



ENVIRONMENTAL QUALITY POLICY COMMITTEE

Friday, March 27, 2026

10:00 a.m. - 2:00 p.m.

Hilton Orange County/Costa Mesa

AGENDA

I. Welcome and Introductions

Chair Max Perrey, Mayor, Mill Valley

Vice Chair Scott Bauer, Councilmember, Eureka

II. Public Comment

III. Overview of California Global Biodiversity Alliance (CalGBA) Informational

Rosalind Helfand, Founder, PAJE Consulting & CalGBA Steering Committee Member

Chance Cutrano, Director of Programs, Resources Renewal Institute & CalGBA Steering Committee Member

IV. Bill Analyses Action

- AB 1642 (Harabedian) (Attachment A)
- SB 1417 (Perez) (Attachment B)
- AB 2013 (Bennett) (Attachment C)
- AB 1138 (Rogers) (Attachment D)
- AB 2266 (Schultz) (Attachment E)

V. State Legislative Update & Discussion Informational

- [EQ legislative bill list](#) (bills with positions)

VI. Adjourn

Next Meeting (Virtual): Friday, June 5, 9:30 a.m. - 12:30 p.m.

Brown Act Reminder: The League of California Cities' Board of Directors has a policy of complying with the spirit of open meeting laws. Generally, off-agenda items may be taken up only if:

1) Two-thirds of the policy committee members find a need for immediate action exists and the need to take action came to the attention of the policy committee after the agenda was prepared (Note: If fewer than two-thirds of policy committee members are present, taking up an off-agenda item requires a unanimous vote); or

2) A majority of the policy committee finds an emergency (for example: work stoppage or disaster) exists.

A majority of a city council may not, consistent with the Brown Act, discuss specific substantive issues among themselves at League meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.



ENVIRONMENTAL QUALITY POLICY COMMITTEE Legislative Agenda

Staff: Melissa Sparks-Kranz, Legislative Affairs Lobbyist
Leila Romero, Legislative Affairs and Policy Analyst

AB 1642 (Harabedian) Wildfires: contamination standards

Bill Summary:

This bill would require the Department of Toxic Substances Control (DTSC) to adopt emergency regulations establishing science-informed, health-based standards for investigating, testing, and removing contaminants following a wildfire.

The bill would also require DTSC, in consultation with the Office of Environmental Health Hazard Assessment (OEHHA), to adopt additional regulations establishing health-based standards for hazardous chemicals following a wildfire. The bill would take effect immediately as an urgency statute.

Bill Description:

AB 1642 would establish a statewide framework for investigating, testing, and clearing wildfire-related contamination in homes, schools, workplaces, and other structures located in residential areas following a wildfire. The bill would specifically require DTSC, by July 1, 2027, to adopt emergency regulations establishing science-informed, health-based standards for investigation, environmental testing, and clearance to guide the removal of lead and asbestos inside and outside of structures after a wildfire at homes, schools, workplaces, and other structures in residential areas.

The bill would then require DTSC, in consultation with OEHHA, by July 1, 2028, to adopt additional regulations establishing health-based standards for other hazardous chemicals that may be present following wildfire events.

For purposes of the bill, key terms include the following:

- "Clearance" means a formal determination that a home, school, workplace, or other structure has been cleared of wildland-urban interface debris and that any remaining hazardous chemicals meet the standards established pursuant to the bill.
- "Contamination" means property polluted by WUI debris.
- "Department" means the Department of Toxic Substances Control.
- "Hazardous chemical" means a chemical determined by a local health officer or DTSC to be toxic, carcinogenic, explosive, corrosive, or flammable.
- "TEM-identified asbestos" means asbestos identified through transmission electron microscopy.
- "WUI" refers to the wildland urban interface, which FEMA describes as the zone of transition where human development meets or intermingles with undeveloped wildland or vegetative fuels.

- “WUI debris” includes ash, soot, combustion byproducts, asbestos, heavy metals, cyanide, lithium, dioxins, furans, polycyclic aromatic hydrocarbons, and volatile organic compounds that may result from wildfire events.

The bill would establish presumptions regarding when a structure may be considered safe for occupancy following a wildfire. For example, the bill specifies presumptive thresholds for lead and TEM-identified asbestos that must be met before a structure may be presumed safe for human occupancy. The bill would also require testing of surviving structures, including indoor floors, windowsills, interior horizontal hard surfaces, garage surfaces, attics, heating, ventilation, and air-conditioning (HVAC) systems, and in some cases areas behind drywall. Testing would be required both before remediation to identify contamination and after remediation to confirm that hazardous contaminants have been removed.

While the measure does not appear to impose direct cleanup responsibilities on cities, local governments may be involved through their role in post-fire recovery, communicating safety information to residents, coordinating with local health officials to contaminated sites, disposal of hazardous materials to the proper disposal or landfill locations, and supporting rebuilding efforts in wildfire-impacted communities. Potential contaminated sites, like homes, schools, workplaces, and other residential areas, could all be within a city's boundaries that would need to be tested following a wildfire to help with safe re-occupancy.

Background:

Existing law establishes the Office of the State Fire Marshal within the Department of Forestry and Fire Protection and assigns responsibilities related to wildfire preparedness and mitigation. Existing law also authorizes DTSC to regulate hazardous waste and hazardous materials in California. Existing law identifies OEHHA as the lead California agency for implementing Proposition 65 (Safe Drinking Water and Toxic Enforcement Act of 1986), which requires businesses to warn of chemical exposures linked to cancer or reproductive harm.

OEHHA has published multiple studies finding that exposure to wildfire-related pollutants increases the risk of respiratory emergency room visits and hospitalizations, particularly for children, older adults, outdoor workers, and other vulnerable populations. OEHHA also notes that [wildfire smoke](#) is a complex mixture of toxic gases, fine particulate matter, and other pollutants linked to adverse health effects.

DTSC has already issued wildfire-related guidance in response to the 2025 Los Angeles wildfires, including [emergency wildfire guidance](#) and a [Residential Soil Evaluation Guidance document](#) for the 2025 Los Angeles wildfires. That existing guidance illustrates that the state is already working on post-fire contamination issues, but current guidance is narrower than the statewide regulatory framework proposed by AB 1642.

Currently, California does not appear to have a single statewide regulatory framework establishing uniform health-based standards for testing and clearing wildfire-related contamination in structures that remain standing after a wildfire event. In the absence of

state and federal health-based standards, various entities have developed professional standards and recommendations, resulting in a less uniform post-fire recovery framework.

Existing Cal Cities Policy:

The following are included in [Cal Cities' Existing Policies](#):

Natural Disaster Preparedness

Cal Cities supports local efforts and resources for local governments to prepare, prevent, and adapt to wildfires, earthquakes, and other natural disasters.

Hazardous Materials

Cal Cities supports the ability of local governments to enact local standards or regulations that are stronger than those enacted at the state and federal level. To this end, where the city fire department is the lead agency for regulating and enforcing hazardous materials laws, Cal Cities supports the provisions of existing law that permit a local fire department to adopt stronger local requirements, as long as it complies with specified procedures to enact such stronger local standards. Cal Cities opposes legislation or regulations that restrict such authority.

Cal Cities supports efforts to streamline and coordinate hazardous materials regulation among various levels of government, including city fire and county environmental health departments. Cal Cities supports the ability of city fire departments to be administering agencies for any of the major hazardous materials laws or to be the lead agency (the Certified Unified Program Agency) under the SB 1082 program and opposes legislation or regulations to restrict such authority.

Cal Cities opposes any efforts to restrict the ability of cities to issue building or other permits it is now authorized to issue relative to hazardous materials laws.

Cal Cities opposes any proposals that would preempt the ability of a city to deny a land use permit or restrict its ability to issue a conditional use permit for the siting of a hazardous waste facility.

Fiscal Impact:

The fiscal impact of AB 1642 is currently unknown and will likely be determined as the bill moves through the Appropriations Committee. Implementation costs would primarily fall on DTSC related to developing and adopting the required emergency and nonemergency regulations.

Staff Comments:

Wildfires in California have become more frequent and destructive, raising increased concern about the public health consequences of smoke, ash, debris, and toxic contamination left behind after a fire. The issue has drawn additional attention following the January 2025 Southern California wildfires. According to CAL FIRE, the Eaton Fire destroyed over 9,000 structures, burned more than 14,000 acres, and caused 17 civilian fatalities, while the Palisades Fire destroyed over 6,000 structures, burned more than 23,000 acres, and caused 12 civilian fatalities. These incidents highlighted both the scale of

wildfire destruction and the complexity of post-fire recovery for surviving structures and surrounding neighborhoods.

AB 1642 seeks to establish uniform, statewide health-based standards for environmental testing, remediation, and clearance following wildfire events. Wildfire recovery, habitability determinations, public health communication, and rebuilding are issues that frequently affect local governments directly. City officials are often involved in post-fire recovery efforts, constituent communications, coordination with local health and emergency response agencies, and decisions related to reoccupancy, code enforcement, and community rebuilding following major wildfire events.

While the bill does not impose direct cleanup obligations on cities, establishing statewide standards for testing and clearance could affect the broader recovery framework within which cities operate after a wildfire. Uniform state standards could provide local agencies with clearer health-based benchmarks when responding to residents' concerns about when structures are safe to reoccupy and what type of testing or remediation is appropriate after a wildfire.

At the same time, the bill raises implementation questions regarding how the new standards would interact with local recovery efforts, building code requirements, safety processes, environmental health roles, insurance disputes, and existing state and federal post-disaster cleanup efforts. The practical implications for cities may depend on how DTSC develops the regulations and how those standards are applied in future wildfire incidents. However, current California wildfire debris removal protocol uses a two-phase, state-managed process to handle hazardous chemicals and waste. Phase 1 involves [United States EPA](#) teams identifying, removing, and disposing of household hazardous waste (paints, batteries, pesticides, asbestos). Phase 2 follows with the United States Army Corps of Engineers and Cal Recycle removing remaining structural ash and debris, often utilizing techniques to prevent toxic dust from spreading. The bill would propose specific standards for which this work would likely be conducted in the future.

