

# **THE COLORADO LAGOON RESTORATION PROJECT**

## **FACT SHEET AND ISSUES RAISED IN APPEALS TO ADDENDUM**

### **PROJECT FACTS AND BACKGROUND**

- The Colorado Lagoon Restoration project is an approved City-sponsored project to improve water quality, habitat, and recreation at the Colorado Lagoon.
- The project was approved and the EIR certified by the City Council in 2008, culminating over 10 years of study of the degraded water quality conditions of the Lagoon.
- The Lagoon was created by dredging the low-lying tidelands of Alamitos Bay in 1923. Marina Vista Park was created by filling a portion of Marine Stadium in the late 1960s.
- The Colorado Lagoon has been the receptor of contaminants carried by stormwater for over 80 years, and subject to insufficient tidal flushing for over 40 years.
- Changes to the original project, as outlined in the 2008 certified EIR, are the result of requirements from funding and regulatory agencies, including the Army Corps of Engineers (USACE), the National Oceanic and Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA), and the California Coastal Conservancy (CCC). The changes to the project include:
  1. An increase in the maximum dredge quantity from 30,000 cubic yards to 72,000 cubic yards per a recent Federal EPA mandate;
  2. Four options for dredging methods, including one dry method and three wet methods, as a result of the USACE Federal environmental clearance for the project (only two options are still under consideration);
  3. A change in the mode of transportation and disposal destination for dredge material, from trucking to a landfill in the Bakersfield area (approximately 280 miles per round-trip) to trucking or barging to a disposal site at the Port of Long Beach;
  4. Opportunity to further reduce air quality impacts by using cleaner construction dredge equipment;
  5. Eliminating the bird island as a project component at the request of NOAA; and,
  6. Five alternatives for improving the tidal connection between the Lagoon and Marine Stadium, through Marina Vista Park, including above ground channels and below ground culvert options.
- In order to approve the changes to the project, a subsequent CEQA review of the impacts of the changes was conducted. The CEQA review concluded that the impacts of the project changes did not alter the CEQA significance conclusions of the original EIR, and that an Addendum was the appropriate CEQA document.

- All mitigation measures included in the original EIR are still applicable to the project.
- Regulatory Agencies (e.g., USACE, CCC, Regional Water Quality Control Board, and the Department of Toxic Substances Control) will have additional requirements through the project permitting process that occurs after CEQA review, but before project construction.

## **ISSUES RAISED IN APPEALS TO ADDENDUM**

- *Dredging/Transport of Dredge Material*: Concerns have been expressed about the potential for exposure to contaminants from the dredging activity and its transport to the disposal site.
- *Marina Vista Park*: The open channel options would require the re-configuration of existing fields at Marina Vista Park. There is controversy regarding the best use of the park space.
- *Termino Avenue Drain Project (TADP)*: Objections to the way the TADP is being implemented were raised.
- *Final EIR*: Original project approval and certified EIR; some objections pertained to the original project and EIR.
- Concerns with using an Addendum instead of a Supplemental EIR.
- Concerns with Soil/Sediment Testing.
- Concerns with Dry Dredge Method.
- Concerns with designated Haul Routes.

## **RESPONSES TO ISSUES RAISED IN APPEAL**

- The dredge material will be wet as it is removed from the lagoon, which makes it unlikely to become airborne or blown by wind. The dredged material will be treated with cement, lime, and other reagents to bind the sediment, further reducing the likelihood that contaminants will disperse. The treated sediment will also be covered as it is transported. Additional requirements will also be placed by the appropriate State and Federal Regulatory Agencies, including the Department of Toxic Substances Control and the USACE. Furthermore, staff will continue to coordinate with the Contaminated Sediment Task Force to ensure that the project is implemented safely and in accordance with all applicable laws and regulations. Adverse health risks would not result from implementing this project.
- As part of the proposed project, Marina Vista Park will be reconfigured to allow construction of an open channel; however, this will not lead to a net loss of sports fields. Additional grading will allow the utility of the park to be maximized. Under all open channel alternatives, both passive and active recreational park usage will be retained.
- The TADP is a County Department of Public Works project. It is not being implemented by the City, and is not a part of the approved Lagoon project. However,

staff will continue to coordinate with the County Department of Public Works on both projects.

- The original project approval certified the Final EIR. The current action is limited to consideration of the project changes and their impacts, and selection of a Phase 2 design.
- CEQA allows the use of an Addendum when the changes to a project will not result in any new significant impacts or increase the severity of any previously identified significant impacts. The increased dredging quantity will increase the duration of the dredge and haul activity, but will not increase the daily level of dredging activity or impacts. CEQA thresholds of significance are based on daily emissions thresholds for air quality and daily and peak hour thresholds for traffic. Therefore, an EIR Addendum is the appropriate CEQA document. The additional dredging is being required by the EPA. The approved project will improve water quality by removing contaminated sediment, implementing stormwater treatment to prevent re-contamination, and by allowing for improved tidal flushing with an improved connection to Marine Stadium.
- The appeals state the Addendum does not include the results of the new testing and the Addendum fails to adequately test the Colorado Lagoon and Marina Vista Park. Extensive testing of the Lagoon was performed by Kinnetic Laboratories in 2009/2010. The results are referenced within the Addendum, and the report is and has always been available for review at City Hall. Kinnetic Laboratories sampled and tested soils along the proposed channel alignment traversing Marina Vista Park in December 2006 and January 2007 (Final EIR Appendix L). This information was included in the Draft EIR and made available to the public. When results of the soil sampling were compared to human health risk parameters, no constituent concentrations posed a significant risk to human health. Three soil samples were taken in Marina Vista Park and no additional sampling is warranted.
- The appeals assert that there has been insufficient analysis of the Dry Dredge Method option included in the Addendum, and that the EIR did not discuss the biological impacts of draining the lagoon completely. The dry dredge option is addressed in both the EIR and the Addendum, and will not result in significant effects to biological resources because there are no listed or endangered species in the Lagoon; however, this option is no longer under consideration due to costs.
- The appeal states that the EIR and Addendum fail to consider other truck haul routes. Park Avenue is a collector street and 7<sup>th</sup> Street is a regional corridor. Regional corridors are designed to handle higher traffic volumes. These are the most appropriate streets to be considered for haul routes that connect to I-405 and then to I-710 to the Port. The final determination with regard to haul routes will be included in a construction area traffic management plan that will also include traffic controls and detours, off-site vehicle staging areas, and requirements that the City keep all haul routes clean and free of debris including, but not limited to, gravel and dirt (Mitigation Measure TR-1).