
THIRD READING

Bill No: AB 1075
Author: Bryan (D), et al.
Amended: 6/27/25 in Senate
Vote: 21

SENATE GOVERNMENTAL ORG. COMMITTEE: 14-0, 6/10/25
AYES: Padilla, Valladares, Ashby, Blakespear, Cervantes, Dahle, Hurtado, Jones,
Ochoa Bogh, Richardson, Rubio, Smallwood-Cuevas, Wahab, Weber Pierson
NO VOTE RECORDED: Archuleta

SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 7/16/25
AYES: Limón, Seyarto, Allen, Grove, Hurtado, Laird, Stern

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 75-2, 5/12/25 - See last page for vote

SUBJECT: Fire protection: privately contracted fire prevention resources:
public water sources

SOURCE: California Professional Firefighters

DIGEST: This bill requires the Office of Emergency Services (OES) to develop regulations prohibiting privately contracted private fire prevention resources from hooking up their equipment to public water resources, unless approved by incident command or the authority having jurisdiction over the active fire incident, as specified.

ANALYSIS:

Existing law:

- 1) Establishes OES, within the office of the Governor, and requires OES to be responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies, as specified.

- 2) Requires, pursuant to the FIREScope Act of 1989, OES to establish and administer a program, known as the FIREScope program, to maintain and enhance the efficiency and effectiveness of managing multiagency firefighting resources in responding to an incident.
- 3) Requires OES, in collaboration with the Department of Forestry and Fire Protection (Cal FIRE) and the board of directors of the FIREScope program, to develop standards and regulations for any privately contracted private fire prevention resources operating during an active fire incident in the state, as specified, and to develop regulations to govern the use of equipment used by privately contracted private fire prevention resources during an active fire incident, as specified.
- 4) Authorizes OES to consult with both private sector entities that provide privately contracted private fire prevention resources and public sector fire agencies before developing the regulations, as specified.
- 5) Provides, pursuant to the California Safe Drinking Water Act, for the operation of public water systems and imposes certain responsibilities on community water systems related to the operation of water distribution systems, as defined.
- 6) Governs, pursuant to the Administrative Procedures Act (APA), the procedures for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law (OAL).

This bill:

- 1) Requires OES, in collaboration with Cal FIRE and the board of directors of the FIREScope Program, to develop regulations that prohibit privately contracted private fire prevention resources from hooking up their equipment to public water sources, unless approved by incident command or the authority having jurisdiction over the active fire incident and unless the equipment includes a backflow prevention device.
- 2) Provides that nothing in this bill shall alter, impair, or interfere with the authority of a community water system to operate a water distribution system, as defined.

Background

Author Statement. According to the author's office, "AB 1075 would protect municipal water systems by prohibiting private firefighters from hooking up to public water sources. During the Palisades and Eaton Fires, LA residents were asked to limit their water usage to minimize demands on water systems. Similarly, private firefighters working for a select few individuals should limit their reliance on these systems. Public fire hydrants are a public good and we must preserve them for use by official fire departments during a fire incident."

California's Worsening Wildfire Reality. The State of California has the main responsibility for wildfire response activities on about one-third of California's land area. With over 39 million residents, the State of California is the most populous state in the nation and has the third largest land area among the states (163,695 square miles). OES serves as the state's leadership hub during all major emergencies and disasters. This includes responding, directing, and coordinating state and federal resources and mutual aid assets across all regions to support the diverse communities across the state.

A series of 14 destructive wildfire's tore through the Los Angeles area of Southern California in January, 2025, placing an estimated 330,000 people on an evacuation advisory, with approximately 190,000 individuals facing mandatory evacuation. The fires damaged or destroyed over 18,000 structures and claimed the lives of 30 Californians. The Palisades fire and Eaton fire now rank among the deadliest and most destructive fires in California history. These fires ignited amid an extreme weather event, fueled by unusually severe fire weather conditions including Santa Ana winds of nearly 100 miles per hour across the State's southern region, and following an extended period of drought in the area. These fires were, at least in part, a product of what UCLA and University of California Agriculture and Natural Resources scientist Daniel Swain calls a sort of "hydroclimate whiplash."

