
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Blakespear, Chair

2025 - 2026 Regular

Bill No: SB 1075
Author: Reyes
Version: 3/25/2026
Urgency: No
Consultant: Heather Walters

Hearing Date: 4/15/2026
Fiscal: Yes

SUBJECT: Air resources: toxic air contaminants: criteria air pollutants: community emissions reduction programs: local community emissions reduction plans

DIGEST: This bill makes changes to the Community Air Protection Program (CAPP) established pursuant to AB 617 (C. Garcia, Chapter 136, Statutes of 2017), including but not limited to requiring local land use decisions to be aligned with certain plans, enabling said land use decisions to be reviewed and stayed by the Attorney General, describing requirements for participating communities to cease participation in the CAPP, adding specified members to air district governing boards, and providing the California Air Resources Board oversight authority.

ANALYSIS:

Existing federal law:

- 1) Sets, through the Federal Clean Air Act (FCAA) and its implementing regulations, National Ambient Air Quality Standards (NAAQS) for six criteria pollutants, designates air basins that do not achieve NAAQS as nonattainment, allows only California to set vehicular emissions standards stricter than the federal government, and allows other states to adopt either the federal or California vehicular emissions standards. (42 U.S.C. §7401 et seq.)

Existing state law:

- 1) Establishes the Air Resources Board (CARB) as the air pollution control agency in California and requires CARB, among other things, to control emissions from a wide array of mobile sources and coordinate, encourage, and review the efforts of all levels of government as they affect air quality. (Health and Safety Code (HSC) §39500 et seq.)
- 2) Establishes regional air districts, and requires them to adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards in all areas affected by emission sources under their

jurisdiction, and shall enforce all applicable provisions of state and federal law (HSC §40001)

- 3) Pursuant to AB 617, Health and Safety Code § 44391.2:
 - a) Requires CARB to prepare a statewide strategy to reduce emissions of toxic air contaminants (TACs) and criteria pollutants in communities affected by a high cumulative exposure burden and update the strategy at least once every five years.
 - b) Requires the strategy to include criteria for development of CERPs, including:
 - i) An assessment and identification of communities with high cumulative exposure burdens for TACs and criteria air pollutants, prioritizing disadvantaged communities (DACs) and sensitive receptor locations based on one or more of the following: best available modeling information, existing air quality monitoring information, existing public health data based on consultation with Office of Environmental Health Hazard Assessment (OEHHA), and the results of community air monitoring systems (CAMS).
 - ii) A methodology for assessing and identifying the contributing sources or categories of sources, including, but not limited to, stationary and mobile sources, and an estimate of their relative contribution to elevated exposure to air pollution in impacted communities.
 - iii) An assessment of whether a district should update and implement the risk reduction audit and emissions reduction plan for any facility to achieve emission reductions commensurate with its relative contribution, if the facility's emissions either cause or significantly contribute to a material impact on a sensitive receptor location or DAC.
 - iv) An assessment of the existing and available measures for reducing emissions from the contributing sources or categories of sources.
- 4) Requires the adoption of CERPs in communities designated by CARB, as follows:
 - a) Requires CARB to select locations around the state for preparation of CERPs, concurrent with the statewide strategy, with additional locations selected annually thereafter, as appropriate.

- b) Requires a district to adopt a CERP to achieve emissions reductions using cost-effective measures identified by CARB.
- c) Requires the CERP to be consistent with CARB's statewide strategy and include emissions reduction targets, specific reduction measures, an implementation schedule, and an enforcement plan.
- d) Requires the CERP to be submitted to CARB for review and approval within 60 days. Requires CERPs rejected by CARB to be resubmitted within 30 days. If a CERP is not approvable by CARB, requires CARB to initiate a public process to discuss options for achievement of an approvable CERP. Requires CARB to concurrently develop and implement the applicable mobile source elements to commence achievement of emission reductions.
- e) Requires CERPs to result in emissions reductions in the community, based on monitoring and other data.
- f) Requires CARB and the district each to be responsible for measures consistent with their respective authorities.
- g) Requires districts to prepare an annual report summarizing the results and actions taken to further reduce emissions pursuant to a CERP.
- h) Requires compliance with the CERP to be enforceable by the district and CARB, as applicable.
- i) Requires CARB to provide grants to community-based organizations (CBOs) for technical assistance and to support participation in implementation of CERPs and CAMS.

