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**SENATE COMMITTEE ON EMERGENCY MANAGEMENT**

**Senator Henry Stern**

**Chair**

**2025 - 2026 Regular**

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**Bill No:** SB 1153 **Hearing Date:** 3/24/2026  
**Author:** Caballero  
**Version:** 2/18/2026 Introduced  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Cassie Royce

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

**SUMMARY:** Requires, beginning January 1, 2028, urban retail water suppliers with service areas in a high or very high fire hazard severity zone (FHSZ) to include wildfire-specific response procedures in their disaster preparedness plans, including any applicable federal plan, and clarifies the liability limitations of public water systems when responding to wildfires, as specified.

**ANALYSIS:**

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.
- 2) Requires, under the ESA, 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 Cal OES to ensure that the plans are sufficient to address possible disaster scenarios.
- 3) Directs the State Fire Marshal within the Department of Forestry and Fire Protection (CALFIRE) to classify areas in the state as moderate, high, and very high FHSZ based on consistent statewide criteria and the severity of fire hazard that is expected to prevail in those areas.
- 4) 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.

This bill:

- 1) Makes various findings and declarations for purposes of this bill, 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) Defines various terms for purposes of this bill.
- 3) Requires, beginning January 1, 2028, urban retail water suppliers, serving a high or very high FHSZ to include wildfire-specific response procedures as part of their disaster preparedness plans, including any applicable federal ERP.
- 4) Specifies that the plans in 3) above must include mitigation actions, including actions, procedures, and equipment, that can obviate or significantly lessen the impact of a wildfire on the water system and the supply of drinking water provided by the water supplier.
- 5) Establishes that while public water systems may be available to aid in firefighting, a public water system shall not be legally responsible 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.
- 6) Clarifies that nothing in this bill shall be interpreted to require public water systems, including wholesale water systems, to design, build, or maintain a water system for wildfire defense or suppression.
- 7) Provides that failure to comply with the planning requirements of this bill shall not be considered a substantial cause of wildfire damages.

## **Background**

*Author's statement.* According to the author's office, "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 will enhance wildfire preparedness efforts by requiring all urban retail water suppliers serving high or very high fire hazard severity zones to include wildfire response procedures as part of their existing emergency response plans. SB 1153 [also] 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.”

*Urban retail water systems.* Existing law defines an urban water supplier as one that provides potable (drinkable) water for municipal purposes and has at least 3,000 service connections or provides at least 3,000 acre-feet of water annually. (An acre-foot is approximately enough water to supply three California households’ indoor and outdoor water needs for a year.) Urban water suppliers provide water for indoor and outdoor use for residents, as well as for businesses, manufacturers, and public service entities, such as schools and parks. They include retail water suppliers, which provide water directly to customers, and wholesale water suppliers, which sell water to retail suppliers. Many urban water suppliers are public entities, such as cities, counties, or special districts, while some are private investor-owned utilities. Medium and large public water systems that serve 3,300 or more connections are subject to the SDWA and must submit detailed vulnerability assessments and ERPs to the EPA.

ERPs are required to include the following components:

- 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.

This bill adds wildfire response as it relates to mitigation actions to this list of required report elements.

*State emergency preparedness and response.* Public water systems in California must integrate with the Standardized Emergency Management System (SEMS) during disasters to ensure consistent response, particularly in emergencies involving multiple jurisdictions or multiple agencies and in coordination with local fire chiefs and other local and state partners, including Cal OES. SEMS is designed to be flexible and adaptable to the needs of all emergency responders in California. The basic components of SEMS are the Incident Command System, multi-agency or inter-agency coordination, the operational area concept, and the mutual aid system.

According to its March 1999 Emergency Planning Guidance for Public and Private Water Utilities, Cal OES states that water system operations affect fire protection, public health, public safety, as well as most levels of government and notes that it is critical during a disaster for coordination to take place between water systems and other agencies within the operational area (e.g. cities, county government, and other special districts). This coordination should include the following planning and emergency/recovery actions, among other things:

- a) Develop plans and procedures to evaluate the water system and ensure the safety of the water supply.
- b) Maintain a list of local and state health department contacts and phone numbers for use during a disaster or emergency.
- c) Assess the extent of damage to the system and whether the water supply is safe for use.
- d) Coordinate with local and state authorities in performing needed drinking water system protection activities.
- e) Work with local and state health officials to ensure the rapid restoration of the water supply system and the provision of safe drinking water in the affected area(s).

