

Date of Hearing: September 12, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

SB 352 (Reyes) – As Amended September 10, 2025

SENATE VOTE: 38-0 (not relevant)

SUBJECT: Environmental justice: Department of Justice: Bureau of Environmental Justice: community air monitoring

SUMMARY: Codifies the Bureau of Environmental Justice (Bureau) within the Department of Justice. Requires air monitoring in a location selected by the Air Resources Board (ARB) to remain active for a minimum of five years, which can be extended for additional five-year periods. Requires ARB to update the air monitoring plan.

EXISTING LAW:

- 1) Requires ARB, on or before October 1, 2018, to prepare a monitoring plan regarding the availability and effectiveness of toxic air contaminants (TAC) and criteria pollutant advanced sensing monitoring technologies and existing community air monitoring systems, as well as the need for and benefits of establishing additional community air monitoring systems. (Health and Safety Code (HSC) 42705.5 (b))
- 2) Requires ARB, based on the monitoring plan, in consultation with air districts, and based on an assessment of the locations of sensitive receptors and disadvantaged communities, to select the highest priority locations around the state to deploy community air monitoring systems in communities with high exposure burdens for TACs and criteria pollutants. Requires any district with a location selected by ARB to deploy a community air monitoring system by July 1, 2019. Authorizes districts to require a stationary source to deploy a fence-line monitoring system or other appropriate real-time, on-site monitoring. (HSC 42705.5 (c))
- 3) Requires ARB to select additional locations by January 1, 2020, and January 1 of every year thereafter, and requires air districts to deploy a community air monitoring system within one year. (HSC 42705.5 (d))
- 4) Requires the air districts to provide ARB the air quality data produced by the community air monitoring systems and requires ARB to publish the data on its website. (HSC 42705.5 (e))

THIS BILL:

- 1) Codifies the Bureau in the Department of Justice.
- 2) Requires, subject to available funding, air monitoring in a specified location to be active for no fewer than five years, with an option for a district and ARB to agree to extend active monitoring for additional five-year periods, as necessary.
- 3) Requires, subject to available funding, ARB to update the monitoring plan by July 1, 2026, and no fewer than every five years thereafter. Requires the monitoring plan to be approved by ARB before implementation.

- 4) Requires air districts to provide ARB with the air quality data produced by community air monitoring systems subject to the availability of funding.
- 5) Requires ARB, by March 1, 2027, and annually thereafter, in consultation with air districts, to report to the appropriate subcommittees of the Senate and Assembly Budget Committees the progress ARB and the air districts have made to implement the community air monitoring requirements. Requires the report to include:
 - a) The status of implementation in each selected community;
 - b) Best practices identified;
 - c) Enforcement activities;
 - d) Any outcome data available; and,
 - e) A report of expenditures made.
- 6) Requires the chair of the ARB and the executive directors or air pollution control officers of the relevant air districts to appear before the relevant policy committees or budget subcommittees, upon request of the chair of the committee, to present on the progress of implementing the community air monitoring requirements.
- 7) Specifies that if the Commission on State Mandates determines that this bill has costs mandated by the state, reimbursement for those costs shall be made, as specified.

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Bureau of Environmental Justice.** Attorney General Becerra established the Bureau within the California Department of Justice in 2018. The Bureau's goal is to protect people and communities that endure a disproportionate share of environmental pollution and public health hazards by increased oversight, investigation, and enforcement of the law. In 2021, Attorney General Bonta expanded the Bureau to increase efforts to ensure compliance with the California Environmental Quality Act, enforce illegal discharges to air and water, reduce exposure to lead and other toxics, clean up drinking water, and challenge federal governmental actions that repeal or reduce public health and environmental protections. This bill codifies the Bureau to ensure that it continues to exist and operate under future Attorney Generals to ensure that frontline communities continue to have the protections it provides.
- 2) **Community air monitoring.** AB 617 (Cristina Garcia), Chapter 136, Statutes of 2017, established the Community Air Protection Program, which encompassed a variety of requirements and programs to reduce air emissions on pollution-burdened communities. AB 617 increased data collection and reporting, expedited pollution control retrofits, increased civil and criminal penalties for specified air pollution violations, enhanced community monitoring, established a statewide emissions reduction strategy targeting pollution-burdened communities, and established community emissions reduction programs.

This bill strengthens the community air monitoring requirements established by AB 617 by

requiring community air monitoring systems to be active for a minimum of five years. The bill further requires ARB to update the monitoring plan and requires enhanced reporting from ARB and air districts. This bill also increases reporting to the Legislature on the progress made to implement community air monitoring systems.

3) Author's statement:

SB 352 will promote environmental justice by codifying the Bureau of Environmental Justice in the Department of Justice. The past and ongoing work of the Bureau is extremely important to California residents, but there is no guarantee that future Attorney Generals will continue to have the Bureau of Environmental Justice. Codifying the Bureau of Environmental Justice will give these communities a guaranteed ally in the fight against environmental injustice and ensure that there will always be a dedicated entity in the state to take up these issues.

The bill would also promote accountability and transparency by requiring additional reporting from ARB and the air districts regarding the expenditure of funds pursuant to AB 617. AB 617 (2017) authorized CARB and the air districts to identify communities disproportionately impacted by air pollution and established a process to incorporate community input into community emission reduction plans. While the goal of the program was to empower communities with identifying local solutions, there has been delays in implementation. Additional oversight is needed to ensure that we are maximizing state dollars while maintaining a commitment to our most vulnerable. Informing the Legislature on the progress of this program is crucial for lawmakers to be able to make informed decisions on how state funding is being used and to be able to respond to barriers to implementing the emission reductions plans.

REGISTERED SUPPORT / OPPOSITION:

Support

Brightline Defense Project

Opposition

City of Ontario

Analysis Prepared by: Elizabeth MacMillan / NAT. RES. /