

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2011-0024**

TO ALLOCATE AN ADDITIONAL \$3.3 MILLION FROM THE
CLEANUP AND ABATEMENT ACCOUNT (CAA) TO FUND THE
COLORADO LAGOON (LAGOON) RESTORATION PROJECT (PROJECT)

WHEREAS:

1. The City of Long Beach (City) is requesting an additional \$3.3 million from the CAA to fund the Project;
2. The Lagoon provides shelter for migratory bird species as well as potential breeding habitat for many wildlife species and is heavily utilized by communities within and around Long Beach for recreational activities, including swimming, fishing, wildlife viewing, and picnicking;
3. The State Water Resources Control Board (State Water Board) allocated approximately \$1.8 million from the CAA in March 2010 for this project in [Resolution No. 2010-0007](#);
4. The original project anticipated that the City would need to remove approximately 28,500 cubic yards (cu.yds.); however, the City determined that 55,000 cu.yds. of hazardous materials will need to be removed, treated, and disposed from the Lagoon;
5. The City is proposing to remove the hazardous soil only and will find other funding for the removal of non-hazardous soil, if needed;
6. The Los Angeles Regional Water Board approved a resolution on March 3, 2011, which states that, the Project is identified as the current top priority for disbursement of funds from the CAA for the region; and
7. The requested allocation is consistent with the purposes of Water Code Section 13442. Section 13442 provides that the State Water Board may order moneys to be paid from the CAA to a public agency with authority to cleanup or abate the effects of a waste "to assist it in cleaning up the waste or abating its effects on the waters of the state."

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves funding an additional \$3.3 million from the CAA to the City for the Project; and
2. Approves the funding with the expectation that construction shall be completed by July 31, 2012, and will require the Executive Director to bring this item back to the Board in December 2011 for possible rescission of funding if groundbreaking has not commenced by November 15, 2011

3. Shall revert any unexpended funds to the CAA as of June 30, 2013, unless the Deputy Director or Assistant Deputy Director of the Division of Financial Assistance authorizes an extension. The funds will be available until June 30, 2013.

CERTIFICATION


The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on May 17, 2011.

AYE: Chairman Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board