

THIRD READING

Bill No: SB 1075
Author: Reyes (D)
Amended: 5/14/26
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-2, 4/15/26
AYES: Blakespear, Allen, Gonzalez, Hurtado, Menjivar
NOES: Valladares, Dahle

SENATE LOCAL GOVERNMENT COMMITTEE: 5-2, 4/22/26
AYES: Durazo, Arreguín, Ashby, Cervantes, Laird
NOES: Choi, Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 5/14/26
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

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

SOURCE: Author

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 jurisdictions with approved AB 617 communities to consider the plan before approving a commercial or industrial development of five acres or more and describing requirements for participating communities to cease participation in the CAPP.

ANALYSIS:

Existing 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) 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 Community Emissions Reduction Programs (CERPs).
 - c) Requires the adoption of CERPs in communities designated by CARB.

This bill:

- 1) Requires CARB to update the AB 617 Blueprint every five years.
- 2) Requires all CERPs and Local Community Emissions Reduction Programs (L-CERPs) to apply until attainment with the FCAA is attained.
- 3) Requires Community Steering Committees (CSCs) to:
 - a) Remain active until the emissions objectives in the CERP are achieved or the CSC votes to disband;
 - 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;
- 4) Specifies eligible uses of grant funding.

- 5) Requires a city, charter city, or a county for which an approved CERP or L-CERP has been prepared, before approving a commercial or industrial development located on a site of 5 acres or more, to the CERP/L-CERP.
- 6) Requires the Secretary for Environmental Protection to periodically convene California Environmental Protection Agency (CalEPA) entities to address AB 617-related concerns.
- 7) Requires CARB to annually prepare and deliver to the Legislature a progress report, as specified, on implementation of AB 617.

Background

Differing views of AB 617 outcomes. 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. 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.

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 that was critical of AB 617 implementation.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."

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

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

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.”

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

Comments

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.

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>

“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.”

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.

L-CERPs are a new tool. 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. 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. 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) suggests that it is most appropriate to have these documents inform—but not necessarily constrain—decision-making by elected and appointed officials.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- Ongoing costs likely in the low millions of dollars annually (Greenhouse Gas Reduction Fund [GGRF]) for CARB to report on progress toward meeting the statewide strategy, accept submissions of local community emission reduction plans, provide oversight, coordinate with local governments and stakeholders, conduct community outreach and consultation, and implement new requirements to award Community Air Grants, as specified.

SUPPORT: (Verified 5/15/26)

350 Bay Area Action
Active San Gabriel Valley
Asian Pacific Environmental Network Action
Breathe Southern California
California Environmental Justice Alliance Action
California Environmental Voters
Center for Community Action and Environmental Justice
Center for Environmental Health
Center on Race, Poverty & the Environment
Center on Race, Poverty and the Environment
Central California Asthma Collaborative
Central California Environmental Justice Network
Central Valley Air Quality Coalition
Clean Water Action
Cleaneearth4kids.org
Coalition for Clean Air
Communities for a Better Environment
Leadership Counsel Action

Little Manila Rising
Natural Resources Defense Council
Nextgen California
Physicians for Social Responsibility - Los Angeles
Planning and Conservation League
Regional Asthma Management and Prevention
Resource Renewal Institute
Sacramento Environmental Justice Coalition
San Francisco Bay Physicians for Social Responsibility
Strategic Concepts in Organizing and Policy Education

OPPOSITION: (Verified 5/15/26)

American Planning Association, California Chapter
California Air Pollution Control Officers Association
California Building Industry Association
California Chamber of Commerce
California Manufacturers and Technology Association
California Manufactures & Technology Association
California State Association of Counties
California Trucking Association
City of Buena Park
League of California Cities
Rural County Representatives of California
Supply Chain Federation
Wspa

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