

MOTION BY SUPERVISOR HOLLY J. MITCHELL

November 2, 2021

Proclamation of Local Emergency for the Dominguez Channel Odor Event

On October 4, 2021, the Los Angeles County (County) Department of Public Works was first notified of a potential incident involving the foul odor emanating from the Dominguez Channel near the City of Carson. Since then, multiple County departments including Public Works (DPW), the Department of Public Health (DPH), County Fire Department's Health and Hazardous Materials, as well as state agency- South Coast Air Quality Management District (SCAQMD) have continued to work to address this on-going odor.

Health experts, including DPH, have indicated that the hydrogen sulfide that is causing the odor remains at levels that do not pose long term health problems or imminent harm to surrounding communities. However, the unprecedented duration of this incident - which is approaching four consecutive weeks of pungent odor – qualifies this incident for the conditions of "disaster" within the meaning of Government Code section 8558(c). Specifically, conditions of disaster have arisen in regard to the aerial emission of foul-smelling hydrogen sulfide gas/odors from portions of the Dominguez Channel near Carson, which conditions have impacted (to differing degrees) surrounding areas, including Carson, West Carson, portions of Gardena, Torrance, Redondo Beach, Wilmington, and Long Beach, and the surrounding unincorporated areas, and which conditions are linked to diminished amounts of dissolved oxygen in the water in portions of the Dominguez Channel, including related anaerobic digestion activities and decay of

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organic/vegetative material. These conditions are or will likely be beyond the control of the services, personnel, equipment, and facilities of the County, and require the combined forces of other political subdivisions to combat. At this time, other sources of the odor have not been identified or ruled out.

The conditions of disaster associated with the Dominguez Channel Odor Event (Event) have necessitated a large scale response effort by the County to address the Event. The responsive effort has included, but is not limited to, ongoing investigations (including as to potential sources and causes of the Event) and monitoring by DPW, DPH, and the Department's Health and Hazardous Materials, and the SCAQMD; the issuance by the County Health Officer of a Health Directive to DPW finding that the conditions are sufficiently pervasive as to be considered a "public nuisance"; extensive measures to limit the impacts to the community from the Event, which include providing impacted residents, among other things, air filters, air purifiers, and temporary relocation assistance to hotels outside of the impacted area; and other measures to combat the conditions of disaster relating to the Dominguez Channel, including, but not limited to, application of Epoleon odor neutralizer, the installation of nanobubbler devices, and the installation of lighting standards.

Pursuant to Government Code sections 8558(b) and 8630, the Board of Supervisors may proclaim the existence of a local emergency for the Dominguez Channel Odor Event (Proclamation of a Local Emergency). The Proclamation of Local Emergency enables the County to more effectively respond to the Dominguez Channel Odor Event, accelerate the procurement of vital supplies, seek and utilize mutual aid, and potentially obtain reimbursement and assistance from the state and federal government.

I THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

- 1) Proclaim a Local Emergency for the Dominguez Channel Odor Event, in the County of Los Angeles. This Proclamation of Local Emergency shall remain in effect until its termination is proclaimed by the Board;

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- 2) Approve and execute the attached Proclamation of Existence of Local Emergency for the Dominguez Channel Odor Event, in the County of Los Angeles;
- 3) Forward a copy of the Proclamation of Local Emergency to the Director of California Governor's Office of Emergency Services with the request that the Director find it acceptable in accordance with State law; and request that a Governor's Proclamation be provided under the California Disaster Assistance Act; and
- 4) Direct all County Departments to implement all assessment, assistance and monitoring efforts as applicable.

