



CITY OF LONG BEACH

H-2

DEPARTMENT OF DEVELOPMENT SERVICES

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November 16, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record, conclude the hearing, deny the appeal and uphold the Planning Commission decision to approve an Addendum to a previously certified Final Environmental Impact Report (EIR 30-07) for the Colorado Lagoon Restoration Project;

Adopt the Resolution together with Findings and approve the revised Phase 1 project; and,

Approve the Phase 2 project and select Alternative 4a as the preferred alternative. (District 3)

DISCUSSION

The Colorado Lagoon Restoration Project is a City-sponsored project to improve water quality, habitat and recreation at the Colorado Lagoon (Exhibit A). The Final Environmental Impact Report (EIR 30-07) for the Colorado Lagoon (Lagoon) Restoration Project was certified by the Planning Commission at a public hearing held on September 4, 2008 (2008 Certified EIR). An appeal was filed on September 15, 2008 and, at a public hearing held on October 14, 2008, the City Council denied the appeal and upheld the Planning Commission EIR certification. On October 14, 2008 the City Council also approved the Phase 1 Restoration Project and directed staff to conduct an additional engineering study on the Phase 2 alternatives and return to the City Council for further deliberation.

An Addendum to the 2008 Certified EIR has been prepared to address several revisions to the project since its certification due to: (1) ongoing coordination with the funding and regulatory agencies, and (2) the identification of several options for connecting the Lagoon to Marine Stadium through Marina Vista Park, in response to previous City Council direction. On October 7, 2010, the Planning Commission held a public hearing to consider the Addendum to the 2008 Certified EIR (Exhibit B). After receiving public testimony, the Planning Commission concluded the public hearing and adopted Resolution No. R-1154, approving the Addendum to EIR 30-07 (Exhibit C).

Appeal

Two appeals of the Planning Commission approval of the Addendum were filed (Exhibits D and E) during the appeal period. Issues raised in these appeals involve changes to the

project description, potential construction impacts to surrounding properties, issues regarding specific project components, and potential project impacts to Marina Vista Park. A Fact Sheet and Preliminary Response to the Appeals has been prepared (Exhibit F).

The California Environmental Quality Act (CEQA) allows a lead agency to prepare an addendum to a previously certified EIR if there are revisions to the proposed project, or the circumstances under which the project would be undertaken. An addendum is appropriate if the revisions would not result in any new significant environmental impacts or result in an increase to the severity of any previously identified significant impacts. The comprehensive analysis provided in the attached Addendum demonstrates that the proposed project revisions will not result in any new significant environmental effects or a substantial increase in the severity of impacts previously identified. Therefore, an Addendum is the appropriate CEQA document to address the proposed revisions to the project. Staff recommends that the Council deny the appeals and uphold the decision of the Planning Commission, approving the Addendum to EIR 30-07.

As outlined in the 2008 Certified EIR, the Lagoon Restoration Project consists of two main phases. Phase 1 includes upgrades to the storm drains, dredging, cleaning the underground culvert that connects the Lagoon to Marine Stadium, new landscaping and public recreational improvements. Phase 2 includes construction of an open-channel or parallel underground culvert, road bridges, new restrooms and public recreational improvements.

Revised Phase 1 Project

As more fully outlined in the EIR Addendum, the proposed changes for Phase 1 of the Colorado Lagoon Restoration Project involve:

1. An increase in the maximum total dredge quantity from 30,000 cubic yards to 72,000 cubic yards, including dredging in the northern arm of the Lagoon.
2. Four options for dredging methods, including one dry method and three wet methods.
 - a. **Important Note:** While four dredging options were analyzed in the Addendum, City staff, in consultation with the U.S. Army Corps of Engineers, has since concluded that the dry-excavation and hydraulic dredge methods are not financially feasible, and are therefore no longer being considered.
3. A change in the mode of transportation and disposal destination for dredge material, from trucking to a landfill in the Bakersfield area to trucking or barging to a disposal site at the Port of Long Beach (POLB).
4. A requirement to use Tier 1 construction equipment for dredge option 1 and cleaner (reduced emissions) Tier 2 construction equipment for the other dredging options.
5. Elimination of the proposed bird island as a project component.

The revisions to Phase 1 of the project are explained in more detail below:

1. The maximum total dredge quantity has increased for two reasons. First, additional sediment testing during the preliminary engineering phase revealed that sediment contamination is more widespread than previously anticipated. It is now estimated that

approximately 50,000 cubic yards of contaminated sediment will need to be removed from the Lagoon. The sediment will be treated with cement, lime and/or other reagents to bind and stabilize the contaminants prior to them being loaded onto trucks and disposed of at the POLB. Regulatory oversight of the treatment process will be provided by the Los Angeles Region Contaminated Sediments Task Force, which includes representatives from the U.S. Army Corps of Engineers (Army Corps), U.S. Environmental Protection Agency (EPA), California Coastal Commission, Los Angeles Regional Water Quality Control Board (RWQCB), California Department of Fish and Game, and Heal the Bay, among others.

An additional 22,000 cubic yards of sediment may be dredged from the Lagoon if the State Water Board and EPA deny the City's request to reconsider the sediment quality targets being proposed by the RWQCB. On October 1, 2009, the RWQCB approved an amendment to the Water Quality Control Plan for the Los Angeles Region (Basin Plan) to incorporate a Total Maximum Daily Load (TMDL) for Organochlorine (OC) Pesticides, Polychlorinated Biphenyls (PCBs), Sediment Toxicity, Polycyclic Aromatic Hydrocarbons (PAHs), and Metals in Colorado Lagoon. This TMDL recommends sediment quality targets that are much more stringent than previously anticipated. Staff is challenging the RWQCB's recommendation on the sediment quality targets and is requesting that the State Water Board and EPA reconsider. Upon final adoption of the TMDL for Colorado Lagoon, the City will have seven years to comply with the Federal mandate or face potential financial penalties.

The City has received some funding commitments for the project's dredging component from the Army Corps of Engineers (awarded, but not budgeted), Rivers and Mountains Conservancy (awarded and budgeted), State Water Board (awarded and budgeted), State Coastal Conservancy (award pending, not yet budgeted) and the National Oceanic Atmospheric Administration (NOAA) (award pending, not yet budgeted). The current funding commitments will cover the western arm dredging, removal, and disposal effort (approximately 30,000 cubic yards). The western arm is the most degraded portion of Colorado Lagoon. Additional funding (approximately \$3.3 million) will be needed to dredge the 20,000 cubic yards of contaminated material in the central basin and northern arm. If the City is required to adhere to the recommended sediment quality targets under the TMDL, more funding (approximately \$2 million) will be needed to dredge an additional 22,000 cubic yards. The goal is to begin dredging the Lagoon during the Spring/Summer of 2011; however, the dredging schedule may have to be pushed back to later in 2011 due to the timing of availability of the Port's sediment disposal facility.

2. The Army Corps is a federal funding partner, and its involvement in the project required the preparation of a federal-level environmental clearance document, in this case, an Environmental Assessment (EA) pursuant to the National Environmental Policy Act (NEPA) (Exhibit G). The Corps is required to evaluate alternatives in its environmental document; therefore, the EA considered four alternative dredging and removal options, which were also addressed in the CEQA Addendum. As noted above, City and Army Corps staff have since determined that two of the four options are not financially feasible and thus decided to eliminate them from further consideration. The two eliminated dredge options include the dry-excavation and hydraulic dredge methods. The two remaining dredge options involve a wet-excavation method and either trucking or barging the material to the Port of Long Beach (POLB).

3. The proposed disposal site for the dredged and treated material has changed from Kettleman Hills Landfill in Kings County, California (located approximately 150 miles from Colorado Lagoon) to the POLB. The POLB has conditionally agreed to accept up to 70,000 cubic yards of dredged material from the Lagoon (Exhibit H). However, the POLB has advised staff that it may not be able to receive material via truck, which may increase project costs. If the POLB cannot receive trucked material, then the City will need to barge the treated material from Marine Stadium to the POLB's disposal facility.

4. The Addendum includes a commitment to using cleaner (lower emitting) construction equipment (known as "Tier 1 or Tier 2" equipment) for the dredging activity.

5. The final change to the Phase 1 portion of the restoration project involves removal of the bird island component from the project. During the federal regulatory permitting process, NOAA's National Marine Fisheries Service submitted a comment letter to the Corps regarding the proposed bird island. NOAA expressed concern that the bird island would negatively impact fish and fish habitat. As a result of NOAA's input during the regulatory permitting phase, this component has been removed from the restoration plan.

The issues raised at the Planning Commission hearing and in the appeal letters involve: 1) aspects of the project previously approved by the City Council and not currently under discussion; 2) problems experienced as a result of the implementation of the Terminal Avenue Drain Project by the County of Los Angeles (not part of the Lagoon project); 3) the potential health risk from dredge material stored on site prior to removal, and 4) the potential health risk from dredge material that is hauled in trucks to the disposal site. In addition, concerns have been expressed about the loss of active recreation area at Marina Vista Park due to the construction of an open channel.

Phase 2 Preferred Alternative

The long-term benefits of the Colorado Lagoon Restoration Project include the removal of contaminated sediment that has been accumulating in the Lagoon for several decades, the implementation of water quality best management practices to treat the storm water that drains to the Lagoon, the creation of a natural habitat at the Lagoon, and the construction of a walking path around the restored Lagoon. In order to achieve these long-term benefits, short-term impacts will occur during the construction process. These impacts were analyzed in the Certified 2008 EIR and further discussed in the EIR Addendum.

In addition to the Phase 1 restoration project changes outlined above, the revised proposed project includes five alternatives for connecting the Lagoon to Marine Stadium through Marina Vista Park to allow for better tidal flushing of the Lagoon to maintain water quality, including:

1. A second underground culvert parallel to the existing culvert.
2. An open-channel with two bridges aligned with Eliot Street.
3. An open channel with culverts rather than bridges at the street crossings.
4. An expanded open channel with one bridge (Eliot St.) and one culvert (Colorado St.).
- 4a. An expanded open channel with two bridges.

