



CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

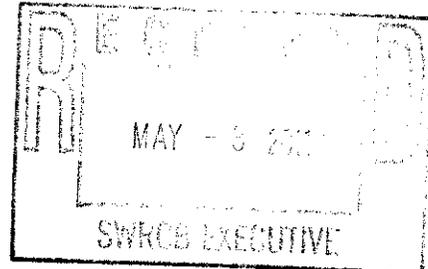
5/17/11 Board Mtg. Item 4
Colorado Lagoon
Deadline: 5/10/11 by 12 noon

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802 • (562) 570-6711 • FAX (562) 570-6583

PATRICK H. WEST
CITY MANAGER

April 28, 2011

Charlie Hoppin, Chair and Board Members
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814
c/o Jeanine Townsend, Clerk to the Board



Re: City of Long Beach Cleanup and Abatement Account Funding Request for the
Removal of Contaminated Sediments from Colorado Lagoon

Dear Chair Hoppin and Members of the Board:

The Colorado Lagoon (Lagoon) is an important regional recreational asset and a vital component of the States' coastal marine eco-system. From a recreational standpoint, the Lagoon entertains thousands of visitors during the summer months, including many young children who learn to swim in its calm waters. In a non-scientific (but nonetheless revealing) survey conducted over multiple weekends during the past summer by the Friends of the Colorado Lagoon (FOCL)—a community based support group whose mission is to help restore the water quality and marine habitat of the Lagoon and conduct related public education—over 88% of those surveyed indicated that they had been to the lagoon on prior visits, and over half of those had been coming regularly to the Lagoon over the past 10 years. Moreover, indicative of its regional importance, approximately 82% identified themselves as Hispanic and over 83% lived in non-Long Beach zip codes.

Lamentably, 72% of the people surveyed were not aware of the Lagoon's degraded condition or the current restoration plans to improve its water quality. As you know, the Lagoon suffers from serious contamination issues resulting from decades of regional urban storm water runoff. Heal the Bay has identified the Lagoon as one of the State's worst water quality beaches.

Recognizing the need and importance of cleaning up the Lagoon, the City of Long Beach (City) has spent over \$2.4 million to plan, manage and implement the Master Colorado Lagoon Restoration Project—a comprehensive effort to improve water and sediment quality, storm water management (including a recently completed and separately funded \$5.0 million storm water runoff and trash diversion system), and public health at one of Southern California's last remaining coastal lagoons.

The next major step involves the removal and treatment of contaminated sediment from Colorado Lagoon. In this regard, the State Water Resources Control Board recently approved a Total Maximum Daily Load (TMDL) for the Lagoon, which established strict sediment quality targets that may require more sediment removal than was originally planned. The TMDL was adopted to protect beneficial uses, including recreation, aquatic life and commercial and sport fishing.

According to the latest engineering estimates, approximately 50,000 cubic yards of highly contaminated sediment (considered hazardous waste) needs to be removed, treated (a complex process requiring chemical reagents) and properly disposed. Removal of hazardous sediment is the City's top priority in order to protect beneficial uses. After all hazardous material has been removed from the Lagoon, we will apply the State's Sediment Quality Objectives (SQO) to determine if additional sediment removal is necessary. If the SQO process reveals that additional dredging is required, this additional dredged material may not have to be treated and may be reused on site or disposed at any local disposal facility. We are reasonably confident that the SQO process will demonstrate that additional dredging is not necessary.

The City is under critical time constraints to begin the removal of contaminated sediment later this year in order to take advantage of a unique opportunity to dispose of the treated material at a local confined disposal facility located within the Port of Long Beach (Port), but which will not be available next year or in future years. If we do not proceed with the sediment disposal at the Port this year, we will likely have to truck the material to the Kettleman City Landfill (as originally planned) at a significant added cost (in the millions of dollars), creating environmental impacts that will require mitigation.

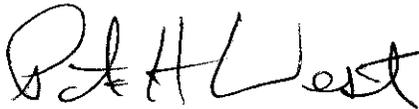
As outlined in the TMDL, the Los Angeles Regional Water Board's cost estimate for the removal of all contaminated sediment from the Lagoon is \$12,630,000 (Pg. 4, State Water Board Item 3, Nov. 16, 2010). The City's cost estimate for the removal of all hazardous material is \$9,330,000 and is based on detailed engineering designs. To date, the City has successfully raised \$4,600,000 from the U.S. Army Corps of Engineers, National Oceanic Atmospheric Administration, State Coastal Conservancy, State Water Board, and the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy. However, additional funds are necessary to help complete the work. On March 3, 2011, the Los Angeles Regional Water Quality Control Board identified this project as its highest priority for disbursement of funds from the Cleanup and Abatement Account. We have also received multiple letters of support from various organizations and State and Federal Resource Agencies (attached).

