

Date of Hearing: July 1, 2025

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

SB 369 (Padilla) – As Amended March 17, 2025

SENATE VOTE: 33-2

SUBJECT: Salton Sea: restoration projects: skilled and trained workforce

SUMMARY: Requires the use of a skilled and trained workforce for Salton Sea restoration projects. Specifically, **this bill:**

- 1) Requires a state agency undertaking a Salton Sea restoration project to obtain an enforceable commitment that every bidder, contractor, subcontractor, or other entity at every tier use a skilled and trained workforce to perform all work on the project that falls within an apprenticeship occupation in the building and construction trades. This requirement shall apply to any contract entered into on or after January 1, 2026.
- 2) Provides that this bill shall not apply to a Salton Sea restoration project if the project is subject to a project labor agreement that requires the use of a skilled and trained workforce.
- 3) Defines “every tier” as all contracts at any level, including contracts for the supply and manufacture of off-site aggregate materials for the project. Specifies that this definition does not include transportation services.
- 4) Defines “state agency” as the Natural Resources Agency (NRA), the Department of Water Resources (DWR), or the Department of Fish and Wildlife (DFW).
- 5) Defines “Salton Sea restoration project” as the erection, construction, alteration, repair, or improvement of any Salton Sea ecosystem structure, building, road, or other improvement that exceeds \$50,000 in cost and that is undertaken as part of the restoration of the Salton Sea ecosystem.
- 6) Makes findings and declarations regarding the Salton Sea and the need for this bill.

EXISTING LAW:

- 1) Requires the Secretary of NRA, in consultation and coordination with the Salton Sea Authority, to lead Salton Sea restoration efforts. Authorizes DWR to use design-build procurement authority for projects constructed at the Salton Sea that cost more than \$1 million [Fish and Game Code (FGC) § 2942].
- 2) Defines Salton Sea Authority as the joint powers authority comprised of the Imperial County, Riverside County, the Imperial Irrigation District, the Coachella Valley Water District, and the Torres Martinez Desert Cahuilla Indian Tribe (FGC § 2941).
- 3) Permits DWR to use design-build contracts for public works projects at the Salton Sea that cost more than \$1 million (Public Contract Code § 10204).

- 4) Defines “entity” as a company, limited liability company, association, partnership, sole proprietorship, limited liability partnership, corporation, business trust, or organization (Labor Code § 1771.1).
- 5) Defines “project labor agreement” as a prehire collective bargaining agreement that establishes terms and conditions for employment for a specific construction project or projects and that complies with requirements under federal law including minimum training or experience qualifications for employment or priority in opportunities for employment based upon length of service (Public Contract Code § 2500).
- 6) Defines “skilled and trained workforce” as one in which all workers performing work in an apprenticeable occupation in the building and construction trades are either skilled journeypersons or apprentices registered in an approved apprenticeship program and in which specified percentages of skilled journeypersons in the workforce have graduated from an apprenticeship program (Public Contract Code § 2601).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author, this bill is intended to increase the pace of Salton Sea restoration projects and ensure workers on these projects are protected. The author states: “For years, the receding lake bed at the Salton Sea, exacerbated by our changing climate, has created environmental hazards that threaten the health of communities in the Imperial Valley, predominantly composed of Latino agricultural workers. The state and federal government have provided funding for Salton Sea restoration, which is critical to ensuring the health and well-being of the Salton Sea ecosystem and the Imperial Valley community, but this only a piece of helping this region overcome the challenges it faces. The Imperial Valley already has a high unemployment rate and many residents face poor working conditions and low wages. Given the risk to workers, effort to ensure a labor pipeline for residents in the Imperial Valley, and support towards the rapid completion of Salton Sea Restoration projects, [this bill] is crucial to statutorily require the use of a local skilled and trained workforce for all restoration work at the Salton Sea.”
- 2) **Background.** The Salton Sea is California's largest lake and was once famous for its sport fishery and other recreational uses. It is located in southern Riverside County and northern Imperial County in southeastern California. The sea is approximately 35 miles long and up to 15 miles wide with approximately 320 square miles of water surface and 105 miles of shoreline. The modern Salton Sea was created in 1905 as a result of flood flows from the Colorado River. Since then, approximately 90% of the freshwater inflow to the Salton Sea is agricultural runoff from the Imperial Valley, preventing the sea from drying up as had occurred in the past. As the Salton Sea has no outlets, salts and nutrients concentrate in it. Currently, the Salton Sea has a salinity level that is approximately 60% higher than the ocean. Increasing levels of salinity have significantly reduced the presence of fish in the sea. In addition, as the sea has become increasingly nutrient polluted (eutrophication), the occurrences of fish die-offs and unpleasant odors have made the area a much less attractive destination for recreation.

The surface elevation of the Salton Sea has steadily declined since the implementation of the Quantification Settlement Agreement (QSA) in 2003, an important water agreement

regarding California's use of Colorado River water that included a water transfer from the Imperial Irrigation District (IID) to the San Diego County Water Authority (SDCWA). When the water transfer began in 2003, IID was required to put mitigation flows into the sea for 15 years. Mitigation flows into the sea stopped in January 1, 2018. A decrease of over 13 feet in elevation from 2003 to the present has resulted in a net exposure of 37 square miles of dry lake bed – known as “playa.”¹

In many areas, the playa consists of fine sediments that were deposited at the bottom of the sea over many years. Due to the high winds and arid climate around the sea, the wind picks up significant amounts of fine dust, increasing the amount of particulate matter in the air and contributing to poor air quality in the Imperial and Coachella Valleys. Particulate matter is especially dangerous to children and the elderly. Over time, particulate matter can become trapped in the lungs, causing asthma attacks, bronchitis, lung diseases, and can exacerbate existing heart conditions. While not solely attributable to the playa, Imperial County has one of the highest rates of asthma-related emergency room visits for children in California.²

In order to facilitate the signing of the QSA, the state agreed to assume most of the financial responsibility for mitigating negative environmental impacts and for Salton Sea restoration efforts. The QSA limits the funding for mitigation related to the water conservation and transfer activities, as well as Salton Sea restoration, for certain QSA parties (IID, SDCWA, and Coachella Valley Water District) to \$163 million in 2003 dollars, adjusted for inflation. The Legislature enacted several bills in 2003 to implement the QSA (see Related Legislation, below). These legislative measures committed the state to taking on responsibility for Salton Sea restoration that was not covered by parties to the QSA and also established a number of broad goals for the restoration effort.

Salton Sea Management Program (Program). Led by NRA with support from DWR and DFW, the Program was established to fulfill the state's obligations to restore the Salton Sea. The Program is currently focused on achieving the goals of the *Salton Sea Management Plan Phase 1: 10-Year Plan* by completing 29,800 acres of dust suppression and habitat restoration projects. To date the Program has completed projects covering 3,225 acres; this falls short of its goal of having completed 14,200 acres of projects by the end of 2024. The Program has also developed a long-range plan to outline a path for the restoration and management of the Salton Sea beyond 2028. The *Long-Range Plan* was released last year.

Salton Sea funding. California has expended more than \$285 million in bond funds and \$73 million in General Fund for restoration and mitigation projects at the Salton Sea since 2003, most of this funding has been expended in recent years to implement the *Phase 1: 10-Year Plan*. The federal government has also committed an additional \$250 million to fund projects at the Salton Sea.

¹ Pacific Institute, “Current Information on the Salton Sea,” (2025), <https://pacinst.org/current-information-salton-sea/>, accessed June 23, 2025.

² Shoereh F. Farzan, Mitiasoa Razafy, Sandrah P. Eckel, Luis Olmedo, Esther Bejarano, and Jill E. Johnston, “Assessment of Respiratory Health Symptoms and Asthma in Children near a Drying Saline Lake,” *International Journal of Environmental Research and Public Health*, 16 (20), 3828 (2019): <https://doi.org/10.3390/ijerph16203828>.

- 3) **Arguments in support.** The California-Nevada Conference of Operating Engineers (Operating Engineers) is the sponsor of this bill and argues that it will facilitate the rapid completion of Salton Sea restoration projects and ensure the protection of workers. The Operating Engineers contend that this bill is necessary because “workers performing Salton Sea restoration projects are at greater risk of exposure to toxic substances given their proximity to, and interaction with, the toxins that encompass the lakebed of the Salton Sea.” Finally, the Operating Engineers assert that by creating a pipeline of trained workers in the region, this bill will benefit the Imperial Valley for years to come.
- 4) **Double referral.** This bill has also been referred to the Assembly Labor and Employment Committee.
- 5) **Related legislation.** AB 203 (Committee on Budget), Chapter 60, Statutes of 2022, is the public resources trailer bill for the 2022-23 budget year. Among other provisions, provides DWR authority to use design-build for public works projects that cost more than \$1 million at the Salton Sea or that are related to the State Water Project.

SB 277 (Ducheny), Chapter 611, Statutes of 2003, states the intent of the Legislature that the State of California undertake the restoration of the Salton Sea ecosystem, provides for that restoration, and protects wildlife dependent on the Salton Sea ecosystem.

SB 317 (Kuehl), Chapter 612, Statutes of 2003, allows DFW to authorize the take of fully protected species in connection with projects to implement the QSA.

SB 654 (Machado), Chapter 613, Statutes of 2003, authorizes DFW to enter into a joint powers agreement for the purposes providing for the payment of environmental mitigation requirements related to the restoration of the Salton Sea.

REGISTERED SUPPORT / OPPOSITION:

Support

California-Nevada Conference of Operating Engineers (sponsor)
 California Federation of Labor Unions, AFL-CIO
 California State Association of Electrical Workers
 California State Pipe Trades Council
 State Building & Construction Trades Council of California
 Western States Council Sheet Metal, Air, Rail and Transportation

Opposition

None on file

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