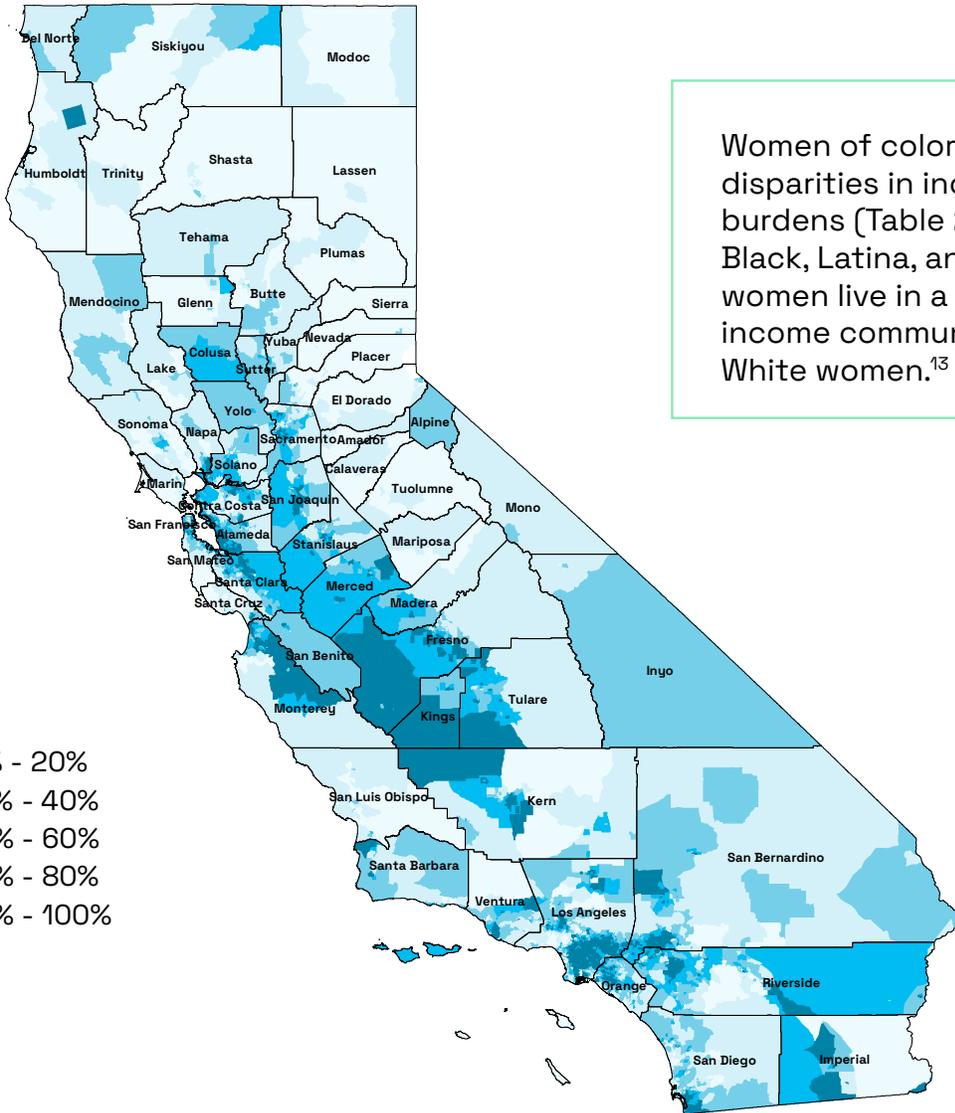
Latinos make up 39% of the state population, yet 51% of them live in a targeted disadvantaged or low-income community. Asian Pacific Islander Californians are somewhat more likely than not to live in a targeted community. Seven in ten Native American and Black Californians live in a disadvantaged or low-income community.

Women of color are more likely to live in polluted or low-income areas

	California	% Living In		
		Targeted Communities	Disadvantaged Communities	Low-income Communities
All Women	19.8 Million	58%	29%	55%
Black Women	1.1 Million	72%	44%	68%
Latina Women	7.6 Million	77%	47%	72%

TABLE 2

GEPI Analysis of NHGIS (2019), CES 4.0, and California Climate Investments Priority Populations (2022).



