

Date of Hearing: June 15, 2026

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

SB 1153 (Caballero) – As Amended April 28, 2026

SENATE VOTE: 33-0

SUBJECT: Disaster preparedness: urban retail water suppliers and public water systems: wildfire

SUMMARY: This bill requires urban retail water suppliers serving a high or very high fire hazard severity zone (FHSZ) to include incident-specific response procedures for wildfires in their disaster preparedness plans and limits the liability public water systems may face when responding to wildfires. Specifically, **this bill:**

- 1) Makes various findings and declarations, as specified, including that public water systems are deliberately designed and constructed to provide clean and safe drinking water in accordance with state and federal safe drinking water laws and regulations and they are not intentionally designed or constructed for wildfire defense or suppression.
- 2) Requires, beginning January 1, 2028, urban retail water suppliers serving a high or very high fire hazard severity zone to include incident-specific response procedures for wildfires as part of their disaster preparedness plans, inclusive of any applicable federal emergency response plan.
- 3) Requires the above plans to include, but not be limited to:
 - a. Mitigation actions that can obviate or significantly lessen the impact of a wildfire, as specified;
 - b. Actions to prepare for a wildfire, as specified;
 - c. An assessment of the resilience of critical infrastructure, as specified, that evaluates fire hardening measures and alternative emergency power in the event of a loss of power, including, but not limited to, onsite backup generators, portable generators, or availability of alternative water sources.
 - d. Actions to respond to a wildfire, as specified, including during a red flag warning; and,
 - e. Actions to recover from a wildfire, as specified.
- 4) Requires the urban retail water supplier to share the incident response procedures with the county Office of Emergency Services, subject to confidentiality requirements, as specified.
- 5) Specifies the incident response procedures are subject to existing confidentiality levels, including the right to withhold or redact records pursuant to applicable exceptions to disclosure within the California Public Records Act, as specified.

- 6) Establishes that while public water systems may be available to aid in firefighting, a public water system shall not be held liable for wildfire damages caused by a loss of water pressure or supply during a wildfire, and the spread of wildfire shall not be considered an inherent risk of a public water system's design, construction, or maintenance.
- 7) Specifies nothing in the bill be interpreted to require a public water system to build, construct or maintain a water system for wildfire defense or suppression.
- 8) Specifies that the identified mitigation actions, via the incident-specific response procedures for wildfires, will inform preparedness and response planning and are not intended to guarantee the ability of a public water system to maintain water supply or water pressure during a wildfire.
- 9) Specifies failure to implement or comply with the identified mitigation actions, as specified, not be considered a substantial cause of the damages resulting from a wildfire.
- 10) Prohibits these provisions from being construed to limit or affect liability for injury or damage resulting from a negligent act or omission of an entity operating a public water system for its intended purpose and function, as specified.

EXISTING LAW:

- 1) Designates the California Office of Emergency Services (Cal OES) under the California Emergency Services Act (ESA) as the lead state agency responsible for state emergency response to natural, technological, or man-made disasters, as specified. (Government Code § 8585)
- 2) Requires public water systems with 10,000 or more service connections to review and revise their disaster preparedness plans in conjunction with other agencies to ensure that the plans are sufficient to address possible disaster scenarios, as specified. (Government Code § 8607.2).
- 3) Establishes the federal Safe Drinking Water Act (SDWA), to protect public health by regulating drinking water. Among other things, the SDWA requires public water systems that serve more than 3,300 people to complete a specified vulnerability assessment and prepare or revise an emergency response plan (ERP) that incorporates the findings of that assessment. The ERP must be prepared or updated and submitted to the federal Environmental Protection Agency (EPA) within six months after completion of the assessment and reviewed at least every 5 years. (42 USC CHAPTER 6A, SUBCHAPTER XII)
- 4) 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)
- 5) 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).

- 6) Defines “public water system” to mean a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. (Heath and Safety Code § 116275)
- 7) Defines “urban retail water supplier” to mean a water supplier, either publicly or privately owned, that directly provides potable municipal water to more than 3,000 end users or that supplies more than 3,000 acre-feet of potable water annually at retail for municipal purposes. (Water Code § 10608.12)

FISCAL EFFECT: According to the Senate Committee on Appropriations:

- The Office of Emergency Services (OES) reports ongoing General Fund costs of approximately \$237,000 to coordinate any necessary updates or re-reviews of county emergency plans.
- The State Water Resources Control Board (Water Board) and the California Department of Forestry and Fire Protection (CAL FIRE) do not anticipate a fiscal impact.