Conceptual renderings of the five alternatives are attached in Exhibit I, including a comparison of the existing sport field layouts and the proposed layout of each alternative. Under all open-channel alternatives, no existing sport uses will be lost. For alternatives 2-4a, the sport fields would be reconfigured and upgraded to maximize space and allow both passive and active park space usage.

The Phase 2 Alternatives Analysis Report (Phase 2 Report - Exhibit J) was prepared at the request of the City Council on October 14, 2008. The Phase 2 Report assessed each alternative for:

- The habitat types that may be created both within Marina Vista Park and the Colorado Lagoon.
- The hydrodynamic performance of each alternative.
- The geomorphic context, long-term stability and projected maintenance requirements.
- Impacts to Marina Vista Park and surrounding areas.
- Construction and maintenance costs.

According to the Phase 2 Report, all alternatives meet the project objectives, although to varying degrees. All alternatives also meet hydrodynamic performance objectives (tidal range, tidal inundation and flood protection) and would improve existing habitat (via water quality improvements) and add new habitat at the Lagoon (by tidal range increases). The open-channel alternatives would create new, and restore historical, habitat. In addition, the open channel footprints would occupy approximately 12-15 percent of the total park area and require relocation of baseball and soccer fields to other areas of the park. Maintenance and Construction costs differ significantly for each alternative, as outlined below:

	Maintenance	Construction	Combined Costs
Alternative 1:	\$8.4M	\$6.8M	\$15.2M
Alternative 2:	\$4.7M	\$9.0M	\$13.7M
Alternative 3:	\$7.1M	\$5.8M	\$12.9M
Alternative 4:	\$5.0M	\$7.3M	\$12.3M
Alternative 4a:	\$4.0M	\$9.4M	\$13.4M

The Phase 2 Report also includes a cost-per-habitat acre that helps determine the potential cost/value of an approved Compensatory Mitigation Banking Agreement (CMBA).

State and Federal Resource Agencies (including NOAA, U.S. Fish and Wildlife Service and the Corps) have opined that an opportunity may exist at Colorado Lagoon for a CMBA. It was, in part because of this opinion, that the Board of Harbor Commissioners agreed to advance the City \$1.3 million for the Phase 1 construction effort, which is intended to prevent the Lagoon's recontamination. The City Council accepted the \$1.3 million advance on December 15, 2009. Under an approved CMBA and a Board of Harbor Commissioner's decision to participate in Phase 2, the cost of the Phase 2 Lagoon Restoration Project may be covered in full.

On July 22, 2010, staff asked the Parks and Recreation Commission (PRC) to rank the alternatives in order of preference for City Council's consideration. On August 11, 2010,

the PRC sponsored an evening community meeting to solicit community input on the proposed alternatives. On August 19, 2010, the PRC voted unanimously to rank Alternative 4a as their preferred alternative, followed by Alternative 2, with the other alternatives not recommended, and with the requirement that the project include the replacement of active sports facilities and passive areas with equal or better facilities as part of the project. Alternatives 2-4a, as proposed, all meet the PRC's request to upgrade the park and reconfigure the sport fields.

A request to rank the alternatives was also made to the Marine Advisory Commission (MAC) on July 12, 2010. On August 20, 2010, staff provided an update to the MAC about the August 11, 2010 PRC-sponsored community meeting and received additional public comment. On September 10, 2010, the MAC voted unanimously to support option 4a as their preferred alternative and option 2 as their second choice.

On August 26, 2010, staff solicited comments on the Phase 2 Report from the Resource Agencies and asked them to rank the alternatives with respect to their ability to provide habitat value that could be translated into compensatory mitigation credits. On October 14, 2010, NOAA's National Marine Fisheries Service (NMFS) responded to staff's request (Exhibit K) and ranked the alternatives in the following order: 4a, 2, 4, 3, and 1. NMFS supports Alternative 4a as the most ecologically desirable alternative that "would result in the greatest amount of new habitat gained, the greatest functional lift of existing habitat within Colorado Lagoon, the most natural tidal connection, and the least amount of long-term maintenance" (Robert S. Hoffman, Assistant Regional Administrator for Habitat Conservation, NMFS).

Throughout the public comment period, staff encouraged the community to submit written comments by August 31, 2010. All written comments received are included in Exhibit L.

This letter was reviewed by Assistant City Attorney Michael J. Mais on October 28, 2010 and by Budget Management Officer Victoria Bell on October 29, 2010.

TIMING CONSIDERATIONS

The Long Beach Municipal Code requires a hearing within 60 days following an appeal to a positive Planning Commission action.

FISCAL IMPACT

Approximately \$5,619,107 in grant funding from the State Water Board, Port of Long Beach and EPA has been awarded and budgeted for the restoration work intended to prevent the Lagoon's recontamination. The dredging of the Lagoon's western arm is funded by grant awards totaling \$4.6 million from the State Coastal Conservancy, Rivers and Mountains Conservancy, U.S. Army Corps of Engineers, and the State Water Board.