This bill requires urban retail water suppliers to include wildfire-response procedures related to mitigation in their preparedness and response planning processes.

*Water systems' role in wildfire response.* The January 2025 Eaton and Palisades Fires in Los Angeles County are the second and third most destructive fires in

California history, respectively. They burned a combined 37,469 acres and leveled entire communities in the Altadena and Pacific Palisades neighborhoods. According to data from CALFIRE, the Eaton Fire destroyed 9,418 structures and the Palisades Fire destroyed 6,837 structures.

During the Palisades Fire, the LA Department of Water and Power reported that water use spiked to four times the normal level for over 15 hours, leaving some hydrants dry. 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.

Similarly, in January of this year, the University of California, Los Angeles Luskin Center for Innovation published a report with insights from a workshop of over 40 experts representing water agencies, fire services, regulators, researchers and others that discussed water systems’ wildfire fighting capacities and expectations. The report states it is widely understood in the water and disaster response sectors that no water system can reasonably be expected to “stop” large urban wildfires. In the context of the Los Angeles fires specifically, the report notes that urban water systems are not designed to have unlimited supply or fully extinguish widespread or prolonged fires and cannot be sized and maintained to deliver water of sufficient quantity to meet demands during a catastrophic urban wildfire event.

This bill specifies findings and declarations with respect to the role and limitations of public water systems in wildfire response and includes various liability provisions intended to clarify water systems’ limited capabilities during wildfire events.

*Proposed Amendments.* To further clarify water systems’ responsibilities, the author is proposing amendments to provide that nothing in the bill shields public

water agencies operating in their intended purpose and function from liability for damage or injury resulting from negligence. These amendments will be accepted by the author in committee. The amendments are described below:

- a) *On page 3, between lines 39 and 40; insert: d) Nothing in this section shall be 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.*
- b) *On page 3, in line 40, strike out “d” and insert “e”*

### **Prior/Related Legislation**

AB 367 (Bennett), Chapter 690, Statutes of 2025, requires a water supplier to take specified actions to help ensure effective fire response and adequate water availability to aid in fire suppression in high or very high FHSZs in Ventura County.

AB 2013 (Bennett) of 2026 requires water suppliers located in a moderate, high, or very high FHSZ to develop and file emergency plans that assess system resilience during extreme weather events, including policies on water tank levels during red flag warnings, backup power, and hardening of critical water pumps and generators in wildfire risk areas. (Pending in the Assembly Emergency Management Committee)

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

### **SUPPORT:**

Association of California Water Agencies (sponsor)  
 American Water Works Association, California-Nevada Section  
 Bella Vista Water District  
 Calaveras County Water District  
 California Association of Mutual Water Companies  
 California Chamber of Commerce  
 California Municipal Utilities Association  
 California Water Association  
 California Water Service  
 Calleguas Municipal Water District  
 Camrosa Water District  
 Clearlake Oaks County Water District  
 Contra Costa Water District  
 Crescenta Valley Water District

Crestline-lake Arrowhead Water Agency  
Cucamonga Valley Water District  
El Toro Water District  
Hidden Valley Lake Community Services District  
Irvine Ranch Water District  
La Habra Heights County Water District  
Laguna Beach County Water District  
Las Virgenes Municipal Water District  
McKinleyville Community Services District  
Mesa Water District  
North Marin Water District  
Otay Water District  
Padre Dam Municipal Water District  
Palmdale Water District  
Rowland Water District  
San Benito County Water District  
San Jose Water Company  
San Juan Water District  
Santa Fe Irrigation District  
Stockton East Water District  
Suburban Water Systems  
Three Valleys Municipal Water District  
Tri-County Water Authority  
Union Public Utility District  
Valley Center Municipal Water District  
Vista Irrigation District  
Walnut Valley Water District  
West Valley Water District  
Western Municipal Water District

**OPPOSITION:**

None on file

**ARGUMENTS IN SUPPORT:** In support of the bill, the sponsor, the Association of California Water Agencies, writes that, “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. SB 1153 would [also] include legislative findings and declarations which illustrate that while public water systems are designed to aid in firefighting, they

are not intentionally designed or constructed for wildfire defense or suppression and that doing so would be physically impracticable, financially infeasible, and may compromise the quality and affordability of water. This bill 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.”

**DUAL REFERRAL:** Senate Emergency Management Committee & Senate Natural Resources and Water Committee