Support:

- 301 Organics
- 350 Southland Legislative Alliance
- 640 Individuals
- AAM Eaton Fire Recovery Advocates
- After The Fire
- Altadena Action for Community Transformation
- Altadena Community Land Trust
- Altadena Earthseed Community Land Trust
- National Association for the Advancement of Colored People (NAACP) – Altadena Branch
- Altadena Recovery Team
- Altadena Rising
- Altadena Tenants Union
- Altgether
- Asbestos Disease Awareness Organization
- Asian Pacific Environmental Network
- BW Builder
- California Black Power Network
- California Community Foundation
- California Interfaith Power and Light
- Camp Fire Collaborative
- Catalyst California
- CCC

- Center for Biological Diversity
- Centre for Applied Ecological Remediation
- Champion Cleaners Inc
- Christopherson Builders
- Clergy Community Coalition
- Climate and Wildfire Institute
- Coalition for a Safe Fire Recovery
- Coalition for Humane Immigrant Rights of Los Angeles
- Collaborate PASadena
- Community 3.0x
- Conservation Strategies
- Consumer Watchdog
- Courage Campaign
- Day One, Inc.
- Eaton Fire Collaborative
- Eaton Fire Renters Collation
- Eaton Fire Residents United
- Eaton Fire Survivors Network
- GRACE Institute - End Child Poverty In CA
- ETS Lambda Omega Chapter/Alpha Kappa Alpha Sorority Inc.
- Fire Safe Palisades
- First Unitarian Church of San Jose, Environmental Justice
- GreenFaith
- Hpp Cares (CDE)
- Idle Dot
- Indivisible Alta Pasadena
- JOAN Collaborative
- L.A. Region Community Recovery Organization
- L.Z. Design Group
- LA Voice
- Lao Vargas
- Leap of Faith Family to Family Support
- Lift Los Angeles
- Little Tokyo Service Center
- Marshall Roc
- McCain Consulting Services, Inc
- Meteorite Real Estate
- My Tribe Rise
- National Day Labor Organizing Network
- Natural Resources Defense Council (NRDC)
- Nefresh
- P.E.A.R.L.S. of Compassion
- Pacific Film Foundation
- PAILPOWER
- Palisades Recovery Coalition
- Pasadena Community Job Center
- Pasadena Community Job Center
- Pasadena/Altadena Ivy Foundation
- Pasadenans Organizing for Progress
- Physicians for Social Responsibility - Los Angeles
- Physicians Organizing Progress
- Plant Community LA
- Public Counsel
- Reclaim Our Power Utility Justice Campaign
- Resilient Palisades
- Rise Economy
- Rogue Food Unites
- Sander Architects
- Sonoma County Climate Activist Network (SOCOCAN!)
- Loyola Law School, the Sunita Jain Anti-Trafficking Initiative
- The Change Reaction
- Coalition for Humane Immigrant Rights of Los Angeles
- The Neighborhood/Dena Holidays
- Town of Superior
- United Policyholders
- Utility Wildfire Survivor Coalition
- Vida Mobil Clinic
- Xtreme Athletics Org

Opposition:

- American Property Casualty Insurance Association
- National Association of Mutual Insurance Companies

- Pacific Association of Domestic Insurance Companies
- Personal Insurance Federation of California

Staff Recommendation:

Staff recommends the Committee should discuss if they would like to recommend a position on this bill.

Committee Recommendation:

Board Action:

ENVIRONMENTAL QUALITY POLICY COMMITTEE Legislative Agenda

Staff: Melissa Sparks-Kranz, Legislative Affairs Lobbyist
Leila Romero, Legislative Affairs and Policy Analyst

SB 1417 (Perez) Disaster preparedness: public water systems.

Bill Summary:

This bill would require a disaster-impacted public water system to conduct a disaster impact assessment within 6 months of a disaster, in coordination with the disaster-impacted county, before receiving state funding. The bill would require the assessment to include determining whether the best interest of the affected residences requires becoming a consolidated water system to ensure access to quality water and adequate supply. The bill would require the coordinating local bodies to be subject to the California Public Records Act, to provide the opportunity for public comment and arrange for live translation. The bill would make it a misdemeanor if these requirements are violated, therefore expanding the scope of a crime, and thereby imposing a state-mandated local program.

Bill Description:

The bill would require a disaster-impacted public water system to conduct a disaster-impact assessment within 6 months of a disaster, in coordination with the disaster-impacted county. The assessment would be required to be submitted to the State Water Resources Control Board. Such assessments would need to be completed before receiving state funding, including funding for the primary benefit and longevity of the disaster-impacted public water system.

The disaster impact assessment would be required to include all of the following components:

- Disaster damage to the physical infrastructure of the disaster-impacted public water system.
- Effects of the disaster on a disaster-impacted public water system's ability to consistently fail to do any of the following:
 - Provide safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.
 - Ensure adequate supply.
 - Avoid potential rate increases on affected residences from damage assessment, including an affordability assessment and a cost assessment.
- Determining whether the best interest of the affected residences requires becoming a consolidated water system in order to ensure access to quality water and adequate supply, and to minimize rate increases on affected residences resulting from the disaster damage.

As referenced above, the affordability assessment would require the identification of any community water system that is required to charge fees that exceed the affordability threshold established by the State Water Resources Control Board, in order to supply, treat, and distribute potable water that complies with federal and state drinking water standards. The affordability assessment intends to evaluate several different affordability indicators to identify communities that may be experiencing affordability challenges. The cost assessment would require the estimation of funding needed for the Safe and Affordable Drinking Water Fund, for the next fiscal year based on the amount available in the fund, anticipated funding needs, and other existing State Water Resources Control Board funding sources. The cost assessment estimates the costs related to the implementation of interim or emergency measures and long-term solutions for Human Right to Water list systems and at-risk public water systems, state small water systems, and domestic wells. The cost assessment is intended to identify available funding sources and any funding and financing gaps in support of interim and long-term solutions.

The bill would require a disaster-impacted public water system, in coordination with the disaster-impacted county, to adopt specified requirements as part of its assessment process, including:

- Coordinating local bodies would be subject to the California Public Records Act and the Ralph M. Brown Act.
- Coordinating local bodies would be required to provide opportunity for public comment at hearings to be made in person and remotely.
- Coordinating local bodies would be required to arrange for the live translation of a hearing in an applicable language if a request for translation is made at least 24 hours before the meeting.

