

Date of Hearing: June 26, 2019

ASSEMBLY COMMITTEE ON GOVERNMENTAL ORGANIZATION

Adam Gray, Chair

SB 668 (Rubio) – As Amended April 29, 2019

**SENATE VOTE:** 38-0

**SUBJECT:** Fire hydrants: water suppliers: regulations

**SUMMARY:** Expands the number of water agencies required to review and revise disaster preparedness plans. Specifically, **this bill:**

- 1) Changes the requirement for water agencies having to comply with the disaster preparedness plans from public water systems with 10,000 or more service connections to urban water suppliers.
- 2) Requires disaster preparedness plans to be reviewed and revised every five years.

**EXISTING LAW:**

- 1) Establishes in state government, within the office of the Governor, California Office of Emergency Services (Cal OES). Requires Cal OES to be under the supervision of the Director of Emergency Services, who has all rights and powers of a head of an office and is referred to as the Director of Emergency Services.
- 2) Requires Cal OES to be responsible for the state's emergency and disaster response services for natural, technological, or man-made disasters and emergencies, including responsibility for activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property.
- 3) Requires all public water systems with 10,000 or more service connections to review and revise their disaster preparedness plans in conjunction with related agencies, including, but not limited to, local fire departments and the local office of emergency services to ensure that the plans are sufficient to address possible disaster scenarios. These plans should examine and review pumping station and distribution facility operations during an emergency, water pressure at both pumping stations and hydrants, and whether there is sufficient water reserve levels and alternative emergency power, including, but not limited to, onsite backup generators and portable generators.
- 4) Requires Cal OES to establish appropriate and insofar as practical, emergency response and recovery plans, including mutual aid plans, in coordination with public water systems with 10,000 or more service connections.
- 5) Defines "urban water suppliers" as "a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. An urban water supplier includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells for ultimate resale to customers. This part applies only to water supplied from public water systems ..."

- 6) The Federal America's Water Infrastructure Act of 2018 requires community (drinking) water systems serving more than 3,300 people to develop or update risk assessments and emergency response plans.

**FISCAL EFFECT:**

Unknown.

**COMMENTS:**

Purpose of the bill: According to the author, “protecting public health is the primary goal of community drinking water systems, and having an up-to date and workable disaster preparedness plan helps achieve this goal in any crisis situation.”

The author further notes, “In an emergency, the time constraints imposed on public water suppliers, coupled with difficult terrain, closed roads and highways, and overall safety considerations, all require preparedness and planning.”

Wildfires, disaster preparedness and mutual aid: California continues to suffer from unprecedented wildfires. According to the National Interagency Coordination Center’s annual Wildland Fire Summary report, over 1.8 million acres burned in California last year. Last year was California's deadliest year for fires, with more than 100 fatalities. The Camp Fire in the fall, which burned through the town of Paradise, killed 85 people and burned 153,000 acres.

The Paradise Irrigation District (PID) was also severely impacted. Before the Camp Fire, the PID served approximately 10,500 customer connections in the Town of Paradise. Today, approximately 1,500 of those connections remain, but only about 700 are currently active given infrastructure damage and other issues. Mutual aid from other water utilities assisted in the immediate response to the disaster and continue to augment PID personnel in the initial steps of implementing their recovery plan.

The sponsors of the bill also note the recent experiences of the California Water Service (Cal Water) during the 2018 Woolsey Fire in Los Angeles and Ventura Counties that killed 3 people and lead to the evacuation of more than 295,000 people. According to the sponsors, “during the height of the fire, crews battling the fire were pulling about five times more water from the system than its normal daily demand, which pushed available stored water supplies to the brink. To avoid a crisis that would have left everyone from homeowners to firefighters without water, Cal Water’s team worked with firefighters, law enforcement, and wholesale water agencies to replenish available water suppliers.”

Federal Requirements: The America's Water Infrastructure Act (AWIA), which amended the Safe Drinking Water Act, requires community water systems serving more than 3,300 persons to develop or update risk and resilience assessments and emergency response plans.

Risk and Resilience Assessment: Under the AWIA, each community water system serving a population greater than 3,300 persons must assess the risks to, and resilience of, its system. Such an assessment must include: (1) the risk to the system from malevolent acts and natural hazards; (2) the resilience of the pipes and constructed conveyances, physical barriers, source water, water

collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) which are utilized by the system; (3) the monitoring practices of the system; (4) the financial infrastructure of the system; (5) the use, storage, or handling of various chemicals by the system; and (6) the operation and maintenance of the system.

Emergency Response Plans: AWIA also requires local water systems to certify an emergency response plan to the EPA that incorporates the findings of the assessment. Under the law, emergency plans must include: (1) strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system; (2) plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water; (3) actions, procedures, and equipment which can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes, and construction of flood protection barriers; and (4) strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system.

Arguments in support: According to the California Water Association, “this bill will ensure that all water providers in the State of California are prepared for disasters events, including wildfires.”

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California Water Association (Sponsor)  
California Water Service

### **Opposition**

None on file

**Analysis Prepared by:** Mike Dayton / G.O. / (916) 319-2531