

OFFICE OF THE CITY ATTORNEY
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1 RESOLUTION NO. RES-08-0129

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3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH ADOPTING, AFTER PUBLIC
5 HEARING, AMENDMENTS TO THE LOCAL COASTAL PLAN
6 ELEMENT OF THE GENERAL PLAN OF THE CITY OF
7 LONG BEACH; AND AUTHORIZING THE DIRECTOR OF
8 DEVELOPMENT SERVICES TO SUBMIT CERTIFIED
9 COPIES OF THIS RESOLUTION AND THE ORDINANCE
10 AMENDING THE ZONING REGULATIONS AMENDING THE
11 DEFINITION OF PASSIVE PARK TO THE CALIFORNIA
12 COASTAL COMMISSION FOR APPROVAL AND
13 CERTIFICATION

14
15 The City Council of the City of Long Beach resolves as follows:

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17 Section 1. The City Council does hereby find, determine and declare:

18 A. The City Council of the City of Long Beach has adopted,
19 pursuant to Section 65300, et seq., of the California Government Code, a
20 Local Coastal Plan (LCP) as an Element of the City's General Plan.

21 B. The City Council desires to amend the General Plan of the
22 City of Long Beach by amending the Resources Management Plan (RMP)
23 of the Local Coastal Plan to amend the text of said Plan as related to the
24 Colorado Lagoon is more particularly set forth in Exhibit "A," which is
25 attached hereto and incorporated herein by this reference.

26 C. The Planning Commission held a public hearing on
27 September 4, 2008, on the proposed amendment to the Local Coastal Plan.

28 At that hearing, the Planning Commission gave full consideration to all

1 pertinent facts, information, proposals, environmental documentation and
2 recommendations respecting proposed amendments to the text of the
3 Resources Management Plan of the Local Coastal Plan as related to the
4 Colorado Lagoon, and to the views expressed at the public hearing, and
5 afforded full opportunity for public input and participation.

6 D. An Environmental Impact Report (EIR 30-07) was prepared
7 and certified by the Planning Commission on September 4, 2008, in
8 accordance with the Guidelines for Implementation of the California
9 Environmental Quality Act (CEQA).

10 E. Following receipt and consideration of all appropriate
11 environmental documentation, full hearings and deliberation, the Planning
12 Commission recommended approval of the amendment to the Resources
13 Management Plan of the Local Coastal Plan as set forth herein and further
14 directed that said recommendation be forwarded to the City Council for its
15 review and consideration.

16 F. That on October 14, 2008, the City Council conducted a duly
17 noticed public hearing at which time it gave full consideration to all pertinent
18 facts, information, proposals, environmental documentation and
19 recommendations respecting all parts of the proposed amendments to the
20 Resources Management Plan of the Local Coastal Plan, and the views
21 expressed at the public hearing and afforded full opportunity for public input
22 and participation.

23 G. Following receipt of all appropriate environmental
24 documentation, full hearings and deliberation, the City Council concurs with
25 the recommendation of the Planning Commission and approves and adopts
26 the environmental documentation and the amendment to the Local Coastal
27 Plan as set forth in Exhibit "A" which is attached hereto and incorporated
28 herein by this reference.

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Section 2. The City Council of the City of Long Beach hereby formally approves and adopts the amendment to the text of the Local Coastal Plan of the City of Long Beach, as recommended by the Planning Commission of the City of Long Beach as set forth in Exhibit "A", which is attached hereto and incorporated herein by this reference.

Section 3. The Director of Development Services is hereby authorized to submit a certified copy of this Resolution and a certified copy of Ordinance No. ORD-08- 0029 amending the zoning regulations of the City of Long Beach relating to the definition of Passive Park, together with appropriate supporting materials, to the California Coastal Commission for certification and approval by the Coastal Commission as amendments to the City's Local Coastal Program and the implementing ordinances thereof in accordance with the provisions of the Public Resources Code.