An estimated \$5.3 million is required for the additional dredging mandated by the EPA. The dredging work must be completed within seven years. Funding for this EPA mandate has not yet been identified. If efforts to secure additional grant funding are unsuccessful, there may be an impact to the General and/or Tidelands Fund. Additional project

HONORABLE MAYOR AND CITY COUNCIL

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components will continue to be implemented as grant funding is secured. There is no local job impact as a result of this recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS



PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

AJB:MPC:PTH:JG:VSG:EOL
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Attachments:

Exhibit A -	Location Map
Exhibit B -	Final EIR Addendum and CD-ROM of Certified 2008 EIR
Exhibit C -	Planning Commission Resolution No. R-1154
Exhibit D -	Appeal Filed On October 15, 2010
Exhibit E -	Appeal Filed On October 18, 2010
Exhibit F -	Fact Sheet and Preliminary Response to Appeals
Exhibit G -	U.S. Army Corps of Engineer's Environmental Assessment Pursuant to the National Environmental Policy Act
Exhibit H -	Response to City's Application for Placement of Dredged Material in the Port of Long Beach Middle Harbor Fill Site for the Colorado Lagoon Restoration Project
Exhibit I -	Conceptual Renderings of Five Phase 2 Alternatives
Exhibit J -	Phase 2 Alternatives Analysis Report
Exhibit K -	National Marine Fisheries Service Phase 2 Comment Letter
Exhibit L -	Public Comments on Phase 2 Study
	Resolution Certifying the EIR Addendum for the Colorado Lagoon Restoration Project

APPROVED:



PATRICK H. WEST
CITY MANAGER

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH APPROVING AND CERTIFYING AN
ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT
REPORT (EIR) FOR THE COLORADO LAGOON
RESTORATION PROJECT (SCH NO. 2007111034) IN
ACCORDANCE WITH THE PROVISIONS OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
AND STATE AND LOCAL GUIDELINES AND MAKING
CERTAIN CEQA FINDINGS AND DETERMINATIONS
RELATIVE THERETO

The City Council of the City of Long Beach does hereby find, determine and
resolve:

Section 1. The City of Long Beach has proposed a project ("Project") that
would upgrade the Colorado Lagoon (Lagoon) water body and adjacent habitat and
recreation areas. The proposed project would implement: (1) water quality and sediment
quality improvements, (2) habitat improvements; and (3) recreation improvements. The
purpose of the Project is to restore the Lagoon's ecosystem, improve estuarine habitat,
provide enhanced recreation facilities, improve water and sediment quality, and manage
storm water. Said Project is more fully described in the Final Environmental Impact
Report (FEIR), a copy of which FEIR and the Project Description is incorporated herein
by this reference as though set forth in full, word for word;

Section 2. On October 14, 2008, the City Council approved the Colorado
Lagoon Restoration Project and also certified the FEIR (on appeal), making certain
CEQA Findings relative thereto, adopted a Statement of Overriding Considerations for
each environmental impact identified as "significant and unavoidable," and adopted a

1 Mitigation Monitoring and Reporting Program ("MMRP").

2 Section 3. In 2010, certain revisions were proposed to the Project that
3 would result in the following:

- 4 • An increase in the maximum total dredge quantity from 30,000 cubic yards
5 to 72,000 cubic yards, including dredging in the northern arm of the Lagoon;
- 6 • Four options for dredging methods, including one dry method and
7 three wet methods;
- 8 • A change in the mode of transportation and disposal destination for dredge
9 material, from trucking to a landfill in the Bakersfield area to trucking or
10 barging to a disposal site at the Port of Long Beach (POLB);
- 11 • Five Alternatives for connecting the Lagoon to Marine Stadium through
12 Marina Vista Park, including a second underground culvert, an Eliot Street
13 Alignment, an open channel with culverts rather than bridges at the street
14 crossings, as well as expanded open channel concepts;
- 15 • A requirement to use Tier 1 construction equipment for Alternative 1 and Tier
16 2 construction equipment for the other Alternatives; and
- 17 • Elimination of the proposed bird island as a project component.

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19 Section 4. An Addendum was prepared in accordance with the California
20 Environmental Quality Act ("CEQA") which was completed on September 22, 2010. The
21 Addendum represents and discusses the refinements to the project and is considered an
22 addition to the previous project environmental review documentation. A copy of the
23 Addendum together with technical appendices and other supporting documentation was
24 provided to the Planning Commission and the City Council for their review and
25 consideration.

26 Section 5. The addendum was approved by the Planning Commission
27 together with adopted findings on October 7, 2010, at a duly noticed Planning
28 Commission hearing.

Section 6. Pursuant to Section 15164 of the CEQA Guidelines, and based on the evidence and oral and written testimony presented at all previous public hearings, and based on all of the information contained in the files of the Development Services Department (incorporated herein by this reference) on the Project, including the DEIR and FEIR for the Project, and the Addendum to the EIR for the Project and including, but not limited to, the October 7, 2010, Planning Commission written and oral staff report, the Planning Commission found and the City Council now concurs that:

1. The EIR Addendum has been completed in compliance with CEQA;
2. The EIR Addendum reflects the lead agency's independent judgment and analysis with respect to the Revised Project;
3. None of the conditions described in CEQA Guidelines Section 15162, which call for the preparation of a subsequent or supplemental EIR have occurred;
4. The EIR Addendum is appropriate since the revised project would not result in any additional significant impacts, nor would it increase the severity of previously anticipated impacts. Rather, all of the impacts associated with the revised project are within the envelope of impacts addressed in the certified EIR and/or do not constitute a new or greater significant impact. Thus, a supplemental or subsequent EIR is not required pursuant to Public Resources Code Section 21166, or California Code of Regulations, Title 14, Section 15162 or 15163, because none of the conditions described in Section 15162 calling for the preparation of a subsequent or supplemental EIR have occurred.