This bill:

- 1) Requires CARB to update the AB 617 Blueprint every three years, rather than five.
- 2) Requires L-CERPs to be consistent with the statewide Blueprint, and requires them to be submitted to CARB for review and approval as CERPs are.
- 3) Requires all CERPs and L-CERPs to apply until attainment with the FCAA is attained.
- 4) Requires Community Steering Committees (CSCs) to:
 - a) Remain active until the emissions objectives in the CERP are achieved;

- b) Be composed exclusively of members who live, work, or own businesses within the CERP area, and a majority to be residents of the same area;
 - c) Use an open and transparent nomination process and reflect the diverse makeup of the community;
- 5) Permits CARB to audit and take corrective action if a district or other stakeholder is found to improperly use AB 617 resources, and further specifies several eligible uses of grant funding.
 - 6) Requires a local government with land use planning authority that includes an AB 617 community to comply (defined to mean aligning local land use decisions, including but not limited to long-term land use planning through general plans, area plans, and specific plans, zoning, siting and permitting, and transportation planning to ensure those support the goals of the applicable CERP/L-CERP/EJ element, and prevent new substantial modification or substantial expanded uses that contribute to poor air quality) with any applicable CARB-approved CERP or L-CERP, and with the environmental justice element of the applicable general plan.
 - 7) Establishes a process for a local land use agency to make a decision that does not align with the above compliance requirement, given certain criteria.
 - 8) Empowers a person living in an AB 617 community to file a petition to seek a review of a land use decision by the Attorney General (AG).
 - 9) Requires the AG to review a challenged decision, as specified, and permits the AG to:
 - a) Stay the decision if the petition makes a prima facie showing that the local land use agency has failed to apply with the applicable requirements of this bill; or
 - b) Require the local land use agency to conduct additional analyses, void its decision.
 - 10) Stipulates that a local land use agency in violation of the provisions of this bill shall be subject (through an action brought by the AG) to specified remedies.
 - 11) Adds one additional member to the governing board of the air district of an AB 617 community, as specified.
 - 12) Requires the Secretary for Environmental Protection to periodically convene California Environmental Protection Agency (CalEPA) entities to address AB

617-related concerns.

- 13) Requires CARB to annually prepare and deliver to the Legislature a progress report, as specified, on implementation of AB 617.

Background

- 1) *AB 617: giving pollution-burdened communities a seat at the table.* Based on direction from AB 617, CARB established the Community Air Protection Program, which directs CARB and local air districts to more effectively measure and reduce exposure in communities most impacted by air pollution. Among other requirements, the program includes Community Emissions Reduction Programs (CERPs). AB 617 requires CARB to select locations around the state for preparation of CERPs. AB 617 requires an air district with jurisdiction over a location selected by CARB to implement a CERP in consultation with a variety of entities, and within one year of CARB selecting the location, each air district must submit its CERP to CARB for approval, with specified timelines and public processes. AB 617 specifies that compliance with CERPs is enforceable by the local air districts and CARB.

In the implementation of AB 617, and the development of CERPs through community steering committees, issues related to air pollution sources and exposure have arisen that may be outside the jurisdiction of the air districts or CARB. This may include local land use practices that increase exposure to air pollution, practices under the authority of another state agency, such as pesticide application or highway construction, and sources of air pollution regulated primarily by the federal government, such as rail and aviation.

