



**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Legislative/Human Resources Committee
Tuesday, May 12, 2026
10:00 a.m.
Boardroom
375 11th Street
Oakland, CA 94607**

***** Please see appendix for public participation instructions*****

Committee Members: Directors Joey D. Smith {Chair}, April Chan, and Jim Oddie

ROLL CALL:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification or referring a matter to staff when responding to items that are not listed on the agenda.

DETERMINATION AND DISCUSSION:

1. Legislative Update (Viatella)
 - Receive Legislative Report No. 03-26 and consider positions on the following bills: AB 2513 (Petrie-Norris) Wildfire: Regional Forest and Fire Capacity Program: Local Assistance Grant Program: Regional Landscape Grants; AB 2739 (Soria) Water: Affordability and System Stabilization; and SB 1125 (Menjivar) Water Rate Assistance Program; and receive information on Wildfire Preparedness and Emergency Response Legislation
 - Update on Legislative Issues of Interest to EBMUD

2. Senate Bill 707 – Outreach Requirements and Proposed Public Meeting Outreach Plan (Cole)

ADJOURNMENT:

Disability Notice

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Document Availability

Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.



APPENDIX

Legislative/Human Resources Committee Meeting

*EBMUD Board committee meetings will be conducted in person and via Zoom.
These meetings are recorded and live-streamed.*

Online* Online

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Providing public comment - *The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.*

- Each speaker is allotted 3 minutes to speak; the Committee Chair has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

In person

- Fill out and submit a blue speaker card which is available in the meeting room

Via Zoom

- Use the raise hand feature in Zoom to indicate you wish to make a public comment
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
 - If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item topic in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

To observe the Legislative/Human Resources Committee Meeting,
please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 7, 2026
MEMO TO: Board of Directors
THROUGH: Clifford C. Chan, General Manager *CCC*
FROM: Kathy Viatella, Manager of Legislative Affairs *KV*
SUBJECT: Legislative Report No. 03-26

The following issues are being referred to the Legislative/Human Resources Committee for review and recommendation to the Board of Directors for action, as appropriate, on May 12, 2026.

RECOMMENDED ACTION

Approve positions on the following bills: 1) Support AB 2513 (Petrie-Norris) Wildfire: Regional Forest and Fire Capacity Program: local assistance grant program: regional landscape grants; 2) Support AB 2739 (Soria) Water: affordability and system stabilization; 3) Support SB 1125 (Menjivar) Water Rate Assistance Program; and receive information on wildfire preparedness and emergency response legislation.

STATE LEGISLATION

RECOMMENDED POSITION

AB 2513 (Petrie-Norris)	WILDFIRE: REGIONAL FOREST AND FIRE CAPACITY PROGRAM: LOCAL ASSISTANCE GRANT PROGRAM: REGIONAL LANDSCAPE GRANTS	SUPPORT
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Existing law establishes the Regional Forest and Fire Capacity Program (RFFC Program) at the Department of Conservation (DOC) to support regional leadership to build local and regional capacity and develop, prioritize, and implement strategies and projects that create fire-adapted communities and landscapes by improving ecosystem health, community wildfire preparedness, and fire resilience. Pursuant to Executive Order No. B-52-18, the Wildfire and Forest Resilience Task Force (Task Force), including specified state agencies, was required to develop a “Wildfire and Forest Resilience Action Plan” (Action Plan) as a strategy to integrate recommendations from existing state and federal plans that tackle various aspects of the state’s forest health and wildfire crisis.

Existing law requires the Task Force, including the California Natural Resources Agency (CNRA), the California Environmental Protection Agency, the Office of Planning and Research, and the Department of Forestry and Fire Protection (CAL FIRE), in coordination with certain public agencies, to develop a comprehensive implementation strategy to track and ensure the achievement of the goals and key actions identified in the Action Plan. The CNRA oversees DOC, CAL FIRE, and the Wildlife Conservation Board (WCB). Existing law also requires CAL FIRE to establish a local assistance grant program for fire prevention and home hardening education activities in California as well as a Forest Health grants program.

AB 2513 (Petrie-Norris), as amended on April 16, 2026, makes a number of changes to state grant programs to authorize administering agencies to directly award regional landscape grants to regional entities, and expands the purpose of several CAL FIRE grant programs, including allowing funding to improve ecosystem health on chaparral, shrubland, grasslands, and coastal sage scrub.

AB 2513 authorizes the director of the DOC to directly award regional landscape grants to regional entities to implement regional priority strategies developed pursuant to the RFFC Program. Before the issuance of regional landscape grants, the director, in collaboration with the Task Force, must establish grant guidelines to ensure funding advances the goals of the Action Plan. The bill also would extend the DOC's authority to award advance payments of grants awarded pursuant to the RFFC Program indefinitely.

Similarly, the bill authorizes the WCB to award regional landscape grants to regional entities to implement regional priority strategies developed pursuant to the RFFC Program. AB 2513 requires the WCB, in collaboration with the Task Force, to establish guidelines for funding regional landscape grants to help achieve the goals of the Action Plan prior to issuing such grants.

The bill expands eligible activities under CAL FIRE's local assistance grant program to include manual vegetation management and modification, ignition prevention activities, creation of fuel breaks, replacement of ignition-prone nonnative flashy fuels with heavier and less flammable native vegetation, and technologies that improve detection and assessment of new fire ignitions. The bill also modifies CAL FIRE's Forest Health Grants program to provide grants that improve ecosystem health and allows funding to be additionally allocated for: a) activities that improve ecosystem health on chaparral, shrubland, grassland, and coastal sage scrub lands, including replacement of ignition-prone nonnative flashy fuels with heavier and less flammable native vegetation; and b) regional landscape grants that CAL FIRE may directly award to regional entities to implement regional priority strategies developed pursuant to the RFFC program.

AB 2513 expands the scope of grants available for fuels reduction, forest health, and regional landscape grants, which could benefit EBMUD and the Upper Mokelumne River Watershed Authority (UMRWA). The expanded sources of funding could help UMRWA as it moves into Phase 2 of its forest health improvement work. There are no anticipated costs to EBMUD from the bill.

The District has previously supported bills that increase wildfire prevention and forest health efforts. The District supported AB 3023 (Papan, 2024) which would have required the Task Force to develop an interagency funding strategy to promote integrated, multiple benefit projects to achieve outcomes more aligned with an ecosystem-based approach and would have required CNRA to review and update relevant grant guidelines for specified programs to encourage multi-benefit projects. AB 3023 was vetoed. The District supported AB 388 (Connolly, 2023) which would have required the DOC to establish guidelines and regional investment strategies to support the goals and key actions identified in the Action Plan and would have authorized the CNRA and its conservancies, departments, and boards to award regional block grants. The bill was held on the Senate Suspense File. Another District-supported bill, SB 63 (Stern, Chapter 382, Statutes of 2021), made multiple changes to state law to enhance fire prevention efforts by CAL FIRE, including among other things, improved vegetation management, and expanding the areas where enhanced fire safety building standards apply. The District supported AB 697 (Chau, Chapter 232, Statutes of 2021) which required the CNRA to establish a Good Neighbor Authority Program for the purposes of conducting ecological restoration and fire resiliency projects on national forest lands.

The official support and opposition list to AB 2513 is shown below.

Support

Irvine Ranch Conservancy (sponsor)
California State Association of Counties
Endangered Habitats League
Escondido Creek Conservancy
League of California Cities
Ojai Valley Fire Safe Council
Orange County Fire Authority
Orange County
Resource Conservation District of Greater San Diego County
Santa Monica Mountains Conservancy
Tijuana Estuary Foundation
Ventura Regional Fire Safe Council

Opposition

None listed.

**AB 2739
(Soria)**

**WATER: AFFORDABILITY AND
SYSTEM STABILIZATION**

SUPPORT

Existing law establishes the Department of Water Resources (DWR) and grants DWR broad authority to manage and oversee various aspects of water management in California, including dams, flood control projects, the State Water Project, sustainable groundwater management, and the California Water Plan. Existing law requires the State Water Resources Control Board (State Water Board) by January 1, 2018, to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program and requires a report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program, including recommendations for legislative action that may need to be taken. Existing law declares that it is state policy that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes and directs all relevant state agencies to consider this policy when administering programs.

AB 2739, as amended on April 6, 2026, establishes the Water Affordability and System Stabilization Trust (Trust Fund) as a charitable trust to generate ongoing funding for two purposes: the Community Water Affordability Program to be administered by DWR and the Water Rate Assistance Fund to be administered by the State Water Board. The bill is co-sponsored by Irvine Ranch Water District and Rancho California Water District.

The bill provides that the funding in the Trust Fund shall be continuously appropriated to the State Treasurer, who shall serve as trustee, to expend funds to accomplish the purposes of the bill. Additionally, AB 2739 authorizes the Legislature to irrevocably transfer General Fund moneys to fund the Trust Fund principal, and requires the State Treasurer to hold, manage, and invest the principal of the Trust Fund in accordance with existing law to generate a growing perpetual source of annual funding for the Water Rate Assistance Fund and the Community Affordability Program. The bill contains other specified safeguards for the growth and management of the Trust Fund and specifies that the moneys in the Trust Fund shall not be appropriated nor borrowed for purposes that are inconsistent with the bill.

AB 2739 establishes the Community Water Affordability Program to provide funding in the form of grants to community water systems for local water infrastructure projects including, but not limited to, projects that improve water supplies, resiliency, or quality, and projects that reduce energy costs for a community water system. The bill states that the purpose of the grants is to reduce the amount of local ratepayer funding required for projects and to avoid costs that would otherwise be paid for by ratepayers. DWR is required to develop and adopt program guidelines, as specified in the bill, prior to disbursing grant funds. A 25% cost match is required from an applicant unless DWR waives or reduces the amount due to extreme financial hardship.

The bill specifies that the Water Rate Assistance Fund is defined as the Fund established pursuant to 116932 of the Health and Safety Code, which directly links to SB 1125 (Menjivar), a pending companion measure that would set up a statewide low-income rate assistance (LIRA) program, discussed later in this Legislative Report.

AB 2739 requires the State Treasurer to annually distribute the funding in the Trust Fund as follows:

- a) In the first 25 years following the Legislature's first transfer of General Fund dollars to the Trust Fund:
 - i) 45% of the income shall go to the State Water Board for purposes of the Water Rate Assistance Fund;
 - ii) 45% of the income shall go to DWR for the purposes of the Community Affordability Assistance Fund; and
 - iii) 10% of the income shall remain in the Trust Fund to increase the Trust Fund's principal.

- b) 25 years after the Legislature's first transfer of General Fund dollars to the Trust Fund:
 - i) 50% of the income shall go to the State Water Board for purposes of the Water Rate Assistance Fund; and
 - ii) 50% of the income shall go to DWR for the purposes of the Community Affordability Assistance Fund.

According to the author, "Water affordability and system stability are increasingly interconnected challenges across California. Rising costs associated with infrastructure modernization, climate resilience, regulatory compliance, and energy continue to place pressure on water systems and the communities they serve, which is especially true for households living at or near poverty. The California Water Affordability and System Stabilization Act proposes a durable, California-based solution by addressing affordability at the household, system, and community levels. The Act advances a sustainable funding solution to support a statewide Low-Income Rate Assistance (LIRA) program for water while also supporting strategic investments that stabilize water systems and help reduce cost pressures before they are passed on to ratepayers."

The bill could benefit EBMUD and its ratepayers by setting up a dedicated funding source to generate ongoing funding for two purposes: 1) infrastructure grants funded through the Community Water Affordability Program; and 2) funding for LIRA implementation through the Water Rate Assistance Fund for ongoing rate assistance by water systems as required by SB 1125 (Menjivar). For the infrastructure grants, if EBMUD chooses to apply through the Community Water Affordability Program, there would be increased staff time and workload related to the grant application process and grant implementation requirements.

The bill sets up a stable, ongoing funding mechanism that could benefit the District's Customer Assistance Program (CAP) and the potential expansion of CAP eligibility and future growth of the program. AB 2739 creates the necessary mechanism and protections for funding both infrastructure grants and rate assistance in the future, should funding for the Trust Fund become available.

The official support and opposition list to AB 2739 is shown below.

Support

Irvine Ranch Water District (co-sponsor)
Rancho California Water District (co-sponsor)
Association of California Cities, Orange County
Association of California Water Agencies
California Chamber of Commerce
California Water Association
City of Roseville
City of Sacramento
Clean Water Action
Eastern Municipal Water District
El Toro Water District
Leadership Counsel for Justice and Accountability

Support continued

Orange County Business Council
The Honorable Bryan Osorio, Councilmember, City of Delano
The Honorable Gregorio Gomez, Councilmember, City of Farmersville
The Honorable Jose Sigala, Councilmember, City of Tulare
South Coast Water District
South Orange County Economic Coalition
Southern California Water Coalition
Three Valleys Municipal Water District
Upper San Gabriel Valley Municipal Water District
Western Municipal Water District

Opposition

None listed.

**SB 1125
(Menjivar)**

**WATER RATE ASSISTANCE
PROGRAM**

SUPPORT

Existing law requires the State Water Resources Control Board (State Water Board) to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program. Existing law requires the plan to include, among other things, a description of the method for collecting moneys to support and implement the program, and a description of the method for determining the amount of moneys that may need to be collected from water ratepayers to fund the program.

SB 1125, as amended on March 25, 2026, establishes the Water Rate Assistance Program, administered by the State Water Board, to provide rate assistance for drinking water services to low-income residential ratepayers. The bill is co-sponsored by Clean Water Action, Community Water Center, and Leadership Counsel for Justice and Accountability.

Water Rate Assistance Program and Water Rate Assistance Fund

SB 1125 establishes the Water Rate Assistance Program (Program) and establishes the Water Rate Assistance Fund (Fund) in the State Treasury, available upon appropriation by the

Legislature, to provide water affordability assistance for residential water services to low-income residential ratepayers. The bill requires the State Water Board to take various actions in administering the Program and the Fund.

Program Guidelines and Minimum Requirements for Eligible Systems

The bill requires the State Water Board to adopt guidelines for implementation of the Program, in consultation with relevant agencies and after a public hearing. Eligible systems are required to automatically enroll households in the Program that are enrolled in the California Alternative Rates for Energy (CARE) program.

Minimum requirements for eligible systems include the following:

- 1) Participation in the statewide program;
- 2) A process for enrollment of eligible households;
- 3) The ability to confirm enrollment eligibility through self-certification under penalty of perjury;
- 4) A process to elect whether, and to what extent, to rely on third-party providers, or instead elect to perform services themselves; and
- 5) A process to share information with third-party providers, should they elect to contract with them.

The guidelines are required to include the following:

- 1) A process for the State Water Board to distribute funding to eligible systems (annually, at minimum);
- 2) Guidance to eligible systems regarding payment of reasonable administration costs, including but not limited to staff costs, changes to billing systems, and communication materials;
- 3) A provision to audit eligible systems receiving funds;
- 4) Parameters and options for providing funding to eligible systems that bill exclusively or partially on the property tax roll;
- 5) A process for exempting eligible systems from providing assistance if the State Water Board determines that the system does not have eligible ratepayers;
- 6) A process for eligible systems to return funds to the state; and
- 7) A process for determining how implementation will be prioritized among eligible systems if full funding is not immediately available.

Bill Credits and Assistance Levels

The bill requires eligible systems to provide qualifying low-income ratepayers with a minimum flat bill credit of \$20 per month, adjusted annually for inflation using the Consumer Price Index. Alternatively, a system could provide a 20% discount on charges for a standard volume of water if that amount would exceed the flat credit.

Third-Party Providers

The bill requires the State Water Board to contract with at least one third-party provider to support enrollment, eligibility verification, call center services, document intake and processing, and provision of notices to eligible customers of enrollment into, and an opportunity to opt-out of, the Program. The bill would require the State Water Board to establish a process for third-party providers, or other entities responsible for enrollment, to regularly confirm eligibility of recipients, based on income.

Data Sharing

The bill requires the California Public Utilities Commission to establish a mechanism for electrical and gas corporations to share CARE enrollment or eligibility data with third-party providers. The bill would authorize the State Water Board and third-party providers to enter into agreements with local publicly owned electric and gas utilities to share data regarding customers enrolled in, or eligible for, other affordability programs benefitting low-income ratepayers. Under the bill, the agreements could authorize third-party providers to provide data to eligible systems for program administration purposes. Shared data would be subject to the Government Code's public records exemptions and the Information Practices Act of 1977 and would not constitute a disclosure under California's privacy law.

