



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

MARK PESTRELLA, Director

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

IN REPLY PLEASE  
REFER TO FILE:

SWQ-0

November 2, 2021

57-D November 2, 2021

CELIA ZAVALA  
EXECUTIVE OFFICER

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**WATER RESOURCES CORE SERVICE AREA  
PROVIDING CRITICAL ACTIONS FOR DOMINGUEZ CHANNEL  
PUBLIC NUISANCE EVENT  
(SUPERVISORIAL DISTRICTS 2 AND 4)  
(4 VOTES)**

**SUBJECT**

Public Works is seeking Board approval to conduct all necessary actions to eliminate the current odor nuisance in the Dominguez Channel, which include delegated authority to the Director of Public Works to enter into agreements under emergency contracting to procure equipment, services, and supplies to comply with the Public Health Directive.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the proposed actions are exempt from the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the project.
2. Review the determination of the Director of Public Works that the conditions resulting from the Dominguez Channel Odor Incident did not permit a delay resulting from a competitive solicitation for contract bids and the actions identified by the Director of Public Works were necessary to respond to the incident.

3. Find that the conditions created by the Dominguez Channel Odor Incident continue to require immediate action and will not permit a delay resulting from a competitive solicitation for bids and that the actions identified by the Director of Public Works continue to be necessary to respond to the conditions created by the Dominguez Channel Odor Incident and should be continued.
4. Delegate authority to the Director of Public Works to continue to procure the necessary equipment, services, and supplies necessary to implement the identified actions to respond to the conditions resulting from the Dominguez Channel Odor Incident without giving notice for bids, and to implement the identified actions using contractors and Public Works employees.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On October 4, 2021, Public Works was first notified of the presence of a noxious odor in the vicinity of the Dominguez Channel near the City of Carson. Over the next several days, hundreds of County residents from communities including Carson, West Carson, and others along the Dominguez Channel registered complaints of a putrid, sulfur-like odor.

As of October 8, 2021, the County Department of Public Health (DPH), County Fire Department's Health and Hazardous Materials, and the South Coast Air Quality Management District (SCAQMD) joined Public Works in investigating the source of the odor, identifying potential solutions, evaluating and monitoring hydrogen sulfide levels, and assessing ways to mitigate health impacts. As of the Indigenous Peoples' Day holiday weekend, the incident evolved into a regional issue with many more County residents reporting odors from surrounding areas, including Carson, West Carson, and portions of Gardena, Torrance, Redondo Beach, Wilmington, and Long Beach.

On October 11, 2021, the County Health Officer, Dr. Muntu Davis, issued a Public Health Directive to Public Works. As reflected in that Directive, DPH found (after investigation) that odors and elevated levels of hydrogen sulfide are emanating from the Dominguez Channel. The odors are negatively impacting residents of the City of Carson and nearby cities and causing them to experience short-term adverse health symptoms, such as headaches, nausea, and/or eye, nose, and throat irritation, which needed to be addressed urgently. The Health Officer concluded that the conditions are sufficiently pervasive to be considered a "public nuisance" to residents, workers, and others nearby. The Health Officer indicated that the substantial odors are likely to continue until mitigation measures to address the conditions are implemented.

Accordingly, pursuant to Los Angeles County Code Section 11.02.190, the Health Officer directed Public Works (while substantial odors persist in and around the Dominguez Channel) to (1) take all necessary actions to eliminate the current odor nuisance including mitigation and monitoring of outdoor air impacts, prioritizing areas with the highest odor contribution for cleanup and abatement; (2) communicate to impacted residents that reasonable expenses incurred for obtaining a certified portable HVAC High Efficiency Particulate Air (HEPA) air filters with activated carbon or a certified portable HEPA indoor air filter with activated carbon to improve the air quality in the resident's home will be reimbursed; and (3) provide residents with a reasonable temporary relocation expense to avoid negative health impacts from the Dominguez Channel odors as a potential reimbursable expense by Public Works.