- 2) *Differing views of outcomes.* One of the most notable traits of AB 617 for the Legislature to consider is how diametrically opposed viewpoints on the program's success have been.
 - a) *On one hand, "AB 617's flawed implementation must not be repeated."* In May of 2021, the California Environmental Justice Alliance (CEJA) wrote a report excoriating the implementation of AB 617 in California.¹ In the report, CEJA stated, "While AB 617 has increased deliberation of air pollution concerns in 11 communities, the resource-intensive convenings and overall implementation over the last three years have largely failed to produce material protections from harmful air pollution impacting their health."

¹ Lessons from California's CERPs: AB 617's flawed implementation must not be repeated. CEJA, 2021. https://ceja.org/file_download/inline/81785ba0-cdae-4849-a2df-e5b862e45451

As an example of the type of jurisdictional conflict that stymies AB 617 implementation, CEJA wrote of the CERP developed by Shafter, “While the Shafter Steering Committee overwhelmingly highlighted pesticides as a top area of concern, the CERP as originally drafted by the air district included no reductions of pesticide TACs. The air district also disavowed its authority to regulate pesticide TACs even once they volatilize in the air. Under pressure from the Steering Committee and allies, CARB reaffirmed its authority to regulate TACs beyond their pesticidal use and acknowledged the overlapping jurisdictions. CARB also included a pilot plan to reduce emissions from a single TAC, 1,3-Dichloropropene. There is no across-the-board commitment to reduce pesticide TAC emissions.”

- b) *On the other hand, “...the implementation of AB 617 has been marked by both collaboration and conflict, and there is a range of perspectives about its degree of success as well as the progress needed to achieve its goals”* A 2025 report from researchers at UC Davis described elements that had been successful—and less so—in implementation of CERPs thus far. The report stated, “AB 617 implementation has been greatly assisted by institutional and capacity-building in the districts. Early on in the process, many residents and community organizations criticized their host districts for not having the capacity to sensitively engage with culturally diverse communities from a social and racial equity perspective. This was the root of many conflicts between the communities and Air Districts (and to a lesser extent with CARB).

“Throughout the policy implementation period, several districts have developed new offices and high-level positions devoted to environmental justice... These institutional changes reflect the support of environmental justice and social equity at the highest levels of the agencies as well as the power of community organizations to advocate for these changes. While the creation of these new offices and positions does not themselves ensure the successful implementation of these equity values, it does set up the conditions within which this success becomes more likely while prioritizing these values more than in years past. From a community perspective, AB 617 promoted significant changes in the degree and kind of community power in the air quality governance domain.”²

² London, Jonathan K, Nguyen, Peter and the UC Davis Justice Lab. (2025). Assessing the Successes and Challenges, and Lessons Learned from AB 617 to Chart a Collaborative Way Forward. UC Davis Center for Regional Change/ Department of Human Ecology.
<https://regionalchange.ucdavis.edu/sites/g/files/dgvnsk986/files/media/documents/AB%20617%20Full%20Report%20-%20Compressed.pdf>

- 3) *Community Air Protection Program Blueprint 2.0*. Approved in October 2023, the Community Air Protection Program Blueprint 2.0 (Blueprint 2.0) is CARB’s Statewide Strategy and implementation guidance to reduce harmful emissions and exposures to air pollution in communities most impacted by poor air quality. Blueprint 2.0 reflects the experience and lessons learned since the beginning of the Community Air Protection Program (Program). It was significantly informed by The People’s Blueprint, which was developed by environmental justice leaders, and recommended an equity-centered approach for Program implementation.

Blueprint 2.0 consists of two parts. Part One contains goals, objectives, and priority actions for CARB and air districts in implementing Program activities. Part Two consists of updated implementation guidance to help all Program partners achieve the goal of reducing harmful emissions and exposure to toxic air contaminants and criteria air pollution in communities most impacted by poor air quality.