Women of color experience sharp disparities in income and environmental burdens (Table 2). More than 7 in 10 Black, Latina, and Native American women live in a disadvantaged or low-income community, compared to 4 in 10 White women.¹³

FIGURE 3
Women of color as share (%) of women, by Census tract, California. GEPI Analysis of NHGIS (2019).

3.2 million women of color in southern California who live in heavily polluted communities could benefit from AB-2419’s targeted investments.

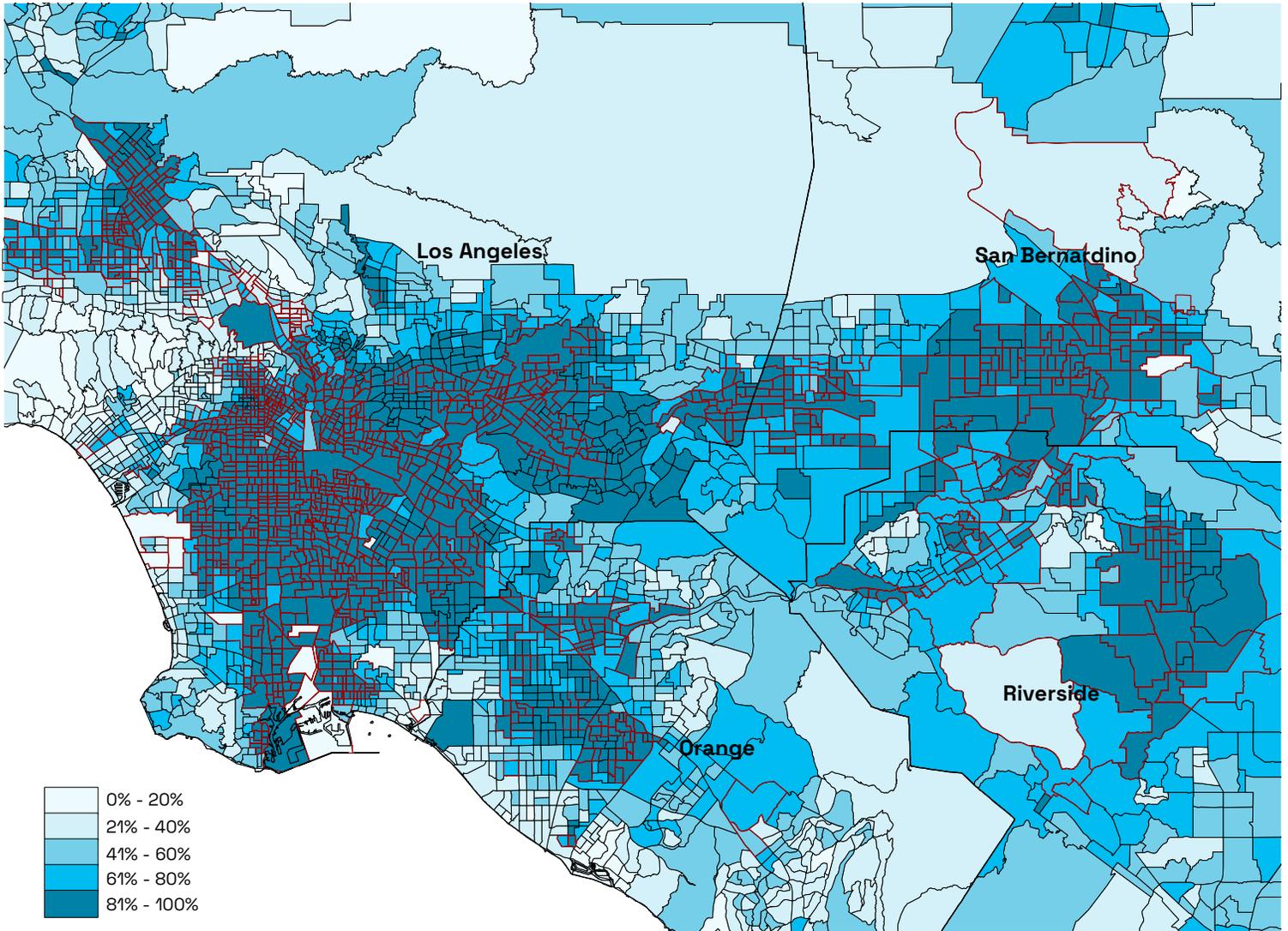


FIGURE 4

Women of color as share (%) of women, Los Angeles, San Bernardino, Orange, and Riverside counties. Census tracts are outlined in black. Census tracts identified in CES 4.0 as disadvantaged communities are outlined in red. GEPI Analysis of NHGIS (2019) and CES 4.0.