In response to the Health Officer's directive, Public Works identified the following actions to address the current odor nuisance and the Public Health Directive:

- The provision of air filters and air purifiers to impacted residents in the affected community.
- The temporary relocation of residents impacted by the odor nuisance to hotels outside of the area.
- Monitoring and testing of the Dominguez Channel upstream areas that discharge into Dominguez Channel and downstream areas to which the Dominguez Channel discharges.
- Temporary measures to mitigate the odor consisting of the application of Epoleon odor neutralizer, the installation of aeration devices, and the installation of lighting standards.
- Sediment management including removal of organic materials contributing to the odor nuisance.

Public Works also determined that the immediate implementation of the above-referenced actions required the procurement of equipment, services, and supplies; that if such equipment, services and supplies were to be procured through a competitive solicitation for bids in accordance with the Public Contract Code, the procurement would take at least 2 to 3 months to complete; and therefore, that the conditions created by the Dominguez Channel Odor Incident did not permit a delay resulting from a competitive solicitation for bids.

A record of the above-referenced determinations by Public Works is attached as an enclosure. These actions by Public Works were taken in accordance with a resolution adopted by the Board on August 22, 2006, pursuant to Public Contract Code Section 22050, which delegated authority to the Director of Public Works, in the case of any sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or

essential public services, to order the repair or replacement of any facility of the Los Angeles Flood Control District, to take any directly related and immediate action required by that emergency, and to procure the necessary equipment, services, and supplies for such purposes, without giving notice for bids. The August 22, 2006, resolution also requires the Board to review the actions taken by the Director of Public Works and determine if such actions should be continued.

### **Implementation of Strategic Plan Goals**

These recommendations support the County Strategic Plan: Strategy II.3, Make Environmental Sustainability Our Daily Reality; and Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability. The recommended actions support the capacity to sustain essential services through exploring proactive and prudent fiscal policies and stewardship by balancing the effective and responsible vegetation management and the protection of human and environmental health.

### **FISCAL IMPACT/FINANCING**

Public Works has expended an estimated \$5.4 million on the Dominguez Channel Odor Incident in the Flood Control District Fund (B07). Expenditures include labor, equipment, and materials, hotel accommodations, air purifiers, contracts, and claim reimbursements for the indicated incident. The cost for response and recovery is estimated to be in the range of \$50 million to \$358 million if the incident extends through March 2022.

Public Works will seek local, State, federal, or any other funding for any future costs or reimbursement of prior expenditures.

Public Works will return to the Board with any funding requests and legal authorities for reimbursement.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Dominguez Channel watershed drains an area of approximately 133 square miles in southwestern Los Angeles County, California. Built by the Los Angeles County Flood Control District in the mid-1900s, the Dominguez Channel begins at 116th Street in the City of Hawthorne and extends approximately 19.5 miles through the Cities of Inglewood, Hawthorne, El Segundo, Gardena, Lawndale, Redondo Beach, Torrance, Carson, and Los Angeles, until its terminus at the Port of Los Angeles (POLA). The channel is tidally influenced.

The lined portion of channel upstream of Vermont Avenue is 6.7 miles in length, extending from West 116th Street near Interstate 105 to Vermont Avenue near Interstate 110. The unlined portion of the channel, commonly referred to as the Dominguez Channel Estuary (DCE), extends 8.2 miles in length downstream from the lined portion of the channel from Vermont Avenue to south of Anaheim Street and west of Interstate 710 at the POLA. Torrance Carson Channel, also referred to as Torrance Lateral, is 3.4 miles in length and tributary to DCE. Torrance Lateral spans from Western Avenue, south of Torrance Boulevard, to its confluence with the DCE near Avalon Boulevard and Interstate 405.

The project is located within the DCE, from 190th Street (the upstream extent) to Wilmington Avenue (the downstream extent). Monitoring will also be conducted at a location upstream of Vermont Avenue, and downstream of Anaheim Street.

The recommended actions are required to comply with Public Contracts Code Section 22050. This statute states, in pertinent part:

- (a)(1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.
- (b)(1) The governing body, by a four-fifths vote, may delegate, by resolution or ordinance, to the appropriate county administrative officer, city manager, chief engineer, or other nonelected agency officer, the authority to order any action pursuant to paragraph (1) of subdivision (a).
- (b)(3) If a person with authority delegated pursuant to paragraph (1) or (2) orders any action specified in paragraph (1) of subdivision (a), that person shall report to the governing body, at its next meeting required pursuant to this section, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency.
- (c)(2) If a person with authority delegated pursuant to subdivision (b) orders any action specified in paragraph (1) of subdivision (a), the governing body shall initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action, unless a person

with authority delegated pursuant to subdivision (b) has terminated that action prior to the governing body reviewing the emergency action and making a determination pursuant to this subdivision. If the governing body meets weekly, it may, after the initial review, review the emergency action in accordance with this paragraph every 14 days.

- (c)(3) When the governing body reviews the emergency action pursuant to paragraph (1) or (2), it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

Public Contract Code Section 1102 defines an "emergency" for the purposes of the Section 22050 to be "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

Pursuant to a resolution of the Board adopted August 22, 2006, pursuant to Public Contract Code Section 22050:

1. The Director of Public Works, acting as the Chief Engineer of the Los Angeles County Flood Control District, shall be authorized, in the case of an emergency as defined in Section 1102 of the Public Contract Code, to order the repair or replacement of any facility of the Los Angeles Flood Control District, to take any directly related and immediate action required by that emergency, and to procure the necessary equipment, services, and supplies for such purposes, without giving notice for bids to let contracts.
2. When the Director of Public Works orders any action pursuant to the authority delegated by this resolution, the Director shall report to the Board, not later than seven days after the action, or at the Board's next regularly scheduled meeting, If that meeting will occur not later than 14 days after the action, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids, and why the action is necessary to respond to the emergency, unless the Director has terminated that action prior to that time.

## **ENVIRONMENTAL DOCUMENTATION**

For the actions pertaining to impacted residents and solutions for temporary relocation, your Board previously determined, on October 19, 2021, that (1) the actions do not constitute a project under Public Resources Code section 21065 and are excluded from the definition of a project under section 15378(b) of the California Environmental Quality

Act (CEQA) Guidelines because the activities involve the creation of government funding mechanisms and are organizational or administrative activities of government that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and will not result in any direct or indirect physical changes in the environment, (2) in the alternative, that the actions are exempt from CEQA under section 15061(b) of the CEQA Guidelines because the activities do not have the potential to cause a significant environmental effect and State CEQA Guidelines sections 15301(a) and 15303 as well as Classes 1 and 3 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G, which involve minor alteration of structures and placement of new equipment in facilities, and (3) the activities will comply with all applicable regulations, are not located in a sensitive environment, and there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste sites pursuant to Government Code Section 65962.5, or indications that the project may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable based on the record of the proposed activities.

For Public Works actions related to eliminating or reducing the current odor nuisance, the actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080 (b)(4) and State CEQA Guidelines Section 15269(c). Portions of the project are also exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (b) and 15304 (g), 15306; and Class 1, Subsection (e), Class 4, Subsection (l), and Class 6 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G, as discussed in more detail in the enclosure.

Upon the Board's approval of the above actions, the Department of Public Works will file a Notice of Exemption with the County Clerk in accordance with Section 21152 of the California Public Resources Code.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no adverse impact on current services or projects as a result of the recommended actions.

The Honorable Board of Supervisors  
November 2, 2021  
Page 8

**CONCLUSION**

Please return one adopted copy of this letter to Public Works, Stormwater Quality Division.

Respectfully submitted,



MARK PESTRELLA, PE  
Director of Public Works

MP:ML:dw

Enclosures

c: Chief Executive Office (Chia-Ann Yen)  
County Counsel (Mark Yanai)  
Executive Office  
Public Health (Muntu Davis)

Concur

  
Mark Pestrella, PE

October 26, 2021

TO: Mark Pestrella, PE

FROM: Daniel J. Lafferty 

**EMERGENCY CONTRACTING FINDINGS AND ORDERS BY THE DIRECTOR OF  
PUBLIC WORKS REGARDING THE DOMINGUEZ CHANNEL NUISANCE ODOR  
INCIDENT**

On October 4, 2021, Los Angeles County Public Works was first notified of the presence of a noxious odor in the vicinity of a reach of the Dominguez Channel near the City of Carson. Over the next several days, hundreds of County residents from communities, including Carson, West Carson, and others along the Dominguez Channel, registered complaints of a putrid, sulfur-like odor.

As of October 8, 2021, the County Department of Public Health (DPH), County Fire Department's Health and Hazardous Materials, and the South Coast Air Quality Management District joined Public Works in investigating the source of the odor, identifying potential solutions, evaluating and monitoring hydrogen sulfide levels, and assessing ways to mitigate health impacts. As of the Indigenous Peoples' Day holiday weekend, the incident evolved into a regional issue with many more County residents reporting odors from surrounding areas, including Carson, West Carson, and portions of Gardena, Long Beach, Redondo Beach, Torrance, and Wilmington.

On October 11, 2021, the County Health Officer, Dr. Muntu Davis, issued a Public Health Directive to Public Works. As reflected in that Directive, DPH found (after investigating) that odors and elevated levels of hydrogen sulfide are emanating from the Dominguez Channel, which are negatively impacting residents of the City of Carson and nearby cities and causing them to experience short-term adverse health symptoms, such as headaches, nausea, and/or eye, nose, and throat irritation, which need to be addressed as urgently as possible. The Health Officer concluded that the conditions are sufficiently pervasive to be considered a "public nuisance" to residents and those working and recreating nearby. The Health Officer indicated that the substantial odors are likely to continue until mitigation measures to address the conditions are implemented. In addition, Public Works determined that organic material in portions of the Dominguez Channel were decaying, and that the levels of dissolved oxygen in the water in portions of the Channel were problematically low.

Pursuant to Los Angeles County Code Section 11.02.190, the Health Officer directed Public Works (while substantial odors persist in and around the Dominguez Channel) to: (1) take all necessary actions to eliminate the current odor nuisance, including mitigation and monitoring of outdoor air impacts, prioritizing areas with the highest odor contribution

for cleanup and abatement; (2) communicate to impacted residents that reasonable expenses incurred for obtaining HVAC HEPA air filters with activated carbon or a certified portable HEPA indoor air filter with activated carbon to improve the air quality in the resident's home will be reimbursed; and (3) provide residents with a reasonable temporary relocation expense to avoid negative health impacts from the Dominguez Channel odors as a potential reimbursable expense by Public Works.

Public Works has identified the following actions related to compliance with the Public Health Directive and to mitigate and/or prevent the impacts and impairments associated with the odor incident:

- The provision of air filters and air purifiers to impacted residents in the affected community.
- The temporary relocation of impacted residents to hotels outside of the area impacted by the odor nuisance.
- Monitoring, sampling, and testing of the Dominguez Channel, tributary channels and drains, and downstream areas to which the Dominguez Channel discharges.
- Immediate measures to mitigate the odor consisting of the application of Epoleon odor neutralizer or other chemical treatments, the installation of nanobubbler devices, and the installation of lighting standards.
- Sediment management including the removal of organic material and associated sediments from the Dominguez Channel.

The application of the odor neutralizer is intended to alleviate the smell coming from the channel by reacting with and breaking down odor-producing molecules.

The installation of an aeration system will increase the dissolved oxygen into the affected channel areas in an effort to stop or reduce the anaerobic digestion causing the production of hydrogen sulfide gas, as well as to facilitate the process of restoring the ecological health in the affected channel areas.

The installation of the lighting standards will enable Public Works to investigate if the lighting hinders bacteria activity thereby altering the anaerobic digestion process.