The bill would make it a misdemeanor if these requirements are violated, therefore expanding the scope of a crime, and thereby imposing a state-mandated local program. The bill would state that no reimbursement is required by this act.

Key definitions in the bill include:

- "Adequate supply" means sufficient water to meet residents' health and safety needs at all times.
- "Affected residences" means residences within a Governor-declared disaster-affected community that is reliant on a water supply that is either inadequate or unsafe and that is not served by a public water system or state small water system.
- "Applicable language" means a language for which the number of residents of the disaster-impacted county who are members of a language minority is greater than or equal to 3 percent of the total voting age residents of the city.
- "Consistently fail" means a failure to provide an adequate supply of safe drinking water.
- "Consolidated water system" means the public water system resulting from the consolidation of a public water system with another public water system, state small water system, or affected residences.
- "Consolidation" means joining two or more public water systems, state small water systems, or affected residences into a single public water system.

- “Disaster” means a disaster for which the Governor has declared a state of emergency pursuant to Section 8625.
- “Disaster damage” means damage that has caused conditions that are so prevalent and so substantial that they have caused a reduction in, or a lack of, the normal pre-disaster usage of the disaster-impacted public water system.
- “Disaster-impacted county” means where a county where a disaster occurred.
- “Disaster-impacted public water system” means a public water system, that serve at least 15 service connections or 25 individuals daily for 60 or more days in a given year, that either its physical infrastructure is found within the premises of a Governor-declared disaster or part of its consumer base includes residents found within the premises of a Governor-declared disaster.

Background:

Under existing law, the California Emergency Services Act requires all public water systems with 10,000 or more service connections to review and revise their disaster preparedness plans in conjunction with related agencies, including, but not limited to, local fire departments and the Office of Emergency Services, to ensure that the plans are sufficient to address possible disaster scenarios. Additionally, existing law requires these public water systems, following a declared state of emergency, to furnish an assessment of their emergency response and recommendations to the Legislature within 6 months after each disaster, and to implement the recommendations in a timely manner. A person who violates the provisions of this act is guilty of a misdemeanor, and upon conviction, punishable by a fine of up to \$1,000 or by imprisonment for up to 6 months or by both.

Under existing law, the Safe Drinking Water Act requires the State Water Resources Control Board to regulate drinking water to protect public health. California’s “Human Right to Water” law, enacted in 2012, declares it 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.

Existing Cal Cities Policy:

The following are included in [Cal Cities' Existing Policies](#):

Natural Disaster Preparedness

Cal Cities supports local efforts and resources for local governments to prepare, prevent, and adapt to wildfires, earthquakes, and other natural disasters.

California Water: General Principles

Local, state and federal agencies should prepare plans for short-term water emergencies as well as long-term cooperative water management plans and policies, such as the Integrated Regional Water Management Plan (IRWMP) process.

Fiscal Impact:

The fiscal impact related to the implementation of SB 1417 would place an unfunded state mandate on cities that are public water systems (approximately 317 cities), particularly due to new mandated assessment, required coordination, and compliance requirements. Because the bill conditions access state funding on completion of the assessment, public

water systems may incur significant administrative and technical costs upfront in order to complete the assessment. These costs could include staffing resources, technical studies, public engagement requirements, and potential legal compliance related to Brown Act and Public Records Act obligations. A better understanding of the fiscal impact will be available once the bill is heard in Senate Appropriations Committee.

Staff Comments:

SB 1417 by Senator Perez is intended to be a response to last January's Eaton Fire that impacted her district, including Altadena, which burned more than 14,000 acres, destroyed over 9,000 homes and buildings, and resulted in 17 fatalities.

It is Cal Cities understanding that in the aftermath of the wildfires, water suppliers worked to restore service to impacted communities and repair and replace damaged infrastructure. Altadena is served by several private water companies and a public water wholesaler. The private water companies are grappling with cash-flow shortfalls due to the cost of fire recovery and decrease in revenue from the reduction in their rate base. The companies are considering a parcel assessment as high as \$8,000 to \$10,000 to address the shortfall, which has been met with community resistance and has led to conversations about consolidating the private water companies to achieve the economies of scale needed to maintain the community's water infrastructure. Cal Cities' understanding is that the bill was introduced in response to the proposed parcel assessment and efforts to consolidate, however the bill would apply statewide, beyond simply this district, to both public and private water systems (that are both captured in how public water systems are defined).

Cal Cities staff have several high-level policy points that should be considered, if the Committee would like to take a position. First, the bill would extend the post-disaster impact assessment requirement to all public water systems, compared to existing law which currently requires public water systems of 10,000 connections or more to have disaster preparedness plans and furnish assessments following a state-declared disaster. The bill would expand these requirements from about 450 public water systems (of 10,000 connections or more) to more than 7,000 public water systems, including all cities that are public water systems. In addition, this bill would require coordination with disaster impacted counties, while currently large public water systems must coordinate assessments with local fire departments and Cal OES, not the State Water Resources Control Board.

Additionally, the bill would withhold state funding for a public water system, unless it completes and submits a disaster impact assessment within 6 months of a disaster. Many public water agencies and cities may not have the resources available or capacity to conduct this assessment, let alone be penalized by having essential state funding withheld. Because this requirement applies regardless of system size or capacity, smaller systems and cities may face significant challenges in completing the assessment within the required timeframe.

