

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2009-0002**

ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE CLEAN
BEACHES INITIATIVE PROGRAM (CBI) FOR THE CITY OF LONG BEACH (CITY)
COLORADO LAGOON BEACHES PROJECT (PROJECT)

WHEREAS:

1. The City prepared a draft Environmental Impact Report (EIR) that addresses a Restoration Project for the Colorado Lagoon. The draft EIR was filed with the State Clearinghouse on May 27, 2008, (SCH No. 2007111034) and was circulated through the Clearinghouse for public review;
2. A Notice of Availability for the draft EIR was filed with the Los Angeles County Clerk on May 28, 2008;
3. The City adopted a Statement of Overriding Considerations (SOC) to substantiate its decision to approve the Colorado Lagoon Restoration Project despite the following significant unavoidable impacts:
 - a. Temporary increases in air quality exceedances during construction including dust, NO_x emissions, and odors.
 - b. Temporary noise increases during construction.
4. The City certified the final EIR with Mitigation Measures addressing the SOC for significant and unavoidable impacts on October 14, 2008. The impacts include noise, dust, odors, and NO_x emissions, all associated with construction activities;
5. The City filed a Notice of Determination for the final EIR with the Los Angeles County Clerk on October 15, 2008;
6. State Water Resources Control Board (State Water Board) staff has reviewed and considered the EIR, and the associated documents, and determined that the Project will not have any significant adverse water quality impacts; and
7. State Water Board staff has determined that these social, technological, and environmental benefits of the Project outweigh the unavoidable adverse environmental impacts that will occur during construction:
 - a. Colorado Lagoon is on the State of California's 303(d) list for impaired water bodies. The Project will improve water quality by diverting runoff to the sanitary sewer and reducing discharges to the Lagoon.
 - b. The Project includes the installation of a bioswale to treat local drainage before entering the Lagoon, which will improve the Lagoon's water quality.
 - c. Culvert cleaning will improve water quality by increasing circulation into the Lagoon.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

Adopts the Statement of Overriding Considerations for the significant, unavoidable impacts during construction of the City's Colorado Lagoon Restoration Project.

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 January 6, 2009.

AYE: Chair Tam M. Doduc
Vice Chair Gary Wolff, P.E., Ph.D
Arthur G. Baggett, Jr.
Charles R. Hoppin
Frances Spivy-Weber

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board