

Date of Hearing: April 7, 2025

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

AB 367 (Bennett) – As Amended March 28, 2025

SUBJECT: Water: County of Ventura: fire suppression

SUMMARY: Requires Ventura County water suppliers servicing high or very high fire hazard severity zones, as specified, to: have backup power capable of running water delivery systems at normal capacity for at least 24 hours; maintain water tank levels, as specified; report service issues, as specified; and evaluate the adequacy of the water delivery system after significant fire damage within the service area, as specified. Specifically, **this bill:**

- 1) Requires any water supplier in Ventura County that is (a) used for fire suppression in high or very high fire hazard severity zones and (b) serves more than 20 homes to have a backup power source strong enough to keep wells and pumps at normal capacity for at least 24 hours during power outages.
- 2) Exempts water delivery systems reliant on gravity, not power, from needing backup power.
- 3) Requires the Ventura County Fire Department (VCFD) to inspect these water facilities once a year to make sure their systems meet fire safety standards in high or very high fire hazard severity zones
- 4) Requires a water supplier in Ventura County that is (a) used for fire suppression in high or very high fire hazard severity zones and (b) serves more than 20 homes to top off water tanks when notified by Ventura County Office of Emergency Services (VCOES) due to relevant weather conditions.
- 5) Requires a water supplier in Ventura County that is (a) used for fire suppression in high or very high fire hazard severity zones and (b) serves more than 20 homes to alert VCOES anytime water delivery capacity is reduced due to equipment failure or maintenance.
- 6) Requires a water supplier in Ventura County that is (a) used for fire suppression in high or very high fire hazard severity zones and (b) serves more than 20 homes and VCFD to jointly prepare a report evaluating the adequacy of the water delivery system, and present it to the Ventura County Board of Supervisors, if a fire destroys more than 10 homes or caused over \$3 million in damages to homes served by the water supplier.

EXISTING LAW:

- 1) Authorizes the Governor to proclaim a state of emergency and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. (Government Code § 8558)

- 2) Establishes DWR within the Natural Resources Agency and sets forth its powers and duties relating to water resources (Water Code § 120)
- 3) Requires the State Fire Marshal to classify lands within state responsibility areas into fire hazard severity zones and requires that local agencies also designate fire hazard severity zones in their jurisdiction after receiving recommendations from the State Fire Marshal. These classifications shall be based on fuel loading, slope, fire weather, and other relevant factors (Public Resource Code § 4202-4204, Government Code § 51178)
- 4) Directs a city or county, upon the next revision of the housing element of a general plan on or after January 1, 2014, to include a set of feasible implementation measures designed to carry out specified goals, policies, and objectives, including designing adequate infrastructure if a new development is located in a state responsibility area or in a very high fire hazard severity zone, including water supplies for structural fire suppression (Government Code § 65302).

FISCAL EFFECT: Unknown. A fiscal committee has not heard this bill.

COMMENTS:

Purpose of the bill: According to the author, “California’s wildfire destruction has reached a tipping point. Ventura County has experienced its three most destructive fires in the last 8 years - Thomas (2017), Woosley (2018), and Mountain (2024). While our water systems and hydrants are not designed to battle hundreds of homes fully engulfed in fire, they should perform to their maximum capacity during wildfire events. During Ventura County’s three destructive fires, there have been instances where tanks were not filled appropriately, backup power to run water pumps was not available, and water pumps were destroyed by fire. Filling tanks, ensuring backup power and hardening water pumps are relatively modest investments. AB 367 ensures that Ventura will be able to use its resources to their maximum effectiveness.”

Equity impact: According to the author’s staff, “California fires disproportionately put at risk vulnerable communities, especially given the lack of insurance coverage in many parts of the state. Of particular concern is when conflagrations destroy major parts of communities.”

Background: Throughout California’s history the state has contended with destructive wildfires impacting communities that were constructed amongst or adjacent to timber and chaparral forests. These areas, commonly referred to as the “wildland urban interface,” have long been considered some of the most fire-prone areas in the state. In the last decade, unprecedented wildfires led to the deadliest wildfire in California’s history. The impacts of these wildfires cannot be understated, many lives were lost, thousands of homes were destroyed, and residents, in some cases entire communities, have been forced to relocate. Billions of dollars in damage was caused to homes, businesses, and infrastructure throughout the state.