- 4) *Bureau of Environmental Justice*. In February of 2018, then-Attorney General Xavier Becerra established a Bureau of Environmental Justice within the California DOJ. The Bureau’s stated mission is to, “Protect people and communities that endure a disproportionate share of environmental pollution and public health hazards.” Specifically, a press release alongside the announcement of the Bureau stated that they would focus their oversight and enforcement work on Ensuring compliance with the California Environmental Quality Act (CEQA) and land use planning laws; Remediating contaminated drinking water; Eliminating or reducing exposure to lead and other toxins in the environment and consumer products; Challenging the federal government’s actions that repeal or reduce public health and environmental protections; and Penalizing and preventing illegal discharges to air and water from facilities located in communities already burdened disproportionately with pollution.

Comments

- 1) *Purpose of Bill*. According to the author, “SB 1075 fulfills the promise of the AB 617 (Garcia, 2017) program by strengthening community representation, enforcement, and oversight of the program while ensuring alignment between land use decisions and approved emissions reduction plans.

“As of 2026, there have been 19 communities granted “CERP” designation, with each CERP serving as a documented plan that requires specific reduction measures and an enforcement plan for impacted communities.

“Despite the importance of this program there has consistently been a fundamental disconnect between program goals and efforts to maximize emissions reductions in impacted communities. For example, even when emissions reductions plans are identified for implementation there are no requirements that local governments comply with the emissions reductions measures identified by state agencies, local air districts, and community members.

“In order for AB 617 to reach its goal of significantly reducing air pollution in overburdened communities, statutory changes are needed to ensure the full implementation of CERPs. SB 1075 will bridge this gap and ensure more effective enforcement and implementation of the Statewide Strategy to reduce emissions.”

- 2) *L-CERP or usurp?* CARB’s latest CAPP Blueprint update (Blueprint 2.0) introduced a new mechanism for communities to effect change, a Local Community Emissions Reduction Plan, or L-CERP. Specifically, “An L-CERP is distinguished from a CERP in that the L-CERP is developed and implemented by community-based organizations or California Native American Tribes, ideally with air district participation, and is financially supported through the Community Air Grants (CAGs).”

It is true that a number of CERPs have included recommendations that would be the jurisdiction of local land use agencies. This bill attempts to address situations where such actions were unable to be affected by CSCs through creating new requirements for alignment and empowering residents and the Attorney General’s office to investigate and enforce perceived misalignments. The specifics of those existing and proposed policies are primarily the jurisdiction of the Senate Local Government Committee, where this bill will be heard next if approved today.

It is not clear if L-CERPs have comparable inclusions of land-use considerations for one simple reason; to committee staff’s knowledge, no L-CERPs have yet been adopted today. This makes it difficult—if not impossible—to assess the extent to which SB 1075’s proposed enhanced powers for L-CERPs could affect local land use decisions.

At the very least, the description of L-CERPs in CARB’s CAPP Blueprint 2.0 suggests these documents could be significantly less participatory than CERPs. Specifically, “An L-CERP is a set of priority actions to improve local air quality developed and implemented by a Community Air Grantee and represents a key deliverable under the grant. *As such, the L-CERP is not*

required to be adopted and approved by an air district board or the CARB Board. In contrast, AB 617 requires that CERPs resulting from the formal community selection process be approved by the air district board and the CARB Board.” [emphasis added] While it is unclear the role L-CERPs can and will play in communities, the efforts to broaden community participation in matters of air quality are laudable. However, the lower level of governmental oversight (even with the proposed added requirement that L-CERPs be aligned with the Blueprint) invites concern around how such documents could limit and penalize decisions made by local elected officials.

Given the fact that no L-CERPs seem to have been adopted and the existing guidance states that they do not need to be approved by local air districts or CARB, it may be appropriate to remove L-CERPs from the portions of the bill governing land use decisions, as an L-CERP would confer new and significant authorities without necessary review.

However, to clarify that the local land-use provisions are separate from the other enforcement provisions of AB 617, the committee may wish to clarify neither CARB nor the local air districts are required to engage in enforcement activities in the land-use portion of the bill, unless otherwise directed.