1.3 million women of color in the San Francisco Bay area could benefit from AB-2419's targeted investments.

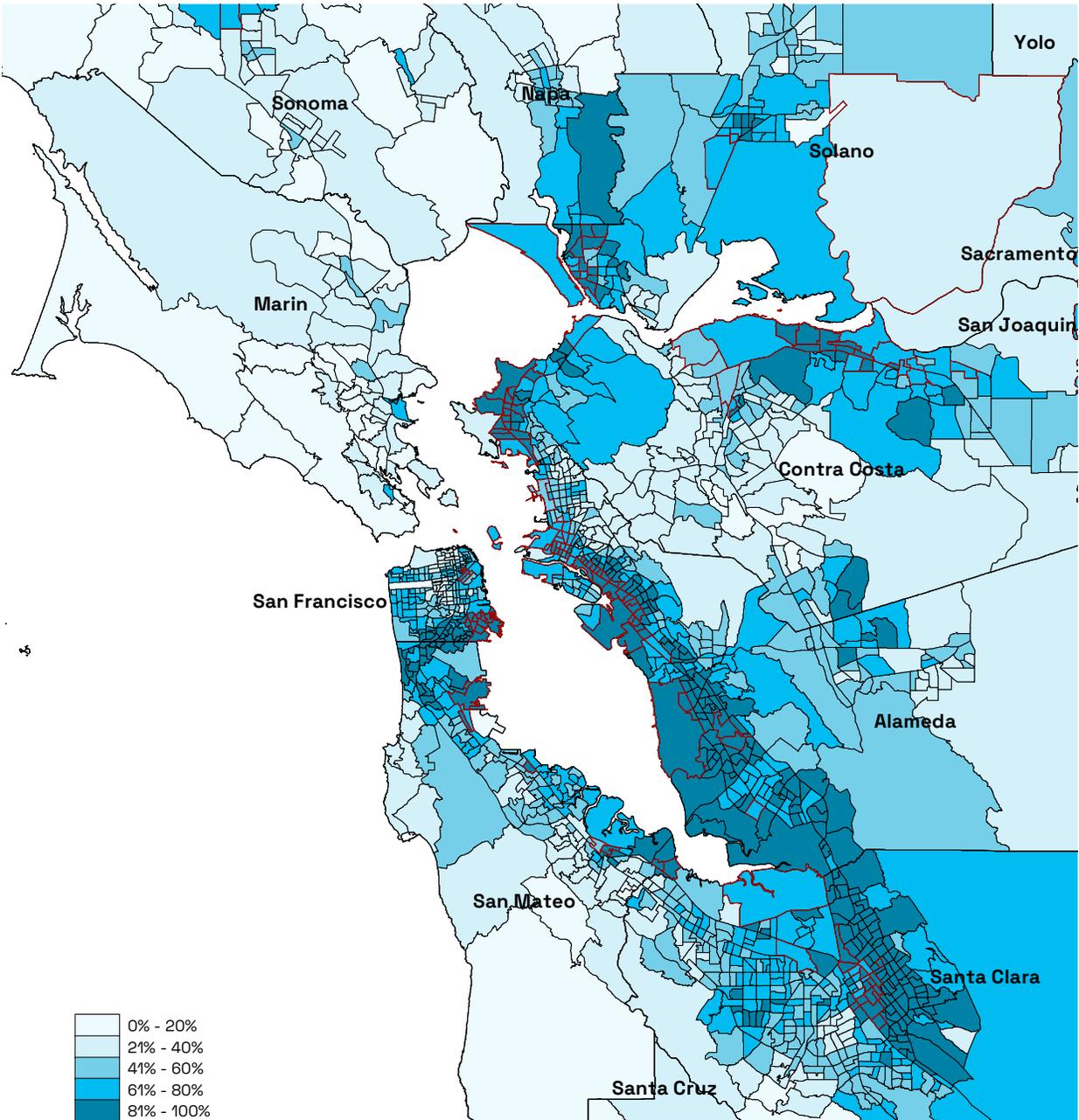


FIGURE 5
Women of color as share (%) of women, by census tract (2019), in the San Francisco Bay area. Census tracts are outlined in black. Census tracts identified in CES 4.0 as disadvantaged communities are outlined in red. GEPI Analysis of NHGIS (2019) and CES 4.0.