In recent years, an increasing number of wildfires have burned outside of wildland areas and into more urban settings. While persons living in forested areas and those in the wildland urban interface, have long faced significant risks from wildfires, as a result of climate change, more Californians face wildfire risks than ever before.

Many of these areas have been classified by the Department of Forestry and Fire Protection as belonging to “very high fire hazard severity zones.” As a result of this designation, the properties within a very high fire hazard zone are subject to the strictest requirements from the building codes, “Fire Safe” regulations, and defensible space requirements. Properties not immediately in the wildland urban interface but subject to fire risks are now characterized as being in “high fire hazard severity zones.”

Wildfires across California have repeatedly exposed vulnerabilities in public water systems, especially in high and very high severity zones. During the 2025 Palisades Fire, extreme demand caused by firefighting overwhelmed the system, leaving some hydrants dry. In Ventura County’s 2024 Mountain Fire, power outages delayed pump operations and disrupted hillside water supply, echoing similar failures during the 2017 Thomas Fire and leaving high-elevation hydrants without water. Likewise, during the 2017 Tubbs Fire, firefighters in Santa Rosa’s Fountaingrove neighborhood lost access to water due to low pressure and had to travel long distances to refill, delaying response efforts.

It is important to note that public water systems are currently not designed for catastrophic wildfires. Nonetheless, the author’s office points to the best practices stated by the deputy general manager at Calleguas Municipal Water District, a water supplier in Ventura County, to the Los Angeles Times: “It is best practices for water providers to top off their water tanks, stage backup generators and prepare crews for contingency work during a red flag event or possible fire weather.” These recommendations mirror portions of this bill.

Wildfires: Wildfires are a severe and growing threat to lives, property, and infrastructure in California. The confluence of a changing climate, urbanization, and constraints on forest management has added urgency to the need to enhance our strategy to address this threat. California’s Fourth Climate Change Assessment projects that by 2100, if climate change continues on this trajectory, the frequency of extreme wildfires would increase, and the average area burned statewide would increase by 77 percent.

Wildfires that threaten thousands of homes are now an annual occurrence, as autumn days with severe fire-weather prone weather have more than doubled in California since the 1980s. Over the last four decades, the wildfires have increased in size and intensity with five of the eight largest fires in California history occurring in 2020 alone. Of the remaining three, two of the largest fires occurred since 2020. Additionally, 15 of California’s 20 most destructive fires have occurred in the past decade. Collectively, these most recent fires have resulted in 180 deaths and the loss of 57,483 structures (homes, outbuildings, and commercial properties).

In Cal FIRE’s 2020 Fire Siege Report, the Director states, “at the end of 2020, we closed the book on, arguably, the worst fire year ever experienced on the west coast, and specifically in California. Since 2015, the term “unprecedented” has been used year over year as conditions have worsened, and the operational reality of a changing climate sets in. In California, the 2020 Fire Siege claimed the lives of 28 civilians and three firefighters, destroyed 9,248 structures and consumed 4.2 million acres. While fewer wildfires threatened California in 2023 due to the increased number of weather events and atmospheric rivers, the vegetative growth from the significant rainfall contributed to devastating wildfires in 2024 and 2025. In 2024, the Park Fire became the fourth-largest fire in California’s history. Despite aggressive initial attack suppression efforts, the fire rapidly expanded, ultimately consuming 429,603 acres across Butte and Tehama counties. The Park Fire led to the destruction of 709 structures and damage to 54

others, prompting widespread evacuations and the temporary closure of Lassen Volcanic National Park. In 2025, Los Angeles County experienced two of the most destructive wildfires in history (discussed below).

Palisades and Eaton Fires: At its height, the fires placed an estimated 331,335 people on an evacuation advisory, with nearly 192,000 residents facing mandatory evacuation and roughly 140,000 subject to warnings. The blazes burned a combined 37,469 acres and leveled entire communities in the Pacific Palisades and Altadena neighborhoods of LA County.