State funding is critical for restoring safe drinking water, rebuilding infrastructure and supporting fire suppression capacity following a disaster. The bill does not specify that the

state funding withheld would be specific to the disaster response or any state funding that the public water system or city may be eligible for.

The definition of “disaster-impacted public water system” includes any public water system with infrastructure or customers within the boundaries of a governor-declared disaster area, which could include a public water system that was not physically impacted by the disaster but are still required to prepare a post disaster assessment. Additionally, the bill would treat public and private water suppliers equally, even though they are funded, governed, and regulated differently (private water suppliers are overseen by the State Water Resources Control Board for water quality and the California Public Utilities Commission for rate setting).

SB 1417 would require the public water system to determine whether consolidation is in the best interest of affected residents in becoming a consolidated water system in order to ensure access to quality water and adequate supply, and to minimize rate increases. However, existing law already authorizes the State Water Resources Control Board to order mandatory consolidation with a receiving water system where a public water system or a state small water system within a disadvantaged community consistently fails to provide an adequate supply of safe drinking water or to order the extension of service to an area that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation for consolidation. Additionally, the State Water Resources Control Board has the authority to consolidate “at-risk” public water systems with 3,300 or fewer connections and “at-risk” domestic wells that disadvantaged communities rely on in whole or in part and for which inspection or testing of the wells shows an imminent risk of failing. SB 1417 places an onerous task on a public water system that has been impacted by a disaster to develop this assessment, when the state already has the tools necessary to perform consolidations.

Cal Cities Environmental Quality Policy Committee has expressed interest in weighing in on legislation related to natural disaster preparedness and water supply topics. While Cal Cities has some existing policy related to natural disasters and water supply, SB 1417 provides an opportunity for Cal Cities to weigh in more specifically on what type of assessments are necessary in the event of a disaster, as proposed in the bill. While the bill appears targeted to address specific regional issue related to private water suppliers in the author’s district. However, it would have statewide impacts and far-reaching impacts for any public water systems in a disaster-impacted area.

Support:

Unknown at this time

Opposition:

Association of California Water Agencies (Oppose Unless Amended)

California State Association of Counties (Oppose Unless Amended)

Rural County Representatives of California (Oppose Unless Amended)

Staff Recommendation:

Staff recommend the Committee should discuss if they would like to recommend a position on this bill.

Committee Recommendation:

Board Action:



ENVIRONMENTAL QUALITY POLICY COMMITTEE Legislative Agenda

Staff: Melissa Sparks-Kranz, Legislative Affairs Lobbyist
Leila Romero, Legislative Affairs and Policy Analyst

AB 2013 (Bennett) Fire risk areas: water suppliers: emergency preparedness plan.

Bill Summary:

The bill would require a water supplier that services more than 100 customers that are located in a fire hazard severity zone to establish an emergency preparedness plan to respond to extreme weather events and other emergencies that pose a potential threat to providing adequate water supply for firefighting.

Bill Description:

The bill would require a water supplier that serves more than 100 customers located within a moderate, high, or very high fire hazard severity zone, as designated by the State Fire Marshal or a local agency, 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 to the moderate, high, or very high fire hazard severity zone. The bill would require a water supplier to review the plan at least once every three years and update the plan as necessary.

The bill would encourage a water supplier to develop a plan in coordination with the county board of supervisors, or a county agency or department if one is designated as the coordinating authority by the county board of supervisors. The plan, and any subsequent updates, would be required to be submitted to the county board of supervisors or a county agency or department designated by the county board of supervisors.

The bill would require that the plan include, but not be limited to, all of the following:

- An assessment of the minimum water tank levels necessary to maintain water service for customers while providing an adequate water supply for fire fighting activities during an extreme weather event or red flag warning.
- The assessment shall take into consideration water quality standards and actions necessary to maintain water quality.
- 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.
- The assessment shall identify water pumps that are equipped with emergency backup energy sources and identify water pumps that require the installation of emergency backup energy sources.
- An identification of alternative water sources that can be used during an extreme weather event or loss of power, if any.

- A detailed accounting of the pipelines, water pumps, water tanks, backup power generation facilities, and related infrastructure needs that are necessary to maintain water service for customers and provide adequate water supply for fire fighting activities during an extreme weather event and a designation for which of these pipelines, water pumps, water tanks, and backup power generation facilities are, or are required to be, fire hardened.

The bill would require a water supplier or water system that prepares and submits an emergency response plan to the California Public Utilities Commission (CPUC) to include the emergency preparedness plan, as required in this bill, to be included in that submission.

Background:

Under existing law, the California Emergency Services Act requires all public water systems with 10,000 or more service connections to review and revise their disaster preparedness plans in conjunction with related agencies, including, but not limited to, local fire departments and the Office of Emergency Services, to ensure that the plans are sufficient to address possible disaster scenarios. Additionally, existing law requires these public water systems, following a declared state of emergency, to furnish an assessment of their emergency response and recommendations to the Legislature within 6 months after each disaster, and to implement the recommendations in a timely manner. A person who violates the provisions of this act is guilty of a misdemeanor, and upon conviction, punishable by a fine of up to \$1,000 or by imprisonment for up to 6 months or by both.

Under existing law, the State Fire Marshal is required 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. Under existing law, a local agency is required 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.

Existing Cal Cities Policy:

The following are included in [Cal Cities' Existing Policies](#):

Natural Disaster Preparedness

Cal Cities supports local efforts and resources for local governments to prepare, prevent, and adapt to wildfires, earthquakes, and other natural disasters.

California Water: General Principles

Local, state and federal agencies should prepare plans for short-term water emergencies as well as long-term cooperative water management plans and policies, such as the Integrated Regional Water Management Plan (IRWMP) process.