Program Funding

The bill requires the State Water Board, to the extent permissible, to make advance payments to eligible systems for direct residential water bill assistance and related administrative costs, and to implement the Program. Before distribution of an advance payment, eligible systems would be required to provide the State Water Board with an estimate of the number of enrolled households and expected bill credits. The terms and conditions that apply to advance payments would be up to the State Water Board's discretion. An eligible system would be required to provide a full accounting of its expenditures annually and as requested by the State Water Board.

The bill requires systems to continue providing assistance as long as sufficient state or federal funding is available. Eligible systems that do not receive funding as part of the prioritization process would not be required to comply. The bill would require the State Water Board to notify the eligible systems that are not required to comply for these reasons.

Existing Local Assistance Programs

The bill would not prohibit an eligible system from operating its own local water rate assistance program that is in addition to or different from the state Program and administered independently without State Water Board oversight. A system that offers supplemental local assistance would still receive state Program funds for the eligible portion of its spending. Alternatively, a system could request, through a memorandum of understanding (MOU) with the State Water Board, that state Program funds be directed into its existing local program. The MOU is required to describe the parameters, eligibility criteria, and enrollment of the program. An eligible system could customize its local program through an MOU as long as comparable benefits are offered to its low-income ratepayers.

Attorney General Enforcement

The bill authorizes the Attorney General, at the State Water Board's request, to bring an action in state court to restrain, by temporary or permanent injunction, the use of any method, act, or practice declared to be unlawful, including nonparticipation by a system in the Program. However, the bill would prohibit enforcement action from being taken against a system that is making a good faith effort to comply or that has been notified that it need not comply due to prioritization.

Differences between SB 1125 (Menjivar) and SB 350 (Durazo, 2025)

SB 1125 is largely modeled after SB 350 (Durazo, 2025), which used the structure of SB 222 (Dodd, 2021). There are a few notable differences between SB 350 and SB 1125. SB 350 included rate assistance for residential water and wastewater services, whereas SB 1125 only includes rate assistance for residential water services. In addition to guidelines that describe a process to provide a bill credit of 20% or more, SB 1125 also includes a process for providing a flat bill credit of \$20 or more. The guidelines described in SB 1125 include a process to enroll households that are beneficiaries of other statewide assistance programs outside of CARE, whereas SB 350 directed automatic enrollment based on participation in various statewide assistance programs. SB 1125 also exempts water systems from complying with the proposed provisions if they do not receive funding if a prioritization process is implemented.

EBMUD's Customer Assistance Program and SB 1125

EBMUD established its generous Customer Assistance Program (CAP) in 1986 through legislation to amend the Municipal Utility District Act to help with water and wastewater bills for eligible customers. CAP is funded through non-rate revenue sources due to constitutional prohibitions from imposing water rates on non-eligible customers that exceed the cost of serving those customers (Proposition 218). CAP provides assistance to customers who receive a direct water bill.

SB 1125 contains language specifying that the bill's provisions do not prohibit an eligible system from administering a local program that is in addition to, or on top of, or different from, the assistance provided through the Program. SB 1125 provides that these local programs are administered independently and separately from the Program without oversight from the State Water Board. The bill also clarifies that a system exceeding the Program's requirements will still receive funds for the eligible portion of the assistance provided. This section of the bill builds upon amendments originally sought by EBMUD in SB 222 (Dodd) to recognize EBMUD's CAP.

SB 1125 allows an eligible system with a local program to request that the State Water Board allocate funds from the Program to an existing local program by entering into a MOU with the State Water Board that describes the parameters, eligibility criteria, and enrollment of the local program.

This language would give EBMUD several options:

1. Two Different Programs. EBMUD could continue to administer CAP as-is with no oversight from the State Water Board. EBMUD would also be required to administer bill credits, funded by the State Water Board, to a list of eligible customers generated by a third-party contractor through the Program. Under this scenario, a customer could be eligible for the Program and EBMUD's CAP and thus receive both benefits.

This section also clarifies that a system would be eligible for Program funds to be used to cover the 20% bill credit or \$20 flat bill credit as required by the bill.

2. One Program: MOU with the State Water Board. EBMUD could request that the State Water Board allocate funds from the Program to CAP by entering into an MOU with the State Water Board that describes the parameters, eligibility criteria, and enrollment of CAP.

This means that EBMUD could continue to administer CAP, and use any funding from the Program to supplement CAP. This section grants EBMUD flexibility to work with the State Water Board on administering one program.

Other Impacts to EBMUD

There are other impacts to EBMUD from the bill to be considered. For example, receiving and sorting through CARE customer data provided by the third-party provider and matching that to EBMUD customer accounts is likely to be time-consuming. Staff resources may be necessary to provide complex updates to EBMUD's customer bill and billing system to accommodate a bill credit, develop and implement bill credits, and administer the State Program on an ongoing basis.

Previous Legislation and Related Legislation

In previous legislative efforts to establish a statewide low-income water rate assistance program, EBMUD has expressed concerns regarding program funding and potential issues with Proposition 218 and Proposition 26 requirements for water systems. EBMUD has sought greater clarity on the state’s role and obligations versus those of the water system and sought protection of its existing long-standing CAP.

Last year, EBMUD took a “Support and Amend” position on SB 350 (Durazo). EBMUD had a “Support if Amended” position on SB 1255 (Durazo) which failed to advance out of the legislature in 2024. SB 222 (Dodd), which had a similar framework to SB 350, was vetoed by Governor Newsom in 2022 for lack of identified funding source. EBMUD had a “Support if Amended” position on the final version of SB 222 that was sent to the Governor.

As discussed previously in this Legislative Report, AB 2739 (Soria, 2026) is a companion measure to SB 1125 and is intended to provide the mechanism for funding for the rate assistance requirements in the bill.

The official support and opposition list to SB 1125 is shown below.

Support

Clean Water Action (Co-Sponsor)
Community Water Center (Co-Sponsor)
Leadership Counsel for Justice and
Accountability (Co-Sponsor)
Supervisor Eddie Valero, Tulare County
District 4
Mayor Krista Bernasconi, City of Roseville
Mayor Pro Tem Joe Soria, City of Lindsay
Councilmember Bryan Osorio, City of
Delano
Councilmember Caity Maple, City of
Sacramento District 5
Councilmember Gregorio Gomez, City of
Farmersville
Councilmember Jose Sigala, City of Tulare
Allensworth Progressive Association
Alliance of Californians for Community
Empowerment Action
Asian Pacific Environmental Network
Action
California Coastkeeper Alliance
California Environmental Justice Alliance

Support Continued

California Environmental Voters
Center for Environmental Health
Center on Race, Poverty, & the Environment
Central California Environmental Justice
Network
CleanEarth4kids.org
Courage California
Environmental Defense Fund
Erin Brockovich, Inc.
Friends Committee on Legislation of
California
Integrated Resource Management
Irvine Ranch Water District
Lamont Public Utility District
Los Angeles Alliance for a New Economy
Los Angeles Waterkeeper
Lutheran Office of Public Policy - California
Medical Advocates for Healthy Air
Mono Lake Committee
Physicians for Social Responsibility - Los
Angeles
Planning and Conservation League

Support Continued

Rancho California Water District
Regional Water Authority
SAFER Advisory Group
Sierra Club California
State Center Community College District

Support Continued

Sultana Community Services District Board
UNIDOS Network
Union of Concerned Scientists
Wholly H2O

Opposition

None listed.

**WILDFIRE PREPAREDNESS AND EMERGENCY
RESPONSE LEGISLATION**

INFORMATION

The 2026 State Legislative Priorities, as adopted by the Board of Directors in December 2025, included a priority to “protect and advance EBMUD’s interests in wildfire and emergency preparedness.” Because legislative interest in this topic remains high, various bills were introduced earlier this year, including several that would have a direct nexus to District operations. A summary of each bill and status update at the time of printing is listed below.

AB 2013 (Bennett) – Would have required a community water system located in a high or very high fire hazard severity zone to include an annex, reviewed every three years and updated as necessary, 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. The bill’s overly prescriptive requirements would have mandated in the annex the inclusion of an assessment that identifies the minimum number of and type of water pumps necessary to maintain average daily capacity, an assessment of system resiliency in the event of a loss of power, and an assessment of fire risk status and fire hardening measures for various water system infrastructure and other components that the community water system deems to be a critical point of failure, among other specified requirements.

AB 2013 was opposed by water associations and individual water agencies. The bill failed passage in the Assembly Emergency Management Committee on April 14, 2026.

SB 1153 (Caballero) – Requires urban retail water suppliers serving a high or very high fire hazard severity zone to include incident-specific response procedures for wildfires as part of their disaster preparedness plans, including any applicable emergency response plans required by federal law, and specifies liability limitations of public water systems when responding to wildfires.

SB 1153 is sponsored by the Association of California Water Agencies (ACWA) with support from other water associations and individual water agencies. The bill passed out of both the

Senate Emergency Management Committee and the Senate Natural Resources and Water Committee in April, and was referred to the Senate Appropriations Committee.

SB 1001 (Archuleta) – Ensures utility workers can gain access to public works and critical infrastructure in areas impacted by natural disasters to maintain or restore systems such as electricity, gas, and water service. The bill would require the California Office of Emergency Services (Cal OES) to develop a system for local agencies or mutual water companies to pay for and obtain a specific credential for trained employees to facilitate access to an area during or following disaster. The bill also clarifies that law enforcement should not prevent individuals with the Cal OES credential or a valid identification card issued by a local agency, public utility, or mutual water company from entering areas impacted by disaster unless it would be unsafe or interfere with disaster response. The bill is in response to some water agencies having difficulty accessing facilities after wildfires. However, it is unclear if the Cal OES credentialing system is necessary, or if it would allow people with the credential to gain access to a facility they are not responsible for without the permission of the facility owner.

SB 1001 is sponsored by the Association of California Water Agencies Joint Powers Insurance Authority, Bellflower Somerset Mutual Water Company, Paradise Irrigation District, Pico Water District, Rowland Water District, and Walnut Valley Water District. The bill passed out of both the Senate Emergency Management Committee and the Senate Public Safety Committee and was referred to the Senate Appropriations Committee.

NEXT STEPS

Staff will continue to monitor wildfire preparedness and emergency response legislation for nexus to EBMUD operations and provide updates, as necessary.

CCC:KCV:dm/jw

Attachments

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AMENDED IN ASSEMBLY APRIL 16, 2026

AMENDED IN ASSEMBLY APRIL 6, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 2513

Introduced by Assembly Member Petrie-Norris

February 20, 2026

An act to add Section 1357 to the Fish and Game Code, and to amend Sections 4124, 4124.5, 4208, 4208.1, and 4799.05 of, and to add Sections 4208.2 and 4799.05.1 to, the Public Resources Code, relating to wildfire.

LEGISLATIVE COUNSEL'S DIGEST

AB 2513, as amended, Petrie-Norris. Wildfire: Regional Forest and Fire Capacity Program: local assistance grant program: regional landscape grants.

Existing law requires the Wildfire and Forest Resilience Task Force, including the Natural Resources Agency, the California Environmental Protection Agency, the Office of Planning and Research, and the Department of Forestry and Fire Protection, in coordination with certain public agencies, to develop a comprehensive implementation strategy to track and ensure the achievement of the goals and key actions identified in California's Wildfire and Forest Resilience Action Plan, as provided. Existing law requires the task force, on or before March 1, 2026, and every 5 years thereafter, to update that action plan, as provided.

Existing law establishes, in the Department of Conservation, a Regional Forest and Fire Capacity Program to support regional leadership to build local and regional capacity and develop, prioritize,

and implement strategies and projects that create fire-adapted communities and landscapes, as provided. Existing law requires the department to, upon appropriation by the Legislature for purposes of the program, provide block grants to regional entities, as defined, to develop regional strategies that develop governance structures, identify wildfire risks, foster collaboration, and prioritize and implement projects within the region to achieve the goals of the program, as specified. Existing law authorizes the regional entities, as defined, to implement activities pursuant to this program, directly or by providing subgrants or contracts, and collaborative planning efforts with local entities to accomplish development of regional priority strategies, among other objectives. Existing law authorizes ~~the department,~~ *department to,* until July 1, 2025, ~~to~~ authorize advance payments of grants awarded pursuant to the program.

This bill would authorize the Director of the Department of Conservation to directly award regional landscape grants to regional entities to implement the above-described regional priority strategies. The bill would also require the director, in collaboration with the Wildfire and Forest Resilience Task Force, to, before the issuance of these grants, establish guidelines for funding the grants to contribute to the achievement of the goals of California's Wildfire and Forest Resilience Action Plan, as specified. The bill would extend the authorization for the department to award advance payments of grants awarded pursuant to the program indefinitely.

Existing law authorizes the Director of Forestry and Fire Protection to provide grants to, or enter contracts or other cooperative agreements with, specified entities for the implementation and administration of projects and programs to improve forest health and reduce greenhouse gas emissions. Existing law requires moneys appropriated to the Department of Forestry and Fire Protection for landscape-scale projects to be allocated to subsidize the removal of small-diameter material and dead trees, for multiple benefit projects, and for activities on national forest lands, as provided.

This bill would additionally require moneys appropriated to the department for landscape-scale projects to be allocated for projects that improve ecosystem health and for regional landscape grants that the director would be authorized to directly award to regional entities, as defined, to implement the above-described regional priority strategies. The bill would also require the director, in collaboration with the Wildfire and Forest Resilience Task Force, to, before the issuance of

these grants, establish guidelines for funding the grants to contribute to the achievement of the goals of California’s Wildfire and Forest Resilience Action Plan, as specified.

Existing law requires the Department of Forestry and Fire Protection to establish a local assistance grant program for fire prevention and home hardening education activities in the state and extends eligibility for grants to, among others, local agencies, resource conservation districts, fire safe councils, the California Conservation Corps, certified community conservation corps, Native American tribes, and qualified nonprofit organizations. Existing law requires eligible activities under the local assistance grant program to include, but not be limited to, vegetation management along roadways and driveways to reduce fire risk, as provided.

This bill would expand eligible activities to include vegetation modification and specify that the vegetation management and modification along roadways and driveways includes wildfire ignition risk. The bill would also add ignition prevention, as defined, to the eligible activities.

The Wildlife Conservation Law of 1947 establishes the Wildlife Conservation Board within the Department of Fish and Wildlife to investigate, study, and determine what areas within the state are most essential and suitable for wildlife production and preservation, among other things. Under existing law, the board administers various habitat conservation programs.

This bill would authorize the Wildlife Conservation Board to award regional landscape grants to local entities, as defined, to implement regional priority strategies as described above. The bill would also require, before the issuance of these grants, the board, in collaboration with the Wildfire and Forest Resilience Task Force, to establish guidelines for funding these regional landscape grants to contribute to the achievement of the goals of California’s Wildfire and Forest Resilience Action Plan, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

1 (1) Wildfires pose an ongoing and increasing threat to life,
2 property, public health, and the state’s economy.

3 (2) Over the past decade, California has recognized that wildfire
4 behavior varies widely across the state with winds being the
5 predominant driver of wildfires in the southern part of the state
6 and fuels being the predominant driver of wildfires in the northern
7 part of the state.

8 (3) Southern California’s shrubland and chaparral landscapes
9 require different approaches to reduce the threat of wildfire that
10 do not align with the needs in forested landscapes.

11 (4) Led by the Wildfire and Forest Resilience Task Force and
12 supported by the Regional Forest and Fire Capacity Program
13 administered by the Department of Conservation, local capacity
14 has grown, and regions are developing strategies and projects that
15 respond to these differing contexts and fire regimes.

16 (5) The Wildlife Conversation Board is dedicated to
17 safeguarding California’s spectacular biological diversity and wild
18 spaces for the benefit of present and future generations. The
19 Wildlife Conversation Board achieves this goals, in part, through
20 the issuance of grants for restoration purposes that fund projects
21 that provide wildfire resilience benefits and in turn protect
22 California’s wild spaces and biological diversity.

23 (b) It is the intent of the Legislature to match funding levels to
24 the scale of the problem, and the scale of regionally developed
25 plans and projects.

26 SEC. 2. Section 1357 is added to the Fish and Game Code, to
27 read:

28 1357. (a) The board may award regional landscape grants to
29 regional entities to implement regional priority strategies developed
30 pursuant to Section 4208.1 of the Public Resources Code.