Section 7. Attached hereto and incorporated herein by this reference as Exhibit "A" are "CEQA Findings" which have been prepared in connection with the approval of the Revised Project and the Addendum. Said CEQA Findings made in this Resolution are based on the information and evidence set forth in DEIR, FEIR and the EIR Addendum, and upon such other substantial evidence (both oral and written) which

1 has been presented in the record of the proceeding, including, but not limited to, that
2 information received by the Planning Commission at the public hearing conducted on
3 October 7, 2010, and the City Council at the public hearing conducted on November 16,
4 2010. The DEIR, FEIR, and the EIR Addendum, staff reports, testimony, technical
5 studies, appendices, plans, specifications, figures, exhibits, and other materials that
6 constitute the record of proceedings on which this resolution is based are on file and
7 available for public examination during normal business hours in the Department of
8 Development Services, Planning Bureau, 333 West Ocean Boulevard, 5th Floor, Long
9 Beach, CA 90802. The custodian of said records is the Director of Development
10 Services.

11 Section 8. Decision.

12 A. The City Council of the City of Long Beach hereby approves and
13 adopts the Addendum to the Final Environmental Impact Report for the revised project,
14 which Addendum is incorporated herein by this reference; and

15 B. The City Council hereby adopts the "CEQA Findings" as set forth in
16 Exhibit "A" to this Resolution.

17 Section 9. This resolution shall take effect immediately upon its adoption
18 by the City Council, and the City Clerk shall certify the vote adopting this resolution.
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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2010, by the following vote:

Ayes: Councilmembers:

Councilmembers:

Noes: Councilmembers:

Councilmembers:

Absent: Councilmembers:

Councilmembers:

City Clerk

EXHIBIT A

**FINDINGS AND FACTS IN SUPPORT OF FINDINGS
FOR THE COLORADO LAGOON RESTORATION PROJECT
FINAL ENVIRONMENTAL IMPACT REPORT
ADDENDUM**

CITY OF LONG BEACH

(STATE CLEARINGHOUSE # 2007111034)

SECTION 1: INTRODUCTION

Statutory Requirements for Findings

According to Section 21166 of CEQA and Section 15162 of State CEQA Guidelines, a subsequent EIR is not required for the proposed changes unless the City determines on the basis of substantial evidence that one or more of the following conditions are met:

1. Substantial changes are proposed in the project that require major revisions of the previous EIR due to involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects;
2. Substantial changes have occurred with respect to circumstances under which the project is undertaken that will require major revisions of the previous EIR due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time the previous EIR was certified, shows any of the following:
 - The project will have one or more significant effects not discussed in the previous EIR;
 - Significant effects previously examined will be substantially more severe than identified in the previous EIR;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives; or
 - Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

Under State CEQA Guidelines, Section 15163, if any of the conditions noted above are present but only minor additions or changes would be necessary to make the previous EIR adequate to apply to the project in the changed situation, a supplemental EIR may be prepared.

Section 15164 of State CEQA Guidelines states that an Addendum to an EIR shall be prepared “if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” Thus, if none of the above conditions are met, the City may not require preparation of a subsequent or supplemental EIR. Rather, the City can decide that no further environmental documentation is necessary or can require an Addendum be prepared. Therefore, the City finds that an Addendum to the previously certified Final EIR is appropriate. The rationale and the facts for this finding are provided in the body of this Addendum.

This Addendum reviews changes to the project and to existing conditions that have occurred since the 2008 EIR was certified and compares environmental effects of development of the revised project with those of the original project previously disclosed. It also reviews new information of substantial importance that was not known and could not have been known with exercise of reasonable diligence at the time the 2008 EIR was certified and evaluates whether there are new or more severe significant

environmental effects associated with changes in circumstances under which project development is being undertaken. It further examines whether, as a result of any changes or any new information, a subsequent or supplemental EIR may be required. This examination includes an analysis of provisions of Section 21166 of CEQA and Section 15162 of the State CEQA Guidelines and their applicability to the project.

