

Date of Hearing: June 8, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

SB 675 (Padilla) – As Amended June 1, 2026

SENATE VOTE: 39-0 (not relevant)

SUBJECT: Imperial County Air Pollution Control District: members and duties

SUMMARY: Effective March 1, 2028, restructures the governing board of the Imperial County Air Pollution Control District (district) from the five-member county board of supervisors to a 10-member board consisting of one county, five city, and four public members. Prohibits, until March 1, 2028, the district from issuing any major permit, as defined. Imposes several new reporting and planning duties on the district.

EXISTING LAW:

- 1) Provides the Air Resources Board (ARB) with primary responsibility for control of mobile source air pollution and provides that local air districts have primary responsibility for controlling air pollution from all sources, other than emissions from mobile sources, and establishes certain powers, duties, and requirements for those districts. (Health and Safety Code (HSC) 39500, *et seq.* and 40000, *et seq.*)
- 2) Creates 35 air districts with the state, including districts that cover a single county, as well as unified and regional districts that cover multiple counties. (HSC 40000, *et seq.*)
- 3) For a single county district, except for San Diego, provides that the county board of supervisors is ex officio of the county district board. Includes specified exceptions whereby other county district governing boards must include city council members or mayors. However, these requirements for city representation do not apply to “rural” county districts (i.e., where population of the incorporated area of the county is 35 percent or less of the total county population). (HSC 40100, *et seq.*)
- 4) For multi-county districts, there are a variety of different governing board appointment schemes, including county and city officials, public members, and appointment by the Governor, the Senate Rules Committee, and the Speaker of the Assembly. The governing boards of the multi-county districts are typically larger, with as many as 24 board members, and all include city representation, including some with a majority of city representatives. (HSC 40150, *et seq.*)
- 5) Defines, under Title V of the federal Clean Air Act, major stationary sources as those sources with a potential to emit that exceeds a specified threshold of air pollutants per year, depending on the attainment status of the air district, and creates an operating permits program for those sources, and specified other sources, to be implemented by state and local permitting authorities. (42 U.S.C. 7401, *et seq.*)

THIS BILL:

- 1) Requires, effective March 1, 2028, 10 members of the district board to be appointed as follows:
 - a) One member representing the board of supervisors, appointed by a majority of supervisors.
 - b) One city council member from each of the five supervisorial districts. Those five members shall be selected by city selection committees representing the cities of that supervisorial district.
 - c) Four public members, appointed by the supervisor and city council members at a public hearing, according to the following:
 - i) A physician or public health professional actively practicing within the district and specializing in the health effects of air pollution on vulnerable populations.
 - ii) A person representing environmental justice interests and who works directly with communities within the district that are most significantly burdened by, and vulnerable to, high levels of pollution.
 - iii) A person with a background in labor that understands worker health and safety.
 - iv) A person with a background in agricultural practices.
- 2) Requires all members to be appointed on the basis of their demonstrated interest and proven ability in the field of air pollution control and their understanding of the needs of the general public in connection with the air pollution problems of the Imperial Air Basin.
- 3) Requires all members to reside within the district boundaries.
- 4) Provides board members compensation of \$100 per day, not to exceed \$1,000 per month, for attending district board or committee meetings and board-approved district business, as well as actual and necessary expenses.
- 5) Requires a governing board vacancy to be filled by appointment in the same manner as the vacating member was appointed.
- 6) Permits a governing board member to be removed at any time in the same manner as the member was appointed.
- 7) Requires the governing board to consult with the United States Navy and the United States Marine Corps on all permitting, rules, regulations, and planning issues that have the potential to impact the mission of the United States Navy and the United States Marine Corps, and to designate one member to serve as the liaison to the United States Navy and the United States Marine Corps.
- 8) Prohibits the district from issuing any “major air permit” (a permit issued to a Title V source) until March 1, 2028.

- 9) Requires the district to do all of the following:
- a) Create an internet website separate from the Imperial County internet website and post all the following:
 - i) Agendas and minutes of the district board.
 - ii) All current permit information, as specified.
 - iii) All applications for an authority to construct or permit to operate, as specified.
 - iv) All settled enforcement actions, as specified.
 - v) The face sheets of notices of violation or notices to comply.
 - vi) All documents related to the Air Toxics “Hot Spots” Information and Assessment Act of 1987.
 - vii) The district budget, including revenue and expense projections and actuals.
 - b) Apply for specified statewide grant and incentive programs.
 - c) Evaluate the current public complaint and comment process and provide a plan for updating the process, as specified.
 - d) Develop a plan for a comprehensive air monitoring program, as specified.
 - e) Publish an annual air quality report, as specified.
 - f) Prepare a report for consideration by the governing board that summarizes all of the actions taken on applications for an authority to construct or a permit to operate in the 2027 calendar year.
 - g) Consider, based upon this report, amendments to district rules to ensure adequate opportunity for public comment on applications within the district’s deadline for action on those applications.
- 10) Requires all district expenses that not met by existing district funding sources (i.e., grants, subventions, permit fees, penalties, and specified surcharges or fees) to be provided by an annual per capita assessment on each city and county included in the district.
- 11) Declares the intent of the Legislature that the Imperial County employees who currently work for the district will not be affected by the governing board’s expansion and their jobs will be safe.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author’s statement:**