31 (b) Before the issuance of regional landscape grants pursuant
32 to subdivision (a), the board, in collaboration with the Wildfire
33 and Forest Resilience Task Force, shall establish guidelines for
34 funding regional landscape grants pursuant to subdivision (a) to
35 contribute to the achievement of the goals of California’s Wildfire
36 and Forest Resilience Action Plan issued in January 2021, and any
37 subsequent updates to that plan developed pursuant to Section
38 4771 of the Public Resources Code. Chapter 3.5 (commencing
39 with Section 11340) of Part 1 of Division 3 of Title 2 of the

1 Government Code shall not apply to the development and adoption
2 of guidelines used for funding these grants.

3 (c) For purposes of this section, “regional entities” has the same
4 meaning as defined in Section 4208 of the Public Resources Code.

5 SEC. 3. Section 4124 of the Public Resources Code is amended
6 to read:

7 4124. For purposes of this article, the following definitions
8 shall apply:

9 (a) “Fire prevention activities” means those lawful activities
10 that reduce the risk of wildfire in California, including, but not
11 limited to, mechanical and manual vegetation management and
12 modification, prescribed grazing, prescribed burns, creation of
13 defensible space, creation of fuel breaks, ignition prevention,
14 replacement of ignition-prone nonnative *fuels or* flashy fuels with
15 heavier and less flammable native vegetation, technologies that
16 improve detection and assessment of new fire ignitions, and
17 retrofitting of structures to increase fire resistance.

18 (b) “Flashy fuels” means shrubs, grasses, and foliage, including,
19 but not limited to, pine needles and leaves, that dry or cure rapidly,
20 ignite easily, and spread fire quickly.

21 ~~(b)~~

22 (c) “Ignition prevention” means those lawful activities that
23 reduce the likelihood of wildfire ignitions caused directly or
24 indirectly by human activity or infrastructure, including
25 replacement or modification of ignition-prone nonnative *fuels or*
26 flashy fuels to *with* less flammable native vegetation, hardening
27 of infrastructure, including primary roadways, utility corridors,
28 and public access points, to prevent fire ignition and spread, use
29 of ignition-resistant materials, and community education or
30 planning programs that reduce human-caused ignitions.

31 ~~(c)~~

32 (d) “Nonnative flashy fuels” means a nonnative or invasive
33 plant species *species*, including grasses, ~~mustard~~, *shrubs*, and other
34 annual plants, and pine needles and leaves, that dry or cure rapidly,
35 ignite easily, and spread fire quickly, significantly increasing
36 wildfire risk. *nonnative or invasive woody plant species*.

37 SEC. 4. Section 4124.5 of the Public Resources Code is
38 amended to read:

39 4124.5. (a) The department shall establish a local assistance
40 grant program for fire prevention and home hardening education

1 activities in California. Groups eligible for grants shall include,
2 but are not limited to, local agencies, resource conservation
3 districts, fire safe councils, the California Conservation Corps,
4 certified community conservation corps as defined in Section
5 14507.5, University of California Cooperative Extension, the Board
6 of Commissioners under California Volunteers described in Section
7 8411 of the Government Code, Native American tribes, and
8 qualified nonprofit organizations. The department may establish
9 a cost-share requirement for one or more categories of projects.

10 (b) (1) The local assistance grant program shall establish a
11 robust year-round fire prevention effort in and near fire-threatened
12 communities that focuses on increasing the protection of people,
13 structures, and communities. To the maximum extent practicable,
14 the grants shall be designed to be durable and adaptively managed
15 so that while improving resiliency to wildfire, the projects, when
16 on forest land, retain a mixture of species and sizes of trees to
17 protect habitat values. The department shall prioritize, to the extent
18 feasible, projects that are multiyear efforts.

19 (2) For purposes of this subdivision, “fire-threatened
20 communities” means those communities in high and very high fire
21 hazard severity zones, identified by the State Fire Marshal pursuant
22 to Section 51178 of the Government Code, or Article 9
23 (commencing with Section 4201) of this code, or on the “Fire Risk
24 Reduction Community” list maintained by the board pursuant to
25 Section 4290.1.

26 (c) Eligible activities shall include, but not be limited to, all of
27 the following:

28 (1) Development and implementation of public education and
29 outreach programs. Programs may include technical assistance,
30 new technologies, game elements to enhance and accelerate the
31 education of property owners, workforce recruitment and training,
32 and equipment purchases.

33 (2) Fire prevention activities.

34 (3) Projects to improve compliance with defensible space
35 requirements as required by Section 4291 through increased
36 inspections, assessments, and assistance for residents with relevant
37 socioeconomic characteristics, as defined in Section 8654.7 of the
38 Government Code.

39 (4) Technical assistance to local agencies to improve fire
40 prevention and reduce fire hazards.

1 (5) Creation of additional “Firewise USA” communities in the
2 state or other community planning or certification programs
3 deemed as appropriate by the department.

4 (6) Projects to improve public safety, including, but not limited
5 to, access to emergency equipment and improvements to public
6 evacuation routes.

7 (7) Vegetation management and modification along roadways
8 and driveways to reduce fire risk, including wildfire ignition risk.
9 Where appropriate, the Department of Transportation shall be
10 consulted if state infrastructure will be affected. Those projects
11 shall remain consistent with paragraph (1) of subdivision (b).

12 (8) Public education outreach regarding making homes and
13 communities more wildfire resilient, including training on
14 defensible space and prescribed grazing.

15 (9) Projects to reduce the flammability of structures and
16 communities to prevent their ignition from wind-driven embers.

17 (10) Development of a risk reduction checklist for communities
18 that includes defensible space criteria, structural vulnerability
19 potential, and personal evacuation plans.

20 (11) (A) Projects involving the application of prescribed
21 grazing, which may include the installation of fencing or watering
22 improvements.

23 (B) Watering improvements described in subparagraph (A) shall
24 not include the creation of a well or replacement of well
25 infrastructure.

26 (12) Ignition prevention activities.

27 (d) The department may consider the fire risk of an area, the
28 geographic balance of projects, and whether the project is
29 complementary to other fire prevention or forest health activities
30 when awarding local assistance grants.

31 (e) When reviewing applications for the grant program created
32 pursuant to this section, the department shall give priority to any
33 local governmental entity qualified to perform defensible space
34 assessments pursuant to Section 4291.5 in very high and high fire
35 hazard severity zones, as identified by the State Fire Marshal
36 pursuant to Section 51178 of the Government Code or Article 9
37 (commencing with Section 4201) of this chapter or by a local
38 agency pursuant to Section 51179 of the Government Code, for
39 using the common reporting platform created pursuant to
40 subdivision (c) of Section 4291.5 to report that information.

1 (f) (1) The director may authorize advance payments from a
2 grant awarded pursuant to this section. The advance payment shall
3 not exceed 25 percent of the total grant award. The director may
4 authorize a greater amount, not to exceed 50 percent of either the
5 total grant award or the cost of equipment or supplies, whichever
6 amount is less, for the purpose of purchasing necessary equipment
7 or supplies.

8 (2) The grantee shall expend the funds from the advance
9 payment within six months of receipt, unless the department waives
10 this requirement.

11 (3) The grantee shall file an accountability report with the
12 department no later than six months from the date of receiving the
13 funds and no later than every six months thereafter.

14 (g) Until July 1, 2025, the department may authorize advance
15 payments on a grant awarded under this section in accordance with
16 subdivision (d) of Section 11019.1 of the Government Code.

17 (h) The department may expand or amend an existing grant
18 program to meet the requirements of this section.

19 (i) Funding for the local assistance grant program created
20 pursuant to this section shall be made upon appropriation by the
21 Legislature.

22 SEC. 5. Section 4208 of the Public Resources Code is amended
23 to read:

24 4208. For purposes of this article, the following definitions
25 apply:

26 (a) “Department” means the Department of Conservation.

27 (b) “Director” means the Director of the Department of
28 Conservation.

29 (c) “Eligible coordinating organization” means a local
30 government, tribal government, resource conservation district,
31 joint powers authority, or nongovernmental organization with a
32 history of providing technical assistance and demonstrated capacity
33 to coordinate regional partners across the state.

34 (d) “Program” means the Regional Forest and Fire Capacity
35 Program.

36 (e) “Regional entity” means a state conservancy, local
37 government, tribal government, resource conservation district,
38 joint powers authority, or nongovernmental organization with a
39 history of implementing related projects, demonstrated capacity

1 to work across regional partners, and ability to serve as fiscal
2 administrators for the program.

3 (f) “Statewide implementation” means identifying and
4 supporting regional entities in every part of the state that contains
5 or is adjacent to a very high or high fire hazard severity zone
6 identified by the State Fire Marshal pursuant to Section 51178 of
7 the Government Code or Article 9 (commencing with Section
8 4201).

9 SEC. 6. Section 4208.1 of the Public Resources Code is
10 amended to read:

11 4208.1. (a) There is hereby established in the department the
12 Regional Forest and Fire Capacity Program to support regional
13 leadership to build local and regional capacity and develop,
14 prioritize, and implement strategies and projects that create
15 fire-adapted communities and landscapes by improving ecosystem
16 health, community wildfire preparedness, and fire resilience. For
17 strategies and projects that seek to create fire-adapted communities,
18 regional entities shall maximize risk reductions to people and
19 property, especially in the most vulnerable communities.

20 (b) (1) The department shall, upon an appropriation by the
21 Legislature for these purposes, do both of the following:

22 (A) (i) Provide block grants to regional entities to develop
23 regional strategies that develop governance structures, identify
24 wildfire risks, foster collaboration, and prioritize and implement
25 projects within the region to achieve the goals of the program.

26 (ii) Regional priority strategy development shall be in
27 coordination with public landowners and other relevant forest and
28 fire planning efforts in wildfire and forest resiliency planning.

29 (B) Ensure, to the extent feasible, there are regional entities to
30 cover every part of the state that contains or is adjacent to a very
31 high or high fire hazard severity zone identified by the State Fire
32 Marshal pursuant to Section 51178 of the Government Code or
33 Article 9 (commencing with Section 4201).

34 (2) Regional entities may implement program activities directly
35 or provide subgrants or contracts, and collaborative planning efforts
36 with local entities, including municipal governments, tribal
37 governments, nongovernmental organizations, community
38 organizations, fire safe councils, land trusts, resource conservation
39 districts, joint power authorities, special districts, fire departments,
40 residents, private and public forest landowners and managers,

1 businesses, and others, to assist the regional entity in accomplishing
2 all of the following objectives:

3 (A) Develop regional priority strategies that develop and support
4 fire-adapted communities and landscapes by improving forest
5 health, watershed health, fire risk reduction, or fire resilience
6 needed to achieve local, regional, or statewide public safety,
7 climate resiliency, and ecosystem goals included in the “Agreement
8 for Shared Stewardship of California’s Forest and Rangelands”
9 and “California’s Wildfire and Forest Resilience Action Plan.”

10 (B) Complete project development and permitting to generate
11 implementation-ready projects that address regional landscape
12 resilience and community fire protection priorities for funding
13 consideration.

14 (C) Implement forest management demonstration projects that
15 showcase scalable models for management, funding, and achieving
16 and quantifying multiple benefits.

17 (D) Implement community fire preparedness demonstration
18 projects that create durable risk reduction for structures and critical
19 community infrastructure.

20 (E) Develop outreach, education, and training as needed to
21 facilitate and build capacity to implement this section.

22 (F) Collect and assess data and information as needed to identify
23 and map communities, infrastructure, forests, and watersheds at
24 risk of, and vulnerable to, wildfire, in collaboration with
25 appropriate state agencies, including, but not limited to, the
26 Department of Forestry and Fire Protection.

27 (c) The department shall, upon an appropriation by the
28 Legislature for these purposes, provide block grants to eligible
29 coordinating organizations under the program to support the
30 statewide implementation of the program through coordination of
31 and technical assistance to regional entities, as well as to support
32 forest health and resilience efforts across regions and throughout
33 the state.

34 (d) To maximize the benefits of the program, the department
35 shall do all of the following:

36 (1) Facilitate peer-to-peer learning within and between regions
37 to share information, experiences, and resources to build regional
38 capacity.

39 (2) Provide technical assistance to regions to enhance regional
40 capacity and assist in the development and prioritization of projects.

1 (3) Assist regions in identifying potential funding sources for
2 regional priorities.

3 (4) Encourage the development of local cost share opportunities.

4 (5) Publish and update on the department's internet website the
5 following information related to implementation of the program:

6 (A) A list of regional entities and eligible coordinating
7 organizations funded by the program.

8 (B) The outcomes of any block grant provided to a regional
9 entity or eligible coordinating organization, including a summary
10 of the benefits, such as the number of people and properties for
11 which wildfire risk has been mitigated, ecosystem health benefits,
12 or other measurements of progress towards state goals for public
13 health and safety, climate resilience, and biodiversity, as applicable.

14 (C) A description of progress towards ensuring there are regional
15 entities to cover every part of the state that contains or is adjacent
16 to a very high or high fire hazard severity zone identified by the
17 State Fire Marshal pursuant to Section 51178 of the Government
18 Code or Article 9 (commencing with Section 4201).

19 (e) The department may authorize advance payments on a grant
20 awarded under this section.

21 SEC. 7. Section 4208.2 is added to the Public Resources Code,
22 to read:

23 4208.2. (a) The director may directly award regional landscape
24 grants to regional entities to implement regional priority strategies
25 developed pursuant to Section 4208.1.

26 (b) Before the issuance of regional landscape grants pursuant
27 to subdivision (a), the director, in collaboration with the Wildfire
28 and Forest Resilience Task Force, shall establish guidelines for
29 funding regional landscape grants pursuant to subdivision (a) to
30 contribute to the achievement of the goals of California's Wildfire
31 and Forest Resilience Action Plan issued in January 2021, and any
32 subsequent updates to that plan developed pursuant to Section
33 4771. Chapter 3.5 (commencing with Section 11340) of Part 1 of
34 Division 3 of Title 2 of the Government Code does not apply to
35 the development and adoption of guidelines used for funding these
36 grants.

37 SEC. 8. Section 4799.05 of the Public Resources Code is
38 amended to read:

39 4799.05. (a) (1) The director may provide grants to, or enter
40 into contracts or other cooperative agreements with, entities,

1 including, but not limited to, private or nongovernmental entities,
2 Native American tribes, or local, state, and federal public agencies,
3 for the implementation and administration of projects and programs
4 to improve forest or ecosystem health and reduce greenhouse gas
5 emissions.

6 (2) (A) The director may authorize advance payments to a
7 nonprofit organization, a local agency, a special district, a private
8 forest landowner, or a Native American tribe from a grant awarded
9 pursuant to this section. No single advance payment shall exceed
10 25 percent of the total grant award.

11 (B) (i) The grantee shall expend the funds from the advance
12 payment within six months of receipt, unless the department waives
13 this requirement.

14 (ii) The grantee shall file an accountability report with the
15 department four months from the date of receiving the funds and
16 every four months thereafter.

17 (C) (i) The department shall provide a report to the Legislature
18 on or before January 1, 2023, on the outcome of the department's
19 use of advance payments.

20 (ii) A report submitted pursuant to this subparagraph shall be
21 submitted in compliance with Section 9795 of the Government
22 Code.

23 (iii) The requirement for submitting a report imposed under
24 clause (i) is inoperative on January 1, 2027, pursuant to Section
25 10231.5 of the Government Code.

26 (b) Any project or program described in this section that is
27 funded with moneys from the Greenhouse Gas Reduction Fund,
28 created pursuant to Section 16428.8 of the Government Code, shall
29 comply with all statutory and program requirements applicable to
30 the use of moneys from the fund.

31 (c) Moneys appropriated to the department for landscape-scale
32 projects shall be allocated as follows:

33 (1) To subsidize the removal of small diameter material,
34 especially surface fuels and ladder fuels, as well as dead trees, in
35 order to help develop markets for beneficial uses of the material,
36 including, but not limited to, animal bedding, biochar,
37 cross-laminated timber, mulch, oriented strand board, pulp, post,
38 shredding, and veneer products.

39 (2) For multiple benefit projects, such as tree thinning, carbon
40 sequestration, forest resilience, and improved ecological outcome

1 projects, including, but not limited to, restoring watershed health
2 and function and supporting biodiversity and wildlife adaptation
3 to climate change. The department shall give grant funding priority
4 to landowners who practice uneven aged forest management with
5 a resilient forest of diverse age, size, and species class within the
6 boundaries of the project and whose activities are conducted
7 pursuant to an approved timber harvest plan, nonindustrial timber
8 harvest plan, or working forest management plan. An application
9 for a grant for a project under this paragraph shall include a
10 description of how the proposed project will increase average stem
11 diameter and provide other site-specific improvement to forest
12 complexity, as demonstrated by the expansion of the variety of
13 tree age classes and species persisting for a period of at least 50
14 years. The department shall also give funding priority to
15 landowners who agree to long-term forest management goals
16 prescribed by the department.