Section 4. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of October 14, 2008, by the following vote:

Ayes: Councilmembers: B. Lowenthal, S. Lowenthal, DeLong,
O'Donnell, Schipske, Andrews,
Reyes Uranga, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: None.

Abstain: Councilmembers: Gabelich.



City Clerk

Local Coastal Plan Colorado Lagoon Introduction: The following text is intended to replace the existing text on page III-R3 of the City's LCP.

Colorado Lagoon is an 11.7-acre tidal water body, which is connected to Alamitos Bay and the Pacific Ocean through an underground tidal culvert to Marine Stadium. The Lagoon is surrounded by 18.5 acres of City parkland. A small building housing a preschool program for three- to five-year-old children and a model boat shop are located near the beach on the south side of the Lagoon. Other on-site facilities include the Colorado Lagoon Marine Science Center, a restroom, picnic tables, parking, a pedestrian bridge, a lifeguard station, sandy beach areas, and grassy open space areas.

The Lagoon serves three main functions: hosting estuarine habitat, providing public recreation (including swimming), and retaining and conveying storm water drainage. The water and sediment quality within the Lagoon are currently degraded. The Lagoon is currently listed on California's 303(d) list of impaired water bodies due to elevated levels of lead, zinc, chlordane, and polycyclic aromatic hydrocarbons (PAHs) in the sediment and chlordane, dichloro-diphenyl-trichloroethane (DDT), dieldrin, and polychlorinated biphenyls (PCBs) in fish and mussel tissue. In addition, testing confirmed the presence of PCBs, cadmium, copper, mercury, and silver as secondary contaminants of concern. Bacterial contamination of the Lagoon water is also a major issue. As a result, beach advisory postings due to elevated bacteria levels are frequent and the recreational value of the Lagoon is reduced.

The City is committed to implementing improvements to the Lagoon and adjacent areas. The City's goal is to restore the Lagoon's ecosystem, restore the existing native habitat, provide enhanced recreation facilities, and improve water and sediment quality while managing storm water flows.

Local Coastal Plan Colorado Lagoon Text: The following text is intended to replace the existing text on page III-R49 through III-R62 of the City's LCP.

5.1 Description of the Colorado Lagoon

The Colorado Lagoon (Lagoon) is an 11.7-acre tidal water body that is connected to Alamitos Bay and the Pacific Ocean through an underground tidal culvert to Marine Stadium. The Lagoon serves three main functions: hosting estuarine habitat, providing public recreation (including swimming), and retaining and conveying storm water drainage. The Lagoon water body is surrounded by 18.5 acres of parkland that are within the developed urban area of southeastern Long Beach. The Lagoon is primarily accessible from East Appian Way and East Colorado Street via Park Avenue from East 7th Street and Pacific Coast Highway (SR-1). Many local streets also provide access to the Lagoon.

The Lagoon is located within a recreational area of the City. Specifically, Marina Vista Park and the Marine Stadium are to the southeast of the Lagoon, and the nine-hole Recreation Park golf course owned by the City is adjacent to the north of the Lagoon. The Colorado Lagoon and the nine-hole golf course are City property, undistinguished by interior legal boundaries. A fence exists between portions of the Colorado Lagoon area and the golf course. This fence line is one of arbitrary convenience and does not necessarily demarcate tidelands from uplands in the historical or jurisdictional sense.

The Lagoon is a popular recreation resource and is designated as a "Special Use Park" in the Open Space and Recreation Element of the General Plan (October 2002) and zoned Park ("P"). The Lagoon provides free year-round recreation activities, including swimming, sunbathing, picnicking, walking, bird watching, and model-boat making. Main access to and the majority of use of the Lagoon is along the south shore, where beaches and a few structures (preschool program, a model boat shop, the Colorado Lagoon Marine Science Center, and a lifeguard station) are located.