According to the report Whiplash: How Big Swings in Precipitation Fueled the L.A. Fires published at the Yale School of the Environment, "[i]n 2023 and 2024, the city experienced unusually wet winters, which spurred the growth of grasses and shrubs. Then the rain stopped. Since July, the city has received a mere three-hundredths of an inch of precipitation. The result has been acre after acre of desiccated brush – the perfect kindling for wildfires." The causes of the fires are still under investigation.

As the fires raged on, firefighters were forced to rely on local water infrastructure not designed for fires of that size. According to CapRadio's report "[c]onspiracies are rife about water and the LA fires. Here's what experts say," a "reservoir in the Palisades was empty while its cover was getting repaired. And the water systems used to fight the Palisades and Eaton fires couldn't maintain the continuous high water pressures needed, meaning water stopped flowing in some hydrants. Newsom has called for an investigation."

The article notes that, "water and climate experts say that even if the Palisades reservoir had been full and hydrants working perfectly, they wouldn't have allowed firefighters to change the course of large wildfires. Hurricane-force winds fueled the fires, and meant that in the first days planes and helicopters couldn't fly and drop water, experts say. These municipal water systems were structured for residential and commercial needs and everyday fires – not firefighting on many fronts without aerial support, says Josh Lappen, a climate researcher at University of Notre Dame who studies Los Angeles' infrastructure systems."

Private Fire Prevention Resources. The January 2025 wildfires in Los Angeles, notably the Palisades and Eaton fires, have reignited debates over the role of private firefighting services and their access to public resources. A central concern remains the use of public water infrastructure by privately contracted private fire prevention resources. Reports indicate that during the peak of the fires, hydrants in areas like Pacific Palisades ran dry, severely hampering public firefighting efforts. Compounding the problem, the Santa Ynez Reservoir, a critical water source, had been offline for repairs for an extended period of time.

Amid these challenges, affluent homeowners and developers are increasingly employing private firefighting teams to protect their properties. These crews, often hired through insurance companies, have been criticized for potentially diverting essential resources and complicating coordination with public fire services. The California Professional Firefighters (CPF) union has expressed concerns about private crews accessing public hydrants without proper authorization, arguing that they may lack the training and equipment standards of public firefighters.

Specifically, CPF notes that, "[d]uring the Palisades and Eaton Fires there were significant reports of privately contracted private fire prevention resources operating across Los Angeles County. Some of these reports indicated that they were utilizing public water systems to support their efforts. Privately contracted private fire prevention resources hooking up to hydrants and other public water

sources could impact the ability for professional firefighters to complete their mission of protecting life and property.”

Following the deadly and destructive 2017 California wildfire season, the Legislature approved and the Governor signed AB 2380 (Chapter 636, Statutes of 2018), requiring OES, in collaboration with Cal FIRE and the board of directors of the FIRESOPE Program, to develop regulations to govern the use of equipment used by privately contracted private fire prevention resources during an active fire incident. Specifically, the regulations are required to include, but not be limited to, the following: all equipment shall be clearly labeled nonemergency; privately contracted private fire prevention resource vehicles shall not use emergency lights or sirens; and privately contracted private fire prevention resource vehicles shall not have any labeling that indicates emergency personnel or fire department.

This came after during the initial hours of the 2017 Tubbs fire, the fire hydrants in the hilltop community of Fountaingrove in Santa Rosa of the North Bay Area repeatedly lost water 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. Reports at the time noted that there were 75 private loss prevention contractors on 41 private engines assigned to the Thomas Fire. Further, an article by the *Associated Press* titled “Insurers dispatch private firefighters in California,” noted that the equipment being utilized was “indistinguishable” from public agency fire equipment.

FIRESOPE California. The FIRESOPE program originated in Southern California in 1972, and today is organized under the acronym, “**FI**refighting **RE**Sources of California **O**rganized for **P**otential **E**mergencies.” By legislative action, the FIRESOPE Board of Directors and OES’s Fire and Rescue Service Advisory Committee were consolidated into a working partnership on September 10, 1986. This consolidation represents all facets of local, rural, and metropolitan fire departments, Cal FIRE, and federal fire agencies. Existing law requires OES, Cal FIRE, and the State Fire Marshal (SFM) to jointly establish and administer the FIRESOPE Program.