The removal of organic material will reduce the amount of available organics for anaerobic digestion causing generation of hydrogen sulfide gas, which will significantly eliminate the levels of organic material in the Channel compared to the other immediate actions.

The implementation of the above-referenced actions require the expedited procurement of equipment, services, and supplies. If such equipment, services and supplies were to be procured through a competitive solicitation for bids in accordance with the

Public Contract Code, the procurement would take a minimum of 2 to 3 months, or longer, to complete and would fail to urgently mitigate the ongoing impacts, as is necessary.

## FINDINGS AND ORDERS

Based on the facts described above (which are incorporated herein), pursuant to the authority delegated to the Director of Public Works by the County Board of Supervisors (by resolution), the Director finds and orders based on substantial evidence, as follows:

1. An "emergency," as defined in Public Contract Code Section 1102, means "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services." It is hereby determined that an "emergency," within the meaning of the Public Contract Code, currently exists and has existed since on or about October 11, 2021, with respect to the above-described Dominguez Channel odor incident. The Health Officer's declared condition of a public nuisance, as well as the underlying environmental/ecological conditions precipitating it (including any proximate cause(s) thereof), constitute a sudden, unexpected occurrence. Said conditions pose a clear and imminent danger/risk in regard to both: (a) tangible, short-term health symptoms, such as headaches, nausea, and/or eye, nose, and throat irritation; and (b) observable adverse ecological conditions in the affected channel areas. These conditions require immediate action to mitigate and/or prevent: (a) impairments to short-term health and to the routine enjoyment of life for impacted persons; and (b) impairments to ecological conditions in the affected areas of the channel.
2. In accordance with Public Contract Code Section 22050:
  - a. The emergency did not and will not permit a delay resulting from a competitive solicitation for bids to procure equipment, services, and supplies to mitigate and/or prevent the impacts of the emergency; and
  - b. The immediate implementation of following actions is necessary to respond to the emergency:
    - i. The provision of air filters and air purifiers to impacted residents in the affected community.
    - ii. The temporary relocation of impacted residents to hotels outside of the area impacted by the odor nuisance.
    - iii. Monitoring, sampling, and testing of the Dominguez Channel, tributary channels and drains, and downstream areas to which the Dominguez Channel discharges.

- iv. Temporary measures to mitigate the odor consisting of the application of Epolon odor neutralizer, the installation of nanobubbler devices and the installation of lighting standards.
  - v. Sediment management including the removal of organic material and associated sediments from the Dominguez Channel.
  - vi. The procurement and/or purchase of, and the payment/reimbursement for the procurement and/or purchase of, equipment, services, supplies, and costs in connection with the implementation of these actions, including without limitation.
3. The actions are exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(4) and State CEQA Guidelines Sections 15269(c), 15301(b), 16304(g), 15306, and Class 1, Subsection (e), Class 4(l), and Class 6, of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G.

MT:dw

P:\swqpub\Sec\2021\Memos\Dominquez Channel Emergency Contracting

Concur



Mark A. Lombos, PE

October 27, 2021

TO: Mark A. Lombos, PE  
FROM: Melissa Turcotte *MT*  
Stormwater Quality Division

## **ENVIRONMENTAL EVALUATION DOMINGUEZ CHANNEL ODOR ISSUE**

Provided herein is an environmental evaluation and finding for compliance with the California Environmental Quality Act (CEQA) associated with the Dominguez Channel Odor Issue.

### **I. Background**

On October 4, 2021, Los Angeles County Public Works was first notified of the presence of a noxious odor in the vicinity of a reach of the Dominguez Channel near the City of Carson. Over the next several days, hundreds of County residents from communities including Carson, West Carson, and others along the Dominguez Channel registered complaints of a putrid, sulfur-like odor.

