

State of California
California Regional Water Quality Control Board
Santa Ana Region

Order No. R8-2022-0053

Termination of Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit for Poseidon Resources (Surfside) L.L.C., Huntington Beach Desalination Facility, Orange County

The California Regional Water Quality Control Board, Santa Ana Region (Santa Ana Water Board), finds that:

1. On April 29, 2021, the Santa Ana Water Board adopted Order R8-2021-0011, waste discharge requirements and NPDES permit for Poseidon Resources (Surfside) L.L.C. (Poseidon), Huntington Beach Desalination Facility (Facility), Orange County.
2. On May 12, 2022, the California Coastal Commission voted to deny the Facility's Coastal Development Permit application.
3. On June 27, 2022, Poseidon requested termination of Order R8-2021-0011 stating that, as a result of the California Coastal Commission's decision, the Facility will not be constructed, and Poseidon has terminated its interest in the Facility.
4. Since the Facility will not be constructed and will not discharge to surface waters, waste discharge requirements and a NPDES permit are no longer necessary and should be terminated.
5. This action is exempt from the requirements of the California Environmental Quality Act in accordance with California Code of Regulations, title 14, section 15061(b)(3).
6. The Santa Ana Water Board has notified Poseidon, interested agencies, and interested persons of its intent to consider termination of Order R8-2021-0011 and has provided them with an opportunity to submit written comments.
7. The Santa Ana Water Board, in a public meeting, heard and considered all comments pertinent to this matter.

IT IS HEREBY ORDERED that the following waste discharge requirements and NPDES permit be terminated.

Order and NPDES Nos.	Discharger and Facility Information	Reason for Termination
Order R8-2021-0011; NPDES No. CA8000403	Poseidon Resources (Surfside) L.L.C., Huntington Beach Desalination Facility, 21730 Newland Street, Huntington Beach, CA 92646	Facility will not be constructed and will not discharge to surface waters.

POSEIDON RESOURCES (SURFSIDE), LLC
HUNTINGTON BEACH DESALINATION FACILITY

ORDER R8-2022-0053
NPDES NO. CA8000403

If Poseidon's interest in the Facility changes, Poseidon shall file a new Water Code section 13142.5(b) determination request and Report of Waste Discharge/application for a new NPDES permit for the Facility.

I, Jayne Joy, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on September 9, 2022.

Jayne Joy, P.E.
Executive Officer