17 (3) For activities on national forest lands to increase tree stand
18 heterogeneity, create forest openings of less than one acre, and
19 increase average tree stand diameter of residual trees. Any grants
20 provided under this paragraph shall be approved by the department,
21 in collaboration with appropriate state agencies, including the State
22 Air Resources Board.

23 (4) For activities that improve ecosystem health on chaparral,
24 shrubland, grassland, and coastal sage scrub lands, including, but
25 not limited to, replacement of ignition-prone nonnative *fuels or*
26 *flashy fuels* with ~~heavier and~~ less flammable ~~native~~ vegetation.

27 (5) For regional landscape grants that the director may directly
28 award to regional entities to implement regional priority strategies
29 developed pursuant to Section 4208.1.

30 (d) (1) Division 13 (commencing with Section 21000) does not
31 apply to prescribed fire, reforestation, habitat restoration, thinning,
32 or fuel reduction projects, or to related activities included in the
33 project description, undertaken, in whole or in part, on federal
34 lands to reduce the risk of high-severity wildfire that have been
35 reviewed under the federal National Environmental Policy Act of
36 1969 (42 U.S.C. Sec. 4321 et seq.) if either of the following is
37 satisfied:

38 (A) The primary role of a state or local agency is providing
39 funding or staffing for those projects.

1 (B) A state or local agency is undertaking those projects pursuant
2 to the federal Good Neighbor Authority (Public Law 113-79) or
3 a stewardship agreement with the federal government entered into
4 pursuant to Public Law 113-79.

5 (2) Division 13 (commencing with Section 21000) does not
6 apply to the issuance of a permit or other project approval by a
7 state or local agency for projects described in paragraph (1).

8 (3) This section does not alter, affect, or in any way diminish
9 the authority of a state or local agency to impose mitigation
10 measures or conditions on projects described in paragraph (1)
11 pursuant to other laws or regulations.

12 (4) (A) If the lead agency, as defined in Section 21067,
13 determines that a project is not subject to Division 13 (commencing
14 with Section 21000) pursuant to this subdivision and it determines
15 to approve or carry out the project, the lead agency shall file a
16 notice of exemption with the Office of Planning and Research and
17 with the county clerk in the county in which the project will be
18 located in the manner specified in subdivisions (b) and (c) of
19 Section 21108 or subdivisions (b) and (c) of Section 21152. The
20 lead agency shall also post the notice of exemption on its internet
21 website together with a description of where the documents
22 analyzing the environmental impacts of the project under the
23 federal National Environmental Policy Act of 1969 are available
24 for public review.

25 (B) If the lead agency is not the department, the lead agency
26 shall also provide the notice of exemption together with the
27 information set forth in subdivision (d) of Section 4137 to the
28 department. The department shall compile the information
29 submitted to it pursuant to this subparagraph and post the
30 information on the department's internet website.

31 (5) On or before February 1, 2027, if the Secretary of the Natural
32 Resources Agency determines that substantial changes have been
33 made since January 1, 2023, to the federal National Environmental
34 Policy Act of 1969 or other federal laws that affect the management
35 of federal forest lands in California, the secretary shall report those
36 changes to the Legislature in accordance with Section 9795 of the
37 Government Code.

38 (6) This subdivision shall become inoperative on January 1,
39 2028.

1 (e) Division 13 (commencing with Section 21000) does not
2 apply to any discretionary approval necessary to carry out or
3 implement projects funded by the Nature-Based Solutions Tribal
4 Program or the tribal cultural burn and tribal wildfire funding
5 authorized by Schedule (2) of Item 3540-101-0001 of Section 2.00
6 of the Budget Act of 2021, as added by Section 46 of Chapter 240
7 of the Statutes of 2021. This subdivision only applies to projects
8 carried out on lands subject to the jurisdictional control or the
9 ownership of a California Native American tribe, as defined in
10 Section 21073.

11 (f) For purposes of this section, the following definitions shall
12 apply:

13 (1) “Ecosystem” includes forest, chaparral, shrubland,
14 grasslands, and coastal sage ecosystems and natural communities.

15 (2) “*Flashy fuels*” means *shrubs, grasses, and foliage, including,*
16 *but not limited to, pine needles and leaves, that dry or cure rapidly,*
17 *ignite easily, and spread fire quickly.*

18 ~~(2)~~

19 (3) “~~Nonnative flashy fuels~~” means ~~a nonnative or invasive~~
20 ~~plant species species, including grasses, mustard, shrubs, and other~~
21 ~~annual plants, and pine needles and leaves, that dry or cure rapidly,~~
22 ~~ignite easily, and spread fire quickly, significantly increasing~~
23 ~~wildfire risk. nonnative or invasive woody plant species.~~

24 ~~(3)~~

25 (4) “Regional entities” has the same meaning as defined in
26 Section 4208.

27 SEC. 9. Section 4799.05.1 is added to the Public Resources
28 Code, to read:

29 4799.05.1. Before the issuance of regional landscape grants
30 pursuant to Section 4799.05, the director, in collaboration with the
31 Wildfire and Forest Resilience Task Force, shall establish
32 guidelines for funding regional landscape grants pursuant to
33 paragraph (5) of subdivision (c) of Section 4799.05 to contribute
34 to the achievement of the goals of California’s Wildfire and Forest
35 Resilience Action Plan issued in January 2021, and any subsequent
36 updates to that plan developed pursuant to Section 4771. Chapter
37 3.5 (commencing with Section 11340) of Part 1 of Division 3 of

- 1 Title 2 of the Government Code does not apply to the development
- 2 and adoption of guidelines used for funding these grants.

O

AMENDED IN ASSEMBLY APRIL 6, 2026

AMENDED IN ASSEMBLY MARCH 19, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 2739

**Introduced by Assembly Member Soria
(Coauthor: Assembly Member Davies)**

February 20, 2026

An act to add Part 7.5 (commencing with Section 12965) to Division 6 of the Water Code, relating to ~~water~~ *water*, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2739, as amended, Soria. ~~Community Water Affordability Program~~. *Water: affordability and system stabilization.*

Existing law establishes in the Natural Resources Agency the Department of Water Resources. Existing law vests in the department powers, duties, purposes, responsibilities, and jurisdiction in matters pertaining to water or dams. Existing law declares the responsibility of the state to assist local governments in providing certain essential services and facilities where water resource construction projects financed, in whole or in part, by the state or by the state jointly with the federal government create an undue burden on a local area's ability to provide these services and facilities.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human

being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

This bill would establish in the State Treasury the Water Affordability and System Stabilization Fund for holding the principal and income of the Water Affordability and System Stabilization Trust, which the bill would create. The bill would designate the Treasurer as trustee of the trust, as specified, and would require the trustee, among other things, to hold, manage, and invest the principal of the trust with the obligation of providing a growing perpetual source of annual funding to the Water Rate Assistance Fund, administered by the state board, and the Community Water Affordability Assistance Fund, administered by the department, beginning 25 years after the Legislature transfers funding from the General Fund to the Water Affordability and System Stabilization Fund.

This bill would require, during the first 25 years following the Legislature's transfer, 45% of the income of the trust to be transferred from the Water Affordability and System Stabilization Fund to each of the Water Rate Assistance Fund and the continuously appropriated Community Water Affordability Assistance Fund, and would continuously appropriate the remaining 10% of the income of the trust to be invested as part of the principal of the trust. After the first 25 years, the bill would require 50% of the income of the trust to be transferred from the Water Affordability and System Stabilization Fund to each of the Water Rate Assistance Fund and the Community Water Affordability Assistance Fund. The bill would continuously appropriate no more than 1% of the annual income of the trust to pay for administration of the trust. By making continuous appropriations and by transferring moneys into a continuously appropriated fund, the bill would make an appropriation.

This bill would ~~establish~~ require the department, subject to a transfer of moneys by the Legislature, to develop and administer the Community Water Affordability Program to provide funding in the form of grants to local water suppliers for water system repairs, rehabilitation, and enhancements, water safety and quality, and other community water systems for local water system infrastructure projects, as specified, for the purpose of reducing the amount of local ratepayer funding required for those projects. ~~The bill would require the department, upon appropriation by the Legislature, to develop and administer the program.~~ projects and for avoiding costs that would otherwise be paid for by ratepayers. The bill would require the department to develop and adopt

program guidelines and project solicitation documents before disbursing grant ~~funds~~. *funds, and would exempt those guidelines and documents from the rulemaking procedures of the Administrative Procedure Act.* The bill would require the program guidelines ~~to~~ *to, among other things,* require an applicant for a grant to provide at least ~~50%~~ *25%* of the total funding required for the project, as provided. The bill would authorize the department to waive or reduce that minimum amount if that requirement would cause extreme financial hardship to the applicant. The bill would also establish the Community Water Affordability Assistance Fund in the State ~~Treasury~~. *Treasury and would provide for deposit into the fund contributions from private and public entities, as specified.* The bill would ~~make~~ *continuously appropriate* moneys in the fund ~~available, upon appropriation by the Legislature,~~ *to the department for the purposes of the program, including up to 5% annually for administration of the fund, thereby making an appropriation.*

Vote: ~~majority~~ *2/3*. Appropriation: ~~no~~ *yes*. Fiscal committee: *yes*. State-mandated local program: *no*.

The people of the State of California do enact as follows:

1 *SECTION 1. Part 7.5 (commencing with Section 12965) is*
 2 *added to Division 6 of the Water Code, to read:*

3

4 *PART 7.5. WATER AFFORDABILITY AND SYSTEM*
 5 *STABILIZATION*

6

7 *CHAPTER 1. WATER AFFORDABILITY AND SYSTEM*
 8 *STABILIZATION ACT*

9

10 *Article 1. General Provisions*

11

12 *12965. This chapter shall be known, and may be cited, as the*
 13 *Water Affordability and System Stabilization Act.*

14 *12965.5. The Legislature finds and declares all of the*
 15 *following:*

16 *(a) It is the established policy of the state, as stated in Section*
 17 *106.3, that every human being has the right to safe, clean,*
 18 *affordable, and accessible water adequate for human consumption,*
 19 *cooking, and sanitary purposes.*

1 (b) Addressing California’s environmental justice challenges
2 requires that the state work to improve water affordability for
3 impacted communities and households.

4 (c) The cost of water has continued to rise, as has the cost of
5 living in California. The increase in the cost of water is largely
6 attributable to increases in the cost of infrastructure, energy, and
7 regulatory compliance costs.

8 (d) Most of California’s public water systems are governed by
9 Proposition 218, which was passed by voters in November 1996,
10 and requires that customers only be charged proportional, cost of
11 service-based rates. Proposition 218 has been interpreted as
12 prohibiting customers from being charged higher rates to subsidize
13 the costs of other customers.

14 (e) At the same time, climate change has added, and will
15 continue to add, significant additional cost pressure to water
16 systems, as providers must increasingly invest in climate resilience
17 and adaptive infrastructure, which in turn places cost pressure on
18 rates.

19 (f) A low-income rate assistance program will assist in
20 addressing affordability challenges for struggling households, but
21 without addressing system costs, such a program will not be
22 sufficiently effective because these cost pressures will continue to
23 result in increased water rates.

24 (g) Federal and state funding of local water infrastructure helps
25 reduce the amount of ratepayer money that a water system needs
26 to collect to ensure a reliable, safe, and clean water supply for its
27 community, and helps address system affordability constraints.

28 (h) It is in the interest of the people of the state to enact this
29 chapter to establish a trust fund, funded by existing state revenues
30 over multiple years, for the governmental purpose of providing a
31 perpetual source of funding to assist with water system costs that
32 place pressure on water affordability, and to provide low-income
33 Californian households with direct assistance with their water
34 bills, which will provide a benefit to Californians across the state.

35 (i) This chapter does not impose a levy, charge, or exaction of
36 any kind, such as a tax or fee.

37 12966. For purposes of this chapter, the following definitions
38 apply:

39 (a) “Beneficiary” means the people of the state, as represented
40 by the board in its implementation of Chapter 6.2 (commencing

1 *with Section 116930) of Part 12 of Division 104 of the Health and*
2 *Safety Code and its administration of the Water Rate Assistance*
3 *Fund established pursuant to Section 116932 of the Health and*
4 *Safety Code, and the department in its implementation of Chapter*
5 *2 (commencing with Section 12968) and its administration of the*
6 *Community Water Affordability Assistance Fund established*
7 *pursuant to Section 12968. The beneficiary's interest in the trust*
8 *shall only be the distributions required to be made from the trust*
9 *pursuant to subdivision (b) of Section 12967.*

10 (b) *“Board” means the State Water Resources Control Board.*

11 (c) *“Community Water Affordability Assistance Fund” means*
12 *the Community Water Affordability Assistance Fund established*
13 *pursuant to Section 12968.*

14 (d) *“Department” means the Department of Water Resources.*

15 (e) *“Income” means the money, enhanced value, or other*
16 *income the trust receives as current return from the investment of*
17 *the trust principal.*

18 (f) *“Net income” means the trust income earned July 1 to June*
19 *30, inclusive, of the previous fiscal year minus all of the necessary*
20 *and reasonable expenses incident to the administration of the trust*
21 *during that same period, up to 1 percent of the trust income*
22 *pursuant to paragraph (2) of subdivision (e) of Section 12967.*

23 (g) *“Principal” means the trust property, that is held in trust*
24 *for the beneficiary and to accomplish the purposes described in*
25 *Section 12965.5.*

26 (h) *“Trust” means the Water Affordability and System*
27 *Stabilization Trust.*

28 (i) *“Trust fund” means the Water Affordability and System*
29 *Stabilization Fund established pursuant to Section 12966.5 to hold*
30 *the trust property.*

31 (j) *“Trust property” means the money transferred to the trust*
32 *fund and any donation to the trust fund received and accepted by*
33 *the trustee on or after January 1, 2027.*

34 (k) *“Trustee” means the Treasurer, who shall serve as the*
35 *trustee of the trust having all of the fiduciary duties,*
36 *responsibilities, and obligations consistent with serving as a trustee*
37 *of a trust under existing law.*

38 (l) *“Water Rate Assistance Fund” means the Water Rate*
39 *Assistance Fund established pursuant to Section 116932 of the*
40 *Health and Safety Code.*

1 *Article 2. Water Affordability and System Stabilization Trust*

2
3 *12966.5. (a) (1) There is hereby created in the State Treasury*
4 *the Water Affordability and System Stabilization Fund for holding*
5 *the trust property of the Water Affordability and System*
6 *Stabilization Trust and for the purpose of implementing the public*
7 *and governmental purposes of this chapter. Notwithstanding*
8 *Section 13340 of the Government Code, all moneys in the trust*
9 *fund are continuously appropriated to the trustee, without regard*
10 *to fiscal year, for expenditure in accordance with this chapter.*

11 *(2) The distributions by the trustee from the income of the trust*
12 *are hereby transferred to the board and the department for deposit*
13 *into, and expenditure from, the Water Rate Assistance Fund and*
14 *the Community Water Affordability Assistance Fund, respectively,*
15 *in accordance with subdivision (b) of Section 12967.*

16 *(b) The primary purpose of the Water Affordability and System*
17 *Stabilization Trust, a charitable trust established pursuant to this*
18 *chapter, shall be to provide a perpetual source of funding each*
19 *year to the Water Rate Assistance Fund and the Community Water*
20 *Affordability Assistance Fund in furtherance of the trust fund*
21 *purposes described in subdivision (a).*

22 *(c) Moneys in the trust fund, including the trust principal and*
23 *trust income, shall not be available for appropriation or be*
24 *borrowed for use for any purpose not established in this chapter.*

25 *(d) Funding of the principal of the trust is hereby authorized*
26 *and is subject to transfer by the Legislature from the General Fund*
27 *into the trust fund. All future transfers to the trust fund are hereby*
28 *irrevocably transferred from the General Fund during the fiscal*
29 *year the moneys are transferred to the trustee for deposit into the*
30 *Water Affordability and System Stabilization Fund for distribution*
31 *and investment to accomplish the purposes of this chapter and on*
32 *the conditions prescribed in Section 12967.*

33 *(e) Notwithstanding any other law, moneys deposited into the*
34 *trust fund or to fund the trust shall not be transferred to the*
35 *General Fund.*