The Eaton Fire became the second most destructive fire in California history after destroying 9,418 buildings. The Palisades Fire is the third most destructive fire in state history with 6,837 structures destroyed. As firefighters were battling the largest conflagrations, additional fires broke out in the Los Angeles area. Crews were able to stop the forward spread and contain the blazes. These fires included the Lidia, Archer, Woodley, Sunset, Kenneth, Hurst and Auto fires, which burned close to 2,400 acres between them.

Two weeks after the initial fires, the Hughes Fire began near Castaic Lake in northern Los Angeles County on January 22 and quickly grew to over 10,000 acres. It was fully contained on January 30 after covering 10,425 acres.

Public Water Access Overwhelmed in the Palisades Fire: In the early days of the fire, extreme winds made it impossible for aerial firefighting to continue, putting a significant strain on the public water system. According to LADWP, water use spiked to four times the normal level for over 15 hours, leaving some hydrants dry. While there was no overall water shortage, the sheer demand overwhelmed the system, preventing water tanks from refilling fast enough to maintain the pressure needed to reach higher-elevation areas in the Palisades.

Ventura County Water Access Issues: During the Mountain Fire in November 2024, some of Ventura County's water providers experienced a significant delay in restoring operations after losing power. According to Calleguas Municipal Water District, the utility pump was without electricity for several hours and did not receive a generator until late that evening, resulting in water supply challenges. The Mountain Fire also disrupted firefighting efforts in the Camarillo foothills, where two water pumps went offline during active fire suppression. This interruption delayed the refilling of hillside water tanks, which are critical for maintaining water pressure in high-elevation fire hydrants. This eventually led to the fire hydrants running dry. During the 2017 Thomas Fire, similar disruptions occurred when several water pumping stations lost power. In Ojai, the fire caused direct damage to the infrastructure, rendering the water system inoperable.

Tubbs Fire and Public Water Inaccessibility: During the initial hours of the 2017 Tubbs fire, the fire hydrants in the hilltop community of Fountaingrove in Santa Rosa repeatedly lost pressure. Firefighters were forced to travel to the valley of Santa Rosa, where water pressure was stronger, and then return to the hilltop to fight the fire.

UCLA Report Recommendations: In a 2021 briefing report titled *Wildfire & Water Supply in California*, the authors recommend investing in remote-operable water infrastructure and backup power systems—such as solar panels and battery storage—to help maintain water service during wildfires while reducing risk to utility personnel. They also highlight the importance of fire-resistant building materials and site design to protect critical water system assets in high-risk

areas. However, they caution that widespread adoption of these innovations may be limited by cost, access to technology, and the expertise required to implement them—particularly for smaller water systems.

Fire Hazard Severity Zones (FHSZ): As referenced above, Public Resource Code 4202 requires the SFM to classify lands within state responsibility areas into fire hazard severity zones. Each zone shall embrace relatively homogeneous lands and shall be based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. Under Government Code 51178, the SFM is required to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the SFM as a major cause of wildfire spread.

How are FHSZs determined?: According to CAL FIRE, “the best available science and data were used to develop and field test a model that now serves as the basis of zone assignments. The model evaluated the probability of the area burning and potential fire behavior in the area. Many factors were included such as fire history, vegetation, flame length, blowing embers, proximity to wildland, terrain, and weather.”

Small water suppliers and rural communities: Pursuant to AB 1668 (Friedman, Chapter 15, Statutes of 2018), DWR issued the Small Water Systems and Rural Communities Drought and Water Shortage Contingency Planning and Risk Assessment in 2021. This report, released in two parts, identified small water systems and rural communities at risk of drought and water shortage vulnerability (Part II) and made recommendations for improving drought contingency planning for those areas (Part I).

DWR examined the relative risk of drought and water shortage for 2,419 small water suppliers in the report. The results show that a vast majority of the state’s counties (47 of the 58 counties) have small water suppliers in the top 10% of risk scores (240 suppliers) for water shortage. Of those in the top 10%, over half (61% or 149 suppliers) are located in high or very high fire hazard severity zones. In other words, there are many small and rural communities across the state that are at high risk of running out of water during a drought or other disaster. Also, many communities located in areas with a high risk for wildfire are at high risk of water shortage, which could impact their capacity to suppress fires when they occur.

The report recommended that the state support small community water systems to install additional infrastructure to improve drought and water shortage preparedness and response. The report noted that most water systems under 1,000 connections have difficulty ensuring water supplies during natural disaster events, regardless of the development of planning materials, due to their inherent lack of economies of scale to finance needed infrastructure improvements and the high cost of emergency response activities.

According to CAL FIRE, water delivery infrastructure does pose a challenge for some of the communities in CAL FIRE service areas, as some hydrant systems cannot support fire operations at the required flow rate and volume. In some cases, using an older hydrant has caused water pipes to collapse, which can cutoff water delivery to that specific neighborhood in the aftermath of an incident.

Proposition 4: In July 2024, the Legislature approved Chapter 83 (SB 867, Allen), authorizing a \$10 billion bond measure entitled the “Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.” Largely designed to increase the state’s resilience to the impacts of climate change, the measure was placed on the statewide ballot as Proposition 4 and subsequently approved by voters in November. This bond measure builds on significant funding for state funded climate-related programs. The bond measure includes a number of requirements to guide how funds are administered and overseen by about 30 different state agencies, departments, boards, commissions, conservancies, and offices. Much of the funding is to be provided as grants for eligible applicants including local agencies, nonprofit organizations, tribes, and utilities. Remaining funding will support state-led activities, such as addressing deferred maintenance and wildfire resilience activities at state parks and projects at the Salton Sea.

Arguments in Support: The County of Ventura writes in support, “This important measure would improve the resilience of Ventura County’s water infrastructure in fire-prone areas by requiring water purveyors to maintain backup power sources, protect critical facilities from fire damage, and assess system performance following major wildfire events. In recent years, Ventura County has experienced some of the most destructive wildfires in California history. The Thomas (2017), Woolsey (2018), and Mountain (2024) fires collectively caused more than \$8 billion in damage and exposed vulnerabilities in our local water systems. During the Mountain Fire, for example, a local water supplier lost electricity at 2:00 p.m. and was unable to restore operation with a generator until 11:00 p.m. that evening, according to the emergency response coordinator at Calleguas Municipal Water District. Water delivery challenges during the Thomas Fire also left pumping stations inoperable and caused system failures in communities like Ojai, where fire-damaged equipment led to serious disruptions in service.”

Arguments in Opposition: The Association of California Water Agencies and California Water Association write in opposition, “The provisions in AB 367 are unfunded, which would lead to significant costs for water agencies to comply, could potentially subject water agencies to legal liability, and directs water agencies how to operate their systems. Ultimately, this bill is overly directive and fails to recognize the wildfire preparedness planning water agencies are already implementing. Amendments are needed to provide water agencies with the flexibility and resources to enhance fire preparedness. AB 367 takes the wrong approach. In addition, the author has expressed interest in a statewide version of this bill in future years. The provisions in this bill would also not be workable statewide and we would have significant concerns. We look forward to engaging with the author on broader wildfire preparedness efforts that would be suitable considering the diversity and complexity of water agency systems. While we are supportive of wildfire preparedness, the current provisions in AB 367 are not workable.”

Prior and Related Legislation:

AB 372 (Bennett, 2025) would, contingent on funding being appropriated pursuant to a bond act, establish the Rural Water Infrastructure for Wildfire Resilience Program within the California Office of Emergency Services (Cal OES) for the distribution of state matching funds to communities within the Wildland Urban Interface in designated high fire severity zones or very high fire hazard severity zones to improve water system infrastructure. (Pending in the Assembly Committee on Emergency Management)

AB 2421 (Quirk. Chapter 225, Statutes of 2020) required, only until January 1, 2024, expedited permitting of emergency standby generators for macro cell towers. The provisions of the bill are no longer in effect.

SB 341 (McGuire. Chapter 425, Statutes of 2021), among other things, required the CPUC to adopt and implement backup power rules for providers of telecommunications service

REGISTERED SUPPORT / OPPOSITION:**Support**

County of Ventura

Opposition

Association of California Water Agencies
California Water Association

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