

SENATE THIRD READING
SB 1153 (Caballero)
As Amended August 17, 2026
Majority vote

SUMMARY

Requires, beginning January 1, 2028, urban retail water suppliers *serving 3,300 or more persons and* serving a high or very high fire hazard severity zone (FHSZ) to include incident-specific response procedures for wildfires as part of their disaster preparedness plans, including in any applicable emergency response plan as required by the federal Safe Drinking Water (SDWA).

Major Provisions

- 1) Requires the incident-specific response procedures for wildfires to include, but not be limited to, all of the following:
 - a) Mitigation actions, as specified, that remove or significantly reduce the impact of a wildfire on the water system and the supply of drinking water provided by that water supplier.
 - b) Actions to prepare for a wildfire, as specified.
 - c) An assessment of the resilience of critical infrastructure, as specified, that also evaluates fire hardening measures and alternative emergency power, as specified.
 - d) Actions to respond to a wildfire, as specified, including a plan to prepare water tanks during a red flag warning, and a strategy to communicate with customers.
 - e) Actions to recover from a wildfire, as specified.
- 2) Specifies the incident response procedures are subject to existing confidentiality levels, as specified.
- 3) Requires applicable urban retail water suppliers to share the incident-specific response procedures for wildfires with the county Office of Emergency Services.
- 4) Requires applicable urban retail water suppliers to review their disaster preparedness plans at least once every five years and update the plans as necessary.
- 5) Provides that nothing in this bill be interpreted to impose a duty on a public water system to maintain a water system for wildfire defense or suppression.
- 6) Provides that neither the failure of an urban retail water supplier to implement an incident-specific response procedure nor the inability of a public water system to maintain water supply or pressure during a wildfire be considered a substantial cause of damages from a wildfire.
- 7) Provides a public water system may be held liable for injury or damage resulting from a negligent act or omission.

COMMENTS

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:

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

- 3) Actions and equipment to lessen the impact of a malevolent act or natural hazard, including alternative water sources, relocating intakes and flood protection barriers.
- 4) 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 3,300 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.

According to the Author

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.

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. The bill would require these plans to include, but not be limited to, (1) mitigation actions, procedures, and equipment that can obviate or significantly lessen the impacts of a wildfire on the water system and the supply of drinking water, (2) actions to prepare for a wildfire, including an assessment of the resilience of critical infrastructure located in a high or very high fire hazard severity zone, (3) actions to respond to a wildfire, and (4) actions to recover from a wildfire."

They continue, "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."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) Costs of an unknown, but potentially significant amount, across publicly owned urban retail water suppliers in qualifying FHSZs to plan for additional disaster response procedures, review the plan every five years, and share the procedures with county OES, which the state would not need to reimburse because this bill's requirements for local agencies equally apply to privately owned water suppliers.
- 2) Minor and absorbable costs to the Governor's Office of Emergency Services (CalOES) to coordinate any subsequent updates or reviews of county emergency plans.

VOTES

SENATE FLOOR: 33-0-7

YES: Archuleta, Arreguín, Ashby, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Allen, Alvarado-Gil, Becker, Hurtado, Niello, Padilla, Stern

ASM EMERGENCY MANAGEMENT: 6-0-1

YES: Ransom, Hadwick, Arambula, Bennett, Calderon, DeMaio

ABS, ABST OR NV: Bains

ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 6-0-1

YES: Connolly, Ellis, Bauer-Kahan, Castillo, McKinnor, Papan

ABS, ABST OR NV: Lee

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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