High Road Jobs: The Promise and the Challenge

Under AB-2419, targeted investments will prioritize the creation of well-paid and sustainable jobs in historically marginalized communities.

The jobs most likely to be directly created are in construction, one of the most sex-segregated, male-dominated sectors in the U.S. economy. AB 2419 includes language prioritizing investment projects that target under-represented workers. This provision could help counter systemic gender inequality in the construction sector.

In implementing AB 2419, we strongly recommend that the Strategic Growth Council dedicate attention, research, and resources to increasing the representation of women and people of color in jobs created by federal infrastructure spending. Oversight and accountability mechanisms will be particularly important in the effort to address the stubborn inequalities in the construction sector. Likewise, the Justice 40 Advisory Committee can play an important role in advancing gender equity by incorporating a gender lens in its own analysis, recommendations, and oversight of California’s implementation of the IJJA.

Conclusion

As California builds for a climate resilient and sustainable future, enacting and implementing the AB-2419 would be a major contribution toward advancing gender and racial equity in the state’s publicly supported economic development.

AB-2419 earns a rating of 94% on the Gender Equity Policy Institute’s intersectional gender equity scale, indicating it meets nearly all criteria for advancing gender and racial equity.

By countering the legacy of prior discrimination in infrastructure investment policy, the Act effectively addresses longstanding inequities that limit opportunity for many Californians, especially people of color and women of color.

AB-2419 is an appropriately targeted and balanced approach to rectifying past discrimination.

The Act reflects an awareness of the devastating history of racial discrimination in infrastructure development. By targeting investments, it offers a workable corrective to the legacy of systemic racism.

Because women of color are disproportionately represented in these communities, the Act advances gender equity by reducing environmental burdens, creating economic opportunity, and catalyzing economic growth in low-income and disadvantaged communities.

Methodology

The Gender Equity Policy Institute analyzed and merged federal and state datasets to develop a demographic profile of low-income and disadvantaged communities in California, the areas targeted for investment in AB 2419.

We identified all low-income and disadvantaged communities in California at the census tract level using [California Climate Investments Priority Populations](#) from 2022 (CCIPP) and CalEnviroScreen 4.0 (CES). The data from these two data sources does not include comprehensive information about within-community demographic characteristics, such as interacted race and gender breakdowns. To analyze the demographic composition of disadvantaged and low-income communities, we used the [National Historical Geographic Information System](#) (NHGIS) to produce a comprehensive dataset of census tracts in California by race, gender, income, and other characteristics.

Researchers then merged the census tract identifiers (CCIPP and CES) with the demographic variables (NHGIS) to produce a complete dataset that compared population characteristics across targeted, disadvantaged, low-income, and remaining communities. The information was then aggregated to produce estimates at the county and state level.

Sources

¹ “Executive Order on Implementation of the Infrastructure Investment and Jobs Act,” The White House, November 15, 2021, <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/11/15/executive-order-on-implementation-of-the-infrastructure-investment-and-jobs-act/>.

² Isaac Bryan, “AB-2419 Environmental Justice: Federal Infrastructure Investment and Jobs Act: Justice40 Advisory Committee,” Pub. L. No. AB-2419 (2022), https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB2419.

³ The Gender Equity Policy Institute analyzed National Historical Geographic Information System (NHGIS 2019) household and individual level data (accessed through IPUMS NHGIS, University of Minnesota, <http://www.nhgis.org/>). To analyze the demographic composition of disadvantaged and low-income communities, we used the National Historical Geographic Information System (NHGIS - ACS 2019) to produce a comprehensive dataset of census tracts in California by race, gender, income, and other characteristics. For a detailed explanation of the process, see the Methodology. All estimates and calculations in this report were done by GEPI, unless otherwise noted. Subsequent references to this analysis will be cited as GEPI Estimates.

⁴ GEPI Estimates.

⁵ “Reparations Report: Executive Summary,” AB 3121: Task Force to Study and Develop Reparations Proposals for African Americans (State of California Department of Justice, n.d.), <https://oag.ca.gov/ab3121/reports>.

