



November 7, 2022

VIA EMAIL ONLY

City of Huntington Beach
Public Works Department
2000 Main Street
Huntington Beach, CA

Dear City of Huntington Beach:

On May 12, 2022, the California Coastal Commission voted to deny **Poseidon Resources (Surfside) LLC** ("Poseidon") the Huntington Beach Desalination Facility's ("Facility") Coastal Development Permit application following a public hearing on the issue. As a result, the Facility will not be constructed, and Poseidon has terminated its interest in the Facility. Poseidon therefore requests termination of the agreements/permits listed below, between Poseidon and the **City of Huntington Beach**.

- SEIR No. 10-001
- Conditional Use Permit No. 02-004
- Entitlement Plan Amendment No. 10-001
- Coastal Development Permit No. 10-014
- Tentative Parcel Map No. 10-130
- Franchise agreement
- Owner participation agreement
- Exchange agreement and escrow instructions and lease agreement for water storage purposes

Poseidon waives the right to any noticing and opportunity to be heard before City Council on the termination of the Franchise Agreement, dated September 7, 2010.

Thank you for your attention to this matter.

Keith A. Bukowski

Keith A. Bukowski
Poseidon Water
Corporate Controller

cc: [Via email only]
Ricky Ramos, City of Huntington Beach (rmos@surfcity-hb.org)

Poseidon Water LLC

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