On April 5, 2011, you asked City staff to consider creative project alternatives to reduce costs. We have identified two possibilities that would require additional planning efforts, which timeframe would close our "window of opportunity" to dispose of the material at the Port. First, instead of removing the sediment, we could "cap in place" the contaminated sediments with 2-3 feet of clean soil. While this option could reduce costs, it may not be approved by the State and Federal Agencies with regulatory

jurisdiction over the Lagoon. The capping option may also require additional California Environmental Quality Act (CEQA) analysis (a potentially lengthy process). The second option is for your agency to reconsider its directive to use the "CA Standard Wet Test" to determine the disposal options of contaminated sediment at Colorado Lagoon. Prior to this directive, the "DI Wet Test" was used, which some believe is more appropriate for coastal saltwater environments and confined disposal facilities. Using the "DI Wet Test," the sediment from the Lagoon would not be considered "hazardous," and may allow for its disposal at a confined disposal facility without it being treated first, thus significantly reducing costs. This option would also have to be approved by other regulatory agencies, including the Department of Toxic Substances Control and the Army Corps of Engineers. With either option, time constraints continue to be a determinant factor.

Accordingly, we respectfully ask for your favorable consideration of the City's request for \$3.3 million from the Cleanup and Abatement Account (CAA) to help cleanup the Colorado Lagoon as currently planned. With your assistance, we can ensure that this important state and regional resource is restored for the benefit of the environment and for the enjoyment and use of many future generations to come.

Sincerely,

A handwritten signature in black ink, appearing to read "P. H. West", with a long horizontal line extending to the right.

Patrick H. West
City Manager



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Charlie Hoppin, Chair and Board Members
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814
c/o Jeanine Townsend, Clerk to the Board

Re: Funding from the Cleanup and Abatement Account for the Removal of Contaminated Sediments from the Colorado Lagoon

Dear Chair Hoppin and Members of the Board:

On behalf of the U.S. Environmental Protection Agency (EPA) Region 9, I am writing to support funding for the Colorado Lagoon Restoration project from the state's Cleanup and Abatement Account.

Decades of uncontrolled runoff from the surrounding urban watershed has led to contamination of the Colorado Lagoon. In 1998, the Colorado Lagoon was placed on the State's 303(d) list of impaired waters due to sediment toxicity and elevated levels of organochlorine (OC) pesticides, polychlorinated biphenyls (PCBs), polycyclic aromatic hydrocarbons (PAHs); and metals in the sediment and fish tissue.

Last November, the State Water Resources Control Board took an important step towards restoring the lagoon by approving the Colorado Lagoon Total Maximum Daily Load (TMDL). The TMDL sets forth a plan to mitigate the discharge of pollutants to the lagoon and to remove the contaminated sediment to levels necessary to fully support the lagoon's beneficial uses. Water quality will be significantly improved as a result of the dredging and recontouring of contaminated bottom sediments.

The City of Long Beach has also recently taken steps to improve water quality within the lagoon by cleaning out an 880-foot long culvert that connects the lagoon to Marine Stadium, building a vegetated swale to capture pollutants and modifying storm drains to divert urban runoff and prevent trash from entering the lagoon. These improvements were made possible through \$4.3 million in funding from the State Water Resources Control Board, under EPA's Clean Water State Revolving Loan Fund and the 2009 American Recovery and Reinvestment Act (ARRA).

As we approach the 40th anniversary of the Clean Water Act (CWA), together with our partners at the state and local level we have made great progress towards restoring the chemical, physical, and biological integrity of California's waters. However, a lot of work remains to be done. Additional funding from the state's Cleanup and Abatement Account will greatly advance implementation of the TMDL and help the Colorado Lagoon attain the CWA's "fishable/swimmable" goal.

Sincerely,


Alexis Strauss
Water Division Director



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

APR 25 2011

Charlie Hoppin, Chair and Board Members
State Water Resources Control Board
1001 I Street
Sacramento, California 95814
c/o Jeanine Townsend, Clerk to the Board

Re: City of Long Beach Cleanup and Abatement Account Funding Request for the
Removal of Contaminated Sediments from Colorado Lagoon

Dear Chair Hoppin and Members of the Board:

On behalf of the NOAA's National Marine Fisheries Service (NMFS), I am writing in support of the Colorado Lagoon Restoration Project, and to urge you to support the City of Long Beach's request for \$3.3 million from the Cleanup and Abatement Account (CAA). It is our understanding that CAA funds are available to any public agency with the authority to clean up waste or abate the effects of a waste on waters of the state. The non-point source (no private responsible party) contamination of the Colorado Lagoon is well established in environmental compliance documents like the 2008 Environmental Impact Report (EIR), 2010 EIR Addendum, and your recently adopted Colorado Lagoon Total Maximum Daily Load.