⁶ California EPA, “Pollution and Prejudice: Redlining and Environmental Injustice in California” (CalEPA, August 16, 2021), <https://storymaps.arcgis.com/stories/f167b251809c43778a2f9f040f43d2f5>.

⁷ Laura Pulido, “Rethinking Environmental Racism: White Privilege and Urban Development in Southern California,” *Annals of the Association of American Geographers* 90, no. 1 (March 2000): 12–40, <https://doi.org/10.1111/0004-5608.00182>; California EPA, “Pollution and Prejudice.”

⁸ Bryan, AB-2419 Environmental justice: federal Infrastructure Investment and Jobs Act: Justice40 Advisory Committee.

⁹ CalEnviroScreen Hub (Office of Environmental Health Hazard Assessment, n.d.), <https://calenviroscreen-oeaha.hub.arcgis.com/>. The Act also allows agencies, under specific guidelines, to direct benefits to “historically disadvantaged communities” based on their existing policies. Because there is a wide variation in how state agencies define disadvantaged, we restricted our analysis of disadvantaged communities to the definition under CalEnviroScreen.

¹⁰ Clare Pace et al., “Inequities in Drinking Water Quality Among Domestic Well Communities and Community Water Systems,

California, 2011–2019,” *American Journal of Public Health* 112, no. 1 (January 2022): 88–97, <https://doi.org/10.2105/AJPH.2021.306561>; “Air Pollution’s Unequal Impacts in the Bay Area,” Environmental Defense Fund, accessed June 10, 2022, <https://www.edf.org/airqualitymaps/oakland/health-disparities>; David Reichmuth, “Inequitable Exposure to Air Pollution from Vehicles in California (2019) | Union of Concerned Scientists,” Union of Concerned Scientists, January 28, 2019, <https://www.ucsusa.org/resources/inequitable-exposure-air-pollution-vehicles-california-2019>; Meg Anderson and Sean McMinn, “As Rising Heat Bakes U.S. Cities, The Poor Often Feel It Most,” NPR, September 3, 2019, sec. Heat and Health in American Cities, <https://www.npr.org/2019/09/03/754044732/as-rising-heat-bakes-u-s-cities-the-poor-often-feel-it-most>; Roberto Mera et al., “Climate Change, Climate Justice and the Application of Probabilistic Event Attribution to Summer Heat Extremes in the California Central Valley,” *Climatic Change* 133, no. 3 (December 2015): 427–38, <https://doi.org/10.1007/s10584-015-1474-3>; John T Abatzoglou et al., “Population Exposure to Pre-Emptive de-Energization Aimed at Averting Wildfires in Northern California,” *Environmental Research Letters* 15, no. 9 (September 1, 2020): 094046, <https://doi.org/10.1088/1748-9326/aba135>; Pria Mahadevan, “California’s Drought Emergency Puts the State’s Vulnerable Communities at Risk—Again,” PRISM, October 27, 2021, <https://prismreports.org/2021/10/27/californias-drought-emergency-puts-the-states-vulnerable-communities-at-risk-again/>; “Defining Vulnerable Communities In The Context Of Climate Adaptation,” Governor’s Office of Planning and Research, July 1, 2018, 18, https://opr.ca.gov/docs/20200720-Vulnerable_Communities.pdf. A large portion of disadvantaged communities under the CalEPA definition are also low-income. GEPI Estimates.

¹¹ Our analysis focused on identifying low-income communities by census tract and did not include a detailed demographic analysis of low-income individuals. Overall, 55% of individuals are low-income.

¹² GEPI Estimates.

¹³ GEPI Estimates.

About Gender Equity Policy Institute



Our Mission

[Gender Equity Policy Institute](#) is a nonprofit organization dedicated to advancing opportunity, fairness, and well-being for all people through research and education exposing the gender impacts of the policies, processes, and practices of government and business.

Our Work

We conduct and publish research on the best practices for accelerating gender equity. We analyze and rate public policies and business practices to identify the effects on people of all genders, with particular attention to the impacts on groups, such as women, people of color, and LGBTQ+ people, who have been systematically disadvantaged by discrimination, bias, and structural inequality. By educating policymakers, business leaders, and advocates about the inequities embedded in seemingly neutral economic and political processes, we provide the tools and knowledge that leaders need to rebalance systems, guarantee equal benefits and opportunities, and secure a just and sustainable future for all people.

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