The residents of Imperial County are uniquely situated at an intersection of multiple air quality issues. The county has some of the worst air pollution in the country, the lakebed of the receding Salton Sea and dust storms contributing to some of the highest asthma

hospitalization rates in the state. Imperial County's Air Pollution Control District board should properly reflect the region's diverse range of voices on air quality issues.

- 2) **Background.** There are 35 air districts covering California's 58 counties. Of the 21 single county districts, eight have boards with city representation and 13, including Imperial, have boards that are only county supervisors.

Imperial County lies in the southeast corner of California, bordered by San Diego County to the west, Riverside County to the north, Arizona to the east, and Baja California to the south. Imperial County faces unique air pollution challenges, such as hard to regulate sources including fugitive dust from the Salton Sea dry lakebed, cross-border traffic, and emissions from sources in Mexico.

Like other rural, single-county air districts, the district is governed by the county board of supervisors. Imperial is the most populous county (181,000) with a district governed solely by the county board of supervisors. The county also has relatively more complex and challenging air pollution issues than other rural counties.

In 2019, AB 423 (Gloria), Chapter 744, Statutes of 2019, restructured the governing board of the San Diego County Air Pollution Control District to be governed by an 11-member board consisting of two county supervisors, six council members or mayors from specified cities, and three public members. San Diego has the largest population (3.3 million) by far of any county air district. Prior to AB 423, San Diego was the only urban county air district with no city representation. This bill is largely based on AB 423.

- 3) **Shifting the balance.** Like AB 423, this bill shifts the balance of district governing power from county supervisors to city and public members. In San Diego, the district board moved from the five county supervisors to an 11-member board consisting of two county supervisors, six city council members or mayors, and three public members. In this bill, the shift is more pronounced, as county supervisors would go from 100% of the board to 10%. Thus, the bill would shift the Imperial district from the most populous air district with a county-only board to the most rural district with a non-county majority. This bill's public member slots for physician and environmental justice representative are consistent with San Diego. The public member slots for labor and agriculture representatives are unprecedented.
- 4) **Title V permit time out.** Title V, added to the federal Clean Air Act in the 1990 amendments, establishes a comprehensive federal permitting program, implemented by states and districts, requiring major sources to obtain an operating permit that consolidates all air quality requirements. Facilities classified as "major sources" of air pollution must obtain an operating permit that outlines their emissions limits and compliance obligations. This includes sources that emit or have the potential to emit significant amounts of criteria pollutants or hazardous air pollutants. The default Title V emissions threshold is 100 tons per year of any criteria pollutant. More stringent thresholds apply in nonattainment areas.

States are responsible for developing and implementing Title V permit programs, which must be approved by USEPA. If a state fails to establish a program, USEPA can implement a federal permit program. In the Imperial district, Rule 900 implements Title V.

According to the district, existing Imperial County Title V sources are as follows:

United States Gypsum Co.
Imperial Irrigation District El Centro Generating Station
Imperial Irrigation District Rockwood
Spreckels Sugar
SFPP, L.P.
Imperial Irrigation District Niland
Imperial Landfill
Western Mesquite Mine

This bill prohibits the district from issuing any permit to a Title V source until March 1, 2028. The apparent intent is to prevent the current board from rushing to approve permits before the board required by this bill is installed. By applying to any permit, this provision captures both new and existing Title V facilities. This may prevent timely approval of necessary maintenance and required upgrades, with the potential to delay projects and frustrate implementation of Clean Air Act requirements. *The author and the committee may wish to consider* alternatives to this moratorium during the transition to the new board, such requiring the current board to establish an ad hoc committee of city and public members to advise on new Title V permits and/or requiring a transition period that is less than the current 14 months.

REGISTERED SUPPORT / OPPOSITION:

Support

City of Imperial (sponsor)
Alianza Coachella Valley
Audubon California
Imperial Valley Equity & Justice Coalition
Sierra Club California

Opposition

California Chamber of Commerce
Imperial County Board of Supervisors
Imperial County Farm Bureau

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