The FIRESOPE program is intended to complete the legislative attempt to unify these various fire agencies together into one voice and direction. The mission of FIRESOPE is to provide recommendations and technical assistance to OES, to maintain the FIRESOPE Decision Process, and to continue the operation, development, and maintenance of the FIRESOPE Incident Command System (ICS) and the Multi-Agency Coordination System.

Public Water Infrastructure. Public firefighters pull water from hydrants – municipal water supplies – to fight structure fires, and rely on tenders to fight fires in the wildland urban interface. Firefighters can also use lakes, ponds, and even pool water for additional water resources. Private firefighters rely on the same sources, which can create competition with the fire crews serving and protecting the public.

This bill requires OES, in collaboration with Cal FIRE and the board of directors of the FIREScope Program, to develop regulations to govern the use of equipment used by privately contracted private fire prevention resources during an active incident to specifically prohibit privately contracted private fire prevention resources from hooking up their equipment to public water sources, unless approved by incident command or the authority having jurisdiction over the active fire incident and unless the equipment includes a backflow prevention device.

OAL is responsible for ensuring that California state agencies comply with the rulemaking procedures and standards set forth in the APA. A “regulation” is any rule, regulation, order or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it. The APA requirements are designed to provide the public with a meaningful opportunity to participate in the adoption of regulations or rules that have the force of law by California state agencies and to ensure the creation of an adequate record for the OAL and judicial review.

Existing law authorizes OES to consult with both private sector entities that provide privately contracted private fire prevention resources and public sector fire agencies before developing the regulations as required by this bill.

This bill provides that nothing in this legislation shall alter, impair, or interfere with the authority of a community water system to operate a water distribution system, as defined.

Prior/Related Legislation

SB 90 (Seyarto, 2025) would have explicitly specified certain projects available for wildfire mitigation grant program funding from the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 – Proposition 4. (Held on the Senate Appropriations Committee Suspense File)

AB 2380 (Aguiar-Curry, Chapter 636, Statutes of 2018) required OES, in collaboration with Cal FIRE, to develop standards and regulations for any privately contracted private fire prevention resources operating during an active fire incident in the state, as specified.

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

SUPPORT: (Verified 8/18/25)

California Professional Firefighters

OPPOSITION: (Verified 8/18/25)

None received

ARGUMENTS IN SUPPORT: In support of this bill, the California Professional Firefighters (CPF) write that, in “2018, CPF worked closely with the author on AB 2380 (Aguiar-Curry, Chapter 636, Statutes of 2018) which established regulations governing the operation and use of privately contracted private fire prevention resources on active fire incidents. This law and subsequent regulations were the result of reports of significant private resources operating on the Thomas Fire. In fact, it was reported that there were 75 private loss prevention contractors on 41 private engines assigned to the Thomas Fire. Further, media reports noted that the equipment used is ‘indistinguishable’ from public agency fire equipment. These privately contracted private fire prevention resources are typically hired by insurers to pre-treat policyholders’ homes to help protect them during a wildfire.”

Further, “[s]ince the passage of this measure, the state established regulations under Title 19, Division 2, Chapter 1.1 which govern and control how these resources operate on an active fire incident. These regulations not only ensure safety of these resources but also the professional firefighters operating in the area and the members of the community. In 2024, FIRECOPE published ICS 902, which published the rules governing privately contracted private fire prevention resources for easy access and use by incident command during active fire incidents.”

Moreover, “firefighting is a public good delivered by public agency firefighters and the public water system is designed to support the public good when firefighters are responding to an emergency. With this in mind, it is critical that we update the existing regulations governing these resources to prohibit the use of public water systems for privately contracted private fire prevention resources operating on an active fire incident. Updating the current law with this adjustment

is critical to ensure that public water systems are maintained for California's professional firefighters."

ASSEMBLY FLOOR: 75-2, 5/12/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Gallagher

NO VOTE RECORDED: Petrie-Norris, Stefani

Prepared by: Brian Duke / G.O. / (916) 651-1530
8/20/25 23:28:47

**** END ****