Fiscal Impact:

The fiscal impact related to the implementation of AB 2013 would place a state mandate on cities that are water suppliers. A better understanding of the fiscal impact will be available once the bill is heard in Assembly Appropriations Committee.

Staff Comments:

Last year, Assemblymember Bennett authored AB 367 (Chapter 690, Statutes of 2025), which was signed into law related to wildfire preparedness for water suppliers specifically in Ventura County. The bill created requirements for backup energy, water suppliers to establish and annually update an emergency preparedness plan, and other hardening of critical facilities, inspections of critical facilities, and reporting after a fire. AB 367 did not provide a sufficient funding source for water suppliers to meet the requirements of the bill. It is Cal Cities understanding that there were concerns that the bill was overly directive toward water system operations and since the provisions in the bill were unfunded, it would lead to significant costs for water suppliers to comply with an unfunded mandate. Even though the bill was limited to Ventura County, the author expressed interest in a statewide version of the bill, potentially this year. AB 2013 is the introduction of a statewide measure as anticipated.

Cal Cities staff have several high-level policy points that should be considered, if the Committee would like to take a position. First, the bill would require all water suppliers in the moderate, high and very high fire hazard severity zones to develop an emergency preparedness plan for response to red flag warnings, extreme weather events, including an assessment that measures the adequate water supply for firefighting services for extreme weather events. While adequate water supply is within the purview of a water supplier, the amount of water needed and the related equipment (water tanks, water pumps, and emergency backup energy source) to fight a fire or other extreme weather event is likely information that should be coordinated with a fire department or local fire protection authority. This would be consistent with existing law where public water systems with over 10,000 connections are required to coordinate with local fire departments in the development of an emergency preparedness plan.

This measure also implies that water suppliers must have adequate water supply to fight fires. While water supply can be critical to fire suppression, it should not be implied that each individual drinking water system is intended to provide adequate water supply to fight a fire or that an individual water system is liability for the cause of a fire. Existing Government Code specifically states that public entities are not liable for any injury whether they act or do not act and any liability of a public entity is subject to immunity. Additionally, a public entity is not liable for any injury resulting from firefighting, specifically from the conditions of fire protection or firefighting equipment or facilities. Cal Cities staff believe that the bill should include clarifying provisions that explicitly provide the same consistent immunity for water suppliers who coordinate water supply for the purposes of firefighting in the event of wildfires.

Cal Cities Environmental Quality Policy Committee has expressed interest in weighing in on legislation related to natural disaster preparedness and water supply topics. While Cal Cities has some existing policy related to natural disasters and water supply, AB 2013

provides an opportunity for Cal Cities to weigh in more specifically on what type of plans are necessary in the event of a disaster, as proposed in the bill. This bill appears targeted to follow up from a district-specific issue related in the author's district. However, it would have statewide impacts and far-reaching impacts for almost all water suppliers (except for those that have less than 100 customers).

Support:

Unknown at this time

Opposition:

Association of California Water Agencies (Oppose Unless Amended)

Staff Recommendation:

Staff recommend the Committee should discuss if they would like to recommend a position on this bill.

Committee Recommendation:

Board Action:

ENVIRONMENTAL QUALITY POLICY COMMITTEE Legislative Agenda

Staff: Melissa Sparks-Kranz, Legislative Affairs Lobbyist
Leila Romero, Legislative Affairs and Policy Analyst

SB 1138 (Padilla) Load-serving entities: resource adequacy requirements

Bill Summary:

This bill would require the California Public Utilities Commission (Commission) to permit a load-serving entity to demonstrate compliance with resource adequacy requirements by selling to, or otherwise entering into transactions with, another load-serving entity to meet up to 25 percent of its compliance obligation on a short-term basis.

The bill would also require the Commission to permit those transactions to be calculated in the same unit of time used for resource adequacy compliance requirements.

Bill Description:

SB 1138 would require the Commission to allow a load-serving entity to demonstrate compliance with resource adequacy requirements by engaging in short-term transactions with another load-serving entity for up to 25 percent of its compliance obligation.

The bill would also require the Commission to allow those transactions to be calculated in the same unit of time used for resource adequacy compliance requirements, which could include monthly, hourly, or other time-based compliance periods used in the Commission's resource adequacy framework.

The bill would not otherwise revise the broader statutory framework governing the Commission's responsibility to establish and enforce resource adequacy requirements. Existing provisions requiring nondiscriminatory implementation and enforcement of resource adequacy requirements would remain in place.

For purposes of this bill:

- "Load-serving entity" means an electrical corporation, electric service provider, or community choice aggregator (CCA).
- The term does not include local publicly owned electric utilities, the State Water Project, or certain forms of customer generation under specified circumstances.

Major stakeholders in California's electricity reliability planning framework include:

- The Commission, which establishes and enforces resource adequacy requirements
- The California Independent System Operator (CAISO), which manages the state's electricity transmission grid and ensures real-time grid reliability.

- Load-serving entities, including investor-owned utilities, electric service providers, and community choice aggregators, which are responsible for procuring sufficient electricity resources to meet customer demand.

Background:

Existing law requires the Commission, in consultation with the CAISO, to establish [resource adequacy requirements](#) for load-serving entities to ensure that sufficient electricity resources are available to meet customer demand and maintain grid reliability. Under the Resource Adequacy Program, load-serving entities must demonstrate that they have secured sufficient generating capacity and demand response resources to meet projected electricity demand while helping maintain reliable grid operations.

Existing law also requires the Commission to calculate and [publish annually](#) the percentage of each load-serving entity's local and system resource adequacy requirements from the previous calendar year that was met with eligible renewable energy resources, zero-carbon resources, or energy storage resources.

Additionally, the Commission is responsible for determining and authorizing the most efficient and equitable means of achieving the objectives of the resource adequacy program, including:

- Encouraging investment in new generation capacity
- Retaining economical existing capacity
- Equitably allocating costs among load-serving entities
- Minimizing the need for [backstop procurement by CAISO](#) when reliability gaps occur.

Existing Cal Cities Policy:

The following are included in [Cal Cities' Existing Policies](#):

Community Choice Aggregation (CCA)

Cal Cities supports programs that increase local control over the purchase and development of renewable energy resources, as an effective means of increasing consumer access to renewable energy at stable, competitive rates, and decreasing statewide greenhouse gas emissions.

Cal Cities supports cities' exercise of the right to form or join existing Community Choice Aggregation (CCA) entities, as an effective method of increasing local control over power supply.

Accordingly, Cal Cities supports legislation and regulatory policies that support CCA autonomy in policymaking and decision-making, and opposes legislation and regulatory policies that unfairly disadvantage CCAs or CCA customers, or reduce or undermine local decision-making autonomy by the CCA or its governing board.

Fiscal Impact:

The fiscal impact of SB 1138 is currently unknown and will likely be determined as the bill moves through the Appropriations Committee. Any implementation costs would likely fall

primarily on the Public Utilities Commission related to administration and oversight of the revised compliance framework.

Staff Comments:

According to the author, the bill would provide load-serving entities with additional tools to manage procurement obligations while maintaining the overall reliability goals of the state's resource adequacy program.

California's resource adequacy framework has evolved over time as the state has transitioned toward a cleaner electricity system while maintaining reliability during periods of increased electricity demand and extreme weather events.

Recent reliability challenges, including heat-driven electricity demand spikes and tight supply conditions in western electricity markets, have increased attention on ensuring load-serving entities maintain adequate resource procurement and that the system maintains sufficient capacity reserves. State policymakers and regulators have adopted several procurement decisions and regulatory reforms in recent years aimed at strengthening reliability planning and ensuring adequate electricity capacity is available across the system. Within this framework, resource adequacy compliance is typically demonstrated through long-term and forward procurement obligations.

SB 1138 would allow a portion of those obligations to be satisfied through short-term transactions between load-serving entities, potentially providing additional operational flexibility within the existing program structure.

The measure may be of interest to cities because community choice aggregators (CCAs) are considered load-serving entities under state law, and many California cities participate in or are members of CCAs that procure electricity on behalf of their residents and businesses, while the investor-owned utility continues to operate the transmission and distribution infrastructure. As a result, changes to resource adequacy compliance mechanisms could affect how CCAs serving many cities manage procurement obligations within the Commission's existing reliability framework.

The bill would not impose direct requirements on cities. However, changes to the regulatory structure governing resource adequacy compliance could indirectly affect electricity service providers serving city residents and businesses, particularly those operating under CCAs.

The sponsors of the bill, CalCCA, shared the bill would provide additional flexibility for load-serving entities to manage procurement obligations efficiently, particularly during periods when short-term capacity transactions may be available to help meet reliability requirements.

Inversely, while resource adequacy obligations could be met through short-term transactions, it could potentially affect incentives for longer-term resource procurement or investment in new electricity capacity. However, the CAISO exercises its backstop

procurement authority to secure additional electricity resources needed to maintain grid reliability.

Support:

CalCCA (sponsors)

Opposition:

Unknown at this time.

Staff Recommendation:

Staff recommend the Committee should discuss if they would like to recommend a position on this bill.

Committee Recommendation:

Board Action:

ENVIRONMENTAL QUALITY POLICY COMMITTEE Legislative Agenda

Staff: Melissa Sparks-Kranz, Legislative Affairs Lobbyist
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AB 2266 (Schultz) Electricity: load serving-entities

Bill Summary:

This bill would require the California Public Utilities Commission (Commission), beginning on and after January 1, 2030, to use a consistent capacity valuation method when setting resource adequacy and resource procurement obligations for load-serving entities. The bill would also require the Commission to initiate a process to consolidate multiple compliance reporting requirements for load-serving entities into a single reporting process.

Additionally, the bill would require the Commission to include in its annual report an explanation if the California Independent System Operator (CAISO) exercises its backstop procurement authority to secure additional electricity resources needed to maintain grid reliability.

Bill Description:

AB 2266 would require the Commission, beginning January 1, 2030, to apply the same capacity valuation method across programs when assessing the reliability contribution of different resource types. The purpose of this requirement is to ensure greater consistency when evaluating short-term, midterm, and long-term electricity reliability needs.

The bill would also require the Commission to initiate a process by January 1, 2030 to consolidate compliance reporting requirements for LSEs across several major programs, including those related to:

- Resource Adequacy
- The Renewables Portfolio Standard Program
- Long-Term Procurement Planning

These reporting requirements would be streamlined into a single compliance reporting process to improve administrative efficiency and transparency. The bill would also require that any compliance reporting requirements be finalized at least 20 calendar days prior to the submission deadline to allow sufficient time for entities to ensure accuracy and consistency in reporting.

Finally, the bill would require the Commission to provide additional transparency if the CAISO exercises its backstop procurement authority to secure additional electricity resources needed to maintain grid reliability. If this authority is used, the Commission would

be required to include in its annual report an explanation of whether the need arose due to:

- Noncompliance by load-serving entities; or
- Differences in methodology between the Commission and CAISO when assessing the reliability contribution of resource types.

Major stakeholders in California's electricity reliability planning framework include:

- The Commission, which establishes resource adequacy requirements and procurement obligations.
- The CAISO, which manages the state's electricity transmission grid and ensures real-time grid reliability.
- Load-serving entities, which are responsible for procuring sufficient electricity resources to meet customer demand and comply with state reliability requirements.

Background:

Existing law requires the Commission to establish resource adequacy and resource procurement obligations for load-serving entities (LSEs), which include electrical corporations, electric service providers, and community choice aggregators that serve electricity demands to customers. These obligations are intended to ensure that sufficient electricity resources are available to maintain grid reliability.

California has adopted numerous policies and regulatory programs over the past two decades aimed at transitioning the state to a carbon-neutral electricity system while maintaining grid reliability. These include the Renewables Portfolio Standard Program, the Resource Adequacy Program, and the Integrated Resource Planning process, which together guides electricity procurement and long-term reliability planning for the state's power system.

Existing law requires the Commission, in consultation with the CAISO, to establish resource adequacy requirements for load-serving entities including investor-owned utilities, electric service providers, and community choice aggregators. The Resource Adequacy Program was created to ensure that electricity providers procure sufficient generating capacity to maintain reliable electric service while supporting the state's clean energy goals.

Prior legislation expanded the state's efforts to coordinate electricity reliability planning and procurement. For example, [SB 350 \(2015\)](#) established the integrated resource planning framework to guide electricity procurement decisions and align energy planning with statewide climate goals. on the Commission's [Integrated Resource Planning \(IRP\)](#) guides long-term electricity procurement decisions. Under [Public Utilities Code Section 454.52](#), load-serving entities must prepare integrated resource plans demonstrating how they will meet electricity demand while achieving statewide greenhouse gas reduction targets and maintaining system reliability.

Several of these programs were developed through different legislative and regulatory processes over time. As a result, the state's electricity regulatory framework currently includes multiple compliance structures and different methodologies for evaluating the reliability contribution of various energy resources.

State policymakers have also sought to continue to improve coordination between key energy agencies, including the Commission, the California Energy Commission, and the CAISO. In December 2022, these agencies entered into a [memorandum of understanding](#) to better align planning processes and energy demand forecasts used in electricity procurement and transmission planning.

Additional state actions in recent years have directed the Commission to procure new clean energy and storage resources and strengthen planning efforts to address reliability challenges associated with extreme weather events and increasing electricity demand.

In [March 2026](#), the Commission approved a decision requiring electricity providers to procure additional clean energy and storage resources to support reliability while advancing the state's clean energy goals. These procurement requirement efforts highlight how much electricity capacity is needed to maintain reliability across California's electric grid.

Existing Cal Cities Policy:

The following are included in [Cal Cities' Existing Policies](#):

Community Choice Aggregation (CCA)

Cal Cities supports programs that increase local control over the purchase and development of renewable energy resources, as an effective means of increasing consumer access to renewable energy at stable, competitive rates, and decreasing statewide greenhouse gas emissions.

Cal Cities supports cities' exercise of the right to form or join existing Community Choice Aggregation (CCA) entities, as an effective method of increasing local control over power supply.

Accordingly, Cal Cities supports legislation and regulatory policies that support CCA autonomy in policymaking and decision-making, and opposes legislation and regulatory policies that unfairly disadvantage CCAs or CCA customers, or reduce or undermine local decision-making autonomy by the CCA or its governing board.

Fiscal Impact:

The fiscal impact of AB 2266 is currently unknown and will likely be determined as the bill moves through the Assembly Appropriations Committee. Implementation costs would primarily fall on the Commission related to initiating the reporting consolidation process and implementing a consistent capacity valuation method. There could be cost savings locally for CCAs who are load-serving entities who would be complying with these reporting requirements.

Staff Comments:

AB 2266 would improve coordination across several electricity reliability and procurement programs administered by the Commission. By directing the Commission to apply a consistent capacity valuation methodology when evaluating the reliability contribution of

energy resources, the bill would improve alignment across multiple regulatory programs that inform electricity reliability planning.

According to the author, the existence of multiple procurement and reliability programs with separate methodologies and reporting requirements can make reliability assessments and regulatory filings more complex. AB 2266 would address these concerns by directing the Commission to examine opportunities to streamline compliance reporting across programs and use a consistent capacity valuation methodology when assessing the reliability contribution of different energy resources.

Streamlining reporting requirements across these programs may reduce administrative complexity and improve clarity for responsible entities, particularly CCAs that cities are active members of, in demonstrating compliance with state reliability requirements.

Many California cities either operate or participate in CCAs that procure electricity on behalf of their residents and businesses. As a result, changes to procurement reporting requirements or reliability evaluation methodologies could affect how CCAs demonstrate compliance with state procurement and reliability programs.

While the bill does not appear to impose direct requirements on cities themselves, any changes to regulatory compliance processes for load-serving entities could indirectly affect electricity providers serving city residents and businesses.

The annual reporting requirement changes would likely provide state level policymakers and load serving entities with additional information, trends, and recommendations regarding the factors contributing to reliability gaps or emergency procurement events within California's electricity system.

Support:

Unknown at this time.

Opposition:

Unknown at this time.

Staff Recommendation:

Staff recommends the Committee should discuss if they would like to recommend a position on this bill.

Committee Recommendation:

Board Action: