

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

Damon Connolly, Chair

AB 2013 (Bennett) – As Introduced April 6, 2026

SUBJECT: Fire risk areas: water suppliers: emergency preparedness plan

SUMMARY: Requires specified community water systems located in high or very high fire risk areas to provide an annex to their disaster preparedness plans that includes specified information relating to system preparedness and resiliency during a wildfire. Specifically, **this bill:**

- 1) Requires a community water system that services more than 100 customers that are located in a high or very high fire risk area to include an annex, described below, to its disaster preparedness plans with information regarding system preparedness and resiliency during a wildfire, including any applicable emergency response plan required by the federal Safe Drinking Water Act (SDWA).
- 2) Encourages a community water system to develop the annex in coordination with any local office of emergency services and fire department with jurisdiction in the area served by the community water system.
- 3) Requires the annex to be submitted to the county board of supervisors.
- 4) Requires, beginning January 1, 2028, a community water system to review the annex at least once every three years and to update the annex as necessary.
- 5) Requires updates to the annex to be submitted to the county board of supervisors or a county agency or department designated by the county board of supervisors.
- 6) Requires the annex to include, but not be limited to, all of the following:
 - a) An assessment of the minimum water tank levels necessary to maintain average daily system capacity during a fire. Requires the assessment to take into consideration water quality standards and actions necessary to maintain water quality.
 - b) An assessment that identifies the minimum number of and type of water pumps that are necessary to maintain average daily capacity, including, but not limited to, the operation of fire hydrant systems at the rated capacity. Requires the assessment to identify the number of water pumps servicing the high or very high fire risk area that are equipped with emergency backup energy sources and identify the number of water pumps servicing the high or very high fire risk area that do not have emergency backup energy sources or other redundancy measures to maintain average daily capacity.
 - c) An assessment of system resiliency in the event of a loss of power, including, but not limited to, an accounting of backup energy generation, alternative water sources, or any other method that maintains average daily capacity.

- d) An assessment of the fire risk status and fire hardening measures for each water pump, any backup electrical generation equipment, applicable pipelines, and any other infrastructure elements that the community water system deems to be a critical point of failure, located in a high or very high fire risk area.
- 7) Provides that the provisions of this bill do not change the confidentiality level for any information provided pursuant to this bill about minimum water tank levels necessary to maintain average daily system capacity during a fire.
- 8) Provides that no information provided in the annex shall enlarge or diminish any existing liability, nor demonstrate, on its own, a substantial cause of any damages resulting from a wildfire.
- 9) Requires a community water system that is required to prepare and submit an emergency response plan to the Public Utilities Commission to include the annex required by this bill in that submission.

EXISTING LAW:

- 1) Establishes the Office of Emergency Services (Cal OES) within the Governor's Office under the supervision of the Director of Emergency Services. Vests CAL OES with responsibility 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. (Government Code (GC) § 8585 et seq.)
- 2) 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 Cal OES 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. (GC § 8607.2 (a))
- 3) Requires all public water systems with 10,000 or more service connections, following a declared state of emergency, to furnish an assessment of their emergency response and recommendations to the Legislature within six months after each disaster, as well as implement the recommendations in a timely manner. (GC § 8607.2 (b))
- 4) Requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Requires that the identification of moderate, high, and very high fire hazard severity zones be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread. (GC § 51178)