5.2 Existing Condition

The ecological health of the Lagoon has been deteriorating for many decades for several reasons. The Lagoon receives inflow from 11 storm water drains. Since the Lagoon is a natural low point in the watershed, it accumulates pollutants deposited over the entire watershed that enter the storm drains by storm flows and dry weather runoff. The Colorado Lagoon's watershed is 1,172 acres and is comprised of 773 acres of residential, 125 acres of commercial, 55 acres of institutional (schools), and 219 acres of open space land uses. Urban runoff contains many pollutants such as heavy metals, pesticides, petroleum, hydrocarbons, nutrients, and bacteria. As a result, the Lagoon is listed in the 2002 and 2006 Clean Water Act Section 303(d) lists as an impaired water body due to elevated levels of lead, zinc, chlordane, and polycyclic aromatic hydrocarbons (PAHs) in the sediment and chlordane, dichloro-diphenyl-trichloroethane (DDT), dieldrin, and polychlorinated biphenyls (PCBs) in fish and mussel tissue. In addition, testing confirmed the presence of PCBs, cadmium, copper, mercury, and silver as secondary contaminants of concern. Bacterial contamination of the Lagoon water is also a major issue. As a result, beach advisory postings due to elevated bacteria levels are frequent and the recreational value of the Lagoon is reduced.

Other than flows from storm drains, water flows to the Lagoon through a tidal culvert that connects the Lagoon to Marine Stadium. This tidal culvert was developed in the 1960s along with fill of the area that is now Marina Vista Park. Because the culvert has not been cleaned or maintained since

development, sediment deposition and marine growth within the culvert have reduced its capacity. This capacity reduction decreases the allowable tidal flushing of the Lagoon waters and results in increased degradation of water quality. Without specific resource management attention, deterioration of the habitat and recreational environments at the Lagoon would continue.

5.3 Restoration Project

Because of these existing environmental and recreational concerns, the City has developed a comprehensive plan for restoring and improving the open space, recreational resource, and biodiversity that the Lagoon provides. The objectives of improving the Lagoon are to (1) create a native sustainable habitat, (2) implement water quality improvement and control measures, (3) remove contaminated sediment from the Lagoon floor, and (4) enhance the Lagoon's value as a recreational resource. Specifically, the plan would:

- Reduce and treat storm and dry weather runoff to minimize contamination of water and sediment in the Lagoon.
- Improve water quality by increasing the Lagoon's circulation and enhancing the tidal connection with Marine Stadium.
- Restore and maintain the estuarine habitat.
- Balance flood control, water quality, and the recreation demands of the Lagoon.
- Enhance public enjoyment of the Lagoon.

The objectives listed above are intended to implement goals and policies of the City's Open Space and Recreation Element of the General Plan and the Long Beach Department of Parks, Recreation, and Marine Strategic Plan, which are summarized below.

Open Space and Recreation Element

- Restore Colorado Lagoon to serve as both a productive wetland habitat and recreational resource by reducing pollutant discharges into the water, increasing water circulation with Alamitos Bay and/or restocking or planting appropriate biological species.
- Develop well-managed, environmentally sustainable, natural ecosystems that support the preservation and enhancement of natural and wildlife habitats.
- Promote the creation of new and reestablished natural habitats and improve open areas, including wetlands, water bodies, and native plant communities to sustain and support marine life habitats.
- Make all recreation resources environmentally friendly and socially and economically sustainable.

Department of Parks, Recreation, and Marine Strategic Plan

- Recreation programs and facilities will be designed to develop and serve a lifetime user through active, passive, and educational experiences.
- Support efforts to improve the water quality and cleanliness of City beach areas.

5.4 Conformity with the Coastal Act

The existing uses and planned improvements to the habitat and recreational opportunities at the Lagoon are in conformance with the California Coastal Act. Specifically, the following Coastal Act sections support and are supported by the Colorado Lagoon Restoration Project.

Section 30210, Access; recreational opportunities; posting: In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30213, Lower-cost visitor and recreational facilities: Lower-cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided.

Section 30220, Protection of certain water-oriented activities: Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30230, Marine resources; maintenance: Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231, Biological productivity; water quality: The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of wastewater discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233, Diking, filling, or dredging; continued movement of sediment and nutrients: (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (6) Restoration purposes; (7) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary.