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AB-367 Water: County of Ventura: fire suppression. (2025-2026)

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Assembly Bill No. 367

CHAPTER 690

An act to add Chapter 7 (commencing with Section 7080) to Division 4 of the Water Code, relating to water.

[Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 367, Bennett. Water: County of Ventura: fire suppression.

Existing law provides generally for the regulation of wells, pumping plants, conduits, and streams. 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.

This bill would, beginning July 1, 2030, require a water supplier, as defined, to have access to sufficient backup energy sources to operate critical fire suppression infrastructure, as defined, needed to supply water for at least 24 hours for the purpose of fire suppression in high or very high fire hazard severity zones in the County of Ventura, or to have access to alternative sources of water supplied by a different water supplier or agency that can serve this same purpose of supplying backup water to critical wells and water pumps for 24 hours, as provided. The bill would require the water supplier to take various actions, including annually inspecting critical fire suppression infrastructure and backup energy sources and notifying the Ventura County Office of Emergency Services within 3 business days of any reduction in its water delivery capacity that could substantially hinder firefighting operations or significantly delay the replenishment of reservoirs. The bill would require, if any fire damages and makes uninhabitable more than 10 residential dwellings within the service area of a water supplier, a report be made by the Ventura County Fire Department in cooperation with the water supplier, as specified. By levying new requirements on the Ventura County Fire Department, this bill would create a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for County of Ventura.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 7 (commencing with Section 7080) is added to Division 4 of the Water Code, to read:

CHAPTER 7. County of Ventura Fire Suppression

7080. (a) (1) Beginning July 1, 2030, a water supplier shall have access to sufficient backup energy sources to operate critical fire suppression infrastructure needed to supply water for at least 24 hours for the purpose of fire suppression in high or very high fire hazard severity zones in the County of Ventura or have access to alternative sources of water supplied by a different water supplier or agency that can serve this same purpose of supplying backup water to critical wells and water pumps for 24 hours. If backup energy sources are not equipped with an automatic or remote transfer switch, backup power shall be turned on as soon as practically possible after deenergization. For backup energy sources equipped with an automatic or remote transfer switch, backup power shall be turned on within 30 minutes of a loss in power. For water suppliers with alternative sources of water supplied by others, the source of water shall be available within 30 minutes and supply the amount of water otherwise supplied by the water supplier.

(2) In the event that the backup energy source used by the water supplier to meet the requirements in paragraph (1) is not a permanent and stationary source of energy, a water supplier may use mobile backup energy sources or procure an energy source via an established mutual aid agreement provided the backup energy source can provide power within 12 hours of the National Weather Service alerting the region of a red flag warning and provide power for at least 24 hours after a loss of power and within 60 minutes of a loss of power.

(3) A water supplier that has entered into a contract to procure backup energy sources in compliance with paragraph (1) before July 1, 2030, but has not received the backup energy source by July 1, 2030, shall be considered to be in compliance with this subdivision if the water supplier has access to, or possession of, the backup energy source by January 1, 2033.

(b) (1) The water supplier shall identify critical fire suppression infrastructure or alternative sources of water and provide that identification to the Ventura County Office of Emergency Services no later than May 1, 2026. If any changes are made to the list by the water supplier, the water supplier shall provide an updated list to the Ventura County Office of Emergency Services within 120 days of the changes being made.

(2) The Ventura County Office of Emergency Services shall establish procedures for a water supplier to provide the identification required in paragraph (1) by March 1, 2026, including procedures for updating or amending the information at the request of the office.

(c) (1) By January 1, 2027, the Ventura County Fire Department shall develop minimum fire safety standards, in consultation with water suppliers and local fire departments, for the purpose of fire hardening critical fire suppression infrastructure and backup energy sources located in the high or very high fire hazard severity zone, as identified pursuant to paragraph (1) of subdivision (b).

(2) Upon completion of the minimum fire safety standards required by paragraph (1), the Ventura County Fire Department shall annually inspect critical fire suppression infrastructure and backup energy sources located in the high or very high fire hazard severity zone to ensure critical fire suppression infrastructure and backup energy sources located in high or very high fire hazard severity zones meet fire safety standards developed by the Ventura County Fire Department. If there is a local fire department in the area being inspected, the inspection by the Ventura County Fire Department shall occur in consultation with the local fire department.

(3) Upon completion of the minimum fire safety standards required by paragraph (1), the water supplier shall annually inspect critical fire suppression infrastructure and backup energy sources serving the high or very high fire hazard severity zone, but not located within the zone, to ensure functionality.

(d) (1) (A) A water supplier shall 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 water service in coordination with the Ventura County Office of Emergency Services and the Ventura County Fire Department. The water supplier shall annually review the emergency preparedness plan and update if necessary.

(B) The emergency preparedness plan shall include, but is not limited to, the consideration of filling water tanks and stationing emergency backup energy sources.

(C) For water systems that are required to prepare and submit an emergency response plan to the Public Utilities Commission, the emergency preparedness plan shall be incorporated into the emergency response plan.

(2) If the National Weather Service alerts the region of a red flag warning, a water supplier shall initiate action under the emergency preparedness plan established pursuant to paragraph (1).

(e) (1) A water supplier shall notify the Ventura County Office of Emergency Services within three business days of any reduction in its water delivery capacity that could substantially hinder firefighting operations or significantly delay the replenishment of reservoirs.

(2) A water supplier shall alert the Ventura County Office of Emergency Services as soon as it becomes aware during a fire event of any reduction in its water delivery capacity that could substantially hinder firefighting operations or significantly delay the replenishment of reservoirs.

(f) (1) If any fire damages and makes uninhabitable more than 10 residential dwellings within the service area of a water supplier, there shall be a report made by the Ventura County Fire Department in cooperation with the water supplier. The report shall be presented to the Ventura County Board of Supervisors by the Ventura County Fire Department at a regularly scheduled board meeting.

(2) The report described in paragraph (1) shall include, and is limited to, an assessment of whether water tanks were filled at an appropriate level for fire suppression, as outlined in the emergency preparedness plan prepared pursuant to subdivision (d), whether disruption of water delivery due to a lack of electricity was timely and appropriately mitigated by the water supplier, and whether critical fire suppression infrastructure and backup energy sources met the fire safety standards described in paragraph (1) of subdivision (c).

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

(1) "Critical fire suppression infrastructure" means wells and water pumps that are critical for supplying water for fire suppression in the high or very high fire hazard severity zone.

(2) "High or very high fire hazard severity zone" shall refer to those areas identified by the State Fire Marshal as high or very high fire hazard severity zones pursuant to Section 51178 of the Government Code.

(3) (A) "Water supplier" means a community water system, as that term is defined in subdivision (i) of Section 116275 of the Health and Safety Code, that supplies water that is used for the suppression of fire in either a high or very high fire hazard severity zone to more than 20 total residential dwellings in those zones in the County of Ventura.

(B) "Water supplier" does not include a water wholesaler that does not provide retail water service.

(h) This section shall not apply to the following:

(1) Water delivery systems that are gravity fed and do not require any backup power to continue to operate during a power shutoff.

(2) Nonpotable, recycled, irrigation, or agricultural water systems that are not used for fire suppression.

(i) Nothing in this section changes the confidentiality level of the information shared with the Ventura County Office of Emergency Services pursuant to subdivision (b).

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique history of devastating fires in the County of Ventura.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.