36 *12967. (a) (1) The trustee shall hold the property of the trust*
37 *for the primary benefit of the trust's beneficiary.*

38 *(2) The trustee shall hold, manage, and invest the principal of*
39 *the trust in accordance with existing law with the obligation of*
40 *providing a growing perpetual source of annual funding to the*

1 *Water Rate Assistance Fund and the Community Water*
2 *Affordability Assistance Fund, beginning 25 years after the*
3 *Legislature transfers funding from the General Fund to the Water*
4 *Affordability and System Stabilization Fund. The trustee shall not*
5 *invade the principal of the trust.*

6 *(b) The trustee shall collect, receive, and monetize, if prudent*
7 *and in accordance with existing law, the income of the trust, and*
8 *shall distribute the income of the trust annually as follows:*

9 *(1) During the first 25 years following the Legislature's first*
10 *transfer of revenue from the General Fund to the trust fund, the*
11 *trustee shall distribute the income of the trust as follows:*

12 *(A) Transfer 45 percent of the total income deposited into the*
13 *trust fund during the prior fiscal year to the Water Rate Assistance*
14 *Fund for the board to expend in accordance with Chapter 6.2*
15 *(commencing with Section 116930) of Part 12 of Division 104 of*
16 *the Health and Safety Code.*

17 *(B) Transfer 45 percent of the total income deposited into the*
18 *trust fund during the prior fiscal year to the Community Water*
19 *Affordability Assistance Fund for the department to expend in*
20 *accordance with Chapter 2 (commencing with Section 12968).*

21 *(C) In accordance with existing law, invest the remaining 10*
22 *percent of the total income deposited into the trust fund during the*
23 *prior fiscal year as part of the trust principal.*

24 *(2) After the first 25 years following the Legislature's first*
25 *transfer of revenue from the General Fund to the trust fund, the*
26 *trustee shall distribute the income of the trust as follows:*

27 *(A) Transfer 50 percent of the total income deposited into the*
28 *trust fund during the prior fiscal year to the Water Rate Assistance*
29 *Fund for the board to expend in accordance with Chapter 6.2*
30 *(commencing with Section 116930) of Part 12 of Division 104 of*
31 *the Health and Safety Code.*

32 *(B) Transfer 50 percent of the total income deposited into the*
33 *trust fund during the prior fiscal year to the Community Water*
34 *Affordability Assistance Fund for the department to expend in*
35 *accordance with Chapter 2 (commencing with Section 12968).*

36 *(c) Notwithstanding any other law, the trustee, and any employee*
37 *or agent of the trustee, shall not sell, purchase, exchange, or*
38 *otherwise deal with or dispose of all or any parts of the principal*
39 *of the trust.*

1 (d) The trustee shall exercise its administration of the trust as
 2 a fiduciary to the beneficiary. The trustee, in its administration of
 3 the trust, shall abide by the Uniform Prudent Investor Act (Article
 4 2.5 (commencing with Section 16045) of Chapter 1 of Part 4 of
 5 Division 9 of the Probate Code). The trustee shall have the powers,
 6 obligations, and responsibilities of a trustee prescribed in Part 4
 7 (commencing with Section 16000) of Division 9 of the Probate
 8 Code that are not inconsistent with the purposes of this chapter.

9 (e) The trustee shall:

10 (1) Have the power to accept donations that shall be deemed
 11 property of the trust and increase the principal of the trust.
 12 Donations shall not be expended or transferred until the
 13 Legislature transfers funding from the General Fund to the Water
 14 Affordability and System Stabilization Fund.

15 (2) Use no more than 1 percent of the income of the trust earned
 16 July 1 to June 30, inclusive, of each fiscal year to pay for the
 17 necessary and reasonable expenses incident to the administration
 18 of the trust during that same period.

19 (f) The trustee shall provide for appropriate, as determined by
 20 the trustee, audit, accounting, and fiscal management services,
 21 plans, and reports relative to the trust fund, in accordance with
 22 generally accepted accounting principles adopted by the
 23 Governmental Accounting Standards Board.

24 (g) The trustee annually shall provide the board and the
 25 department with an accounting of the investments and a forecast
 26 of the projected income to be distributed from the trust fund in
 27 future fiscal years.

28 (h) The trust shall be deemed a charitable trust subject to the
 29 supervision of the Attorney General.

30

31 *CHAPTER 2. COMMUNITY WATER AFFORDABILITY PROGRAM*

32

33 12968. (a) For purposes of this chapter, the following
 34 definitions apply:

35 (1) "Board" means the State Water Resources Control Board.

36 (2) "Community water system" has the same meaning as defined
 37 in Section 116275 of the Health and Safety Code.

38 (3) "Department" means the Department of Water Resources.

39 (4) "Fund" means the Community Water Affordability
 40 Assistance Fund.

1 (5) “Program” means the Community Water Affordability
2 Program.

3 (b) (1) The department shall, subject to transfer of moneys into
4 the fund by the Legislature, develop and administer the Community
5 Water Affordability Program. The program shall provide funding
6 in the form of grants to community water systems for local water
7 infrastructure projects that shall include, but are not limited to,
8 projects that improve water supplies, resiliency, or quality, and
9 projects that reduce energy costs for a community water system.
10 The purpose of the grants shall be reducing the amount of local
11 ratepayer funding required for those projects and for avoiding
12 costs that would otherwise be paid for by ratepayers.

13 (2) (A) Before disbursing grant funds pursuant to this section,
14 the department shall develop and adopt program guidelines and
15 project solicitation documents, after soliciting public comment
16 and feedback inclusive of community water systems. The guidelines
17 and project solicitation documents developed pursuant to this
18 section are not subject to Chapter 3.5 (commencing with Section
19 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

20 (B) The program guidelines shall do all of the following:

21 (i) Require an applicant for a grant to provide at least 25
22 percent of the total funding required for the project. Federal
23 funding and other state loans and grants may be included in this
24 amount. The department may waive or reduce that minimum
25 amount if that requirement would cause extreme financial hardship
26 to the applicant.

27 (ii) Establish a methodology for evaluating projects for purposes
28 of a grant award by consideration of factors that include, but are
29 not limited to, the net present value of the cost avoided on a per
30 account basis over a 25-year period of time, the applicant’s ability
31 to complete the project in a timely manner, and the number of
32 households it would benefit.

33 (iii) The established methodology for evaluating projects for
34 purposes of a grant award shall not consider an applicant’s ability
35 to provide the minimum amount of total funding required by clause
36 (i) and shall not prejudice an applicant for requesting that the
37 department waive or reduce that minimum amount due to financial
38 hardship.

39 (C) Before adopting program guidelines and project solicitation
40 documents, the department shall hold at least three public

1 workshops throughout the state on draft program guidelines and
2 shall provide at least 45 days of public comment on the draft.

3 (3) The department shall annually post on its internet website
4 a report on the revenues, expenditures, and benefits of the fund
5 for the prior fiscal year. The report shall include the cumulative
6 and fiscal year number of households the Community Water
7 Assistance Program has benefited and the estimated amount of
8 cost the program has caused to be avoided.

9 (4) The department shall coordinate with the board for projects
10 that seek to combine funding from the program and the board.

11 (c) The department may undertake any of the following actions
12 to implement the fund:

13 (1) Provide for the deposit of any of the following moneys into
14 the fund:

15 (A) Federal contributions.

16 (B) Voluntary contributions, gifts, grants, or bequests.

17 (C) Financial participation by a public agency in an activity
18 authorized for funding from the fund.

19 (2) Enter into agreements for contributions to the fund from the
20 federal government, local or state agencies, or private corporations
21 or nonprofit organizations.

22 (3) Take additional action as may be appropriate for adequate
23 administration and operation of the fund.

24 (4) Expend moneys from the fund for reasonable costs associated
25 with administration of the fund, including outreach regarding the
26 availability of the funding. The department shall not expend more
27 than 5 percent of the annual revenue from the fund for reasonable
28 costs associated with the administration of the fund.

29 (d) The department may set appropriate requirements as a
30 condition of funding, including, but not limited to, any of the
31 following:

32 (1) An audit.

33 (2) Improvements to reduce costs and increase efficiencies of
34 the infrastructure project funded.

35 (3) An evaluation of alternatives.

36 (e) The Community Water Affordability Assistance Fund is
37 hereby established in the State Treasury. Notwithstanding Section
38 13340 of the Government Code, all moneys in the fund are
39 continuously appropriated to the department, without regard to
40 fiscal year, in accordance with this chapter. Moneys in the fund

1 *at the close of the fiscal year shall remain in the fund and shall*
 2 *not revert to the General Fund. Moneys in the fund shall not be*
 3 *available for appropriation or borrowed for use for any purpose*
 4 *not established in this chapter unless that use of the moneys is*
 5 *authorized by statute that receives an affirmative vote of two-thirds*
 6 *of the membership in each house of the Legislature.*

7 SECTION 1. ~~Part 7.5 (commencing with Section 12965) is~~
 8 ~~added to Division 6 of the Water Code, to read:~~

9

10 ~~PART 7.5. COMMUNITY WATER AFFORDABILITY~~
 11 ~~PROGRAM~~

12

13 ~~12965. (a) For purposes of this part, the following definitions~~
 14 ~~apply:~~

15 ~~(1) "Fund" means the Community Water Affordability~~
 16 ~~Assistance Fund.~~

17 ~~(2) "Program" means the Community Water Affordability~~
 18 ~~Program.~~

19 ~~(b) (1) The department shall, upon appropriation by the~~
 20 ~~Legislature, develop and administer the Community Water~~
 21 ~~Affordability Program. The program shall provide funding in the~~
 22 ~~form of grants to local water suppliers for water system repairs,~~
 23 ~~rehabilitation, and enhancements, water safety and quality, and~~
 24 ~~other local water system infrastructure projects, for the purpose~~
 25 ~~of reducing the amount of local ratepayer funding required for~~
 26 ~~those projects.~~

27 ~~(2) (A) Before disbursing grant funds pursuant to this section,~~
 28 ~~the department shall develop and adopt program guidelines and~~
 29 ~~project solicitation documents. The guidelines and project~~
 30 ~~solicitation documents developed pursuant to this section are not~~
 31 ~~subject to Chapter 3.5 (commencing with Section 11340) of Part~~
 32 ~~1 of Division 3 of Title 2 of the Government Code.~~

33 ~~(B) The program guidelines shall require an applicant for a grant~~
 34 ~~to provide at least 50 percent of the total funding required for the~~
 35 ~~project. Federal funding and other state loans and grants may be~~
 36 ~~included in this amount. The department may waive or reduce that~~
 37 ~~minimum amount if that requirement would cause extreme financial~~
 38 ~~hardship to the applicant.~~

39 ~~(c) The Community Water Affordability Assistance Fund is~~
 40 ~~hereby established in the State Treasury. Upon appropriation by~~

- 1 the Legislature, moneys in the fund shall be made available to the
- 2 department for the purposes of the program.

O

AMENDED IN SENATE MARCH 25, 2026

SENATE BILL

No. 1125

**Introduced by Senator Menjivar
(Coauthors: Senators Durazo and Gonzalez)**

February 17, 2026

An act to ~~amend Section 116772 of the Health and Safety Code, relating to drinking water.~~ *add Chapter 6.2 (commencing with Section 116930) to Part 12 of Division 104 of the Health and Safety Code, relating to drinking water.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1125, as amended, Menjivar. ~~Public water systems: drinking water needs assessment.~~ *Water Rate Assistance Program.*

Existing law requires the State Water Resources Control Board to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program. Existing law requires the plan to include, among other things, a description of the method for collecting moneys to support and implement the program and a description of the method for determining the amount of moneys that may need to be collected from water ratepayers to fund the program.

This bill would establish the Water Rate Assistance Program. As part of the program, the bill would establish the Water Rate Assistance Fund in the State Treasury, available upon appropriation by the Legislature, to provide water affordability assistance for residential water services to low-income residential ratepayers, as specified. The bill would require the state board to take various actions in administering the fund, including, among other things, tracking and managing revenue in the fund separately from all other revenue. The bill would require the state board, in consultation with relevant agencies and after a public

hearing, to adopt guidelines for implementation of the program and to adopt an annual report to be posted on the state board's internet website identifying how the fund has performed, as specified. The bill would require the guidelines to include minimum requirements for eligible systems, including the ability to confirm eligibility for enrollment through a request for self-certification of eligibility under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. The bill would require the state board to take various actions in administering the program, including, but not limited to, providing guidance, oversight, and funding for low-income rate assistance for residential ratepayers of eligible systems. The bill would authorize the Attorney General, at the request of the state board, to bring an action in state court to restrain the use of any method, act, or practice in violation of these provisions, except as provided. The bill would make the implementation of all of these provisions contingent upon an appropriation by the Legislature.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties relating to the regulation of drinking water to protect public health. Existing law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Existing law requires the state board to annually adopt a fund expenditure plan, as provided, and requires expenditures from the fund to be consistent with the fund expenditure plan. Existing law requires the state board to base the fund expenditure plan on data and analysis drawn from a specified drinking water needs assessment.~~

~~This bill would require the board to, on or before May 1, 2027, and on or before May 1 of each year thereafter, develop a drinking water needs assessment, as specified. The bill would require the assessment to include an analysis of the funds necessary to make water service affordable for customers of community water systems with fewer than~~

3,000 service connections and would require this analysis to be updated at least every 3 years.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 6.2 (commencing with Section 116930)
2 is added to Part 12 of Division 104 of the Health and Safety Code,
3 to read:

4
5 CHAPTER 6.2. WATER RATE ASSISTANCE PROGRAM
6

7 116930. (a) The Legislature finds and declares all of the
8 following:

9 (1) Existing state law declares that it is the established policy
10 of the state that every human being has the right to safe, clean,
11 affordable, and accessible water adequate for human consumption,
12 cooking, and sanitary purposes.

13 (2) In 2015, the Legislature passed Assembly Bill 401 (Chapter
14 662 of the Statutes of 2015) that required the State Water
15 Resources Control Board to develop a plan, informed by the public
16 and the State Board of Equalization, for a statewide low-income
17 rate assistance for water.

18 (3) In 2020, the state board released a report pursuant to
19 Assembly Bill 401 (Chapter 662 of the Statutes of 2015), which is
20 entitled "Recommendations for Implementation of a Statewide
21 Low-Income Water Rate Assistance Program," that found that it
22 would take over one hundred forty million dollars (\$140,000,000)
23 annually to create a low-income water rate assistance program.

24 (4) The cost of water has continued to rise, outpacing the rate
25 of inflation and putting too many California families at risk of
26 water shutoffs.

27 (5) Climate change adds additional cost pressure to water and
28 sewer systems, which increasingly must invest in climate resilience.

29 (6) While many public water systems offer some form of bill
30 assistance to a limited number of customers, Proposition 218, as
31 approved by the voters at the November 5, 1996, statewide general
32 election, limits their ability to fully fund those programs.