- 3) *Graduation and beyond.* As originally conceived, AB 617 involved a 5-year implementation period, where the actions necessary to meet the objectives in CERPs would be taken by the appropriate entities. As the first AB 617 communities are reaching the tail end of the five years since their CERP was adopted, a question arises: What happens when you’re done with AB 617?

CARB has recognized the need to develop clear standards and expectations for what should be done in the “post-implementation” phase. Some considerations in the Blueprint, specifically involving inclusions in the 5th annual report for CERP implementation, state, “For all incomplete actions, a mutually agreed upon plan by the CSC and air district to complete implementation with a revised timeline and mechanism for periodically updating the CSC on progress towards completion.” SB 1075 creates two specific requirements:

- a) *CSC remains active until objectives achieved.* This requirement is not prescriptive as to what the CSC would be expected to do (and what resources would be necessary accordingly) in the post-implementation phase, only that it would remain active.

- b) *CAPP requirements apply until FCAA compliance achieved.* Under the FCAA, ambient air quality standards for 6 “criteria pollutants” are set which states must achieve through actions described in a State Implementation Plan. It could be possible that outstanding actions in a CERP could pertain to pollutants (e.g. toxic air contaminants) beyond the 6 FCAA criteria pollutants.

The time has come for communities, air districts, and CARB to be on the same page about what is expected after the five-year implementation phase. The author is encouraged to engage in conversations with those stakeholders to assess and include more specific actions and metrics.

When there may be no clear way to terminate a CSC’s responsibilities until all objectives are met, future CSCs may opt for more conservative objectives, to avoid being stuck in the program indefinitely. This could stymie program ambition. Moreover, for AB 617 communities in the South Coast and San Joaquin Valley air basins, FCAA compliance may be out of reach for many years to come. All of these possibilities for indeterminately-long post-implementation phases create unclear cost pressures on the funds available to AB 617. This could delay additional communities beginning their own AB 617 implementation, potentially eschewing significant early-CERP emissions reductions in favor of longstanding yet unspecific existing commitments.

The committee may wish to also provide the alternative option of a two-thirds vote of the CSC to terminate these requirements, to ensure communities are able to exit the program to enable new communities to join in a timely manner.

Moreover, given the recent change to a five-year Blueprint cycle and the resources required for its update, the committee may wish to restore the five-year update requirement, rather than three. This will hopefully allow more meaningful, useful updates to be made to the Blueprint document as it guides current and future CSC actions.

- 4) *State-level oversight of community-level actions.* In order to provide another opportunity for recourse if AB 617 implementation is not meeting expectations, SB 1075 allows CARB to “audit and take corrective action if a district or other stakeholder is found to improperly use the resources allocated according to this section.” However, this is an open-ended directive. What corrective action is CARB able to take? What stakeholders might CARB have authority to take actions upon? When and how would such powers be evoked?

The committee may wish to give CARB the ability to audit and take corrective action only on the air districts, not on indeterminate “other stakeholders”.

Alongside this audit authority, SB 1075 provides specific direction as to the permissible uses of AB 617 funds. As written, this list does not allow funds to go to air monitoring, which is one of the core tenets of AB 617. *The committee may wish to add “community monitoring efforts” to the list of eligible uses of grant funding.*

There are two other state-level efforts made for greater coordination and transparency in the bill, a requirement that CalEPA ensures coordination between its constituent entities, and that CARB be required to report to the appropriate budget subcommittees regarding the progress made towards implementation. While further work should be done to ensure that the information and work done pursuant to these requirements be useful and actionable, these may be reasonable efforts to promote transparency and accountability.

- 5) *Representation matters.* A hallmark of AB 617 which is carried forth in SB 1075 is the importance of equity and inclusivity among decisionmakers. Without a seat at the table, communities have little to no input in what gets ordered. This is carried out laudably through the composition and responsibilities of the CSCs, and SB 1075 takes steps to ensure these bodies are composed of the most appropriate members in clear and transparent ways.

