

UNFINISHED BUSINESS

Bill No: SB 675
Author: Padilla (D)
Amended: 8/13/26
Vote: 21

Prior votes not relevant.

SENATE ENVIRONMENTAL QUAL. COMMITTEE: 4-2, 8/27/26
AYES: Blakespear, Allen, Gonzalez, Menjivar
NOES: Valladares, Dahle
NO VOTE RECORDED: Hurtado

ASSEMBLY FLOOR: 58-19, 8/25/26 - See last page for vote

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

SOURCE: Author

DIGEST: This bill restructures the governing board of the Imperial County Air Pollution Control District (district) from the five-member county board of supervisors to an 11-member board consisting of one county, five city, and four public members, effective July 1, 2027, and imposes several new reporting and planning duties on the district.

Assembly Amendments rewrite this bill to the governing board of the Imperial County Air Pollution Control District (district) from the five-member county board of supervisors to an 11-member board consisting of one county, five city, and four public members. Previously, this bill provided streamlining benefits to Waterfront Environmental Leadership Development Projects (WELDPs).

ANALYSIS:

Existing law:

- 1) Provides the California Air Resources Board (CARB) 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) Provides that the county board of supervisors, or a single county district, except for San Diego, 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 United States Code (U.S.C.) § 7401, *et seq.*)

This bill:

- 1) Requires, effective July 1, 2027, 11 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) One representative from an irrigation district that provides water and retail power services to the district;
 - d) 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) 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, by January 1, 2029;
 - 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, by January 1, 2029; and
 - vii) The district budget, including revenue and expense projections and actuals.
 - b) Create a process for permit holders to request sensitive information be redacted from the internet website, as specified.
- 9) Requires all district expenses that are 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.
- 10) 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.

Background

California air districts. 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.¹ 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.

Comments

Purpose of Bill. According to the author, “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.”

Unprecedented, but necessary, representation. 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, this 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. Additionally, this bill’s public member slots for physician and environmental

¹ Census Quick Facts, San Diego County. (2025)
<https://www.census.gov/quickfacts/fact/table/sandiegocountycalifornia/PST045225>

justice representative are consistent with San Diego. The public member slots for labor and agriculture representatives are unprecedented.

Finally, Imperial County has a population significantly smaller than San Diego County (181,000 residents compared to 3.3 million residents, according to the US Census).² Therefore, SB 675 creates a governing board equal in size to the San Diego County Air Pollution Control District for a population which is 18 times smaller. However, while Imperial County has a smaller population, the county has extraordinary air pollution concerns which may require a larger and more representative board than status quo.³ The National Institute of Environmental Health Sciences reports:

“Air pollution is a major concern for residents of Imperial County, California. The county not only experiences consistently high levels of air pollution, but also has one of the state’s highest rates of asthma hospitalization and emergency room visits for school-aged children. [...] “Air pollution in Imperial County comes from agricultural burns, diesel fumes, and other sources such as automobile exhaust. Spanning over 4,000 square miles, the county contains a limited number of regulatory air pollution monitors operated by the Imperial County Air Pollution Control District and the California Air Resources Board. These regulatory monitors provide minimal information about neighborhood-level air pollution in the primarily Latino communities, many of which have high rates of unemployment and poverty.”⁴

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

According to the Assembly Appropriations Committee:

“The ICAPCD preliminarily anticipates substantial one-time and ongoing annual costs in the tens of millions of dollars to implement the requirements of this bill and contends that the bill’s proposed timelines are both stringent and infeasible for a rural district like ICAPCD without significant new funding and implementation support. Among a lengthy list of cost-drivers, the district estimates approximately \$1.5 million in one-time information technology (IT)-related costs, \$4.5 million in ongoing annual costs for additional positions and services previously provided

² Census Quick Facts, Imperial County (2025)

<https://www.census.gov/quickfacts/fact/table/imperialcountycalifornia/PST045225>

³ Aguilera, E. (2019) What keeps families in one of the most polluted places in California? Calmatters.

<https://calmatters.org/health/2019/01/what-keeps-families-in-one-of-the-most-polluted-places-in-california/>

⁴ Imperial County Community Air Monitoring Project, National Institute of Environmental Health Services.

<https://www.niehs.nih.gov/research/supported/translational/community/imperial>

through the county, significant one-time facility costs “to meet current and mandated expansion needs,” \$410,000 annually for monitoring, numerous costs associated with establishing and supporting the new 10-member governing board, complaint system upgrades (including 24-hour hotline capacity), new public comment tracking and response procedures, creation of searchable public permit and enforcement databases, annual air quality reporting, and other tasks.

“The ICAPD insists that the resources it requires to implement this bill are not absorbable within its existing budget or recoverable through fees. If the Commission on State Mandates determines these costs to be a reimbursable state mandate, the state would be obligated to reimburse the county for its expenses (General Fund). See background below for a discussion of ICAPD’s reasoning.”

SUPPORT: (Verified 8/25/26)

City of Calipatria
Access to Thrive, INC

OPPOSITION: (Verified 8/25/26)

Controlled Thermal Resources (US) INC.
Duggins Construction INC.
County of Imperial

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**** **END** ****