1 (7) *California must continue to lead the nation by establishing*
2 *statewide low-income rate assistance for water and sewer and, by*
3 *doing so, help to ensure universal access to essential services.*

4 (b) *It is the intent of the Legislature that funding for a water*
5 *affordability program be progressive, not create affordability*
6 *challenges for ratepayers, and be durable.*

7 116931. *For purposes of this chapter, the following definitions*
8 *apply:*

9 (a) *“Community water system” has the same meaning as defined*
10 *in Section 116275.*

11 (b) *“Effective date” means the effective date of the*
12 *appropriation described in Section 116942.*

13 (c) *“Eligible system” means a community water system, or a*
14 *participating tribal water system.*

15 (d) *“Fund” means the Water Rate Assistance Fund created*
16 *pursuant to Section 116932.*

17 (e) *“Local water rate assistance program” means a drinking*
18 *water low-income rate assistance program that is established,*
19 *funded, and administered by a community water system to provide*
20 *water rate assistance to its eligible low-income ratepayers. Local*
21 *water rate assistance programs may be funded through any funding*
22 *a community water system has available to provide water rate*
23 *assistance to its ratepayers, provided it does not use any funding*
24 *derived from a fee or charge levied pursuant to Article XIII D of*
25 *the California Constitution.*

26 (f) *“Low-income” means an annual household income that is*
27 *no greater than 200 percent of the federal poverty guideline level*
28 *and consistent with the guidelines established for the California*
29 *Alternative Rates for Energy (CARE) program pursuant to*
30 *subdivision (a) of Section 739.1 of the Public Utilities Code.*

31 (g) *“Program” means the Water Rate Assistance Program*
32 *established pursuant to this chapter.*

33 (h) *“Relevant agencies” means those agencies that have a role,*
34 *through data collection, regulation, or enforcement, in providing*
35 *services, oversight, and assistance to public water systems and*
36 *low-income ratepayers.*

37 (i) *“Residential ratepayer” means a resident of a single-family*
38 *or multifamily residence who receives a bill for residential water.*

39 (j) *“State board” means the State Water Resources Control*
40 *Board.*

1 116932. (a) *The Water Rate Assistance Fund is hereby*
2 *established in the State Treasury to provide water affordability*
3 *assistance for residential water services to low-income residential*
4 *ratepayers. Moneys in the fund shall be available upon*
5 *appropriation by the Legislature to the state board to provide, in*
6 *consultation with relevant agencies, direct water bill assistance*
7 *to low-income residential ratepayers served by eligible systems.*

8 (b) *The program shall be entirely funded by the fund or other*
9 *available state or federal funding.*

10 (c) (1) *The state board shall, upon appropriation by the*
11 *Legislature, expend moneys from the fund for reasonable costs*
12 *associated with the administration of this chapter.*

13 (2) *Commencing 365 days after the effective date, funds for the*
14 *reasonable costs associated with the administration of this chapter*
15 *shall not exceed 10 percent of the average annual deposits into*
16 *the fund. “Reasonable costs associated with the administration of*
17 *this chapter” includes relevant agencies’ administrative costs*
18 *associated with this chapter. The state board shall pay eligible*
19 *systems for reasonable costs associated with the administration*
20 *of this chapter, which shall not count toward the 10-percent*
21 *limitation.*

22 (3) *Commencing 450 days after the effective date, a minimum*
23 *of 80 percent of total expenditures from the fund shall be directly*
24 *applied to residential ratepayer accounts.*

25 (d) *The state board may undertake any of the following actions*
26 *to implement this chapter:*

27 (1) *Provide for the deposit of any of the following moneys into*
28 *the fund:*

29 (A) *Federal or state funding.*

30 (B) *Voluntary contributions, including, but not limited to, gifts,*
31 *grants, or bequests.*

32 (C) *Any previously distributed funds returned to the fund*
33 *pursuant to a process developed pursuant to paragraph (10) of*
34 *subdivision (b) of Section 116934.*

35 (2) *Enter into funding agreements with the federal government,*
36 *local or state agencies, private entities, or nonprofit organizations.*

37 (3) *Take additional action as necessary and appropriate for*
38 *adequate administration and operation of the fund and provision*
39 *of direct residential water bill assistance.*

1 116933. *The state board shall do all of the following in*
2 *administering the fund:*

3 (a) *Track and manage revenue in the fund separately from all*
4 *other revenue.*

5 (b) *Develop and implement a process for the state board to*
6 *disburse program funds to eligible systems for direct application*
7 *to the system's low-income residential ratepayer accounts,*
8 *including controls to prevent fraud, waste, and abuse.*

9 (c) *Manage and maintain fund balances in conjunction with the*
10 *Controller, the Treasurer, the California State Auditor's Office,*
11 *and the Department of Finance, as appropriate.*

12 (d) (1) *Expend, upon appropriation by the Legislature, moneys*
13 *in the fund for grants, contracts, or services to provide benefits to*
14 *eligible residential ratepayers.*

15 (2) *Services may include technical assistance to eligible systems*
16 *serving fewer than 3,300 connections to administer the application*
17 *of funds to low-income residential ratepayer accounts, including*
18 *initial startup costs.*

19 (3) *The state board shall identify and contract with one or more*
20 *third-party providers, to the extent authorized by Section 19130*
21 *of the Government Code. The scope of work for a third-party*
22 *provider shall include, but not be limited to, the receipt of*
23 *California Alternate Rates for Energy (CARE) enrollment data*
24 *pursuant to the mechanism established pursuant to subdivision*
25 *(a) of Section 116936, the receipt of information from eligible*
26 *systems, the creation of eligible customer lists to be provided to*
27 *eligible systems, call center services, internet-based enrollments,*
28 *document intake and processing, and provision of notices to*
29 *eligible customers of enrollment into the program and an*
30 *opportunity for a customer to opt out of the program.*

31 (e) *Establish a process for contracted third-party providers or*
32 *other entities responsible for enrollment to regularly confirm the*
33 *eligibility of recipients, based upon income eligibility pursuant to*
34 *subdivision (f) of Section 116931.*

35 116934. (a) *Within 270 days of the effective date, the state*
36 *board, in consultation with relevant agencies and after a public*
37 *hearing, shall adopt guidelines for implementation of the program.*

38 (b) *The guidelines shall include, at minimum, all of the*
39 *following:*

1 (1) (A) *Direction to eligible systems to automatically enroll*
2 *households in the program if the residential ratepayer's household*
3 *is a utility customer enrolled in the California Alternate Rates for*
4 *Energy (CARE) program established pursuant to Section 739.1 of*
5 *the Public Utilities Code.*

6 (B) *A process to enroll other households if available information*
7 *shows that any member of the residential ratepayer's household*
8 *is a current enrollee in, or recipient of, CalWORKs, CalFresh,*
9 *general assistance, Medi-Cal, Supplemental Security Income or*
10 *the State Supplementary Payment Program, or the California*
11 *Special Supplemental Nutrition Program for Women, Infants, and*
12 *Children.*

13 (2) *Eligibility criteria for enrollment into the program for*
14 *customers not automatically enrolled shall ensure customers satisfy*
15 *the definition of low-income.*

16 (3) *Minimum requirements for eligible systems, including all*
17 *of the following:*

18 (A) *Participation in the statewide program.*

19 (B) *A process for enrollment into the program for households*
20 *that meet the eligibility criteria pursuant to paragraph (2).*

21 (C) *The ability to confirm eligibility for enrollment through a*
22 *request for self-certification of eligibility under penalty of perjury.*

23 (D) *A process for eligible systems, at their sole discretion, to*
24 *elect whether and the extent to which they will rely on third-party*
25 *providers for the services within the scope of work set forth in*
26 *paragraph (3) of subdivision (d) of Section 116933, or instead*
27 *elect to perform one or more of these services itself.*

28 (E) *A process for eligible systems to share information with*
29 *third-party providers, to the extent necessary for third-party*
30 *providers to provide the services elected by the eligible system*
31 *pursuant to subparagraph (D).*

32 (4) *A process for the state board to provide funding to eligible*
33 *systems for application to eligible low-income residential ratepayer*
34 *accounts. Funding shall be provided to eligible systems on, at*
35 *minimum, an annual basis.*

36 (5) *Consistent with Article XIII D of the California Constitution,*
37 *guidance to eligible systems regarding payment of reasonable*
38 *costs for administration of the program. Reasonable costs for*
39 *administration shall include, but are not limited to, the following:*

40 (A) *Staff costs to implement the program.*

1 (B) Changes to billing systems needed to provide bill credits.

2 (C) Communication materials to customers about the program.

3 (6) (A) A process for eligible systems to provide a flat bill credit
4 to low-income residential ratepayers of no less than twenty dollars
5 (\$20.00) per month. The state board shall update the flat bill credit
6 annually to reflect changes in the Consumer Price Index.

7 (B) A process for eligible systems to opt to instead provide a
8 bill credit to low-income residential ratepayers of 20 percent of
9 the total water charges for a volume of water similar to that
10 identified in Section 10609.4 of the Water Code, if this bill credit
11 would be higher than the flat bill credit developed by the state
12 board pursuant to subparagraph (A).

13 (7) A provision to audit eligible systems receiving funds under
14 this chapter regarding the receipt and distribution of those funds.

15 (8) Parameters and options for providing funding to eligible
16 systems that bill exclusively or partially on the property tax roll.

17 (9) A process for exemption of eligible systems from providing
18 low-income rate assistance upon determination by the state board
19 that the system does not have eligible residential ratepayers.
20 Exemptions shall be reviewed periodically to determine whether
21 any residential ratepayers of the eligible system have become
22 eligible for assistance.

23 (10) A process for eligible systems to return funds to the state
24 if needed.

25 (11) (A) In the event that full funding is not immediately
26 available, a process for determining how implementation will be
27 prioritized among eligible systems.

28 (B) If an eligible system does not receive funding as part of the
29 prioritization process, the eligible system shall not be required to
30 comply with this chapter. The state board shall provide notice to
31 eligible systems if they are not required to comply with this chapter.

32 (c) The state board shall hold at least three public workshops
33 throughout the state on the draft guidelines, and shall provide at
34 least 45 days for public comment on the draft.

35 116935. (a) The state board shall, in consultation with relevant
36 agencies and after a public hearing, adopt an annual report to be
37 posted on the state board's internet website identifying how the
38 fund has performed.

39 (b) The annual report shall contain all of the following:

1 (1) A report of expenditures from the fund for the prior fiscal
2 year, including how many households were served, and estimated
3 expenditures for the current fiscal year.

4 (2) An estimate of the number of households eligible for
5 assistance. The estimate shall not be based on a
6 household-by-household evaluation.

7 (3) An evaluation of available relevant information regarding
8 any household-level water affordability issues that remain after
9 application of bill assistance.

10 (4) A description of methods to include public participation and
11 efforts to encourage enrollment in the program.

12 (5) An estimate of the anticipated funding needs for the next
13 fiscal year.

14 (c) The state board shall, to the extent feasible, rely on existing
15 data collected pursuant to Section 116530.

16 116936. (a) Within 365 days of the effective date, the Public
17 Utilities Commission shall establish a mechanism for electrical
18 corporations and gas corporations to regularly share data that
19 includes customer names and account addresses with the
20 third-party providers regarding the utility customers enrolled in,
21 or eligible to be enrolled in, the California Alternate Rates for
22 Energy (CARE) program established pursuant to Section 739.1 of
23 the Public Utilities Code. Electrical corporations and gas
24 corporations shall regularly share that data with third-party
25 providers through the mechanism.

26 (b) (1) The state board and third-party providers may enter
27 into agreements with local publicly owned electric utilities and
28 local publicly owned gas utilities, including, but not limited to,
29 municipal utility districts and irrigation districts, for the purpose
30 of regularly sharing data that includes customer names and
31 account addresses with the third-party provider regarding utility
32 customers enrolled in, or eligible to be enrolled in, affordability
33 programs benefiting low-income residential ratepayers.

34 (2) The agreements may authorize third-party providers to
35 provide data pursuant to this subdivision to eligible systems for
36 the sole purpose of assisting with the administration of the
37 program.

38 (c) Data shared pursuant to subdivision (a) or (b) is subject to
39 Section 7927.410 of the Government Code and the Information

1 *Practices Act of 1977 (Chapter 1 (commencing with Section 1798)*
2 *of Title 1.8 of Part 4 of Division 3 of the Civil Code).*

3 *(d) Data shared pursuant to subdivision (a) or (b) shall not be*
4 *considered a disclosure under Section 1798.83 of the Civil Code.*

5 *116937. (a) Chapter 3.5 (commencing with Section 11340) of*
6 *Part 1 of Division 3 of Title 2 of the Government Code does not*
7 *apply to any guidelines developed by the state board pursuant to*
8 *this chapter.*

9 *(b) (1) Notwithstanding Section 11019 of the Government Code,*
10 *the state board shall, to the extent permissible, make advance*
11 *payments to eligible systems for direct residential water bill*
12 *assistance, for related administrative costs, and to implement the*
13 *purposes of this chapter.*

14 *(2) Before distribution of an advance payment, eligible systems*
15 *shall provide to the state board an estimate of the number of*
16 *households enrolled in the program and their expected bill credits.*

17 *(3) The state board shall have discretion regarding the terms*
18 *and conditions that apply to advance payment.*

19 *(c) An eligible system shall provide a full accounting of its*
20 *expenditures on an annual basis and as requested by the state*
21 *board.*

22 *(d) The state board, in consultation with the Public Utilities*
23 *Commission, may authorize up to 5 percent of program funding*
24 *to establish pilot projects that include expenditures that improve*
25 *residential water or wastewater affordability for low-income*
26 *residential households through installation of water efficiency*
27 *measures or assistance programs that otherwise improve*
28 *residential water or wastewater affordability in mobilehome parks,*
29 *multifamily housing, or other households that do not directly pay*
30 *a residential water or wastewater bill.*

31 *116938. The state board shall do all of the following in*
32 *administering the program:*

33 *(a) Provide guidance, oversight, and funding for low-income*
34 *rate assistance for residential ratepayers of eligible systems.*

35 *(b) Coordinate with the Public Utilities Commission, to the*
36 *extent reasonable and consistent with this chapter and related*
37 *policy goals, to align criteria between all existing water rate*
38 *assistance programs offered by investor-owned utilities, and to*
39 *ensure timely processing of payments to investor-owned utilities.*

1 (c) For an eligible system that is not regulated by the Public
2 Utilities Commission, consult with relevant agencies on options
3 to provide oversight of the eligible system's application of program
4 funds to the system's low-income residential ratepayer accounts
5 pursuant to this chapter to ensure effectiveness and prevent fraud,
6 waste, and abuse.

7 (d) Coordinate with other relevant state agencies and resolve
8 disputes as necessary.

9 (e) Consider identifying alternative entities to distribute and
10 track benefits if the state board determines that an eligible system
11 is incapable of applying program funds to residential ratepayers
12 of the system pursuant to this chapter.

13 116939. (a) This chapter does not prohibit an eligible system
14 from administering a local water rate assistance program that is
15 in addition to, or on top of, or different from, the assistance
16 provided through the program. Local water rate assistance
17 programs are administered independently and separately from the
18 program without oversight from the state board.

19 (b) (1) An eligible system that offers assistance through a local
20 water rate assistance program that is in addition to the assistance
21 provided through the program to the qualifying ratepayers served
22 by the program shall still receive funds from the program for the
23 eligible portion of the assistance.

24 (2) An eligible system with a local water rate assistance program
25 may request that the state board allocate the funds from the
26 program to an existing local water rate assistance program by
27 entering into a memorandum of understanding with the state board
28 that describes the parameters, eligibility criteria, and enrollment
29 of the local water rate assistance program. Notwithstanding
30 paragraphs (2) to (11), inclusive, of subdivision (b) of Section
31 116934, an eligible system may customize its local water rate
32 assistance program through a memorandum of understanding with
33 the state board as long as comparable benefits will be offered to
34 the system's low-income residential ratepayers.