As of October 8, 2021, the County Department of Public Health (DPH), County Fire Department's Health and Hazardous Materials, and the South Coast Air Quality Management District (SCAQMD) joined Public Works in investigating the source of the odor, identifying potential solutions, evaluating and monitoring hydrogen sulfide levels, and assessing ways to mitigate health impacts. As of the Indigenous Peoples' Day holiday weekend, the incident evolved into a regional issue with many more County residents reporting odors from surrounding areas, including Carson, West Carson, and portions of Gardena, Torrance, Redondo Beach, Wilmington, and Long Beach.

On October 11, 2021, the County Health Officer, Dr. Muntu Davis, issued a Public Health Directive to Public Works. As reflected in that Directive, DPH found (after investigation) that odors and elevated levels of hydrogen sulfide are emanating from the Dominguez Channel, which are negatively impacting residents of the City of Carson and nearby cities and causing them to experience short-term adverse health symptoms, such as headaches, nausea, and/or eye, nose, and throat irritation, which need to be addressed as urgently as possible. The Health Officer concluded that the conditions are sufficiently pervasive to be considered a "public nuisance" to residents and those working and recreating nearby. The Health Officer indicated that the substantial odors are likely to continue until mitigation measures to address the conditions are implemented.

Accordingly, pursuant to Los Angeles County Code Section 11.02.190, the Health Officer directed Public Works (while substantial odors persist in and around the Dominguez Channel) to (1) take all necessary actions to eliminate the current odor nuisance including mitigation and monitoring of outdoor air impacts, prioritizing areas with the highest odor contribution for cleanup and abatement; (2) communicate to impacted residents that reasonable expenses incurred for obtaining a certified portable High Efficiency Particulate Air indoor air filter with activated carbon to improve the air quality in the resident's home will be reimbursed; and (3) provide residents with a reasonable temporary relocation expense to avoid negative health impacts from the Dominguez Channel odors as a potential reimbursable expense by Public Works.

## **II. Project Location**

The Dominguez Channel watershed drains an area of approximately 133 square miles in southwestern Los Angeles County, California. Built by the Los Angeles County Flood Control District in the mid-1900s, the Dominguez Channel begins at 116th Street in the City of Hawthorne and extends approximately 19.5 miles through the Cities of Inglewood, Hawthorne, El Segundo, Gardena, Lawndale, Redondo Beach, Torrance, Carson, and Los Angeles, until its terminus at the Port of Los Angeles (POLA). The channel is tidally influenced.

The lined portion of channel upstream of Vermont Avenue is 6.7 miles in length, extending from West 116th Street near Interstate 105 to Vermont Avenue near Interstate 110. The unlined portion of the channel, commonly referred to as the Dominguez Channel Estuary (DCE), extends 8.2 miles in length downstream from the lined portion of the channel from Vermont Avenue to south of Anaheim Street and west of Interstate 710 at the POLA. Torrance Carson Channel, also referred to as Torrance Lateral, is 3.4 miles in length and tributary to DCE. Torrance Lateral spans from Western Avenue, south of Torrance Boulevard, to its confluence with the DCE near Avalon Boulevard and Interstate 405.

The project is located within the DCE, from 190th Street (the upstream extent) to Wilmington Avenue (the downstream extent). Monitoring will also be conducted at one location upstream of Vermont Avenue, and downstream of Anaheim Street.

## **III. Project Description**

Public Works has identified the following actions to eliminate or mitigate the current odor nuisance related to compliance with the Public Health Directive issued on October 11, 2021:

- Monitoring, sampling, and testing of the Dominguez Channel, tributary channels and drains, and downstream areas to which the Dominguez Channel discharges.
- Spraying an environmentally safe, organic, odor neutralizer (Epoleon) during low-tide to alleviate the smell coming from the channel by reacting with and breaking down odor-producing molecules.
- Installation of an aeration system (nanobubble) to increase the dissolved oxygen into the odor affected channel areas to stop or reduce the anaerobic digestion causing the production of hydrogen sulfide gas.
- Installing lighting standards at multiple locations along the Dominguez Channel to investigate if the lighting hinders bacteria activity, thereby altering the anaerobic digestion process.
- Sediment management including removal of organic materials contributing to the odor nuisance.

