



Legislation Text

File #: 07-1360, **Version:** 2

Recommendation to approve Memorandum of Understanding between the City of Long Beach Parks, Recreation and Marine Department, and the City of Long Beach Harbor Department, with regard to placement of dredge material from the Los Angeles River Estuary and the Catalina Basin, into a slip at Pier G. (District 2)

City Council approval is being requested for the Parks, Recreation and Marine Department (Parks) to enter into a Memorandum of Understanding (MOU) (Attachment A) with the Harbor Department (Harbor) to place dredge sediments from the Los Angeles River Estuary (River) and the Catalina Basin (Basin), into a slip at Pier G. The Los Angeles River sends hundreds of thousands of cubic yards of sediment down river each year. Some settles in the soft bottom portion of the river south of Willow Street, while some of it continues in suspension out into San Pedro Bay. However, much of it settles in the estuary, the area generally known as Queensway Bay, where a man made access channel exists. This sediment fills in the channel utilized by recreational and commercial boat operations, including the Catalina Express transportation service to Catalina Island. Periodic dredging is thus necessary to keep the channel, and the docking basin for the Catalina Express, usable.

The maintenance of the River is the responsibility of the federal government, through the United States Army Corps of Engineers (ACE), and the maintenance of the Basin is the responsibility of the City of Long Beach. The City is also the local sponsor for the ACE dredging, which includes responsibility for locating a dredge spoil disposal site. Maintenance dredging of the Channel is necessary every three to five years, but has not been performed since 1999/2000. The Basin fills up more slowly, and was partially dredged in 2000.

The River shoaled during the heavy winter storms of January 2005, closing it to navigation for several months. It was reopened by temporary measures that allow only minimal operations. The Basin has also filled in to the point where it could inhibit Catalina Express in business expansion. A settlement agreement to lawsuits between the City and the Abbey Company (the master lessee for the Catalina Basin) that arose due to the 2005 shoaling was approved by City Council in November 2006. The Abbey Company has been cooperating with the City in the current project.

Both the Channel and the Basin contain some contaminated sediments. Although not highly contaminated beyond clean water standards, the level of contamination has limited where the dredge spoil can be placed. Placement of the material in a confined location, such as buried in the middle of a port landfill, is a preferred disposal option by the regulatory agencies involved. Without the Port landfill disposal, the contaminated material must either be treated to separate the contaminated and uncontaminated materials (still an experimental technology), or hauled inland to an appropriately classified landfill. Treatment and upland disposal can run four to ten times the cost of disposal in a Port landfill.

Historically, the biggest problem with utilizing Port landfill is the timing between the need for dredging.

and the construction period for the landfill. As the Ports must also dredge and dispose of contaminated material in their navigation channels, a second issue is the Ports' need to dispose of their material in their own fills. In this case, the timing and the quantities match the Port's availability so ACE and the City can dispose of the contaminated materials from the Channel and the Basin without delaying the Port of Long Beach's (POLB) Pier G fill, or compromising their disposal needs.

POLB and ACE already have their regulatory approvals for the dredging project. ACE is scheduled to begin January 2008, and POLB in May 2008. ACE has a federal appropriation of \$2.5 million for the project, funding that the City has pushed for since the last dredging in 1999/2000 as one of the top federal legislative priorities. The City has regulatory approvals for upland disposal, and needs to modify them for Pier G disposal by the beginning of the POLB construction.

The Board of Harbor Commissioners approved the MOU November 19, 2007. The MOU sets out the parameters for the City and ACE to be allowed to dispose of the River and Basin material in the Pier G fill. These are briefly:

- The City and ACE have all the necessary permits,
- The City and ACE must not delay the Pier G fill or interrupt the operation of the current slip tenant, and
- The City is responsible for any additional costs to the Port.

The condition that the City bear responsibility for any additional costs to the Port is significant because there exists the possibility that the ACE/City dredging operation at Pier G could impact the ongoing operations of the Port's current tenant at Pier G and/or cause delay to the Port's future slip fill project at Pier G. Costs could range from a few thousand dollars for delaying the unloading of a ship, up to millions in the case of a major construction accident. Attached is a list of potential accidents and the mitigation methods in place to avoid those occurrences (Attachment B). Port fill projects have been completed utilizing these measures in the past without incident.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on December 10, 2007, and Budget Management Officer Victoria Bell on December 11, 2007.

The use of Pier G as a disposal location for the River and Basin contaminated materials is extremely time sensitive due to the already fixed construction schedule for the Pier G fill of May 2008. To complete disposal in Pier G by April 30, 2008, ACE needs to be under construction by the end of December. Without the MOU in place, ACE cannot proceed.

Dredging of the Basin with the Pier G slip fill has not been bid, but based on the recently received ACE bids, sufficient funds have been reserved in the Tidelands Fund for this project. .

Approve recommendation.

PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER