

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE  
MARCH 16, 2010**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF A RESOLUTION TO ALLOCATE \$1,799,803 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO FUND THE COLORADO LAGOON (LAGOON) RESTORATION PROJECT (PROJECT)

**DISCUSSION**

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) is requesting \$1,799,803 from the CAA to fund the Project. The Lagoon is a tidal water body connected to Alamitos Bay and the Pacific Ocean through an underground tidal culvert. The Lagoon provides shelter for migratory bird species as well as potential breeding habitat for many wildlife species. In addition, the Lagoon is heavily utilized by communities within and around Long Beach for recreational activities, including swimming, fishing, wildlife viewing, and picnicking.

The Lagoon is listed as an impaired water body pursuant to the federal Clean Water Act as a result of elevated levels of metals, pesticides, and organic compounds, resulting in sediment toxicity, and pesticides and organic compounds in fish and mussel tissue. Bacterial contamination is also a continuing problem that has adversely affected recreational activities.

On October 1, 2009, the Los Angeles Water Board adopted a Total Maximum Daily Load (TMDL) to address fish tissue and sediment quality impairments due to elevated levels of pesticides, organic compounds, and metals in the Lagoon. The TMDL assigns waste load allocations to point sources and requires the responsible parties to achieve their waste load allocations within seven years.

The primary goals of the Project are to:

- Dredge and remove approximately 22,500 cubic yards (cy) of sediment from the western arm of the Lagoon and 6,000 cy from the central lagoon; and
- Re-contour and re-vegetate (with natives) these portions of the Lagoon.

Since there are many sources of funding (American Recovery and Reinvestment Act of 2009, State Coastal Conservancy, and U.S. Army Corps of Engineers), the State Water Resources Control Board's (State Water Board) staff recommends coordination between the various grant managers to ensure the appropriate funds are being used for the approved tasks.

The requested allocation is consistent with the purposes of Water Code Section 13442. Section 13442 provides that the State Water Board may order moneys to be paid from the CAA to a public agency with the authority to cleanup or abate the effects of a waste in order "to assist it in cleaning up the waste or abating its effects on the waters of the state."

**POLICY ISSUE**

Should the State Water Board approve funding \$1,799,803 from the CAA to the Project?

**FISCAL IMPACT**

As of September 3, 2009, the uncommitted CAA balance is estimated to be no less than \$7 million according to the most current data.

**REGIONAL BOARD IMPACT**

No.

**STAFF RECOMMENDATION**

The State Water Board should approve funding \$1,799,803 from the CAA to the Project.

State Water Board action on this item will assist the Water Boards in reaching Goal 4 of the Strategic Plan Update: 2008-2012, to comprehensively address water quality protection and restoration, and the relationship between water supply and water quality, and describe the connections between water quality, water quantity, and climate change, throughout California's water planning processes.

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2010-

ALLOCATE \$1,799,803 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA)  
TO FUND THE COLORADO LAGOON (LAGOON)  
RESTORATION PROJECT (PROJECT)

### WHEREAS:

1. The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) is requesting \$1,799,803 from the CAA) to fund the Project;
2. The Lagoon provides shelter for migratory bird species as well as potential breeding habitat for many wildlife species and is heavily utilized by communities within and around Long Beach for recreational activities, including swimming, fishing, wildlife viewing, and picnicking;
3. The Lagoon is listed as an impaired water body pursuant to the federal Clean Water Act as a result of elevated levels of metals, pesticides, and organic compounds, resulting in sediment toxicity, and pesticides and organic compounds in fish and mussel tissue;
4. On October 1, 2009, the Los Angeles Water Board adopted a Total Maximum Daily Load to address fish tissue and sediment quality impairments due to elevated levels of pesticides, organic compounds, and metals in the Lagoon;
5. The Project will dredge and remove approximately 22,500 cubic yards (cy) of sediment from the western arm of the Lagoon, 6,000 cy from the central lagoon; and re-contour and re-vegetate (with natives) these portions of the Lagoon; and
6. The requested allocation is consistent with the purposes of Water Code Section 13442. Section 13442 provides that the State Water Resources Control Board (State Water Board) may order moneys to be paid from the CAA to a public agency with authority to cleanup or abate the effects of a waste "to assist it in cleaning up the waste or abating its effects on the waters of the state."

### THEREFORE BE IT RESOLVED THAT:

#### The State Water Board:

1. Approves funding \$1,799,803 from the CAA to the Los Angeles Water Board for the Project; and

## **D R A F T**

2. Shall revert any unexpended funds to the CAA as of June 20, 2012, unless the Deputy Director or Assistant Deputy Director of the Division of Financial Assistance authorizes an extension. The funds will be available until June 30, 2012.

### **CERTIFICATION**

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on March 16, 2010.

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Jeanine Townsend  
Clerk to the Board