COMMENTS:

Author Statement: “As wildfires become more frequent, unpredictable, and destructive across California, misunderstandings about how public water systems operate have shaped public expectations and contributed to perceptions that these systems may not have performed as designed during wildfire events. SB 1153 clarifies the role and limitations of public water systems when responding to wildfires as approved to responding to structure fires. SB 1153 will enhance wildfire preparedness efforts by requiring all urban retail water suppliers serving a high or very high fire hazard severity zones to include wildfire response procedures as part of their existing emergency response plans. Lastly, SB 1153 establishes in statute that water supply or pressure limitations during a wildfire event are not a substantial cause of wildfire damages and that wildfire spread is not an inherent risk of water system design.

SB 1153 supports proactive planning by public water systems, the experts on their own infrastructure and operational needs, to prepare for wildfire events. The bill acknowledges the physical and financial limitations of local water infrastructure and addresses misunderstandings about the capabilities of these systems that have contributed to increased claims and litigation for wildfire damages. These costs are ultimately borne by ratepayers, impacting water affordability. California must acknowledge the limited role our public water systems were originally designed to occupy, support their efforts to adapt to climate change, and prepare for future long-term investments in disaster response.”

Equity Statement: “SB 1153 will strengthen wildfire planning in high and very high fire hazard severity zones, which may benefit vulnerable 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 (CAL FIRE) 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 even when operating at their maximum efficiency, public water systems are currently not designed for catastrophic wildfires.

Water Supplier Disaster Preparedness Plans: State law requires public water systems with 10,000 or more service connections are required to review and revise their disaster preparedness plans to ensure that the plans are sufficient to address possible disaster scenarios. These plans are required to evaluate pumping station and distribution facility operations during an emergency, water pressure at both pumping stations and fire hydrants, and whether there is sufficient water reserve levels and alternative emergency power.

Additionally, federal law, pursuant to the Safe Drinking Water Act, requires public water systems that serve more than 3,300 people to complete a specified vulnerability assessment and prepare or revise an emergency response plan (ERP). This assessment and ERP must be submitted to the EPA and are required to include the following:

- a) Strategies and resources to improve resilience, including physical security and cybersecurity.
- b) Plans and procedures for responding to a natural hazard or malevolent act that threatens safe drinking water.

- c) Actions and equipment to lessen the impact of a malevolent act or natural hazard, including alternative water sources, relocating intakes and flood protection barriers.
- d) Strategies to detect malevolent acts or natural hazards that threaten the system.

As it applies to this bill, an urban retail water supplier is essentially a public water system with 3,000 or more end users and thus is required to have an emergency response plan pursuant to the federal law and a disaster preparedness plan, if over 10,000 service connections, pursuant to state law. This bill would expand on these requirements by additionally requiring any urban retail water supplier, in a high or very high fire hazard severity zone to include incident-specific response procedures, as specified, for wildfires as part of their relevant plans.

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 increases the urgency to address this threat. According to data from CAL FIRE, 18 of California's 20 most destructive fires have occurred in the past decade.¹ Collectively, these fires have resulted in 231 deaths and the loss of 66, 810 structures (homes, outbuildings, and commercial properties). 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 713 structures and damage to 57 others, prompting widespread evacuations and the temporary closure of Lassen Volcanic National Park.²

In January 2025, Los Angeles County experienced the second and third most destructive fires in California history: the Palisades Fire and Eaton Fire. The University of California, Los Angeles (UCLA) estimated the fires' total property and capital losses could range between \$76 billion and \$131 billion, with insured losses estimated up to \$45 billion. 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 Eaton Fire resulted in 9,413 buildings being destroyed, 1,074 structures damaged, and 19 confirmed civilian fatalities. The Palisades Fire resulted in 6,833 structures destroyed, 973 structures damaged, and 12 confirmed civilian fatalities. The blazes burned a combined 37,728 acres and leveled entire communities in the Pacific Palisades and Altadena neighborhoods of LA County.

Water Access Issues During Wildfires:

- (1) Public Water Access Overwhelmed in the Palisades Fire: In the early days of the 2025 catastrophic Palisades Fire, extreme winds made it impossible for aerial firefighting to continue, putting a significant strain on the public water system. According to Los Angeles Department of Water and Power, 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.

