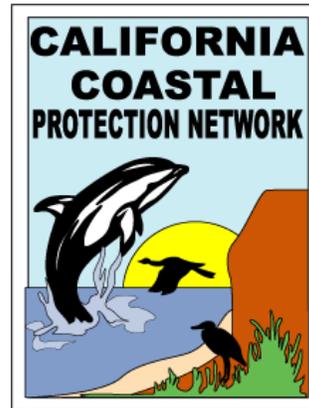


Mitigation for the Poseidon Huntington Beach Desalination Plant



California Coastal Protection Network

May 15th, 2020

What the Ocean Plan Amendment Requires

- Chapter III.M.2.e.(3)(b)i requires: “Mitigation shall be accomplished through **expansion, restoration or creation** of one or more of the following: kelp beds, estuaries, coastal wetlands, natural reefs, MPAs, or other projects approved by the regional water board that will mitigate for intake and mortality of all forms of marine life associated with the facility” (emphasis added)

Mitigation Required in the Draft Permit

- The Draft Permit calculates the following Mitigation for 421.4 acres of Area of Production Foregone (APF):

Preservation:	108.0 Acres	Dredging of Bolsa Chica Inlet
Restoration:	5.7 Acres	Subtidal Habitat
Enhancement:	15.0 Acres	Enhancement of Water Circulation

- Preservation is **NOT** what is required by the Ocean Plan Amendment (OPA):
The OPA requires that mitigation be accomplished through ***expansion, restoration or creation***.
- Santa Ana Water Board staff itself acknowledged that the inlet maintenance dredging would be considered a “preservation” form of mitigation, **not** “expansion,” “restoration” or “creation” as is required by the Ocean Plan. (Attachment G5)

The Mitigation Required in Insufficient and Inconsistent with the Ocean Plan Regulations

- **Comments from Tom Luster of the Coastal Commission**
- **“We believe that the Tentative Order’s proposed mitigation approach would not fully comply with the OPA’s requirement (at Section M.2.e(3)(b)(I)) that mitigation take the form of “expansion, restoration, or creation” of suitable habitat, or its requirement (at Section M.2.e) that the mitigation be sufficient to address the expected project impacts over the “operational lifetime of the facility.” (Comment 0177.03)**
- **“Regarding the OPA requirement that mitigation take the form of expansion, restoration, or creation, Poseidon’s proposed mitigation would instead consist primarily of dredging to maintain and preserve areas of Bolsa Chica that are already restored (and for which mitigation credits have already been approved – see below). (Comment 0177.04)**