Record of Proceedings

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City of Long Beach Planning Commission's decision on the proposed project consists of the following matters and documents for the certified 2008 EIR:

- Notice of Preparation, Notice of Availability, and Notice of Completion, which were issued by the City in conjunction with the proposed project (see the Final EIR for the Notice of Preparation, Notice of Availability, and Notice of Completion)
- The Final EIR, dated August 2008, which includes all written comments submitted by agencies or members of the public during the public comment period on the Draft EIR and responses to those comments and all of the documents referenced therein
- The Mitigation Monitoring and Reporting Program
- All findings, statements of overriding consideration, and resolutions adopted by the City in connection with the proposed project, and all documents cited or referred to therein
- All final reports, studies, memorandums, maps, correspondence, and all planning documents prepared by the City, or the consultants or responsible or trustee agencies, with respect to: (1) the City's compliance with CEQA; (2) development of the project site; or (3) the City's action on the proposed project
- All documents submitted to the City by agencies or members of the public in connection with development of the proposed project
- All documents compiled by the City in connection with the study of the proposed project and the alternatives
- The testimony and evidence presented at the public scoping meeting on November 14, 2007, the Colorado Lagoon Public Outreach Meeting on June 18, 2008, the Long Beach Parks and Recreation Commission Meeting on June 19, 2008, and the Long Beach Planning Commission Meeting on June 19, 2008.

On September 4, 2008, the Long Beach Planning Commission approved the proposed project, including the following actions:

1. Local Coastal Program Amendment to update the existing and proposed conditions at the Lagoon;
2. Zoning Code Amendment to refine the definition of "passive park";
3. California Coastal Development Permit for improvements in the Coastal Zone;
4. Local Coastal Development Permit for improvements in the local Coastal Zone;

5. Site Plan Review of proposed improvements;
6. Stormwater Pollution Prevention Plan (SWPPP);
7. Standard Urban Stormwater Mitigation Plan (SUSMP);
8. City Water Department Permit for the diversion of the sewer system;
9. Certification of the EIR;
10. Adoption of a Mitigation Monitoring and Reporting Program;
11. Adoption of Findings; and
12. Adoption of a Statement of Overriding Considerations.

On October 14, 2008, the Long Beach City Council held a public hearing and upheld the Planning Commission EIR certification pursuant to an appeal filed on the Commission action.

SECTION 2: COLORADO LAGOON RESTORATION PROJECT (PROPOSED PROJECT)

Project Objectives

The Lagoon Restoration Project is a comprehensive plan for enhancement of the Lagoon, which is owned and maintained by the City Department of Parks, Recreation, and Marine. The City is committed to preserving and improving the open space, recreational resource, and biodiversity that this area provides. The primary goals of the project are to: (1) create habitat that can successfully establish and support native plant and animal communities in the long term, (2) implement long-term water quality control measures, and (3) enhance the Lagoon's value as a recreational resource. The proposed project provides a framework to coordinate these various and potentially competing interests.

Specifically, the objectives of the proposed project are to:

- 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.
- Improve water quality by removing contaminated sediments.
- Restore and maintain the estuarine habitats.
- Balance flood control, water quality, and the recreation demands of the Lagoon.
- Enhance public enjoyment of the Lagoon.

The project objectives listed above are intended to implement the following goals, objectives, 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:

- Develop well-managed, viable ecosystems that support the preservation and enhancement of natural and wildlife habitats (Open Space and Recreation Element, Goals/Objectives 1.1).
- Preserve, keep clean, and upgrade beaches, bluffs, water bodies and natural habitats (Open Space and Recreation Element, Goals/Objectives 1.2).
- Design and manage natural habitats to achieve environmental sustainability (Open Space and Recreation Element, Goals/Objectives 1.4).
- Promote the creation of new and reestablished natural habitats and ecological preserves, including wetlands, woodlands, native plant communities, and artificial reefs (Open Space and Recreation Element, Policy 1.1).
- Protect and improve the community's natural resources, amenities, and scenic values, including nature centers, beaches, bluffs, wetlands, and water bodies (Open Space and Recreation Element, Policy 1.2).
- Promote and assist with the remediation of contaminated sites (Open Space and Recreation Element, Policy 1.4).
- Restore 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 (Open Space and Recreation Element, Program 1.6).
- Maintain a sufficient quantity and quality of open space in the City to produce and manage natural resources (Open Space and Recreation Element, Goals/Objectives 2.1).
- Preserve, enhance, and manage open areas to sustain and support marine life habitats (Open Space and Recreation Element, Policy 2.4).
- Make all recreation resources environmentally friendly and socially and economically sustainable (Open Space and Recreation Element, Goals/Objectives 4.5).
- Establish lifetime use opportunities. Recreation programs and facilities will be designed to develop and serve a lifetime user through active, passive, and educational experiences (Department of Parks, Recreation, and Marine Strategic Plan, Strategy 9, page 62).
- The Department of Parks, Recreation, and Marine should be a steward for preserving the environmental, cultural, and historical resources in the City (Department of Parks, Recreation, and Marine Strategic Plan, Strategy 11, page 63).
- Support efforts to improve the water quality and cleanliness of City beach areas (Department of Parks, Recreation, and Marine Strategic Plan, Strategy 13, page 66).

Certified 2008 EIR Project Description

The Colorado Lagoon (Lagoon) is an approximately 11.7-acre (ac) 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 deteriorated ecological health of the Lagoon has been established for the past several decades. The purpose of the proposed project is to restore the site's ecosystem, improve the estuarine habitat, provide enhanced recreation facilities, improve water and sediment quality, and manage storm water.

The proposed project would be implemented in two phases. Phase 1 includes improvements to the Lagoon through cleaning of the culvert and removal of structural impedances at the culvert (a near-term project component); dredging areas of the Lagoon; implementing storm drain upgrades; removal of the north parking lot, access road, and the restroom on the north shore of the Lagoon; recontouring side slopes; developing Bird Island; revegetating land areas; planting eelgrass in the Lagoon water body; and developing the walking trail and viewing platform at the Lagoon.

Phase 2 of the proposed project includes improvements to Marina Vista Park, including: the long-term project component of building an open channel between the Lagoon and Marine Stadium; constructing two roadway bridges spanning the open channel at East Colorado Street and East Eliot Street; demolishing and replacing two public restrooms in Marina Vista Park; reconfiguring the baseball and youth overlay soccer fields; and developing a walking trail on the eastern side of the open channel and vegetation buffers on both sides of the channel.

Once restored, the Lagoon will have improved water and sediment quality, which would enhance recreational opportunities at the Lagoon, potentially lead to a more diverse invertebrate and fish community, and increase the potential for the Lagoon to support a variety of plant and animal species. Additionally, the Colorado Lagoon Restoration project would provide a walking trail that extends through areas that currently provide no public access.

Proposed Project Changes

Changes to the Colorado Lagoon Restoration Project addressed in the Addendum include:

- An increase in the maximum total dredge quantity from 30,000 cy to 72,000 cy, including dredging in the northern arm;
- Consideration of four optional dredge methods, including one dry and three wet methods;
- A change in the mode of transportation and disposal destination for dredge material, from trucking to a landfill in the Bakersfield area to trucking or barging to a disposal site at the Port of Long Beach (POLB);
- Requirement to use cleaner (reduced air pollutant emissions) “Tier 2” construction equipment for dredging Options 2, 3, and 4, and “Tier 1” construction equipment for Alternative 1;
- Five alternatives for connecting the Lagoon to Marine Stadium through Marina Vista Park, including a second culvert, an Eliot Street Alignment, an open channel with culverts rather than bridges at the street crossings, an expanded channel concept; with one bridge and one culvert, and an expanded channel concept with two bridges; and,
- Elimination of the bird island component.

Table A summarizes the differences between the project analyzed in the 2008 EIR and the revised project analyzed in the Addendum.

Table A: Comparison of Differences Between the Certified 2008 EIR and the Addendum to the Certified 2008 EIR

Project Analyzed in the Certified 2008 EIR	Project Analyzed in the Addendum to the Certified 2008 EIR	Change
Habitat and recreational improvements to Colorado lagoon, Marina Vista Park, and Marine Stadium composing 48.61 ac project area/park site.	Habitat and recreational improvements to Colorado Lagoon, Marina Vista Park, and Marine Stadium composing 48.61 ac project area/park site.	No
Clean culvert and remove tidal gates, sill, and other structural impedances.	The culvert was cleaned and the tidal gates, sill, and other structural impedances were removed in June 2010. Additional culvert cleaning may be required in the future (i.e., 5 years).	Yes. Initial culvert cleaning has been conducted, but additional cleaning may be required in the future (i.e., 5 years).
Build open channel between Lagoon and Marine Stadium.	There are five design alternatives, each having various configurations of underground culverts and an earthen open channel.	Yes; five design alternatives are now proposed for the connection between the Lagoon and Marine Stadium.
Remove contaminated sediment in the western arm (16,000 cy).	Remove contaminated sediment in the western arm (approximately 26,000 cy hazardous and 3,000 cy non-hazardous).	Yes; increase from 16,000 cy to 29,000 cy.
Removal of existing restroom structure along north side of the Lagoon.	Removal of existing restroom structure along north side of the Lagoon.	No
Two dredge methods; one wet and one dry.	There are three wet and one dry optional dredge methods.	Yes; additional optional dredge methods have been added.
Transportation of dredge sediment to the Bakersfield area.	Transportation of dredge sediment to the Port of Long Beach.	Yes; change in disposal destination.
Remove sediment in the central Lagoon (5,500 cy).	Remove sediment in the central Lagoon (approximately 8,000 cy hazardous and 1,000 cy non-hazardous).	Yes; increase from 5,500 cy to 9,000 cy.
N/A	Remove sediment in the northern Lagoon (approximately 10,000 cy hazardous and 24,000 cy non-hazardous).	Yes; sediment was not proposed to be removed from the northern arm in the certified 2008 EIR.
N/A	Use of Tier 2 construction equipment for dredging Options 2, 3, and 4, and Tier 1 construction equipment for Option 1	Yes; Tier 1 or Tier 2 equipment are now proposed for the project based on dredging option.
Storm drain upgrades.	Storm drain upgrades.	No

Table A: Comparison of Differences Between the Certified 2008 EIR and the Addendum to the Certified 2008 EIR

Project Analyzed in the Certified 2008 EIR	Project Analyzed in the Addendum to the Certified 2008 EIR	Change
Replace local hard drain outlets in the lagoon with a vegetated bioswale (2,500 cy).	Replace local hard drain outlets in the lagoon with a vegetated bioswale (2,500 cy).	No
Remove north parking lot access road and create side slope recontouring and revegetation.	Remove north parking lot access road and create side slope recontouring and revegetation.	No
Import and plant eelgrass in the Lagoon.	Import and plant eelgrass in the Lagoon.	No
Develop a bird island.	The bird island has been removed from the project.	Yes; bird island has been removed.
Construct walking trail around the Lagoon and open channel.	Construct walking trail around the Lagoon and open channel.	No
Reconfigure sports fields in Marina Vista Park.	Reconfigure sports fields in Marina Vista Park.	Yes; reconfiguration scenarios have changed with implementation of the five design alternatives for the connection between the Lagoon and Marine Stadium.
Implement trash management protocols.	Implement trash management protocols.	No
Implement bird management protocols.	Implement bird management protocols.	No
Modify sand nourishment practices.	Modify sand nourishment practices.	No
Construct two roadway bridges spanning the open channel at east Colorado Street and East Eliot Street. Demolish and replace two existing restroom structures. Construction of a walking trail along open channel.	<ul style="list-style-type: none"> • Alternative 1: Parallel/second underground culvert <ul style="list-style-type: none"> ○ Second underground culvert parallel to existing underground culvert; ○ No bridges; ○ No walking trail; ○ Existing culvert left in place for use; and ○ Demolish and replace two existing restroom structures. • Alternative 2: EIR-conforming open channel <ul style="list-style-type: none"> ○ Earthen open channel for entire connection between Colorado Lagoon and Marine Stadium; ○ Two bridges constructed at Colorado Street and Eliot Street; 	Yes; five alternative connections have been added.

Table A: Comparison of Differences Between the Certified 2008 EIR and the Addendum to the Certified 2008 EIR

Project Analyzed in the Certified 2008 EIR	Project Analyzed in the Addendum to the Certified 2008 EIR	Change
	<ul style="list-style-type: none"> ○ Walking trail constructed along eastern side of channel approximately 10 ft wide with a 3–5 ft fence; ○ Most of existing culvert left in place for use; and ○ Demolish and replace two existing restroom structures. • Alternative 3: Combination open channel and culverts <ul style="list-style-type: none"> ○ Earthen open channel for part of connection between Colorado Lagoon and Marine Stadium; ○ Two new shorter underground culvert sections, one at each end of open channel; ○ No bridges; ○ Walking trail constructed along eastern side of channel approximately 10 ft wide with a 3–5 ft fence; ○ Existing culvert left in place for use; and ○ Demolish and replace two existing restroom structures. • Alternative 4: Combination open channel (maximum wetlands) and one culvert <ul style="list-style-type: none"> ○ Earthen open channel for part of connection between Colorado Lagoon and Marine Stadium with the width of the channel section maximized for habitat potential; ○ One new shorter underground culvert section; ○ One bridge constructed at Eliot Street; ○ Walking trail constructed along eastern side of channel approximately 10 ft wide with a 3–5 ft fence; ○ Existing culvert demolished; and 	

Table A: Comparison of Differences Between the Certified 2008 EIR and the Addendum to the Certified 2008 EIR

Project Analyzed in the Certified 2008 EIR	Project Analyzed in the Addendum to the Certified 2008 EIR	Change
	<ul style="list-style-type: none"> ○ Demolish and replace two existing restroom structures. • Alternative 4a: same as Alternative 4, but with two bridges. 	

Evaluation of Environmental Impacts

This Addendum compares anticipated environmental effects of the project as revised with those disclosed in the certified 2008 EIR to review whether any conditions set forth in Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR are met. Potential environmental effects of the project are addressed for each of the following areas:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural and Paleontological Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use;
- Noise;
- Public Services and Utilities;
- Recreation; and
- Transportation and Circulation.

Chapter 2.0 of the Addendum contains a description of the proposed project as revised. Chapter 3.0 contains analyses and explanations of potential environmental impacts of proposed revised project. The analyses provide the City with a basis for its determination that no subsequent or supplemental EIR will be required for the project.

SECTION 3: FINDINGS OF THIS ADDENDUM

The City is the Lead Agency for the proposed project. The City has determined that analyses of project environmental effects are best provided through use of an Addendum because none of the

conditions set forth in Public Resource Code Section 21166 or Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR has been met.

1. There are no substantial changes to the project that would require major revisions of the certified 2008 EIR due to new significant environmental effects or a substantial increase in severity of impacts identified in the certified 2008 EIR;
2. No substantial changes have occurred in the circumstance under which the project is being undertaken that will require major revisions to the certified 2008 EIR to disclose new significant environmental effects or that would result in a substantial increase in severity of impacts identified in the certified 2008 EIR; and
3. There is no new information of substantial importance, which was not known at the time the 2008 EIR was certified, indicating that:
 - The project will have one or more significant effects not discussed in the certified 2008 EIR;
 - There are impacts that were determined to be significant in the certified 2008 EIR that would be substantially more severe;
 - There are additional mitigation measures or alternatives to the project that would substantially reduce one or more significant effects identified in the certified 2008 EIR; or
 - There are additional mitigation measures or alternatives that were rejected by the project proponent considerably different from those analyzed in the certified 2008 EIR that would substantially reduce any significant impact identified in that EIR.

The complete evaluation of potential environmental effects of the project, including rationale and facts supporting City findings, is contained in Chapter 3.0 of the Addendum.