- 5) Requires a local agency to designate, by ordinance, moderate, high, and very high fire hazard severity zones in its jurisdiction within 120 days of receiving recommendations from the State Fire Marshal. (GC § 51179)
- 6) Finds that water service is a different and distinct service from fire service, and that water service is a property-related service that aids in the provision of fire service provided to properties. (GC § 53750.5 (a)(1))
- 7) Finds that hydrants are generally designed, installed, and used to provide an immediately available water service to aid in extinguishing fires that threaten property served by a water service provider, and are generally not designed or installed to provide water service to aid in extinguishing fires that threaten property not served by a water service provider or wildfires. Finds that hydrants are also used by a water service provider for water system operations and maintenance. (GC § 53750.5 (a)(3))
- 8) Requires the State Fire Marshal to classify lands within state responsibility areas into fire hazard severity zones. Requires that each zone embrace relatively homogeneous lands and be based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified as a major cause of wildfire spread. Requires the State Fire Marshal to periodically review zones designated and rated, and, as necessary, to revise zones or their ratings or repeal the designation of zones. (PRC §§ 4202 and 4204)
- 9) Authorizes, pursuant to the federal SDWA, the United States Environmental Protection Agency (US EPA) to set standards for drinking water quality and to oversee the states, localities, and water suppliers who implement those standards. (42 United States Code (U.S.C. § 300 (f) et seq.)
- 10) Requires, pursuant to the federal SDWA, community water systems that serve more than 3,300 people to complete a risk and resilience assessment and develop an emergency response plan. (42 U.S.C. Sec. 300i-2)
- 11) Establishes the California SDWA to provide for the operation of public water systems and imposes on the State Water Resources Control Board (State Water Board) various responsibilities and duties relating to the regulation of drinking water to protect public health. (Health & Safety Code (HSC) § 116270 et seq.)
- 12) Defines "community water system" as a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system. (HSC §116275 (i))
- 13) Requires water suppliers to identify and provide to the Ventura County Office of Emergency Services (VC OES) no later than May 1, 2026, all critical fire suppression infrastructure or alternative sources of water. (Water Code § 7080) 6)
- 14) Requires a water supplier to establish, in coordination with VC OES and Ventura County Fire Department (VCFD), an emergency preparedness plan, as specified, for response to major power outages or emergencies that pose a potential threat to providing water service. (Water Code § 7080)

15) Requires a water supplier to notify VC OES within 3 business days, or as soon as it becomes aware, during a fire event, of any reduction in its water delivery capacity that could substantially hinder firefighting operations or significantly delay the replenishment of reservoirs. (Water Code § 7080)

FISCAL EFFECT: Unknown.

COMMENTS:

Need for the bill: According to the author, "Water systems are not built to put out megafires, and it would be impossible to build out a system that could respond to every catastrophic fire. However, systems should be planning to maximize their existing resources to keep hydrants operable for as long as possible during a wildfire event. In an era of constant Public Safety Power Shutoffs water suppliers should be required to plan for what they will do when wildfire risks are extremely high and when water pumps lose power. In my district, a water pump was destroyed because it was housed in a wooden structure. Finally, firefighters, emergency planners and water district customers should know the extent that these common sense planning measures have been taken, AB 2013 gives fire districts and residents that transparency."

Wildfires in California: According to the California Air Resources Board, climate change, primarily caused by the burning of fossil fuels, is increasing the frequency and severity of wildfires in California and around the world. Since 1950, the area burned by California wildfires has increased each year largely because spring and summer temperatures are increasing and spring snowmelt occurs earlier. The Office of Environmental Health Hazard Assessment (OEHHA) noted in 2022 that the area burned by wildfires and the number of large fires (10,000 acres or more) across the state have increased markedly in the last 20 years—trends influenced by altered fuel conditions and climate change. Wildfires in 2020 burned an unprecedented 4 million acres across California. In 2021, about 2.6 million acres burned, making it the second highest burn year, followed by 2018, with 1.5 million acres burned. In other data, the California Department of Forestry and Fire Protection (CAL FIRE), states that as of 2024, half of the state's 20 largest fires in recorded history had occurred over the previous five years, with all but one of the state's largest fires occurring in the 21st century. CAL FIRE data also show that four out of the five most destructive wildfires in California history happened in just the last 10 years. In 2025, the Eaton and Palisades Fires in Los Angeles County destroyed over 16,000 structures and burned 38,000 acres combined; in 2018, the Camp Fire in Butte County destroyed nearly 19,000 structures and burned 153,000 acres; and in 2017, the Tubbs Fire in Napa and Sonoma counties destroyed more than 5,500 structures and burned nearly 37,000 acres. The State Water Board notes that public water systems can sustain heavy impacts during a wildfire.

Water infrastructure and wildfires: Water infrastructure and fighting wildfires are inextricably and complexly linked. Wendy Broley, executive director of the California Urban Water Agencies, explained this situation on February 19, 2025, to the Public Policy Institute of California as follows: "Climate change is fundamentally changing circumstances, and we do have to adapt. Water is a factor in several climate risks, including drought, flooding, and wildfire. But we can't solve for one issue, like wildfire, without considering the other potential risks at the same time. Urban water systems are very interconnected; change to one part of the system will have a ripple effect across the whole system. We need to look at this more holistically, in terms of a range of water-related climate risks. If you're only trying to solve the wildfire problem, you'd say we need more flows to fight fires. So you'd need bigger pipes and

more storage. But designing water systems to fight these kinds of fires would be incredibly costly. And installing larger pipes for larger flows, under normal conditions, can lead to the water staying in the pipes for longer, which leads to water quality challenges. And water systems need to protect public health by providing safe drinking water."

The December 2021 University of California policy brief, "Wildfire & Water Supply in California: Advancing a Research & Policy Agenda," describes the distinct dilemma California faces in regard to the wildfire and water supply interface as follows:

"California's current and expected intensity in future fire regimes presents new challenges for community water supply planners in many parts of the state. Wildfire is one of several climate threats that water utility planners are expected to account for, and the approximately 2,800 community water systems in the state have vastly different planning and operational capacities. Wildfire may threaten the processes to secure, store, treat, and deliver reliable water supplies to first responders and communities. The scale of the problem is evident in a recent Department of Water Resources estimate that "over half of the top at-risk [water] suppliers are in high or very high-risk zones for wildfire, as defined by CalFire" (2020 Water Resilience Portfolio). This is a water equity issue that leaves (often already vulnerable) communities to deal with compounding disasters.

The ability of water systems to maintain power during wildfires is critical for supporting firefighting efforts and minimizing damage to infrastructure. As systems divert water supply to help fight wildfire, and as fires contaminate water sources, water suppliers face impairments to both water quantity and quality in their mandate to maintain reliable water delivery to communities."

The January 2026 University of California Los Angeles (UCLA) Luskin Center for Innovation report, "Water Systems' Wildfire Fighting Capacities and Expectations," further describes this situation and the pressure on water systems by stating, "Wildfires are becoming more frequent, intense, and destructive across the western United States, sharpening public attention on the performance and responsibilities of urban water systems during major fire events. Although water distribution systems are designed primarily to provide drinking water, domestic supply, and support for routine structure fires, recent disasters—most notably the January 2025 Los Angeles fires—have fueled unprecedented expectations for their role in fighting large urban wildfires."

UCLA Luskin Center for Innovation states in their published factsheet, "Do Urban Water Supply Systems Put Out Wildfires?"

"Urban water supply systems are not designed to fight large wildfires or large-scale fires that start in wildland areas and spread to urban areas. They have not been expected to do so in the past, but these systems have gotten more attention recently as wildfires have affected urban areas more frequently. The expectation for urban water systems is to provide enough water to fight smaller-scale urban structural fires that are not fueled by wildland vegetation.

A key concept in firefighting water supply is fire flow — the amount of water a system is expected by regulators to provide to fight urban fires. The piped water infrastructure of the urban system is engineered to be sufficiently pressurized to ensure adequate fire flow for

urban firefighting. Pressurization is achieved either by gravity (for example, using elevated reservoirs that push water downward) or electric pumps that push water through the system.

In some fire-prone areas, urban water supply systems may provide some additional capacity to fight wildfires, but the role of this water supply is usually limited. There are no government-mandated guidelines for urban water systems to provide large-scale wildfire support."

Water systems and recent California fires: The Assembly Committee on Emergency Management, in their analysis of this bill, highlighted water system challenges in the face of catastrophic fires, including:

- "According to Los Angeles Department of Water and Power, [during the 2025 Palisades Fire] 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.
- ...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.
- During the initial hours of the 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."

Disaster preparedness plans: California statute (GC § 8607.2 (a)) requires all public water systems in the state 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. 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.

Federal emergency response plans: America's Water Infrastructure Act (AWIA), which was signed into law on October 23, 2018, amended Section 1433 of the SDWA to require community water systems serving more than 3,300 people to develop or update risk and resilience assessments (RRAs) and emergency response plans (ERPs). The law specifies the components that the RRAs and ERPs must address, and establishes deadlines by which water systems must certify to US EPA completion of the RRA and ERP. SDWA Section 1433 also states that US EPA should provide guidance and technical assistance to water systems that serve less than 3,300 people on how to conduct RRAs and ERPs, though these systems are not required to certify completion to US EPA.

The 2026 UCLA Luskin report states, "The most relevant requirement under the [AWIA]—which only applies to large water systems—is to have updated Emergency Response Plans and Risk and Resilience Assessments. But in their current form, these plans and assessments are inadequate for a focus on wildfire fighting, much less a detailed concept of operations." The author's office notes that, "none of the fire preparedness information is easily accessible for either the public, or emergency agencies, in order to fully understand the scope of the system's capabilities (or lack thereof) during a fire."

This bill: This bill requires a community water system that services more than 100 customers that are located in a high or very high fire risk area to include an annex to its disaster preparedness plans with information regarding system preparedness and resiliency during a wildfire, including any applicable emergency response plan required by the federal SDWA. This information includes an assessment of the minimum water tank levels necessary to maintain average daily system capacity during a fire; an assessment that identifies the minimum number of and type of water pumps that are necessary to maintain average daily capacity, including, but not limited to, the operation of fire hydrant systems at the rated capacity; an assessment of system resiliency in the event of a loss of power, including, but not limited to, an accounting of backup energy generation, alternative water sources, or any other method that maintains average daily capacity; and, an assessment of the fire risk status and fire hardening measures for each water pump, any backup electrical generation equipment, applicable pipelines, and any other infrastructure elements that the community water system deems to be a critical point of failure. This bill also requires, beginning January 1, 2028, a community water system to review the annex at least once every three years and to update the annex as necessary.

The author's office notes that the goal of the bill is to "[provide] the public and local governments with more information and context regarding whether their community can maximize their existing resources and sufficiently plan for catastrophic events."

Potential amendments: Conversations are ongoing between the author and stakeholders to refine this bill. While the author significantly amended AB 2013 on April 6, 2026, to address stakeholder concerns and to hone the language of the bill, the author may wish to consider further amending the bill to:

- 1) Move the contents of the bill from the Water Code to the Disaster Preparedness article of the California Emergency Services Act in the Government Code.
- 2) Provide water systems with an additional year, to January 1, 2028, before they need to complete the annex or report required by the bill.
- 3) Require water systems to update the annex or report every 5 years instead of every 3 years.

- 4) Require that only community water systems that have 3,300 or more connections, not 100 or more customers, must include the annex as part of their existing required disaster preparedness plans.
- 5) Clarify that community water system with more than 100 service connections, but less than 3,300 service connections, shall prepare a report that includes the information required in the bill (not as part of disaster preparedness plans).
- 6) Require that the annex or report be submitted to Cal OES in addition to the county board of supervisors.
- 7) Require, in several provisions of the bill, that the annex include an assessment of entities needed to "maximize existing water resources in the event of a fire or loss of power" instead of an assessment of entities needed to "maintain average daily capacity" Committee notes that this terminology is under discussion for potential future revision.
- 8) Update the liability language to delete references to demonstration of a substantial cause of any damages resulting from a wildfire.

Arguments in support: The Orange County Fire Authority writes in support of the bill, "Requiring local water districts to have detailed emergency plans will benefit water customers and also first responders. The preparation and implementation of these plans will require interaction between fire agencies and water districts, leading to collaborative approaches for how to best service customers and first responders during potential or actual emergency situations."

Arguments in opposition: A coalition of entities, including the Association of California Water Agencies (ACWA), California Chamber of Commerce, California Water Association, California Special Districts Association, and other organizations, write in opposition unless the bill is amended, "AB 2013 would set a new and unrealistic standard on public water suppliers and would increase legal liability following a wildfire event." Detailing the following points, they state that AB 2013 "Misrepresents the Role of Public Water Systems," is "Operationally Impractical," "Increases Legal Liability," "Creates Significant Financial Burden on Ratepayers," is a "Public Safety and Security Risk," and that "SB 1153 (Caballero) Provides a More Practical and Effective Approach."

The California Municipal Utilities Association (CMUA) further argues in opposition to the bill, "We are concerned that reporting this information in a plan could expose our public water system members to additional liability for fighting wildfires, even though public water systems are not built for that purpose. Additionally, there are existing federal and state requirements for emergency planning, and we question the necessity for this bill. We have other concerns regarding confidentiality, scope, and reporting to the County Board of Supervisors."

Related legislation:

- 1) SB 1153 (Caballero, 2026). Requires, beginning January 1, 2028, urban retail water suppliers with service areas in a high or very high fire hazard severity zone 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. This bill is pending in the Senate Natural Resources and Water Committee.

- 2) AB 1873 (Bennett, 2026). Extends current requirements (per AB 367 below) for a Ventura County water supplier to provide backup power during an emergency; requires Ventura County water suppliers to notify the VC OES 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. This bill is pending in the Assembly Appropriations Committee.
- 3) AB 372 (Bennett, 2026). Establishes, contingent upon appropriation by the Legislature, the Rural Water Infrastructure for Wildfire Resilience Program for the distribution of state matching funds to urban wildland interface communities in high and very high fire hazard severity zones. This bill is on the inactive file in the Senate.
- 4) SB 746 (Alvarado-Gil, 2025). Requires the Department of Water Resources to establish the Urban Water Community Drought Relief program and the Small Community Drought Relief program to provide grants for interim or immediate drought relief. Authorizes funding for benefits in addition to drought relief, including, among other projects, projects that reduce the risk of wildfire for entire neighborhoods and communities through water delivery system improvements for fire suppression purposes in high fire hazard severity zone communities or very high fire hazard severity zone communities. This bill was held on the suspense file of the Senate Appropriations Committee.
- 5) 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. 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.
- 6) SB 1088 (Alvarado-Gil, 2024). Would have established the Rural Water Infrastructure for Community Wildfire Protection Program within Cal OES for the distribution of state matching funds to communities within the Wildland Urban Interface in designated high fire hazard severity zones or very high fire hazard severity zones to improve water system infrastructure, as prescribed. This bill, which was similar to AB 372, was held on the suspense file of the Assembly Committee on Appropriations.
- 7) SB 1014 (Dodd, 2024). Would have required the Deputy Director of Community Wildfire Preparedness and Mitigation to prepare a Wildfire Risk Mitigation Planning Framework, a Wildfire Risk Baseline and Forecast, and a Wildfire Mitigation Scenarios Report, as specified. This bill was held on the suspense file in the Assembly Committee on Appropriations.
- 8) SB 470 (Alvarado-Gil, 2024). Would have codified the Urban Water Community Drought Relief program and the Small Community Drought Relief program at the Department of Water Resources and would have authorized the program, upon appropriation, to fund projects that provide benefits in addition to drought relief, including projects that reduce the risk of wildfires for communities through water delivery system improvements for fire

suppression purposes in high- and very high-fire hazard severity zones, as specified. This bill was vetoed by Governor Gavin Newsom.

Double referral: This bill was double referred to the Assembly Emergency Management and Environmental Safety and Toxic Materials Committees. Should it pass the Emergency Management Committee, it will be referred to the Environmental Safety and Toxic Materials Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Orange County Fire Authority

Opposition

Association of California Water Agencies
Bella Vista Water District
California Association of Mutual Water Companies
California Chamber of Commerce
California Municipal Utilities Association
California Special Districts Association
California Water Association
Camrosa Water District
City of Burbank Redevelopment Agency
Crestline-lake Arrowhead Water Agency
East Valley Water District
Eastern Municipal Water District
El Dorado Irrigation District
El Dorado Water Agency
Elsinore Valley Municipal Water District
Georgetown Divide Public Utility District
Hidden Valley Lake Community Services District
Las Virgenes - Triunfo Joint Powers Authority
Las Virgenes Municipal Water District
Mesa Water District
Mid-peninsula Water District
North Marin Water District
Olivenhain Municipal Water District
Palmdale Water District
Paradise Irrigation District
Public Water Agencies Group
Rancho California Water District
Regional Water Authority
San Diego County Water Authority
San Juan Water District
Tahoe City Public Utility District
Three Valleys Municipal Water District
Union Public Utility District

United Water Conservation District
Valley Center Municipal Water District
Walnut Valley Water District
West Valley Water District
Western Municipal Water District

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