



Legislation Details (With Text)

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Report to Mayor and City Council

Tuesday, September 20, 2022

Consent

SUBJECT:

CONSIDER AN UPDATE ON DOMINGUEZ CHANNEL (CITY COUNCIL)

I. SUMMARY

This item transmits an informational update to the City Council and the Carson community on the status of the Dominguez Channel odor incident.

Since January 2022, staff has been working with the Army Corps of Engineers, LA Office, as well as Los Angeles County Department of Public Works on evaluating grant funding opportunities regarding the Dominguez Channel improvements in the City of Carson. In partnership with LA County Public Works, the City worked on language and scope for a Water Resources Development Act (“WDRA”) Grant with the Army Corps of Engineers that can fund up to \$30M. On March 31, 2022, LA County Public Works submitted a Letter of Intent to the LA Office of the Army Corps of Engineers requesting funds from the Corps’ Section 1135 which funds aquatic ecosystem restoration projects. This letter was reviewed by Carson and approved prior to being submitted. Funding from this program is up to \$10M and is a local decision (Los Angeles Corps District decision that does not have to go through committees in Washington, D.C.) Committees in DC are still deciding if Dominguez Channel will get funding for WRDA. The City and County should know this month.

On August 2, 2022, the Director of LA County Department of Public Works made a

presentation to the City Council. His presentation included a commitment to the City of Carson regarding creating a greenway along the Dominguez Channel with bikeways, walking space and trees. They will also look at the feasibility of creating a pocket park on property they already own and is within their Right of Way. Design meetings between Carson's engineering division and the County's design team have begun. In addition, a community engagement and outreach meeting is being held specifically for the pocket park on September 22 to encourage input from Carson residents, businesses, and community leaders. See Exhibit 1 and 2.

The City will continue to advocate for the interest of Carson residents with respect to the restoration of the Channel. While the Channel is owned by the Army Corps of Engineers and maintained by the Los Angeles County Department of Public Works, the City will continue to work with its government partners and elected officials to help ensure the crisis associated with the Channel does not occur again.

In addition, the Los Angeles Regional Water Quality Control Board recently announced it intends to impose an administrative civil penalty of \$17M on the business owner and its landlord that caused the release of pollutants into the flood control channel in September, which resulted in the odor incident. The City Council approved a letter to the Water Board supporting the levy of the fine and requesting consideration of a portion of the fine revenue to be allocated back to Carson for additional clean water projects.

Carson can ask for 50% of the fine under a program called the "Supplemental Environmental Program". This program is a state program and if the local, impacted area does not ask for the 50%, the entire fine goes to a general fund held in Sacramento and others can receive the money.

The process is to propose a stormwater project to the property owner (the violator) and the Regional Board and they both have to agree that the City's project is something they want to include in their settlement. Staff has been working with our Consultant to find stormwater projects in the Dominguez Channel area that would qualify for this program and would be acceptable to both. Once the project is selected, then we can work on the application and present to both the owner and the Regional Board. This will include a very complex application that includes lots of details, a concept design, costs to design and construct, and monitoring expenses.

II. RECOMMENDATION

RECEIVE AND FILE.

III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

IV. BACKGROUND

In October 2021 there was an odor incident in the Dominguez Channel caused by anaerobic conditions in the water. The LA County Public Works addressed the odor by using an odor neutralizer and aeration bubblers. Ultimately, the rainy season helped but introducing oxygen-rich water into the channel and helping to increase the flow of the Channel, which helped speed the recovery.

The City of Carson and LA County Public Works continue to work together on technical issues and grant funding on a regular basis. Currently, A core group meets to consider the gaps in knowledge and studies that would assist in developing a feasibility study for the Dominguez Channel. This study would help to inform the alternatives and potential decision for the future. If received, the Army Corp funds should assist in various studies for the Channel.

In addition, the City intends to seek a portion of the proposed Administrative Penalty to be levied by the Regional Board against the business and the property owner responsible for the incident in October. This could represent millions of dollars to the City for additional stormwater management facilities in the Dominguez Channel watershed.

V. FISCAL IMPACT

There are no direct impacts associated with this staff report as it is intended for information only. The City will continue to advocate for state and federal funding in collaboration with multiple agencies that could contribute to the long-term restoration and improvement of the Channel for the benefit of Carson residents.

VI. EXHIBITS

1. Dominguez Channel Vision Community Workshop, September 22, 2022 (pgs.4)
2. Dominguez Channel Community Survey Toolkit (pg.5-6)

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