35 116940. (a) Within 450 days of the effective date, or by any
36 other date set by the state board based on a process for
37 prioritization among eligible systems established pursuant to
38 paragraph (11) of subdivision (b) of Section 116934, all nontribal
39 community water systems shall begin providing water rate
40 assistance to residential ratepayers in compliance with the

1 *minimum requirements specified in subdivision (c) of Section*
2 *116932. A tribal water system may offer water rate assistance.*
3 *Eligible systems shall continue to provide water rate assistance*
4 *to low-income residential ratepayers as long as there is sufficient*
5 *state or federal funding available to provide water rate assistance*
6 *and fund eligible systems for reasonable costs for administration*
7 *of the program.*

8 *(b) If the state board has not met the deadline in subdivision*
9 *(a) of Section 116934 for the adoption of program implementation*
10 *guidelines within 270 days of the effective date, the deadline in*
11 *subdivision (a) of this section shall be delayed by the total number*
12 *of additional days the state board takes to adopt program*
13 *implementation guidelines to the first date that is the beginning*
14 *of an eligible system's billing cycle.*

15 *116941. (a) The Attorney General, at the request of the state*
16 *board, may bring an action in state court to restrain, by temporary*
17 *or permanent injunction, the use of any method, act, or practice*
18 *declared in this chapter to be unlawful, including nonparticipation*
19 *by a public water system within the program.*

20 *(b) The state board shall not request an action nor shall the*
21 *Attorney General bring an action against an eligible system for*
22 *failing to meet the requirements of Sections 116938 and 116940,*
23 *as long as the eligible system makes a good faith effort to*
24 *implement this chapter or the eligible system has been notified*
25 *that they do not need to comply with this chapter pursuant to*
26 *subparagraph (B) of paragraph (11) of subdivision (b) of Section*
27 *116934.*

28 *116942. Implementation of this chapter is contingent upon an*
29 *appropriation by the Legislature for its purposes.*

30 *SEC. 2. No reimbursement is required by this act pursuant to*
31 *Section 6 of Article XIII B of the California Constitution because*
32 *the only costs that may be incurred by a local agency or school*
33 *district will be incurred because this act creates a new crime or*
34 *infraction, eliminates a crime or infraction, or changes the penalty*
35 *for a crime or infraction, within the meaning of Section 17556 of*
36 *the Government Code, or changes the definition of a crime within*
37 *the meaning of Section 6 of Article XIII B of the California*
38 *Constitution.*

39 ~~SECTION 1. Section 116772 of the Health and Safety Code~~
40 ~~is amended to read:~~

1 ~~116772. (a) (1) By January 1, 2021, the board, in consultation~~
2 ~~with local health officers and other relevant stakeholders, shall use~~
3 ~~available data to make available a map of aquifers that are at high~~
4 ~~risk of containing contaminants that exceed safe drinking water~~
5 ~~standards that are used or likely to be used as a source of drinking~~
6 ~~water for a state small water system or a domestic well. The board~~
7 ~~shall update the map annually based on new and relevant data.~~

8 ~~(2) The board shall make the map of high-risk areas, as well as~~
9 ~~the data used to make the map, publicly accessible on its internet~~
10 ~~website in a manner that complies with the Information Practices~~
11 ~~Act of 1977 (Chapter 1 (commencing with Section 1798) of Title~~
12 ~~1.8 of Part 4 of Division 3 of the Civil Code). The board shall~~
13 ~~notify local health officers and county planning agencies of~~
14 ~~high-risk areas within their jurisdictions.~~

15 ~~(b) (1) By January 1, 2021, a local health officer or other~~
16 ~~relevant local agency shall provide to the board all results of, and~~
17 ~~data associated with, water quality testing performed by a~~
18 ~~laboratory that has accreditation or certification pursuant to Article~~
19 ~~3 (commencing with Section 100825) of Chapter 4 of Part 1 of~~
20 ~~Division 101 for a state small water system or domestic well that~~
21 ~~was collected after January 1, 2014, and that is in the possession~~
22 ~~of the local health officer or other relevant local agency.~~

23 ~~(2) By January 1, 2022, and by January 1 of each year thereafter,~~
24 ~~all results of, and data associated with, water quality testing~~
25 ~~performed by a laboratory that has accreditation or certification~~
26 ~~pursuant to Article 3 (commencing with Section 100825) of~~
27 ~~Chapter 4 of Part 1 of Division 101 for a state small water system~~
28 ~~or domestic well that is submitted to a local health officer or other~~
29 ~~relevant local agency shall also be submitted directly to the board~~
30 ~~in electronic format.~~

31 ~~(c) (1) On or before May 1, 2027, and on or before May 1 of~~
32 ~~each year thereafter, the board, in consultation with the advisory~~
33 ~~group established pursuant to Section 116768.5 and appropriate~~
34 ~~stakeholders, shall develop a drinking water needs assessment.~~

35 ~~(2) The assessment pursuant to paragraph (1) shall include an~~
36 ~~analysis of the funds necessary to make water service affordable~~
37 ~~for customers of community water systems with fewer than 3,000~~
38 ~~service connections.~~

1 ~~(3) The analysis described paragraph (2) shall be updated at~~
2 ~~least every three years.~~

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AMENDED IN ASSEMBLY APRIL 6, 2026

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 2013

Introduced by Assembly Member Bennett
(Coauthors: Assembly Members Ahrens, Alvarez, Bauer-Kahan,
Connolly, Harabedian, and Hart)
~~(Coauthor: Senator Stern)~~
(Coauthors: Senators Pérez and Stern)

February 17, 2026

An act to add Part 2.25 (commencing with Section 10555) to Division 6 of the Water Code, relating to water resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 2013, as amended, Bennett. ~~Fire~~ *High and very high fire risk areas: water suppliers: emergency preparedness plan: community water systems: preparedness and resiliency.*

Existing law 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. ~~Existing law 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, as provided.~~

This bill would require a ~~water supplier~~ *community water system* that services more than 100 customers that are located in a ~~moderate, high, high or very high fire hazard severity zone, as specified, to establish an emergency preparedness plan for response to red flag warnings, extreme weather events, and other major power outages or emergencies that pose a potential threat to providing adequate water service.~~ *risk area,*

as defined, to include an annex to its disaster preparedness plans, as provided, that includes information regarding system preparedness and resiliency during a wildfire. The bill would require the ~~plan~~ annex to contain several things, including, among others, an assessment that identifies the minimum number of and type of water pumps that are necessary to maintain ~~water service for customers while providing an adequate water supply for fire fighting activities.~~ average daily capacity, including, but not limited to, the operation of fire hydrant systems at the rated capacity. The bill would require the community water system, beginning January 1, 2028, to review the annex at least once every 3 years and to update the annex as necessary.

The bill would prohibit anything contained in the annex from enlarging or diminishing any existing liability and would prohibit information provided in the annex from, on its own, demonstrating a substantial cause of any damages resulting from a wildfire.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Part 2.25 (commencing with Section 10555) is
 2 added to Division 6 of the Water Code, to read:

3

4 PART 2.25. EMERGENCY PREPAREDNESS PLANNING

5

6 10555. (a) For purposes of this part, ~~“plan” means an~~
 7 ~~emergency preparedness plan developed pursuant to subdivision~~
 8 ~~(b).~~ the following definitions apply:

9 (1) “Annex” means the annex required by subdivision (b).

10 (2) “Community water system” has the same meaning as in
 11 Section 116275 of the Health and Safety Code.

12 (3) “High or very high fire risk area” means a high or very
 13 high fire hazard severity zone as designated by the State Fire
 14 Marshal pursuant to Section 51178 of the Government Code.

15 (b) A ~~water supplier~~ community water system that services more
 16 than 100 customers that are located in a ~~moderate, high, or very~~
 17 ~~high fire hazard severity zone as designated by the State Fire~~
 18 ~~Marshal pursuant to Section 51178 of the Government Code, or a~~
 19 ~~local agency pursuant to Section 51179 of the Government Code,~~
 20 shall establish an emergency preparedness plan for response to red

1 ~~flag warnings, extreme weather events, and other major power~~
 2 ~~outages or emergencies that pose a potential threat to providing~~
 3 ~~adequate water service to the moderate, high, or very high fire~~
 4 ~~hazard severity zone. high or very high fire risk area shall include~~
 5 ~~an annex to its disaster preparedness plans with information~~
 6 ~~regarding system preparedness and resiliency during a wildfire,~~
 7 ~~including any applicable emergency response plan required by~~
 8 ~~Section 1433(b) of the federal Safe Drinking Water Act (42 U.S.C.~~
 9 ~~Sec. 300i-2).~~

10 (c) ~~A water supplier community water system is encouraged to~~
 11 ~~develop a plan the annex in coordination with the county board of~~
 12 ~~supervisors, or a county agency or department if one is designated~~
 13 ~~an authority to coordinate with the water supplier by the county~~
 14 ~~board of supervisors. any local office of emergency services and~~
 15 ~~fire department with jurisdiction in the area served by the~~
 16 ~~community water system.~~

17 (d) ~~A plan The annex shall be submitted to the county board of~~
 18 ~~supervisors or a county agency or department designated by the~~
 19 ~~county board of supervisors pursuant to subdivision (c).~~
 20 ~~supervisors.~~

21 (e) (1) ~~A water supplier Beginning January 1, 2028, a~~
 22 ~~community water system shall review the plan annex at least once~~
 23 ~~every three years and shall update the plan annex as necessary.~~

24 (2) ~~Updates to the plan annex shall be submitted to the county~~
 25 ~~board of supervisors or a county agency or department designated~~
 26 ~~by the county board of supervisors pursuant to subdivision (c).~~
 27 ~~supervisors.~~

28 10556. (a) ~~The plan annex shall include, but not be limited to,~~
 29 ~~all of the following:~~

30 ~~(a) (1)~~

31 (1) (A) ~~An assessment of the minimum water tank levels~~
 32 ~~necessary to maintain water service for customers while providing~~
 33 ~~an adequate water supply for fire fighting activities during an~~
 34 ~~extreme weather event or red flag warning. average daily system~~
 35 ~~capacity during a fire.~~

36 ~~(2)~~

37 (B) ~~The assessment shall take into consideration water quality~~
 38 ~~standards and actions necessary to maintain water quality.~~

39 ~~(b) (1)~~

1 (2) (A) An assessment that identifies the minimum number of
 2 and type of water pumps that are necessary to maintain water
 3 service for customers while providing an adequate water supply
 4 for fire fighting activities: *average daily capacity, including, but*
 5 *not limited to, the operation of fire hydrant systems at the rated*
 6 *capacity.*

7 (2)
 8 (B) The assessment shall identify *the number of* water pumps
 9 *servicing the high or very high fire risk area* that are equipped
 10 with emergency backup energy sources and identify *the number*
 11 *of water pumps servicing the high or very high fire risk area* that
 12 ~~require the installation of~~ *do not have* emergency backup energy
 13 ~~sources:~~ *sources or other redundancy measures to maintain*
 14 *average daily capacity.*

15 (e)
 16 (3) ~~An identification of alternative water sources that can be~~
 17 ~~used during an extreme weather event or loss of power, if any.~~
 18 *assessment of system resiliency in the event of a loss of power,*
 19 *including, but not limited to, an accounting of backup energy*
 20 *generation, alternative water sources, or any other method that*
 21 *maintains average daily capacity.*

22 (d) ~~A detailed accounting of the pipelines, water pumps, water~~
 23 ~~tanks, backup power generation facilities, and related infrastructure~~
 24 ~~needs that are necessary to maintain water service for customers~~
 25 ~~and provide adequate water supply for fire fighting activities during~~
 26 ~~an extreme weather event and a designation for which of these~~
 27 ~~pipelines, water pumps, water tanks, and backup power generation~~
 28 ~~facilities are, or are required to be, fire hardened.~~

29 (4) (A) *An assessment of the fire risk status and fire hardening*
 30 *measures for each water pump, any backup electrical generation*
 31 *equipment, applicable pipelines, and any other infrastructure*
 32 *elements that the community water system deems to be a critical*
 33 *point of failure, located in a high or very high fire risk area.*

34 (B) *This section does not change the confidentiality level for*
 35 *any information provided pursuant to paragraph (1).*

36 (b) *No information provided in the annex shall enlarge or*
 37 *diminish any existing liability, nor demonstrate, on its own, a*
 38 *substantial cause of any damages resulting from a wildfire.*

39 10557. ~~A water supplier or~~ *community water system* that is
 40 required to prepare and submit an emergency response plan to the

- 1 Public Utilities Commission shall include the ~~emergency~~
- 2 ~~preparedness plan~~ *annex* required by this part in that submission.

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AMENDED IN SENATE APRIL 28, 2026
AMENDED IN SENATE APRIL 6, 2026
AMENDED IN SENATE MARCH 25, 2026

SENATE BILL

No. 1153

Introduced by Senator Caballero
(Coauthor: Senator Rubio)

February 18, 2026

An act to add Section 8607.3 to the Government Code, relating to disaster preparedness.

LEGISLATIVE COUNSEL'S DIGEST

SB 1153, as amended, Caballero. Disaster preparedness: urban retail water suppliers and public water systems: wildfire.

Existing law, the California Emergency Services Act, requires all public water systems, as defined, 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 Office of Emergency Services, to ensure that the plans are sufficient to address possible disaster scenarios. A person, as defined, who violates the provisions of this act is guilty of a misdemeanor.

This bill, beginning January 1, 2028, would require all urban retail water suppliers, as defined, serving a high or very high fire hazard severity zone to include incident-specific response procedures for wildfires as part of their disaster preparedness plans, including any applicable emergency response plan as required by federal law. The bill would require these plans to include, among other things, 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. Because violation of these requirements by certain urban retail water suppliers would constitute a misdemeanor, the bill would expand the scope of a crime, thereby imposing a state-mandated local program.

This bill would provide that the inability of a public water system to maintain water supply or water pressure during a wildfire shall not be considered a substantial cause of the damages resulting from a wildfire, and that the spread of wildfire shall not be considered an inherent risk presented by the deliberate design, construction, or maintenance of a public water system.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Wildfires are increasing in frequency, severity, and
- 4 destructive impact in California.
- 5 (b) Public water systems are increasingly vulnerable to wildfire,
- 6 either directly or indirectly, including physical damage to critical
- 7 infrastructure; disruption of access and operations; interruption of
- 8 power supplies; degradation of water quality; excessive or
- 9 uncontrolled water demands; and impairment of pumping,
- 10 treatment, and distribution capabilities.
- 11 (c) Public water systems impacted by wildfires may experience
- 12 disruptions in water supply or pressure during wildfire events.

1 (d) Public water systems are deliberately designed and
2 constructed to provide clean and safe drinking water in accordance
3 with state and federal safe drinking water laws and regulatory
4 requirements.

5 (e) Existing law, Section 53750.5 of the Government Code,
6 finds that water service is a different and distinct service from fire
7 service, and that water service is a property-related service that
8 aids in the provision of fire service provided to properties. While
9 public water systems are often relied upon to aid firefighting
10 activities, including the use of fire hydrants, they are not
11 intentionally designed or constructed for wildfire defense or
12 suppression. Hydrants are generally designed and installed,
13 consistent with applicable fire codes and industry standards, to aid
14 in firefighting, but not to provide water service to aid in
15 extinguishing fires that threaten property not served by a water
16 service provider or wildfires.

17 (f) Designing and constructing public water systems to function
18 as wildfire defense or suppression systems would be physically
19 impracticable and financially infeasible, and may compromise the
20 quality of water for human consumption and the affordability of
21 drinking water for ratepayers.

22 (g) To limit the risks presented by wildfires to water systems
23 and water supply, it is imperative that urban retail water suppliers
24 serving high-risk areas prepare for wildfire incidents and seek to
25 mitigate the impacts of wildfires on the water systems.

26 SEC. 2. Section 8607.3 is added to the Government Code, to
27 read:

28 8607.3. (a) (1) Beginning January 1, 2028, all urban retail
29 water suppliers serving a high or very high fire hazard severity
30 zone shall include incident-specific response procedures for
31 wildfires as part of their disaster preparedness plans, including in
32 any applicable emergency response plan as required by Section
33 1433(b) of the federal Safe Drinking Water Act (42 U.S.C. Sec.
34 300i-2).

35 (2) The plans required pursuant to paragraph (1) shall include,
36 but not be limited to, all of the following:

37 (A) Mitigation actions, including actions, procedures, and
38 equipment, that can obviate or significantly lessen the impact of
39 a wildfire on the water system and the supply of drinking water
40 provided by that water supplier. Identification of mitigation actions

1 within the plan shall consider system conditions, risks, operations,
2 and available resources, including financial and staffing constraints.

3 (B) ~~Action~~—(i) *Actions to prepare for a wildfire, such as*
4 *identification of critical infrastructure and coordination with local*
5 *emergency responders, including, but not limited to, cities,*
6 *counties, fire agencies, and law enforcement.*

7 *(ii) An assessment of the resilience of critical infrastructure*
8 *located in a high or very high fire hazard severity zone. The*
9 *assessment shall identify critical infrastructure, such as water*
10 *pumps, water tanks, and backup electrical generation equipment,*
11 *and include an evaluation of fire hardening measures and*
12 *alternative emergency power in the event of a loss of power,*
13 *including, but not limited to, onsite backup generators, portable*
14 *generators, or availability of alternative water sources.*

15 (C) *Actions to respond to a wildfire, such as identifying*
16 *immediate response*~~actions~~ *actions, including a plan to prepare*
17 *water tanks during a red flag warning, and a communications*
18 *strategy to communicate with customers.*

19 (D) *Actions to recover from a wildfire, such as completion of*
20 *water system damage assessments and development of a long-term*
21 *adaptation measures.*

22 (3) *This subdivision does not change the confidentiality level*
23 *for information provided pursuant to paragraph (2), including the*
24 *right to withhold or redact records pursuant to applicable*
25 *exceptions to disclosure within the California Public Records Act*
26 *(Division 10 (commencing with Section 7920.000) of Title 1).*

27 (4) *The incident response procedures for wildfire described in*
28 *paragraph (2) shall be provided by the urban retail water supplier*
29 *to the county Office of Emergency Services, subject to the*
30 *confidentiality provisions of paragraph (3).*

31 (b) While public water systems, including wholesale water
32 systems, and the water distributed through them, may be available
33 to aid in firefighting activities, both of the following shall apply:

34 (1) The inability of a public water system to maintain water
35 supply or water pressure during a wildfire shall not be considered
36 a substantial cause of the damages resulting from a wildfire.

37 (2) The spread of wildfire shall not be considered an inherent
38 risk presented by the deliberate design, construction, or
39 maintenance of a public water system.