Restoration of the channel habitat will remove accumulated sediment consisting of debris, sludge, organic material, pollutants, and trash from the bottom of the channel, and will be completed in two phases. Phase 1 involves wet dredging during the storm season. Phase 2 involves dry dredging . Wet dredging consists of specialized equipment capable of removing sediment from the bottom of the waterbody without the need for dewatering. Dry dredging requires dewatering, but uses conventional excavation equipment. For both methods, the removed sediment will be properly analyzed, transported, and disposed at a sediment placement or disposal site. Laydown, sediment processing areas, and haul routes will be determined during planning and design phase of the project. Sediment disposal sites will be coordinated and authorized by applicable agencies.

These actions are not expected to have any physical impact on the channel. These actions are expected to reduce the odor nuisance for the public and monitoring will be conducted to determine the effectiveness of the solutions. Water quality sensors (sondes) will be deployed in the channel to collect continuous dissolved oxygen, pH, temperature, and turbidity water quality readings. Maintenance of the water quality sensors will be conducted bi-monthly (every other month) for the duration of the monitoring. Sediment and water column grab samples will be collected for analysis.

The solutions will be completed in the highest odor producing areas from 190th Street to Wilmington Avenue.

#### **IV. CEQA Evaluation/Finding**

The project is exempt from CEQA pursuant to Public Resources Code Section 21080 (b)(4) and State CEQA Guidelines Section 15269(c). Portions of the project are also exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (b), 15304 (g) and 15306; and Class 1, Subsection (e), Class 4 (l), and Class 6 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. Each exemption is discussed in more detail below.

#### **Statutory Exemptions**

Public Resources Code 21080 (b)(4)

- (b) This division does not apply to any of the following activities:*  
*(4) Specific actions necessary to prevent or mitigate an emergency.*

CEQA Guidelines Section 15269 (c) identifies Emergency Projects as follows:

#### *Section 15269 – Emergency Projects*

*(c) Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.*

#### **Categorical Exemptions**

Section 15301 – Existing Facilities, identifies Class 1 exemption as follows:

*Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use. Examples include but are not limited to:*

*(b) Existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.*

County Environmental Guidelines, Appendix G, Categorically Exempt Projects under Class 1 mirrors the State CEQA guidelines, with a few minor changes:

*Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to:*

*(e) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, water, sewage, flood control, or other public services.*

Section 15304 – Minor Alterations to Land, identifies Class 4 exemption as follows:

*Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:*

*(g) Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies.*

County Environmental Guidelines, Appendix G, Categorically Exempt Projects under Class 4 mirrors the State CEQA guidelines, with a few minor changes:

*Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:*

*(l) Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable regulatory agencies.*

Section 15306 – Information Collection, identifies Class 6 exemption as follows:

*Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering*

*purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.*

County Environmental Guidelines, Appendix G, Categorically Exempt Projects under Class 6 mirrors the State CEQA guidelines, with a few minor changes:

*Class 6 consists of basic data collection, research, and experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for strictly information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.*

(d) *Test boring permits and geologic investigations;*

(e) *Installation of Stream Gauges.*

In addition, the application of the above-described categorical exemptions is not precluded by any of the exceptions described in Section 15300.2 except for the portion of the project located within the reach of the Dominguez Channel in the vicinity of Carson Avenue that is subject to an active site assessment, as discussed in the following table:

Exemption Description	Discussion
(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the Project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.	The project is located within a developed urban area and is adjacent to Interstate 110 and Interstate 405. The project surroundings include residential, commercial, and industrial uses. The project site is currently a LACFCD flood control facility and the project will not change its use, but will improve the air and water quality for the community and will improve future functions of the channel. The pre-project condition of the channel bottom includes accumulated sediment consisting of debris, sludge, dead vegetation, and pollutants causing the anaerobic conditions creating the odor nuisance for the community. The solutions will be implemented at various locations within the channel from 190th Street to Wilmington Boulevard to eliminate or mitigate the current odor nuisance. The

