



CITY OF HUNTINGTON BEACH
CITY COUNCIL MEETING – COUNCIL MEMBER ITEMS REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

FROM: DAN KALMICK, CITY COUNCILMEMBER

DATE: 11/1/2022

SUBJECT: DECERTIFICATION OF POSEIDON EIR AND RESCIND LOCAL PROJECT APPROVALS

In May 2022, the California Coastal Commission denied a Coastal Development Permit for the Poseidon Desalination Plant, which was contemplated to be on the property adjacent to the AES Powerplant at the corner of Newland and Pacific Coast Highway. With the denial from Coastal Commission and the statute of limitations to challenge that denial having lapsed, I believe it is prudent to explore rescinding the local Project approvals, including the Environmental Impact Report (EIR), since the time to act on the permits and/or conditions precedent to receiving approval have not been met.

If this action is warranted, it will remove any question that the Poseidon project or a similar project trying to piggyback on Poseidon's prior approvals will have to start from scratch and design a project that would stand on its own merits and prove that it is safe for the environment and the community.

The City of Huntington Beach should explore decertifying the EIR based on the above, in part because the Project analyzed under the EIR no longer exists and the conditions by which the EIR was analyzed have changed or become stale.

RECOMMENDED ACTION

Direct the City Manager to have staff return at the next City Council meeting with an agenda item to decertify the EIR and withdraw all local approvals issued by the City for the Poseidon Project, if appropriate findings can be made. Furthermore, add to a future update the removal of Poseidon from any General Plan or other planning documents that presuppose future water supply that will not be supplied, so that the City has an accurate picture of its water supply going forward and terminate any water supply or related agreements.