
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Blakespear, Chair

2025 - 2026 Regular

Bill No: SB 352

Author: Reyes

Version: 9/10/2025

Hearing Date: 9/11/2025

Urgency: No

Fiscal: Yes

Consultant: Heather Walters

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

DIGEST: This bill modifies requirements for community air monitoring systems and monitoring plan established by AB 617 (C. Garcia, Chapter 136, Statutes of 2017) and requires the California Air Resources Board (CARB) to report and appear before the Legislature regarding monitoring progress.

ANALYSIS:

Existing law:

- 1) Establishes the California 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 with local air districts to control emissions from stationary sources in order to implement the Federal Clean Air Act. (Health and Safety Code (HSC) § 39500 et seq.)
- 2) Requires air pollution control districts (air districts) to adopt and enforce rules and regulations, subject to the powers and duties of CARB, to achieve and maintain the state and federal ambient air quality standards in all areas affected by emission sources under their jurisdiction. (HSC § 40001)
- 3) Requires CARB to prepare a monitoring plan regarding the availability and effectiveness of toxic air contaminant (TACs) and criteria air pollutant monitoring technologies and existing community air monitoring systems (CAMS) in consultation with various relevant entities on or before October 1, 2018. (HSC § 42705.5)
- 4) Requires CARB to select the highest priority locations to deploy CAMS and any district containing a selected location to deploy a CAMS, based on the findings and recommendations of the monitoring plan. (HSC § 42705.5)

- 5) Requires CARB to select additional locations for the deployment of CAMS annually, beginning January 1, 2020, and requires the respective districts to deploy a CAMS within one year of selection. (HSC § 42705.5)
- 6) Requires districts to provide CARB air quality data produced by the CAMS and CARB to publish the data on its internet website. (HSC § 42705.5)
- 7) Requires CARB to prepare a statewide strategy, and update that strategy at least once every five years, to reduce emissions of TACs and criteria air pollutants in communities affected by a high cumulative exposure burden, including criteria based on the monitoring plan for the development of community emissions reduction programs (CERPs). (HSC § 44391.2)

This bill:

- 1) Codifies the Bureau of Environmental Justice in the Department of Justice.
- 2) Requires (subject to available funding) CAMS deployed at a location selected by CARB to be active for no fewer than five years and authorizes CARB and the districts to extend active monitoring for additional five-year periods.
- 3) Requires (subject to available funding) CARB to update the monitoring plan every five years beginning July 1, 2026, and subjects the updated monitoring plan to approval by CARB before implementation.
- 4) Makes the existing requirement for districts to provide CARB air quality data subject to the availability of funding.
- 5) Requires CARB, in consultation with the districts, to report annually to the appropriate budget subcommittee of each house of the Legislature about the progress in implementing these provisions. The report is required to include, but may not be limited to:
 - a) The status of implementation in each selected community;
 - b) Best practices identified;
 - c) Lessons learned through implementation;
 - d) Enforcement activities;
 - e) Any outcome data, as specified; and,
 - f) Expenditures made.
- 6) Requires the Chair of CARB and executive directors or officers of relevant districts to appear before the relevant policy committees or budget subcommittees of the Legislature, upon request of the Chair of those committees, to present on the progress in implementing these provisions.

Background

- 1) *AB 617: giving pollution-burdened communities a seat at the table*. Passed alongside the last cap-and-trade reauthorization, AB 617 provides a community-focused action framework to improve air quality in communities most impacted by air pollution. The bill recognized that while California has seen tremendous improvement in air quality, some communities still suffer greater impacts than others. It is these communities that require special attention and accelerated action.

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 the following components:

- a) *Community Air Monitoring Systems (CAMS)*: AB 617 requires CARB to identify high priority areas subject to criteria pollutant and TAC exposure. A local air district with jurisdiction over a high priority area must deploy community air monitoring systems and provide CARB with data from the monitoring systems, which CARB must post on its internet website.
- b) *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.

There were also provisions of AB 617 unrelated to CAMS and CERPs involving best available control technology and similar air permitting-related reforms. Those are outside the scope of SB 352, but have been a focus of recent legislation as well (see SB 318 (Becker, 2025)).

- 2) *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.

- 3) *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.

Although the Bureau of Environmental Justice is not formally assigned with any role in this bill, enshrining it in law seems well-aligned with the bill's intent to address many of these same problems through improvements to AB 617.

Comments

- 1) *Purpose of Bill*. According to the author, "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 CARB 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.

- 2) *Program work ahead? I sure hope it does.* In the implementation of AB 617, some notable challenges have arisen. Some significant pollution sources fall outside the scope of CARB and the air districts. These can 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. It has been an ongoing challenge—without a clear or straightforward solution—to compel entities that are not required to comply with AB 617 to take actions called for in CERPs.

The main new provision for AB 617 created by SB 352 is an annual progress report required from CARB to the Legislature. This will include certain specified information that may be helpful in future efforts to further improve the Program. There are currently 19 AB 617 communities in California, many of which have been working on developing and implementing their CERPs for years. Creating an environment where learning in one community can inform successes in another has the potential to benefit many Californians facing environmental injustices.

Nevertheless, this progress report alone will not make AB 617 live up to its full potential. As the effects of climate change continue to rapidly worsen (affecting the most disadvantaged Californians the most), new sources of air pollution (such as warehouses and data centers) proliferate in already-afflicted communities, and covered entities under the state's flagship climate program often continue to prioritize compliance through the purchase of compliance instruments rather than actively reducing their own emissions, the need for a robust environmental justice framework in California becomes clearer and clearer.

Market-based compliance mechanisms have never been the favored climate

policy solutions for most environmental justice advocates and their allies, and yet they continue to engage and provide feedback wherever possible. When cap-and-trade was reauthorized in 2017, it came tied together with the promise of AB 617. Although any step forward is arguably better than no step at all, this reauthorization must not leave the principles of environmental justice behind. It is incumbent upon the Legislature to ensure the information reported by CARB pursuant to this bill motivates real, impactful reforms to AB 617, and pushes this body towards deferring justice no longer.

SOURCE: Author

SUPPORT:

None received to this version of bill

OPPOSITION:

None received to this version of bill

-- END --