1 (c) Nothing in this section shall be interpreted to impose a duty
2 on public water systems, including wholesale water systems, to
3 design, construct, or maintain a water system for wildfire defense
4 or suppression. ~~While compliance with subdivision (a) shall be~~
5 ~~required, an urban retail water supplier that meets the criteria~~
6 ~~identified in paragraph (1) of subdivision (a) shall be required to~~
7 ~~include incident-specific response procedures in their disaster~~
8 ~~preparedness plans pursuant to paragraph (1) of subdivision (a),~~
9 the identified mitigation actions pursuant to paragraph (2) of
10 subdivision (a) ~~are intended to~~ shall inform preparedness and
11 response planning, and shall not be construed to guarantee the
12 ability of a public water system to maintain water supply or water
13 pressure during a wildfire, and therefore failure to meet the
14 requirements of wildfire. Failure of an urban retail water supplier
15 to implement or comply with any actions identified in subdivision
16 (a) shall not be considered a substantial cause of the damages
17 resulting from a wildfire.

18 (d) Nothing in this section shall be construed to limit or affect
19 liability for injury or damage resulting from a negligent act or
20 omission of an entity operating a public water system for its
21 intended purpose and ~~function.~~ function, as described by
22 subdivision (h) of Section 116275 of the Health and Safety Code
23 and any other applicable laws and regulations governing system
24 operations.

25 (e) For purposes of this section, the following definitions apply:

26 (1) “High or very high fire hazard severity zone” means those
27 areas identified by the State Fire Marshal as high or very high fire
28 hazard severity zones pursuant to Section 51178.

29 (2) “Public water system” has the same meaning as defined in
30 subdivision (h) of Section 116275 of the Health and Safety Code.

31 (3) “Urban retail water supplier” has the same meaning as
32 defined in subdivision (af) of Section 10608.12 of the Water Code.

33 (4) “Wholesale water system” has the same meaning as defined
34 in paragraph (6) of subdivision (c) of Section 116455 of the Health
35 and Safety Code.

36 (5) “Wildfire” has the same meaning as defined in subdivision
37 (j) of Section 51177.

38 SEC. 3. No reimbursement is required by this act pursuant to
39 Section 6 of Article XIII B of the California Constitution because
40 the only costs that may be incurred by a local agency or school

1 district will be incurred because this act creates a new crime or
2 infraction, eliminates a crime or infraction, or changes the penalty
3 for a crime or infraction, within the meaning of Section 17556 of
4 the Government Code, or changes the definition of a crime within
5 the meaning of Section 6 of Article XIII B of the California
6 Constitution.

7 *SEC. 4. The Legislature finds and declares that Section 2 of*
8 *this act, which adds Section 8607.3 to the Government Code,*
9 *imposes a limitation on the public’s right of access to the meetings*
10 *of public bodies or the writings of public officials and agencies*
11 *within the meaning of Section 3 of Article I of the California*
12 *Constitution. Pursuant to that constitutional provision, the*
13 *Legislature makes the following findings to demonstrate the interest*
14 *protected by this limitation and the need for protecting that*
15 *interest:*

16 *Disclosure of operational and critical infrastructure information*
17 *could increase the risk of misuse by malicious actors. The need to*
18 *protect public safety and security outweighs the interest in public*
19 *disclosure of this information.*

AMENDED IN SENATE APRIL 21, 2026

AMENDED IN SENATE MARCH 17, 2026

SENATE BILL

No. 1001

Introduced by Senator Archuleta
(Coauthors: Senators Dahle, Grayson, and Rubio)

February 9, 2026

An act to add Section 8585.6 to the Government Code, and to amend Section 409.5 of the Penal Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1001, as amended, Archuleta. Local agency, ~~corporation~~, *public utility*, or mutual water company: personnel access: Personal Identity Verification-Interoperable.

Existing law creates the Office of Emergency Services within the office of the Governor and sets forth its powers and duties, including establishing by rule and regulation various classes of disaster service workers, the scope and duty of each class, and the way disaster service workers of each class are to be registered.

Existing law authorizes officers of the Department of the California Highway Patrol, police departments, marshal's office or sheriff's office, and officers or employees of the Department of Forestry and Fire Protection or the Department of Fish and Wildlife designated as peace officers to close to all unauthorized persons an area where a menace to the public health or safety created by a calamity exists for the duration of the menace and the immediate area surrounding any emergency field command post or any other command post activated for the purpose of abating a calamity, riot, or other civil disturbance, as specified. Under existing law, an unauthorized person who enters or remains in a closed area, as prescribed, is guilty of a misdemeanor.

This bill would, beginning on July 1, 2028, require the Office of Emergency Services, upon request, to issue a local agency, ~~corporation,~~ *public utility*, or mutual water company responsible for public works and critical infrastructure with specified credentialing to facilitate personnel access to an area during or following a natural disaster, act of terrorism, or other man-made disaster. The bill would specify that the credentialing, a Personal Identity Verification-Interoperable (PIV-I), would conform with the federal Personal Identity Verification standards pursuant to federal National Incident Management System guidelines.

This bill would require the application for a PIV-I card to be signed by a duly authorized representative of a local agency, ~~corporation,~~ *public utility*, or mutual water company and include a certification by the local agency, ~~corporation,~~ *public utility*, or mutual water company.

This bill would ~~authorize~~ *require* the office to impose and collect a fee from a local agency, ~~corporation,~~ *public utility*, or mutual water company for a PIV-I card that does not exceed the reasonable costs of the identification card program.

This bill would specify that the authorization for particular officers to close an area, as described above, shall not prevent an individual who holds a valid PIV-I card *or an individual who holds a valid identification card issued by a local agency, public utility, or mutual water company* from entering the closed area unless a peace officer finds that the disaster is of such a nature that it would be unsafe for the cardholder to enter or that the presence of the cardholder would interfere with disaster response.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) Electrical, natural gas, water, and wastewater systems
- 3 represent critical infrastructure that is vulnerable to a wide range
- 4 of natural and man-made disasters. Critical services such as
- 5 firefighting and health care, as well as other dependent and
- 6 interdependent sectors like public health and critical manufacturing,
- 7 could experience severe consequences from disruptions in utility
- 8 services.
- 9 (b) Preserving critical infrastructure functions, minimizing health
- 10 and safety threats, and efficiently restoring and revitalizing systems

1 and services requires timely access to critical infrastructure by
2 utility personnel.

3 (c) The use of a common approach for managing access and
4 phased reentry into evacuation zones is particularly important
5 during incidents that require significant population evacuations to
6 ensure the coordination of public and private sector response and
7 recovery assets and restoration of critical infrastructure and
8 essential public services.

9 (d) The Office of Emergency Services, pursuant to its California
10 Emergency Services Act responsibilities to prepare the state for
11 disasters, may do both the following:

12 (1) Provide guidance to local emergency management agencies
13 to ensure that there is a process to coordinate and approve resources
14 for access into restricted areas in order to improve coordination
15 with utilities requiring access and law enforcement entities
16 enforcing access controls.

17 (2) Encourage a review of emergency preparedness plans
18 regarding lines of authority and existing control and management
19 procedures regarding the establishment of access requirements
20 and the conduct of reentry operations during emergencies to enable
21 utility personnel to timely participate in response and recovery
22 operations in order to minimize or eliminate the potential loss of
23 life and property damage.

24 SEC. 2. Section 8585.6 is added to the Government Code, to
25 read:

26 8585.6. (a) Beginning on July 1, 2028, the office shall, upon
27 request, issue a local agency, ~~corporation,~~ *public utility*, or mutual
28 water company responsible for public works and critical
29 infrastructure with credentialing to facilitate personnel access to
30 an area during or following a natural disaster, act of terrorism, or
31 other man-made disaster.

32 (b) The office shall prepare and make available no later than
33 July 1, 2028, an application for a local agency, ~~corporation,~~ *public*
34 *utility*, or mutual water company to request that an individual be
35 issued a Personal Identity Verification-Interoperable (PIV-I)
36 credential that conforms with the federal Personal Identity
37 Verification standards pursuant to federal National Incident
38 Management System guidelines. The office shall provide a PIV-I
39 card upon receipt of the application signed by a duly authorized
40 representative of a local agency, ~~corporation,~~ *public utility*, or

1 mutual water company that includes a statement justifying the
2 need for the individual to receive that identification for purposes
3 of access to those ~~areas and certification by the local agency,~~
4 ~~corporation, or mutual water company.~~ *areas*. The application
5 shall also indicate that the individual has completed appropriate
6 education, training, experience, and certification or licensure for
7 performing ~~the purposes for access.~~ *an emergency support function*
8 *discipline or activity*.

9 (c) Access to an area closed in accordance with subdivision (a)
10 of Section 409.5 of the Penal Code ~~shall~~ *may* be granted to an
11 individual issued a PIV-I card by the incident commander, a law
12 enforcement official having jurisdiction, or their designee. If access
13 is granted by emergency response personnel other than the incident
14 commander, the emergency response personnel shall notify the
15 incident commander that access has been provided to the individual
16 issued a PIV-I card.

17 (d) A PIV-I card issued by the office shall be valid for five years
18 from the date of issuance and shall be renewable upon submission
19 of an application for renewal.

20 (e) A local agency, ~~corporation,~~ *public utility*, or mutual water
21 company shall be responsible to collect and destroy a PIV-I card
22 if the individual issued a PIV-I card ceases employment with the
23 employer or the job duties of the individual change, making access
24 afforded by the PIV-I card no longer appropriate.

25 (f) The office shall impose and collect a fee from a local agency,
26 ~~corporation,~~ *public utility*, or mutual water company for a PIV-I
27 card that does not exceed the reasonable costs of issuing the card
28 and administration of the program described in this section.

29 (g) *For purposes of this section, "public utility" has the same*
30 *meaning as the term is defined in Section 216 of the Public Utilities*
31 *Code.*

32 SEC. 3. Section 409.5 of the Penal Code is amended to read:

33 409.5. (a) When a menace to the public health or safety is
34 created by a calamity including a flood, storm, fire, earthquake,
35 explosion, accident, or other disaster, officers of the Department
36 of the California Highway Patrol, police departments, marshal's
37 office or sheriff's office, an officer or employee of the Department
38 of Forestry and Fire Protection designated a peace officer by
39 subdivision (g) of Section 830.2, an officer or employee of the
40 Department of Parks and Recreation designated a peace officer by

1 subdivision (f) of Section 830.2, an officer or employee of the
2 Department of Fish and Wildlife designated a peace officer under
3 subdivision (e) of Section 830.2, and a publicly employed full-time
4 lifeguard or publicly employed full-time marine safety officer
5 while acting in a supervisory position in the performance of their
6 official duties, may close the area where the menace exists for the
7 duration of the menace by means of ropes, markers, or guards to
8 all persons not authorized by the lifeguard or officer to enter or
9 remain within the enclosed area. If the calamity creates an
10 immediate menace to the public health, the local health officer
11 may close the area where the menace exists pursuant to the
12 conditions set forth in this section.

13 (b) Officers of the Department of the California Highway Patrol,
14 police departments, marshal's office or sheriff's office, officers
15 of the Department of Fish and Wildlife designated as peace officers
16 by subdivision (e) of Section 830.2, or officers of the Department
17 of Forestry and Fire Protection designated as peace officers by
18 subdivision (g) of Section 830.2 may close the immediate area
19 surrounding any emergency field command post or any other
20 command post activated for the purpose of abating a calamity
21 enumerated in this section or a riot or other civil disturbance to all
22 unauthorized persons pursuant to the conditions set forth in this
23 section whether or not the field command post or other command
24 post is located near the actual calamity or riot or other civil
25 disturbance.

26 (c) An unauthorized person who willfully and knowingly enters
27 an area closed pursuant to subdivision (a) or (b) and who willfully
28 remains within the area after receiving notice to evacuate or leave
29 shall be guilty of a misdemeanor.

30 (d) (1) This section shall not prevent a duly authorized
31 representative of a news service, newspaper, or radio or television
32 station or network from entering the areas closed pursuant to this
33 section.

34 (2) This subdivision does not authorize a duly authorized
35 representative of a news service, newspaper, or radio or television
36 station or network to facilitate the entry of a person into, or
37 facilitate the transport of a person within, an area closed, unless
38 for the safety of the person, pursuant to this section if that person
39 is not a duly authorized representative of a news service,
40 newspaper, or radio or television station or network.

1 (e) This section shall not prevent an individual who holds a
2 valid livestock pass identification document, pursuant to Section
3 2350 of the Food and Agricultural Code, from entering the areas
4 closed pursuant to this section, unless a peace officer identified in
5 subdivision (a) finds that the disaster is of such a nature that it
6 would be unsafe for the documentholder to enter or that the
7 presence of the documentholder would interfere with disaster
8 response.

9 (f) This section shall not prevent an individual who holds a valid
10 PIV-I card issued pursuant to Section 8585.6 of the Government
11 Code *or an individual who holds a valid identification card issued*
12 *by a local agency, public utility, as defined in Section 216 of the*
13 *Public Utilities Code, or mutual water company* from entering an
14 area closed pursuant to this section unless a peace officer identified
15 in subdivision (a) finds that the disaster is of such a nature that it
16 would be unsafe for the cardholder to enter or that the presence of
17 the cardholder would interfere with disaster response.

18 SEC. 4. Nothing in this measure is intended to impact the
19 relationship, duties, or responsibilities as between the Office of
20 Emergency Services and local emergency operations plans,
21 emergency operations centers, and the incident command system.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: May 7, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Rischa S. Cole, Secretary of the District *RC*

SUBJECT: Senate Bill 707 - Outreach Requirements and Proposed Public Meeting
Outreach Plan

SUMMARY

Senate Bill 707 (SB 707), enacted in 2025, amends the Ralph M. Brown Act to expand public access to local agency meetings. The law establishes new requirements for “eligible legislative bodies,” including special districts like EBMUD, to provide enhanced remote participation. Among these requirements, legislative bodies must define and implement “reasonable efforts” to increase participation from underrepresented communities. The new requirements take effect on July 1, 2026, and will remain in effect until January 1, 2030. Staff is implementing these new requirements and will present a proposed outreach plan to increase participation from underrepresented communities at the May 12, 2026 Legislative/Human Resources Committee meeting.

DISCUSSION

Under Government Code section 54953.4 (b)(3)(C), the District “*shall make reasonable efforts, as determined by the legislative body, to invite groups that do not traditionally participate in public meetings to attend those meetings, which may include, but are not limited to, all the following:*”

- *Media organizations that provide news coverage in the jurisdiction of the eligible legislative body, including media organizations that serve non-English-speaking communities.*
- *(II) Good government, civil rights, civic engagement, neighborhood, and community group organizations, or similar organizations that are active in the jurisdiction of the eligible legislative body, including organizations active in non-English-speaking communities.”*

The law provides the Board with broad discretion in determining what constitutes “reasonable efforts” and does not impose liability for failure to reach specific groups. Staff has developed an outreach plan that leverages existing communication tools to meet the statutory requirement, expand awareness, and increase participation from underrepresented and non-English speaking communities.

Proposed Outreach Plan

Communications will include standardized, translated messaging regarding public meetings, links to the public meetings webpage on ebmud.com, and information on how to subscribe to receive meeting notices and agendas via email. The plan, outlined below, is flexible, and can be expanded as needed.

Media Outreach – A one-time media advisory to outlets in English, Chinese, and Spanish explaining the new process to subscribe for alerts when agendas are posted.

Social Media – Posts on EBMUD platforms (Facebook, Instagram, LinkedIn, Nextdoor, X).

Government and Institutional Channels – Incorporate outreach messaging into existing, recurring communications to cities, counties, municipal advisory councils, and Chambers of Commerce.

Community-Based Organizations – Share information with neighborhood and advisory councils and community partners engaged in Customer Assistance Program-related outreach.

Direct Customer Communications – Inclusion in external mailings, newsletters and public presentations including Customer Pipeline, top-of-bill message, and Home Water Reports.

Multilingual Messaging – The EBMUD website has a translation tool that translates webpages, including the public meetings webpage, to Spanish or Chinese. Staff has also developed a tool to translate public meeting notices and agendas to Spanish or Chinese as required by the new law.

FISCAL IMPACT

The proposed outreach plan has no fiscal impact since it utilizes existing communication platforms and resources.

NEXT STEPS

Staff is seeking feedback from the Legislative/Human Resources Committee on the proposed outreach plan and will incorporate feedback. The final plan will be presented for Board consideration at its June 9, 2026 Regular meeting.

CCC:RSC