Exemption Description	Discussion
	<p>project site is not located in a significant ecological area. As discussed below in (e) Hazardous Waste Sites, one active site assessment was observed on the GeoTracker database, thus any portions of the project completed within the channel south of Carson Street within this active site assessment is not subject to the categorical exemptions. However, the other portions of the project would not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and federally adopted pursuant to law by federal, state, or local agencies.</p> <p>The location of the project does not preclude the use of categorical exemptions as to the remainder of the project.</p>
(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.	<p>Cumulative impacts refer to other past, present, and reasonably foreseeable future projects. This emergency project includes solutions to be implemented within the Dominguez Channel to improve air and water quality and mitigate the odor nuisance for the surrounding community. The project, which is to provide immediate solutions to eliminate or mitigate the current odor nuisance, will not change the site's existing operations as an LACFCD flood control facility, and after construction, will improve the operational conditions in the channel for future use. The site will return to its existing functions and will not result in a cumulative impact.</p> <p>No cumulative impacts would preclude the use of this exemption.</p>
(c) Significant Effect. A categorical exemption shall not be used for an activity	The project consists of immediate solutions (odor neutralizing spray, aeration, and lights)

Exemption Description	Discussion
where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.	<p>and a long-term solution (removal of organic material) of the Dominguez Channel. The project is currently an existing LACFCD flood control facility and located in a fully developed and urbanized metropolitan area. The project does not propose any developments that would result in increased population growth, or require any increased utility or public service demands. Although generators will be used for the aeration pumps, the project is located adjacent to Interstate 110 and Interstate 405 with existing high ambient noise. Sediment laydown areas and disposal sites will be coordinated with and authorized by applicable agencies. Additionally, as the current condition of the channel consists of accumulated sediment consisting of debris, sludge, dead vegetation, and pollutants causing the anaerobic conditions creating the odor, the project will have a benefit to the surrounding community; thus, the project is not anticipated to have unusual circumstances that would result in significant effects on the environment.</p> <p>No significant effects or unusual circumstances would preclude the use of this exemption.</p>
(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway	<p>The project site is not near or visible from any designated or eligible scenic highways pursuant to the California Scenic Highway Program. The project will not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a State scenic highway.</p> <p>No scenic resources would preclude the use of this exemption.</p>

Exemption Description	Discussion
(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.	<p>The Dominguez Channel is listed on the State Water Resources GeoTracker database.</p> <p>One site assessment (T10000003058) is listed as active on GeoTracker, located at Dominguez Channel at Carson Avenue. The enforcement notice was issued to Resource Environmental, LCC due to a petroleum sheen from that appeared on the surface of the Dominguez Channel, approximately 400 feet south of Carson Street in January 2011. The scope of work included light non-aqueous phase liquid (LNAPL) observation and recovery from monitoring wells located on the access road west of the Dominguez Channel (approximately 900 feet south of Carson Street) and within an adjacent former Active RV Site. According to GeoTracker, the investigation is mostly complete as LNAPL is recovered in wells and booms are deployed to remove sheen observed on the water surface.</p> <p>Two additional site assessments occurred within the Dominguez Channel at Carson Street, but both cases were closed in 2012 and 2016, respectively.</p> <p>Hazardous waste sites would preclude the use of the categorical exemptions as to the portions of the project located within the reach of the Dominguez Channel subject to the active site assessment described above. No hazardous waste sites would preclude the use of the categorical exemptions as to the remainder of the project.</p>

Exemption Description	Discussion
(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.	The project is not located near any historical building, facilities, or structures, and is not listed on any historical databases. The project is not anticipated to result in any substantial adverse changes in the significance of a historical resource.  No historical resources would preclude the use of this exemption.

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Mark A. Lombos  
October 27, 2021  
Page 11

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If you have any questions, please contact me at Extension 7173.

Attach.

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