In addition to CSC composition, SB 1075 also makes changes to air district board membership. Specifically, the bill calls for “one additional member [to] be added to the governing board of a district with a community that is in a location that has been selected for preparation of a [CERP] or a community provided with a [Clean Air Grant]. It is also required that these added members be members of bona fide environmental justice organizations. Air district boards have traditionally been markedly different than CSCs and often have specific requirements regarding the qualifications of certain appointed members.

The committee may wish to consider amending the air district board member provisions to clarify that up to one member may be added to a board total, and to apply where there has been a CERP or an L-CERP, rather than any community air grantee.

- 6) *Committee amendments. Staff recommends the committee adopt the bolded amendments contained in comments 2, 3, 4, and 5.*

DOUBLE REFERRAL:

If this measure is approved by the Senate Environmental Quality Committee, the do pass motion must include the action to re-refer the bill to the Senate Local Government Committee.

Related/Prior Legislation

SB 352 (2025, Reyes) modified requirements for CAMPs, required CARB to report and appear before the Legislature regarding monitoring progress on the implementation of AB 617, and codified the Environmental Justice Bureau within the office of the Attorney General.

SB 840 (2025, Limón) restructured the Greenhouse Gas Reduction fund and, among other things, established a \$250 annual continuous appropriation to fund AB 617 implementation (GGRF revenues permitting).

AB 849 (2023, E. Garcia) would have expanded AB 617 by allowing CARB to assign measures developed by communities in their CERPs to other relevant state agencies for them to promulgate and enforce regulations, unless they find those measures infeasible. AB 849 was held on suspense in the Senate Appropriates Committee.

SB 342 (Gonzalez, 2021) would have added two additional seats to the South Coast Air Quality Management District (SCAQMD) Governing Board to be filled by persons residing in and working directly with pollution-burdened and vulnerable communities and issues of environmental justice in the South Coast Air Basin. SB 342 died on the Senate floor.

AB 1749 (C. Garcia, Chapter 340, Statutes of 2022) updated AB 617 to permit an additional year for completion of CERPs, require CARB to identify specified emissions reduction measures, and enhance reporting by local air districts.

AB 1288 (Atkins, Chapter 586, Statutes of 2015) added two specified seats to the CARB Board, requiring that those members be persons who work directly with pollution-burdened and vulnerable communities.

SOURCE: Center for Community Action and Environmental Justice
Center on Race, Poverty and the Environment
Central California Asthma Collaborative
Leadership Counsel for Justice and Accountability Action
Sacramento Environmental Justice Coalition

SUPPORT:

350 Bay Area Action
Active San Gabriel Valley
Asian Pacific Environmental Network Action
Breathe Southern California
California Environmental Justice Alliance (CEJA) Action
California Environmental Voters
Center for Community Action and Environmental Justice (CCA EJ)
Center for Environmental Health
Center on Race, Poverty & the Environment
Center on Race, Poverty and the Environment
Central California Asthma Collaborative (CCAC)
Central California Environmental Justice Network (CCEJN)
Central Valley Air Quality Coalition (CVAQ)
Clean Water Action
Cleaneart4kids.org
Coalition for Clean Air
Communities for a Better Environment
Leadership Counsel Action
Little Manila Rising
Natural Resources Defense Council (NRDC)
Nextgen California
Physicians for Social Responsibility - Los Angeles
Planning and Conservation League
Regional Asthma Management and Prevention (RAMP)
Resource Renewal Institute
Sacramento Environmental Justice Coalition
San Francisco Bay Physicians for Social Responsibility
Strategic Concepts in Organizing and Policy Education (SCOPE)

OPPOSITION:

California Building Industry Association
California Chamber of Commerce

California Manufacturers and Technology Association
California Manufactures & Technology Association
California Trucking Association
Supply Chain Federation
Wspa
American Planning Association, California Chapter
California State Association of Counties (CSAC)
League of California Cities
Rural County Representatives of California (RCRC)

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