¹ Statistics, CAL FIRE <https://www.fire.ca.gov/our-impact/statistics>

² Park Fire Incident <https://www.fire.ca.gov/incidents/2024/7/24/park-fire>

Governor Newsom subsequently directed California water and fire officials to prepare an independent after-incident report to determine what caused the loss of water supply and pressure in municipal systems during the fire and identify measures to reduce the likelihood something like this happens again during future fires. The resulting November 2025 report titled, “Palisades Fire and Water Supply Analysis” included the following in its findings and recommendations:

- a) Water systems are designed to meet their primary purpose of providing clean drinking water, which limits the types of engineering considerations that would likely be needed for a water system capable of combatting large conflagrations engulfing hundreds of structures such as the one in Palisades.
 - b) Prepositioning and a multi-pronged approach involving firefighting and emergency responder organizations is essential to combatting wildfires under extreme weather-driven conditions.
- (2) 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.
- (3) Carr Fire Impacts to California Water Systems: In July and August 2018, the 230,000-acre Carr Fire impacted the Whiskeytown National Recreation Area in Shasta County, California, which destroyed the system’s main office and two pump stations. Power outages combined with undersized generators led to treatment process disruptions for some systems.
- (4) Tubbs Fire and Public Water Inaccessibility: During the initial hours of the December 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.

Liability Concerns: This bill has consistently faced questions regarding the proper level of liability public water systems should face when responding to wildfires as well as the clarity of the protections. As noted by the Senate Committee on Natural Resources and Water, this bill may allow a public water system to identify a potential vulnerability and claim no duty to mitigate that vulnerability or argue that not taking steps to mitigate that vulnerability is not a substantial cause for any claimed damages. These concerns may be addressed by current language that prohibits public water systems from being released from liability for injury or damage resulting from a negligent act or omission of an entity operating a public water system for its intended purpose and function. As tort liability is not within this Committee's jurisdiction, Committee amendments do not make any changes to the liability language and may be considered if the bill passes to the next committee(s).

However, if this or another Committee requires public water systems to mitigate against identified vulnerabilities and/or removes the related liability language in this bill, it may wish to consider whether mitigation standards should be developed, what entity should be responsible for developing those standards, what mitigation measures are reasonable and should be prioritized, whether Cal OES or another entity should review or approve wildfire mitigation plans, and how implementation of those measures should be funded, including whether costs should be borne by ratepayers.

Small Water Suppliers and Rural Communities: While this bill does not apply to smaller water suppliers, the Committee may want to consider issues facing these suppliers as it relates to wildfire preparedness in the future.

Pursuant to AB 1668 (Friedman, Chapter 15, Statutes of 2018), the Department of Water Resources (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 poses 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 cut off water delivery to that specific neighborhood in the aftermath of an incident.

Triple Referral: Should this bill be approved, it will be referred to the Assembly Committee on Environmental Safety and Toxic Materials and the Assembly Committee on the Judiciary.

Committee Amendments: Committee Amendments (1) specify that coordination with local emergency responders should also include local offices of emergency services, (2) adds applicable pipelines to the list of critical infrastructure the assessment requires to be identified, (3) requires the assessment to assess the risk wildfire poses to the identified critical infrastructure (4) clarifies the incident-specific response procedures portion of the disaster preparedness plan are shared with the county office of emergency services and (5) requires the disaster preparedness plans are reviews, and updated as necessary, every 5 years, thus aligning the review and update process with existing federal requirements.

The amendments are as follows:

Amendment 1

On page 4, in line 6, after the first comma insert:
offices of emergency services,

Amendment 2

On page 4, in line 10, after the second comma insert:
applicable pipelines,

Amendment 3

On page 4, in line 10, after the third comma insert:
assess the risk wildfire poses to the identified critical infrastructure,

Amendment 4

On page 4, in line 27, strike out “incident” and insert:
incident-specific

Amendment 5

On page 4, in line 27, strike out “described in” and insert:
required pursuant to

Amendment 6

On page 4, in line 28, strike out “(2)” and insert:
(1)

Amendment 7

On page 4, between lines 30 and 31, insert:

(5) An urban retail water supplier that meets the criteria of paragraph (1) of subdivision (a) shall review their disaster preparedness plans at least once every five years and shall update those plans as necessary.