The NOAA Restoration Center and regional Habitat Conservation Division office have been working with the City of Long Beach on this important project for many years. NOAA is responsible for the stewardship of the nation's living marine resources and their habitat. The Colorado Lagoon serves as important coastal habitat that is essential to a unique assemblage of fish and invertebrate species. In addition, the NOAA Restoration Center is committed to providing funding to the restoration of Colorado Lagoon through a partnership with the California Coastal Conservancy

With your support, Colorado Lagoon will be cleaned, restored, and enhanced for the benefit and use of not just humans that utilize Colorado Lagoon for swimming and fishing, but also for the countless flora and fauna that depend on it for survival.

Sincerely,

Robert S. Hoffman
Assistant Regional Administrator
for Habitat Conservation





United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road, Suite 101
Carlsbad, California 92011

In Reply Refer To:
FWS-CP-09B0263-11CPA0030

APR 26 2011

Mr. Dave Pirazzi, President
Friends of Colorado Lagoon
203 Argonne, Suite B #140
Long Beach, California 90803

Dear Mr. Pirazzi:

The U.S. Fish and Wildlife Service (Service) is writing this letter in support of the Colorado Lagoon Restoration Project (Project). The Carlsbad Fish and Wildlife Office is a strong supporter of the Project and other efforts to restore Colorado Lagoon. Land and in-water development has significantly reduced the acreage of coastal wetlands in the area making remaining habitat, such as Colorado Lagoon, even more important to wildlife. Colorado Lagoon provides shelter, food, and potential breeding habitat for migratory bird species traveling along the Pacific Flyway. Implementation of the Project has been—and is already—providing benefits to the local environment and community.

The City of Long Beach recently installed infrastructure (i.e., low flow diversion and trash separation devices, bioswale) to prevent continued contamination of these coastal wetlands, and the Friends of Colorado Lagoon (FOCL) has successfully implemented community-based habitat restoration as part of the Project. Our Coastal Program has provided \$73,440 to FOCL in support of the restoration effort. We believe that the contaminant removal activity proposed at Colorado Lagoon will provide additional benefits to both the wildlife and the public who use the area for recreation.

If you have any questions regarding this letter, please contact Carolyn Lieberman of this office at (760) 431-9440, extension 240.

Sincerely,

Jim A. Bartel
Field Supervisor

TAKE PRIDE
IN AMERICA 



203 Argonne, Ste B #140
Long Beach, CA 90803-1777
(562) 261-9058
www.coloradolagoon.org
Email: Friends@coloradolagoon.org

Friends of Colorado Lagoon

A coalition of concerned citizens working to preserve and restore Colorado Lagoon

Board of Directors

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Vice President

Norman Zoref

Secretary

Sue Considine

Treasurer

Rich Sonnenberg

Board Members

Heather Altman

Helene Ansel

Adrienne Bosler

Cindy Desatoff

Andy Kincard

Vicke Marz

Laurie Pekich

Tina Pirazzi

Becky Thorn

Ray Thorn

Dr. Nicole Thorn

Dr. Christine Whitcraft

Restoration Director

Eric Zahn

Education Director

Taylor Parker

Tax ID number:

33-0968098

April 26, 2011

Charlie Hoppin, Chair and Board Members

State Water Resources Control Board

1001 I Street

Sacramento, California 95814

c/o Jeanine Townsend, Clerk to the Board

Re: City of Long Beach Cleanup and Abatement Account Funding Request for the Removal of Contaminated Sediments from Colorado Lagoon

Dear Chair Hoppin and Members of the Board:

On behalf of the thousands of residents from all around Southern California that regularly use Colorado Lagoon as a safe place to relax, recreate and reconnect to nature, Friends of Colorado Lagoon (FOCL), urge you to vote to accept staff recommendations awarding Clean Up and Abatement funds to complete the Remediation of the Colorado Lagoon.

Colorado Lagoon is a truly unique water body, a remnant of once plentiful wetlands across the southland. For the last century, the Lagoon has been a gathering place for our growing community. It was used for the 1932 Olympic swimming and diving trials. As many as 1500 people a day came to the Lagoon to recreate day and night. They relaxed, swam, dug for clams, caught fish, sailed model sail boats, and strengthened the bonds that made Long Beach a great city. Located next to Huntington's Red Car trolley, people came from all over the Los Angeles metropolis to enjoy the safe, clean and refreshing Lagoon waters.

Over the decades the health of Colorado Lagoon deteriorated severely as urban runoff, delivered unfiltered through no less than eleven storm drain systems, brought the spoils of our growing urban society. Heavy metals such as lead, pesticides, fertilizers, and hydrocarbons settled into the sediments that gradually built up in the Lagoon. Over time, the Lagoon's problems became well known, and local residents stopped swimming.



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Tax ID number:

33-0968096

Thousands of people still come annually to the Lagoon to recreate and swim. Most of these people, from disadvantaged and immigrant communities, bring their children here because they believe it is a safe place to swim. FOCL conducted a survey of Lagoon users last summer, the results tell a compelling story:

- 88% have been to the Lagoon before
- 62% of those 88% have been regularly coming for more than 10 years
- 83% do not live in Long Beach zip codes
- 88% of the people surveyed identified themselves as Hispanic
- 72% were not aware of the degraded health of the Lagoon

Their children can be seen each weekend playing in the shallows of the Lagoon's beach. They don't know the Lagoon has been identified as an "Impaired Water Body" or that the Lagoon has consistently received "F" grades and been identified by Heal the Bay as one of the "10 Worst Beaches in California."

FOCL formed 13 years ago and has been working tirelessly along side the city of Long Beach to clean up and restore the Lagoon. This collaboration has brought in over \$12M in grants and other funding to clean up one of Long Beach's most historic sites. We have succeeded in eliminating the vast majority of the non-point sources of pollution that have led to the current condition. The benefits in cleaner water, safer recreation, jobs, and community pride have been tremendous, but the work is not finished. We supported the new and more stringent ERLs that both the Regional and State Water Boards proposed for Colorado Lagoon because they will help protect the health of the diverse groups of people who enjoy it. We still support them, even though meeting them nearly tripled the cost of cleaning up the Lagoon's sediment.

Colorado Lagoon is a unique urban wetland in the heart of a thriving community. FOCL, through our education center and programs, is providing quality education about nature and our connection with water to thousands of students from kindergarten through university. Children don't have to be bussed here; the Lagoon is within walking distance for 5,000 K-12 school children. We team with teachers from schools within and outside of Long Beach to provide students hands on learning experiences. In the summer, we provide the community with opportunities to explore



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Dr. Nicole Thorn

Dr. Christine Whitcraft

Restoration Director

Eric Zahn

Education Director

Taylor Parker

Tax ID number

33-0988088

the Lagoon with qualified marine biologists. Everything we do is provided to the public free of charge. Our education and community based restoration programs are creating educated and informed citizens in Southern California. We want community members of all ages, near and far, to understand the vital importance of clean, safe water, and for them to have pride and ownership of these efforts. In the last two years, FOCL's community based restoration has involved thousands of volunteers totaling 7,514 volunteer hours.

This funding request is absolutely critical to the success of our project and will allow us to complete the restoration of Colorado Lagoon. Without this funding, we risk losing commitments from existing funders like the Army Corp of Engineers, NOAA, and the Rivers and Mountains Conservancy totaling \$4.6 million in funding support. We would also miss the opportunity to locate the dredged sediment at the Port of Long Beach, and this alone would likely increase the overall project cost by \$2 million.

We know that the Board has limited resources and many worthy projects to consider. We are extremely grateful for the Regional and State Water Board's role of setting and enforcing standards to protect the people and the environment. We have worked very hard over the past 13 years to cobble together multiple funding sources to clean up Colorado Lagoon. Now circumstances have led us to this critical but fragile state, and we ask for your support to make the remediation of Colorado Lagoon a success.

Please don't hesitate to contact me if I can be of assistance in this matter.

Dave Pirazzi, President
Friends of Colorado Lagoon
president@coloradolagoon.org
562.225.5211



April 25, 2011

Charles R. Hoppin
Chair
State Water Resources Control Board
1001 I Street
Sacramento, California 95814

Re: City of Long Beach Funding Request for Colorado Lagoon

Dear Chairman Hoppin:

The California Coastal Conservancy is very pleased to support the City of Long Beach's application for funding to complete Phase I of the Colorado Lagoon Restoration Project. Restoration of Colorado Lagoon represents a great opportunity to restore sensitive estuarine habitat (including important Southern California fisheries) in a region which has lost more than 90% of such habitat. The Southern California Wetlands Recovery Project has identified restoration of Colorado Lagoon as a priority project on its work plan. The Conservancy also recognizes the importance of restoring Colorado Lagoon and has been working with Long Beach and other project partners on developing and implementing a restoration project at Colorado Lagoon since 2002. The Conservancy funded preparation of a restoration feasibility study, which was completed in February 2005 and completion of final engineering designs for the project and is working now with the City and others to implement this very important project in one of the last coastal lagoons in Los Angeles County.

Long Beach has already been very successful in securing funding from various state and federal sources to keep this important project moving forward. Funding of the City's proposal by SWRCB will provide the final funding needed to complete Phase I of the restoration project. In addition, this funding would help ensure that the goals set by the recent adopted TMDL for Colorado Lagoon are met. We strongly support the City's funding request.

Sincerely,


Samuel Schuchat
Executive Officer

1330 Broadway, 13th Floor
Oakland, California 94612-2512
510-286-1015 Fax: 510-286-0470