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PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY BY THE LOS ANGELES COUNTY BOARD OF SUPERVISORS AND REQUEST FOR A STATE PROCLAMATION

WHEREAS, Chapter 2.68 of the Los Angeles County Code provides that the Los Angeles County Board of Supervisors (Board) may proclaim the existence of a "local emergency," as defined (in pertinent part) in Government Code section 8558(c), as follows: "'[l]ocal emergency' means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county . . . caused by conditions such as air pollution, fire, flood, storm, epidemic, riot, drought, cyberterrorism sudden and severe energy shortage, plant or animal infestation or disease . . . or other conditions . . . which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat . . ."; and

WHEREAS, on or about October 4, 2021, Los Angeles County (County) Department of Public Works (DPW) was first notified of a potential incident causing a foul odor emanating from the Dominguez Channel near the City of Carson. Subsequently, due to the prolonged and sustained incident, conditions of "disaster" within the meaning of Government Code section 8558(c) have arisen in regard to conditions involving the aerial emission of foul-smelling hydrogen sulfide gas/odors from portions of the Dominguez Channel near Carson that have impacted (to differing degrees) surrounding areas, including Carson, West Carson, portions of Gardena, Torrance, Redondo Beach, Wilmington, and Long Beach, and the surrounding unincorporated areas, which conditions are linked to diminished amounts of dissolved oxygen in the water in portions of the Dominguez Channel, including related anaerobic digestion activities and decay of organic/vegetative material, and such conditions are or will likely be beyond the control of the services, personnel, equipment, and facilities of the County, and require the combined forces of other political subdivisions to combat; and

WHEREAS, the conditions of disaster associated with the Dominguez Channel Odor Event (Event) have necessitated a large scale response effort by the County to address the Event, which has included, but is not limited to, ongoing investigations (including as to potential sources and causes of the Event) and monitoring by the County Departments of Public Works (DPW), the County Department of Public Health (DPH), County Fire Department's Health and Hazardous Materials, and the South Coast Air Quality Management District (SCAQMD); the issuance by the County Health Officer of a Health Directive to PW finding that the conditions are sufficiently pervasive as to be considered a "public nuisance"; extensive measures to limit the impacts to the community from the Event, which include providing impacted residents, among other things, air filters, air purifiers, and/or temporary relocation assistance to hotels outside of the impacted area; and other measures to combat the conditions of disaster relating to the Dominguez Channel, including, but limited to, application of Epoleon odor neutralizer, the installation of nanobubbler devices, and the installation of lighting standards; and

WHEREAS, the mobilization of local resources, and the ability to coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the State and federal governments will be critical to successfully responding to the Dominguez Channel Odor Event; and

WHEREAS, these conditions warrant and necessitate that the County proclaim the existence of a local emergency.

NOW, THEREFORE, THE BOARD FINDS THAT, conditions of "disaster" within the meaning of Government Code section 8558(c) have arisen in regard to conditions involving the aerial emission of foul-smelling hydrogen sulfide gas/odors from portions of the Dominguez Channel, that have impacted (to differing degrees) surrounding areas, including Carson, West Carson, and portions of Gardena, Torrance, Redondo Beach, Wilmington, and Long Beach, and the surrounding unincorporated areas which conditions are linked to diminished amounts of dissolved oxygen in the water in portions of the channel, including related anaerobic digestion activities and decay of organic/vegetative material, and such conditions are or will likely be beyond the control of the services, personnel, equipment, and facilities of the County, and require the combined forces of other political subdivisions to combat; and

IT IS HEREBY ORDERED AND PROCLAIMED by the Board of Supervisors that a local emergency exists in the County; and

IT IS FURTHER ORDERED AND PROCLAIMED that, during the existence of said local emergency, the powers, functions, and duties of the emergency organization of the County shall be those prescribed by State law, by ordinances, and resolutions of the County; and

IT IS FURTHER ORDERED AND PROCLAIMED that a copy of this proclamation be forwarded to the Director of California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor of California, pursuant to the California Emergency Services Act, issue a proclamation declaring State of Emergency in the County of Los Angeles; that the Governor waive regulations that may hinder response and recovery efforts; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to state and federal resources and any other appropriate federal disaster relief programs.

The foregoing proclamation was on the 2nd day of November, 2021, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES

By: *Hilda F. Solis*
Chair



ATTEST:
CELIA ZAVALA
Executive Officer
Board of Supervisors

APPROVED AS TO FORM:

RODRIGO A. CASTRO-SILVA
County Counsel

Rodrigo A. Castro-Silva

By *Krometer*
Deputy

By _____
Deputy