Related Legislation:

AB 2013 (Bennett, 2026) would have required certain community water systems located in a high or very high fire hazard severity zone to include an annex to its disaster preparedness plans regarding the resiliency and preparedness of their water systems during a wildfire, as specified. (Failed Passage in Assembly Committee on Emergency Management).

AB 1873 (Bennett, 2026) would extend current requirements (per AB 367 below) for a Ventura County water supplier to provide backup power during an emergency, required Ventura County water suppliers to notify the Ventura County Office of Emergency Services if backup power is not available within 90 minutes, sets a deadline for when the water supplier emergency plans must be completed, adds a new assessment requirement to existing reporting requirements, and makes other clarifying changes. (Pending in Senate Committee on Emergency Management)

AB 367 (Bennett, Chapter 690, Statutes of 2025) requires Ventura County water suppliers to: have backup power, or access to alternative water sources, capable of supplying water for at least 24 hours for fire suppression in high or very high fire hazard severity zones; annually inspect critical fire suppression infrastructure and backup energy sources and notify significant water delivery reductions, as specified, to the County Office of Emergency Services. This bill also requires the Ventura County Fire Department, in cooperation with the water supplier, to issue a report, as specified, after significant fire damage within a service area, as specified

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. (Inactive File on Senate Floor)

Arguments in Support: According to the Association of California Water Agencies, and many additional water districts and associations:

“Over the last decade, California has faced some of the largest and most destructive wildfires in history, placing extraordinary demands on public water systems and customers. Despite these demands, public water systems are investing and taking actions to prepare for future wildfire events through emergency preparedness and planning actions, which vary based on the needs of the system and area of the state.

SB 1153 would build upon existing emergency planning requirements and strengthen wildfire preparedness by requiring all urban retail water suppliers serving a high or very high fire hazard severity zone to incorporate a specific planning element regarding wildfire preparedness and response into their disaster preparedness and emergency response plans... [and] would correct misconceptions about the capabilities of water systems during wildfire events, reducing exposure to costly litigation and providing greater financial certainty so public water systems can continue investing in water reliability and resilience projects.

SB 1153 improves wildfire preparedness while recognizing operational realities. California must acknowledge the limited role of our public water systems, support their efforts to adapt to climate change, and prepare for future long-term investments in disaster response.”

REGISTERED SUPPORT / OPPOSITION:**Support**

Association of California Water Agencies (ACWA)
Bella Vista Water District
Calaveras County Water District
California Association of Mutual Water Companies
California Chamber of Commerce
California Municipal Utilities Association (CMUA)
California Special Districts Association
California Water Association
California Water Service
Calleguas Municipal Water District
Camrosa Water District
Casitas Municipal Water District
Castroville Community Services District
Central Basin Water Association
City of Tracy
Clearlake Oaks County Water District
Coastside County Water District
Contra Costa Water District
Crescenta Valley Water District
Crestline-lake Arrowhead Water Agency
Cucamonga Valley Water District
El Dorado Irrigation District
El Dorado Water Agency
El Toro Water District
Elsinore Valley Municipal Water District
Foothill Municipal Water District
Georgetown Divide Public Utility District
Hidden Valley Lake Community Services District
Irvine Ranch Water District
Jurupa Community Services District
Kinneloa Irrigation District
LA Habra Heights County Water District
Laguna Beach County Water District
Las Virgenes Municipal Water District
Mammoth Community Water District
Marin Water
Mckinleyville Community Services District
Mesa Water District
Mid-peninsula Water District
Mountain Counties Water Resources Association
North Marin Water District
Olivenhain Municipal Water District
Orange County Water District
Otay Water District
Padre Dam Municipal Water District

Palmdale Water District
Paradise Irrigation District
Pinyon Pines County Water District
Placer County Water Agency
Rancho California Water District
Regional Water Authority
Rowland Water District
Sacramento Suburban Water District
San Benito County Water District
San Diego County Water Authority
San Gabriel Valley Water Association
San Jose Water Company
San Juan Water District
Santa Fe Irrigation District
Santa Margarita Water District
Southern California Water Coalition
Stockton East Water District
Suburban Water Systems
Three Valleys Municipal Water District
Trabuco Canyon Water District
Tri-county Water Authority
Union Public Utility District
Valley Center Municipal Water District
Valley Water
Vista Irrigation District
Walnut Valley Water District
West Valley Water District
Western Municipal Water District

Opposition

None on file.

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